

PROOF

Hansard

LEGISLATIVE ASSEMBLY

60th Parliament

Wednesday 27 November 2024

CONTENTS

BILLS	
Consumer and Planning Legislation Amendment (Housing Statement Reform) Bill 2024.....	1
Introduction and first reading	1
Retirement Villages Amendment Bill 2024.....	1
Introduction and first reading	1
COMMITTEES	
Parliamentary committees	2
Membership	2
BUSINESS OF THE HOUSE	
Notices of motion	2
PETITIONS	
Goranwarrabul House	2
Warnambool train services.....	2
DOCUMENTS	
Documents	3
BILLS	
Tobacco Amendment (Tobacco Retailer and Wholesaler Licensing Scheme) Bill 2024.....	3
Council's amendments.....	3
Aged Care Restrictive Practices Substitute Decision-maker Bill 2024	4
Council's agreement.....	4
MOTIONS	
V/Line.....	4
Member for Carrum	5
National Party	5
Government performance.....	5
Public transport.....	5
Government performance.....	5
Member for Brighton	5
Government performance.....	5
Member for Caulfield.....	6
Prahran by-election.....	6
Mount Arapiles rock climbing	6
Member for Bulleen	6
Government performance.....	6
Member for Caulfield.....	6
Government performance.....	7
Government performance.....	7
Prahran byelection	8
Government performance.....	8
Child protection	10
Government performance.....	10
Land tax.....	11
MEMBERS STATEMENTS	
Gendered violence.....	11
Community safety	11
David McKenzie Awards	11
Slovenian Association Melbourne	12
Robinvale Clontarf Academy.....	12
All Seasons Houseboats.....	12
Werribee electorate achievements	12
Anti-magination.....	13
Rodney Barnard.....	13
Isla Bell.....	13
Housing.....	14
Bentleigh Junior Football Club	14
Mornington Peninsula hospitality.....	14
Mainview Boulevard Reserve.....	15
Isla Bell.....	15
Mulgrave electorate.....	15
Springvale Rise Primary School	15
Wellington Secondary College	16
Euroa electorate horseracing	16
Waminda Community House.....	16

CONTENTS

Yan Yean electorate infrastructure	16
Felicitations	17
Government performance	17
St Bernard's Catholic Primary School	17
Merri-bek interschool innovators program	17
Pascoe Vale Girls College	17
St Mary's Jacobite Syrian Orthodox Church.....	17
Christmas Under the Elms	18
Nazra Ibrahim	18
Melton electorate	18
Felicitations	18
Boronia revitalisation	18
Wantirna College.....	19
STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS	
Public Accounts and Estimates Committee	19
Inquiry into Vaping and Tobacco Controls	19
Public Accounts and Estimates Committee	20
Report on the 2024–25 Budget Estimates.....	20
Environment and Planning Committee	21
Inquiry into Securing the Victorian Food Supply	21
Environment and Planning Committee	22
Inquiry into Securing the Victorian Food Supply	22
Public Accounts and Estimates Committee	23
Report on the 2024–25 Budget Estimates.....	23
Environment and Planning Committee	24
Inquiry into Securing the Victorian Food Supply	24
BUSINESS OF THE HOUSE	
Notices of motion	25
BILLS	
Justice Legislation Amendment (Anti-vilification and Social Cohesion) Bill 2024.....	25
Statement of compatibility.....	25
Second reading.....	31
Terrorism (Community Protection) and Control of Weapons Amendment Bill 2024.....	36
Statement of compatibility.....	36
Second reading.....	44
Gambling Legislation Amendment (Pre-commitment and Carded Play) Bill 2024	47
Statement of compatibility.....	47
Second reading.....	49
Inquiries Amendment (Yoorrook Justice Commission Records and Other Matters) Bill 2024.....	51
Second reading.....	51
QUESTIONS WITHOUT NOTICE AND MINISTERS STATEMENTS	
School road safety	71
Ministers statements: train and tram manufacture.....	73
Suburban Rail Loop	74
Ministers statements: Suburban Rail Loop.....	75
VCE exams	76
Ministers statements: agriculture	78
Middle East conflict	78
Ministers statements: economy	80
Road maintenance	80
Ministers statements: employment	81
CONSTITUENCY QUESTIONS	
Caulfield electorate.....	82
Bayswater electorate	82
Euroa electorate	82
Kororoit electorate.....	83
South-West Coast electorate.....	83
Lara electorate.....	83
Morwell electorate.....	83
Preston electorate.....	84
Brighton electorate	84
Broadmeadows electorate.....	84
BILLS	

CONTENTS

Inquiries Amendment (Yoorrook Justice Commission Records and Other Matters) Bill 2024.....	85
Second reading.....	85
MEMBERS	
Member for Berwick.....	85
GRIEVANCE DEBATE	
Government performance.....	97
Opposition performance.....	100
Regional Victoria.....	103
Opposition performance.....	106
Electoral reform.....	109
Regional Victoria.....	112
Government performance.....	114
Energy policy.....	118
MEMBERS	
Member for Berwick.....	121
ADJOURNMENT	
Croydon road safety.....	133
Community sport.....	134
Planning policy.....	134
Werribee Open Range Zoo.....	135
Maroondah Highway–Killara Road, Coldstream.....	135
Lara electorate Punjabi community.....	136
Goulburn Ovens Institute of TAFE.....	136
Preston electorate ministerial visit.....	137
Land tax.....	138
Glen Waverley youth advisory committee.....	138
Responses.....	139

Wednesday 27 November 2024

The SPEAKER (Maree Edwards) took the chair at 9:33 am, read the prayer and made an acknowledgement of country.

Bills

Consumer and Planning Legislation Amendment (Housing Statement Reform) Bill 2024

Introduction and first reading

Gabrielle WILLIAMS (Dandenong – Minister for Government Services, Minister for Consumer Affairs, Minister for Public and Active Transport) (09:34): I move:

That I introduce a bill for an act to amend the Residential Tenancies Act 1997, the Estate Agents Act 1980, the Owners Corporations Act 2006, the Conveyancers Act 2006, the Sale of Land Act 1962, the Planning and Environment Act 1987 and the Victorian Civil and Administrative Tribunal Act 1998 and for other purposes.

Motion agreed to.

Tim McCURDY (Ovens Valley) (09:34): I request a brief explanation of the bill.

Gabrielle WILLIAMS (Dandenong – Minister for Government Services, Minister for Consumer Affairs, Minister for Public and Active Transport) (09:34): This bill introduces several of the housing reforms outlined in the housing statement, including additional reforms to expand protections for renters to have a safe and fair rental market. Amongst a number of reforms, the bill will ban no-cause evictions and rental bidding; upskill housing industry professionals, such as real estate agents, through mandatory continuing professional development training; introduce mandatory smoke alarm safety checks for all rental properties; and enhance the rent review process to ensure excessive rent increases are dealt with fairly. The bill will also introduce tougher penalties for real estate agents who break the law.

Read first time.

Ordered to be read second time tomorrow.

Retirement Villages Amendment Bill 2024

Introduction and first reading

Gabrielle WILLIAMS (Dandenong – Minister for Government Services, Minister for Consumer Affairs, Minister for Public and Active Transport) (09:35): I move:

That I introduce a bill for an act to amend the Retirement Villages Act 1986, to make minor amendments to other acts and for other purposes.

Motion agreed to.

Tim McCURDY (Ovens Valley) (09:36): I request a brief explanation of the bill.

Gabrielle WILLIAMS (Dandenong – Minister for Government Services, Minister for Consumer Affairs, Minister for Public and Active Transport) (09:36): The bill introduces several reforms to strengthen the regulatory framework and consumer protections for those living in retirement villages so they age and live with dignity. This includes providing more consistent protections for retirement village residents, enabling residents to make informed decisions about retirement living and assisting residents and operators to resolve disputes effectively, fairly and accessibly.

Read first time.

Ordered to be read second time tomorrow.

*Committees***Parliamentary committees***Membership*

Mary-Anne THOMAS (Macedon – Leader of the House, Minister for Health, Minister for Health Infrastructure, Minister for Ambulance Services) (09:36): I move, by leave:

That Danny O'Brien be a member of the Privileges Committee and Standing Orders Committee.

Motion agreed to.

*Business of the house***Notices of motion**

Notice given.

*Petitions***Goranwarrabul House**

Annabelle CLEELAND (Euroa) presented a petition bearing 348 signatures:

Issue:

This petition of residents in Victoria draws to the attention of the Legislative Assembly the need for recurrent funding of Goranwarrabul House in Seymour. Despite the enormous benefits it provides to indigenous families across North East Victoria, funding for this crucial program has yet to be confirmed beyond this year. Goranwarrabul House provides food relief, court and legal support, medical support, cultural support, referrals, transport, and they are the only local option for Aboriginal Liaison Officers at hospitals in the region. 45 families rely on Goranwarrabul House for food support each week, and over 100 people attend services each week. As it stands, this community group will no longer be able to operate without an increase in their annual funding to cover wages, vehicles, rent, maintenance, and general supplies, while also allowing them to host their support groups, outings for children, and their NAIDOC events.

Action:

The petitioners therefore request that the Legislative Assembly calls on the State Government to provide recurrent funding for Goranwarrabul House to cover their expenses including community program costs, community program contingency, rental expenses, staff and facility costs, motor vehicle costs, and administrative support.

Ordered that petition be considered tomorrow.

Warrnambool train services

Roma BRITNELL (South-West Coast) presented a petition bearing 1200 signatures:

Issue:

This petition of residents in Victoria draws to the attention of the Legislative Assembly We, the undersigned, are concerned about the proposed introduction of new V/Line Velocity train sets on the Melbourne to Warrnambool line. The state government's current plan to introduce three-carriage trains will result in a significant reduction in service capacity when compared to the existing N-class train sets, which provide more space and better amenities. This reduction will negatively impact travellers from the southwest region, who already face limited public transport services.

Action:

The petitioners therefore request that the Legislative Assembly calls on the Government to ensure that the new V/Line Velocity train sets match or exceed the capacity and amenities of the current N-class train sets. We call for the proposed three-carriage trains to be replaced with six-carriage sets with the same amenities as the current N-class train sets to meet the needs of growing southwest communities and maintain service standards.

Ordered that petition be considered tomorrow.

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

Auditor-General – Report on the Fair Presentation of Service Delivery Performance 2024 – Ordered to be published

Subordinate Legislation Act 1994 – Documents under s 15 in relation to Statutory Rule 130

Yarra River Protection (Wilip-gin Birrarung murron) Act 2017:

Burndap Birrarung Burndap Umarkoo Yarra Strategic Plan – Reporting on the implementation from 1 July 2023 to 30 June 2024

Report on the implementation of Burndap Birrarung Burndap Umarkoo Yarra Strategic Plan 2024.

Bills**Tobacco Amendment (Tobacco Retailer and Wholesaler Licensing Scheme) Bill 2024***Council's amendments*

The SPEAKER (09:39): I have received a message from the Legislative Council agreeing to the Tobacco Amendment (Tobacco Retailer and Wholesaler Licensing Scheme) Bill 2024 with an amendment.

Ordered that amendment be taken into consideration immediately.**Message from Council relating to following amendment considered:**

1. Clause 2, lines 11 to 15, omit all words and expressions on these lines and substitute –
 - “(1) Subject to subsections (2) and (3), this Act comes into operation on a day or days to be proclaimed.
 - (2) If a provision of this Act (other than Division 3 of Part 3) does not come into operation before 1 July 2025, it comes into operation on that day.
 - (3) If Division 3 of Part 3 does not come into operation before 1 July 2026, it comes into operation on that day.”.

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) (09:41): I move:

That the amendment be agreed to.

This bill is timely and comprehensive. It picks up recommendations from the recent Public Accounts and Estimates Committee inquiry and accounts for recent changes in the federal vaping laws. It enhances the existing penalties for selling illicit tobacco, making it simpler to prosecute offenders and puts in place at the toughest penalties in the country for non-compliance – 15 years jail for an individual or \$1.7 million fines for businesses. It creates a licensing regime which allows the regulator to take into consideration anything it thinks necessary to determine suitability from intelligence collected by Victoria Police. It delivers strong enforcement powers to inspectors and police to stamp out illegal behaviour.

The government's intent has always been for the licensing scheme to commence from mid next year, with the enforcement penalties for unlicensed retailers to commence by early 2026. The amendment passed in the other place is consistent with the government's policy and is supported. It is a technical amendment which codifies the stated intent of government to commence licensing tobacco retailers by mid-2025. This staged approach to implementation is necessary. When you think about the task at hand, we need to be communicating with the diversity of retailers, from the small local milk bar owner, whose regulatory settings have been largely unchanged for many, many years, to sophisticated players

such as Coles and Woolworths, so we need to make the licensing process easy for business and we need to give businesses adequate time to comply with the law and get licensed before we start enforcing penalties for trading without a licence. This bill is timely and necessary, and I commend it to the house.

Tim McCURDY (Ovens Valley) (09:43): I will make a few comments as well on the Tobacco Amendment (Tobacco Retailer and Wholesaler Licensing Scheme) Bill 2024. As we all know, the 110 firebombings need to come to an end, and it was not until a private members bill was introduced from this side of the house that we finally got the government up and running and put a rocket under this government to get moving with this bill. But when we did see the bill, we were concerned about the date; the last possible date that this could come to full completion was 1 July 2026. Considering the government sat on the Better Regulation Victoria report for about three years and then were suggesting another two years to try and get it right, we suggested it needed to come back to 2025. We made those amendments in the other place, and I am certainly pleased we will make these amendments and they will be taken in good faith. The industry is keen to get moving with this, to get it up and going by 1 July 2025. It is a substantial improvement to this bill, and I am pleased that the government has taken on board our recommendations.

Tim READ (Brunswick) (09:44): The Greens welcome these amendments because they codify the intention to get the bill moving sooner than was expressed in the original bill. The Greens also support the bill. We are also grateful to the Animal Justice Party and the Legalise Cannabis Party for supporting our amendment in the other place, which unfortunately was not supported by Labor or Liberal. It is a pity that this bill does not contain any reference to public health and does not specify that it is possible to refuse a licence on the grounds of public health. Specifically, there may be too many tobacco outlets in a region – because of density – or a tobacco outlet may be too close to, perhaps, a school or somewhere frequented by children.

That was in the Greens amendment, which was opposed. It is a pity. I imagine a previous Labor government would have stood up to industry. When we remember that tobacco kills about 16,000 Australians a year and puts many times that number in hospital, it is a shame that this Parliament was unable to stand up to industry in this case and make this a more public health focused bill. Having said that, we support the amendment, and we support the bill.

Motion agreed to.

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

Aged Care Restrictive Practices Substitute Decision-maker Bill 2024

Council's agreement

The SPEAKER (09:45): I have received a message from the Legislative Council agreeing to the Aged Care Restrictive Practices Substitute Decision-maker Bill 2024 without amendment.

Motions

V/Line

Luba GRIGOROVITCH (Kororoit) (09:46): I move, by leave:

That this house reminds the member for Bulleen that it was a former Liberal government who privatised V/Line back in the 1990s and it was this Labor government who brought V/Line back into public hands.

Leave refused.

Member for Carrum

James NEWBURY (Brighton) (09:46): I move, by leave:

That this Parliament calls on the Premier to investigate red shirts allegations made by a former staffer to the member for Carrum, who alleges she was ‘cold-calling residents in the area during election time to see their views on the Labor Party and who they would probably be voting for.’

Leave refused.

National Party

Michaela SETTLE (Eureka) (09:47): I move, by leave:

That this house encourages the new Leader of the Nationals to break free from his dysfunctional coalition partner while he still has a chance.

Leave refused.

Government performance

John PESUTTO (Hawthorn – Leader of the Opposition) (09:47): I move, by leave:

That this house condemns the Premier and Labor for their 10-year record of failure, leaving Victorians with the biggest debt in the country, which will reach \$187.8 billion by the financial year 2028, and Victorians are paying the price.

Leave refused.

Public transport

Dylan WIGHT (Tarneit) (09:47): I move, by leave:

That this house encourages the member for Bulleen to get half a clue about Victoria’s public transport system before putting out half-baked media releases, proving once again that he and the Liberals cannot be trusted.

Leave refused.

Government performance

Danny O’BRIEN (Gippsland South) (09:48): I move, by leave:

That this house condemns the Premier and Labor for their 10-year record of failure by starving regional Victorians of their fair share, with regional communities only receiving 13 per cent of the Allan Labor government’s infrastructure spend this financial year.

Leave refused.

Member for Brighton

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

That this house condemns the member for Brighton for dog whistling to the Jeff Kennetts of this state who think that regional Victoria is the toenails of the state.

Leave refused.

Government performance

David SOUTHWICK (Caulfield) (09:49): I move, by leave:

That this house condemns the Premier and Labor for their 10-year record failure, including signing contracts for the Suburban Rail Loop, the most expensive project in Victoria’s history, without having the money to pay for it, while Victorians are paying the price.

Leave refused.

Member for Caulfield

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

That this house notes it has been 619 days since the member for Caulfield secretly recorded meetings with members of his own party, and he is still allowed to keep his position.

Leave refused.

Prahran by-election

Emma KEALY (Lowan) (09:49): I move, by leave:

That this house condemns the Allan Labor government for failing to face the wrath of Prahran voters at the upcoming by-election, who are paying the price for Labor's mismanagement of the state.

Leave refused.

Mount Arapiles rock climbing

Emma KEALY (Lowan) (09:50): I move, by leave:

That this house condemns the Premier and Labor for their 10-year record of failure, with the closure of the world's best climbing routes at Mount Arapiles decimating Victoria's global reputation in the climbing community and jeopardising the Natimuk community's local economy without any local consultation.

Leave refused.

Member for Bulleen

Daniela DE MARTINO (Monbulk) (09:50): I move, by leave:

That this house notes, for the benefit of the member for Bulleen, the following will also not be able to travel through the Metro Tunnel: namely, (1) Puffing Billy, (2) an Airbus A380, (3) a tram and (4) a ute with a giant inflatable red lobster in it.

Leave refused.

Government performance

Emma KEALY (Lowan) (09:51): I move, by leave:

That this house condemns the Premier and Labor for their 10-year record of failure, which has left Victorians struggling to access adequate mental health support due to its failure to implement 44 out of the 65 recommendations from the Royal Commission into Victoria's Mental Health System.

Leave refused.

Brad BATTIN (Berwick) (09:51): I move, by leave:

That this house condemns the Premier and Labor for their 10-year record of failure, with Victorians paying the price through rising crime after Labor closed 43 police stations.

Leave refused.

Member for Caulfield

Mathew HILAKARI (Point Cook) (09:52): I move, by leave:

That the member for Caulfield be entitled to geography and/or orienteering lessons, recently posting photos of what he described as Point Cook but was actually Williams Landing, which is in the electorate of Laverton. Unfortunately they are separated by a freeway and a train line.

Members interjecting.

The SPEAKER: Order! Members will be removed from the chamber without warning. Members on their feet will be shown some respect.

Members interjecting.

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

Member for Bayswater withdrew from chamber.

Leave refused.

Government performance

Brad ROWSWELL (Sandringham) (09:53): I move, by leave:

That this house condemns the Premier and Labor for their 10-year record of failure, with Victorians paying the price for Labor's record \$188 billion debt and 56 new or increased taxes, the highest taxes in the country.

Leave refused.

Wayne FARNHAM (Narracan) (09:53): I move, by leave:

That this house condemns the Premier and Labor for their 10-year record of failure, including Labor's broken promise to build 80,000 homes each and every year while Victorians pay the price, waiting longer than ever to get into a new home.

Leave refused.

David HODGETT (Croydon) (09:53): I move, by leave:

That this house condemns the Premier and Labor for their 10-year record of failure, leaving Victorians paying the price with the highest unemployment rate in the country.

Leave refused.

Jess WILSON (Kew) (09:54): I move, by leave:

That this house condemns the Premier and Labor for their 10-year record of failure, with at least 56 VCE exams compromised this year and young Victorian students paying the price through docked marks and uncertainty about their own future.

Leave refused.

Nicole WERNER (Warrandyte) (09:54): I move, by leave:

That this house condemns the Premier and Labor for their 10-year record of failure, with youth crime out of control across the state, up by 29 per cent under Labor and up 20 per cent in the past year alone, with aggravated burglaries committed by youth offenders up 1000 per cent under their decade of failure.

Leave refused.

Government performance

James NEWBURY (Brighton) (09:55): I move, by leave:

That this house condemns the Premier and Labor for their 10-year record of failure, including the biggest land taxes in the country, driving investors out as Victorians pay the price through higher rent.

Leave refused.

Jade BENHAM (Mildura) (09:55): I move, by leave:

That this house condemns the Premier and the Labor government for their 10-year record of failures, including the absolute abhorrent mishandling of the VNI West transmission line project that will carve up prime agricultural land right through Victoria.

Without farmers we do not have food, and the government would be very beneficial in remembering that.

The SPEAKER: Please wait for me to make a decision about whether leave is granted or not before speaking to motions.

Leave refused.

Prahran byelection

Sam GROTH (Nepean) (09:56): I move, by leave:

That this house notes that the Labor Party is running scared by not running a candidate in Prahran, much to the disappointment of local constituent the member for Kororoit.

Leave refused.

Government performance

Matthew GUY (Bulleen) (09:57): I move, by leave:

That this house condemns the Premier and her corrupt Labor government for announcing her pet project in 2018, the Suburban Rail Loop, which was then promised for \$50 billion but has now blown out by more than four times to \$216 billion for the first two stages, according to the independent Parliamentary Budget Office.

Leave refused.

Members interjecting.

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

Member for Croydon withdrew from chamber.

Chris CREWTER (Mornington) (09:57): I move, by leave:

That this house condemns the Premier and Labor for their 10-year record of failure, with 61,000 Victorians on the public housing waiting list paying the price of Labor's mismanagement.

Leave refused.

Sam GROTH (Nepean) (09:58): I move, by leave:

That this house condemns the Premier and Labor for their 10-year record of failure, including her failure to deliver the 2026 Commonwealth Games as Minister for Commonwealth Games Delivery, with Victorians paying the price through the \$600 million she torched in the process.

Leave refused.

Bridget VALLENCE (Evelyn) (09:58): I move, by leave:

That this house condemns the Premier and Labor for their 10-year record of failure, with Victorians paying the price through \$40 billion in budget blowouts on infrastructure projects years behind schedule, turbocharged by the Premier's protection of CFMEU bosses with criminal bikie gang links.

Leave refused.

Richard RIORDAN (Polwarth) (09:59): I move, by leave:

That this house condemns the Premier and Labor for their 10-year record of failure, having introduced 29 new property taxes that Victorians are now paying the price for through their higher property prices and a massive shortage of social and affordable homes in Victoria.

Leave refused.

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

That this house condemns the Premier and Labor for their 10-year record of failure, including completely neglecting our roads, and Victorians are paying the price, with road fatalities sadly up by 60 per cent on last year.

Leave refused.

Tim BULL (Gippsland East) (09:59): I move, by leave:

That this house condemns the Premier and Labor for their 10-year record of failure by closing the sustainable native timber industry that supported regional Victorian communities and employed thousands of hardworking Victorian families.

Leave refused.

Martin CAMERON (Morwell) (10:00): I move, by leave:

That this house condemns the Premier and Labor for the 10-year record of failure as the housing crisis deepens across regional Victoria, with the homelessness rate in the electorate of Morwell spiking by 85 per cent.

Leave refused.

Kim O'KEEFFE (Shepparton) (10:00): I move, by leave:

That this house condemns the Premier and Labor for the 10-year record of failure by risking the lives of regional Victorian road users by reducing regional road resurfacing and rehabilitation by 95 per cent in the previous year alone.

Leave refused.

Annabelle CLEELAND (Euroa) (10:01): I move, by leave:

That this house condemns the Premier and Labor for the 10-year record of failure, with every regional hospital lagging behind the statewide average for emergency department wait times.

Leave refused.

Kim WELLS (Rowville) (10:01): I move, by leave:

That this house condemns the Premier and Labor for their 10-year record of failure, including their attack on our freedoms, with Victoria enduring the world's longest lockdowns, and Victorians are paying the price through long-term damage to mental health, education and the economy.

Leave refused.

Michael O'BRIEN (Malvern) (10:01): I move, by leave:

That this house condemns the Premier and the Attorney-General for their savage funding cuts to Court Services Victoria, which have led to the sacking of 34 Children's Court conciliation conference unit members five days before Christmas in the ultimate act of Christmas Grinches.

Leave refused.

Michael O'BRIEN (Malvern) (10:02): I move, by leave:

That this house condemns the Premier and Labor for their 10-year record of failure, weakening bail laws in the middle of a youth crime crisis so Victorians are paying the price as youth crime spirals out of control.

Leave refused.

Tim McCURDY (Ovens Valley) (10:02): By leave, I move:

That this house condemns the Premier and Labor for their 10-year record of failure by removing regional Victoria's right to appeal the Allan Labor government's push for renewable energy projects at the expense of prime agricultural land.

Leave refused.

Tim McCURDY (Ovens Valley) (10:02): By leave, I move:

That this house condemns the Premier and Labor for their 10-year record of failure, including their insufficient investment in regional roads. By 2023, 91 per cent of regional roads were deemed to be in poor or very poor condition, while the road maintenance budget has been slashed by 16 per cent over the past four years, jeopardising the safety of regional Victorians.

Leave refused.

Child protection

Roma BRITNELL (South-West Coast) (10:03): I move, by leave:

That this house condemns the Minister for Children for the ongoing failures of Victoria's child protection system while vulnerable children and young people are being sexually exploited and abused and are dying in tragically high numbers under her watch and the state's care while she focuses instead on partisan political attacks.

Leave refused.

Roma BRITNELL (South-West Coast) (10:03): I move, by leave:

That this house condemns the Minister for Children for the neglect of children and young people under her care, including failure to address the high numbers of children in residential care going missing and fleeing for their safety and the illicit drug use by vulnerable children in residential care and calls on her to focus on their protection rather than engaging in divisive political tactics.

Leave refused.

Roma BRITNELL (South-West Coast) (10:03): I move, by leave:

That this house condemns the Minister for Children for the crisis in the child protection system of this government's making, for failing to remove children at risk from their environment, for the thousands of at-risk children waiting for a caseworker and calls on her to focus on protecting vulnerable children instead of concentrating on political attacks.

Leave refused.

Roma BRITNELL (South-West Coast) (10:04): I move, by leave:

That this house condemns the Minister for Children for the deliberate lack of transparency on the failures of the child protection system under the Allan Labor government and her cover-ups of those failures, including flouting parliamentary standing orders to avoid scrutiny and secretive behaviour to hide the degradation of the Victorian child protection system.

Leave refused.

Government performance

Jade BENHAM (Mildura) (10:04): I move, by leave:

That this house condemns the Premier and Labor for their 10-year record of failure, including a plan to still push forward with health mergers by stealth, further reducing access to adequate health care for regional Victorians.

Leave refused.

Kim O'KEEFFE (Shepparton) (10:05): I move, by leave:

That this house condemns the Premier and Labor for their 10-year record of failure by starving regional Victorians of their fair share, with regional communities only receiving 13 per cent of the Allan Labor government's infrastructure spend this financial year.

Leave refused.

Bridget VALLENCE (Evelyn) (10:05): I move, by leave:

That this house condemns the Premier, Labor and the so-called Parliamentary Secretary for Men's Behaviour Change for the bullying in the Labor caucus of the member in the other house Sonja Terpstra.

Leave refused.

Land tax

Brad ROWSWELL (Sandringham) (10:05): By leave, I move:

Notice of motion 29, standing in my name, relating to the establishment of a parliamentary inquiry into Labor's land tax.

Leave refused.

Members statements**Gendered violence**

Natalie HUTCHINS (Sydenham – Minister for Jobs and Industry, Minister for Treaty and First Peoples, Minister for Women) (10:06): This week is part of the 16 Days of Activism Against Gender-based Violence, which runs until world Human Rights Day on 10 December. Violence against women and girls is one of the most persistent violations of human rights. So far this year the Counting Dead Women researchers of the Destroy the Joint project have shown that 66 women have been killed by violence in Australia. Three-quarters of those women were killed by someone they know. This could be a current or a former partner, a friend, a colleague or a member of their family. We deserve an Australia where women's lives count, not where we count women's deaths, but violence, most often from men, is cutting women's lives short.

I would like to share my condolences to the families and friends of Isla Bell, whose murder has broken the hearts of Victorians. This absolutely needs to stop. Every time we read about women that have been murdered, we are still in shock, and it reinforces that women are not safe.

Thank you to Destroy the Joint for their advocacy and to the amazing organisations who support women across our state that are experiencing family violence, in particular Victoria Police, Orange Door, inTouch, Safe and Equal, GenWest, 1800RESPECT, Safe Steps, Ask Izzy, Anglicare Victoria and the Salvation Army.

Community safety

Matthew GUY (Bulleen) (10:08): I was contacted by Josiah from Donvale Christian College, who has asked me to put into *Hansard* his concerns and those of his classmates around law-and-order issues in the City of Manningham, so I do so:

[QUOTE AWAITING VERIFICATION]

I am writing to express my deep concern about the ongoing dangers around my community of Templestowe. Every day something new is on the news, such as home invasions, that makes me fear for my safety. Lately home invasions have been a massive problem. Please raise it in Parliament, Mr Guy, please. Physical safety is one of the major reasons why we need to address home invasions. On 21 September this year the news showed my family and me a home invasion that was about 7 kilometres away from our house, and that is pretty scary for me, a 12-year-old.

It is pretty scary for a 12-year-old because the justice system in this state is broken. When the state government prioritises IVF for convicted murderers ahead of trying to protect those who want the justice system to protect them, it is no wonder 12-year-olds are writing to us as members of Parliament to express their fear about the place they live – that is, their own state, their own suburb and their own communities – because the Labor government has denied for a decade that Victoria has an issue with law and order. They have weakened our justice system. They have turned the justice system into one that rewards those who break the law, not those who obey it.

David McKenzie Awards

Vicki WARD (Eltham – Minister for Prevention of Family Violence, Minister for Employment) (10:09): David McKenzie has been a teacher, local councillor and a mayor and was the federal member for Diamond Valley from 1972 to 1975. He has never wavered from his strong passion for social justice and education.

What I love about David most, though, is his kindness, so I named an award after him to recognise his contribution as well as those of local primary school students who have shown leadership when it comes to kindness, compassion and empathy.

Congratulations to Mia from Research Primary, Ryan from Eltham East Primary, Anoushka from Glen Katherine Primary, Josie from Montmorency Primary, Harry Lord from Sacred Heart Primary, Levi from Eltham North Primary, Nyssa from Briar Hill Primary, Mayah from Montmorency South Primary, Xavier from Eltham Primary, Blake from our Lady Help of Christians Primary, Micah from Diamond Creek Primary, Samuel from Eltham College, Emma from Holy Trinity Primary, Joshua from North-Eastern Montessori School, Ebony from St Francis Xavier Primary, Opal from Greenhills Primary, Sarah from Lower Plenty Primary, Abbey from Wattle Glen Primary, Dean from Sherbourne Primary, Maggie from Diamond Creek East Primary, Olivia from St Thomas the Apostle Primary and Noah from Apollo Parkways Primary. Thank you so much to all of these young people for the leadership that they show in kindness and looking out for the kids around them.

Slovenian Association Melbourne

Vicki WARD (Eltham – Minister for Prevention of Family Violence, Minister for Employment) (10:11): I want to congratulate the Slovenian Association of Melbourne, most often called SDM, on their 70th anniversary. This beautiful, vibrant group has a fantastic complex in Research with one of the best views in the area.

Robinvale Clontarf Academy

Jade BENHAM (Mildura) (10:11): I want to shout out to and thank the Robinvale Clontarf Academy for having me present some of their awards last week. The Clontarf academies and the foundation are such a wonderful organisation. It comes to closing the gap with regard to our First Nations and Torres Strait Islander people. This is producing results. The stats do not lie. I want to thank Sunny and Ryan for doing a magnificent job with the boys in Robinvale.

The award winners this year were Malek, Diondre, Ioan – who cleaned up at the awards and did a magnificent job of hosting as well – Joziah, Richard, Ioan again, Callum, Sam, Simione, Siosaia, Reuben – who won one of the Good Blokes awards that I got to present, which was fantastic – Morgan, Jarrod and Harry. Well done to all the boys. I look forward to continuing to be involved with the Clontarf academies in both Mildura and Robinvale.

All Seasons Houseboats

Jade BENHAM (Mildura) (10:12): I also want to congratulate the team at All Seasons Houseboats in Mildura. Last week they won gold at the Mildura tourism awards in the unique accommodation category. They are beautiful houseboats, or boatels you might call them. Now they go on to see if they can be awarded on a national scale. They are well worth a trip to the Murray.

Werribee electorate achievements

Tim PALLAS (Werribee – Treasurer, Minister for Industrial Relations, Minister for Economic Growth) (10:13): What a 2024 it has been for beautiful Werribee, so much has happened. Three new schools opened in my electorate in 2024: Nganboo Borron School, the Walcom Ngarrwa Secondary College and Laa Yulta Primary School. The construction of the Ison Road overpass continues and will be followed by the removal of a fourth level crossing in Wyndham. I am excited about the expansion of Werribee Mercy's emergency department, more than doubling its capacity, while the release of the *East Werribee Opportunity Statement* is an exciting next step for creating more job opportunities in Werribee.

I visited a lot of local schools over the year, and I want to give a shout-out to all the students who contributed to my annual festive season in Werribee drawing competition. A winner from each school that entered has been selected and their card designs will soon be out in the community. To the graduating students receiving my annual endeavour award, I say congratulations and offer my best

wishes for their future. 2024 will also be remembered in my community as the year the mighty Werribee Tigers took home the VFL flag. The club recently held a family fun run to celebrate that.

Lastly, I would like to acknowledge John Forrester, a local resident of my electorate who recently retired from his role as Werribee River keeper. John's work as a local environmental champion has been full of great passion to protect the local environment. He has been part of the Werribee River Association for 30 years.

Anti-magination

Cindy McLEISH (Eildon) (10:14): I took great pleasure in launching the publication of *Anti-magination: Stories of Autistic Writers in the Yarra Ranges* last week. The book is the result of a series of workshops facilitated by Sandra Thom-Jones on creative writing for those living with autism, and what a hidden pool of creative talent. Sandra too is autistic, clever and wonderfully talented. She had the idea of collecting and publishing creative pieces from autistic writers to develop and show their boundless creative levels.

I loved reading of Victoria's wild boys, Elliot's letter to a random teacher, Lucy's ugly butterfly that is a bit different, Lincoln's take on Lady Luck, Jos's post-migration family story, Matthew and his dragon and Mitchell's sorcerers and sorceresses. Well done to writers Matthew Ball, Mitchell Cottom, Elliot Krizay, Lucy Krizay, Lincoln Thom-Jones, Victoria Rose and Jos van der Sman.

Rodney Barnard

Cindy McLEISH (Eildon) (10:15): Rod Barnard, after 18 years as principal at Millwarra and rounding out an impressive 50-year teaching career in and around the Upper Yarra, is hanging up his boots. Everyone has a story about Barney, from his singing and pancakes to driving the minibus and firing up the barbecue. Ever mindful of a tight budget, he knows how to save money. It is not unusual to see him on the ride-on because it is the quickest and cheapest way to get the grass cut. His skills on the ride-on, though, are debatable, as there has been the odd crash. Not only is Rod valued by the school community, but he has been a major local contributor, with a finger in every pie. He will be missed but not forgotten.

Isla Bell

Daniela DE MARTINO (Monbulk) (10:16): It is with the heaviest of hearts that I rise to pay my respects to Isla Bell, a girl from the hills whose life ended brutally. I stand here today to give Isla and her mother Justine a voice in this place and to pay tribute to a young woman who was loved by so many. Isla had a lifetime of promise ahead, but that was violently taken from her. Her loved ones feel profound grief and a burning anger that another woman's life has been lost, allegedly at the hands of a man. Justine described Isla to me as a force of nature who was committed to social justice, an activist for women and children, a leader. She told me Isla was always present. She felt deeply for all life forms. She was a balm to everyone else's pain. She had an IQ through the roof, she was so funny and she was a fighter to the end. In a public statement Justine said:

The reality is we live in a world where men occupy the positions of power and are still making decisions for women whether they like it or not.

A world where women are trafficked, go missing daily, and it barely raises an eyebrow, let alone a mention.

She continued:

When will men care enough ... and hold each other accountable? As women, we need to stop forgiving men for their mistakes when they haven't asked for permission.

The media must also be held accountable. When they smear a woman's reputation they add fuel to the fire of misogyny. Justine wants to see change in our institutions and society so that women and children no longer die at the hands of violent men. This was Isla's wish too – that funny, intelligent, caring, empathic, strong young woman who should still be here today. Vale.

Housing

Will FOWLES (Ringwood) (10:17): I rise today to deliver some home truths. Home truth: tonight in Victoria more than 22,000 people are homeless, including more than 6000 people aged under 25. Many of these young people have grown up in violent households, and most are known to child protection agencies. They are our most vulnerable Victorians. Home truth: homelessness services are overwhelmed, turning away 295 requests every day right across the nation. The scale of the crisis is clear: right now there are 61,587 households waiting for social housing in Victoria. Home truth: one in three renters are expressing housing stress, spending more than 30 per cent of their income just to keep a roof over their heads. The dream of a secure home is fading fast. In the past 12 months rents in Melbourne surged by well over 10 per cent, making it even harder for low-income households to survive. Home truth: three in five Victorian renters now believe they will never own a home. For many home ownership has become a distant dream, especially for younger generations facing skyrocketing housing costs. Home truth: the reality for many Victorians is that it now takes over 10 years to save for a deposit on a home. The people of Victoria deserve houses. They deserve homes. What they do not need is more backlogs, barriers and broken promises. The time for talk is over. It is time for change.

Bentleigh Junior Football Club

Nick STAIKOS (Bentleigh) (10:19): On 14 November 1984 a meeting was held at King George reserve pavilion to consider the amalgamation of the Bentleigh Bulldogs and the Bentleigh Tigers. The result was the formation of Bentleigh junior footy club – happy 40th anniversary. Initially the club was known as the Kangaroos but adopted the Demons in 1998 to better align with the senior club. So many AFL stars emerged from the initial two clubs, including Trevor Barker, Greg Wells, Gary Hardeman and Geoff Raines, and today former Bentleigh junior Luke Nankervis continues this tradition as an AFL player for Adelaide. The club will be reaching out to past players and coaches during their 40th season, and we will be holding an event to mark this milestone on 30 May next year.

For 10 of the club's 40 years, a full 25 per cent, I have been their local member, and I was very proud some years ago to secure funding for a major upgrade of their clubrooms at King George reserve, which is continuing to serve members very, very well.

I want to acknowledge all the committee members I have worked with over the years, including president Kirsten Pilatti and past presidents Paul Jemmeson and Dean Crawford. A special acknowledgement to Russell Holmesby, who was president in the 1990s and helped me with some of the historical information for this statement. While I support all the clubs equally in my electorate, on this occasion only I say: go Bentleigh!

Mornington Peninsula hospitality

Sam GROTH (Nepean) (10:20): I want to celebrate the vibrant food and hospitality scene on the southern Mornington Peninsula, a region full of gems both locals and visitors love visiting. My community offers a unique blend of world-class dining experiences and unforgettable venues, many of which have been celebrated with recent accolades in the *Good Food Guide*.

If you are visiting, consider the two-hatted Laura or the one-hatted Pt Leo Estate restaurant at Pt Leo Estate, boasting a wonderful array of local produce and ingredients. Not far down the road, Ten Minutes by Tractor and Tedesca Osteria are other two-hatted local institutions receiving national accolades for their outstanding dining, service and venue. Audrey's at the Continental, Doot Doot Doot and Rare Hare also made the chef's hat list this year, continuing their reputation as being among Victoria's finest eateries. In fact Audrey's at the Continental was also this week awarded 2024's best restaurant, metropolitan, at the recent Australian Hotels Association National Awards for Excellence. More great venues, like Port Phillip Estate, Cape at RACV Cape Schanck, Many Little, Moke and Polperro, were also recognised for their sensational hospitality offerings with hats on this year's list. These are just a few examples of the culinary and cultural experiences that make the Mornington Peninsula a must-visit destination.

Let us continue to support and promote these local businesses that contribute to our stellar local reputation and showcase the very best of our region and state.

Mainview Boulevard Reserve

Sarah CONNOLLY (Laverton) (10:20): This week marks the 10-year anniversary of our Labor government being first elected. It also marks two years since I was re-elected to this place, this time as the member for Laverton. It is fitting, then, that I was able to mark this anniversary by delivering on a major election commitment I made to the people of Trug by commemorating the new lights and scoreboard coming online at Mainview Boulevard in Truganina on Monday.

This upgrade to the oval was made possible by our government investing \$280,000 alongside Wyndham City Council. This would not be possible without the strident advocacy of the local sporting clubs who play at the reserve, especially the advocacy of Trug Thunder football club and their wonderful president Nick Ladbrooke. I have worked closely with Nick and that club over the past couple of years to advocate for these lights to be funded, and this week we were finally able to see them become a reality. The club, along with Truganina Cricket Club, who also uses the reserve, can now benefit from practising and playing at night under their new lights and hold more games at the reserve with their new electronic scoreboard, which is pretty fantastic, I have to tell you.

Since first being elected to this place in 2018 this is the third time I have opened new lighting and scoreboards for community sporting clubs in Wyndham, and it builds on more than \$2.3 billion that our government has invested in community sport and recreation infrastructure. As we approach the halfway point in this term I can proudly cross the commitment off my to-do list, and I look forward to continuing this work for my electorate as we enter the new year.

Isla Bell

Tim READ (Brunswick) (10:23): ‘You lived bravely, stood up for what was right and remained the kindest human, the gentlest soul’: Those were the words of Justine Spokes, speaking last week about her daughter Isla Bell, who went missing in early October. Isla’s family worked tirelessly to find her, and her smiling face quickly became familiar to anyone walking the streets of Brunswick past the many windows displaying her ‘Missing’ posters. But last week we learned, according to police allegations, Isla was murdered just before her 20th birthday.

Gender-based violence is a national crisis, and it is our shame to bear. Violence is not inevitable; it is preventable, but prevention requires all of us. Here today, though, let us honour Isla as the bright and beloved person she was. Cassandra Morgan wrote a moving tribute in the *Age* describing Isla as a kind, generous, lively and multi talented young woman who:

... felt everything deeply. She had an intense awareness and empathy for the world around her; from plants, to music, art, fashion and her family and friends, who she spoke to with a palpable attention and kindness.

She campaigned actively on environmental and social issues and loved to be in nature. The world was better because Isla Bell existed in it, and her senseless loss is felt by all of us.

Mulgrave electorate

Eden FOSTER (Mulgrave) (10:24): Last week marked a year since my election, and I want to extend my heartfelt thanks to the Mulgrave community for their support and trust in me as their representative. I also want to thank the Premier for visiting Mulgrave last week to celebrate this anniversary. Together we met with the staff and students at Mulgrave Primary School and later that day met with members of the Springvale Asian Business Association.

Springvale Rise Primary School

Eden FOSTER (Mulgrave) (10:25): I would like to thank Springvale Rise Primary School and their wonderful principal Debbie Cottier for their help in hosting a children’s round table. This event was facilitated by the Parliamentary Secretary for Children, the member for Preston, and I wish to

thank him for this successful event. Springvale is home to many Cambodian, Vietnamese, Burmese and Rohingya families, and we successfully hosted one of the largest children's round tables – with interpreters, mind you – to better understand the needs of culturally diverse families in my community. Their feedback has been invaluable.

Wellington Secondary College

Eden FOSTER (Mulgrave) (10:25): A big shout-out to Wellington Secondary College for their recent awards evening, which I had the honour of attending. Congratulations to all the award recipients and year 12 graduates. I also want to acknowledge the year 8 students, especially Jeremy, Jun Qi, Lydia and Helena, for sending me their presentation on climate change and their suggestions for government action. I look forward to seeing you all next week to talk all things climate change.

Euroa electorate horseracing

Annabelle CLEELAND (Euroa) (10:26): The Euroa electorate has once again demonstrated why it is the heartbeat of horse training, breeding and racing in Victoria. The past weekend was the Kilmore Cup, one of our amazing local races that I am so proud to sponsor. We also recently saw the 2024 Benalla Gold Cup, an event that has grown each year to now have more than 3000 attendees, and the Annabelle Cleeland Euroa Cup, which had over 1000 people from across the region. The Seymour Cup had over 2000 attendees, proving to be very profitable and attracting jockeys and trainers from right across the country ahead of further exciting races throughout the year. Not only that, but this year's Melbourne Cup-winning Knight's Choice is trained by Seymour local John Symons and owned by Cameron Bain and his dad Rod. The cup itself toured the town last week, bringing it back to the people. These events are more than just racing. They contribute so much to our regional economy by bringing tourism to our towns and supporting local businesses. Congratulations to Cam Symes, Chris Martin and Ben Murphy for captaining an incredible racing season.

Waminda Community House

Annabelle CLEELAND (Euroa) (10:27): For over 40 years Waminda Community House in Benalla has been providing vulnerable residents with advocacy, food relief, health and wellbeing services and so much more. However, since 6 June their longstanding permanent site has been closed due to termite damage. Their temporary site is not fit for purpose, and they have drastically reduced their services. Despite raising their needs with the government on multiple occasions, there has been a lack of urgency to ensure Waminda can continue to deliver much-needed services for the Benalla community in a cost-of-living crisis.

Yan Yean electorate infrastructure

Lauren KATHAGE (Yan Yean) (10:27): The snags were turning, the kids were playing and the workers were relaxing as we celebrated the completion of the Bridge Inn Road upgrade on the weekend. This road has transformed the connection between Mernda and Doreen. I want to give a very big thankyou to all the residents for their patience while this important work was completed and also a big thankyou to the workers. I loved seeing all the workers' cars parked there, seeing all the jobs created.

Now that project has finished they will not be out of work because we have got more projects on the boil, with the Yan Yean Road stage 2 upgrade having the boundaries surveyed, the landholder and stakeholder discussions taking place and the Watson Street ramps having the soil tech and drilling checks of what sort of pavement can go in. We are preparing to continue this infrastructure work in the electorate of Yan Yean. It is only this government that has invested in infrastructure in my electorate. Whether it is Bridge Inn Road upgrade, Yan Yean Road stage 1 or stage 2, Plenty Road upgrade or Watson Street ramps, we continue to build infrastructure that people need and jobs that people want.

Felicitations

Nicole WERNER (Warrandyte) (10:29): With Christmas quickly approaching I would like to take this opportunity to wish everyone a very merry Christmas and a happy new year. Our community goes all-out during the festive season, so whether I see you at one of our local carol services, iconic CFA Santa runs or fantastic Christmas markets, I so look forward to celebrating with you. It is my honour to be your member for Warrandyte, and from my family to yours: a very merry Christmas and a happy new year.

Government performance

Nicole WERNER (Warrandyte) (10:29): This week we celebrate an unfortunate anniversary for Victorians – 10 years of Labor failures. This includes Labor’s financial mess, which has landed Victoria’s state debt at a now estimated \$268 billion, an increase of more than 1000 per cent since they came to office. It also includes a 1000 per cent increase in aggravated burglaries committed by young offenders in the last decade, all while there are over 1000 vacancies at Victoria Police. Under Labor the failure for Victorians is that they are facing the highest per-person taxes in Australia, with households more than \$1000 worse off compared to New South Wales. Everything is up under Labor, turbocharged by 56 new or increased taxes and their economic mismanagement. It has been 10 years of Jacinta Allan and Labor in Victoria, and we are all paying the price.

St Bernard’s Catholic Primary School

Anthony CIANFLONE (Pascoe Vale) (10:30): It is an absolute pleasure today to welcome the students of St Bernard’s primary school of East Coburg to Parliament as part of their civic studies. First opened in 1941 with an enrolment of 106 children, the school has continued to grow and flourish over the last 80 years, providing a nurturing, inclusive and faith-based learning environment. It is bound by Patterson Street, Barrow Street, Walsh Street and Sheffield Street in East Coburg. My commendations to principal Joanne Doherty; teacher Josh Fedele, who is here from grade 5/6; all the students in here, including the leaders Eloise, Raph, Henry, Austin, who is the fire carry leader; and all of the students, teachers and families. I really do look forward to working and supporting the school community to progress its infrastructure, facilities, teaching and resourcing priorities over the course of my term and visiting that school in coming weeks to announce the winners of the Christmas card competition before the end of the year too.

Merri-bek interschool innovators program

Anthony CIANFLONE (Pascoe Vale) (10:31): It was sensational to have also supported the inaugural Merri-bek interschool innovators program showcase event at Science Gallery Melbourne’s STEM Centre of Excellence on 15 November, bringing together high school students of year 9 from Coburg High, Pascoe Vale Girls, John Fawkner College and Glenroy College. It was a three-day cross-school team collaboration event, designed for them to provide solutions to emerging clean energy challenges posed to them by the industry. Thank you to the Department of Education, the University of Melbourne, the Science Gallery Melbourne and all of the Merri-bek high schools for making the event possible through our Merri-bek North education plan.

Pascoe Vale Girls College

Anthony CIANFLONE (Pascoe Vale) (10:32): On 20 November I was delighted to officially open the game-changing new \$11.9 million arts and tech hub facilities at Pascoe Vale Girls College – brand new game-changing facilities.

St Mary’s Jacobite Syrian Orthodox Church

Pauline RICHARDS (Cranbourne) (10:32): Last Sunday I was so pleased to visit and inaugurate the St Mary’s Jacobite Syrian Orthodox Church in Cranbourne West. This project was made possible by \$500,000 from the Victorian Labor government’s Multicultural Community Infrastructure Fund. Many years ago Johny Varghese came to see me and talk about their aspirations for the Keralite

community in Victoria and in the south-east to be able to have a home, and to see it realised on Sunday was a great joy. Father Kuriakose Jacob has been in Australia from Kerala for only a few weeks, and he was absolutely delighted to be able to have a home for the community. I also want to acknowledge Madanan Chellappan. I was also really very honoured to be able to see that a very sacred relic from St Thomas the Apostle in Kerala has been gifted to this community's church. I am very honoured to have such a strong Keralite community.

Christmas Under the Elms

Pauline RICHARDS (Cranbourne) (10:33): On Sunday I visited Christmas Under the Elms on behalf of the hardworking member for Narre Warren South. I want to thank JR and all of the committee for putting on such an amazing event.

Nazra Ibrahim

Pauline RICHARDS (Cranbourne) (10:33): Yesterday Nazra Ibrahim, a woman who has been on the honour roll, came into Parliament. She is from the Cranbourne mosque, and she visited as part of our 16 weeks of action to acknowledge the terrible scourge of violence against women. I am very fortunate to have such hard-working people.

Melton electorate

Steve McGHIE (Melton) (10:33): I rise today as it is our last sitting week for the year to talk about some great things happening in Melton. Firstly, four level crossings are being removed, and we are building a new Melton railway station. Work has already commenced on these projects, and it is fantastic to see that progressing. Work will start on the new all-electric Melton hospital very soon; we recently had a smoking ceremony on site, and worksites are being set up. A new TAFE to be run by Kangan Institute is finalising its land with, hopefully, building commencing next year, and of course two new schools are being built: Cobblebank secondary and Toolern Waters primary. Both will be ready for the 2026 school year.

Felicitations

Steve McGHIE (Melton) (10:34): I want to extend my thanks to the clerks and staff here at Parliament for all their assistance in keeping Parliament on track. All the help from the ministerial staff has been amazing, and I thank them for what they have done throughout the year. Of course my electorate office staff and my cabinet secretary staff all do a great and incredible job at making my job a lot easier. I want to extend my thanks to Bracksy in the annexe for bringing smiles to everyone's face as he runs around and everyone pats him. So thanks to Bracksy, and thanks to Megan for bringing him in.

To all my parliamentary colleagues: I congratulate you on all of your contributions and efforts throughout the year. I wish all of you and your families a happy and safe Christmas. And finally, to the Melton constituents: thank you for contributing to making Melton a far better place. Best wishes for the festive season; I hope you all have a great holiday.

Boronia revitalisation

Jackson TAYLOR (Bayswater) (10:35): Well, the reels and the memes are getting a workout on my Insta account because the Allan Labor government is making the biggest investment into Boronia in a generation. It is so, so exciting. Everyone is up and about. It is probably me leading that pack, I have got to be honest with you. We have just released the first designs for the new Boronia station precinct, and they are absolutely next level. Part of the designs are going to see a new widened concourse, new station amenities and new amenities for the protective services officers. We will also have a new landscaped plaza with new seating and lighting. There will be new CCTV. We are also going to be making other improvements, not just at concourse and station level but also at platform level: upgrading the waiting area, providing new shelters and upgrades to the platforms and installing passenger information displays, otherwise known as PIDs – you learn something new every day in

this place. As well we are going to be upgrading the pocket park. There is so much to love. There is lots of new open space. This is the new heart of Boronia. This is probably the biggest thing I will deliver in this term, and I am super excited that the locals in Boronia made it happen. Thank you very much to the minister at the table, the Minister for Transport Infrastructure, for also supporting the project as well.

Wantirna College

Jackson TAYLOR (Bayswater) (10:36): Construction is also underway at Wantirna College – very, very exciting. There will be two huge new basketball courts, competition size, in a huge gym with new performing arts facilities. Thanks to Carrie the team out there; I love your work. And of course merry Christmas, everybody.

Statements on parliamentary committee reports

Public Accounts and Estimates Committee

Inquiry into Vaping and Tobacco Controls

Mathew HILAKARI (Point Cook) (10:37): I rise to speak on the Public Accounts and Estimates Committee vaping and tobacco controls inquiry report that was delivered in August 2024. I do want to start off by just making a special mention of the grandfather of PAEC, who may well no longer be the grandfather of PAEC after his rise to the position of the Leader of the Nationals. I just want to say that it has been an absolute joy. Should he choose not to continue after 10 years in the role, should he no longer be a member of PAEC, we will miss him because he has done a sensational job on that committee, doing exactly what the committee is designed to do, which is to ask questions about the role of government, particularly through the budget estimates. He really interrogates ministers. He respects ministers who give him answers that he expects as a member of this committee. I do wish him every success in his new role, but I wish the Nationals of course no success in their electoral activity. So best to him, of course, but we are still in a competitive environment.

I want to take us now particularly to the licensing scheme that was mentioned in this report, and there are some really big ticks on what we have achieved as a government since this committee report landed through legislation which has been in front of this place already and has still a little way to go. The first one is recommendation 9 on Better Regulation Victoria. A large number of the recommendations have already been picked up through a bill that has been put before and agreed to by this house already – a big tick for the committee but a big tick for the government.

Another big tick is the annual licensing fees in recommendation 10. These go to support the actual licensing regime that is set up to make sure that those tobacco licensees are doing the right thing and are appropriately of good character.

The next tick was the licensing of retailers and wholesalers to collect data, because, frankly, we do not know enough about the data on what tobacco products are being sold – the quantity and which locations. So that is another big tick that has come out of the PAEC inquiry – it has been taken up and run with by the government. Recommendation 13 included the establishment of a:

... well-resourced, standalone regulatory agency within the Department of Justice and Community Safety to work in close partnership with Victoria Police ...

Another big tick. These are things that are getting ticked off by this government from serious and important reports that seek to improve Victoria and the regulations that affect Victorians. That is another big tick. Another big tick out of this report is recommendation 17, which has been taken up, which is the strengthening of retail and wholesale licence revocation capability. This was a really critical part because Victoria Police described to the Public Accounts and Estimates Committee how should they have been on a raid of illicit tobacco that was being sold, it would almost instantly be replaced at that same site and that they could not close down that venue. The legislation that has been through this place has dealt with that, so that is another big tick for the government.

Recommendation 18 describes the review of current penalties contained in state legislation regarding illicit tobacco and the cigarette trade with a view to increasing them. They have been increased to the extent that they are now the highest in the country, which is up to 15 years imprisonment, so we are having serious effects on the consequences of the trade of illicit tobacco and putting in a real cost of doing business to those people who seek to trade in illicit tobacco.

What I would just really like to say is that I appreciate that the government is acting on the reports that are made across different groups of the Parliament – the Nationals, the Liberals, the Greens and the Labor Party – and then going and actually acting on them. This is improving the lives of Victorians as these measures are enacted through both the chambers of the house.

I do want to finish on – and I have mentioned this before – Detective Superintendent Kelly of the anti-gangs division, who is oversighting the Lunar and VIPER taskforces, who described how almost 100 per cent of those places that they had raided as a police force were trading in illicit tobacco. While I commended that bill to the house, I appreciate all the work done by the Public Accounts and Estimates Committee.

Public Accounts and Estimates Committee

Report on the 2024–25 Budget Estimates

Jess WILSON (Kew) (10:42): I rise to make a contribution on the report on the 2024–25 budget estimates by the Public Accounts and Estimates Committee, tabled on 31 October. This is a very timely report given that this week is the 10-year anniversary of the Labor government being elected. And there has been a particular focus this week on the state of Victoria's finances of late, particularly in the *Australian Financial Review* and by one of Australia's most esteemed columnists Saul Eslake. I will return to the work of Mr Eslake – much to the concern of the member for Wendouree, I can see – momentarily, but first I want to call out some of the findings made by the Public Accounts and Estimates Committee in this report.

The findings of this report are almost universally bleak. Finding 1 states that the government expects an operating deficit of \$2.2 billion, while finding 3 states that interest on net debt will total \$6.5 billion this financial year and is expected to reach \$9.4 billion by 2027–28. And we know that by 2028 Victorians will be paying more than \$1 million an hour in interest on the Labor government's record debt. That is an average of 7.8 per cent of total revenue each year over the forward estimates for the interest bill in this state alone.

It is no surprise given these figures that one of Australia's most celebrated entrepreneurs Dr Brian McNamee has labelled Victoria 'simply un-investable'. This is a common theme when it comes to the business community expressing their concern about the management of Victoria's finances under the Allan Labor government. We have the chamber of commerce listing Victoria as the place least preferable to do business in this country. We have one of Australia's most lauded business figures in Dr McNamee talking about it being un-investable. We have the Australian Industry Group talking about the fact that it is simply impossible to encourage businesses to invest in this state.

Unfortunately there will not be much comfort for Dr McNamee or any others looking for green shoots when it comes to the Victorian economy among the other findings of the committee in this report.

Labor, as we know, had to find \$1.5 billion in off-budget funding to keep Victorian hospitals afloat, according to finding 14. We know now that the Treasurer is trying to find any loose change that he can to pay for the health minister's mismanagement of the health budget. In fact he was very happy to go out and say publicly how concerned he was about ministers in the Allan Labor government not managing their own budgets and not making sure that Victorians' money was being used appropriately under their watch.

The findings in this report of PAEC paint a very, very bleak picture of the state of affairs here in Victoria. As I said, these findings are completely consistent with the analysis in the *AFR* this week by

Saul Eslake. Mr Eslake meticulously demonstrates how Labor's decade of economic mismanagement has laid waste to the living standards of Victorians. The debt, the interest on the debt and the decade of Labor's reckless spending – these are all laid bare in the report by PAEC, but Mr Eslake's work goes a step further and shows exactly what it means for every Victorian every single day.

Victoria's per capita gross product declined from 1.7 per cent above the national average back in 1999 to 11.5 per cent below the national average in 2023–24. The story is very, very grim when it comes to household disposable income. In 2023–24 our per capita disposable income fell to 10 per cent below the national average, behind even Tasmania. Victoria's living standards have fallen behind even Tasmania's. To the Assistant Treasurer at the table, Victorians are feeling this every day. They know that once they have paid their bills, their tax and their mortgage, there is not as much left in their pockets as there was 10 years ago. They are feeling poorer, and indeed they are poorer after a decade of waste and mismanagement by this government.

You do not have to take Mr Eslake's word, you can look to the Victorian Auditor-General, who has said that the Allan Labor government's financial management is simply unsustainable. It is abundantly clear from this work, from the record taxes and from the mismanagement that Victorians have less money in their pockets, and they are paying the price of this government's recklessness every single day.

Environment and Planning Committee

Inquiry into Securing the Victorian Food Supply

Juliana ADDISON (Wendouree) (10:47): I am delighted to rise to talk about the Environment and Planning Committee report. Securing the Victorian food supply is an existential issue for our state now and into the future. As Victoria's population continues to grow, the impact of urban sprawl in Melbourne and regional cities like mine in Ballarat is impacting our food producers and our farming industry.

I was pleased as chair of the Environment and Planning Committee to table our securing the food supply inquiry report, appendices and transcripts in this place yesterday, because committee work is so important and purposeful. I genuinely want to thank the members of the committee for their collaboration, their co-operation and their commitment to the inquiry. Thank you to the Deputy Chair, the member for Morwell; the member for Bass; the member for Croydon; the member for Monbulk; the member for Ripon and the member for Warrandyte. I note that both the member for Morwell and the member for Warrandyte will be making contributions, and I look forward to their contributions to this discussion on committee reports.

I have thoroughly enjoyed working with all members of the committee, and the pragmatic recommendations made in this report are a testament to this strong relationship that we have created. I would also like to thank our secretariat: our committee manager Igor Dosen, research officer Samatha Leahy and administrative officer Helen Ross-Soden for their outstanding work and the support they have given to the committee over the last year while we have undertaken this inquiry. Your efforts are appreciated, and the calibre of your work is admired. I would also like to welcome administration and research assistant Imogen Bacon, who joined the committee secretariat at the beginning of November this year. We look forward to working with you next year.

I particularly enjoyed spending time with the committee and secretariat during our regional visits to Gippsland, Geelong, Ballarat and Bendigo. I found those days meeting with stakeholders really worthwhile, and I thank everyone for their time and interest in our inquiry, particularly people leaving their farms and taking time out of their day to really contribute – we are indebted to you.

The terms of reference for our committee were to undertake an inquiry into securing Victoria's food supply in the context of urban sprawl and the impact of population growth on the farming industry and arable land.

The evidence considered throughout our inquiry supports greater coordination of efforts to improve the viability of agriculture, improved protection of all farmlands from inappropriate development and strengthening the resilience of our food system from shocks and stresses. I am so proud of the inquiry that we have undertaken and the 29 findings and 33 recommendations. These address Victoria's food supply, population growth and urban sprawl, protecting agricultural land and agricultural covenants, supporting farmers to feed Victoria and a resilient food system.

Victorian farmers do essential work and are significant contributors to the state's economy. They produce much of the food which keeps not only Victorians but Australians healthy, as well as exporting quality agricultural goods across the world and supporting the global food supply. I strongly believe that our agricultural sector needs to be supported as it faces growing demand for healthy, locally grown foods.

Farming in Victoria is facing many challenges. Our inquiry has found that some of the state's most productive farmland on the fringe of Melbourne and our regional centres is being lost to development as the state urbanises to accommodate a growing population. Victoria's population has grown rapidly in recent years and is forecast to top 10 million by 2051. The challenge of feeding and housing our expanding community is placing our agricultural sector under pressure. We found that greenfield residential developments on the fringes of our city are encroaching on arable land and the interface of urban communities and farms is making farming harder. Our inquiry heard that farmland is becoming fragmented, too expensive to be profitable and afflicted by pests, illegal rubbish dumping and trespassing. Instances of conflict and complaints about legitimate farming practices are occurring as residential and agricultural landowners are drawn closer to each other by inappropriate development.

Environment and Planning Committee

Inquiry into Securing the Victorian Food Supply

Martin CAMERON (Morwell) (10:52): As a committee, I will take up where our chair left off. We are that proud of our report from the Environment and Planning Committee on the inquiry into securing the Victorian food supply that most of us are in the chamber. We loaded up and were able to work as a fantastic functioning team to get a job done and to get a committee report to give to the government. With 29 findings and 33 recommendations, as the chair, the member for Wendouree said, it was something that we could all work together on. Being from the regions and being able to move around, it was terrific that we could all be as one. We are on different sides of the political spectrum, but we have come together because these are concerns that affect everybody in our seats and everybody throughout Victoria.

As our chair said, I would also like to thank the members of our team, who are the member for Croydon, the member for Monbulk, the member for Bass, the member for Warrandyte and the member for Ripon. As we travelled around regional Victoria to our public hearings, which we had in Melbourne Morwell, Geelong, Ballarat and Bendigo, people gave their time to come and express where they think there need to be changes to protect our food bowl, because at the end of the day we all need to eat. We need to make sure that we are supplying a secure food source and a food source that still is accessible, both monetary-wise and in locality, around the state. We are very, very diverse with what we do produce around this great state of Victoria.

One of the regional hearings was in Morwell. We had some farmers come down, and it was great to hear them talk about how they have had to diversify and change the way they run their farms because, as we hear, the next generation of farmers is not continuing on the family tradition.

For most farmers it has been generational. As we found out, there are less and less workers that are having to be used on the farm, so modern technology has taken over to make sure that we can, now and into the future, make sure that our food supply is solid and make sure that it is accessible for everyone else.

As part of the regional hearings program, as we travelled around, we learned about pockets of different ways that people produce food. We went to the Cape Community Farm down at Cape Paterson. It was astounding what they are doing down there. The member for Bass put that on our radar to go down and see how they are building communities, not just houses, and how they are securing the food supply for those members who choose to live in that location. It was really great that we could do that. With urban sprawl not only around Melbourne but also the suburbs and as our regional centres get bigger around regional Victoria, we need to make sure that we protect the most valuable asset, and that is our prime agricultural land that will secure our food supply into the future.

One of the other things that we did, and I think it is because we are such a great committee, was we also provided the way forward for a lot of people to give birth along our journey in the last 12 months. The member for Ripon welcomed a beautiful baby into our committee. Behind our great team, as the member for Wendouree said, is Helen, who also had a baby, and we have the wonderful expecting mother in the member for Warrandyte.

Public Accounts and Estimates Committee

Report on the 2024–25 Budget Estimates

Sarah CONNOLLY (Laverton) (10:57): I will not be talking about babies in my contribution, but it does give me a great deal of pleasure to rise to contribute to committee reports this morning. I rise to speak on something quite fascinating, and I would say much more interesting than having babies, and that is the Public Accounts and Estimates Committee report, listen up, on the 2024–25 budget estimates, which I tabled in this place last sitting week.

Budget estimates sessions are arguably one of the main predominant functions of our committee, which I know committee members all love to contribute to actively, vocally, and which we perform each and every year. As chair of that committee I had the privilege of overseeing these estimates hearings over eight wonderful long days, the second year that I have been able to do so now. Across these eight days of hearings was a real opportunity for committee members to sit down with all government ministers and their department heads and senior officials and question them basically on each of their portfolios in regard to expenditure and performance.

I would like to acknowledge and thank all of those ministers and government officials who took part in these hearings, as well as the Speaker and the President of the other place for their contributions to these hearings. It is not usually an easy process, although I do have to say that it does help having committee members actively engaged and quite often well behaved for me to go ahead and ask these really important questions of government ministers and senior bureaucrats in this state. As usual, it would not be a budget estimates if hearings did not get argy-bargy from time to time. It always is, and I would take great offence if the member for Gippsland South had effectively removed himself from this committee because of the argy-bargy that went on in budget estimates this year.

Much like in this place, estimates hearings are a key mechanism for government scrutiny, giving members the opportunity to ask those questions that they wish to ask on virtually every element of government policy and expenditure, not just from the ministers themselves but also really importantly, from the departments as well. The report itself, for anyone who has spent time reading that report, contains 82 findings and it makes 37 recommendations which focus on improving and strengthening transparency and accountability in budget reporting as well as how the government can better collect data for evaluation on the performance of strategies and expenditure.

Let us face it, if you are spending money and it is not having bang for buck, then we need to work out how we can better spend it. I am pleased to note on this fact that there was a significant decrease from last year's report. I talked about this year having 82 findings; last year had 129 findings. This year had 37 recommendations; last year had 82 recommendations. I would say that should hopefully tell us that things are actively being addressed.

I want to acknowledge the work of my colleagues on the committee. We spent a lot of time together and long nights together working as a team as part of this public inquiry. I do want to give a special shoutout, because of his new role this week, to the member for Gippsland South. Last year the committee marked that it was his ninth year on the committee, which naturally makes this year a full decade that the member for Gippsland South has spent on PAEC. I do have to say that is an incredible achievement that all of us across the political divide should be able to acknowledge depending on where you sit – if you have sat in front of him, you can celebrate or commiserate.

I do want to acknowledge the other members of the committee, including the members for Point Cook, Yan Yean, Clarinda and Gippsland South, as well as Mr McGowan, Mr Galea, Mrs McArthur and Mr Puglielli in the other place. I do really want to give a big shoutout to the backbone of the committee, the committee secretariat and staff, who are led by the incredible Caroline Williams and Charlotte Lever, for their absolute tireless efforts not only in assisting us through these hearings but also in the preparation of the report. Writing a report like this takes a lot of time, a lot of editing, and they do have to spend a lot of time with MPs who have a lot of opinions about the report that make up an extraordinary amount of edits and efforts that go into getting to the point where I was last week of tabling the report. This report, if you have the chance to read it, is well worth reading. It may not be as exciting as babies, but I wholeheartedly commend the report to the house.

Environment and Planning Committee

Inquiry into Securing the Victorian Food Supply

Nicole WERNER (Warrandyte) (11:02): I rise to speak on the Environment and Planning Committee's inquiry into securing the Victorian food supply. That makes the third for today, having only tabled it yesterday. In a rare show of collegiality from me in the chamber, I would like to thank all of our wonderful colleagues, particularly our chair the member for Wendouree, deputy chair member for Morwell, members for Bass, Monbulk, Ripon and Croydon and of course our wonderful secretariat, who also happen to be here – how special – from Igor to Sam to Helen, who is on maternity leave, and Imogen as well. Welcome to the team, and thank you so much for all of your hard work to make this committee report and inquiry a success.

It is one of those things where you have opportunities where you get feisty and you fight in the chamber but you can be friends outside. It was a wonderful opportunity to be able to get together on this committee with members from both sides of the aisle and get out to places like Morwell and Ballarat, where we were shown a good time by all going out for dinner together as a committee. It was just so lovely to work in a collegiate way with members from across this place. I do thank them for it just being a wonderful committee. There were never any dramas, never any issues, and we all got along. It was a fantastic committee as my first committee to come on to.

If I can note as well, as the member for Morwell alluded to, yes, there was a baby boom in the committee. Watch out for, all of the other members, particularly the members for Wendouree and Monbulk, there was something in the water that we were drinking. In the time that we were on the committee, particularly in the public hearings, was when I found out that I am pregnant. In that same time we had the member for Ripon give birth to her beautiful baby Liam. In addition, one of the members of the secretariat, who kept it under wraps the whole time, told us at the very end and gave birth to a beautiful baby and is now on maternity leave. Would you believe that? That happened all throughout the committee this year, and that was pretty wild, so there you go. What was I going to say on that? The baby boom, yes. It was just wonderful, so lovely. It is a cautionary tale from both the member for Ripon, who gave birth six weeks early with her first baby, and the member for Kew, who gave birth five weeks early with her first baby.

I am 32 weeks pregnant, so I am a little bit nervous, if that is the track record so far for members of Parliament who give birth to their first children. But I am hoping for the best and that I will last longer than the next couple of weeks – but anyway, that is an aside.

While I am thanking people, if you would indulge me, given this will be one of my last opportunities before Christmas and before I go on maternity leave, I would love to just thank all of the people that make Parliament possible – all of the staff, all of the clerks, particularly in the Legislative Assembly. We are so grateful to Bridget, Vaughn and the team. You guys are just wonderful. From Rachel at member services to Ros at the front desk to Adam in security, there are just so many moving parts in Parliament and so many staff that make it possible, so thank you so much for all of your work this year.

I want to also thank my electorate office staff, particularly my office manager Diti and my staff Lenny, Nathan and Brandi. Thank you for just making this wonderful. My first 15 months in Parliament has been fantastic, and that is thanks to the aid and support of my staff, so thank you to you.

In the very last minute that I have left, what I did want to talk about and highlight as part of this inquiry was Victoria's green wedge. That is something that we have looked at together as a committee, and from the beginning of my time here, from my maiden speech, I talked about the green wedge, because part of that is in the electorate of Warrandyte. It is a beautiful place, and we say that the city meets the country in the electorate of Warrandyte, and indeed there is green wedge in it. I said in my maiden speech that I would be, as my predecessors were, a defender of the green wedge, because we live in the lungs of Melbourne. It is a Liberal idea that was birthed through Rupert Hamer, and it is something that we are so blessed to live in in my part of the world, and so that was part of what we looked at as part of the committee.

I have just rambled a little bit, and I have got 10 seconds left. Thank you to the committee, thank you to everyone who made it possible, and thank you for a wonderful year in Parliament as well.

Business of the house

Notices of motion

Natalie SULEYMAN (St Albans – Minister for Veterans, Minister for Small Business, Minister for Youth) (11:07): I advise that the government does not wish to proceed with government business, notices of motion 1 to 5 inclusive, and ask that they remain on the notice paper, and I move:

That the consideration of government business, notice of motion 6, be postponed until later this day.

Motion agreed to.

Bills

Justice Legislation Amendment (Anti-vilification and Social Cohesion) Bill 2024

Statement of compatibility

Anthony CARBINES (Ivanhoe – Minister for Police, Minister for Crime Prevention, Minister for Racing) (11:09): In accordance with the Charter of Human Rights and Responsibilities Act 2006, I table a statement of compatibility in relation to the Justice Legislation Amendment (Anti-vilification and Social Cohesion) Bill 2024:

In accordance with section 28 of the *Charter of Human Rights and Responsibilities Act 2006* (the Charter), I make this Statement of Compatibility with respect to the Justice Legislation Amendment (Anti-vilification and Social Cohesion) Bill 2024 (the Bill).

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

Overview

The purpose of the Bill is to strengthen and expand anti-vilification laws to better protect individuals and communities from vilification and promote the rights of all Victorians to participate equally in a democratic and inclusive society. The Bill gives effect to 15 recommendations of the 2021 Victorian Parliamentary *Inquiry into Anti-vilification Protections* (Inquiry).

The term ‘vilification’ is more commonly known as hate speech or conduct, but it includes a broader range of behaviours that are against the law. This hateful behaviour can cause significant harm to a person’s health and wellbeing, and reduce their ability to participate in public life.

Currently, the *Racial and Religious Tolerance Act 2001* (RRTA) protects people from racial and religious vilification. The Bill expands anti-vilification protections beyond race and religious belief or activity to also protect disability, gender identity, sex, sex characteristics, sexual orientation, and personal association with a person with a protected attribute.

The Bill improves criminal serious vilification offences, including by:

- introducing a new incitement offence and threat offence into the *Crimes Act 1958* that capture broader conduct including intentional and reckless behaviour
- increasing maximum penalties, and
- including a defence for the new incitement offence for conduct that is engaged in for a genuine political purpose.

The Bill also strengthens civil anti-vilification protections by:

- introducing civil protections into the *Equal Opportunity Act 2010* (EOA) (a modified incitement-based protection and a new harm-based protection)
- introducing a definition of ‘public conduct’
- refining the existing civil exceptions to vilification, and
- extending the existing powers of the Victorian Equal Opportunity and Human Rights Commission (VEOHRC) to better respond to vilification.

The Bill imposes a review of the operation of the reforms to be conducted no later than 5 years after commencement of all the reforms in the Act. This provides an opportunity to consider how the reforms operate in practice, including any limitations on Charter rights.

Human rights protected by the Charter that are relevant to the Bill

The following rights under the Charter are relevant to the Bill:

- recognition and equality before the law (section 8)
- privacy (section 13)
- freedom of religion and belief (section 14)
- freedom of expression (section 15)
- protection of families and children (section 17)
- taking part in public life (section 18), and
- rights in criminal proceedings (section 25).

Under the Charter, rights can be subject to limits that are reasonable and justifiable in a free and democratic society based on human dignity, equality and freedom. Rights may be limited to protect other rights. As discussed below, I consider that the limitations this Bill imposes on Charter rights are reasonable and justified in accordance with section 7(2) of the Charter.

Right to recognition and equality before the law

Section 8 of the Charter provides that every person has the right to enjoy their human rights without discrimination. It protects the right for every person to equal protection of the law and the right to equal and effective protection against discrimination.

Justice Bell in *Lifestyle Communities Ltd (No 3) (Anti-Discrimination)* (2009) 31 VAR 286 at [109] and [277] noted that the equality rights in section 8 are ‘the keystone in the protective arch of the Charter’ and the fundamental value underlying the right to equality is the ‘equal dignity of every person’. Unequal treatment on the basis of a person’s attribute can cause ‘emotional pain, distress and a grievous loss of personal dignity and self-worth’ and can have ‘serious, and even traumatic, physical, social or economic consequences’.

The Bill promotes the right to recognition and equality before the law in several ways. Most significantly, expanding legal protections beyond race and religious belief or activity protects more individuals and communities who are most impacted by vilification, including those who have not previously been protected under anti-vilification laws. In support of this, the Bill clarifies that a civil vilification complaint can be made to VEOHRC or the Victorian Civil and Administrative Tribunal (VCAT) based on one or more protected attributes. The criminal offences will also apply to vilifying conduct that occurs on the basis of more than one

attribute. This recognises that hate speech or conduct may be directed at individuals with intersecting identities and protected attributes, further promoting recognition and equality before the law.

Other ways the Bill promotes the right to recognition and equality before the law include, for example:

- The new serious vilification offences (new sections 195N and 195O of the Crimes Act), modified civil incitement-based protection (new section 102E of the EOA) and new civil harm-based protection (new section 102D of the EOA) capture a broader range of conduct than current RRTA provisions, providing greater protection from the harmful effects of vilification.
- Expanding VEOHRC’s existing powers under the EOA to vilification matters enables VEOHRC to better respond to vilification in the community, including systemic vilification. These powers include the power to initiate investigations, issue practice guidelines, and intervene and assist in court and tribunal proceedings.
- Allowing a representative body (such as a religious or community organisation) to bring a dispute to VEOHRC on behalf of an unnamed person better supports people to bring vilification complaints. It recognises that in some circumstances people may not feel comfortable or safe to identify themselves through the dispute resolution process.

The Bill also limits the right to equality and recognition before the law, including by continuing to provide civil exceptions and including a defence to the new incitement offence. Civil exceptions (new section 102G of the EOA) apply to conduct engaged in, reasonably and in good faith, for artistic work, for any genuine academic, artistic, public interest, religious or scientific purpose, or for any report of any event or matter of public interest. The criminal defence applies to conduct that has a genuine political purpose.

In effect, these exceptions and the defence may permit behaviour that would otherwise constitute vilification, thereby limiting the right to equality for those targeted or affected by vilifying conduct. However, I consider these limitations are reasonable and justified in accordance with section 7(2) of the Charter. The political purpose defence, for example, is intended to ensure that genuine political discourse is not criminalised. It recognises the importance of ensuring robust political discourse on matters of politics and the government, within an open and democratic society. Including the civil exceptions and criminal defence also promotes other rights, including the right to freedom of expression and the right to freedom of religion and belief (see below).

Right to privacy

Section 13(a) of the Charter provides a right to privacy, stating that a person has the right not to have their ‘privacy, family, home or correspondence unlawfully or arbitrarily interfered with.’

Justice Bell has emphasised the ‘fundamental importance’ of the right to privacy in ensuring that ‘people can develop individually, socially and spiritually’ in their private sphere, thereby providing the foundation for participation in democratic society (affirmed in *Castles v Secretary of the Department of Justice* (2010) 28 VR 141 [78]; *PJB v Melbourne Health* (2011) 39 VR 373 [54]; *Director of Housing v Sudi (Residential Tenancies)* (2010) 23 VAR 139 [29]).

Section 13(a) of the Charter prohibits unlawful and arbitrary intrusions to privacy. Determining whether an interference is arbitrary involves a broad assessment of whether it extends beyond what is reasonably necessary to achieve the statutory purpose (*Thompson v Minogue* (2021) 67 VR 301 [56]–[58]).

The Bill’s reforms engage the right to privacy but, as they are not intended to arbitrarily interfere with the private behaviour of a person, in my view, they do not limit the right. To the extent that they may limit the right, I consider any limitation is reasonable and justified in accordance with section 7(2) of the Charter.

Application to private conduct

Consistent with the current civil anti-vilification laws, the civil incitement-based and harm-based protections only apply to ‘public conduct’. The Bill defines ‘public conduct’ (new section 102C of the EOA) to provide greater clarity about how the laws apply. The definition is based on the definition of ‘public act’ in section 93Z(5) of the *Crimes Act 1900* (NSW), in accordance with recommendation 13 of the Inquiry. It is not intended to change how the law currently operates, merely clarify its operation. For example, it clarifies that conduct may be public even if it occurs on private property or land, or at a place not open to the general public. This is not intended to limit the right to privacy because a person’s reasonable expectation of privacy is already reduced when out in public as conduct can be observed or overheard by someone else, compared to when conduct occurs within a person’s home.

The Bill excludes tattoos or other forms of body modification from the definition of public conduct. This ensures the Bill is not more restrictive than necessary to fulfill its purpose and recognises the importance of protecting a person’s bodily integrity as part of the right to privacy. In addition, private conduct, such as private conversations, is not intended to be captured by the definition. This recognises the importance of

individuals being able to express themselves freely in their private sphere, while recognising the harm caused by vilifying conduct that occurs in public.

In contrast, and consistent with the current serious vilification offences, the new serious vilification offences prohibit conduct that occurs in public or in private, including conduct that occurs on private websites and forums. This reflects how the type of extreme conduct captured by the criminal offences – including threats of physical harm or to damage property – can cause significant harm and undermine social cohesion even when it takes place in private settings or is directed at limited audiences. This conduct cannot be excused merely because it takes place in private. As such, the offences do not arbitrarily interfere with privacy, and any limitation on the right is reasonable and proportionate to protect members of the public from the harmful effects of serious vilifying conduct.

VEOHRC investigation powers extended

The Bill extends VEOHRC's current investigation powers under Part 9 of the EOA to vilification matters. This will enable VEOHRC to better respond to vilification, including by:

- initiating an investigation into vilification matters (section 127 of the EOA)
- asking for information for an investigation (section 130 of the EOA), and
- applying to VCAT for an order to compel the production of information or documents or to compel a witness (sections 131 and 134 of the EOA).

These extended investigation powers may limit the right to privacy as they may involve disclosing the identity of persons. However, the EOA has existing safeguards that ensure that any limitations imposed by extending VEOHRC's powers to vilification matters are reasonable and justified. Any impact on privacy is proportionate to the legitimate aims of the new laws, which are to protect individuals and groups from the harmful effects of vilification. For those who are targeted, vilification can lead people to feel dehumanised, isolated and marginalised.

Right to freedom of religion and belief

Section 14 of the Charter protects the right to freedom of religion and belief. This includes the right to hold a religion and belief and to demonstrate one's religion or belief in worship, observance, practice and teaching. The right promotes respect for different religious faiths and beliefs, including the right not to hold religious beliefs, as an integral part of an equal and democratic society based on human dignity.

While the right to have or adopt a religion and belief is a matter of individual thought and is absolute, the right to demonstrate religion and belief impacts others and is therefore subject to reasonable limitations. The Victorian Court of Appeal in *Christian Youth Camps Ltd v Cobaw Community Health Services Ltd* (2014) 50 VR 256 noted that the right to freedom of religion may need to be limited to protect the rights of others. The balancing of these rights does not involve privileging one right over the other, but a recognition that rights coexist.

The Bill promotes the right to freedom of religion and belief by continuing to protect the attribute of 'religious belief or activity' and improving how anti-vilification laws operate. Extending anti-vilification laws to protect additional attributes may limit the right to freedom of religion and belief, however, I consider that any limitations are reasonable and justified in accordance with section 7(2) of the Charter.

It is unlikely that the serious vilification threat offence (new section 195O of the Crimes Act) would limit the right to freedom of religion and belief, as observing a religious belief would be unlikely to involve threats of physical harm or property damage. The incitement offence (new section 195N of the Crimes Act) may inadvertently limit the right to demonstrate religion and belief in the context of a religious sermon or proselytising, but it does not limit the right to *hold* a religious belief. Further, the offence targets only the most serious and harmful forms of vilification. Conduct that meets the offence thresholds – which intentionally or recklessly seeks to incite hatred or other specified emotions in others – would interfere with the rights of others to be free from serious vilification. Accordingly, I consider any limitations the incitement offence imposes are lawful and proportionate to achieving the Bill's purpose of protecting Victorians from serious vilification.

The Bill retains a civil religious purpose exception for conduct engaged in, reasonably and in good faith, for any genuine religious purpose. This exception protects the right to freedom of religion and belief and minimises any limitations on the right.

The Bill also modernises the definition of 'religious purpose' to align it with the wording of the Charter, to define a religious purpose as including (but not limited to) worship, observance, practice and teaching. The new definition will remove reference to 'proselytising' that is in the current definition of religious purpose under section 11(2) of the RRTA. However, this is not intended to narrow the definition, as courts have accepted in other contexts that proselytising may be a fundamental part of at least some religious faiths (see,

Applicant NABD of 2002 v Minister for Immigration and Multicultural and Indigenous Affairs (2005) 216 ALR 1 [9] (Gleeson CJ)). Accordingly, proselytising could fall within the new definition of religious purpose.

Right to freedom of expression

Section 15 of the Charter provides that every person has the right to freedom of expression, including the freedom to hold an opinion without interference and seek, receive and impart information and ideas of all kinds through a variety of mediums.

The right is essential to individual self-fulfilment and the ‘social and cultural development of the individual in society’ (*XYZ v Victoria Police* (2010) 33 VAR 1 [554] (Bell J)). The right to freedom of expression is also a foundation of the rule of law and ‘one of the essential pillars of a democratic system of government, because it enables citizens to freely and effectively participate in the political, social, economic and other affairs of their community’ (*Magee v Delaney* (2012) 39 VR 50 [181] (Kyourou J)).

The right to freedom of expression is ‘not absolute but is conditional and qualified’ (*Magee v Delaney* (2012) 39 VR 50 [103] (Kyourou J)). The right may be subject to lawful restrictions reasonably and necessary to respect the rights and reputation of other persons, or for the protection of national security, public order, public health or public morality (section 15(3) of the Charter).

The relationship between the lawful restrictions in section 15(3) and the proportionality assessment under section 7(2) of the Charter is not settled. The approach taken by Justice Bell in *McDonald v Legal Services Commissioner* (No 2) [2017] VSC 89 at [33] is that section 15(3) states the relevant considerations for performing the proportionality assessment under section 7(2).

The Bill imposes some narrow limits on the right to freedom of expression. However, I consider these limitations are reasonable and justified in accordance with section 7(2) of the Charter, as informed by the factors set out in section 15(3).

Protection of additional attributes

Extending anti-vilification protections to additional attributes and clarifying that this will protect people living with HIV or AIDS and drag performers, limits the right to freedom of expression as it prohibits a broader range of hate speech and conduct.

However, the purpose of this aspect of the reform, and the Bill as a whole, is to limit hateful speech and conduct to protect at risk individuals and communities. The Inquiry heard that vilification is common for many Victorians, including for First Nations, Muslim and Jewish people, women, LGBTIQ+ communities and people with disability. The Bill extends the attributes only to the extent identified as necessary by the Inquiry (recommendation 1) to protect the individuals and communities that are at most risk of vilification.

Stronger criminal offences and civil protections

The new threat offence (new section 195O of the Crimes Act) does not limit the right to freedom of expression. Criminal acts of threats and violence are not protected forms of expression (*Magee v Delaney* (2012) 39 VR 50 [86]–[91]). However, the new incitement offence (new section 195N of the Crimes Act) will impose some limitations on this right.

The new civil harm-based and modified incitement-based protections (new section 102D and 102E of the EOA) will impose some limitations on this right by prohibiting vilifying conduct in public that is based on a person’s protected attribute.

However, the new incitement offence, modified civil incitement-based protection and new civil harm-based protection are designed to limit the right to freedom of expression only to the extent that is reasonably necessary to protect the rights of individuals and groups with protected attributes. The Bill does this by:

- imposing criminal sanctions only for the most serious and egregious conduct, when a person intentionally or recklessly does something that is likely to incite hatred or other specified emotions on the ground of a protected attribute
- imposing high legal thresholds so that the civil anti-vilification protections would only capture hateful conduct (conduct that is hateful, seriously contemptuous, reviling or severely ridiculing of another person or group) and not merely offensive speech
- applying civil exceptions to ensure legitimate conduct is not against the law, and
- applying a genuine political purpose defence for the incitement offence.

Civil exceptions (new section 102G of the EOA) will apply to conduct that is engaged in, reasonably and in good faith, for artistic work, for any genuine academic, artistic, public interest, religious or scientific purpose, or for any report of any event or matter of public interest. These exceptions promote the right to freedom of

expression and protect debate and discussion on important issues, including protecting the ability of the media to communicate on matters that may involve vilifying conduct. While the exceptions are broad, they are also limited by the requirement for the conduct to be engaged in ‘reasonably and in good faith’.

The term ‘reasonably’ has been assessed from the objective standard of a reasonable person who is part of an open and just multicultural society (*Catch the Fire Ministries Inc v Islamic Council of Victoria Inc* (2006) 15 VR 207 [94] (Nettle JA)). This recognises that, while we live in a tolerant society that acknowledges the right for individuals to express themselves freely, there are limits, and some conduct will be considered ‘intolerable despite its apparent purpose’ and therefore would not be covered by the exception (at [96] (Nettle JA)). The requirement ‘in good faith’ involves considering the respondent’s subjective belief about whether the conduct was necessary or desirable to achieve a genuine purpose (at [92] (Nettle JA)).

The genuine political purpose defence for the incitement offence excuses genuine discourse about political matters, such as matters pertaining to government policies and decisions. This recognises that open discussion of political issues is critical in a free, open and democratic society and promotes rights to freedom of expression and taking part in public life.

The civil exceptions and the criminal incitement defence reflect a balancing of rights and ensure that these reforms only limit the right to freedom of expression to the extent necessary to protect the right to equality.

Additional safeguards in the new harm-based protection are intended to uphold freedom of expression by narrowing how the protection will apply in practice:

- An objective assessment: whether conduct would meet the threshold requires objectively assessing, from the perspective of a reasonable person with that same attribute, whether they would consider that conduct hateful, seriously contemptuous, reviling or severely ridiculing. This promotes freedom of expression by ensuring conduct is assessed objectively, and not from the perspective of someone who may have an extreme or atypical reaction.
- An additional standing requirement: the Bill only enables a person to bring a harm-based complaint to VEOHRC or VCAT if they have the relevant protected attribute and are part of the audience of the conduct. This narrows the standing test so that only people who have been targeted by the conduct can bring a complaint.

Rights in criminal proceedings

Section 25(1) of the Charter provides the right to be presumed innocent until proven guilty. One aspect of this right is ‘the requirement that the prosecution in a criminal case has the burden of proving guilt’ (*Momcilovic v The Queen* (2011) 245 CLR 1; [2011] HCA 34 [52]–[55] (French CJ)). This becomes relevant where a statutory provision shifts the burden of proof onto an accused in a criminal proceeding.

The Bill’s new political purpose defence (new section 195N(4)) imposes an evidential burden of proof on an accused to raise evidence that suggests their conduct has a genuine political purpose. As the existence of a defence is usually within the accused’s own knowledge, it is justifiable to expect the accused to raise evidence of the defence. However, an evidential burden does not limit the section 25(1) right to be presumed innocent until proven guilty (*R v DA & GFK* [2016] VSCA 325). Once evidence of a genuine political purpose is raised, the prosecution must prove, beyond reasonable doubt, that the accused did not engage in the conduct for a genuine political purpose.

Right to take part in public life

Section 18(1) of the Charter provides that every person has the right, without discrimination, to participate in public affairs.

The Inquiry highlighted how, over time, vilifying conduct can limit how individuals and communities participate in public life. The Bill promotes the rights of individuals with protected attributes to take part in public life by extending and strengthening anti-vilification protections. This also benefits the broader community, as vilifying conduct that impacts an individual’s ability to participate in public life denies the community the benefit of diverse voices and experiences.

The criminal offences and civil protections in the Bill may limit the right to take part in public life by restricting speech that vilifies others based on their protected attributes. However, as discussed in relation to the right to freedom of expression, the reforms in this Bill involve a balancing of rights. Any limitations on this right are reasonable and justified in accordance with section 7(2) of the Charter, as they protect individuals from vilification and their right to fully participate in public life.

Protection of families and children

Section 17 of the Charter protects the rights of families and children. Section 17(2) recognises the vulnerability of children because of their age, conferring additional rights on them. It is concerned with

protecting the ‘best interests of the child’ (*Certain Children by their Litigation Guardian Sister Marie Brigid Arthur v Minister for Families and Children* [2016] VSC 796 [145]).

The Bill requires Victoria Police to obtain the DPP’s consent to charge an accused who is a child (under 18 years of age) with serious vilification. This safeguard promotes the protection of children by ensuring that their unique characteristics and vulnerabilities are considered before deciding to proceed with a prosecution.

The civil protections also promote the rights of children, by clarifying that conduct may be public if it occurs at a school, even though schools are generally not open to the general public. Whether conduct that occurs in a school would be considered ‘public’ and fall within the definition of public conduct will depend on the particular circumstances in which the vilifying conduct occurred. This is to ensure that children and young people can be protected from the damaging impacts of vilification that occurs in schools.

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

Second reading

Anthony CARBINES (Ivanhoe – Minister for Police, Minister for Crime Prevention, Minister for Racing) (11:09): I move:

That this bill be now read a second time.

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

Incorporated speech as follows:

Vilification has no place in our community. It is contrary to our democratic values and undermines social cohesion and the benefits that inclusion, multiculturalism and diversity brings to our community.

The term ‘vilification’ is more commonly known as hate speech or conduct but includes a broader range of behaviours that are against the law. This hateful behaviour impairs the dignity of its targets and undermines social cohesion because it can result in people being silenced or marginalised from participation in public life.

Recently, there has been an alarming increase in reports of hate speech and conduct:

- The 2024 *Understanding reporting barriers and support needs for those experiencing racism in Victoria* report recorded that 76 per cent of people surveyed stated that they, or someone in their care, have experienced racism in Australia.
- The 2023 *Victorian Antisemitism Report* recorded that there has been a 228 per cent increase in antisemitic incidents.
- Since 7 October 2023, the Islamophobia Register Australia has seen an over 600 per cent increase in reported incidents.
- The 2023 Trans Justice Project and Victorian Pride Lobby, in its *Fuelling Hate* report, reported anti-trans hate is escalating in Australia with 49 per cent of trans participants surveyed reporting having experienced online anti-trans abuse, harassment or vilification and 47 per cent having experienced that behaviour in person.
- The Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability heard evidence that abuse is a common occurrence when people with disability leave their home and recommended that disability be covered by state criminal anti-vilification offences.
- In 2019, the eSafety Commissioner reported that around 14 per cent of Australian adults were estimated to have been the target of online hate speech in the previous year, with LGBTIQ+ communities and First Nations people experiencing online hate speech at more than double the national average.

In Victoria, only hate speech and conduct that meets the legal definition of vilification is against the law. Currently, the *Racial and Religious Tolerance Act 2001* protects people from racial and religious vilification. People who are vilified for other reasons are not protected by current anti-vilification laws.

In 2021, the Victorian Parliamentary *Inquiry into Anti-vilification Protections* (Inquiry) examined the operation and effectiveness of the Racial and Religious Tolerance Act. The Inquiry heard that vilification is commonly faced by many Victorians, including First Nations, Muslim and Jewish people, women, LGBTIQ+ communities and people with disability. Many Victorians experience its harmful effects, including online.

The Inquiry found that despite the protections in the Racial and Religious Tolerance Act, prejudice and hate are unfortunately still rife in Victoria, and the laws are ineffective and inaccessible. The Inquiry recommended extending anti-vilification laws to protect more Victorians and strengthening how the laws operate.

The government has already implemented the first stage of the Inquiry's recommendations, by banning the use of the Nazi Hakenkreuz in 2022, followed by the 2023 ban of the Nazi salute and other symbols and gestures used by the Nazi Party.

This Bill now gives effect to a further 15 of the Inquiry's legislative recommendations. It will strengthen Victoria's anti-vilification laws, improve the operation of the laws and assist in responding appropriately and effectively to the most serious cases of vilification, as part of a calibrated suite of measures to address conduct of increasing seriousness.

These reforms are one part of wider initiatives being taken across government to address and prevent vilification, hate crimes and violence. Prevention is as important as changing the law, that is why the government is also working on complementary prevention-based strategies and initiatives to reduce and eliminate vilification. These include initiatives to better understand the root causes of vilification, community and school-based education programs, and improved support for those impacted by vilification.

The development of the Bill

This Bill has benefited from extensive public and stakeholder consultation.

In addition to the consultation carried out by the Inquiry, in 2023, the government held three submissions processes supported by consultation papers and surveys on Engage Victoria and consultation with key stakeholders. Victorians had the opportunity to provide their views on extending the attributes protected by anti-vilification laws, expanding criminal offences and strengthening the operation of civil protections. A report back on the feedback received during these consultation processes was published on Engage Victoria in May 2024.

Further, in September 2024 the government published an overview paper detailing proposed changes to the law and provided another opportunity for Victorians to have their say on the proposed reforms. There has also been consultation with human rights, justice, legal, multicultural, advocacy and faith-based groups.

I would like to thank the Victorian community and stakeholders for their input into these reforms over a number of years. I would like to particularly thank those with lived experience of vilification, and their advocates, for engaging in the reform process and helping to contribute to better laws for all.

It has not been possible to adopt or reconcile all views – it is clear that Victorians have diverse opinions about these reforms. However, the advice and feedback has been carefully considered and balanced in developing this Bill.

Balancing Charter rights

The reforms in this Bill have been developed to carefully balance rights under the *Charter of Human Rights and Responsibilities Act 2006* (Charter), including the right to freedom of expression, equality and freedom of religion and belief.

The freedom to engage in robust discussion, reasonably and in good faith, is an important pillar of an open and democratic society and these laws are not intended to prohibit this.

The right to freedom of expression is an essential component of our society and, like all Charter rights, can only be subject to reasonable limits as can be demonstrably justified in a free and democratic society based on human dignity, equality and freedom. Vilifying conduct is contrary to democratic values because of the harm that it causes to the people who are subjected to it, and the broader community. This Bill promotes the equal participation in public life for all.

The Bill promotes the right to equality and the freedom to live without vilification. It also upholds the right to freedom of religion and belief. Every person has the right to freedom of thought, conscience, religion and belief under the Charter and to demonstrate that religion or belief in worship, observance, practice and teaching. The religious protections under existing anti-vilification laws will be retained and strengthened by improving how the law operates.

How Charter rights are engaged by these reforms is outlined in the Statement of Compatibility.

Improving the key features of the Racial and Religious Tolerance Act

This Bill repeals the Racial and Religious Tolerance Act and moves the serious vilification offences to the *Crimes Act 1958* and the civil anti-vilification protections to the *Equal Opportunity Act 2010*.

Moving serious vilification offences to the Crimes Act will improve the visibility of these offences and further highlight the seriousness of this conduct. Moving civil anti-vilification protections to the Equal Opportunity

Act will put anti-vilification laws alongside discrimination, sexual harassment and victimisation laws, creating a single accessible equality framework.

The important protections under the Racial and Religious Tolerance Act will be retained and further strengthened by improving how the law operates. People will continue to be protected from vilification based on their race, including their ancestry, nationality, ethnicity or ethnic origin. They will also continue to be protected from vilification based on their religion, which includes their lawful religious beliefs, views and religious activities.

The Bill will improve the serious vilification offences that prohibit extreme behaviour, civil anti-vilification protections that enable victims to seek civil redress, and protections from victimisation. Anti-vilification laws will continue to apply to vilification that occurs online.

The Bill also retains the civil exceptions to vilification, with some amendment, to balance Charter rights and ensure legitimate activities are not against the law.

The current terminology for vilifying conduct will also be retained. Anti-vilification laws will continue to only capture speech and conduct that is *hateful, seriously contemptuous, reviling or severely ridiculing* of another person or group. This can be seriously abusive, derogatory, intimidating or violent behaviour. Speech or conduct that is merely offensive is not intended to meet this existing threshold, and this balance is important to uphold the right to freedom of expression.

Expanding anti-vilification protections to more Victorians

The Bill expands anti-vilification laws beyond race and religion to also protect the attributes of disability, sex, sex characteristics, sexual orientation, gender identity and personal association with a person with a protected attribute. This will protect individuals and communities most impacted by vilification who have not previously been protected by anti-vilification laws.

The existing definitions under the Equal Opportunity Act will apply, providing broad protection that is consistent with how discrimination law operates. This includes protection for people living with HIV or AIDS, mental illness and drag performers.

The Bill clarifies that vilification complaints can be made on the basis of one or more protected attribute. This recognises that hate speech or conduct may be directed at a person for multiple reasons, for example, a person might experience hate speech because of their gender and race.

Introducing new serious criminal vilification offences

The Bill introduces new serious vilification offences that will apply to the expanded protected attributes and will make it easier to prosecute serious examples of hateful conduct.

It will be an offence, on the ground of a protected attribute, to:

- incite hatred against, serious contempt for, revulsion towards or severe ridicule of a person or a group (the incitement offence), or
- threaten physical harm towards another person or group or threaten to damage property (the threat offence).

Currently, it is not an offence to incite hatred unless a threat is also made. This Bill will ensure either hatred or threat is sufficient for criminal sanctions. The offences will apply to intentional and reckless conduct. Recklessness is still a high threshold to prove, which is appropriate to ensure these offences only capture the most serious conduct.

The offences will continue to apply to both public and private conduct and conduct that occurs online, including in members-only forums. Unlike the current offences, the new offences will be indictable offences, given the seriousness of the conduct they target. However, they will still be able to be determined in the Magistrates' or Children's Courts, when appropriate.

The Bill also makes it clear that the offences apply to conduct that has a link to Victoria. For example, the offences will apply to:

- a person living outside Victoria who creates a Facebook post threatening physical harm against a protected group with members in Victoria, and
- a person in Victoria who incites hatred against a person or group with a protected attribute.

Imposing higher maximum penalties to reflect the seriousness of the conduct

The current offences are punishable by up to 6 months imprisonment and/or a fine. The Bill will increase the maximum penalties to reflect the culpability and gravity of serious vilification.

The new incitement offence has a maximum penalty of 3 years imprisonment, and the threat offence has a maximum penalty of 5 years imprisonment. This recognises that while inciting hatred is serious, threatening actual physical harm to a person or damage to property is objectively more serious.

A range of sentencing options that fall below the maximum would also be available for appropriate cases, including fines, community-based orders and restorative justice options.

Introducing a political purpose defence for the incitement offence

The Bill introduces a defence for the incitement offence for conduct that is engaged in for a genuine political purpose. This will ensure consistency with the implied freedom of political communication and ensure that all Victorians feel safe to engage in legitimate political debate.

The defence is not available for the threat offence, as there should never be a genuine political purpose for threatening physical harm or damage to property on the grounds of a protected attribute.

Changing how prosecutions for serious vilification can be commenced

The Bill provides that only Victoria Police and the Director of Public Prosecutions (DPP) will be able to commence prosecutions for these offences. This will mean that private citizens are not able to commence prosecutions. This ensures there is a level of experienced prosecutorial oversight before a matter progresses to court, involving a consideration of whether there is sufficient evidence to support a conviction. It will not prevent any person from making a complaint to police when they think they have experienced or witnessed serious vilification.

Further, the Bill requires Victoria Police to obtain the DPP's consent to charge an accused who is under 18 years of age with serious vilification. Consistent with the approach to the Nazi symbol and Nazi salute offences, this safeguard ensures children's unique characteristics and vulnerabilities are considered before deciding to proceed with a prosecution.

Modifying the civil incitement-based protection

The Bill amends the civil incitement-based protection, to reflect how the courts interpret this protection, and to apply it to the expanded protected attributes.

The current incitement-based protection makes it unlawful for a person to engage in public conduct that incites hatred of another person or group because of their protected attribute. The Bill modifies this, to prohibit public conduct that is 'likely to' incite hatred, serious contempt for, revulsion or severe ridicule of another person or group based on a protected attribute.

Amending the protection to capture conduct that is 'likely to incite' reflects how the courts already interpret this protection and provides this clarity in the legislation.

Introducing a new civil harm-based protection

Importantly, consistently with recommendation 9 of the Inquiry, the Bill introduces a new civil harm-based protection to restrict hateful public conduct that is directed at a person or group because of their protected attribute. This protection ensures that the harm caused by vilifying conduct is considered from the perspective of the targeted person or group.

The Bill makes it unlawful for a person to engage in public conduct (because of a protected attribute of another person or group) that would, in all the circumstances, be reasonably likely to be considered by a reasonable person with the relevant attribute to be hateful, seriously contemptuous, reviling or severely ridiculing of the other person or group.

Whether the conduct meets the threshold for vilification requires an objective assessment from the perspective of a reasonable person with that same attribute and whether they would consider that conduct hateful, seriously contemptuous, reviling or severely ridiculing. This is an important safeguard to ensure that conduct is assessed objectively.

Additionally, whether conduct would 'in all the circumstances' be reasonably likely to be hateful will be considered in the context the conduct occurred, for example, the social, cultural, historical and other circumstances of the person or the people in the group. It will also be irrelevant whether a person knew their conduct was hateful, or was wrong about a targeted person or group's protected attribute.

A person will be able to bring a complaint to the Victorian Equal Opportunity and Human Rights Commission (VEOHRC) or the Victorian Civil and Administrative Tribunal (VCAT) for a contravention of the harm-based protection if the person has the relevant protected attribute and they were part of the audience of the conduct. This will help to ensure that only people directly affected or targeted by the conduct, and not third parties, can bring a complaint.

Continuing to only capture public conduct for the civil protections

The Bill defines public conduct, to provide greater clarity about the conduct that can be captured by the civil incitement-based and harm-based protections. Currently, the law does not define what public conduct is.

The Bill clarifies that public conduct can be:

- any form of communication to the public, for example, public speaking, writing, displaying notices, playing recorded material, communicating through social media
- actions or gestures that are observable by the public, including the wearing or display of clothing, signs, flags, emblems and insignia, and
- the distribution or dissemination of any matter to the public.

The inclusion of a definition is not intended to change the law but provide much needed clarity. The civil protections only apply to public conduct, not private. Conduct that genuinely occurs in private, such as private conversations, will continue to not be captured by the civil anti-vilification laws.

Continuing to provide civil exceptions to protect legitimate conduct

The Bill retains the current civil anti-vilification exceptions to ensure legitimate activities are not against the law.

Exceptions apply to conduct or discussion that is engaged in, reasonably and in good faith, in:

- the performance, exhibition or distribution of artistic work
- the course of any statement, publication, discussion or debate for any genuine academic, artistic, public interest, religious or scientific purpose, and
- making or publishing a fair and accurate report of any event or matter of public interest.

The Bill modifies two of these exceptions: the religious purpose exception and the public interest exception.

The Bill modernises the definition of ‘religious purpose’ to align it with the wording of the right to freedom of religion and belief under the Charter. It defines a religious purpose as including, but not limited to, worship, observance, practice and teaching. This amendment is not intended to limit the right to freedom of religion and belief and the exception will continue to capture proselytising as it relates to the observance or practice of a religion.

The Bill modifies the public interest exception to protect conduct or discussion engaged in for any ‘genuine’ public interest purpose. This provides consistency with the exceptions for conduct or discussion engaged in for any genuine academic, artistic, religious or scientific purpose.

Extending VEOHRC’s existing powers to respond to vilification

The Bill extends VEOHRC’s existing powers under the Equal Opportunity Act to vilification.

Currently, VEOHRC can provide public education on vilification and report to the Attorney-General on the performance of this function. VEOHRC also provides voluntary dispute resolution services to resolve vilification complaints.

To better respond to vilification, including systemic vilification, VEOHRC will be able to:

- initiate investigations into systemic vilification in the community
- conduct voluntary dispute resolution, investigations, research and reviews of organisations’ programs and practices
- provide advice to organisations about preparing voluntary action plans
- issue practice guidelines
- provide information and public education, and
- intervene and provide information in court and tribunal vilification proceedings.

Enabling a representative body to bring an anonymous complaint to VEOHRC

The Bill enables a representative body, such as a religious or community organisation, to bring a vilification complaint to VEOHRC without naming the person they are representing.

Currently, a representative body can only bring a vilification complaint to VEOHRC on behalf of named people. This may deter some people from making a complaint because they are concerned about negative consequences for themselves or their broader community.

The Bill requires that before accepting a representative complaint on behalf of an unnamed person, VEOHRC must be satisfied that the person is entitled to bring a dispute, the person has consented to the dispute being

brought on their behalf, and the representative body has a sufficient interest in the dispute. This will enable organisations to continue to support people through the voluntary dispute resolution process.

Clarifying that civil remedies could include an apology or financial compensation

The Bill clarifies the existing civil remedies available at VCAT for vilification complaints by providing legislative examples of the types of remedies that are available. This includes orders requiring a person to publish an apology or retraction, develop or implement a program, policy or training, or order the removal of material from an online publication.

Reviewing how these laws operate in practice

The Bill imposes a statutory review of the reforms to occur no later than five years after commencement of all the reforms, with a report tabled in Parliament.

This provides an important opportunity to monitor how these changes to the law operate in practice and consider further changes required to better address and respond to vilification.

I commend the Bill to the house.

Michael O'BRIEN (Malvern) (11:09): I move:

That the debate be adjourned.

Motion agreed to and debate adjourned.

Ordered that debate be adjourned for two weeks. Debate adjourned until Wednesday 11 December.

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

Statement of compatibility

Anthony CARBINES (Ivanhoe – Minister for Police, Minister for Crime Prevention, Minister for Racing) (11:11): In accordance with the Charter of Human Rights and Responsibilities Act 2006, I table a statement of compatibility in relation to the Terrorism (Community Protection) and Control of Weapons Amendment Bill 2024:

In accordance with section 28 of the *Charter of Human Rights and Responsibilities Act 2006*, (the Charter), I make this Statement of Compatibility with respect to the Terrorism (Community Protection) and Control of Weapons Amendment Bill 2024.

In my opinion, the Terrorism (Community Protection) and Control of Weapons Amendment Bill 2024, as introduced to the Legislative Assembly, is partially incompatible with human rights as set out in the Charter. I base my opinion on the reasons outlined in this statement.

1. Overview

The Bill makes multiple amendments to Part 2AA and Part 4A of the *Terrorism (Community Protection) Act 2003*. Amendments to Part 2AA are technical only, arising consequentially from amendments made to the *Australian Security Intelligence Organisation Act 1979* (Cth).

Amendments to Part 4A of the *Terrorism (Community Protection) Act 2003* include:

- refining the Voluntary Case Management (VCM) program eligibility criteria to service individuals who are 'vulnerable to violent extremism' rather than those 'at risk of radicalising'
- enabling the provision of programs and services to 'key persons', such as family members of a participant on the VCM scheme, and
- various amendments to the functions of the Secretary to the Department of Justice and Community Safety under Part 4A to promote end-to-end oversight and accountability of the VCM scheme.

The Bill also amends the designated area planned and unplanned without warrant or suspicion weapons search provisions of the *Control of Weapons Act 1990* by:

- a. modifying the advertising requirements for planned designations (for events and non-events) to remove the requirement to publish notices of planned designations of areas in newspapers and, instead, to require publication on a website maintained by Victoria Police
- b. increasing the time for which the operation of a planned designation for an event can apply, including time either side of an event

- c. reducing the minimum time that must elapse from the end of a planned designation before another declaration can take effect in the same area, from 10 days to 12 hours
- d. reducing the threshold for planned designations so that they can operate in relation to new and emerging events where there is intelligence of a likelihood of weapons-related violence or disorder occurring at those events
- e. increasing the duration of planned and unplanned designations from 12 hours to 24 hours to enable Victoria Police to better respond to prolonged community safety risks
- f. providing a penalty of two penalty units for the offence of obstructing or hindering a protective services officer exercising powers to stop and search a person or vehicle or seize and detain a thing in a designated area.

The purpose of the amendments to the *Control of Weapons Act 1990* is to enable Victoria Police to exercise current significant powers to conduct planned and unplanned weapons search operations in designated areas more easily, for longer periods and in expanded circumstances. I consider these amendments necessary to enhance Victoria Police's ability to detect and deter weapons offending in public places in light of recent and very concerning incidents of weapons offending and community fear about the misuse of weapons.

Victoria's scheme has been operational and effective for 15 years with very little change and the amendments in this Bill arise out of a consideration of the scheme with a view to making some meaningful improvements based on years of operational experience. The amendments are necessary to respond to persistent and concerning weapons carriage in the community.

2. Human Rights Issues

Human rights protected by the Charter that are relevant to the Bill

The amendments to both Acts raise a number of issues in terms of compatibility with the Charter. In this statement, I deal first with the issues raised in respect of the *Terrorism (Community Protection) Act 2003* because that conforms with the structure of the Bill; however, the most significant Charter issues arise in relation to the amendments to the *Control of Weapons Act 1990*.

Terrorism (Community Protection) Act 2003

The right to protection of families and children (section 17) are relevant to these reforms.

This reform promotes the right to protection of the family (section 17 of the Charter). The government is obliged to protect families as the fundamental group unit of society. The Bill advances this obligation, by amending the *Terrorism (Community Protection) Act 2003* to allow parents, guardians, caregivers or other key persons in relation to young people (under the age of 18) on a VCM plan to be eligible for services and programs. Such services and programs may include parental support and family counselling, which ultimately promote a resilient and cohesive family unit. The Bill further advances this right by enabling the Secretary to disclose information to a parent or guardian about the reason for a child's referral to the Secretary, and the content of their VCM plan, where a child cannot provide informed consent to participate in the VCM program.

This reform additionally promotes the right to protection of children (section 17 of the Charter). The government is obliged to treat children and young people in a way that takes their best interests into account. The *Terrorism (Community Protection) Act 2003* currently provides that, in the case of a person under the age of 15, informed consent to participate in the VCM program must be provided by one of the person's parents or guardians. The Bill reforms this, providing that informed consent to participate in the VCM program for a person under the age of 18 can be solely provided by the person if they demonstrate capacity to provide informed consent (as determined by the Secretary). This recognises the agency of people younger than 18 years old, whilst protecting those who are incapable of providing informed consent from making decisions they do not fully understand.

However, the amendments discussed above do interfere with the right to privacy under section 13 of the Charter, which provides that a person has the right not to have their privacy, family, home or correspondence unlawfully or arbitrarily interfered with. Importantly, interferences with privacy do not amount to a limitation on that right if the interference is lawful and is not arbitrary. An interference will be lawful if it is permitted by a law which is adequately accessible and precise. An interference will be arbitrary only if it is capricious, unpredictable, unjust or unreasonable, in the sense of being disproportionate to the legitimate aim sought. An interference may be arbitrary even if it is not unlawful.

As noted above, the Bill enables the Secretary to disclose information relating to the reason for a child's referral to the VCM program or the content of a child's VCM plan to the child's parent/s or guardian/s. The ability to disclose information is necessary in cases wherein a child does not have the capacity to give informed consent to participate in a VCM program. In this case, it is necessary for the child's parent/s or guardian/s to understand why the child was referred to the VCM program. Should they provide consent for

their child to be involved, the child's parent/s or guardian/s will need to be involved in the co-development of a VCM plan; for this to occur, the Secretary needs to be able to disclose the content of the VCM plan.

Furthermore, the ability to disclose information to a child's parent/s or guardian/s ultimately supports the efficacy of the VCM program. Parent/s and/or guardian/s are key enablers to the success of CVE early intervention. It is important to bring them on board at the outset of engagement, given that they usually have the closest and most impactful relationship with their child. Disclosing information about the nature of the referral and the content of the VCM plan also helps build trust between the parent/s and/or guardian/s of child referrals or participants on the VCM program. This trust further bolsters the efficacy of early intervention.

This reform therefore interferes with the right to privacy in a clear, justified and proportionate manner.

In conclusion, the amendments contained within the Bill to Part 4A and Part 2AA of the *Terrorism (Community Protection) Act 2003* do not limit any Charter rights.

Control of Weapons Act 1990

Overview of the designated area weapons search scheme

The *Summary Offences and Control of Weapons Acts Amendment Act 2009* introduced sections 10C to 10L and Schedule 1 into the *Control of Weapons Act 1990* to empower police to stop and search persons and vehicles in public places that fall within areas that have been temporarily designated on the basis of a likelihood of weapons-related violence or disorder occurring in the designated area. The designated area search powers do not require police to have first formed a reasonable suspicion that the person to be searched is carrying a weapon, nor do police require a warrant to search a person for a weapon in a designated area.

I note that police officers and protective services officers on duty in designated places also have powers to search people in all public places if they have reasonable grounds for suspecting that a person is carrying or has in their possession a weapon contrary to the *Control of Weapons Act 1990* under sections 10 and 10AA respectively of the Act. These are the powers that are properly utilised when those circumstances arise.

Sections 10D to 10F of the *Control of Weapons Act 1990* empower a senior police officer (ranked Assistant Commissioner or above) to declare an area to be a designated area for a maximum period of 12 hours. There are two forms of designation - 'planned designations' and 'unplanned designations'. Planned designations may be made where there has already been more than one incident of weapons-related violence or disorder in the proposed area over the last 12 months, or where weapons-related violence or disorder has been associated with a particular event on previous occasions (section 10D). Additionally, the officer making the designation must be satisfied that there is a likelihood that such violence will recur.

Unplanned designations are to deal with the situation where the police receive intelligence that an incident involving weapons-related violence has occurred or is about to occur. An unplanned designation can be made where the officer is satisfied that it is likely that violence or disorder involving weapons will occur in the area and that it is necessary to designate the area for the purposes of enabling the police force to exercise search powers to prevent or deter the occurrence of that violence or disorder (section 10E).

Sections 10G to 10L of the *Control of Weapons Act 1990* authorise the police and protective services officers on duty in a designated place, in public places that fall within a designated area, to stop and search for weapons: persons and things in their possession or control (section 10G), and vehicles (section 10H). The police and protective services officers are empowered to seize any item detected during the search that they reasonably suspect is a weapon (section 10J).

A police officer or protective services officer who detains a person or vehicle under section 10G or 10H of the *Control of Weapons Act 1990* in order to conduct a search must, if requested by the person, inform them of their name, rank and place of duty and provide that information in writing, and, if not in uniform, produce their identification for inspection, inform the person that they intend to search the person or vehicle for weapons and are empowered to do so under the *Control of Weapons Act 1990* and give the person a search notice unless one has been offered and the person refuses to take it.

A search notice provides the person to be subject to a search with the following information: that the person or vehicle is in a public place that is within a designated area, a declaration is in force under section 10D (planned designation) or 10E (unplanned designation) of the *Control of Weapons Act 1990*, that police officers and protective services officers on duty at a designated place are empowered to search the person and any thing in the possession or control of the person or the vehicle (if applicable) for weapons and it is an offence for the person to obstruct or hinder a police officer or protective services officer in the exercise of these stop and search powers.

Schedule 1 to the *Control of Weapons Act 1990* sets out detailed requirements that police and protective services officers must comply with in conducting weapons searches. The search powers that may be exercised by police without any reasonable suspicion that a person or vehicle has a weapon in designated areas are

graduated to ensure that initial searches may only be conducted by way of an electronic metal detection device which is capable of detecting the presence of metallic objects. The initial electronic device search is a search of a person or thing by passing an electronic device over or in close proximity to the person's outer clothing or thing. It is the least intrusive form of search designed to fulfil the objective of the scheme to address the likelihood of violence and disorder involving the use of weapons in a designated area.

Only after an electronic metal detection device search has been conducted and, as a result of that search, a police officer considers that a person may be concealing a weapon can the police officer conduct a pat down search, search of outer clothing and search of any thing in the person's possession, such as a bag (clauses 4 and 5 to Schedule 1 to the *Control of Weapons Act 1990*).

Clause 6 of Schedule 1 to the *Control of Weapons Act 1990* sets out safeguards that police must, so far as reasonably practicable, comply with to preserve dignity during an outer search.

Strip searches are permitted under the search scheme but may only be conducted after an examination of things and outer search of the person has been conducted and the police officer reasonably suspects that the person has a weapon concealed on their person and the police officer believes on reasonable grounds that it is necessary to conduct a strip search of the person and the seriousness and urgency of the circumstances require the strip search to be carried out. Clauses 8 to 10 of Schedule 1 to the *Control of Weapons Act 1990* set out detailed requirements that apply to the conduct of strip searches.

A police officer may request a person who is to be subject to a strip search under Schedule 1 to disclose their identity if that is unknown to the police officer (section 10K). It is an offence for a person to, without reasonable excuse, fail or refuse to comply with a request to disclose their identity, provide a false name or an address that is not the full and correct address.

Special rules apply to searches that are to be conducted on children and persons with impaired intellectual functioning to ensure that, as far as possible, outer searches and strip searches are conducted in the presence of a parent, guardian or independent person, or in the case of unplanned designated areas, or other person who may be a police officer in the case of searches conducted in unplanned designated areas.

The designated area provisions of the *Control of Weapons Act 1990* (section 10J) also empower police and protective services officers to seize and detain any item detected during a search that is reasonably suspected to be a weapon. If after examining the item the police officer or protective services officer determines that the item is not a weapon, the item must be returned to the person without delay.

Section 10KA provides for other powers that may be exercised in relation to a designated area. These powers, which were inserted into the *Control of Weapons Act 1990* by the *Crimes Legislation Amendment (Public Order) Act 2017*, permit a police officer to direct a person wearing a face covering to leave a designated area if the officer reasonably believes the person is wearing the face covering to conceal their identity or to protect themselves from the effects of crowd controlling substances (for example, oleoresin capsicum spray) and the person refuses to remove the face covering when requested to do so. A police officer may also direct a person to leave the designated area if they reasonably believe the person intends to engage in conduct that would constitute an affray or violent disorder offence under sections 195H or 195I of the *Crimes Act 1958*.

Extension of powers within designated areas

As I explained earlier, Part 3 of the Bill makes six substantive amendments to the planned and unplanned designated area weapons search provisions of the *Control of Weapons Act 1990*:

- modifying the advertising requirements for planned designations (for events and non-events) to remove the requirement to publish notices of planned designations of areas in newspapers and, instead, to require publication on a website maintained by Victoria Police
- increasing the time for which the operation of a planned designation for an event can apply to include a reasonable additional period, as determined by the Chief Commissioner, either side of the event
- reducing the minimum time that must elapse from the end of a planned designation before another declaration can take effect in the same area, from 10 days to 12 hours thereby permitting more frequent designations of areas to be declared
- reducing the threshold for planned designations so that they can operate in relation to new and emerging events where there is intelligence of a likelihood of weapons-related violence or disorder occurring at those events rather than a past history of incidents of violence or disorder involving weapons having occurred at the event
- increasing the duration of planned and unplanned designations from 12 hours to 24 hours to enable Victoria Police to better respond to prolonged community safety risks by doubling the maximum period of time during which weapons searches can be conducted in a designated area.

- providing a penalty of two penalty units for the offence of obstructing or hindering a protective services officer exercising powers to stop and search a person or vehicle or seize and detain a thing in a designated area.

Accordingly, the amendments have the effect of firstly, broadening the time and circumstances in which police and protective services officers will be able to conduct random searches in designated areas; and secondly, broadening the time and circumstances in which police officers will be able will be able to manage public safety issues in respect of those who conceal their faces and who intend to engage in violent conduct.

I will deal first with the human rights issues arising from the conduct of random searches.

Conduct of random searches

The extended operation of the search powers is relevant to the following rights:

- privacy (section 13(a))
- liberty and security of person (section 22)
- protection of children (section 17)
- freedom of religion and cultural rights (sections 14 and 19)
- freedom of movement (section 12)
- equality before the law (section 8)

When the designated area search scheme was introduced by the *Summary Offences and Control of Weapons Acts Amendment Act 2009*, the relevant Minister noted that, while the power to conduct an initial electronic device search may not amount to a sufficiently serious intrusion to engage the right to privacy, the power to conduct pat down searches and search outer clothing and belongings does amount to a serious intrusion. The Minister concluded that this outer search power was incompatible with the right to privacy because it empowered police to interfere with a person's privacy in way that was arbitrary, although not unlawful. The power to conduct a strip search was not considered incompatible because such searches can only be conducted on grounds of reasonable suspicion and in accordance with the necessity principle.

Subsequent amendments relaxing constraints on the use of the search powers, introduced by the *Control of Weapons Amendment Act 2010*, were considered to exacerbate the identified incompatibility. For those amendments, the Minister acknowledged that to the extent the random search powers are themselves arbitrary (and therefore incompatible with section 13(a) of the Charter) it must follow that any attendant deprivation of liberty is also arbitrary.

However, my view is that on balance, the scheme and the present amendments are arguably compatible with the right to privacy and the right to liberty and security. I have reached this view because since the previous Statements of Compatibility, there has been further consideration by the United Kingdom Supreme Court and the European Court of Human Rights of the proportionality of interferences with the right to privacy occasioned by stop and search powers, and the reasoning in those cases supports re-evaluation of the initial assessment of incompatibility.

In addition, while not addressed when the scheme was first introduced, I consider that the scheme and the amendments contained in this bill are compatible with the rights to freedom of religion and belief, cultural rights, equality before the law and freedom of movement.

Importantly, however, I consider that the amendments contained in this Bill are incompatible with the right to protection of children and families (section 17). I accept that the amendments maintain, if not exacerbate, the incompatibility identified when the scheme was first introduced.

Despite this incompatibility – and in the event that the scheme is also not compatible with the rights to privacy and liberty and security – I consider that these search powers remain necessary, and the amendments to extend the scheme are in the best interests of the community as violent incidents involving the use of weapons in public places has not abated and is of grave concern to the general public.

It is imperative that Victoria Police has the powers it needs to prevent and deter weapons offending in public places, especially in areas that people regularly traverse and where people congregate in significant numbers, such as public transport hubs and shopping complexes. I am satisfied that the amendments in this Bill will enhance Victoria Police's ability to detect and deter weapons offending in public places and have a positive effect on community safety by enabling police to conduct weapons searches in planned and unplanned designated areas more easily, for longer periods and in expanded circumstances.

Right to privacy and reputation (section 13)

As noted above, section 13(a) of the Charter provides that a person has the right not to have their privacy, family, home or correspondence unlawfully or arbitrarily interfered with. In addition to protecting to the

privacy of information, this is a very broad right concerned with upholding personal physical and psychological autonomy. The internal limitations on the right apply so that an interference with the right to privacy does not amount to a limitation on that right if the interference is lawful and is not arbitrary. An interference will be lawful if it is permitted by a law which is adequately accessible and formulated with sufficient precision to enable a person to regulate their conduct by it. An interference will be arbitrary only if it is capricious, unpredictable, unjust or unreasonable, in the sense of being disproportionate to the legitimate aim sought.

The search powers in designated areas are designed to be exercised unpredictably and in being exercised in this manner, operate as a significant deterrent to the unlawful possession and carriage of weapons. The powers enable the removal of weapons from public places that would otherwise remain undetected because, if well concealed on a person or in their bag, police would be unlikely to form a suspicion in the absence of other factors.

This unpredictability was initially considered to give rise to incompatibility, with regard to power to conduct pat down searches and search outer clothing and belongings. To the extent the exercise of the power is expanded by the amendments, the amendments would exacerbate this incompatibility.

However, with reference to more recent international authorities than those considered in 2009 and 2010, I am of the view that the interference with a person's privacy occasioned by the expanded power is not arbitrary, in the sense of being disproportionate to the aim sought, because it is sufficiently circumscribed and subject to adequate safeguards.

In 2010, the assessment of incompatibility was informed by the decision of the European Court of Human Rights (ECtHR) in *Gillan and Quinton v United Kingdom* [2009] ECHR28 (12 January 2010). In that case, the Court considered the use of police stop and search powers under terrorism legislation, which were exercisable without any reasonable suspicion of unlawful behaviour in a defined public area and permitted pat down and outer clothing searches for any articles which could be used in connection with terrorism. The authorisation for use of the powers could be given for reasons of expediency rather than necessity, and once given was renewable indefinitely. There was no prior notice of the authorisation, meaning that a member of the public would not be aware until they were stopped for a search by a police officer. The Court found that the powers violated Article 8 of the European Convention on Human Rights (ECHR), which protects people's right to respect for their private life, family life and correspondence. The Court considered that the search powers lacked sufficient safeguards to constrain the discretion of the police officers executing the searches and protect individuals against arbitrary interference.

Since that decision was handed down, there have been two further decisions that inform the approach that should be taken when assessing the adequacy of safeguards against arbitrary interferences with privacy occasioned by stop and search powers.

In the case of *Roberts v Commissioner of Police of the Metropolis and Another* [2015] UKSC 79 (17 December 2015), the United Kingdom Supreme Court unanimously ruled that a legislative scheme which permits police to stop and search people and vehicles without suspicion in a defined public area, and conduct searches for dangerous weapons, did not constitute a breach of Article 8 of the ECHR regarding respect for private and family life. Authorisation for use of the powers could only be given where a senior officer reasonably believed there were a risk that dangerous weapons were being carried in the area or serious violence may take place, and the authorisation would last for 24-48 hours. The Court found that there were numerous safeguards in place to sufficiently limit the search power, including the grounds for making an authorisation (more tightly framed than in *Gillan*) and the controls on any searches undertaken, which were limited to searches for offensive weapons and not other articles. The Court emphasised the importance of Codes of Practice which directed police to use stop and search powers fairly, responsibly and without unlawful discrimination. Further, the Court observed that while random powers of stop and search carry with them the risk that they may be used in an arbitrary manner, those powers must be read in conjunction with the obligation to act compatibly with the Convention rights of any individual, equivalent to s 38(1) of the Charter.

Most recently, the ECtHR considered the case of *Beghal v the United Kingdom* [2019] (28 February 2018), which dealt with UK border agency stop and search powers under terrorism legislation. Those powers enabled the search and interrogation of a person at a border, without reasonable suspicion, to determine if they have been involved in the commission or preparation of acts of terrorism. Detailed and invasive searches and interrogation for up to 9 hours, without access to lawyer, were permitted, and the relevant Code of Practice did not require officers to keep to a minimum all interferences with fundamental rights. Referring directly to *Gillan*, the Court noted that while a requirement of reasonable suspicion is an important consideration in assessing the lawfulness of a stop and search power, there was nothing in that case to suggest that the existence of reasonable suspicion is, in itself, necessary to avoid arbitrariness. Rather, arbitrariness is an assessment to make with regard to the operation of the search scheme as a whole. Considering the search

scheme in this case, the Court concluded that there was a violation of Article 8, emphasising that extended interrogation could occur in the absence of a solicitor and an individual could be compelled to answer questions.

Applying the approach in *Beghal* and considering the operation of the amended designated area search scheme as a whole, I am comfortable that there are sufficient limits and safeguards to curtail any arbitrary interference with the right to privacy.

While the amendments extend certain limits on the operation of designations, the grounds for making a designation are still tightly framed. A designation is available only where there is a likelihood that violence or disorder will occur and it is reasonably necessary to enable use of the search powers in that particular area. The maximum duration is limited to 24 hours or to the duration of a specific event and notice of every designation is publicly advertised.

Moreover, the amendments will not impact the operation of the existing robust statutory safeguards that apply to the conduct of searches within designated areas. Only after an electronic device search has been completed and, as a result of that search, a police officer considers that a person may be concealing a weapon, can a pat down and outer search be conducted. The least invasive search practicable must always be conducted, in a manner that affords appropriate dignity and privacy. A record of the search must be completed, including the grounds relied upon for conduct of the search, and a search notice provided to the person.

In addition to the statutory requirements, Victoria Police manuals give clear guidance on conducting searches in a manner that is compatible with human rights, advising that officers must always consider and act compatibly with the Charter; persons must not be selected for a search based solely on their race, religious belief or activity or physical features; and searches must be appropriately recorded, which extends to recording the factors considered in deciding to conduct a search, including proper consideration of human rights.

Finally, the conduct of any search by a police officer or protective services officer is subject to s 38(1) of the Charter, and the requirement to act in a way that is compatible with human rights.

Accordingly, I consider the amendments to compatible with the right to privacy under s 13(a) of the Charter.

Even if the search scheme as extended by the amendments were incompatible with the right to privacy, this government would nevertheless wish to proceed with the amendments. To address the community's concern about violence in public places, it is necessary to ensure that police officers and protective services officers are empowered to stop and search people without suspicion because of the ready concealability of so many weapons. The amendments will support the operational effectiveness of these critical police powers.

Right to liberty and security of person (section 21)

Section 21(1) of the Charter provides that every person has the right to liberty and security and section 21(2) provides that a person must not be subjected to arbitrary arrest or detention.

Police officers and protective service officers may detain a person for so long as is reasonably necessary to a conduct a search in designated area, and so the amendments extend the time and circumstances in which a person may be detained for this purpose.

As I have considered that the search powers are not arbitrary, my view is that any attendant detention that follows exercise of the search powers does not provide for arbitrary deprivation of liberty, since the power to detain is limited to what is reasonably necessary and police officers and protective service officers are obliged by s 38(1) of the Charter to act compatibly with human rights when conducting a search.

Because the powers of detention are strictly confined to what is reasonably necessary to conduct an authorised search, no separate question of incompatibility with section 21 of the Charter arises.

Accordingly, I consider the amendments to be compatible with the right to liberty and security of the person under s 21 of the Charter.

If I am not correct on this point, I still consider that these critical police powers necessary to enhance Victoria Police's ability to detect and deter weapons offending in public places.

Protection of families and children (section 17)

Section 17 provides that families are the fundamental group unit of society and are entitled to be protected by society and the State. Section 17(2) provides that every child has the right, without discrimination, to such protection as is in the child's best interests and is needed by the child by reason of being a child. This section recognises that children and young people can be particularly vulnerable because of their age.

The applicability of the designated area weapons search scheme is not limited to adults but can apply to a child below 18 years of age who is within a designated area during the period that a declaration is in force.

While additional safeguards operate for outer searches and strip searches of children, which must always occur in the presence of another person, it has previously been accepted that the search powers are incompatible with section 17(2). I accept that when the search powers are exercised in relation to children in the expanded ways that this Bill will allow, the existing incompatibility with section 17 is compounded because of the particular vulnerability of children.

However, as was the case when the powers were introduced and subsequently amended,

the government strongly believes that random search powers are important to prevent and deter acts of violence, and to support the protection of children.

Freedom of religion and belief (section 14), cultural rights (section 19) and equality before the law (section 8)

Section 14 of the Charter protects the right of a person to demonstrate their religion or belief in public. Section 19 provides that all persons with a particular cultural, religious, racial or linguistic background must not be denied the right, in community with other persons of that background, to enjoy their culture, to declare and practise their religion and to use their language. Section 8 provides that every person has the right to enjoy their human rights without discrimination, including on the basis of religious belief or activity.

Knives are an important religious symbol for certain faiths, for example, baptised Sikhs who carry a kirpan, an object which resembles a dagger. While an exemption operates under the *Control of Weapons Act 1990* to permit the carrying of kirpans for religious observance, the

the use of the search powers within designated areas may have particularly intrusive impact on people who carry knives for religious reasons.

However, although the Bill will extend the circumstances in which this intrusion may occur, I consider any limitations placed on the right of a person to demonstrate their religion are reasonable and justified (and therefore compatible with relevant rights) in view of the importance of detecting and deterring weapons offending.

Freedom of movement (section 12)

Section 12 provides that every person lawfully within Victoria has the right to move freely within Victoria and to enter and leave it. People's ability to move freely within designated areas may be limited if they are subject to a search, including under the broader circumstances permitted by this Bill.

Given the temporary and restricted application of these powers and the need to protect the safety of all persons within designated areas, I consider any limitations placed on a person's right to freedom of movement are reasonable and justified (and therefore compatible with this right) on the grounds of public safety and that there are no less restrictive measures available.

I will now deal with the human rights issues arising in relation to the powers to manage public safety.

Powers to manage public safety

The Bill broadens the time and circumstances in which police officers may use existing powers to issue a direction to leave a designated area in two situations. In the first situation, a police officer who reasonably believes a person is wearing a face covering to conceal their identity or shield themselves from capsicum spray may issue the person a direction to leave. In the second situation, a police officer who reasonably believes a person intends to engage in violence that would constitute the offences of affray or violent disorder may issue the person a direction to leave. If a person refuses to comply with either direction they may be charged with an offence punishable by 5 penalty units.

The rights engaged by these powers are:

- freedom of movement (section 12)
- freedom of religion and belief (section 14)
- cultural rights (section 19)
- equality before the law (section 8)
- freedom of expression (section 15) and right to peaceful assembly (section 16)
- protection of families and children (section 17)

When the direction to leave powers were introduced in 2017, the scheme was considered compatible with these rights, and my view is that the amendments contained in this Bill, to the extent they extend the operation of the powers, are also compatible.

Freedom of movement (section 12)

People's ability to move freely within designated areas may be limited by the extended operation of the powers to issue directions to leave. As with the limitation imposed by the search powers, I consider any

limitations placed on a person's right to freedom of movement are reasonable and justified on the grounds of public safety and that there are no less restrictive measures available.

Freedom of religion and belief (section 14), cultural rights (section 19) and equality before the law (section 8)

These rights are relevant to the power of a police officer, in a designated area, to order a person to remove a face covering. This power is only available if the officer reasonably believes the person is wearing it to conceal their identity or shield themselves from capsicum spray, and if the main purpose of wearing the face covering is for cultural or medical reasons, the power should not be used. Police receive guidelines and training on the appropriate use of this power.

While the amendments contained in this Bill will extend the circumstances in which this power can be used, the amendments do not remove any of the safeguards in place, including that a police officer cannot direct a person to remove a face covering for cultural or medical reasons, and that a person can choose to continue wearing their face coverings if they leave a designated area. I therefore consider that any limitations placed on the right of a person to demonstrate their own religion are reasonable and justified.

Freedom of expression (section 15) and right to peaceful assembly (section 16)

Section 15 provides that every person has the right to freedom of expression which includes the freedom to seek, receive and impart information and ideas of all kinds. Section 16 provides that every person has the right of peaceful assembly and the right to freedom of association with others.

These rights are relevant to the powers to issue directions to leave, particularly where a direction is to leave a protest. However, police can only use these powers to address public safety issues in the two situations I have described, and it is important to note that the powers will protect the rights of all other protestors to demonstrate peacefully.

To extent that the existing limitations on these rights are maintained or extended by the amendments contained in the Bill, I consider that those limitations are reasonable and justified.

Protection of families and children (section 17)

While the powers to issue directions apply to all persons, including children, while present in a designated area, those powers also protect children who are present in a designated area. To the extent that the operation of these powers limits the rights of children, I consider that those limitations are reasonable and justified.

I consider the amendments to the *Control of Weapons Act 1990* in this Bill to be an appropriate and measured response to persistent and concerning unlawful weapons possession, carriage and use in public places in Victoria. The amendments are informed by 15 years of Victoria Police operational experience in managing these risks, and I trust will better protect Victoria's citizens by further deterring and detecting unlawful behaviour.

The Hon. Anthony Carbines MP – Minister for Police

Second reading

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

That this bill be now read a second time.

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

Incorporated speech as follows:

The Bill before the House introduces a range of reforms which are designed to strengthen both the *Terrorism (Community Protection) Act 2003* (Vic) and the *Control of Weapons Act 1990* (Vic).

Strengthening the operation of the Voluntary Case Management scheme and the Countering Violent Extremism Multi-Agency Panel

The *Terrorism (Community Protection) Act 2003* (TCPA) provides for two therapeutic intervention pathways for Victorians who are at risk of radicalising towards violent extremism. These intervention pathways are the Voluntary Case Management (VCM) scheme and the Support and Engagement Order (SEO). The TCPA also establishes the Countering Violent Extremism Multi-Agency Panel (CVE MAP) which currently provides advice and case management oversight to the Secretary of the Department of Justice and Community Safety regarding coordinated services and case management of individuals subject to the VCM scheme. The CVE MAP, SEO and VCM scheme have been operational since September 2022. The Bill makes important changes to ensure that the operation of the VCM scheme aligns with best-practice approaches to similar therapeutic CVE programs

The Victorian Government recognises the need for therapeutic intervention to address the vulnerabilities that underpin an individual's trajectory towards violent extremism. The current eligibility criteria for the VCM scheme prevent individuals who may benefit from a therapeutic CVE intervention from being eligible for and participating in the program. This includes individuals who are at an early stage in their trajectory towards violent extremism through to those who may have previously engaged in CVE programs. The Bill notably expands the eligibility criteria to enable the VCM scheme to service a wider cohort of individuals.

The purpose of a VCM plan is to reduce the extent to which a person is vulnerable to violent extremism by addressing their underlying needs through tailored interventions. A holistic approach is recommended to address these needs. Another important change the Bill makes is to allow programs and services to be provided to a key person of a participant of the VCM scheme. Examples of these key persons include immediate family members or caregivers. The introduction of this concept is important, as family and friends can have a protective impact on an individual, by lessening their susceptibility to violent extremism, or helping them disengage from a pathway to violent extremism. It is therefore important that these key persons have the adequate tools and knowledge to best support their loved ones to disengage from violent extremism.

The provision of services and programs to key persons will be determined on a case-by-case by the DJCS Secretary, if the Secretary determines that the provision of services or programs to these people will have a therapeutic benefit on the participant. An example of services or programs provided to a family member might include parent support regarding neurodiversity where neurodiversity has been found to influence a participant's vulnerability. This is an important step in a holistic approach to addressing an individual's underpinning vulnerabilities.

When providing an individual with therapeutic intervention, it is best practice to involve them in any decisions regarding their wellbeing. The Bill amends the legislation to ensure that in developing a voluntary case management plan, the Secretary must do so in collaboration with the participant.

The reforms in the Bill ensure that the legislative requirements of the CVE MAP and VCM scheme reflect the dynamic and evolving nature of violent extremism. In particular, the Bill reforms the functions of the DJCS Secretary to allow the Secretary to ask the CVE MAP for advice at any time, rather than at set intervals. This will ensure that the advice provision can be agile and flexible, and that requests for information by the Secretary are proactive. It is important for the Secretary to be able to consult the CVE MAP at any stage during the end-to-end case management process, rather than just when deciding whether to accept a referral, developing or varying case management plans. It will also allow the Secretary to ask for generalised advice regarding best-practice case management, or specific violent extremist cohorts, rather than individualised advice regarding a participant.

These reforms build on previous reforms to Part 4A of the TCPA via the Justice Legislation Amendment (Police and Other Matters Bill) 2023, which introduced reforms to address limitations around information sharing by the CVE MAP, provided flexibility and efficiency around appointments to the CVE MAP, and clarified procedures for CVE MAP meetings. The reforms also enabled a court, hearing a matter regarding an SEO, to direct a person to give evidence.

The provision of holistic, therapeutic intervention ensures that Victorians who are vulnerable to radicalising towards violent extremism receive bespoke and impactful intervention as early as possible. The therapeutic nature of these interventions is demonstrated by its cache of support services including, mental health treatment, alcohol and drug treatment, and pro-social activities such as sporting clubs. By intervening early for these individuals, and reducing their vulnerability of radicalisation, the Victorian community is safer from the threat of terrorism and violent extremism.

The Bill also makes minor technical amendments to the TCPA to replace outdated references to questioning warrants under the *Australian Security Intelligence Organisation Act 1979* (Cth).

Making further improvements to combat weapons offending

I turn now to some very important amendments that this Bill will make to the *Control of Weapons Act 1990*. Earlier this year the Government brought a Bill which amended the *Control of Weapons Act 1990* to make it very clear that Victoria will not tolerate the possession, carriage and use of machetes in public places without a lawful excuse. There can be no doubt in anyone's mind that while machetes may have a legitimate use in various horticultural, agricultural and similar settings, they have no place in the hands of people who wish to do harm, nor can they be carried on our streets by anyone in self-defence. They absolutely cannot be purchased by children or sold to children. The government, Victoria Police and the vast majority of Victorians who are law abiding will not tolerate weapons violence. However, and very unfortunately, weapons violence persists in our public spaces.

This Bill introduces further measures that will build on our already robust planned and unplanned designated area weapons search scheme to give police greater flexibility to combat weapons offending when and where there is heightened risk to community safety.

It is important to appreciate that Victoria was the first jurisdiction in Australia with the foresight to develop a legislative scheme giving its police force significant powers to search people and vehicles for weapons in at risk areas known to police to be weapons offending hotspots.

Almost fifteen years ago, on 16 December 2009, provisions of the *Control of Weapons Act 1990* commenced operation empowering the Chief Commissioner of Police to declare areas as planned or unplanned designated areas if the Chief Commissioner is satisfied there is a likelihood that violence or disorder involving weapons will occur in the area because of one or more previous occurrences of such violence or disorder in that area. Events, such as music or other festivals, can also be designated where there is a likelihood of violence or disorder involving weapons occurring at the event if this has occurred at previous instances of the event. During the operation of a declaration, police officers, and to a more limited extent, protective services officers, have the power to search persons and vehicles for weapons and to seize those weapons, removing them from circulation in the community. These powers operate to both detect the unlawful carriage of weapons and deter people from having weapons in the public arena in the first place. Police have used these intelligence driven powers to great effect since that time.

Only in very recent years have some other Australian jurisdictions taken steps to introduce their own weapons search schemes, similar to Victoria's, to combat concerning levels of weapons offending in their public places.

It is timely then to introduce this Bill, which builds on our existing scheme, to make meaningful improvements which will ensure that police powers to respond effectively to unlawful weapons possession, carriage and use is best suited to contemporary weapons trends and community safety needs.

The Bill amends the planned and unplanned designated area scheme in six distinct ways to improve operational flexibility and police responsiveness to weapons offending risk. I will briefly explain each of these amendments in turn.

The Bill removes the requirement to publish a notice of a declaration of a planned designated area in a daily newspaper circulating throughout Victoria and in a daily newspaper circulating outside of the metropolitan area, if applicable, and instead requires publication of the notice on the Victoria Police website. This is consistent with the approach taken by some other jurisdictions and recognises a shift from the popularity of hardcopy newspapers 15 years ago to a more online world today. The Bill will not alter the additional requirement to publish a notice of a planned declaration in the Government Gazette as this is the standard legislative approach for providing notice of this type of declaration and provides legal certainty for the exercise of search powers in designated areas.

The Bill amends the provisions that currently exist for planned event declarations to provide that each period of an event declaration operates during the event and during any time before and after the event that the Chief Commissioner considers reasonable. At present, event declarations may only operate strictly during the exact timing of the event itself. This amendment will allow for the Chief Commissioner to determine an appropriate period of time before and after an event for an event declaration to additionally operate to maximise community safety.

For example, significant crowd numbers may congregate before an event or linger afterwards or it may be important to provide a safe environment for the ingress and egress of events with high attendance numbers or where the event occurs at a remote location with limited entry and exit points, which is not uncommon with rural music festivals. The Bill gives the Chief Commissioner the flexibility to tailor the duration of a declaration based on the unique characteristics of each event and its particular risk profile.

Another amendment in this Bill will enable planned event declarations to be made for new and emerging events based on intelligence information of a high identified risk. At present planned event declarations may be made for events that have been marred by violence or disorder involving weapons at previous occasions. The Bill retains that still very effective ground and adds a new ground, enabling the Chief Commissioner to declare an area where an event is to be held if the Chief Commissioner is satisfied that, by information known to the Chief Commissioner, there is a likelihood that violence or disorder involving the use of weapons will occur in that area during the period of intended operation of the declaration. This is an intelligence led approach placing Victoria Police on the front foot to combat the threat of weapons related violence or disorder.

The Bill also promotes sustained efforts to detect and deter weapons related violence or disorder in areas of high risk through reducing the time that must elapse between declarations of planned designated areas. At present, police are unable to conduct a planned operation in an area until a minimum of 10 days has elapsed from the end of a previous planned operation in the same area. The Bill reduces this minimum 10-day gap to a minimum of 12 hours. The reduced timeframe is more aligned with some weapons search schemes

introduced in other Australian jurisdictions and is intended to improve community safety in high risk areas and for periods of heightened risk. For example, a more consistent police presence and random weapons searching activity may have considerable benefits during school holidays or long weekends in certain areas. As is currently the case, police will still be able to conduct an unplanned designated area operation in the area during the gap period if circumstances require such an operational response.

Also consistent with some other jurisdictions and to enhance operational flexibility, the maximum duration of both planned and unplanned designations of areas will increase from 12 to 24 hours. Within an available maximum 24-hour window, the Chief Commissioner must continue to limit the period for each designation to no longer than is reasonably necessary to enable police and protective services officers to effectively respond to the threat of violence or disorder involving the use of weapons. This change will provide greater public safety and reassurance in circumstances where there is a risk of a significant event of violence or disorder, including where there is a critical incident or high-profile crime committed and there is a risk of retaliation. Victoria Police will also be in a better position to tailor both planned and unplanned operations to the intelligence it has on hand.

Finally, the Bill rectifies an anomaly whereby section 10L(3) currently has no specified penalty for the purported offence of a person without reasonable excuse obstructing or hindering a protective services officer in the exercise of powers to stop and search a person or vehicle or to seize and detain a thing. The *Justice Legislation Amendment (Protective Services Officers and Other Matters) Act 2017* gave protective services officers limited powers to participate in the designated area weapons search scheme alongside police officers, and inserted the offence in section 10L(3) into the Control of Weapons Act 1990. However, in what must have been an unintended oversight, no penalty was specified. The Bill rectifies this anomaly by fixing a penalty of 2 penalty units for the offence mirroring the penalty that currently applies in respect of the similar offence set out at section 10L(1) in relation to police officers.

This is an important community safety focussed Bill demonstrating this Government's commitment to ensuring Victoria Police has contemporary and effective powers to detect and deter unlawful weapons possession, carriage and use in our communities. The Government will continue to take all appropriate steps to maximise Victoria Police's capacity to combat weapons offending.

I commend the Bill to the house.

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

That the debate be adjourned.

Motion agreed to and debate adjourned.

Ordered that debate be adjourned for two weeks. Debate adjourned until Wednesday 11 December.

Gambling Legislation Amendment (Pre-commitment and Carded Play) Bill 2024

Statement of compatibility

Melissa HORNE (Williamstown – Minister for Casino, Gaming and Liquor Regulation, Minister for Local Government, Minister for Ports and Freight, Minister for Roads and Road Safety) (11:12): In accordance with section 28 of the Charter of Human Rights and Responsibilities Act 2006, I table this statement of compatibility with respect to the Gambling Legislation Amendment (Pre-commitment and Carded Play) Bill 2024:

Opening paragraphs

In accordance with section 28 of the Charter of Human Rights and Responsibilities Act 2006, (the Charter), I make this Statement of Compatibility with respect to the Gambling Legislation Amendment (Pre-Commitment and Carded Play) Bill 2024.

In my opinion, the Gambling Legislation Amendment (Pre-Commitment and Carded Play) Bill 2024, as introduced to the Legislative Assembly, is compatible with human rights as set out in the Charter. I base my opinion on the reasons outlined in this statement.

Overview

The Bill amends the *Gambling Regulation Act 2003* and the *Casino Control Act 1991*.

The Bill will implement the government's policy on pre-commitment and carded play for all gaming venues and provide for regulations to be made to support these harm minimisation measures. The Bill will also require slower spin rates for new electronic gaming machines (EGMs).

Human Rights Issues

Human rights protected by the Charter that are relevant to the Bill

The human rights protected by the Charter that are relevant to the Bill are:

- privacy and reputation (section 13)
- the right to be presumed innocent (section 25).

Section 13 – Privacy and reputation

Section 13 of the Charter provides that a person has the right not to have that person's privacy, family, home or correspondence unlawfully or arbitrarily interfered with.

Clause 6 of the Bill engages this right by requiring a person to have their identity verified before a venue operator may pay out, or allow another person to pay out, accumulated credits of \$2000 or more from a gaming machine. The venue operator must verify the person's identity in accordance with the regulations.

This right is further engaged by clause 7 of the Bill which inserts new section 3.5.33T to the *Gambling Regulation Act 2003*, providing that a person may not be issued a player card unless the venue operator has first verified their identity in accordance with the prescribed requirements (if any).

Identity verification is central to tracking gaming machine play to prevent a person giving false details to create a pre-commitment account, having more than one account or using someone else's card. The regulations will contain the processes and requirements for identity verification. Identity verification is intended to prevent and minimise harm and money laundering.

If an interference with a right to privacy is lawful and not arbitrary, it does not come within the scope of section 13 of the Charter. In this case, the requirement for identity verification will be required by law and is not arbitrary as it will apply to all persons who use an electronic gaming machine (EGM). Therefore, the above clauses do not limit the right to privacy in section 13 of the Charter.

Section 13 of the Charter is also engaged by clause 9 of the Bill in so far as it facilitates the disclosure of loyalty scheme information, which may include personal information about players. Clause 9 inserts new section 3.5.41B into the *Gambling Regulation Act 2003* to provide that the Minister may from time to time direct the loyalty scheme provider or venue operator to provide information derived from the loyalty scheme to the Minister or the Commission for the purpose of enabling the reconciliation of loyalty scheme information with information in relation to the pre-commitment system.

As noted above, if the interference with a right to privacy is lawful and not arbitrary, it does come within the scope of section 13. In this instance, the Minister may direct the loyalty scheme provider or venue operator to provide information derived from the loyalty scheme to enable reconciliation of such information with information in relation to the pre-commitment system. There is currently no capacity for data to be requested in relation to loyalty schemes. Clause 9 of the Bill will support regulatory activities, especially in circumstances where suspicious activity via the pre-commitment system is detected. Under the new provisions, that data could be compared to the relevant loyalty data to assist with an investigation. Clause 9 will also enable regulation of loyalty schemes more generally, for example to confirm that points are being awarded in accordance with requirements.

Section 25(1) – The right to be presumed innocent

Section 25(1) of the Charter provides that a person charged with a criminal offence has the right to be presumed innocent until proven guilty according to law. Where an offence provides an exemption, this may affect rights under section 25(1).

Clause 4 of the Bill, substitutes paragraph (2) of section 2.5A.13 of the *Gambling Regulation Act 2003* to provide that a person does not commit an offence against section 2.5A.13(1) of the *Gambling Regulation Act 2003* where notice of the making of an interim ban or fixed term ban order is not published in a newspaper circulating generally in Victoria and the person is not aware of the making of the order. As this amendment provides an exemption, it appears to engage section 25(1) of the Charter. However, it does not require the accused to prove or establish their defence, nor does it require the accused to prove or establish the absence of an element of an offence. It therefore does not engage the Charter.

Finally, clause 15 of the Bill inserts new section 10.7.12(1)(b) into the *Gambling Regulation Act 2003*, to provide that a person does not commit an offence against section 10.7.3, 10.7.4 or 10.7.6 if immediately before the acts, there was produced to the person acceptable proof of age for the minor. The amendment does not engage the Charter because it does not require the accused to prove or establish the element of an offence.

Even if it did engage the Charter, the amendment would be justifiable because it involves offences which prevent gambling by minors, conduct which carries a high risk of harm.

For the reasons set out above, I consider that the Bill is consistent with the Charter.

The Hon Melissa Horne
Minister for Casino, Gaming and Liquor Regulation

Second reading

Melissa HORNE (Williamstown – Minister for Casino, Gaming and Liquor Regulation, Minister for Local Government, Minister for Ports and Freight, Minister for Roads and Road Safety) (11:13):
I move:

That this bill be now read a second time.

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

Incorporated speech as follows:

Most Members in this chamber will know people who have experienced gambling harm in some form.

We have met people who have struggled to pay bills because they have gone over their limit for what they are willing to gamble.

As Members of Parliament, most of us will have met people who have lost everything from their addiction to gambling. We have heard stories of the impacts on not only their lives, but the lives of their families.

This is why I am proud to introduce this Bill, which delivers on the government's commitment to introduce landmark gambling reforms.

These changes will protect not just the 10 per cent of Victorians who play poker machines from gambling related harm, but their friends and loved ones.

Purpose

The Bill I am introducing amends the *Gambling Regulation Act 2003* and the *Casino Control Act 1991* to establish the necessary legislative and regulatory framework for mandatory carded play and pre-commitment on electronic gaming machines in Victoria.

The Bill will also introduce new spin rate limits to new electronic gaming machines, slowing down the rate of play and player loss, both at hotel and club venues and at the casino – lowering the rate in which people can lose or launder money on gaming machines.

The Bill will also make some minor and technical amendments to ensure Victoria's gambling legislation is clear and consistent.

This Bill gives the Government the power to set requirements for carded play on gaming machines in hotels and clubs.

Carded play is a relatively simple concept – it means that a player card must be inserted into an electronic gaming machine for it to operate. This establishes the means to enable patrons to make better informed choices about their spending.

Victoria was proudly the first Australian state to introduce a voluntary statewide carded play and pre-commitment scheme for gaming machines. As such, the technical framework is established.

However, voluntary requirements have been stigmatising and would be more effective if normalised via standardising its use.

Implementation

In recognition of the weight and complexity of the reforms, the Act enables the Minister to conduct pilots, learn from the implementation and be responsive to these lessons.

In this way, the amendments provide maximum flexibility for implementation of the reforms, embedding the opportunity for continuous review and improvement, and ensuring a careful and considered rollout that allows venues and players to adapt gradually, if necessary. These laws also allow a flexible approach for different regions in the state.

As a first step, these laws will give the Minister the powers necessary to conduct a pilot of carded play.

It is expected that that pilot will take place in mid-2025 for a period of three months and will include approximately 40 venues.

Following a successful pilot, carded play requirements will be introduced on all poker machines. This is expected to occur by the end of 2025. Patrons will still be able to use “casual” cards which do not require any identification requirements and do not require them to set their own loss limits.

Following evaluation of the state-wide introduction of carded play, to occur by end-2026, additional requirements such as the phasing out of “casual cards” will be considered, with changes to the currently non-binding pre-commitment limits to be considered as part of the next monitoring license arrangements in late-2027.

Evidence

There is a strong Australian evidence base for these this type of reform. The proportion of people who play poker machines is shrinking, but the number of them who experience harm is growing.

The most recent study of Victorian gamblers found that 29 per cent of people who played poker machines experienced some form of harm.

In its 2010 report, the Productivity Commission recommended binding loss limits due to significant difficulties people using EGMs experience in controlling their gambling. The report highlighted that around 70 per cent of people using EGMs reported exceed their spending limits. A pre-commitment limit was further recommended by the Commonwealth’s 2011 Parliamentary Joint Select Committee on Gambling Reform

A 2019 independent evaluation from the University of Adelaide’s Centre for Economic Studies further highlighted that the voluntary nature of Victoria’s system was compromising its ability to assist problem gamblers, and a similar finding was made in the 2017 report by the Australian Gambling Research Centre, which found that pre-commitment works best when it is required to be used by all patrons.

And in June of this year, the Australian Capital Territory’s Standing Committee on Justice and Community Safety recommended mandatory carded play and binding pre-commitment, and in September the Grattan Institute also recommended that state governments implement pre-commitment schemes for poker machines.

Consultation

The major reforms in this Bill represent an important shift in the way gaming machines are played in Victoria – putting the power back in the hands of the patron.

Since we announced our reforms in July, I have met with advocates, people with lived experience of gambling harm, as well as with industry and clubs to hear from them directly about these reforms.

The Government’s approach to implementation has been informed by these conversations, as well as through the robust engaged undertaken by my Department.

We recognise that the approach and timeline for implementing these reforms must be balanced with the need to ease impacts on hotels and clubs and their patrons, and ensure Victoria maintains its vibrant hospitality sector.

This approach is not ‘set and forget’ – we will continue to work with advocates and industry on the implementation approach.

Spin rates

The Bill will also ensure that the pace at which gamblers lose or launder money is slowed.

Research shows that faster play speed is generally associated with higher bets, longer sessions of gambling, and some level of impaired control during gambling.

Furthermore, this will slow down the rate at which a potential criminal could ‘launder’ money, further discouraging this illegal behavior and complementing our carded play reforms.

The current gaming machine spin rate in Victoria is 2.14 seconds. Under the Bill, any new gaming machines approved by the Victorian Gambling and Casino Control Commission after 1 December 2025 must have a spin rate of at least three seconds per game – a 40 per cent increase in spin rate.

The *Casino Control Act 1991* will also be amended to ensure the slower spin rates also apply to new machines at the casino.

Penalties

The Bill creates new offences to support the reforms once in place and ensure that venue operators who do not comply face the consequences.

This includes offences for a venue operator to allow someone to play a gaming machine without a player card, to issue a player card that does not meet prescribed requirements, and to issue a card without properly verifying a person’s identity.

The Bill establishes a power for the Minister to direct a loyalty scheme provider or venue operator to provide loyalty scheme information for the purpose of data reconciliation with the pre-commitment system. It will be an offence not to provide this information when directed to do so.

It will also be an offence for a venue or casino operator to allow a person to play a machine with a faster spin rate than is allowed.

Ancillary amendments

The Bill also prohibits a venue operator from paying out, or allowing another person to pay out, accumulated credits of \$2000 or more without verifying the player's identity. This elevates an existing operational obligation to a legislative requirement.

Further minor amendments will update the operation of loyalty schemes and the consistency of the Gambling Regulation Act.

A definition of player account will be added, meaning an account established in accordance with the regulations for the pre-commitment system.

Several offence provisions in the Act will be re-cast to explain the circumstances in which the offence will not be made out, rather than requiring a defendant to prove those circumstances as a defence. This will improve fairness and consistency across the Victoria statute books.

These reforms offer critical protections – both for Victorians experiencing harm from gambling, but also their families who disproportionately experience these impacts.

As such, I am proud to commend this Bill to the house.

Danny O'BRIEN (Gippsland South) (11:13): I move:

That the debate be adjourned.

Motion agreed to and debate adjourned.

Ordered that debate be adjourned for two weeks. Debate adjourned until Wednesday 11 December.

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

Second reading

Debate resumed on motion of Natalie Hutchins:

That this bill be now read a second time.

Tim McCURDY (Ovens Valley) (11:14): I am delighted to rise and lead this debate on the Inquiries Amendment (Yoorrook Justice Commission Records and Other Matters) Bill 2024, which was introduced on the back of two recommendations from the Yoorrook Justice Commission, recommendation 2 of *Yoorrook with Purpose 2022* and recommendation 45 of *Yoorrook for Justice 2023*.

While it is a relatively small bill, it is my strong belief that it will make changes, and it seeks to make changes that will have huge implications for every single Victorian, effectively creating two classes of citizen – 'One rule for thee and another for me,' to paraphrase a well-known saying.

It would, ironically, create rules that discriminate based on race and give special privileges to Indigenous Australians without extending the same protections to the non-Indigenous contributors to the Yoorrook Justice Commission, and I do not think Victoria should be going down this path. I note that under sections 9 and 10 of the Public Records Act 1973 a witness or the commission can request that a document be declared sensitive and have it sealed, thus effectively achieving the same outcomes without discriminating based on race.

That being said, I will focus on a few of the specifics of the bill. First of all, new section 52B, pertaining to the Yoorrook Justice Commission record closure orders, empowers the justice commission to issue orders to close records to public inspection for up to 99 years, and that is where the concern is. Secondly, it applies exclusively to evidence provided by Aboriginal individuals. This is not right, and I think we are going down the wrong track. New section 52C allows the commission to restrict access

to certain records. It also has restriction conditions, which include viewing at designated locations, prohibition on copying or photocopying and restriction on sharing copies. New section 52C, in terms of conditions for access, specifies that restricted records may be accessed only by designated personnel or oversight entities for purposes specified by the commission, such as maintenance or preservation.

Moving to new section 53, in terms of transfer and custody of records, this new section provides the process for transferring records to the Department of Premier and Cabinet and the Public Record Office Victoria and also requires custodians to comply with closure or restriction orders. New section 52E in terms of access by authors ensures that individuals who provided evidence retain full access to their records. New section 52A, in terms of definitions, provides that closure or restriction orders cannot be applied to evidence provided on behalf of organisations or associations.

In section 9 compliance with commission orders requires the keeper of public records to manage records according to closure or restriction orders. Section 10 permits access for archival preservation, legal obligations and specific purposes outlined by the commission. New sections 52B and 52C in terms of duration of orders specify that closure and restriction orders can last up to 99 years. There is a repeal clause. It states that the act will be repealed one year after commencement, clarifies that amendments to other legislation remain in effect and exempts restricted records from FOI requests during that 99-year period.

In order to understand the introduction of this bill we must look at the context that surrounds it. In 2021 the Victorian government launched the Yoorrook Justice Commission with the intention of truth-telling. Fittingly, ‘Yoorrook’ means ‘truth’ in the Wemba Wemba language, that of the First Nations people in north-western Victoria. As part of that process there have been many challenges, revelations and stories shared by various individuals and groups. The history of Indigenous relations in Victoria has been mixed, and many acts have been carried out in the name of the state which have resulted in much trauma for these communities, and we acknowledge that.

Once again we reiterate the importance of working with our Indigenous communities to provide better opportunities and outcomes by closing the gap in education, health and justice standards and ensuring that the future is bright and constructive. In order to achieve this future we must look at solutions and achieve real change and real action in Indigenous communities. And we know that one set of rules for one racial group, despite good intentions, can very, very quickly lead to a slippery slope of having two classes of people, two justice systems and two sets of standards. We are all Victorians, we are all Australians, and despite the disadvantages and the trauma of the past, we must continue to work together to achieve change, not separate ourselves based on race.

It is only through a diverse range of experience, opinions and perspectives that meaningful change can occur, and indeed many Indigenous experts have concerns about operating a system with two sets of rules, such as Indigenous affairs academic and commentator Anthony Dillon, who was quoted in the *Herald Sun* in September last year as saying that insisting on Indigenous people providing services for Indigenous people would lead to separatism. He also said:

Separate development and focusing on differences is never the solution – it is the problem ...

I think Mr Dillon is right. In order to achieve long-lasting and effective change we must acknowledge that we are all Victorians, that we are all equal before the law and that we all share the same rights. This bill would take a step in the wrong direction. It would seek to shut down transparency and integrity in this process.

As I mentioned before Yoorrook means ‘truth’ in Wemba Wemba, and the only way the truth can lead to effective change is if it is open and transparent. There is no point hiding away the truth, as this bill seeks to do, for 99 years, removing the right for anyone to scrutinise or access testimony that may lead to and form the basis of Labor’s planned treaty. This is undemocratic and against everything the Westminster system of democracy stands for. The government should be open and transparent and

allow the people to see what has shaped it and what has shaped decisions and allow them to be open for criticism.

The current process requires the royal commission to transfer records to the Department of Premier and Cabinet upon the conclusion of any inquiry. DPC is then required to transfer them to the Public Record Office Victoria. These records are subject to the Freedom of Information Act 1982, as all records in Victoria are, including cabinet documents, to a certain extent. This bill would seek to exempt those records about First Nations people from any and all FOI considerations for a period of up 99 years, when most of us will certainly have left this world, leaving the important role of scrutiny once again in tatters.

It is important to ask the government whether the courts have any powers to obtain or demand the release of these records. Hopefully that will come out in the debate. If not and even our court system cannot access these documents – only First Nations people can control their release and access – we face a very real risk of an abuse of process and the continued degradation of transparency in Victoria under this government. Whilst it is important that we are culturally sensitive and aware of Indigenous customs, particularly around important and traumatic evidence and submissions, we should hold each report equally before the law.

Looking further at the government's justification for this bill, there is also the principle of Indigenous data sovereignty, or IDS, which seeks to remedy government methods of holding Indigenous peoples' records and assert the sovereignty of First People over their own information. So I ask: why does the government only extend this offer of sovereignty over one's own information to First Nations people? Why is their information their remit but the information of any other Victorians the remit of the government? The IDS principle is an extremist agenda and is pushing Victoria to a two-class state.

On the Australian Institute of Aboriginal and Torres Strait Islander Studies webpage for the IDS publication it says the IDS is built around two central mechanisms, with the first being:

... the rights of Indigenous nations over data about them, regardless of where it is held and by whom ...

It begs the question: if an independent business commissions a consumer survey or Newspoll or RedBridgE conduct polling on Indigenous issues, are they not the owners of the results? Does the ABS have the rights to census data in Indigenous communities? Under the IDS principle it would seem that even a company that spends its own money for whatever purpose on data collection does not own the rights to that data. They have no control over whether they will be able to use it or publish the said data without prior approval of the relevant First Nations people. It goes very strongly against the principle that if someone has paid for something then they own it, whether it be either goods or services. If a private company has paid for that data and legitimately obtained it, what right does one specific group of Australians or Victorians have to tell them how to use it? And do non-Indigenous Australians also have this right of sovereignty over any and all data related to them or their people regardless of where it is held and by whom?

It is alarming to me that the government should choose such a radical principle to base these reforms on. I would argue that given that taxpayers paid for this royal commission, they should also be given a right to say how the information is used and have the ability to access it.

As highlighted before, the legislation will continue to decrease transparency in Victoria and reduce the ability of the government to be held to account. I know in the statement of compatibility it states:

This balanced approach ensures the protection of First Peoples confidential information while still enabling the Commission to establish an official record of the impact of colonisation on First Peoples in Victoria ...

This statement implies several things. One is that our current Freedom of Information Act 1982 is not sufficient – it is formed to protect confidential information though redaction – and secondly that the official record of the impacts of colonisation will be unable to be fairly viewed and challenged where necessary. We know that often the truth lies in the midpoint of opposing accounts, so by refusing to provide one set of accounts which are formulating the official impact of colonisation we are unable to

accurately assess these claims and ensure that they portray an accurate understanding of the impacts. If the government were to allow personal stories to be de-identified, it would allow for a more transparent understanding and assessment of colonisation without naming individuals and bringing up past traumas. This would also ensure that the public has a full idea and full understanding of what helped shape the commission's findings and reports rather than locking up information for a century whilst making important decisions for change based on evidence and reports that we are not allowed to see.

In concluding my remarks I once again want to reiterate our concerns with this bill: the simple fact that the IDS principle will see Victorians split into two classes based on race, with one class afforded more protections and rights than the other. Yes, there has been discrimination and disadvantage in the past, but the way forward is not by discrimination and disadvantaging others – it is by raising everyone up to the same standard regardless of the colour of their skin. Yes, more work needs to be done to close the gap – we acknowledge that – to raise Indigenous Victorians up to the same standard, but it is not through this bill and it is not through the creation of a separate order based on race. It is through investing in important things such as housing, education and health care in the most isolated areas.

Victorians strive for transparency in government and integrity in service, and this bill seeks to block both of these in the name of truth. Surely truth should be open to all people. It should be open to review so that it stands the test it is put under. Truth should be available to all Victorians, not locked away for 99 years. The Liberals and Nationals will oppose this bill and any bills that are attempts by Labor to implement separate rules on race. We seek to unite Victorians as one people, not separate them and sow division, as Labor does. Those opposite need to listen to others and in fact take the time to listen to the entire Victorian community. Stop seeking to demonise and divide us, because we do not support or believe in separate rights for different people. It is time the government stopped playing games with identity politics and started investing in real, substantial change. Dividing communities and dividing race and religion is unacceptable, and this Victorian government needs to listen to Victorians and cease the division wars that they wage.

Chris COUZENS (Geelong) (11:28): I am very proud and pleased to rise to contribute to the Inquiries Amendment (Yoorrook Justice Commission Records and Other Matters) Bill 2024. I will begin by acknowledging the original owners of the lands on which we gather today and pay my respects to their ancestors, to their elders and to all Aboriginal and Torres Strait Islander people who are either here today or listening to the broadcast. I thank them for their care of our beautiful land and waterways.

I also want to acknowledge and pay my respect to those that have led the way in truth-telling and the treaty process in this state. I do want to acknowledge the Yoorrook Justice Commission commissioners: Professor Eleanor Bourke AM, Adjunct Professor Sue-Anne Hunter, Travis Lovett, Distinguished Professor Maggie Walter and the Honourable Anthony North KC. I also acknowledge the cultural load that they have carried on behalf of all Victorians, including the Aboriginal community, in undertaking this truth-telling process and the trauma that is involved in that. Further I want to acknowledge the co-chairs of the First Peoples' Assembly Ngarra Murray and Rueben Berg and of course all the members of the assembly who represent communities across the five different regions of this state and to thank them for their work and leadership on this.

I do ask often: why is it that other cultures around the world can embrace their First Peoples culture and yet we cannot in this country? Things are changing in Victoria, and I am very proud to be part of a government that is doing that and we have so much to gain from that. I do not know why we have to listen to comments like those of the member for Ovens Valley, who says the opposition is opposing the bill. What a disgrace and how offensive that is to First Nations people, but not just to First Nations people – to all of us sitting on the side of the chamber and all of those that can see how important truth telling and treaty are to all Victorians.

The member for Ovens Valley mentioned the ‘special privileges’ that Aboriginal communities will get from this bill. What, like having their children massacred and stolen, their land stolen, their language stolen? Is that special privilege? No, it is not. These are the things that the Allan Labor government is actually addressing through this process of truth-telling and treaty that this bill relates to. It relates to truth-telling, and we heard from First Nations people how important it is for us to acknowledge the wrongs of the past. That is what this bill is about. It is about protecting those who gave evidence at that inquiry and acknowledging the trauma they went through, the extreme stories that they told, either themselves or their family members throughout their journey, what it means to them and the impact it has had. We know generational trauma is a thing, and this bill in front of us says we will respect the rights of First Nations people who stepped up and gave evidence at that inquiry and give them, I suppose, the comfort that it is there and locked away for those 99 years, because that is what they asked for. For the member for Ovens Valley to talk about special privileges is an absolute disgrace, and it is actually a display of the systemic racism that we have seen in this country for over 200 years. That is what it is about. It was a display of systemic racism that the member for Ovens Valley portrayed in his speech. Those stories that were shared with us should be protected, because we made that commitment; the Yoorrook Justice Commission requested that that occur, and that is exactly what we are doing.

When we look at what other countries are doing, New Zealand is a great example: no matter where you go, that culture is embedded in that community, right across their country. Why can’t we do that here? Why are we putting up barriers – or why are those opposite putting up barriers – and trying to stop that from happening? Is it fear? What is it? Or is it clearly systemic racism that we are dealing with?

We had an event in Queen’s Hall yesterday where members opposite were scoffing about the welcome to country. That is how disrespectful they are. They walked away from the treaty process, from the truth-telling process, and said, ‘No, we’re not having anything to do with this now,’ even though we had bipartisan agreement when this process began, and it did not finish until after the federal referendum, which was something quite different to what we are doing here in Victoria. This is not about enshrining something in the constitution, this is about moving forward with treaty. So these are really concerning comments and behaviours from those opposite, which we are going to see worsen, I believe, over the coming months and years as we begin to negotiate treaty.

I cannot tell how proud I was to join cabinet, the Premier and other members of Parliament at that event last Thursday, which was a significant ceremony held by First Peoples that we were invited to for the commencement of treaty negotiations in Victoria. For the first time in this country Victoria is leading the way. I can tell you that in other states Aboriginal people are saying, ‘Why can’t we have what you’ve got in Victoria?’ We are leading the way. We as a government have been supporting and empowering Aboriginal and Torres Strait Islander communities in this state to move forward on treaty and truth-telling, and part of that truth-telling is acknowledging what happened. This is what this bill is about. It is making sure that every protection possible is in place for those Aboriginal members of the community, whether they are young people telling their elders’ stories or whether it is elders telling their stories. I know what some of those stories are, and they are horrific stories.

In fact many years ago I had the opportunity to sit around the campfire at Framlingham mission with my now late husband, talking about all those injustices. I feel really privileged to have had that opportunity. I did not recognise it then, but I do know now how privileged I was to do that. To have those stories being told and documented and for the Yoorrook Justice Commission to be able to put forward their recommendations is a fantastic thing in Victoria. We should be very proud. Everybody on this side of the house I know is immensely proud of what we are doing. For those opposite to continue to make offensive comments and to ignore what we are doing in Victoria is unacceptable, and they need to be held accountable for what they do and say.

Members interjecting.

Chris COUZENS: Yes, in Hawthorn. Aboriginal and Torres Strait Islander people in this community are walking alongside us for all of us to have a better society to live in. We all benefit from treaty. We all benefit from truth-telling. It is not about finger-pointing or making blame, it is about walking together and improving the lives of First Nations people and closing the gap in this state, which we should all have shame for. We should all be working towards ensuring that we are addressing those injustices that have been done. The inequality that we see even today after 200 years of Aboriginal people calling for treaty, truth and justice – well, we are just beginning that journey now. It is a responsibility of all of us to ensure that we continue to support our First Nations people but also to support the legislation requirements. I commend the bill to the house.

Jade BENHAM (Mildura) (11:38): The timing could not have been better for me to make my contribution on the Inquiries Amendment (Yoorrook Justice Commission Records and Other Matters) Bill 2024. I have actually just walked out of a meeting with Ben Djuve from Clontarf. I spoke about the Clontarf Foundation earlier today and what amazing work they do through closing the gap. This is something that I speak often about with our huge First Nations population and one that I am heavily involved in through the north-west of this state. I get firsthand accounts from all sides of this, and there are many sides. Ultimately, I can listen to both sides and those that go, ‘No. Hang on. We do want to walk together. We do want to walk side by side. We do want to close the gap. We don’t want to create division’ – and then we get called racist for saying we do not want to create division. That is an issue. Like I said, I am heavily involved in community in Mildura and particularly in Robinvale, and I have been doing a lot of work with Clontarf, which this government has neglected for the past 10 years – no, 14 years in fact.

In 2010 the coalition government started to part-fund the Clontarf academies in this state to the tune of around half a million dollars. Guess how much that has increased? Not one cent. Not one cent, and yet the statistics do not lie. Guess what the incarceration rate is for Clontarf boys? Zero. If we want to talk about closing the gap, let us talk about programs that work. Again, the Yoorrook Justice Commission and truth-telling is great – we all want that. But we want to walk together. When you have got a government that is not listening to things like the Clontarf Foundation, who have stacked 14 years – they have been borrowing and begging this government for increased funding to keep providing for Aboriginal boys in this state, and they keep going begging to the point where now they look like they are going to have to close the Warrnambool academies, so there are 90 boys that could have positive outcomes that now will not have an academy down there if this government does not step up.

So if we are going to talk about closing the gap and truth-telling, let us tell the truth. The government want it one way – they want it their way. They are not willing to listen anybody else. Do you know why they will not fund the Clontarf Foundation? Because it is something that the coalition started to fund. That was our idea, so the Labor government do not want anything to do with it, do they? \$540,000 in 2010 was their funding. Today in 2024 it is still \$540,000, which now puts them behind the eight ball. It cost \$7,500 dollars per student to go through the Clontarf Academy, and it keeps them engaged in schools. Their outcomes are remarkable, with positive male role models that that actually bring them to school, keep them engaged in school and get them drivers licences. They have corporate partnerships with places like Bunnings and Wesfarmers, so they are in employment. They are just incredible. Now, to get to a point where they look like they are going to have to close not one but two academies is absolutely insane. Then the hypocrisy that comes out from across the other side – saying they want to close the gap, but they will not even look at something that the coalition have funded – is absolutely disgusting. Then, because we want to walk side by side as one, without being called racist – it is disgusting, and I am disgusted.

When I am talking to all sides of our community through the Mallee – there have been things up there that have caused horrific division to the point now where I cannot engage with some parts of the Mallee farming community. Lake Tyrrell is a really good example. The Mallee Rally ran there for 40 years, and yes, we know that it is such a culturally significant site – we know that. It should be protected.

There are parts around the lake that absolutely need to be protected; there are middens around there and all sorts of stuff. But to close it down and forbid access to anyone – we want to learn. There is a thirst to learn about things like the stories that have come out from the Yoorrook Justice Commission. There is a thirst for knowledge and education. We want to learn; we do not want to be closed out. The farmers down there that have property surrounding the lake do not want to be closed down – they want to learn so that they too can help preserve this history.

I do not know if you know this – clearly the government does not know this – but do you know who the biggest conservationists in this country are? Farmers. Because the land and everything that it holds is their livelihood. It is their family's livelihood, and it has been for generations. They want to know about what was there beforehand, and of course they want to protect it. But do you know what does not allow that? When they get shut out, and when there is secrecy. Educate us. There are opportunities here to teach and to open up. Especially in a place like Sea Lake, where you have got a tourism sector because of Instagram. It has been created out of nothing – #Skymirror. It is beautiful; there is water in it at the moment.

It has created a tourism industry. There is opportunity there, so to what end do we close out part of the community? That is our biggest issue here: that there is one rule for one part and another rule for another part. We want to walk together, and we want to learn so that we can grow together. In places like Sea Lake – the member for Preston enjoys me telling stories about Sea Lake – there could be art galleries there, there are tours. Go on tours around the lake, explore the murals and the culturally significant places around the lake. There are so many opportunities, so many social enterprise opportunities, but it has just been closed out and it has created division to the point where the community now, any time you bring it up, they really get defensive about it, and that is so sad. It really is. It is heartbreaking. But then, like I have said, you have got organisations like the Clontarf Academy and the Stars program, and I will be at the Stars program in Mildura on Monday night, in fact at their awards night. These programs are enabling our First Nations young people to want to explore and invest, be entrepreneurial and set up their own businesses and take advantage of opportunities like this that are being neglected by the government.

You cannot preach to us that we are racist because we want one rule for everyone, we want one Victoria, we want to walk together, we want to close the gap, and then pick and choose what you are going to do, because that kind of stuff is hypocrisy and that is frustrating, and that is why we have division in our communities. That is exactly why we oppose this bill. We want to hear truth-telling – great. We want to acknowledge country. We want all of this, but we do not want one rule for one group of people and one rule for another. That creates division. When you are embedded in communities and you are hearing all sides of it, it creates division, and that division is heartbreaking, and that is what we do not want. That is why communities are also scared to speak up, because they get branded as being racist. It is simply not true. It is simply offensive. It is not true. What we want is one united community, not division. And to say that is not racist, and anyone that says it is is disgusting.

Bronwyn HALFPENNY (Thomastown) (11:48): I also rise to make a contribution on the Inquiries Amendment (Yoorrook Justice Commission Records and Other Matters) Bill 2024. This is a piece of legislation that I am very proud to be a part of as the Allan Labor government, which is introducing this into Parliament.

We have heard a lot of allegations and talk about locking up land and funding and whatever, and as the next speaker I am sure there needs to be a bit of fact checking about that. I am not in a position to do that, but I am sure Labor speakers after me will look at correcting those issues. But this bill is being put forward and it is intended to ensure that the Yoorrook Justice Commission can meet its obligations under the letters patent to uphold Indigenous data sovereignty principles when it comes to First Peoples' evidence to the commission. This is not new. I know that when I was, under a Liberal government at the time, a member of the parliamentary inquiry into child abuse in Victoria this issue of protecting the anonymity and the confidentiality of people that contributed to that inquiry was of utmost importance. In fact this has been done before. When people come on their own, voluntarily,

wanting to give evidence about their very personal and often very terrible stories and if they want to ensure that with those stories that they are talking about, maybe for the very first time in their life, that none of their other family members know of, they are protected by confidentiality and it is only when they choose to disclose those things that they will be disclosed.

I really do not understand what the opposition is so opposed to here. This is something to protect individuals that participate in such things as parliamentary inquiries. This legislation of course is specific to the Yoorrook Justice Commission, but other forms have been done to protect the identities and the information that individuals provide. So to say this is something different, awful and terrible and that the sky is going to fall in and that it means all these other things really shows what a very sad and sorry state the opposition is in. You can just see the bitterness and anger in the contributions being made when it comes to anything when we are talking about First Peoples and how we should deal with the many wrongs that have been committed in the past and what we are trying to do in this state through the treaty process. It really is a hypocritical argument that the opposition is putting and one that I think most Victorians would just hear with disgust.

In 2021 the Victorian government and the First Peoples' Assembly established the Yoorrook Justice Commission, and it was the very first of its kind across Australia as a truth-telling inquiry process. I want to convey my deepest respect and admiration to all commissioners, those that participated in this justice commission and truth-telling and those commissioners who oversaw and guided the essential work to expose the dark truths of colonialism in this country. There are Professor Eleanor Bourke; Adjunct Professor Sue-Anne Hunter, who I have met on a number of occasions and heard inspiring presentations from at many events; Travis Lovett; Distinguished Professor Maggie Walter; and Mr Anthony North.

This bill will be critically important as it will outline the framework to ensure principles of Indigenous data sovereignty are upheld after the Yoorrook Justice Commission has come to an end. People who contribute have a right to have their information treated as private and to have it secure. Indigenous data sovereignty, which is an Indigenous-led global movement, refers to the right of Indigenous people to have the ability to govern the data that relates to Indigenous communities. What is wrong with that? What problem is that for the rest of the community? As I said, it is a global movement. It talks about being allowed to use the information about those communities to guide self-determination and the treaty process.

The Yoorrook Justice Commission defines Indigenous data sovereignty as:

... the right of Indigenous Peoples to own, control, access and possess data that derive from them, and which pertain to their members, knowledge systems, customs, resources or territories ...

I would say that the data collection currently is not around Indigenous knowledge systems, customs and resources but around white Australian knowledge systems, customs and in fact, as the opposition has said, the Westminster system. So what is wrong with us including First People in information gathering and data systems as well? This is incredibly important to remedy both the historical and current practices when it comes to the collection of data relating to First Nations people. Government record keeping has historically focused on First Nations disadvantage and deprivation and has failed to recognise First Nations self-determination. Again, this lack of understanding is evident from the opposition when what they are talking about is housing, education, all these disadvantages, all these failings and all the things that are wrong with First Nations people rather than all the good things and all the things that are right.

The Yoorrook Justice Commission is already required under the letters of patent to uphold Indigenous data sovereignty principles when it comes to First Peoples' evidence to the commission, and it outlines the principles as:

accommodating to the extent possible First Peoples' choices in how they wish to participate, including their rights to free, prior and informed consent at all stages of participation;

upholding the sovereignty of First Peoples over their knowledge and stories by consulting with them on how the information they provide should be treated and ensuring adequate information and data protection ...

We on this side of house believe that this is important. It is to ensure that we protect and strengthen the principles of Indigenous data sovereignty, and this bill will empower the commission to make record closure or restriction orders to help ensure that records are managed by the commission in a manner that is consistent with the principles of Indigenous data sovereignty once the commission has ended and in line with the wishes of participants.

This legislation will make amendments to the Inquiries Act 2014 to enable the commission to make orders closing or restriction to certain records that have been authored by First Peoples for a period of 99 years once the commission ceases to exist. A record closure will prevent First Peoples' evidence being publicly available within the public record office or via a freedom-of-information request without the consent of the author. Is this so bad? Is this so hard? A restriction order will see some records available for restricted viewing, and the commission can set restrictions on how the record can be accessed in line with the wishes of the author. Again it is all about bringing people along and them having a say in how the information that they choose to provide is used in the future.

This legislation will also make it so that the Freedom of Information Act 1982 does not apply to the records that have been subject to closure or restriction orders made by the commission for a period of 99 years. The amendments to the Inquiries Act will also provide clarity for the requirements for the treatment of records of a formal review, a board of inquiry and a royal commission that have ceased to exist in accordance with the current practice.

This legislation will also amend the Public Records Act 1973 to ensure compliance with the commissions record closures and restriction orders, and this is key as it would prevent records from being available for secondary use from the Public Record Office Victoria archives, again for a period of 99 years. Some people disclosed information for the very first time that was confidential, and we need to maintain that trust. Similar consideration was, as I said before, taken into account and actioned and similar steps were taken when the Victorian Parliament under the Baillieu government conducted the inquiry into the abuse of children.

This bill will also provide the commission with the power to make record closure or restrictions that will enable the record author who is nominated by the commission to retain access to their own records in full and enable the nominated record author to provide the additional access instructions for how the records can be inspected after their passing. These reforms were brought about from extensive consultation with the commission. The commission consulted with the First Peoples community to ensure their preferences were considered when developing this legislation. What does it do for all Victorians? How does it harm?

The Public Record Office Victoria, the Office of the Victorian Information Commissioner and the First Peoples' Assembly of Victoria have all been consulted. All the stakeholders are strongly supportive of the bill, and this bill is consistent with the government's commitment to advance the sovereignty of First Peoples.

Martin CAMERON (Morwell) (11:58): I rise to make a contribution on the Inquiries Amendment (Yoorrook Justice Commission Records and Other Matters) Bill 2024. The inquiries amendment bill primarily aims to amend the Inquiries Act 2014 and the Public Records Act 1973 to regulate the management of, access to and preservation of records related to the Yoorrook Justice Commission.

The commission was established in May 2021 and tasked with collecting testimony and evidence from Aboriginal individuals and communities. The commission released an interim report in June 2022, with a final submission closing on 22 November 2024. The final report from the commission is due in June 2025. The justice commission was given powers of a royal commission under the Inquiries Act 2014. Closure of and restriction of records, new section 52B, the Yoorrook Justice Commission

record closures order empowering the justice commission to issue orders to close records from public inspection for up to 99 years, applies exclusively to evidence provided by Aboriginal individuals.

New section 52C allows the commission to restrict access to certain records. Restriction conditions may include viewing at designated locations, prohibition of copying or photocopying and restrictions on sharing copies.

We have heard contributions from members from both sides of the chamber. As the member for Ovens Valley stated earlier, the coalition are opposing this bill, and we are opposing it because we feel that it actually divides the community with what is put forward. We talk about wanting to work together and walk together, which I try and do in my community. I sit and I listen to all contributions from both sides to get a feeling that the same issues that I have in the Latrobe Valley are going on around the rest of regional Victoria and inner-city Melbourne. I think, yes, that would be correct; that does go on. When I sit down and talk with the elders in my community or I walk the streets, I think the outcome that I want to see is the gap close. I am making sure that in the Indigenous community in the Latrobe Valley the kids have got access to a great education and are wanting to go to school to learn and that Indigenous families have access to great health and dental care, because that is what matters to them. We are looking at trying to close the gap to provide our Indigenous community better access to health, schooling and housing. Housing is a real issue not only for our Indigenous community in the Latrobe Valley but for our community in general. Everybody in my electorate is on the same footing when I sit down and I talk to them. I want us to be a close community and a respectful community.

We are allowed to have differences of opinion. It is sometimes healthy to be able to have differences of opinion, but then to label people as being racist if they have got a difference of opinion is not a great help to anybody. We want to take strides and move forward as a community and embrace each other, look after each other and make sure that we are all on the same footing and have the same opportunities as we move forward. As I said, schooling, health and housing – it does not matter what background you come from, what religion you follow – are the issues. We should be able to sensibly sit down and talk about them and not be pigeonholed into certain areas when we do not get along or called racist if we raise issues where we do have genuine concerns for certain members of our population. As the member for Ovens Valley said at the start, yes, we are opposing this bill. There are certain bits and pieces in it that have that have come through which will work, I do think, but we need to make sure that we are doing it for our entire community.

I know our Indigenous youth down in the Latrobe Valley. It is hard to engage them to be at school all the time and encourage them to get there.

We need to make sure that we have programs for not only the Indigenous part of the Latrobe Valley but our entire youth to make sure that these young kids, who are easily coerced and led astray, right across the board have options, because that is how we fix these problems. We need to make sure that we are giving everybody the opportunity to walk together.

To be able to stand and have the hard conversations here in the chamber – I know there are some accusations flying across from one side to the other, but I think we genuinely want to have the best outcome for our Indigenous communities and our communities in general no matter we come from. No matter what your background and your heritage is, we need to make sure that we have opportunities right across the board. Even as we move to giving our Indigenous community access to jobs in the Latrobe Valley, we need to make sure that we have areas where they want to engage in with work. I know that we are talking about other stuff within the justice commission here and other matters, but we need to have a look right across the board, because you have the opportunity to sit down with the elders and talk with them about what the issues are in your local community and where we are failing and falling down, talking with them and then with other leaders in the community. I know there is a lot of work that needs to be done to make sure that we do close the gap, that we do give our Indigenous people the chance to have that opportunity.

To be able to stand up and talk – then you have people from the other side of the chamber who think that you are talking and being a little bit racist because you want to question what is being put forward. You want to ask if what is being put forward is the best option. I am at the point where I want to walk together as a community and have the best outcome about our communities – not walk and be divided, but walk hand in hand and close the gap so we can have great outcomes for everybody in our communities, whether they are of Indigenous background or whether they are from other areas around the world. As I said, we oppose the bill because we want to make sure that we are not dividing the community. We are bringing our community together.

Members interjecting.

The ACTING SPEAKER (Juliana Addison): I will particularly ask the people at the table to not have discussions while someone is speaking.

Anthony CIANFLONE (Pascoe Vale) (12:08): I rise on this side of the house to proudly support the Inquiries Amendment (Yoorrook Justice Commission Records and Other Matters) Bill 2024. In doing so I would like to begin by acknowledging the traditional custodians of the land on which we meet, live, learn and work, the Wurundjeri people of the Kulin nation. I pay my respects to elders past, present and emerging and particularly all of my parliamentary First Nations colleagues, beginning with the member for Geelong, for her fantastic contribution from the outset – it is a privilege to work alongside her in relation to these matters, and it was an even bigger privilege to have joined her at Darebin Parklands last week as we progressed the landmark treaty – my friend Sheena Watt in the other place and Senator Jana Stewart in the Australian Parliament. I acknowledge members of the First Peoples' Assembly of Victoria, including Uncle Andrew Gardiner, the representative of these traditional lands in the First Peoples' Assembly of Victoria.

I would like to express my pride in being part of a Victorian Labor government that is leading the nation when it comes to progressing the aspirations of the *Uluru Statement from the Heart* through voice, treaty and truth. We have proudly established the First Peoples' Assembly of Victoria, the first state in Australia to create such an independent and democratically elected body that represents traditional owners of country and Aboriginal and Torres Strait Islander people in Victoria. We have established the first formal truth-telling commission through the Yoorrook Justice Commission, helping us to understand the full history of Australia, the one that dates back more than 60,000 years, way before the arrival of the First Fleet in 1788. I am also proud that we are the first state in Australia to be progressing a genuine treaty with the First People after the creation of the Treaty Authority and, as I said, through the commencement of formal treaty negotiations on 21 November – last week.

But at the heart of each of these landmark initiatives is the principle of self-determination, which is all about listening to First Nations people, building a genuine and inclusive First Nations-led partnership on health, wellbeing, socio-economic issues and the issues that impact them and their communities. It is about helping us to continue facilitating that self-determination by enabling and upholding First Peoples' choices when it comes to the recording, storage and preservation of and access to First Nations records via the Yoorrook Justice Commission. That is why we are here today with this bill.

I would like to just point to the Liberals here, because it genuinely saddens me greatly that they are opposing this bill. When it comes to First Nations policy it has long been the Liberal-Nationals parties that have, sadly, opposed genuine reconciliation with our First Nations people. How can we forget John Howard, who refused the apology to the stolen generations, those iconic scenes over the Sydney Harbour Bridge and the disgrace of Peter Costello years later saying he regretted not being able to do something at the time to change the Liberal Party's position – shameful. Peter Dutton led the charge against voice, treaty and truth and the *Uluru Statement from the Heart* – shameful. And today we see the Victorian Liberal–Nationals continuing in that disgraceful fashion. They are opposed. They have withdrawn bipartisan support for voice, treaty and truth in this state, and their conduct in relation to this bill is another sad step in that regard. But I also note who is not speaking on this bill –

Emma Kealy: On a point of order, Acting Speaker, it appears that the member is reading a document. I ask him to table that please.

The ACTING SPEAKER (Juliana Addison): I ask the member for Pascoe Vale: are you reading a document?

Anthony CIANFLONE: I am actually referring to handwritten notes that I have had to take down live, in real time, while the opposition have said that they are opposing this bill. Acting Speaker, I also note –

The ACTING SPEAKER (Juliana Addison): I must rule on the point of order. The member has said that he is referring to notes, so I will ask him to continue.

Anthony CIANFLONE: Also, in referring to my proudly handwritten notes, as the Liberal–National opposition have come to the party to advise they are opposing this bill, very sadly, I note who has not been speaking on this bill. The Nationals member for Ovens Valley has spoken, the Nationals member for Mildura has also spoken and the Nationals member for Morwell has spoken. My question is: where are the Liberal MPs in this debate? Where is the member for Hawthorn? Where is the member for Sandringham? Where is the member for Brighton? Where is the member for Kew? They claim to be the progressive Liberals. You have heard them all, like the member for Hawthorn previously with Raf Epstein on ‘Drive’ on 774 radio, having those progressive conversations. I dare him to go on Raf Epstein or ABC radio this afternoon given their disgraceful conduct and their positioning on this bill. Also, as we head towards the Green–Liberal contest in Prahran, I would love to see what the Liberal positioning is going to be in relation to that campaign. Let us wait and see.

The reality is that despite all the rhetoric over there, this bill is nothing new. If members opposite had bothered to do their homework, they would know that all of the measures contained in this bill already exist in legislation. They are already contained within the existing Public Records Act 1973. They are not new. This is nothing new that we are talking about here. All we are talking about is elevating the views and the wishes of the First Peoples’ Assembly in relation to the Yoorrook Justice Commission. That is all we are talking about doing, because under current royal commission and public inquiry guidelines, any person who appears before an inquiry can request to have their information, their evidence, their submissions or their personal, private or confidential information designated as restricted. That genuinely is utilised and exercised for people giving evidence at royal commissions when it comes to matters such as historical sexual abuse – very sensitive matters indeed – matters as they relate to the Royal Commission into Victoria’s Mental Health System and now through the Yoorrook Justice Commission –

Members interjecting.

Anthony CIANFLONE: As asked by the First Peoples’ Assembly, member for Ovens Valley –

The ACTING SPEAKER (Juliana Addison): The member for Yan Yean is being unruly.

Anthony CIANFLONE: We are elevating the opportunity for their stories to also be preserved and restricted, consistent with the existing acts.

Chris Crewther: Acting Speaker, I draw your attention to the state of the chamber.

The ACTING SPEAKER (Juliana Addison): I rule that there is a quorum present.

Anthony CIANFLONE: Another case of the Liberal–Nationals not being able to count their numbers. It goes to show that whether it is in quorums or in the party room, they cannot count. But do you know what? They only listen to what they want to listen to. I want to draw the chamber, which has a quorum, to the comments of the member for Mildura, who kept talking about how she talks to Clontarf. I respect that, and I acknowledge that, but if you talk to Clontarf, which is a respectable, reputable, Aboriginal First Peoples organisation, and you are willing to listen to them and their views, why doesn’t the member for Mildura want to listen to the views of the 33 democratically elected First

Peoples' Assembly members who have actually asked for this bill to be brought forward? Why choose to listen to one organisation and not the entire democratic body of traditional custodians of the lands in Victoria that we have proudly established who have called for this bill?

Why wouldn't the Liberal and National parties actually call for and listen to the advice being provided by the Yoorrook Justice Commission? We are only supposed to listen to Clontarf, if you follow the logic of the member for Mildura. We on this side are listening to the entire First Nations community and the actual democratic body. It is going to be absolutely shameful, to say the least, that in the week that the member for Berwick shows up to a protest where neo-Nazis also show up they seek to divide in this chamber by opposing this bill. Shame.

James Newbury: On a point of order, Acting Speaker, I call relevance. I do not know what rubbish this member is speaking about, but it is not in the bill.

The ACTING SPEAKER (Juliana Addison): I ask the member for Pascoe Vale to come back to the inquiries amendment bill and continue his contribution about the Yoorrook Justice Commission records and other matters.

Anthony CIANFLONE: We could say we have got the member for Brighton on the record when it comes to this bill. I was just asking questions about where the Liberals sat on this bill, and now we know: it is a point of order. That is the best they can do – a point of order with no substance to contribute positively to this bill.

James Newbury: On a point of order, Acting Speaker, the member has just reflected on your ruling.

The ACTING SPEAKER (Juliana Addison): I will remind the member for Pascoe Vale to continue his contribution for the last 15 seconds.

Anthony CIANFLONE: In conclusion, I commend this bill. It is all about supporting that aspiration from the *Uluru Statement from the Heart*: voice, treaty and truth. We are walking proudly with our First Nations people and the Wurundjeri people of these lands on which this Parliament is built.

Ellen SANDELL (Melbourne) (12:18): I rise to also speak on the Inquiries Amendment (Yoorrook Justice Commission Records and Other Matters) Bill 2024, which will entrench principles of Indigenous data sovereignty within Victorian law. The Greens will be supporting this bill. We would like to commend the government on what sounds like has been a very good consultation and development process. As we understand it, the first step was that the Yoorrook Justice Commission recommended that the government urgently change the law to enable First Peoples to decide how their information is stored, accessed and used in future. Then the government accepted that expert recommendation. They spoke to Yoorrook, they spoke to the stakeholders like Public Records Office Victoria and then got on and developed this bill. That is to be applauded, and the Greens hope that this acts as a precedent for other jurisdictions where data on First Nations peoples and communities is still controlled entirely by colonial institutions.

We will be supporting this bill, but I have to make some comments about something that is frustrating, which is that dozens of other recommendations from the Yoorrook Justice Commission are not in this bill and are not planned to come before this Parliament to our understanding. It has been a year since the government received the Yoorrook Justice Commission's report, and Labor has officially accepted less than 15 per cent of the Yoorrook Justice Commission's recommendations. Less than 15 per cent of the recommendations that this body of First Nations people have put before this government have been accepted.

First Peoples are sick and tired of telling governments the solutions that they need in their communities and then having those solutions completely ignored. We saw that with the Royal Commission into

Aboriginal Deaths in Custody, we saw it with the *Bringing Them Home* report and we see it now with the Yoorrook Justice Commission report.

Labor have suggested they will still implement some of those 40 remaining recommendations, possibly as part of treaty, while others are left in this nebulous ‘under consideration’ category. That includes recommendation 1, a fully self-determined child protection system, including the transferral of decision-making power, authority, control and resources to Aboriginal communities. We hope that Labor will accept this recommendation in full because we know, particularly from recent reports, that the current child protection system is fundamentally broken and that it continues to harm First Nations children, young people and families and therefore the broader community.

In fact throughout the Yoorrook Justice Commission hearings Labor showed positive interest in addressing the historical and current injustices that led to the removal of Aboriginal children, the stolen generations, one of our nation’s greatest shames. That includes reforming the government’s permanent removal of children, which has occurred in Victoria after permanency amendments were introduced to the Children, Youth and Families Act 2005 in 2014. Worryingly, Labor now seems to have gone quiet on these reforms. According to the Victorian Aboriginal Legal Service, after some good early consultation:

... there has been deafening silence over the past 18 months regarding permanency, let alone progressing the other recommendations by Yoorrook. This is not good enough for our children – they deserve better.

Those are the words of the Victorian Aboriginal Legal Service.

There are three recommendations from the Yoorrook Justice Commission that this Labor government has rejected outright. These include strengthening Victoria’s human rights charter into something that actually protects human rights; secondly, urgently raising the minimum age of criminal responsibility to 14 without exceptions and prohibiting the detention of children under 16 years old – these are laws that currently exist in our state that disproportionately harm First Nations children – and thirdly, the third recommendation of Yoorrook that Labor has rejected outright, creating a presumption in favour of bail for all offences except murder, terrorism and similarly extreme offences, because we know that our bail laws were broken by this government introducing new bail laws that have led to the significant increase in incarceration particularly of First Nations women in Victoria.

We also know that First Nations people are crying out to overhaul our prison system. Since the Yoorrook Justice Commission report we have tragically, horrifically seen three Aboriginal deaths in custody, and that is absolutely devastating. First Nations people should not have to keep seeing deaths in custody and these horrific impacts on their communities happening in our state and just wait until governments think that it is politically expedient for them to act. Governments need to be showing more leadership than that when it comes to our First Nations people.

Members interjecting.

Ellen SANDELL: I hear Labor members across the chamber saying that this is insulting. I do not think that First Nations communities, our elected First Peoples’ Assembly and the Yoorrook Justice Commission calling for justice for First Nations people is insulting. What is insulting is the Labor government not accepting recommendations directly from the Yoorrook Justice Commission, a very experienced, reputable First Nations body who has been tasked with looking into what needs to change to improve First Nations communities. They are telling the government what needs to change, and the government is rejecting some of their most important recommendations outright. That is what is so awful in this situation.

Yoorrook also called for other changes in our prisons, such as free phone calls and a flat-out ban on solitary confinement. These are basic human rights that people in our prisons should have, and it is worrying that Labor has not implemented them in full.

The Greens will support this bill because we know it is an important bill – they are important reforms. But we know that we are ready in this state for more significant reforms that go to supporting our First Nations communities and supporting what they are telling us, what they are self-determining is right for their communities.

I want to also take this opportunity to congratulate the First Peoples' Assembly of Victoria on beginning treaty negotiations last week. What an incredibly powerful and long overdue moment this is not only for our state but for the entire country, and we invite the coalition to get back on board to support treaty. Treaty should be something that goes beyond party politics. It should be something that we can all get behind. It is something that will enable us to use the incredible knowledge that we have in our First Nations communities to the benefit of all Victorians. I will benefit, my kids will benefit, our entire Victorian community will benefit if we can all get on board the treaty process and support it. I am really honoured to be speaking next week at a treaty forum with the First Peoples' Assembly co-chairs Ngarra Murray and Rueben Berg. At Trades Hall we will be bringing together our local community to talk about what treaty means and make sure that everyone in my electorate and my community knows what treaty means and how powerful it can be and how they can be good allies and jump on board to support the treaty process – what it means for traditional owners, what it means for First Nations communities, what kinds of treaties we can expect to see, what kinds of timelines we can expect to see and why treaty will benefit all Victorians not just now but into the future.

We support this bill. We hope it is just one of many bills that will come before us accepting the Yoorrook Justice Commission's recommendations and not just cherrypicking the ones that seem politically easy at the time but actually implementing even the ones that are more difficult, because they are potentially the ones that will have the most impact. We know that in this state we are leading on treaty and we can lead on the other elements that our First Nations communities are telling us are needed for true justice for our First Nations communities, and we do not want this state to fail at this historic opportunity. We have an incredible opportunity right now, and I hope we take it with both hands and really make sure that our First Nations communities are getting what they tell us they need for a brighter future.

Eden FOSTER (Mulgrave) (12:27): Before I start I would like to acknowledge the traditional owners and custodians of the land on which this Parliament stands, the Wurundjeri Woi Wurrung people of the Kulin nation. I would also like to acknowledge the Bunurong people, who have looked after the lands that make up the electorate of Mulgrave for tens of thousands of years, and I pay my respects to elders and ancestors, elders from all Victorian First Peoples and any elders and other Aboriginal people who join us here today.

Victoria's First Peoples maintain that their sovereignty has never been ceded. The Victorian government is committed to true reconciliation, truth telling and treaty with First Peoples, and with that in mind I stand in support of the Inquiries Amendment (Yoorrook Justice Commission Records and Other Matters) Bill 2024. It is quite shameful to hear those opposite objecting to this bill and some of the comments that have been made. The comments themselves are quite divisive. Even though some may say this bill is divisive, it is not; it is actually bringing together our community. It is closing the gap by listening to our First Nations people. Those on the other side perhaps do not understand that; they do not see that. We on this side of the chamber do. We understand, we are listening, we are paying attention and we are doing something about it.

The Yoorrook Justice Commission is the first formal truth-telling process in Australia to address the historical and ongoing injustices experienced by Victorian First Peoples. As Reconciliation Australia so powerfully stated:

Truth-telling enables a fuller and more accurate account of Australia's history to recognise the strength and contribution of Aboriginal and Torres Strait Islander peoples. It acknowledges the historical silencing of injustices and ongoing impacts of colonisation on First Nations people. Truth-telling is fundamental to advancing reconciliation.

We do not put our hands on our ears, we listen. Unlike those on the other side, who perhaps want to ignore the recommendations, we listen. Established through an agreement between the First Peoples' Assembly of Victoria and the state government in 2021, the commission remains independent of both, ensuring its integrity and impartiality. Ministers from the Allan government, including our Premier, have participated in the hearings, with our Premier making history as the first state leader to appear at an Indigenous-led truth inquiry. The commission has already released two interim reports, *Yoorrook with Purpose* in 2022 and *Yoorrook for Justice* in 2023, and will deliver a third interim report, along with a final report, by June 2025. The final report will include an official public record documenting the experiences of First Peoples from colonisation to the present day, marking a significant step in our journey toward justice, healing and reconciliation.

This legislation amends the Inquiries Act 2014 and the Public Records Act 1973 to ensure the Yoorrook Justice Commission can effectively uphold Indigenous data sovereignty principles as outlined in its letters patent, particularly regarding First People's evidence. It empowers the commission to issue orders that restrict or close access to certain records authorised by First People's once the commission ceases to exist, with these orders lasting for up to 99 years. Additionally, the Freedom of Information Act 1982 will not apply to records subject to such closure or restriction orders. The legislation also makes minor amendments to the Inquiries Act to clarify the treatment of records from royal commissions, boards of inquiry or formal reviews once they have concluded. In line with current practices, these changes are essential to safeguarding the privacy and sovereignty of Indigenous data while ensuring transparency and accountability in the handling of sensitive records. I might add that it should be up to Aboriginal people to decide what happens to their sensitive information. People have gone through trauma, and there is transgenerational trauma. It continues, and if we do nothing about it, it will just continue.

This is about closing the gap. Those on the other side do not believe it is so, but what we are doing on this side is about closing the gap and empowering our Indigenous brothers and sisters. It is about listening to them. It is not about being selective with who we listen to. We are basing this on people who were elected – 33 elected Aboriginal representatives. We are hearing them. The First Peoples' Assembly – we are hearing them. We are listening to what they need and what they want, and we are taking action; we are doing something about it.

As I have been saying, we have been listening to many Indigenous people in our community. Consultation with our Indigenous brothers and sisters is an essential part of creating this legislation in a respectful way, in an inclusive way and in an effective way. There is no point in creating legislation that empowers First Nations Victorians without working collaboratively with our First Nations communities, and this is what we are doing. In the development of this bill the government has worked closely with the Yoorrook Justice Commission to ensure that it meets the expectations of both the commission and First Peoples. Additionally, the commission has consulted with First Peoples community members to gather their insights, ensuring their preferences were considered throughout the process.

Furthermore, the draft bill was shared with the Office of the Victorian Information Commissioner and the First Peoples' Assembly of Victoria to gather their feedback. All of these key stakeholders are supportive of this bill, reflecting a collaborative approach that strengthens the integrity and impact of this bill. From a psychological perspective, I might add, as a clinical psychologist, thinking about our Indigenous brothers and sisters and talking about past abuses and past injustices, for that to be released without their consent is potentially retraumatising. This bill ensures that that is protected and that they have a choice whether they want to disclose this information and make it public or whether they want to restrict it or keep it confidential.

I do not think it is much to ask from the other side to support this bill. It is a significant shame. I am surprised to not hear from any Liberal members of Parliament on this bill. I can see the member for Brighton is in the chamber, and I am hoping that maybe he will speak on this.

James Newbury interjected.

Eden FOSTER: Through the Chair, we do love to hear the member for Brighton, and it would be great to hear his thoughts on this bill.

Members interjecting.

Eden FOSTER: The member for Mornington is in here too – it would be great to hear from him. It would be wonderful. The member for Narracan is here too. I am wondering if he will speak on the bill.

Members interjecting.

Eden FOSTER: We on this side are very proud of this bill. I know I certainly am. I would like to hear from those across the chamber, particularly the Liberal members, on this bill and why they are opposing it. I would like to hear them, because I am sure their community would like to hear their views on this bill and why they are blocking it. I have still got a minute to go, so I –

James Newbury interjected.

Eden FOSTER: Through you, Chair, I would like to thank the member for Brighton for giving me a little bit of a reprieve. I might conclude there, but I would like to finish my contribution today by saying that I am incredibly supportive of the government's record when it comes to our Indigenous brothers and sisters and in particular today's bill. I am supportive of what the government has presented to this place. I hope that this bill will help lead us towards true reconciliation with our First Nations Victorians, and I commend the bill to the house.

Nina TAYLOR (Albert Park) (12:37): I too acknowledge the traditional owners of the land on which we are gathering, specifically here the Wurundjeri Woi Wurrung people. But I will also acknowledge the Bunurong people of the Kulin nation, because both transcend my seat. I acknowledge their strength, resilience and continued connection to their country, skies and waterways.

As a government we are committed to truth, reconciliation, truth-telling, treaty and First Peoples. There are some really fundamental tenets here that must be transacted as part of this discussion. I contend that. The first is this can only occur by empowering and supporting Aboriginal people through self-determination. The Allan Labor government knows that true reconciliation begins with self-determination. This is a fundamental tenet and thrust of the legislation before us concerning the terms under which the important evidence that was provided before the Yoorrook Justice Commission is to be handled for very good reasons, contrary to what has been asserted by the opposition, who are alleging that this is all about driving division and, dare I say, inequality in community – it is nothing of the sort. That is a manipulative trajectory to undertake when discussing a bill of this delicate and fundamental and protective nature for good reason – not bad.

They are inferring somehow that it is going to drive division and injustice in our community. Well, let me tell you, back when I was in law school we looked historically to the legislation which was in place – I do not remember the actual act, so I am going to have to speak very broadly, but I am happy to provide it for Hansard after – and it talked about the caste system and people who were quarter-caste, half-caste, three-quarter caste and the various divisive and inappropriate and fundamentally discriminatory ways in which Aboriginal and Torres Strait Islander people were treated in this country. It was nauseating to think that that was actually legislated, and that people actually passed that bill at one point or another in our great state of Victoria.

Further still – and I do not wish to go to specifics because obviously the whole point of the truth-telling and the Yoorrook Justice Commission was for Aboriginal people to tell their stories themselves – I do remember that there were incidents where there were Aboriginal children who were palmed off to various – can I say landowners? I am trying to describe farming land; I will just have to put it very broadly in those terms. They were used for domestic labour. They were not educated, and then, heaven

forbid, children resulted. And let me tell you, these were not consensual arrangements. So if we are wondering why we are having to have these kinds of very sound and just protections put in place in this Parliament, it is because we have a very ugly and unequal history in this country, hence the imperative for the drive towards treaty and fairness and truth-telling. So spare me the rhetoric about us driving division in the community when we are transacting a bill that is all about fostering self-determination.

We know that with the Yoorrook Justice Commission many of the stories – perhaps most of the stories – were often extremely harrowing. I do not know – if you put yourself in the position of those who had to share the most painful details, would you necessarily want everybody in the community and beyond to be able to see all those details of all that you have suffered? Well, I would like to respect the decision of those who reflected and who shared those harrowing stories that they have some right to be able to determine whether they want those particular records to be shared publicly or otherwise, because isn't fundamentally the purpose of these reforms to heal? It is to heal our nation and to walk forward together. It is not about finger-pointing and it is not about driving discrimination further. It is the contrary; it is about healing. But we know that unless we acknowledge the many sins of the past – that are, frankly, I have to say, embarrassing at the softer end of the scale. They are truly horrifying. I feel a sense of shame, even though I know it is in times gone by – actually, not times gone by. I have to say, there are still inequalities that are being perpetuated as we speak, and we fully acknowledge that, hence the imperative to stand together. I would like this to be a joint Parliament with this particular bill so that we can progress the reforms that are just and fair and all about honouring – what is that principle? – self-determination.

Coming back to the core elements of this legislation, a fundamental principle of the inquiry has been that First Peoples must be able to engage with the truth-telling process on their own self-determined terms. If we do not honour that, we are not going to move forward one inch. That is a fundamental tenet of progressing as a community. We knew from other inquiries, particularly the Royal Commission into Aboriginal Deaths in Custody and *Bringing Them Home*, how challenging it is for First Peoples to tell their truths. Just think about that. Think about the courage that it has taken for them to come forward and be able to share those harrowing tales. Absolutely horrific, but good – I must commend the courage that they have shown to be able to bare their souls in front of other people. Putting myself in that situation, would I have the courage to do that? I do not know. I really do not know, and I really admire them for what they have done. It truly shows immense compassion on their part that they have been able to find it in their hearts to work together with the whole, for all of us to work together and to progress forward on the treaty process. That is truly extraordinary.

Many of the stories that have been shared by First Peoples before Yoorrook have never been heard in such public forums before, so when we are thinking about the delicate nature of the information that is being shared, I do think there should be some sensitivity and respect. This is about respect. Fundamentally, at the end of the day, that is what this is about. We know that the Yoorrook Justice Commission has defined Indigenous data sovereignty as:

The right of Indigenous Peoples to own, control, access and possess data that derive from them, and which pertain to their members, knowledge systems, customs, resources or territories.

And the commission is required under its letters patent to uphold Indigenous data sovereignty principles by:

accommodating to the extent possible First Peoples' choices in how they wish to participate, including their rights to free, prior and informed consent at all stages of participation.

We must respect this. That has been a premise of this proceeding in the first place, so if we were to undermine that at this critical point, then we have actually fundamentally obstructed the whole point

of and process for proceeding on this truth-telling in the first place. Secondly, the commission does so by:

upholding the sovereignty of First Peoples over their knowledge and stories by consulting with them on how the information they provide should be treated and ensuring adequate information and data protection.

That is not too much to ask. It is a very reasonable request, and I am deeply disappointed that the opposition have taken the very unfortunate and rather tragic pathway of using this as a way of arming up that old racist divide. It is a low blow, it is stooping and it is not helping us all to move forward to be more united and empowered into the future.

As a result of this extensive engagement the commission has sought legislative change – we are listening to the commission – so that those choices are upheld by the state of Victoria once the commission ends on 30 June 2025. The bill relates to the treatment of records created by First Peoples and submitted to Yoorook after the commission winds up, just to be absolutely transparent about what it is we are discussing here today. It is about the representation of all Aboriginal people across the state. It is not one organisation over another. This is about empowering our Aboriginal people in this state, our First Nations people, to be on that path to self-determination. We must respect that. This is a great opportunity to do so. Let us work together and achieve some really positive and much-needed outcomes for our wonderful state of Victoria.

Paul HAMER (Box Hill) (12:47): I was just waiting because I know that the Liberals have not had an opportunity to speak on this bill. I know it is the tradition of the Parliament to make sure that every party, every representative, does have the chance to speak on a bill, so I did want to give them ample opportunity to speak on this bill. I did not want to jump too early and get into my contribution.

John Mullahy interjected.

Paul HAMER: Well, member for Glen Waverley, we will see if they put themselves on the record. I will be interested to see whether the member for Brighton, the member for Hawthorn and particularly the member for Kew will come out and support this bill, because we want to see –

Emma Kealy: On a point of order, Acting Speaker – I think you know where I will be heading with this – the member has been speaking for a minute now and is yet to actually enter into the debate on the bill. I ask you to bring him to debating matters rather than just attacking the opposition.

Lauren Kathage: On the point of order, Acting Speaker, the member has been speaking about – similarly to those opposite – unity, and everyone having the chance to speak, and I believe he is creating opportunity for those opposite. So I believe it is relevant to the bill, because he is simply pointing out that we all want to be unified in speaking on this bill and not missing in action.

The ACTING SPEAKER (Juliana Addison): I will rule on the point of order. Yes, that has been noted, but I would now like to hear you speak on the bill, thank you, member for Box Hill.

Paul HAMER: With pleasure, Acting Speaker. I want to speak on this bill because it is a very important bill, and I want to actually first pay tribute to the member for Geelong, who made a really heartfelt contribution. I was in the chamber listening to the member for Ovens Valley deliver his opening remarks, and the member for Geelong was also in the chamber at the time, and I just want to say sorry. I want to apologise that the member for Geelong had to sit through what the member for Ovens Valley said, which I think showed a complete lack of respect for the member for Geelong and particularly the Indigenous community that she –

Emma Kealy: On a point of order, Acting Speaker, the member is reflecting on members of this side of the chamber who are not currently present. I ask you to again bring the person back to the bill, as was your previously ruling. It is not a time to attack the opposition.

The ACTING SPEAKER (Juliana Addison): Members on their feet are allowed to refer to other people who have contributed to the debate as long as it is relevant, and it is relevant.

Paul HAMER: As I was saying, I do want to pay tribute to the member for Geelong and her very long journey and commitment to Indigenous reconciliation for many, many years.

This bill is an important bill, and it is important not only that the Parliament debate it but that the Parliament actually approve the bill and pass it. In Victoria we are very lucky that we have the structures in place to really support the Indigenous community and create a framework that the majority of the Indigenous community actually want, and that is through the First Peoples' Assembly, that is through the establishment of the treaty process and that is through the establishment of a truth-telling commission, which is the Yoorrook Justice Commission. We have seen particularly in the Yoorrook Justice Commission through the hearings that have been held over the last couple of years just how terrible the history of Indigenous people has been in this state. I think back to my school education and how little we really learned and how little we really knew about the confrontation that existed between the colonisers and the Indigenous population at the time.

I think some of the particularly moving tributes that I can remember from the commission were from the descendants of the Henty family down in the south-west of our state reflecting on some of the incidents that occurred, particularly in that first contact that occurred almost 200 years ago when that family came into Victoria. It is really important for the community, as an education exercise, that we actually learn and understand what happened in this history, but it is also really important for the community to be able to hear that from not necessarily those who actually committed some of the acts but those descendants, people who had direct links to those groups, to actually recognise that there were wrongs done. I think that the reason that the truth-telling commission was introduced was to allow for that power of speech and power of truth to come forward.

We have seen that in other countries as well, like in South Africa after the end of apartheid, which had a truth and reconciliation commission come forward without repercussions. It was not about having criminal prosecutions, it was about getting the record straight on what happened through those years. That is why it is really, really important that we do have a truth-telling commission that can go through incident by incident so that all the families can have as much closure as possible and know that their stories have been recorded.

This is really where this bill comes in. The changes that are proposed in this bill are to provide for the commission to make orders to close or restrict access to certain records once the commission ceases to exist and to amend the Public Records Act 1973 to give effect to the orders made by the Yoorrook Justice Commission to close or restrict access to certain records.

In the context of what we are talking about there are some extremely sensitive matters. Often they will be talking about people potentially who have been long deceased, but there might be also people who are living now and then obviously in time will pass on. Both from a cultural sensitivity point of view but also in terms of acknowledging the challenging nature of the work that the commission is hearing, I think it is entirely appropriate that the commission has these powers to restrict access to certain records. The most important element of the commission is actually about enabling this process to occur and enabling the voices to be heard, as I said, sometimes for the very first time. Those records in the future need to be handled sensitively and appropriately, and the handling of these records post the commission is something that has come out from a recommendation from the First Peoples themselves. If we are going to be serious about listening to the voices of the Indigenous community, then we have to be respecting their wishes in matters such as these.

That is why, to get back to the point at the start of my contribution, I think it is very disappointing that we are seeing the opposition, the Liberal Party and the National Party, opposing this piece of legislation. We come from a time when in the last term of Parliament the treaty bill was set up in the Parliament and we had one lone voice opposing that piece of legislation to the point that we could not even get a division, because there was only one voice. Now we are going to have 28, 29 – however many there are – voices opposing a simple legislative change that is putting into effect what the Indigenous community want. I strongly commend the bill to the house.

Tim RICHARDSON (Mordialloc) (12:57): It is a pleasure to rise in the short time I have got on the Inquiries Amendment (Yoorrook Justice Commission Records and Other Matters) Bill 2024. I too want to start by acknowledging the traditional owners of the land on which we meet today, the Wurundjeri people, and paying my profound respect to elders past and present and to those that have courageously fronted up to the Yoorrook Justice Commission in the full knowledge and understanding that the journey towards truth-telling is one of huge intergenerational trauma and impact.

The retraumatisation of bringing forward that evidence and the lack of compassion that we see in this not being a bipartisan supported bill caught me off guard in prepping for this bill. I actually was surprised that the opposition were opposed. But I was not quite sure then, or surprised, given their conduct, where basically division, destruction and the undermining of a range of communities has become their modus operandi. Where there is an opportunity post the Voice to try to stir division and undermine our process towards treaty, which we have taken to the Victorian people and which we are on the pathway towards – that opportunity opened up.

As much as the Nationals are opposed, do the Liberal Party in their coalition actually have any heavy lifting or weight or policy basis at all? The Nationals have been carrying this party through their coalition for an extended period. At least they had a policy position that was articulated. Some of it was egregious and offensive, but at least they came in here and actually fronted up on behalf of their constituents. What we see here is the cowardice of the Liberal Party once again, saying one thing from one end, where you have got the member for Kew, who in her leadership stands up and supports a Voice and supports elements of our pathway towards treaty, all the way through to the member for Ovens Valley, which was an extraordinary contribution and reflection as well. This is not what Victorians need in leadership. Once again we have the archaic structures telling First Nations people what is good for them rather than listening to what they need as part of the Yoorrook justice process. That is probably time for lunch there, Acting Speaker.

The ACTING SPEAKER (Juliana Addison): I thank the member for Mordialloc for his guidance, and I do suspend the proceedings of the house for lunch.

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

Business interrupted under sessional orders.

The SPEAKER: I acknowledge in the gallery today the Honourable Alan Brown AM, former member for Gippsland West and for Western Port. I also acknowledge in the gallery the Greek Ambassador to Australia His Excellency Stavros Venizelos and the Greek Consul General based in Melbourne Mr Emmanuel Kakavelakis.

Questions without notice and ministers statements

School road safety

John PESUTTO (Hawthorn – Leader of the Opposition) (14:03): My question is to the Premier. Last week I visited Epsom Primary School, located in the Premier's electorate. In 2000 the now Premier flagged traffic safety issues at Epsom Primary. Twenty-four years later the Premier has done nothing to fix the issue. In that time three students have been hit by vehicles, and it is only a matter of time until there is a fatality. Why is the Premier putting the Suburban Rail Loop ahead of the safety of schoolchildren in her community?

Members interjecting.

The SPEAKER: I will not tolerate this level of noise in the chamber. Members on their feet will be heard in silence. Members will be ejected without warning.

Jacinta ALLAN (Bendigo East – Premier) (14:04): I am so delighted to have a question from the Leader of the Opposition about the great, strong, proud Epsom community that I am so proud to represent in this place. The Leader of the Opposition referenced discussions I have been having with

that school community during the entire time I have been a member of Parliament. Of course when the Leader of the Opposition –

David Southwick interjected.

Jacinta ALLAN: Hang on a minute, Deputy Leader. The deputy leader is interjecting that we have done nothing. Let me make this very clear: when the Leader of the Opposition visited –

Members interjecting.

Jacinta ALLAN: Settle down. When the Leader of the Opposition visited Epsom Primary School he was visiting a brand new school. I was so incredibly proud to have worked incredibly hard with the former education minister James Merlino to secure the planning, the funding and the delivery of this outstanding new school, and during my time –

Members interjecting.

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

Member for Bentleigh withdrew from chamber.

John Pesutto: On a point of order, Speaker, on relevance, the question was about traffic safety.

Mary-Anne Thomas: On the point of order, Speaker, I was listening carefully to the Leader of the Opposition. It was very clear to me that the question was about Epsom Primary School, which the Premier knows very well, having represented that area now for some 25 years and delivered a brand new school.

Members interjecting.

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

Member for Pakenham withdrew from chamber.

James Newbury: Further to the point of order, Speaker, the question was specifically around safety of children at the school after 24 years of inaction, and I would ask the Premier to deal with that specific question.

Ben Carroll: On the point of order, Speaker, *Rulings from the Chair*, page 155:

Answer relevant if related to question's preamble. If a question comes with a preamble, that preamble does form part of the question and the answer can be relevant to the question by being relevant to the preamble.

Hansard, 2007, Speaker Lindell.

The SPEAKER: The Premier was being relevant, but I do remind the Premier about the specific question.

Jacinta ALLAN: I am absolutely coming to that point because of course I visit Epsom Primary School on many, many occasions. Being the proud local member of this great local government school, I visit there regularly during the year. It is a polling booth on election day as well. I visit the school many, many times, and over the last 25 years I have been proud to represent this community.

Members interjecting.

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

Member for Nepean withdrew from chamber.

Jacinta ALLAN: This is a school community that has grown considerably. We have invested in a new school building, and we have also been working with the local government and the federal government and with the department of transport on how we make local road network improvements to support this great, growing school community.

I do not want to make an assumption about the Leader of the Opposition and how he travelled to the school, but let us assume, for example, he would have gone straight through the centre of Bendigo and up Napier Street, which of course has had a significant upgrade, a duplication, thanks to the work of a Labor government and a strong local Labor member, might I say.

James Newbury: On a point of order, Speaker, on relevance, 2½ minutes into the answer the Premier has not yet spoken about safety of children around the school.

The SPEAKER: The Premier was being relevant. The Premier needs to be reminded also, before the Premier continues, about the specific question.

Jacinta ALLAN: Absolutely, but of course context is important. As the Leader of the Opposition would know, context is important. This is a growing school community, and over that time I have worked with the local government to get traffic light works reconfigured on that road, alongside the department of transport. Right now we are doing detailed planning work with the support of \$600,000.

Members interjecting.

Jacinta ALLAN: Ask me all day, every day about my community.

Members interjecting.

The SPEAKER: The member for Narre Warren North can leave the chamber for half an hour.

Member for Narre Warren North withdrew from chamber.

John PESUTTO (Hawthorn – Leader of the Opposition) (14:10): As a result of Bendigo council cutting six school crossing supervisors and calling on the state government to fund them as they are on state government roads, the member for Bendigo West told the *Bendigo Advertiser* recently she is ‘open to a conversation’ about what the state government will and will not fund, including school crossing supervisors. Will the government take over funding school crossing supervisors on state government roads, or will Bendigo schoolchildren be left to cross busy state roads alone?

Members interjecting.

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

Member for Tarneit withdrew from chamber.

Jacinta ALLAN (Bendigo East – Premier) (14:11): It appears I may have to provide some briefing advice to the Leader of the Opposition, because of course state government and local government already jointly fund school crossings. You know what, I would absolutely be delighted to continue to have a conversation with the great, strong City of Greater Bendigo about how we continue to put investment into the great, strong City of Greater Bendigo, whether it is into our schools or into our road networks or into our big beautiful new Bendigo hospital. I will continue to work hard every single day for my community, and I hope the Leader of the Opposition asks me a question in this place every single day about the great community of Bendigo and the community of Bendigo East that I represent.

Ministers statements: train and tram manufacture

Gabrielle WILLIAMS (Dandenong – Minister for Government Services, Minister for Consumer Affairs, Minister for Public and Active Transport) (14:12): On this side of the house we like to invest in locally made rolling stock and local jobs. Our record-breaking investment in new trains and trams for Victorians speaks for itself. Just last week I had the privilege of joining workers at the Alstom factory in Dandenong to celebrate its 70 years of rolling stock manufacturing at that site. The Dandenong factory, along of course with the Ballarat workshops, is at the heart of Victoria’s local train and tram manufacturing program. Dandenong’s legacy stretches from the old Harris cars to the Comeng fleet and the A-, B-, E- and Z-class trams, not to mention the VLocity and the X’tropolis 2.0 trains, which are being shared with the Ballarat workshop.

Our government's \$9 billion pipeline of investment in rolling stock since 2014 has supported more than 10,000 local jobs, and just this month the workers at Dandenong have started major works on 100 new next-generation G-class trams – low floor, high capacity and with 65 per cent local content. They have also just finished work on the newest VLocity train for our regional network, the 65th VLocity we have delivered since coming to government, boosting reliability and accessibility for our V/Line passengers.

But I am reliably informed that there was a time in the 70-year history of the Alstom Dandenong site when production lines stopped. It was the late 1990s; it was a Jeff Kennett Liberal government. And the fact is that no orders means no jobs. They did not learn, because under the Baillieu–Napthine governments orders again started to dry up – the same lack of certainty for workers and the supply chain. It is no surprise that the member for Bulleen does not understand what a dedicated train fleet is. He cannot find an order book either.

Suburban Rail Loop

David SOUTHWICK (Caulfield) (14:14): My question is to the Premier. Senior Labor ministers and MPs have leaked their frustrations and concerns about the Suburban Rail Loop East. One Labor MP told the media that the main gripe was that it was sucking out all of the state budget funding. Why is the Premier committing billions of dollars to the Suburban Rail Loop East when even her own Labor colleagues think that this is a project that Victoria cannot afford?

Jacinta ALLAN (Bendigo East – Premier) (14:15): I thank the Deputy Leader of the Liberal Party for the opportunity to once again answer his question about: why are we delivering the Suburban Rail Loop? Because it is the project that Victorians need; it is the project that Victorians want. I remind the Deputy Leader of the Opposition that this is a question put to the Victorian community at the last two state elections, and that choice was made very, very clear at the last two state elections. You could vote for a Labor government and vote for the Suburban Rail Loop, or you could vote for those who oppose the Suburban Rail Loop. Victorians chose the Suburban Rail Loop. Victorians –

Members interjecting.

Jacinta ALLAN: Settle down. He is very excitable today. Are you okay? There was a very clear choice and we were presented with the community saying, 'Get on and deliver this project,' and that is exactly what we are doing. We are getting on and delivering the Suburban Rail Loop, alongside the delivery of six new station locations and the delivery of a train line to Monash University, Australia's largest university without a train line, something that has been talked about for decades. The Suburban Rail Loop East will deliver a train line to Monash University, and Monash University just last week reinforced their support for this project because they understand the importance of having their university connected to the train network, just like Victorians do.

Members interjecting.

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

Member for Geelong withdrew from chamber.

The SPEAKER: At this rate there will be no-one left in the chamber by the end of question time.

David Southwick: Speaker, my point of order is on relevance. Why is the Premier ignoring her backbench, who clearly say this is a project that Victorians cannot afford.

The SPEAKER: The Premier was being relevant, but I do remind the Premier of the original question.

Jacinta ALLAN: Perhaps the Deputy Leader of the Opposition was too busy interjecting and missed that I said directly: why are we getting on and delivering the Suburban Rail Loop? Because Victorians want us and need us to get on and deliver the Suburban Rail Loop project. As I was saying,

not only is this a vitally important transport project, it is Australia's largest housing project, as we have the opportunity –

John Pesutto interjected.

The SPEAKER: Leader of the Opposition, I ask you to cease interjecting across the table. It is becoming a little tiresome.

Jacinta ALLAN: It is Australia's largest housing project, providing the space for 70,000 more homes –

David Southwick: On a point of order, Speaker, on relevance, again the Premier is ignoring the earlier ruling. This has got nothing to do with housing. There was no mention of housing in the question. This is about the Premier ignoring her backbench.

The SPEAKER: Order! A point of order is not an opportunity to make a statement to the house, nor is it an opportunity to repeat the question. The Premier was being relevant, but I again remind the Premier about the question. I cannot compel the Premier how to answer a question.

Jacinta ALLAN: For the third time, for the benefit of the Deputy Leader of the Opposition, the answer to why we are building the Suburban Rail Loop is because Victorians want and need us to get on and deliver the Suburban Rail Loop and deliver the 70,000 more homes, deliver the train line to Monash University and to Deakin University in Burwood and deliver the vital connections that Victorians deserve to have.

David SOUTHWICK (Caulfield) (14:20): According to Labor MPs, at a caucus meeting earlier this month in the face of objections from some of her colleagues, which have now leaked, the Premier doubled down on the Suburban Rail Loop East and demanded these MPs get on board. Why is the Premier stubbornly proceeding with the Suburban Rail Loop when even her own colleagues do not support it?

Mary-Anne Thomas: On a point of order, Speaker, the question raised by the Deputy Leader of the Opposition is purely hypothetical. It is based on gossip and has no foundation in fact, and I ask that you rule it out of order.

James Newbury: On the point of order, Speaker, the question is specifically: why is the Premier stubbornly proceeding with the Suburban Rail Loop when even her colleagues do not support it? That is a very clear question. I am sure the Premier can answer it.

The SPEAKER: The supplementary question relates to the first question. I will allow the question. I will allow the Premier to answer.

Jacinta ALLAN (Bendigo East – Premier) (14:21): I did say earlier to the Leader of the Opposition that he could ask me all day, every day about my electorate. I will correct myself. You can also ask me all day, every day about the Suburban Rail Loop, because this is such a vitally important project. And for the fourth time across both the supplementary and the substantive question, the answer to why we are getting on and delivering the Suburban Rail Loop, Deputy Leader of the Opposition, is that it is the project that Victorians need and want. Melbourne is already the nation's biggest city; Monash University is the nation's largest university. It needs a train line. Do you know why it needs a train line? Because those students who want to study the course of their dreams from across the state need to have the option of being able to get there on a train, because that enables them to achieve their dreams and hopes, and that is what the Suburban Rail Loop delivers.

Ministers statements: Suburban Rail Loop

Danny PEARSON (Essendon – Minister for Transport Infrastructure, Minister for the Suburban Rail Loop, Assistant Treasurer, Minister for WorkSafe and the TAC) (14:23): The Suburban Rail Loop is going full steam ahead because on this side of the house we are focused on securing

Melbourne's future. We cannot just let growth happen by accident. Failing to plan for growth means more expensive homes further away from families and jobs. It means more traffic and it means more time commuting instead of being with your loved ones – or, on this side of the house, with your caucus colleagues. Those opposite are trying to say now is not the right time for the Suburban Rail Loop, but we know we have to put the work in now in order to secure our future. And we know the Suburban Rail Loop will forever change Melbourne for the better – how we move, how we work, how we study and the communities we live in. The Suburban Rail Loop will unlock 70,000 new homes in the first stage alone, built on the doorstep of world-class public transport, with local jobs, services and open spaces nearby. Victorians know that now is the right time to deliver the Suburban Rail Loop, because without it we will only move backwards.

On this side of the house we have a positive, united vision for Melbourne's future, while those opposite are not even united in their criticism. Every time the wind changes they are flipping between calling for the project to be cancelled, then scrapped, then paused, then cancelled again, and that is exactly how they acted during their four wasted years in government – allergic to hard work and scared of making a decision. They always look for the easy way out. They never delivered a major project in their four wasted years in office.

James Newbury: On a point of order, Speaker, may I again refer you to Speaker Brooks's ruling that a ministers statement is not an opportunity –

Jacinta Allan interjected.

James Newbury: It was a fine ruling, Premier.

The SPEAKER: Through the Chair.

James Newbury: Sorry, Speaker. It is inappropriate for a minister to use a ministers statement to attack the opposition.

The SPEAKER: I ask the minister to come back to his statement and to be mindful of not attacking the current opposition.

Danny PEARSON: Certainly, Speaker. The last time the Liberal Party delivered a major project here in Victoria Carlton could field a premiership side. That is how long ago it was. They have blocked every major project we have delivered. We are not blockers, we are builders.

James Newbury: On a point of order, Speaker, the minister is reading from a speech. I would ask him to table it.

The SPEAKER: Is the minister reading from a speech? He is referring to notes.

Danny PEARSON: We are not wasting a day. We are builders, we are not blockers and Victorians know that under the Allan Labor government there is better housing and better transport infrastructure. It is a project that Victorians have voted for.

VCE exams

Jess WILSON (Kew) (14:26): My question is to the Premier. The Minister for Education knew over a month ago that questions for dozens of VCE exams had been negligently released to the public. He failed to be honest with students, teachers and parents, choosing to cover up the debacle. He failed to ensure that each compromised exam was completely rewritten so that no student would be at a disadvantage. He completely failed Victorian students. With at least 56 VCE exams compromised, why has the government put the future of Victorian students at risk?

The SPEAKER: I call the Minister for Education.

Ben Carroll: I think it was to the Premier.

The SPEAKER: Oh, was it? Sorry. I call the Premier.

Jacinta ALLAN (Bendigo East – Premier) (14:27): I can understand the misunderstanding, Speaker. I reject much of the presentation –

Members interjecting.

Jacinta ALLAN: Well, all then – all. I am happy to reject the way the shadow minister for private schools in Kew has represented this situation.

James Newbury: On a point of order, Speaker, under standing order 118 it is completely disorderly for the Premier to nastily impugn other members.

The SPEAKER: I remind the Premier about imputations against other members.

Jacinta ALLAN: As the Deputy Premier and Minister for Education has gone to publicly on a number of occasions, as have I, the government and the minister and I all acknowledge that students have been let down as a result of these errors from the VCAA. It is unacceptable, and that is why I strongly support the very strong action that the Deputy Premier and Minister for Education has taken. A root-and-branch review of the VCAA is already underway. There is also an independent monitor that is being appointed to oversee the 2025 examination process. Also the Deputy Premier has moved very quickly following the departure of the former CEO to appoint respected education industry leader Dr Marcia Devlin to lead the organisation, supported by an independent expert review panel that includes Professor John Firth. Anyone who has been around the education community for the last two or three decades knows what a strong and respected independent person John Firth is, and he is going to work with two other panel members to oversight the marking process for the 2024 process. As I have said, the root-and-branch review is already underway. The independent panel are doing their work. We thank them for their work. We also, I reiterate, understand that students have been let down, and that is why the education minister and Deputy Premier has also been engaging –

John Pesutto interjected.

Jacinta ALLAN: I am sorry, Speaker. His colleague asked the question.

The SPEAKER: Order! The running commentary is unnecessary.

Jacinta ALLAN: It is running. The Deputy Premier and education minister has been working very closely with schools, principals and school leaders to support them, to explain what has gone on and to work through what needs to be done. That root-and-branch review is underway. The independent panel is doing their work. We will continue to support students, whether they are in year 12 or prep, with the support they need to get a great schooling.

Jess WILSON (Kew) (14:31): Given the education minister has let Victorian students down, has a record of incompetence and is now risking the futures of VCE students and their families, causing immense distress, will the Premier sack her education minister?

Jacinta ALLAN (Bendigo East – Premier) (14:31): The answer is no. Let me tell the member for Kew why the answer is no. She framed her question around the minister's record. Let me share this with the member for Kew and all members of the house: Victoria has the best school attendance rates in the country, the highest proportion of school leavers fully engaged in tertiary education –

John Pesutto: On a point of order, Speaker, on relevance, the question is about the incompetence of this minister, who has jeopardised the future of tens of thousands of Victorian students due to his incompetence. It is not about school buildings; it is not about the curriculum. It is about this minister's bumbling incompetence.

The SPEAKER: Order! I have reminded the Leader of the Opposition and others that points of order are not an opportunity to make a statement to the house.

Jacinta ALLAN: On the point of order, Speaker, I remind the Leader of the Opposition that the member for Kew's question went to the record of the minister, and I was providing the member for Kew with details of what the minister –

Members interjecting.

Jacinta ALLAN: Goodness me, Speaker. I think you had better do a welfare check. He is not well. Goodness me. Settle down. I was being entirely relevant to the question that was asked by the member for Kew. If the Leader of the Opposition wants to listen to the answer rather than constantly interjecting, he might see that I was being entirely relevant to the question that was asked.

The SPEAKER: The Premier was being relevant to the question that was asked.

Jacinta ALLAN: I was getting to the next point: the country's best NAPLAN results, the largest growth of school staff workforce in the country, the lowest student-to-teacher ratios of any state and overseeing a massive building program. And of course something I know the Minister for Education is particularly proud of is the introduction of phonics teaching into our schools. The Minister for Education is working hard every single day for every school student in this state, and that is why he is making a great impact on the education system.

Ministers statements: agriculture

Ros SPENCE (Kalkallo – Minister for Agriculture, Minister for Community Sport, Minister for Carers and Volunteers) (14:34): As Victorians we pride ourselves on the great food culture in our cities and in our regions, and that is built on the back of our strong agriculture sector, which is worth more than \$20 billion to our state's economy. We know that agriculture is the backbone of many rural and regional communities, directly generating over 150,000 Victorian jobs and indirectly generating nearly another 140,000 jobs through transport, retail and finance, and that is why the Allan Labor government invests in this sector, because we all rely upon its success.

The 2024–25 state budget is providing \$85.5 million to protect Victoria from biosecurity risks, ensuring that Victoria is equipped to minimise these risks and provide well-coordinated, effective responses to emergencies. We have seen this occur through our swift and effective response to the threat posed by avian influenza in May this year, with no further infected premises since June 2024.

We are supporting our farmers in south-western Victoria, who have been experiencing extended drought conditions. On 30 September this government announced a \$13.53 million package to support farming communities already affected by drought conditions in that area. I am very pleased to report that 369 applications have already been approved, an interim drought coordinator is in place and a technical decision-making support program and activities are being rolled out in the affected areas.

We are also committed to supporting the sustainable growth of a strong Victorian plantation industry. Already leading the nation, we are delivering a further \$145 million to expand our plantation industry, with over 1.1 million seedlings already in the ground. The Allan Labor government will always back rural and regional Victorians and our strong agriculture sector.

Middle East conflict

Gabrielle DE VIETRI (Richmond) (14:36): My question is for the Premier. Ranem Abu Izneid is a 20-year-old Australian dentistry student. She was studying in her university dormitory when the Israeli military fired through the window into her dormitory, leaving her permanently blind in one eye and with shrapnel in her chest, neck and skull. Ranem is now home in Victoria with her family, but her dream of becoming a dentist may never become a reality. Through the ICV, Ranem and her family have reached out to the Premier requesting a meeting, support and advocacy. Premier, will you respond to Ranem's request and meet with her family?

Jacinta ALLAN (Bendigo East – Premier) (14:37): I thank the member for Richmond for her question. The experience that this young woman had in the conflict in the Middle East and being badly

injured in the way she has been is deeply distressing for her, her family and her loved ones, which is why we have offered support through the local Palestinian community to this woman. As I am sure the member for Richmond could appreciate, I am not going to go into those personal details in the house.

In terms of the wider issues, this is why the war needs to end. It is why I have called for the war to end, because there are too many innocent people, as the member for Richmond has said, who want to pursue their dreams, their passions and their aspirations by travelling and working overseas, and they should be able to do so freely and safely. Not only is the ongoing conflict in the Middle East preventing that for so many, it is also causing a large and tragic loss of life. It is causing huge injury, and it is also causing deep distress to people around the globe, but particularly people in our local community who have family, friends and loved ones who are in the Middle East who are directly impacted by the conflict.

That is why my focus has been and will continue to be working with our local communities to provide them with the support they need. That will include meeting with organisations who represent those affected communities, be they Islamic, Jewish or any other cultural group that wishes to reach out in the spirit of keeping Victoria united. That is what is important here: working with local communities here to keep Victoria united and not let that conflict a long way away that is deeply distressing to us all bring conflict here. That is why we have reached out to provide that support through the local community here, and we will continue to take that approach, because that is the approach that we must all take to show love and care, regardless of race, religion, gender or any other characteristic. We should provide love and care and support for anyone who has been injured, hurt or impacted by this conflict.

Gabrielle DE VIETRI (Richmond) (14:39): I thank the Premier for her consideration and sensitivity, but I should let her know that I spoke with Ranem's father just 2 hours ago and they have not heard from anyone from the government, so it may need following up. The Premier would know of course that Ranem is not the first Australian victim of Israeli weapons. Her father told me that he hopes that she is the last. This is on top of the hundreds of thousands of people dead and dying in Palestine and Lebanon. I join the Premier in her desire for this to end. In light of that and to that end, will the Premier end the Victorian Labor government's partnership with Elbit, Israel's largest weapons manufacturer, whose drones, whose butterfly bullets, whose white phosphorus and whose cluster munitions have hurt and killed so many?

The SPEAKER: There is quite a lack of connection between the first question and the second question, member for Richmond. I will allow the question, but I remind members that the substantive question and the supplementary question must be closely connected.

Jacinta ALLAN (Bendigo East – Premier) (14:41): To assist, the thing that connects my answers to the substantive and supplementary questions is my determination and desire to do everything I can to keep Victoria united and to not cause division for base political purposes. On the question of the MOU that the member referred to, this is an MOU that has expired and the government has already indicated that it will not be continued.

Ellen Sandell: On a point of order, Speaker, on relevance, the Premier is referring to the MOU when the question actually referred to the partnership with Elbit Systems. They are two separate things, and I ask you to draw the Premier back to answering that substantive question on the Elbit Systems contracts.

The SPEAKER: The Premier was being relevant to the question. I remind the Premier of the question.

Jacinta ALLAN: I reiterate that what we should all be doing in this place is using this place as a platform. I remind the member for Richmond that we should be using this place as a platform to keep our community united, not to drive hatred, not to drive division and not to drive conflict – to keep

Victoria united – because that is what our community should demand from representatives in this place. We have the privilege to sit in this place; we should respect the community that put us here.

Ministers statements: economy

Tim PALLAS (Werribee – Treasurer, Minister for Industrial Relations, Minister for Economic Growth) (14:42): Some recent commentary in the media from some notorious blast from the past and by those opposite has focused on narratives that downplay Victoria’s economic resurgence. It is negative, it is nasty and it is mostly nonsense. The truth is that over the past 10 years our state has been the stand-out economy in the nation. We inherited a jobs crisis from those opposite, and in the decade since, Victoria has created 880,000 jobs, more than any other state. Victoria’s economy has outperformed all other states over the past decade, with daylight second.

Since Labor came to government in Victoria our economy has by far seen the strongest growth of any of the states, with gross state product growth at 27.4 per cent, streets ahead of the national average and half a percentage more than the average annual adjustment of the state of New South Wales. If Victoria had grown at the lower rate of New South Wales since this government came to power, our economy would have produced \$112 billion less over the decade. Over the past three years business investment has surged by over 30 per cent. That is the highest level as a share of Victoria’s overall economy on record. We have added more than 100,000 businesses since June 2020, the largest percentage growth of any state. Out of all the states, Victoria is the state where net debt to GSP will fall in the next four years – the only state in the federation that is doing that – and Victoria has been the primary subsidiser of the federation since Federation.

Members interjecting.

The SPEAKER: Order! The member for South-West Coast can leave the chamber for half an hour.

Member for South-West Coast withdrew from chamber.

Road maintenance

Danny O’BRIEN (Gippsland South) (14:45): My question is to the Minister for Roads and Road Safety. Last week the RACV told 774 Melbourne that Labor is wrong to continually blame the floods for the state of the roads and that the problem with the floods argument is:

[QUOTE AWAITING VERIFICATION]

We’re seeing potholes across metropolitan Melbourne as well as country roads, but it’s not just your back roads, it’s the Goulburn Valley Highway, it’s the Princes Freeway, it’s the Western Highway, but it’s St Kilda Road and it’s across Melbourne as well.

When will the government stop blaming the weather and fix our roads?

Melissa HORNE (Williamstown – Minister for Casino, Gaming and Liquor Regulation, Minister for Local Government, Minister for Ports and Freight, Minister for Roads and Road Safety) (14:46): Once again I thank the member for – oh, actually the new Leader of the Nationals. Congratulations. That is the first episode of the podcast *Take Me to Your Leader*. Can I just say I really, really welcome these questions because they give us an opportunity to reiterate again and again and again the \$964 million we are spending –

Members interjecting.

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

Member for Mildura withdrew from chamber.

Melissa HORNE: on our road network. Seventy per cent of this is going into regional roads, and then 30 per cent of this \$964 million is going into repairing, rehabilitating and resurfacing our roads across metropolitan Melbourne. We have got crews out there now working hard because now is road

maintenance season. It starts in October, it goes through until about May and we are getting about \$2.6 million out the door every single day to repair, rehabilitate, reseal –

Members interjecting.

Melissa HORNE: They are. They are out there now, those men and women, across Victoria.

Danny O'Brien: On a point of order, Speaker, the minister is debating the question. She is saying that the contractors are out there now, but PAEC was told last week that 15 contracts have not yet gone out at all.

The SPEAKER: I think you are referring to facts. I cannot determine the facts of a question or an answer.

Melissa HORNE: As you can appreciate, we do have contractors out there across all parts of the network that are, as I said, rehabilitating, resealing and resurfacing our road network.

Danny O'BRIEN (Gippsland South) (14:48): The RACV also said that:

[QUOTE AWAITING VERIFICATION]

The reality is there is just not enough money being spent to resurface and rehabilitate the road network.

Why is Labor prioritising funding for the Suburban Rail Loop ahead of fixing our road network?

Melissa HORNE (Williamstown – Minister for Casino, Gaming and Liquor Regulation, Minister for Local Government, Minister for Ports and Freight, Minister for Roads and Road Safety) (14:48): I think that the contributions from both the Premier and the Minister for Transport Infrastructure have more than adequately addressed this government's commitment to the Suburban Rail Loop. However, what I would say is that with our \$964 million, nearly \$1 billion, being spent on roads across the state, building on 10 years worth of sustained investment, we are rehabilitating, resurfacing and repaving our roads.

Members interjecting.

The SPEAKER: Member for Tarneit, how did you get back in the chamber? You can leave for an hour.

Member for Tarneit withdrew from chamber.

Ministers statements: employment

Jacinta ALLAN (Bendigo East – Premier) (14:50): The member for Tarneit was right: we do miss you, Walshie. It is only day 2, and we already miss you down here. Speaker, if you visited any regional community in Victoria today, you would find more Victorians in jobs than ever before in our state's history. There are also more women employed in Victoria than ever before across the state. More than 450,000 more Victorian women are in jobs than there were when there was a previous Liberal–National government in office.

Creating jobs, not cutting jobs, like we do and supporting jobs like we do on this side of the house is something that is so important to us. Others have an agenda that is all about cutting jobs. That agenda has already been announced, and that is the agenda of the Liberal Party. What we have is a focus on jobs. Let me share some examples of the stark difference between these two approaches. We in government – and we have just heard this from the Treasurer – have created more than 880,000 jobs in the last decade. That includes in the last year more jobs than any other state in the nation. In regional Victoria let us look at the contrast: different government, 10,000 jobs; our government, 150,000 jobs were created.

Members interjecting.

The SPEAKER: Order! Member for Kororoit, you are warned.

Luba Grigorovitch interjected.

The SPEAKER: No, I am not going to kick you out today, so stop trying.

Cindy McLeish: On a point of order, Speaker, the Premier needs to be factual. For seven months in a row Victoria has had the highest unemployment rate –

The SPEAKER: Order! There is no point of order. I cannot determine the facts or otherwise of an answer or a question.

Jacinta ALLAN: This demonstrates that when you invest in regional economies and in regional communities you are investing in every corner of the state. When you do not invest – when you cut services, close train lines, close country hospitals and close schools – you shut down jobs in those communities as well. We are investing in schools, in jobs and in roads right across the state.

Constituency questions

Caulfield electorate

David SOUTHWICK (Caulfield) (14:53): (930) My question is to the Minister for Public and Active Transport. Minister, when will you reconsider your decision to cancel the 604 and 605 bus routes? These bus routes are a vital lifeline for my community, connecting passengers to essential locations such as Caulfield Grammar, Calvary Health Care, Caulfield South Community House and Caulfield Hospital. For many these routes are primary not only for their transportation but also as a way to connect with people, places and other things that they love. It will make it harder for students to get to and from school and even harder for elderly locals and people with a disability to get to and from appointments and aged care services they need. By stripping these bus routes away the Allan Labor government is shamefully turning its back on those that need it the most. The Allan Labor government is happy to put all its eggs in one basket with a \$216 billion Suburban Rail Loop that we cannot afford, but it will not even keep open basic bus line services for the local community.

Bayswater electorate

Jackson TAYLOR (Bayswater) (14:54): (931) Well, it is the biggest investment into Boronia by any level of government in a generation, so it would not be fair for it not to get its very own constituency question in the big house now that we have just released the early designs, the first concepts, for the brand new Boronia station precinct. So my question is to the Minister for Transport Infrastructure: with works starting next year, when can we expect to see major works kick off? This is what locals have been calling for for a very, very long time. I was proud to get the project underway and started in the last term of government to secure an election commitment to now see it fully funded in the budget. The Level Crossing Removal Project are now doing the work. They are out there talking to people, finding ways to make this project even better. It has got a new landscaped plaza, it has got new open space improvements at the concourse, station and platform level. We are getting rid of the old ugly bars. It is going to be fantastic, the biggest investment into my community of Boronia in a generation, and I am stoked that the Allan Labor government is getting on with it.

Euroa electorate

Annabelle CLEELAND (Euroa) (14:55): (932) My question is for the Minister for Prevention of Family Violence, and I ask: why is the Allan Labor government closing the Orange Door in Benalla during a family violence epidemic and during the 16 days of activism? Last week we were told no Orange Door facilities would close due to Labor's financial mismanagement, and yet here we are. This week we have seen the closure of the Benalla community services hub, a crucial central location for 12 health and community agencies, including the Orange Door, Beyond Housing and the Centre Against Violence. These agencies provide outreach and support for those experiencing family violence in the region, and the closure of the hub will leave people in vulnerable and dangerous positions. This is a region with a rate of family violence that is 71 per cent higher than the state average. Let that sink in. It is completely unacceptable for the closure of this facility to happen, all while family violence is

so prevalent in our community. The fact it happened during the 16 days of activism is indefensible. If this government was truly committed to managing the devastating impact of family violence in our regions – *(Time expired)*

Kororoit electorate

Luba GRIGOROVITCH (Kororoit) (14:56): (933) My question is for the Minister for Transport Infrastructure: when will construction commence on the level crossing removal at Hopkins Road, Truganina? With boom gates down for up to 28 minutes and up to 16 trains travelling through the level crossings during morning peak, I am sure the minister is aware that traffic congestion is a common frustration for constituents in my patch of Kororoit, especially during peak hours and school pick-up and drop-off times. Parts of my electorate have already seen the benefits of this project, with the level crossings now gone for good on Mt Derrimut Road and Robinsons Road. The level crossing removal team do a great job listening to our community, and I am pleased to see that community feedback has been incorporated into the design of the new Hopkins Road bridge, which will have dedicated shared-use paths to make the journey safer for both pedestrians and cyclists. As a government, we know that removing level crossings will make journeys faster, safer and more reliable for drivers that pass through these crossings each day. I am so proud that we have already removed 84 of these crossings.

South-West Coast electorate

Roma BRITNELL (South-West Coast) (14:57): (934) My question is to the Minister for Health: has the department done a gap analysis on South West Healthcare to determine the optimum mix of medical professionals required to deliver effective and efficient services? 61,000 Victorians are waiting in pain on long waiting lists for elective surgeries, yet in the south-west the dedicated theatre nurses at South West Healthcare have been instructed to take leave or work on the wards. Medical professionals tell me that although there are 20 new physicians employed by the hospital, they were not consulted, so consequently there is not a full complement of anaesthetists, general surgeons and other surgeons to be able to perform the necessary surgeries. The hospital's theatre lists are not filled and therefore theatres are not being fully utilised and the waiting list grows. Doctors are frustrated they cannot give the care needed to their patients. This is more evidence of waste and ineptitude by the Allan Labor government.

Lara electorate

Ella GEORGE (Lara) (14:58): (935) My question is for the Minister for Energy and Resources: what measures is the government taking to support the energy needs of constituents in the Lara electorate? The Lara electorate covers a wide section of Geelong's northern suburbs and as such has a very diverse constituency. There are rural communities in the Anakie and Staughton Vale regions, growing families in expanding communities such as Lara, culturally diverse communities in the Bell Park and Bell Post Hill regions, and communities such as Norlane and Corio, which are classified as the most disadvantaged suburbs according to the socio-economic indexes for areas. As such, there is a broad and diverse range of energy needs. I was pleased to host the Minister for Energy and Resources in the Lara electorate recently and show her some of the fantastic work being done to support our community's energy needs. We met with Geelong Sustainability to hear about their work and programs such as the electric homes program. We also visited some of their solar projects at the Cloverdale Community Centre and Geelong Food Relief Centre. So again, my question to the minister is: what measures is the government taking to support the energy needs of the constituents in the Lara electorate?

Morwell electorate

Martin CAMERON (Morwell) (14:59): (936) My question is for the Minister for Planning, and the question I ask is: why is there no requirement in clause 52.23 of the Latrobe planning scheme for developers to consult or at the very least notify neighbouring properties and communities about the

development of rooming houses? My office has received many calls and emails from people concerned about the development of rooming houses near their homes. Under the current scheme developers are not even required to notify community about the development of rooming houses if they meet certain conditions. In the absence of clear communication, misinformation and rumours run riot, and all this does is create anxiety in the community. In one instance a rooming house is being built across the road from a playgroup, which has caused concern among parents, facilitators and local police. Minister, surely at the very least our communities have the right to be notified of a rooming house being developed. Why is there no requirement in clause 52.23 of the Latrobe planning scheme for developers to consult?

Preston electorate

Nathan LAMBERT (Preston) (15:00): (937) My question is also for the fantastic Minister for Planning, who is here with us in the house. My question is: what intersection, if any, is there between our housing statement policies and homes covered by restrictive covenants? I have to admit I did not know a lot about restrictive covenants until I started doorknocking in the Merrilands part of Reservoir, but apparently we have the largest one in the state. As you might expect amongst a large group of people, there are different views – some people would like to remove the covenant; others have invested hundreds of hours of their time into defending it – but overall I think people agree on two clear things. The first is that people should not attempt to sneak out of what is a longstanding private contract that they have entered into. The second thing people agree on is that we should pursue the important objectives of our housing statement with respect to housing affordability and building homes where people need them. I think we can definitely achieve both of those things, but any information that our minister can provide would help us have those conversations in the community.

Brighton electorate

James NEWBURY (Brighton) (15:01): (938) My question is to the Premier, and I ask: when will the Premier review the ongoing safety concerns at the Homes Victoria New Street housing site? Victoria Police now visit the site most days. Once inside the building's garage there are no security protections, and all five buildings are open. As resident David recently said to me, home invasions, vehicle and property theft, drug trafficking, domestic violence, sex trafficking, substance abuse and aggressive antisocial behaviour are commonplace. As he said, residents live a life of fear. Police visit so regularly that officers now wear lanyard security fobs as part of their daily uniform. Only two weeks ago a violent offender broke into the building where his former partner now lives. He broke into her apartment and attacked her. He then broke into another apartment, and finally he committed an aggravated burglary in a third apartment and attacked an elderly blind woman. He was arrested, but as is the case in Victoria, the next day the violent offender was out on bail. The state Labor government must improve safety protections at the site.

Broadmeadows electorate

Kathleen MATTHEWS-WARD (Broadmeadows) (15:02): (939) My question is for the Minister for Education, and the question I ask is: how many students in the Broadmeadows electorate have accessed the \$400 school saving bonus? I am really excited about the school saving bonus, and it will make a real difference to children and families in my electorate. The cost of living is biting hard, and this will help with the cost of school uniforms, school activities and books and all the things that kids need before the end of the year; the pressures already start when we get those book lists. So I would like to ask the minister: how many students in my electorate have already benefited from the \$400 school saving bonus both in the state school system and in the non-government school system? We have a high number of low-fee-paying non-government schools in Broadmeadows, and I am really glad that there are lots of families that can access that money.

Danny O'Brien: On a point of order, Speaker, on outstanding questions: I have an outstanding question to the Minister for Casino, Gaming and Liquor Regulation, question number 1468, which was due on 31 August and has still not been answered.

*Bills***Inquiries Amendment (Yoorrook Justice Commission Records and Other Matters) Bill 2024***Second reading***Debate resumed.**

Anthony CARBINES (Ivanhoe – Minister for Police, Minister for Crime Prevention, Minister for Racing) (15:04): I move:

That debate be now adjourned.

Motion agreed to and debate adjourned.**Ordered that debate be adjourned until later this day.***Members***Member for Berwick**

Sonya KILKENNY (Carrum – Minister for Planning, Minister for the Suburbs) (15:04): I move:

That this house condemns the member for Berwick for bringing neo-Nazis into the Narre Warren community by organising and promoting a divisive protest.

I rise to speak on the motion in my name. You would have heard me over many months now talking a lot in this place about our work to build more homes for Victorians: really good homes in great communities, with the infrastructure that Victorians need to lead healthy, happy lives, like schools, hospitals, public transport, kinders and parks – the things that really connect us. But while bricks and mortar build a home, we know it is the people that make the community. It is our connection to friends, to family and to neighbours, that feeling that we are accepted for who we are and that we belong in the community in which we live. But last week the member for Berwick and other members of the Liberal Party sent a very clear message to members of Victoria's Sikh community. That message: you do not belong here.

The member for Berwick called a protest after the naming of a suburban lake in Berwick Springs, Guru Nanak Lake, named after Guru Nanak Dev Ji, revered as the founder and the very first guru of Sikhism. In calling this protest the member for Berwick has opened up division on religious and cultural grounds. He has built a house of hate. When you build a house of hate –

James Newbury: On a point of order, Speaker, on standing order 118, the words that the minister just used are clearly impugning the member and go further than the substantive motion that is being moved. They are clearly impugning the member.

The SPEAKER: The substantive motion is correct, member for Brighton. I remind members about unparliamentary remarks. Impugning members is not accepted. It is a substantive motion, though. I remind the member to be respectful.

Sonya KILKENNY: Talking about respect, that is the very essence of this motion here today, and I remind the member for Brighton of that.

When people raise division in their communities, they cannot then complain about who attends those protests, because who were those guests at the protest organised by the member for Berwick last week in Narre Warren? Those guests were neo-Nazis. The member for Berwick rolled out the welcome mat –

James Newbury: On a point of order, Speaker, again on standing order 118, the member has denied those allegations emphatically, and the minister has been such a coward, she has not been able to –

The SPEAKER: Order! What is your point of order?

James Newbury: Standing order 118, Speaker.

The SPEAKER: Order! It is a substantive motion.

Sonya KILKENNY: As I said, the member for Berwick rolled out the welcome mat for those who might wish to attack Victoria's Sikh community and Victoria's multiculturalism, and out they came. Neo-Nazis were there. It is a fact. They were in our park in Narre Warren last week. Since then we have heard nothing from those opposite. They have actually tried to sweep this under the rug for three days, member for Brighton. For three days –

James Newbury: On a point of order, Deputy Speaker, the minister is just lying.

The DEPUTY SPEAKER: Order! The member for Brighton knows that word is unparliamentary. It is a matter for debate. There is no point of order.

Sonya KILKENNY: I remind the member for Brighton that we are here talking about respect – respect in our communities and respect in our workplaces as well.

James Newbury interjected.

Sonya KILKENNY: You do not threaten me, member for Brighton. I remind you about respect in this workplace.

As I said, for three days since that protest last week, we heard nothing from the member for Berwick – no apologies, no condemnation that neo-Nazis had attended his protest in –

James Newbury: On a point of order, Deputy Speaker, on relevance, the member at the time immediately called police. What the minister is doing is grubby and –

The DEPUTY SPEAKER: Before I ask the minister to resume, can I please ask the member for Brighton to remember that points of order are not opportunities to debate. I am sure he will probably seek an opportunity to debate later. The substantive motion is before the house. Respectful debate, please.

Sonya KILKENNY: The member for Brighton can throw around all the words he likes. I am okay to put up with the member for Brighton.

James Newbury interjected.

Sonya KILKENNY: I will ask you to walk outside to put those comments to me, thank you, member for Brighton.

What we know is that for three days after the event there was silence from the member for Berwick. He did not condemn those neo-Nazis who attended his protest, and that is wholly unacceptable to the Sikh community and to Victoria's multicultural –

James Newbury: On a point of order, Deputy Speaker, on the point the minister just made and standing order 118, the member called police immediately. The minister is telling an untruth knowingly. He reported it to police.

The DEPUTY SPEAKER: Member for Brighton, hopefully I am making myself understood. Your point of order 118, imputations – fine. However, the motion at hand is a substantive motion, which allows imputations in regard to the motion. Points of order are not an opportunity for rebuttal on the debate. You will have an opportunity, I would presume.

Sonya KILKENNY: I presume that the member for Brighton will have his opportunity to respond to the motion in due course.

It is wholly unacceptable that the member for Berwick has not apologised to the Sikh community, that he has not apologised to Victoria's multicultural community and that he has not apologised to all Victorians.

So how did we get here? It actually started with a pretty simple proposition, and that is that the names we give our public places should reflect the communities who live there. That is just fair. It is the right thing to do. As the minister responsible for Geographic Names Victoria, I know the value of place naming and the role that a placename can have in nurturing that real sense of belonging, that sense of inclusivity and that feeling of being welcome.

In France, do you know there is a little village called Villers-Bretonneux? The Anzacs saved this village during World War I, and a British general who had received the Victoria Cross said that the Australian attack was perhaps the greatest individual feat of the war. The French were so grateful that they put up a sign in the village school, and that sign is still there today. It says 'Never forget Australia'. The school is now named Victoria School, and the main street through this French village is named Melbourne Road, and on that road is a restaurant named the Kangaroo. Every year the school – Victoria School – in this little French village commemorates Anzac Day. Let me ask you this: how do you think Australians feel when they visit that little village of Villers-Bretonneux? Let me tell you: they feel very, very welcome.

And so it is with the names we choose to give our streets, our parks, our footy fields, our creeks, our reserves, our mountains – our public places. They send a message about the type of community we live in. They tell a story, they tell a history and they let people know they are welcome. They reflect who we are and where we have come from, and you can certainly see that today in our existing placenames. We have so many placenames named after Christian figures. In fact it is hard to find a community without a street or public name that is named after a saint, and that makes sense given the role Christianity has played in our state's history.

In Berwick in particular you will find street names with the names Daniher, Duckworth, Neagle, Madden and Watson – 14 in total – all named after Essendon players from the 1980s. We have places named after cricketers, the Napoleonic wars and famous Olympians, like Edwin Flack Reserve in Berwick, which I visited just last week with Lee Tarlamis from the other place. We know that there is a person, a story and a history behind the name of every street, park, reserve, footy field – whatever it might be. But we also know, because the data tells us this, that the names of our places do not adequately reflect the members and the diversity of the communities who live there.

So accepting this, we must also ask: whose stories and whose histories are we silencing? Our task now is to really work with communities to make sure that our placenames reflect Victoria's rich diversity and that we tell the stories and share the histories of all Victorians. So over the next three years our government will be working with communities to come up with 6000 new names for new places.

That brings me to Saturday 9 November. It was a beautiful morning when I travelled to Berwick Springs, a beautiful, crisp Saturday morning, and there I joined the Minister for Multicultural Affairs the Honourable Ingrid Stitt and the member for South-Eastern Metro Region Lee Tarlamis in the other place as well as many colleagues from this place – the member for Narre Warren South, the member for Cranbourne, the member for Pakenham and the member for Hastings – and so many members of Victoria's Sikh community to celebrate what was a truly joyous occasion, the naming of Guru Nanak Lake in Berwick Springs named in honour of the first guru and founder of the Sikh faith. The announcement really was an opportunity for pride and celebration for the Sikh community, and it was to recognise their contributions to Victoria's cultural and social fabric, and I want to take a moment now to really acknowledge and recognise the significant contributions from our Sikh communities. We have seen that firsthand, particularly with food relief, following natural disasters in Victoria.

The Sikh community have shown the best of us, but in the last few weeks what they have received in return from those opposite, led by the member for Berwick and Mrs Hermans in the other place, has

been a display of the absolute worst of us. The member for Berwick and Mrs Hermans organised a protest following the naming of Guru Nanak Lake. This is a name of such profound cultural, spiritual and religious significance to the thousands and thousands of Sikh community members who call Victoria home. This protest, organised by the member for Berwick and Mrs Hermans in the other place, runs right along religious and cultural divides, and it really has picked the scab of division. They authorised and enabled the very kinds of responses we have unfortunately seen, because this is exactly the kind of grievance, exactly the kind of division and divisive rhetoric, that is shared with neo-Nazis. It resonates with neo-Nazi groups, it emboldens them and it invites them right in. And the neo-Nazis answered their call. They accepted the invitation, and they showed up in Narre Warren just last week.

You only need to look at the comments on the Facebook of the member for Berwick. One comment called for a supporter of the naming of Guru Nanak Lake to be deported, and another reads:

The purpose of war is to take over a country by force. The purpose of immigration and multiculturalism is to take over a country by stealth. Immigration is genocide.

As of last night this comment was still on the Facebook of the member for Berwick. He should be rightly condemned for his actions, and these are the responses that they have brought.

So now a question for the Leader of the Opposition: what is it with Liberals and neo-Nazis? And why the silence?

James Newbury: On a point of order, Deputy Speaker, the sentence that the minister just outrageously uttered had nothing to do with the substance of the motion, which relates to one specific member.

The DEPUTY SPEAKER: I would ask all members to consider debate with respect. The statement was not outside the standing orders, but I ask the minister to continue with respect for all members in the house.

Sonya KILKENNY: Thank you, Deputy Speaker. Why the silence? The member for Berwick did not condemn the attendance of these neo-Nazis at his protest. He posted on social media – let us share some facts here.

Members interjecting.

The DEPUTY SPEAKER: Order! I will remove members.

Sonya KILKENNY: He posted on social media. The post is still there on social media. In not one place in that social media post has he acknowledged the presence of neo-Nazis at that protest. He had the opportunity to condemn the presence of neo-Nazis at that protest. He chose not to. For three days he said nothing. He even tried to hide it, for goodness sake. The only reason the member for Berwick said anything is because he got caught out – the media called him out on it. That is exactly what happened. This is really turning into a leadership test for the Leader of the Opposition. For goodness sake –

Matthew Guy interjected.

The DEPUTY SPEAKER: The member for Bulleen will have his chance, I am sure.

Sonya KILKENNY: we have all been observing the Leader of the Opposition in this defamation case with Moira Deeming in the other place.

Members interjecting.

The DEPUTY SPEAKER: Order! Member for Bulleen, I am sure you would like to stand on this at some point – that is my guess. It will be difficult for you to do so if you are not in the chamber.

James Newbury: On a point of order, Deputy Speaker, the scurrilous, outrageous mudslinging of the member in no way relates to the substantive motion.

A member interjected.

The DEPUTY SPEAKER: Without assistance, please, members.

Iwan Walters: On the point of order, Deputy Speaker, the minister has been entirely relevant in her comments on the substantive motion. Moreover, what the member for Brighton is seeking to do I think goes to Deputy Speaker McGrath's ruling way back in 1994. He is seeking to stymie good and productive debate by making continued vexatious points of order. I would ask you to rule him out of order.

The DEPUTY SPEAKER: There is no point of order. However, I would counsel all members to consider sub judice in regard to any matters that may or may not be before the courts.

Sonya KILKENNY: The notice given and the motion before the house relate to condemning a member for neo-Nazis attending a protest. I am suggesting that there is a link and a comparison to be made with another member, Moira Deeming in the other place, who the Leader of the Opposition is now in defamation proceedings with.

James Newbury: On a point of order, Deputy Speaker, on relevance. What does this have to do with the original motion?

Danny O'Brien: On the point of order, Deputy Speaker, the Speaker herself has previously warned all members of Parliament to be very cautious of sub judice conventions and not to speak about court cases.

The DEPUTY SPEAKER: That is a separate point of order. On the first point of order, I think the minister was providing context to the motion. On the second point of order, yes, let us all be very careful about that. There are a certain amount of things on the public notice. I think we are getting close.

Sonya KILKENNY: I have a question for the Leader of the Opposition and all members of the Liberal parliamentary party: how is the member for Berwick's conduct any different? How is it any different? In fact the member for Berwick's behaviour –

James Newbury: A point of clarification, Deputy Speaker, on relevance. As far as I understood, this is a debate on a motion. It is not question time. The minister is asking the clouds questions. This is a debate on a motion.

The DEPUTY SPEAKER: On relevance, I think the minister is, as I said before, trying to contrast or compare, and again I caution the minister from going too far, but at this stage the minister to continue.

Sonya KILKENNY: Thank you, Deputy Speaker. I would suggest that the member for Berwick's behaviour may be even more reprehensible because, unlike Moira Deeming in the other place, the member for Berwick tried to conceal the fact that Nazis had turned up.

His social media has been absolutely silent on the fact that neo-Nazis had attended. He refused to apologise. He refused to call it out. So I think the question that really needs to be answered is: why is the member for Berwick being held to a lower standard than Moira Deeming, a first-time female MP, and why is the Leader of the Opposition failing to call this out?

When you remain silent in these kinds of matters, to do nothing is to be complicit, and complicity, the failure to act, really has to be one of the weakest human characteristics. Worse still, silence sends a strong message to oppressors, to people like neo-Nazis, that their behaviour will go unchecked. Those opposite, the member for Berwick in particular, have created the authorising environment –

James Newbury: On a point of order, Deputy Speaker, this substantive motion relates to one member. The minister has just referred to other members. It is clearly outside the scope of the motion.

Nick Staikos: On the point of order, Deputy Speaker, the member for Brighton has been up at least a dozen times. He is being vexatious. These are frivolous points of order, and he should be brought to order. He is disrupting the debate on this motion.

The DEPUTY SPEAKER: Again – I think this is the third time now – I think the minister is allowed to debate the reasons for her motion in regard to context. In regard to continual points of order, the Chair is not aware of what a member may or may not say when they stand for a point of order, so it is impossible to decide not to hear it – well, it is not impossible, but it is very unlikely. I would counsel all members to make their points of order succinct and relevant to the debate at hand.

Sonya KILKENNY: The member for Berwick and Mrs Hermans in the other place have created the authorising environment. They have built this house of hate. It is a house of hate. We have seen who has shown up at these protests. These are hateful people.

James Newbury: On a point of order, Speaker, the minister has just impugned a member of the other place, which is not linked to the substantive motion. The minister did that by name. It is not in any way linked to the substantive motion. It is entirely in breach of the standing orders. You cannot impugn a Council member.

The DEPUTY SPEAKER: Impugning members is out of order. I did not hear the exact words as I was passing something to the Clerk. I encourage the minister to refrain from impugning members not connected directly to the motion at hand.

Sonya KILKENNY: We have seen the worst of society attend a protest organised by the member for Berwick. Most of us, most Victorians, the overwhelming majority of us, want to live peacefully and respectfully alongside our communities. We want to celebrate each other's heritage and the diversity of our community. That is what a good society looks like, because our diversity is what makes Victoria strong. It makes us special and it makes us who we are, and we should be proud of that. It is a great place to live, and our multiculturalism is our strength. Labor recognises that. So instead of promoting division and fuelling hatred, we on this side will continue to promote unity and support social cohesion. We will make sure that instead of the division that we have seen most recently from the member for Berwick, there is unity. Instead of fear – those opposite operate on fear and distrust – there is trust. Instead of pain that they inflict on community members – in particular members of the Sikh community, who the member for Berwick has still refused to apologise to – there should be joy and there should be respect.

That may be encouraging greater diversity in our place names, like naming Guru Nanak Lake. It may be supporting multicultural groups to help us bridge the gap between different communities across all of Victoria and keep us really connected or it may be stronger laws like the laws that have been introduced this week into Parliament to protect members of our community against vilification.

We on the side of the house will stand strong with our Sikh community. We will call out the worst that we have seen, particularly last week in Berwick Springs where the member for Berwick called a meeting and enabled and authorised the types of people that we saw attend that protest. Unlike the member for Berwick, we will continue to work hard every day to ensure that all Victorians can feel proud of who they are, that they belong and that they are included in our communities and that they have a place – an equal place – in this state.

James NEWBURY (Brighton) (15:31): I move:

That the following words be inserted after the word 'protest': 'and notes the member immediately reported the matter to Victoria Police; and that this house also condemns the behaviour of other Labor members of Parliament.'

This motion is about one thing. Last night in this Parliament a Labor member accused her colleagues of sexual harassment. Has the Premier done anything about that? She has done nothing. Today the

government comes in with this crass, outrageous motion to cover up the sexual harassment claims made by a member in the other place.

Members interjecting.

The DEPUTY SPEAKER: Order! Member for Brighton, resume your seat. I would prefer not to yell.

Sonya Kilkenny: On a point of order, Deputy Speaker, on relevance. If you could bring the member back to the motion before the house.

James NEWBURY: On the point of order, Deputy Speaker, I have amended the motion. The reason I amended the motion to condemn other Labor members of Parliament is because of their cover-up of sexual harassment.

The DEPUTY SPEAKER: Member for Brighton, would you like me to rule on the point of order? You have moved to amend the motion.

James NEWBURY: Thank you. That is what we have now seen. We have seen a Labor member accuse her own caucus of sexual harassment, and she has asked the Premier to investigate. But what has the Premier done? Brought in this sledge motion to cover it up. What a grub. What an absolute grub. To cover up what Sonja Terpstra said in the other place last night. I hope every single member of the gallery looks at her allegation, because it was not just sexual harassment that claims were made about. There were also claims about the male behaviour of Member Galea – Member Galea was also complained about in that speech.

Members interjecting.

The DEPUTY SPEAKER: Order!

James NEWBURY: Oh, you can give it, but you cannot take it.

The DEPUTY SPEAKER: Member for Brighton, that is unnecessary.

Emma Vulin: On a point of order, Deputy Speaker, I bring the member back to the motion.

The DEPUTY SPEAKER: The member is actually on the motion and the attempt to amend the motion.

James NEWBURY: Exactly. I am speaking on the amended motion. Thank you, Deputy Speaker, for confirming.

The DEPUTY SPEAKER: I am just here.

James NEWBURY: Yes. Thank you, Deputy Speaker. I have a big voice. That is what this government is now doing – trying to cover up that speech that was made last night. I am sure that if people did little bit of digging, they could find out who the member was accusing of sexual harassment in the caucus. I also know that the Premier's office was made aware of the speech last night, as was the President of the Council. Both were involved immediately after the speech was given, but what have they done? Nothing.

Members interjecting.

The DEPUTY SPEAKER: Member for Bulleen, order! Really?

Nick Staikos: On a point of order, Deputy Speaker, the member for Brighton is showing an unusual degree of aggression. He should be brought to order.

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

James NEWBURY: I also note that the member in the allegations put allegations against the President of the Council for silencing her. So we now have a substantive speech given by a Labor member of the Council, with a series, a set of 16 allegations. And not just in this place – she has also put it on social media. Not only has she had the courage to say it in the other chamber, but she has put it out into the community. She has taken away the veil of privilege and put it on social media. What has the Premier done about those 16 allegations? What has she done? She moved a sledge motion against one of our members which is entirely baseless, and that is why I have amended this motion.

The member immediately called Victoria Police, as he rightly should.

Nathan Lambert: On a point of order, Deputy Speaker, my understanding is you cannot move an amendment to a motion that completely changes the substance of the original motion, and I ask for your clarification as to whether the member for Brighton's amendment is in any way related to the substance of the original motion.

Members interjecting.

The DEPUTY SPEAKER: Order! Member for Bulleen! A member may amend a question that has been proposed by omitting certain words or inserting or adding words. An amendment must be relevant to the question it is proposed to attend. It is a bit of a catch-all, but it continues on from the condemnation of the first, and I have accepted the amendment as such.

James NEWBURY: Look at the faces on that side. They know that the Premier has done nothing about the speech that was given last night. To hear the minister who moved this motion come in and do so when there were fresh allegations against that minister. Yesterday a former staff member of that minister wrote to me to say that in her office she was, quote, cold-calling residents in the area during election time to see their views on the Labor Party and who they would probably be voting for – what an outrageous red shirts affair. In writing a former staffer has blown the whistle on a minister who moved a motion in this place to hold us up to some standard when her own former staff are putting red shirts allegations against her.

Tim Richardson: On a point of order, Deputy Speaker, I think the member for Brighton has failed to recognise that he was not called to give evidence in the court case and is having a bit of FOMO and a bit of imposter syndrome that he is missing out.

The DEPUTY SPEAKER: There is no point of order. I am not amused.

James NEWBURY: I note the red shirts investigation –

Tim Richardson interjected.

James NEWBURY: I would not be talking, member for Mordialloc. The minister who moved this motion was a recipient of the red shirts affair.

Mary-Anne Thomas: On a point of order, Deputy Speaker, on relevance, I understand that the motion before the house has been amended, but nonetheless I cannot see how any of the contribution that is being made by the member for Brighton has any relevance to the motion that is before the house. I ask that you ask him to come back to the motion and that he might also amend the tone and tenor with which he presents in this house.

The DEPUTY SPEAKER: The minister was given context in regard to her debate. The member can continue.

James NEWBURY: I do note the point of order from the Leader of the House, who was also a recipient of red shirts. I can understand why the member might wish to have taken a point of order. So we have a minister who has moved a motion in this house, there are fresh red shirts allegations against her by her own former staffer and the Minister for Planning has previously been found to have been a recipient of red shirts, as has the Leader of the House. But it certainly does not stop there.

Belinda Wilson: On a point of order, Deputy Speaker, I am just wondering whether the member for Brighton is aware of the volume of his voice. Perhaps he has got to hearing problem. It is actually giving me a migraine. If he could sit down.

The DEPUTY SPEAKER: Order! Unfortunately that is not a point of order. The member for Brighton to continue.

James NEWBURY: I refer to the IBAC inquiry into Woodman. We have just spoken about the Minister for Planning, as we have also other members, who probably will not take a point of order anymore, I would not think. It seems that the member for Carrum was also a beneficiary of Woodman. So we have a minister coming to this place –

Mathew Hilakari: On a point of order, Deputy Speaker, I could not hear, with the barrage of sound, whether he was disassociating himself from neo-Nazis and those colleagues who stand with them. I am just checking if that is what he was doing.

Members interjecting.

The DEPUTY SPEAKER: Order! Member for Bulleen!

Members interjecting.

The DEPUTY SPEAKER: There are a number of things going on with the member for Bulleen right now. The member for Brighton to continue. There is an amendment.

James NEWBURY: It is worth noting that the minister who has moved this sledge motion has tried to throw a bucket onto the other side of the chamber.

Members interjecting.

The DEPUTY SPEAKER: Thank you, member for Narre Warren North. Without assistance, please.

Pauline Richards: On a point of order, Deputy Speaker, it is not a sledge motion, it is a substantive motion, and I would like you to remind the member that he ought to be referring to these using the proper forms of the house.

The DEPUTY SPEAKER: Correct titles are always appreciated. The member for Brighton to continue.

James NEWBURY: I will use the correct title following the point of order from the member for Cranbourne – the member for Cranbourne who got a \$20,000 brown paper bag from Woodman.

Members interjecting.

James NEWBURY: I was not going to name you again, Minister –

Mary-Anne Thomas: On a point of order, Deputy Speaker, the contributions from the Manager of Opposition Business –

Members interjecting.

The DEPUTY SPEAKER: Order! Members on my left, if you want me to hear the point of order, I need to be able to hear it.

Mary-Anne Thomas: It goes to relevance, and it also goes to the fact that the member is impugning or attempting to impugn a member in this place, and I ask that he refrain from doing that. We all of course remember the member for Brighton was filmed bullying an older woman in his electorate –

Members interjecting.

The DEPUTY SPEAKER: Order! The Leader of the House knows points of order are not an opportunity for debate. I would counsel outside –

Members interjecting.

The DEPUTY SPEAKER: Member for Cranbourne! The member for Brighton should be careful about impugning members.

James NEWBURY: It is a substantive motion.

The DEPUTY SPEAKER: It is a substantive motion on one member –

James NEWBURY: No. I amended it. Sorry.

The DEPUTY SPEAKER: However, the amendment refers to a collection of members. To then impugn single members concerns me.

Members interjecting.

The DEPUTY SPEAKER: Members in the room are able to respond in kind if they feel aggrieved.

James NEWBURY: They absolutely could speak, and I would suggest that the Leader of the House may want to speak to the allegations, and the member for Cranbourne. The Leader of the House took \$10,000 in a brown paper bag from Woodman, so a recipient of red shirts and Woodman; member for Cranbourne, red shirts and Woodman; Minister for Planning, red shirts and Woodman. What a bunch of crooks. To come into this place while one of their own caucus members has live allegations against her colleagues that have not yet been answered by this government – you cannot believe it, can you?

The government has come in here with a sledge motion today – an outrageous sledge motion. The truth about this sledge motion, the absolute core of it, is there were 16 allegations put last night in the Council, including against the President of the Council, one of the most senior people in this entire building, one of the most senior office holders in this entire building, and I know that he was aware of it immediately. I know that a number of members raised their concerns about those allegations and are waiting for a response – a response that has not been delivered. No response has been delivered. The member who made those allegations in the other place did not just do that by speech under the cover of privilege, unlike the minister who moved this motion, who sledged and refused to walk outside and say it, because she knows it is not true and defamatory. The member in the other place put it up on social media. So for the government to try and cover up these most serious allegations is an absolute disgrace. How can they have done that? How can they ignore allegations that were put in the other place, including of sexist behaviour, harassment, bullying – there are 16 of them, so there are a lot of allegations – puerile behaviour, sexist and juvenile behaviour, overt toxicity. They are the most serious allegations that could be put.

Members interjecting.

The DEPUTY SPEAKER: Order! Member for Eureka! The member for Point Cook on a point of order, succinctly.

Mathew Hilakari: On a point of order, Speaker, is the member reflecting on his time in the federal Parliament or is he referring to some other matters?

The DEPUTY SPEAKER: That is not a point of order, member for Point Cook. It is Frank Costanza all over again.

James NEWBURY: The minister came in earlier and made a number of baseless allegations and asked questions, so the question for the Premier is: what has the Premier done about these 16 allegations? What has the Premier done? Nothing but organise her team to come in and throw mud in this place. Earlier today, when I became aware of this motion being moved in this house, I said to

the government that it is absolutely beneath this place to try and have the type of debate that the government chooses to have purely to cover up their own internal problems.

I made that point to the government. I said to the government that they should not use this place in this way, especially because there were outrageous allegations made in the other place that have not been dealt with.

Belinda Wilson: On a point of order, Deputy Speaker, on relevance, I do not believe we need to know about his personal conversations that he has with the government.

The DEPUTY SPEAKER: I think the member is being as relevant as anyone else.

James NEWBURY: That is right. Again I made the point – I went to the government and said, ‘Do not do this this afternoon in the Parliament. You will demean this place. It is wrong.’ I said clearly to the government that it was wrong.

Nathan Lambert: On a point of order, Deputy Speaker, my understanding of standing order 118 is that it is there to protect members and give them an opportunity to defend themselves against impugnations. I do not believe that a member can stand up and move a motion that simply says ‘I want to impugn anyone I like’ and then say anything they like. The substantive motion was specific to a single member. I do not believe you can use 118 in this manner. I seek your ruling, Deputy Speaker.

Members interjecting.

The DEPUTY SPEAKER: I could not hear the end of the member for Preston. Member for Brighton, I will call you on the point of order. I want to hear what the member for Preston said.

Nathan Lambert: The point, Deputy Speaker, is you cannot use standing order 118 to generally attack a wide range of members, and I seek your ruling on that question.

James NEWBURY: On the point of order, Deputy Speaker, I was speaking specifically to the background to the motion being moved today. I was not even dealing with the substance of the motion. I was talking about the procedural facts.

The DEPUTY SPEAKER: I can rule on the point of order. For the member for Preston, imputations on members are disorderly. Referring to a collection of members is a matter for debate in the sense that if it is a collection of members, it would have to be fairly grievous for that to be considered imputations on members. The original motion at hand refers to condemning a specific member. The amendment refers to a collection of members. I again encourage people to consider imputations on single members who are not in the substantive motion, and members have the right to stand and take offence.

James NEWBURY: I do note, as you have said, every member that I have referred to has the opportunity to come into this place and speak. In fact some of them are sitting here. The Leader of the House and the member for Cranbourne are here, if they want to stand up and defend themselves. By the way, these are public reports. I do not think an IBAC report or an Ombudsman’s report is an imputation. It is a fact. Here are their names.

To continue on the background to this motion, I want to make it extremely clear so there is absolutely no misunderstanding. I said to the government, ‘Do not do this today with this motion. Do not do this. It demeans this place. It is political, and it is untrue.’ I formally said it to the government, and the government said no. So they have chosen to bring on a sledge motion in this place, to demean this place, to use an hour of the time of this place, to use a multicultural group for their own political sledging. That is what they are doing.

Mary-Anne Thomas: On a point of order, Deputy Speaker, the member on his feet is referring to conversations that he in fact had with me, and it is quite clear that the motion that was moved by the

Minister for Planning was in fact about an event organised by the Liberal Party where Nazis showed up.

The DEPUTY SPEAKER: There is no point of order that I heard.

James NEWBURY: I would put to the Leader of the House: rather than trying to hide behind a point of order, stand up on the substantive motion. I am sure that you can pull the strings to make sure you are next. The member can stand up and respond to any of these allegations rather than trying to use any point of order. I did not name out of courtesy the Leader of the House, who has just named herself as the person that I approached to ask that this motion not be moved, because it is untrue. It is manifestly untrue, and it is an outrageous political abuse of this house. What is so bad about this is that at the same time –

Members interjecting.

The DEPUTY SPEAKER: Order! Before I call the member for Point Cook, if I cannot hear the member for Brighton, you are all way too loud.

Mathew Hilakari: On a point of order, Deputy Speaker, the members of the Liberal Party used to kick people out for hanging out with neo-Nazis.

Members interjecting.

Mathew Hilakari: I am shocked that people would use a point of order to make a statement. I cannot hear what the speaker is saying over the level of noise in the chamber.

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

James NEWBURY: I do not know what it was. Can I again make very, very clear –

Pauline Richards: On a point of order, Deputy Speaker, the members are interjecting from all over the place. They need to be in their seats.

Members interjecting.

The DEPUTY SPEAKER: Member for Berwick! I really do not want to remove members from the chamber today because I appreciate members might want to contribute. I am slowly losing it.

James NEWBURY: Again I make the point, and I make it clearly, because I was interjected on a number of times and could not make it clearly enough: the coalition went to the government and said, ‘Do not use the Parliament in this way today’ – because it is untrue, it is an outrageous lie –

Members interjecting.

James NEWBURY: This is frivolous.

Members interjecting.

The DEPUTY SPEAKER: Member for Bentleigh – warned.

Members interjecting.

The DEPUTY SPEAKER: Member for Bentleigh! Half an hour.

Member for Bentleigh withdrew from chamber.

James NEWBURY: The IQ of this place will not change.

Members interjecting.

Mathew Hilakari: On a point of order, Speaker, members continue to interject while not in their seats, and I would ask you to direct them not to do so.

The SPEAKER: Order! I have not been in the chamber to see the interjections.

James NEWBURY: Again, a number of serious allegations were made last night, which the government has not responded to, by a Labor member about their caucus, including about the behaviour of women in the caucus towards her. As I said earlier, against the President of the Council –

Mathew Hilakari: On a point of order, Speaker, members continue to interject from outside their seats.

The SPEAKER: I remind members to be in their correct places if they wish to make commentary in the chamber.

James NEWBURY: This motion is an outrageous use of this Parliament's time based on untruth – purely partisan – while 16 allegations hang over this Premier's head by one of her own caucus, moved by a member whose character is just a disgrace.

The SPEAKER: Order! The time has come for me to interrupt business for the grievance debate.

Business interrupted under sessional orders.

Grievance debate

The SPEAKER: The question is:

That grievances be noted.

Government performance

John PESUTTO (Hawthorn – Leader of the Opposition) (16:01): I grieve this afternoon for the people of Victoria. I grieve for our people because we live in a state with a government that has racked up the dubious honour of being the most incompetent government in the country. On just about every measure you can identify the Allan Labor government is a bumbling circus, a circus that is not only an embarrassment to our state, not only a humiliation to our state but a government that is actually ruining people's lives and putting people in harm's way because of the magnitude of the incompetence.

We can look at areas like health. We can look at areas like ambulance services, with the hardest working staff on the frontline but a government that will not back them, a government that lets them down. We have an education system overseen by the Deputy Premier, a hopeless minister who has overseen three years of utter, utter incompetence that will put at risk the future of hundreds of thousands of young Victorians and their families. Has the Deputy Premier taken responsibility for that? No. We have a government that is so financially delinquent, so financially illiterate, embodied in the obvious limitations of the Premier, Ms Allan, who could not answer basic questions about the budget yesterday, a government that is actually leaving our road network wholly unsafe for passengers and drivers around the –

Danny O'Brien interjected.

John PESUTTO: Yes. As the new Leader of the Nationals points out, holey unsafe – literally and figuratively. Our state has become an embarrassment under Labor. For the people watching, I want to tell you: we reached the two-year mark this week, and we reached the 10-year mark – 10 years of hard Labor incompetence. For all Victorians, you can ask yourselves today and tomorrow and for the next two years: are you better off after 10 years of Labor? The answer is obviously no.

And I say to all Victorians that time for change is coming. It is coming. We cannot deal with this level of dysfunction under this government. People are suffering. People are doing it hard. People are leaving our state for the first time that I can remember since the Cain–Kirner disaster, when I was a much younger person – it has taken that amount of time to reach a government that has exceeded their level of ineptitude and their level of indifference. It is the arrogance of a group of people on that side of the house who do not understand how hard it is to meet household bills. They do not understand how hard it is to run a business where you have to make the payroll every week, where you have to

meet the burdens of your business and overdraft every week, where you have to deal and contend with a growing list of compliance obligations that just grind your business into the ground.

How cruel is it for a government that were advised last year, nearly two years ago, on how they could introduce the better part of \$2 billion of red-tape reforms and that have been sitting on their backsides for two years while businesses are fleeing.

I guess the most savage indictment of just how bad things have become under Premier Jacinta Allan and her incompetent band of fools is the Auditor-General's report last week. What an indictment: a report which among so many things points out for Victorians that when you look at the state of Victoria gross debt is not going to be \$188 billion in 2028; it is not even going to be \$228 billion in June 2028. All of the state of Victoria will have a debt burden – wait for it, Victorians – as at 30 June 2028 of \$268 billion. That is what the Auditor-General pointed out in his report on Friday.

You know what is worse? He pointed out that the government does not have any kind of strategy, whether it is a net debt to GSP or gross debt to GSP. It does not have a debt ceiling – none of that. So we have the worst debt in the country and growing. Whether it is net debt or gross debt, it is growing, and it will continue to grow. What is worse, the government is hiding how bad that debt will get when the true costs of the Suburban Rail Loop are factored into our debt profile as a state. And who is going to pay for this? Sadly, Victorians, it is all of us who are going to pay for Labor's debt in this state now and well into the future. When we get to that next election we can change things, Victorians. But things are going to get worse over the next two years.

Interestingly, when we announced our policy recently to introduce a debt cap in Victoria because things are just out of control and spiralling to nearly \$300 billion in gross debt terms, the government said, 'Well, we don't need a debt ceiling.' They maligned the idea of a debt ceiling, saying it was a US-style debt ceiling. Well, let us just note a couple of things. Labor did like to debt ceiling until it did not. It actually removed the debt ceiling. If I remember, the member for Bulleen, it was in 2018. Just before they were going to get the credit card out and whack it full of debt, they did that. Interestingly, even the Auditor-General supports our vision and our policy for a debt ceiling to get order and responsibility back into the state's books. The Auditor-General says – and for those of you on the other side who never read Auditor-General reports, page 27; you can go to it.

The SPEAKER: Through the Chair.

John PESUTTO: The Auditor-General looks for, in the state budget, either a net debt to GSP ratio which is similar or a very direct debt ceiling. He will not find it, and he has not found it. So the net impact in the Auditor-General's report is that debt will continue to rise. What does that mean? It means that we are all going to continue to pay high taxes in this state, higher than the rest of the country. Whether it is business taxes or property taxes, you name it, taxes and charges will continue to go up in this state. It is a sorry story.

When you ask yourself about a group of people confronted with what is indisputable evidence of financial delinquency and harm – direct harm to households and businesses – you would think the Premier would stop and pause and say, 'We can't sign up to contracts on the Suburban Rail Loop.' We know it cannot be afforded. The Victorian people know it cannot be afforded. S&P, one of our leading credit rating agencies, know it cannot be afforded. John Manning from Moody's, the other credit rating agency, said earlier this week that the costs of the SRL – wait for this, colleagues – in the view of Moody's stated publicly on Monday, have probably tripled. So that would mean, if you factor in what the Auditor-General has already identified by way of blowouts on the Suburban Rail Loop, that goes from around about \$41 billion, \$42 billion and that the first stage of the Suburban Rail Loop would cost, from Moody's comments on Monday, around about \$120 billion.

I mean, are we living in a parallel universe under this government? They think that money grows on some fairytale tree. How is this going to be funded? And does Prime Minister Anthony Albanese understand this? I wrote to the Prime Minister a couple of weeks ago and I asked the Prime Minister

to indicate, ‘Are you going to chip in your third of the Suburban Rail Loop?’ I say to the Prime Minister this afternoon, and I hope he gets the message: understand that you are not signing up to \$9.6 billion on top of the \$2.2 billion you have floated, none of which is committed at this point. What the Commonwealth has been asked to commit to, if Moody’s is to be believed, is something in the order of \$35 billion to \$40 billion by way of a Commonwealth commitment just for the first stage if they are still going to cut it up in thirds. What a complete joke.

What is even sadder is that the Premier is papering over the divisions in her own caucus. In her own caucus MPs know this project does not stack up. MPs in the caucus know – although they will bend over backwards to deny it, they know – that the Suburban Rail Loop means there is nothing. There is nothing for Ballarat, nothing for Lara, nothing for Eureka, nothing for Narre Warren North and South, nothing for Bass, nothing for Hastings, nothing for Bayswater, nothing for Mordialloc, nothing for Kororoit, if you have ever been there, nothing for Bellarine – all of you – and nothing, I should say to the Minister for Community Sport, who is at the table, for Kalkallo.

The SPEAKER: Order! Leader of the Opposition, through the Chair.

John PESUTTO: There is nothing for any of the Labor members in their seats today, and they know it. They know it is true. Even they know. When you make all sorts of allowances for how irresponsible Labor is when it comes to managing people’s money, the members opposite know you cannot fund a \$120 billion Suburban Rail Loop first stage – if Moody’s is to be believed – and still have money for the schools and the roads and the hospitals and the community facilities in your seats. You should be ashamed.

The SPEAKER: Through the Chair, Leader of the Opposition!

John PESUTTO: You should stand up for your people, but you will not stand up for them.

The SPEAKER: Through the Chair!

John PESUTTO: You will not stand up for them, so they will suffer. People will suffer because of this. Harm will be done. What will the Premier do? The Premier will continue to stonewall. The Premier will continue to front up and pretend she’s got this. Well, the Premier don’t got this. This is way out of the Premier’s league. She does not understand, with all due respect, what she is committing this state to. Can you think of anything not just financially delinquent but financially irresponsible and reckless for a government than to sign contracts when you do not have the funding, when you have not developed and provided a fully and comprehensively formed business case for this project? It is nothing short of outrageous. Victorians, if you live in Melton, if you live in Dandenong, if you live in the regions – Geelong, Shepparton, Latrobe Valley, Ballarat, Bendigo – we will get nothing under this government. All of that money will go into a deep, dark tunnel where you cannot build hospitals, you cannot build schools.

On top of this will be all the taxes that are supposed to fill up the other third. The government has not told us despite the Premier being asked in this chamber many times, ‘How will you fund both the state government share and the private share?’ We know that land tax surcharges are coming. For Victorians, if you live anywhere near this proposed Suburban Rail Loop or any station around the Suburban Rail Loop, please understand that Premier Jacinta Allan and her Labor government are going to tax you. They are going to tax you big. You are going to be paying for generations. This is not fair on Victorians, and Victorians across our state deserve their fair share.

Our state is heaving under the strain of Labor’s neglect. Labor has not invested in our growth corridors. That is why they have not released any precinct structure plans. That housing statement, so-called, was a joke. There was nothing. They did not even release any PSPs, and they do not release any PSPs because they do not have the money for the infrastructure to support them. There are members in this house on the other side who know just what I mean, who see the two-lane roads that are banked up at all hours of the day, they see the clubs that are trying to meet demand, they see the schools that are

overflowing with enrolments. They know it and they see it, and they do not have the guts to stand up to the Premier and correct their course.

But what is the government proposing for Victorians in terms of those value capture taxes? They can mean nothing else. They are going to tax your family home. If not directly, they going to tax your family home to fund this loop, if that is what it can be called. It is certainly loopy to do this without a business case and without the funding, but Victorians are going to pay for this. As for the debt that is going to be incurred, as the Auditor-General pointed out in his report on Friday, all of this is posing enormous risk to not only future prosperity, his words, but also the economic stability, his words, of our great state.

As the Auditor-General points out, when it comes to population growth the government is not responding. When it comes to the savage cuts to services that come under Labor when they mismanage the books, we are seeing savage cuts to health and we are seeing savage cuts in education. We have had an 18-month-long dispute with police officers. We had a long dispute with paramedics, as the member for Melton knows. And why are these disputes so protracted and so acrimonious? It is because Labor has run out of money.

I say to Victorians: there is a time for change. In two years time we will have a chance to put our state on the correct course, rebuild our state and build the prosperity all Victorians deserve.

Opposition performance

Tim RICHARDSON (Mordialloc) (16:16): It is great to rise for the grievance debate and acknowledge and grieve for Victorians if the divisive, destructive, hateful, shapeshifting, charlatan opposition was ever to form government in Victoria. I thought I was going to be up first, but I got to listen to the Leader of the Opposition in full flight. I saw more people on their phones over on that side and more people up and about for the member for Brighton and when the new Leader of the Nationals came in than for any of that. There was no heartbeat. My Apple Watch heart alert went off at one stage – it said, ‘You’re a bit excited, member for Mordialloc. Just calm down a bit,’ because I was up and about for the Leader of the Opposition’s contribution. But no-one on that side had any care. Half of them were on their phones, because they know that they stand for nothing on that side. They shapeshift, they change tack, they change direction to suit their own political narrative.

You have got to ask yourself how the Liberal Party, after the stellar leadership and performance and after the election of Bolte, Hamer and Thomson, have found themselves here today. When you organise a protest like we do, or a rally, we have Victorians rock up. When those opposite organise a protest or rally, they have neo-Nazis rock up, and that is not by accident or design, and it is not just in recent times. Once again, if Nazis think it is worth rocking up to your protest, then maybe you should have a look at the protest that you have organised. We have seen time and time again –

The SPEAKER: Order! Member for Mordialloc, through the Chair.

Tim RICHARDSON: We have seen time and time again, Speaker, actions of those opposite that are absolutely deplorable. It goes back further than what we saw on the steps of Parliament recently with the member in the other place. It goes back to 2018 when the then Shadow Attorney-General, now Leader of the Opposition, was on the charge around the surge in what he called African gangs. At that time the now Leader of the Opposition Peter Dutton in the federal Parliament and the Leader of the Opposition here were on a unity ticket. They were saying that because of our African community you could not go out in Victoria. Remember when they said that African gangs were across our communities and demonised newly arrived migrants and refugees in our community and put them all in one basket? Where have we seen that kind of divisive and hateful politics in our state? That is not the leadership that Victorians ask for. To my astonishment, the other week I was at an African festival at Federation Square, and I saw some of those members of Parliament championing and saying how great the African communities of the 54 nations of that continent have been for Victoria. Only six years ago they were attack fodder for their divisive political narrative. This is the consistent frame that

we see from the Liberal Party. We see some engagement in treaty from the Nationals, and I will get to that. But we see consistently hate and division.

Where else have we seen neo-Nazis rock up? At the Victorian Pride Centre. We saw neo-Nazis lined across the entrance of the Pride centre. Where has the hateful speech that we have seen demonise people in the LGBTIQ+ communities come from? It has not come from the Labor Party. It has not. We have stood in solidarity, supporting people for who they are and showing love and compassion. We saw Nazis rock up there. We saw the United Patriots Front attack African communities on the beaches of St Kilda in 2018. Those divisions were stoked by a leadership who hope to lead this state some time in the future, and they cannot be the Victorians we front up to.

Now there is another community that just recently has been used for their political division and rhetoric, the Sikh community. People will think that has come out of nowhere, but it was politically convenient to sow the seeds of division and hate for a moment in time. It is a consistent theme that we see from those opposite. Consistently we see shapeshifting on policy. Remember when there was a bipartisan supported principle on voice, truth and treaty? It was not until after the results of the Voice referendum, where the only member that showed leadership on that side was the member for Kew, that we saw a low road taken and demonising and harmful impacts on Victorians and our First Nations people come to be. That is the kind of division that we see, those are the kinds of attacks that we see. It is an inconvenient truth. It is not a modern centre-right Liberal Party, it is a populist party that is chasing the preferences of One Nation, of the United Australia Party and of the Freedom Party. That is the coalition that they have formed that has absolutely slayed their primary vote. It used to be in the low 40s, now it is struggling in the mid-30s.

Members interjecting.

The SPEAKER: Member for Nepean, you are not in your place. Member for Polwarth, you are not in your place.

Tim RICHARDSON: When you see that kind of behaviour, and when you see at polling booth after polling booth after polling booth them handing out their same flyers together and sharing their volunteer muscle across their movements, you know exactly what this is about. This is about sowing populist hate on minority communities or diverse communities, and their suffering and their impact means nothing to the aspirations of the Liberal Party.

I do not know how someone like Ted Baillieu, who was centre right and got them into government in 2010, can look at that party. In fact family members of the Baillieus cannot look at that party anymore and have left and are running candidates that destroy the Liberals' councils and federal and state seats. We can see it being sowed again across Hawthorn. We will see this once again, and the Leader of the Opposition may not even be here in his own seat with some of the polling and some of the numbers that those teal candidates have. They used to be socially progressive, economic conservative liberals. They have had an absolute annihilation of the party. They are no longer a liberal party; they are a populist conservative party. That is how they are formed and where they are going right now.

It is not just us saying this. It is not just us who see this. We see the now Leader of the Nationals, whose first instinct after 2022 was to question the legitimacy of their coalition agreement. It was an honest moment. Obviously going from Siberia and in the freezer then back to redemption and now being the Leader of the Nationals has been a long journey, but that is where the Leader of the Nationals has found himself now. We wish him well and good luck. But in a moment of clarity and truth the Leader of the Nationals saw how absolutely dysfunctional this crew are. I mean, of all the situations you could find, you could not imagine a circumstance where a modern party would have half and half of their party room literally opposing each other in court, literally lining up and giving evidence. I could not have imagined a circumstance where the Deputy Leader of the Liberal Party thinks it is appropriate behaviour to record his leader. How on earth is that appropriate behaviour that says that you can still lead? That is the kind of trust deficit that those opposite have amongst themselves, let

alone what we think. I mean, the irony is that there are people on that side who despise the Leader of the Opposition more than any of the most critical members of Parliament in the Labor caucus.

There are people on that side who absolutely backgrounded heavily only a few weeks ago, trying to bring on a challenge. If you have such a trust deficit in the people that are meant to support you and be united in a policy position going forward, then how can Victorians trust you? When you promise something in a negotiation to someone and then you go and blindside them and record them and that trust deficit exists, how can any Victorian into the future trust anything you say? When you change your position on policy over and over again on how you support diverse communities, how you support our First Nations communities, how you front up to pride marches and then you are demonising people in the LGBTIQ+ communities, how could anyone ever trust you? This is the modern Liberal Party that we see now and the trust deficit that Victorians clearly have with this mob.

There are a couple of other things I want to raise on some of the grievance matters raised by the Leader of the Opposition. There is a discussion around where the economics of the state are. This is a state that has built the intergenerational infrastructure for the future. This is a Leader of the Opposition who was nestled next to the former federal Treasurer, who during the pandemic took the nation's debt up to a trillion dollars. A lot of that built up a long time before. You never hear a reflection on the Commonwealth government and former Treasurer Frydenberg or former Prime Minister Morrison. Their debt-to-GDP numbers being in the mid-30s when ours were in the mid-20s – you never hear that, because what did the Treasurer at the time Josh Frydenberg say? 'The debt that we take on is the cost of saving lives and jobs.' That was the message that was put forward. The inverse of that is: what would those opposite have done during that time? We know from past form and past history: smash and slay health, cut ambos, cut health services, cut our nurses. We have seen that past behaviour. We saw it under Abbott; we saw it under the Baillieu–Napthine governments. Past form is absolutely a predictor of future behaviour. So when the Leader of the Opposition talks about a debt ceiling, the Leader of the Opposition is talking about savage cuts to services.

The Leader of the Opposition goes from one policy position to another, and the irony of that was when the federal opposition leader the other day completely blindsided the state Leader of the Opposition. Clearly Dutton never speaks to the Leader of the Opposition. There is absolutely a trust deficit, and you can see the federal colleagues who every now and then just run out a bit of backgrounding on how incompetent the leader is and how lacking in trust they are of his leadership. And then the state crew get on board. You can see those that have given evidence are the team that rock up and then background again, and we could go through a litany of quotes.

The federal opposition leader would cut infrastructure funding to Victorians. He has said he would cut infrastructure funding in the billions to Victorians overnight. The Leader of the Opposition in our state cannot work out whether he is opposed to this project, scrapping this project – he has changed; he is such a charlatan and a shapeshifter. We have never seen more positions taken on this. When treaty was taken, African gangs, our Sikh community, infrastructure – it does not matter. It just depends on how Tom Elliott on 3AW presents a question, and he will be agreeable. It is like taking talkback and always saying, 'You've made a good point, you've made a good point, you've made a good point.' He just changes his tune to suit the narrative at that time, and we still do not know the position. Is it shelved? Is it cutting contracts in the billions of dollars? Is it opposition leader Dutton's position that is billions of dollars of cuts into the future? That is the position. Those are the questions. We have that trust narrative and a complete trust deficit.

I will go back to that fundamental point: if your own colleagues, even your Deputy Leader of the Liberal Party, do not trust you in a meeting but need a physical record that is in hand for eight months – that is the trust deficit – how is the average Victorian who wants a house and a hope for a house who is priced out of the market with interest rate rises going to trust the Leader of the Opposition to deliver? When your Deputy Leader of the Liberal Party and the Nationals leader want to break the coalition, do not trust the Leader of the Opposition, how then do you trust them to front up?

There is another key point as well that we have seen, a narrative forming that cul-de-sacs into the point I am making around the elements of neo-Nazis, seeing them cosy up nicely to the Liberal Party. Remember, it is on four occasions that we have got examples where rallies or groups have been organised and neo-Nazis have seen that it is in their interests and policy frame to be united with the modern Liberal Party.

The other key policy area is housing. Let us listen to some of the comments when they run these protests. ‘The changing character and nature of suburbs and communities’ – what is that code for? That is some of the xenophobic language that we see from the leader of the federal opposition.

John Pesutto interjected.

Tim RICHARDSON: The Leader of the Opposition might call me a fool, but maybe he wants to explain to us what ‘African gangs’ was about. What was ‘African gangs’ about, Leader of the Opposition? What was the United Patriots Front doing on St Kilda Beach targeting the African communities in 2018? Graham Ashton at that time warned the Leader of the Opposition and the Shadow Attorney-General at that time that the language and hate that he was seeing in the community were so divisive. That was so divisive. What was said at that time, when the Shadow Attorney-General was being warned about the language he was using? Because he is a shapeshifter; he is a shapeshifter on policy and a charlatan if there ever was one. And when you see the comments around increased housing about the changing character and nature, that it will not feel the same, we have heard those comments before. We have heard those xenophobic comments before around immigration and migration. We see it in the Trumpist politics that attacks migrants, that attacks the 7000 Australians born somewhere else who have contributed to our multicultural community. They should be ashamed, and Victorians will see them for what they are, and they have worked out that the Leader of the Opposition is a lying shapeshifter.

The SPEAKER: I remind members about parliamentary language. That word is not allowed.

Regional Victoria

Danny O’BRIEN (Gippsland South) (16:32): I rise to grieve for the people of regional Victoria, who have to put up with one of the worst governments this state has ever seen – a government that cannot manage money, cannot manage projects, and it is regional Victorians that are paying the price.

We have seen this ad infinitum for the last 10 years, but I have got to say it seems to have gathered pace in the last four or five years. We now have a debt disaster heading for \$187.8 billion. What was it when this government came to power? What was the state’s debt then? It was \$22.3 billion. If anyone on the other side would like to do the maths, they could find out that is a 742 per cent increase in the state’s debt, and that is because that mob opposite are economic vandals. They are profligate. They cannot help themselves. When they have got their hands on someone else’s money, they spend it. But most particularly, they do not just spend it; they waste it. No-one has a problem with the government spending on infrastructure or services to improve the lives of Victorians, but when it is wasted, that is the cost that regional Victorians in particular are paying. Debt on its own is not bad. Debt is not a bad thing if it is investing in infrastructure. But that debt is paying \$41 billion of cost overruns on the megaprojects, and let us be clear, 99 per cent of them are in the city, and regional Victorians are paying for them.

Those cost overruns are just extraordinary, and what it leads to is the increase in the interest bill. We are heading for \$25 million a day in interest. If you can think about what that would do, every member of this Parliament would be able to find something in about 2½ seconds that they could spend \$25 million on in their electorate. For me it would be Sale College. We would get a new Sale College built in two days with the interest that this government is paying on debt. I think the Leader of the Opposition highlighted earlier today that the Auditor-General has made the point that when you are paying that much in interest, it comes at the expense of services for the Victorian people. To have the government try to suggest that they are building for the future – well, they are building for someone,

but they are certainly wasting so much money on these massive projects. They cannot control anything.

It is an absolute fact that that waste is 99 per cent tied to the Premier of this state. Even before she was the Premier, as the Minister for Transport Infrastructure, everything she touched turned to a blowout.

Every time –

Sam Groth: Commonwealth Games.

Danny O'BRIEN: The Commonwealth Games is another one. Thank you, member for Nepean. Everything that there is. What does this lead to? It leads to in our case – and as the Shadow Minister for Roads and Road Safety – \$41 billion being wasted on megaprojects while we cannot even get \$1 billion spent to fix our roads. The government like to say all sorts of things about the wonderful things they are doing, but go out and actually drive on our roads and listen to the people. Those opposite are very quiet at the moment, but they know because they must be getting the complaints the same as we are. I know that the government does like to look after its own and not actually put any money into coalition electorates, but it is not in Labor electorates that the roads are paved with gold. They are just as bad over there too. Government members must be aware that the roads are in an absolutely appalling condition. Indeed the government did its own survey last year of 8000 kilometres of the 23,000 kilometres of roads that the Victorian government owns, and 91 per cent of them were in poor or very poor condition. Nearly all of them – 91 per cent.

I loved it in question time today when I asked the Premier about the RACV's comments, which were that basically to blame the floods is just bunkum. The RACV has called out the government and said it is not true. The Premier started interjecting, 'The roads in my electorate and the Goulburn Valley Highway were flooded. Princes Highway was flooded,' and I got to St Kilda Road. It was St Kilda Road that the RACV had talked about and how bad the potholes were there.

Sam Groth interjected.

Danny O'BRIEN: Well, it has been very wet for about the last hour, member for Nepean, so we better go out, because that is going to give the government an excuse for at least another two years.

Sam Groth interjected.

The SPEAKER: Member for Nepean, this is your last warning.

Danny O'BRIEN: Our roads are in a terrible state. It is absolutely appalling that we are now looking like a Third World country because of the way the government has neglected our roads. The lack of spending – a 95 per cent reduction last year in the area rehabilitated or resurfaced. They basically did nothing on our roads last year, and that is to the great shame of this government.

On energy prices, the member for Mordialloc would have us believe that it is only the Reserve Bank that is causing anyone any cost-of-living problems. Of course the Reserve Bank is doing its job to get down inflation. What is one of the big things that is causing inflation? Energy prices. I can go back. There are many things we could talk about when it comes to energy. We could talk about the government's gas ban, its ideological war against gas. The attempts of the minister now to sort of walk herself back from the fossil gas ban is quite amazing gymnastics to watch. But I can go back a bit earlier than that.

Some of us will remember the 2016 budget, when the government tripled the royalty on coal. What happened after that? ENGIE Hazelwood said, 'We're out of here.' Hazelwood was always going to close. We know that. We know that Hazelwood was always going to close, but the government then said, 'It had nothing to do with the tripling of the coal. That had nothing to do with that.' What did Daniel Andrews say at the time? I cannot remember the figure, so this is not 100 per cent accurate, but I think he said that they expected a 3 cent increase in the average bill because of Hazelwood closing.

Do you reckon that happened? Does anyone think that happened? No. They went up. The power prices went up, and they have been going up ever since.

Michael O'Brien interjected.

Danny O'Brien: Thank you, member for Malvern. The wholesale increase was 85 per cent. I do not like to use the wholesale price necessarily, because the minister loves to talk about the wholesale price being lower than every other state. No-one in Victoria pays the wholesale price. People get a bill from a retailer, and those retail bills have been going through the roof for the last 10 years under this government. Not only did the people of the Latrobe Valley, the member for Morwell's electorate, lose their jobs, the 600-odd jobs directly at Hazelwood, they saw their power prices increase.

Now we have got the Yallourn station being brought forward. I get sick of hearing media reports about how ageing coal-fired power stations are going to have to close down. Loy Yang A and Loy Yang B were not scheduled to close until 2048, but under the policies of this government they have both been brought forward. Loy Yang A has been brought forward to 2035, and whatever Alinta wants to do with Loy Yang B, the government has actually made a policy that we will be 95 per cent renewables by 2035.

That means that goes as well. What is going to happen when that happens? More price increases, and for the people of the Latrobe Valley, no jobs. When Hazelwood closed we rushed in with the Latrobe Valley Authority, another great government quango that was going to save the world. We have still got three power stations to close. We have shut down the timber industry. We have shut down, under this government, our last white paper manufacturing at the mill. What has happened? The Latrobe Valley Authority? We do not need that anymore; we have obviously fixed everything. But we have got the SEC. We have got the SEC, and we have got how many jobs in Morwell? When the former Premier went down and announced it, he said they would create 59,000 jobs.

Members interjecting.

The SPEAKER: Member for Polwarth, this is your last warning.

Danny O'Brien: I do not know what my colleagues behind me know, but can anyone tell me how many jobs there are at the SEC in Morwell at the moment? One. There is one person working at the SEC. What an absolute scam this is. It is in energy and in the Latrobe Valley and in Gippsland that we have borne the brunt of this government's policies.

Do not get me started – actually let me get started on the timber industry. The timber industry decision is, I would have to say in my 10 years in state Parliament and my 20-odd years in politics, the worst public policy decision I have ever seen. Fancy shutting down a sustainable, renewable industry that actually captures carbon. Instead we have got a government that would rather listen to the Greens up the back and worry about how their vote is going and where their preferences are going than listen to the IPCC, for example, which has made it clear that a sustainable forestry industry will abate carbon better than not having one. To shut down the industry for no reason other than base politics is an absolute disgrace and an absolute reflection on this government.

Talking about base politics, the Wellington Shire Council put in an FOI request for the facts and the research that the government made its decision on. They went for a fight for three years and they did not get anything because there was nothing there. They did not have a research or scientific basis to make that decision. They did it for base political reasons, again to the detriment of the people of rural and regional Victoria.

We have a stay when it comes to health, because we all know that this government wants to merge our hospitals. It wants megamergers of all our regional hospitals, indeed all our hospitals. The member for Lowan can tell us about it because it has happened in her neck of the woods – to the deep disappointment and despite the opposition of all the members of her community, the government has gone and merged her hospitals. Now we have got this government saying, 'Oh, we're not going to

merge them, we're just going to have these network plans.' But talk to anyone in health system – they know what is happening. These are health mergers by stealth, and that will come at a great detriment to the people of rural Victoria in particular, because I am sure the services and the existence of our smaller hospitals will be diminished.

We have got a broken ambulance system. Every one of us in this Parliament – certainly every one of us on this side – could tell a story of a constituent that has been left hanging, that has been told, 'Drive yourself to hospital' or, 'Get a taxi, because there's simply not an ambulance available.' The chaos in Ambulance Victoria continues forever.

It is apposite that I have got the Shadow Minister for Police beside me, because I can talk about community safety. In my electorate the crime rate in South Gippsland shire, which started the 10-year period of this government as one of the safest, has risen 66 per cent – 66 per cent in South Gippsland shire. Now I emphasise that it is still a relatively low-crime area, but the increase is unbelievable. We have got an issue there at the moment with a particular youth – more than one, but one in particular – who is just constantly committing crimes. They are getting arrested, as the police know who it is every time, and getting bailed – bail after bail after bail. We heard the story of a kid in the south-eastern suburbs recently – 50 times bailed. This is government that is soft on crime, and again it is the people of Victoria that are suffering and the people of regional Victoria.

On the issue of regional infrastructure, the Parliamentary Budget Office –

John Pesutto: Is there any?

Danny O'BRIEN: Well, that is a very good question, Leader of the Opposition – there is not much. Because despite the fact that we are 25 per cent of the state's population in regional Victoria, the PBO has found that we are getting just 13 per cent of the infrastructure spend. That is the dividend of that \$41 billion of cost overruns that I was talking about before, and that is before we even start on the Suburban Rail Loop.

The Suburban Rail Loop will suck capital out of regional Victoria for decades to come because of this government's decisions, and it will leave us with worse roads, without the hospitals that we need, without the schools that we need and without the police services that we need because so much money is going to be going onto this mega multibillion-dollar project – a project that I might say still does not have any funding for it. Sorry, I should not say that. It does have the state government commitment, but it does not have anything from the federal government. It literally does not have anything from the federal government, despite the Minister for Transport Infrastructure trying to claim the other week that there is \$2.2 billion from the federal government. They have not signed the cheque and sent it yet. We are going to apparently get another \$9 billion from the feds – I do not know that that is going to happen – and then we are going to tax people another \$11 billion in value capture.

Can you imagine if I went to a builder and said, 'I'm ready to build my house,' and he said, 'Great, have you got the finance organised?' and I said, 'Oh, no. I've got a third of it, but I'm sure I'll be good for the rest.' Do you think the builder would go ahead? No. Do you reckon the bank would be happy with that? I do not think they would. That will be a disaster. I have said in this place before that the concept of the Suburban Rail Loop I think is not a bad one, but the concept of me buying an island in the South Pacific is also a good one. The problem is we cannot afford either of them.

The member for Nepean talked about the Commonwealth Games. I am going to run out of time to speak about the debacle and the betrayal that that is not just to the people of Victoria but the people regional Victoria. Labor cannot manage money, and it is regional Victorians who are paying the price.

Opposition performance

Josh BULL (Sunbury) (16:46): I am pleased have the opportunity this afternoon to make a contribution and grieve for the people of Victoria if those opposite ever have the opportunity to occupy the government benches because of not just the damage that will be inflicted but the jobs that will be

axed, the major transport projects that will be shelved and of course the training and apprenticeship opportunities that would be lost.

We know on this side of the house that those opposite hope that Victorians have very short memories. Those opposite each and every day are hopeful that they forget the very dark, very quiet, very lazy period from 2010 to 2014 when not one major transport project was delivered. As a local member and someone who came into this place in November 2014 – and, Speaker, not making reflections on you of course, but you are somebody who may have been here a little longer than that – what I hoped for was a range of projects that were in delivery. We saw policy inertia and project inertia – nothing from those opposite. What we see time and time again week in, week out in this place is a show that comes in and wants to rip apart every major project that we have proposed and every major project that we have taken through a budget process to elections, but they would be half believable if they had actually delivered just one. This of course stands in stark contrast to our position and ensuring that Victorians know and understand that there is a strong pipeline of investment that goes to not just getting local communities to where they need to go safer and sooner but making sure that we have the infrastructure in place to provide the housing opportunities that are contained both in the housing statement and the many, many announcements made by the Premier just a couple of weeks ago when it comes to housing.

The key point here is knowing and understanding that this investment is not just for today but for generations ahead. About an hour ago I had the opportunity to sit down with some wonderful students from Albert Park Primary School on behalf of Minister Williams to discuss transport within that local community.

What is very clear is that more investment in transport is something that is heavily supported within communities by people right through all ages of their life. We know and understand that making these decisions now, making these investments, is incredibly important. What we have seen from those opposite, as I mentioned earlier, time and time again, week in and week out, is a systematic approach that is all about politicising our transport projects and not in any shape or form wanting to get them done. The commitment, the investment made by this team, is something that we have outlined in both our budgetary process and the announcements that we have made at many and varied elections.

Speaker, as the Speaker of the house you will of course be aware that not so long ago King Charles visited Canberra. We should not be fooled, because there is I believe another king that has been lurking around the place of late – self-proclaimed as it may be – and that is the member for Bulleen, who –

Brad Battin: The King of Bulleen – correct titles!

Josh BULL: I am getting there. Thanks for the interjection; that was helpful. Last sitting week he labelled himself the king of planning. It was a rather theatrical performance, as often we see from the member for Bulleen. He is not just the king of planning, member for Mordialloc, he is also the king of transport, and he made some comments last week on our train network. It was an interesting sort of contribution – a bit of mirror time, a bit of time on Instagram. It was quite interesting. He got himself to a train platform and did a bit of work.

But I go back to my point that it would be half believable to take lectures from those opposite if the investment, the policy work, the grunt work had been done. If we have seen some major projects delivered, that would have been something that we would be interested to see. However, let us jump in the time machine – in the DeLorean – and go back just a few years and remember when those opposite tried to block the Metro Tunnel. Now they are trying to mislead the public on a project that will deliver faster journeys and turn-up-and-go services for Victorians.

We have been clear for years that high-capacity trains using different train stations across different lines – perhaps we should have brought the whiteboard and sticky notes and done a small presentation for the king of transport. We know and understand that this is important work. Let us establish the facts. The network has different technologies, different frequencies, different train lines and different

passenger capacities, and that is why different trains are needed. Best practice modern railway networks around the world run different dedicated trains, and Melbourne will become the first city in the country to roll out high-capacity signalling on the existing network. The Metro Tunnel will transform the way we move around our city, the way we move around our state. The high-capacity metro trains will run in the Metro Tunnel, and it will revolutionise the way we move around our city.

Just last week I had the opportunity to take some members of our community – our SES community, Fire Rescue Victoria, the CFA and some local schools – into the amazing Parkville station, one of five as part of that 97-kilometre direct connection between Sunbury and Cranbourne and Pakenham. To see the reaction, to see just how important this generational investment – the biggest since 1981 – is to our emergency services and the local school students that were there was incredibly inspiring. And what it means is that this is an opportunity for people to move around to our precincts safer and sooner. I spoke about Meredith earlier this week in the Parliament. Meredith has worked in the hospital precinct for decades. She has seen the construction in progress, and to have her there and to listen to her story about what it is going to mean shows why we make such significant investments.

I think, after nearly a decade of playing cheap and nasty politics with these projects, those opposite might just have realised that Victorians are a little bit wiser and a little bit smarter than those opposite give them credit for. They know and understand that major projects take time. They know and understand that major projects are an investment and, when you speak to anyone that is involved in engineering or anyone that is involved in something as complex and detailed as tunnelling, that investment and costs do change. Let us just look at Sydney Metro, a prime example. It opened just recently with investment from the government, and a community saw a project that took a long period of time and was a significant investment but will make a generational difference. The theatre, the politics, the light, the colour and the movement are but a distraction, because what we know on this side of the house, because we have been advocating for and talking about this project for a long time now, because major projects as big as Metro take a long time, is that these are incredibly important to the community. It builds upon the many, many others.

I have probably lingered on Metro a little longer than I had hoped, but I am just going to rattle off a couple of others. The West Gate Tunnel is set to open next year, a massive investment making sure that we are providing for additional capacity, and hopefully next week I will be back there again. There are the twin tunnels, a second river crossing, four new lanes on the West Gate – express lanes – a 2.5-kilometre elevated veloway above Footscray Road and 14 kilometres of new and upgraded walking and cycling paths. Making sure that that investment continues is very important to the west. We can move through our level crossing program – 110 by 2038, with 84 already gone – making sure that we are investing in communities to be safer and less congested, and we will see the Sunbury, Werribee and Frankston lines level crossing free, joining the Cranbourne, Pakenham and Lilydale lines. That of course provides for safer, less congested communities.

I have said this before: it is very easy to come into this place and bark and carry on about all sorts of things that those opposite do, but the people of our great state know and understand what leadership is. It is about making the hard decisions, it is about investing in people and it is about investing in communities, not just in the city, not just in peri-urban and growing communities but in the regions as well. There is no doubt, outstanding member for Geelong, that our great state has been through its challenges, whether it is the COVID pandemic or whether it is challenges that have been generated by international markets, those things that we have seen internationally when it comes to many of the commodities that we use to deliver these major projects. Our government's view is that working with local communities to invest and making the hard decisions when and where we need to absolutely stacks up.

What we see time and time again from those opposite is a continued policy vacuum, playing the cheap road, playing the low road, not investing in communities and not investing in people. When it comes to people, I have not even talked about the new program delivery approach with roads, the major projects skills guarantee and the trainee and skills apprenticeships that are generated from these

projects. What we know is that if you fail to invest in major projects and skills and training, then of course you are not giving people opportunities. Part of our role, alongside keeping people safe and making sure that we are investing each and every day, is investing in the future of the people in our state. I am incredibly proud that for about a decade we have made sure that with our programs and projects we have made this investment, while those opposite continue to do the things that they do best, and that is engage in fear campaigns, that is scare people and that is deliver some of the absolute rubbish, member for Geelong, that we saw today in a previous debate.

History is always the best judge, and despite losing three times now, those opposite fail to learn the lessons of history. What we saw today, particularly in that debate with the outstanding contribution from the outstanding member for Geelong, and what we see time and time again is a very sloppy, ordinary outfit. There are a couple of, let us say, fairly decent operators over that side of the house, and the people of Victoria will benefit from having what would be respectful, compassionate debate in this place, not the games, not the antics, not the lazy road that we see time and time again from those opposite.

However, our job is not to focus on them; it is to focus on us and on the people that elected us to come to this place and work within our constituency, within our local community, to get on and get things done. There is a major program of works. Next year we will see the culmination of a near decade-long project with the Metro Tunnel opening. We will see a more than five-year project, the West Gate Tunnel, opening. These are investments that stand the test of time. Those opposite can focus on all that they like, but our job is to make sure that people can get home safer and sooner, go about their business in a better way and get the skills and the life opportunities they deserve, and with those comments I will leave my contribution there.

Electoral reform

Tim READ (Brunswick) (17:01): Today I rise to grieve on behalf of everyday Victorians, whose voices are too often ignored by their government. Many Victorians are rightly proud that we live in one of the strongest democracies in the world, where we are not only encouraged but required to make our voices heard at the ballot box. But behind the scenes here in Victoria our votes are manipulated by dodgy preference deals, our major political parties are beholden to corporations and time after time we watch as this government ignores expert advice and popular opinion to make our lives worse with bad policy. Victoria is the only remaining state in the country where group voting tickets are allowed. In the upper house, most people vote above the line, but in Victoria you are only allowed to choose one party above the line and cannot allocate your own preferences. Political parties then make deals with each other to direct voters' preferences in a way that benefits them rather than the voter.

This system is manipulated for profit, allowing parties to effectively buy a seat in Parliament for about the price of a new car. Group voting tickets subvert democracy, tricking voters into electing parties that they have not heard of and may not support. For example, I might write 1 next to the I Love Bananas party, but without my knowledge backroom deals direct my vote to elect someone from Abolish Fruit. Or, for a real-life example, in 2018, 13 per cent of people in the Southern Metro Region voted for a Greens candidate who then lost her seat to an anti-immigration candidate with just 1.3 per cent of the primary vote.

Labor does not want to get rid of group voting because it suppresses Greens representation while filling the upper house crossbench with a hotchpotch of often right-wing micro-parties. Another way to put that, though, is that Labor would rather hold on to power than listen to the will of the people. And we see this in the City of Melbourne too, where the state government has the power to end council candidates' group voting tickets and end the practice of giving votes to non-resident landlords and double votes to business owners, but they would rather not listen to the people because perhaps they do not like what we say.

Speaking of council elections, the shemozzle that was the 2024 Victorian local government election has not gone unnoticed. We saw renter disenfranchisement; long American-style queues at voting

booths, with many ultimately sent to vote in another municipality; allegations of ballot theft and fraud; and candidates hiding their party affiliations, among other signs of democracy gone wrong. That is why the Greens have written to the Premier, the Minister for Local Government and members of the Electoral Matters Committee seeking an inquiry into the 2024 local government elections – to fix these issues before Victorians go to the polls again.

But it is not only at the ballot box where our voices are ignored.

We have seen countless instances of this government wilfully ignoring the voice of the people to achieve their own ends, usually to keep business happy. Just yesterday we saw Labor and the Liberals unite to vote down a sensible Greens amendment to the new Tobacco Amendment (Tobacco Retailer and Wholesaler Licensing Scheme) Bill 2024 backed by public health stakeholders, like the Cancer Council and Quit Victoria. It was simply asking the regulator to consider public health and safety when approving tobacco retail licences. We understand this was struck down because industry did not like it – industry, also known as tobacco companies, merchants of death, who contribute massively to the burden on our already stretched health system and keep Victorians sick and dying. Victoria spends \$600 million treating people with diseases due to smoking, and if you are worried about uncontrolled increases in health spending – and we should be – we could cut this by reducing smoking with the sorts of measures we wanted to introduce into that bill. It is no wonder my Greens colleague Aiv Puglielli from the other place recently called for a ban on political donations from tobacco companies in his minority report for the Public Accounts and Estimates Committee’s inquiry into vaping and tobacco controls.

It will take more time than I have today to list all of the evidence-based reports and inquiry recommendations that this government has ignored despite countless submissions from subject matter experts and the public, but I will mention a few. This government barrelled ahead to approve yet another duck-shooting season despite public outcry, an extinction crisis and the number one recommendation of their own inquiry. They refuse to build a life-saving second safe injecting room. Following the recent inquiry into food security they teamed up with the Liberals to block any recommendations aimed at reining in the supermarket duopoly despite numerous submissions clearly outlining price-gouging practices that keep Victorians hungry while lining the pockets of these exploitative corporations.

They have refused to build accessible tram stops along 5.5 kilometres of Sydney Road despite years of outcry, including a protest just this afternoon on the steps of Parliament, and despite federal law requiring them to have made all tram stops accessible by the end of 2022. They have also refused to improve Sydney Road, Brunswick, by installing protected bike lanes despite their own VicRoads survey showing this is what the majority of Sydney Road users want and despite their recent inquiry into road safety recommending that bike lanes be prioritised to keep commuters safe and reduce traffic congestion.

Shamefully, this government backflipped on their earlier commitment to raise the age of criminal responsibility to 14, giving in to the bad-faith law-and-order crowd known ironically as the Liberals despite a massive public campaign and compelling evidence from First Nations justice organisations. First Nations people, especially children, deserve better, especially after last year’s harmful Voice campaign and results.

Speaking of selling off public assets, this government’s determination to knock down all 44 public housing towers is disappointing given the land will go to private developers, who will replace the public housing with social housing and around twice as much private housing. Public protests, a class action lawsuit and evidence from architects and researchers all tell us to refurbish these buildings instead of knocking them down. The government insists this is not possible, but not only is it possible, it is preferable in terms of cost, environmental sustainability and not displacing the thousands of people who live there. The problem is of course that this government would rather wash its hands of public housing and sell off land to private developers instead.

When it comes to renting, the government are all too happy to unlock public land for developers and give tax breaks to investors while throwing a few crumbs to renters like portable bonds and dispute resolution services, but they refuse to do anything about the real issue facing renters: unlimited rent increases that renters simply cannot afford. This government's refusal to listen to renters and public housing residents has led to a huge jump in Victorians experiencing rental stress, and homelessness services in Victoria reported last week that 1 million Victorians are now at risk of homelessness, a 67 per cent increase from 2016 to 2022.

In 2024 it is impossible to speak about grieving without thinking about Gaza. I grieve for the millions of people trapped, displaced, bombed, starving and dying in Gaza and many more elsewhere in Palestine and Lebanon who Israel has targeted over the last year, all with the backing of Western governments, including our own Victorian government, who have finally bowed to public pressure and said that they will not renew their MOU with the Israeli defence ministry but who continue to maintain ties with Israeli weapons company Elbit Systems.

Countless Victorians have loudly voiced their opposition to Israel's assault and demanded that their governments take action. Unfortunately this government has taken plenty of action not to stop the slaughter but to silence the people speaking out against genocide. University students are taught the mistakes of history, encouraged to question authority and told to stand up in the face of injustice, only to be suspended, expelled, arrested and vilified for doing so. Palestinians, anti-Zionist Jewish people and their allies are chastened by those in power, who say they are 'morons' who are disturbing 'social cohesion', a disingenuous Howard-era term that was repeatedly used to oppose immigration.

Earlier this week one of my constituents James Crafty, who himself is Jewish with family members who survived the Holocaust, went to Caulfield to peacefully protest a panel event discussing Israel's 'challenges and opportunities in a new Middle East'. The event was to be held in a synagogue and featured Israeli military and government figures, one of whom was ultimately barred from Australia, possibly in part due to her numerous abhorrent comments calling Palestinians 'little snakes who should all be forced out of Gaza'. James said he went to protest this event because he objected to Jewish institutions being used to advocate for war crimes. But when a group of right-wingers saw James walking on the footpath wearing a keffiyeh, they surrounded James, began jostling him and then threw him to the ground. But it was James who was arrested and charged, amid honks and shouts of, 'You're not welcome here' from cars passing by.

Meanwhile, a group of RMIT students face disciplinary hearings for attending an on-campus meeting to discuss Palestine. The complaints against them include the fact that some attendees were wearing keffiyehs, which were said to have caused 'anticipatory anxiety', whatever that means. Personally it causes me anxiety to know that there are people in my community who are more offended by a traditional scarf worn as a cultural garment or an expression of international solidarity than by the indiscriminate killing of many thousands of people, not to mention the politicians who objected to seeing the keffiyeh in this chamber, presumably because they do not like being confronted with visual reminders of their inaction in the face of genocide.

I am disturbed by the efforts to silence people who are standing up for what is right. In the case of many migrants from Palestine and Lebanon, as well as Jewish people who are concerned that Israel's actions are contributing to antisemitism, they are standing up for the safety of their own families. I am also concerned that the government's new anti-vilification legislation may be designed without considering whether it will further suppress dissent. I notice that this government has adopted the IHRA definition of antisemitism, which has been described by its own lead drafter Kenneth Stern as being weaponised to suppress freedom of expression and to limit criticism of Israel's actions. In our democracy we must be able to express our opposition to war crimes, and we will keep doing so until our governments finally listen.

I want to return to a point I made earlier. We know that treating smoking-related diseases costs this government \$600 million a year. I have got a number of other suggestions for saving money for this

government. I would recommend, for example, that this government no longer sponsor the obscene festival of war known as Land Forces. I would also recommend that we stop subsidising the cruelty of horseracing and greyhound racing. We could save a lot of money by not over-funding private schools, and we did not need to spend a billion dollars on an unnecessary new prison and then spend millions of dollars a year keeping it open with no-one in it.

I look forward to offering more money-saving tips to the government, should they require them. I hark back to the 2022 election when our calculations showed it was possible to close two prisons in Victoria. The then Premier, Mr Andrews, commented that he was not sure where the prisoners would go – perhaps they should go to Brunswick – and I note with approval that the government has recently announced the closure of two prisons.

To conclude, the major parties, both the Liberal Party and this Labor government, are determined to maintain the status quo, too often in spite of widespread community opposition on a great many issues, more than I have listed here today. But it is important to recognise that community campaigns have had a number of amazing wins recently. Let us start with this government deciding not to renew their MOU with Israel's defence ministry, fossil fuel giant TGS cancelling their plans to carry out damaging seismic blasting in Victoria's waters and this government finally bringing pill testing to Victoria after years of community pressure.

But it is clear that community pressure works. The major parties may be captured by corporations, but the Greens and I are proud to bring the voices of people into Parliament, making it harder every day for the major parties to ignore us.

Regional Victoria

Michaela SETTLE (Eureka) (17:15): I rise to grieve for regional Victoria should the Liberals ever return to government. Before I begin my contribution I would firstly like to congratulate the member for Gippsland South on his recent appointment as Leader of the Nationals, and I noticed in his contribution he wanted to talk about regional Victoria as well. My great hope is that he will take a leaf out of his predecessor Peter Ryan's book. He was a great mentor, I read, to the current member for Gippsland South. In December 1999, when Peter Ryan was elected as Leader of the Nationals, one of the very first acts that he did was to tear up the coalition agreement and move the Nationals to the crossbenches as a separate party. I strongly hope that our new Leader of the Nationals will consider tearing up that coalition, because the Liberals really do not care about regional Victoria.

They have got a dreadful track record. It is a dreadful track record in both deed and word. From the very moment that Jeff Kennett uttered the words 'The regions are the toenails of Victoria', people in the regions have known how much contempt the Lib rabble have for country people. I think that really set the tone for all Liberals, be they in opposition or in government, that came afterwards and the contempt and disrespect that they show for regional Victoria. When we talk about Kennett in this place those on the other side like to say that it was a long, long time ago and that we should get over it, but I think that they would do well to remember that we have long, long memories in the regions. As I have talked about many times in this place before, I lived in Ararat on my family farm for 10 years, and I can assure those on the other side that nobody has forgotten the impact that Kennett had on our town. He ripped out the railways and he sacked the public servants that worked there, and in Ararat the population decreased by nearly half. As an interesting aside, it was that experience that led me to join the Labor Party. I realised that I had to do something to stop these dreadful people tearing up regional Victoria, which I so much loved.

The Lib rabble's contempt for regional Victoria has not changed. Just recently the member for Brighton, while dog-whistling to his Brighton buddies, suggested that the Premier was somehow unable to lead Victoria because she lived in regional Victoria. He made a comment about the Premier making decisions when she lives 150 kilometres away from the city. I for one and many in my community are incredibly proud to have a regionally based Premier, and I am very, very glad that she leads us. The member for Brighton is obviously fixated on this particular expression, because I have

heard him using it before, and it is one of the real traits of the member for Brighton that he speaks from both sides of his mouth.

The last time that I heard him use this expression was when he attended a community meeting in my patch. It was a community meeting of people who wanted more information about a proposed wind farm in the area. The member for Brighton set up a petition in what is known as ‘data harvesting’. He set up a petition which did not have any sort of Liberal insignia on the flyer and did not state that it was a Liberal Party petition. It was just a blank piece of paper which then led people to a website where, surprise, surprise, he got all of their details. It was on that website that he said that a minister – and in this case he was referring I think probably to the planning minister; it was not clear, it could have been the Minister for Energy and Resources – who lived in the city was not able to make decisions for people living in the regions.

He was completely wrong in both of those statements. We have a wonderful regional-based Premier who has very adeptly guided this state both in metro and regional, and I know that our wonderful Minister for Planning at the table, though she lives in Carrum, has a really deep understanding of the regions. We were really delighted to host the Minister for Planning in Ballarat for some forums around the new planning framework that is being created. The member for Brighton was completely wrong on both counts, but I can tell you that what is right is that an opposition MP from Brighton should not be playing politics 150 kilometres from home just to data harvest.

These are some pretty hideous reflections from Kennett’s wonderful toenails through to the disrespect that the member for Brighton has shown for our regions. Whilst they are horrible reflections, their contempt for regional Victoria sadly is even worse in their actions. They say we are talking about ancient history when we talk about the dreadful, dreadful things that Kennett did to regional Victoria, but I would like to highlight that it took years of successive Labor governments to undo the terrible toll that the Kennett slashing and axing caused in regional Victoria.

The Ararat line – I bring it up again because it was very close to my heart – was restored under the Bracks Labor government. My son, who is now 23, was a two-year-old and he rode on the first train back into Ararat. He was very excited. We started work way back then. Then the Mildura hospital, which Kennett flogged off, was brought back into public hands by the Andrews Labor government. It has taken many successive Labor governments to try and undo the dreadful, dreadful things that the Liberals did to regional Victoria.

Of course the Liberal attacks on regional Victoria did not stop with Kennett. The next time the Liberals got in, in 2010, the Baillieu government oversaw the most enormous loss of jobs across regional Victoria. The Australian Bureau of Statistics revealed that in two years at the helm they lost 14,700 jobs across regional Victoria, and the regional unemployment rate shot up to 6.6 per cent. I just want everyone to remember that these are statistics, but behind every statistic stands a person and a family. These were people who were put out of work under the Baillieu government. It was outrageous, and it hurt the regions so badly. By comparison this Labor government has cut regional unemployment by nearly 3 per cent since November 2014.

It is now at 3.8 per cent, so it is over 2.5 per cent less than how the opposition left it. In fact, despite governing through a pandemic, there has not been one month when this government left the regional unemployment rate as high as when those opposite left.

This dramatic improvement of course comes about through many things. There were the wonderful policies, like the regional payroll tax, that this government introduced, but of course it is also about investing in our regions. Over the 10 years of this government we have spent around \$45 billion in regional Victoria, so that averages out at about \$4.5 billion per year. I just really want to highlight that the previous government invested \$7.2 billion over four years, so that was an average of \$1.8 billion a year. Let us just compare \$4.5 billion to \$1.8 billion. I know who regional Victorians prefer.

This investment of course really saw regional Victoria boom. Nearly 150,000 new jobs have been created since 2014. Those opposite love to talk and love to lecture, but they never, ever deliver. They are all hat and no cattle, as the expression goes. We have got no clearer indication of the way that regional Victoria feels about this government than by going to talk to the good people of Ripon. They were very, very happy to elect our wonderful, wonderful colleague the member for Ripon.

Not only did the Libs cut government investment – they short-changed the regions through government investment – but they also stopped private investment. Following the implementation of the coalition’s planning restrictions in 2011 we had 14 wind farm projects abandoned. Renewable energy jobs were slashed by 25 per cent, and \$4 billion in investment was lost. Those figures come from the Clean Energy Council. They do not put the money in, and they stopped everybody else investing in regional Victoria as well. By comparison, we have created over 5000 jobs in large-scale renewable energy since we were elected, and there are 2600 people currently employed in the rooftop solar industry right across the state.

Even in opposition the Liberals managed to insult the regions. In September 2017, in an extraordinary slap in the face to people in regional Victoria, the once and future king of the opposition, the member for Bulleen, and the previous Leader of the Nationals abolished the regional development portfolio from the coalition’s shadow cabinet. Even in opposition they thought so little of the regions that they were happy to get rid of the portfolio that works so hard to support and develop our regions. It is time to call out the Libs for their record of short-changing the regions. I have seen the terrible damage firsthand of what they did to my communities in Ararat, and I grieve for Victoria if that rabble ever get elected for what they will do to our regional towns, our regional communities and our rural communities.

I was delighted to represent the Minister for Agriculture on a tour of farms in the south-west just last week. I spent two days meeting with many farmers and visiting the National Centre for Farmer Health, which I would like to highlight we have continued to fund and support all the way through, whereas the previous coalition government nearly destroyed the centre by cutting such critical funding. People in the regions know who is there for them, who has got their back. We have supported them with investment through government. We have grown jobs. We are there for farmers in the tough times. I am so proud that the Minister for Agriculture visited many farmers recently to announce the drought package.

People in Ripon spoke loudly, and I think there will be a wave across many regions, because people in the regions know which side of the house has their backs. It is this government. We do not refer to the regions and rural Victoria as the ‘toenails of the state’.

We are proud of our regions. We stand proudly, and I guess there is no greater sign than the fact that we have over 18 regional MPs in this government. That is right, 18 regional MPs. We are a strong, strong party representing the regions, and they vote us in for that very reason. We do not call them the toenails.

Government performance

David SOUTHWICK (Caulfield) (17:30): Well, we are just approaching 10 years of hard Labor, and Victorians need to ask themselves: are they better off under Labor? Clearly the answer is no. We have a health crisis, we have a crime crisis, we have a cost-of-living crisis, we have a housing crisis and we have a debt crisis. Everywhere you look, no matter where it is and no matter what it is, Victoria has a crisis. There is only one common thing about this and that is the leader, Premier Allan. Many people will think that Premier Allan has just become the Premier in the last 12 months and therefore the crisis that we have had over the last 10 years is not Premier Allan’s fault because she has just inherited the job in the last 12 months. This Premier was the Deputy Premier and the minister for infrastructure for the 10 years. She has had her hand right in the cookie jar for the last 10 years. And guess what, there are no more cookies left. They have all been taken. They have all been eaten. The

Labor Party leave nothing for anyone else. They take it all themselves and eat it all themselves, and they are all gone.

Victoria had the pride and joy of Melbourne being the most livable city. Then we had the longest lockdowns that we never had to have, but we were told we had to have them. Labor told us we had to have the longest lockdowns. We went from being the most livable to the most leaveable city. People left in droves; they could not get out of the joint fast enough. They left their lights on – not that you can do that, because we cannot afford it in terms of our power crisis and our energy crisis. That is another one, by the way: an energy crisis thanks to this incompetent, hopeless Labor.

But let us not stop there, because I thought I might delve down, and being a former DJ, I thought I would have a look at a few songs that might be appropriate for this hopeless Allan Labor government – 10 years of failure. Let us start with number one: *Friends in Low Places* by Garth Brooks. Guess who Labor's friends in low places are? The CFMEU. The 'big rotten build' according to Nick McKenzie. The big rotten build about which Premier Allan has been saying, 'How great is this? Let's cut some more ribbons, and let's give a bit of a kickback to John Setka along the way.' Because that is what has happened – good old Johnny Setka, there you go mate, away you go. It has not been one way either, because Johnny Setka and the CFMEU have been donating very, very gracefully to the Allan Labor government. In fact, as our opposition leader rightly says, 'How much?' Over \$300,000 in 2022–23. \$300,000 – here is the cheque, off you go, good luck for the election. Then the Premier has the gall to say, 'We've got to do something about this,' once it has been found out that she has friends in low places.

But let us not stop there, because we have also got other great songs: *Highway to Hell* or *Road to Nowhere*, AC/DC and Talking Heads. Great songs – *Highway to Hell* or *Road to Nowhere*. The state of Victoria's roads – an absolute highway to hell. 91 per cent of our roads rated poor or worse. Speed limits on 480 kilometres of road have had to be reduced. You would think as we go further we would have more efficiency and be able to use the normal speed limits. We have had to reduce them because our roads are in such poor condition. Forget about regional Victoria with our roads – come down to Caulfield. Come down to Dandenong Road and I tell you what, you need to play holy moly because the holes in those roads are pretty, pretty deep.

Brad Rowswell interjected.

David SOUTHWICK: Exactly as our Shadow Treasurer says – I did not have this song, but it is a good song – this Premier and this rotten Labor government is all about *A Little Less Conversation* and no action. It is a good old Elvis song – a little less conversation and no action, because there is no action by this government.

But let us continue there, because the roads are hopeless. They have been neglected. Do you know why? Because there is one thing that the Allan Labor government have known how to do, and that is to spend money, money, money. That is what they have done. A great ABBA song, *Money, Money, Money*, but Victoria has none of it. It has got none of it, because our debt will be \$268 billion in 2028.

John Pesutto: No cash on premises.

David SOUTHWICK: I like that. As the Leader of the Opposition says, no cash on premises, because it is all gone. You do not need a sign at the front of the shop, because there is nothing in the cash register. It has been spent.

There will be \$268 billion worth of debt in 2028, up by \$33 billion since 2014. One thing this government knows how to do is spend other people's money. That is what they are very good at, spending other people's money: \$25 million a day just to pay the interest bill alone, over a million dollars an hour. In this grievance debate today there is a million dollars that we could have actually spent on schools, hospitals, roads and infrastructure. Instead, it has been wasted, because we have got this huge debt. And that will not pay down the debt; that is just to pay the interest bill. The debt keeps

skyrocketing because this government is incompetent and this Treasurer and this Premier are the most incompetent. I tell you what, for Christmas, I have a present for Premier Allan, and that is an abacus. I am going to give Premier Allan an abacus, because she can actually go over summer and do some calculations and hopefully learn how to add up, because as you know –

Steve McGhie interjected.

David SOUTHWICK: I will get to you, member for Melton. I visited Melton last week, and I tell you what, the constituents of Melton are very angry with you, Melton. I will get to you in a minute. Let us continue on.

Steve McGhie interjected.

The DEPUTY SPEAKER: The member for Melton is warned.

David SOUTHWICK: This is what many of the Allan Labor government, their members and ministers, would have you believe, because this song, *What a Fool Believes* by the Doobie Brothers, is about how the Victorian economy is good. We heard the Treasurer get up today and say the Victorian economy is going gangbusters. I tell you, what planet is this mob on? They are on a completely different planet, because we know in every single measure, at every single level, Victoria is going south. We keep spending the money, and unfortunately the kitty is almost bare. There is nothing left.

Despite what the Premier is telling you about our economy being strong, back on infrastructure, the Metro Tunnel is \$4.7 billion over budget. And I will tell you what about what fools believe: when the Metro Tunnel blew out by another close to a billion dollars, on grand final eve we had the minister going out and saying, ‘It’s blown out by close to a billion dollars because of the Gaza war and because of what’s happening in Ukraine. All these external factors – that’s why Victorians are paying more.’ And that is all about what fools believe, because this government has no idea about managing money. The North East Link is \$16 billion over budget, and the West Gate Tunnel is \$3.9 billion over budget.

I tell you what, it just goes from bad to worse. Again, this is a Premier that was responsible for every one of those big builds that have cost Victorians \$40 billion in blowouts, member for Point Cook. And I tell you what, when I went to Point Cook, many of those constituents were saying, ‘What are we going to get for the Suburban Rail Loop?’ An absolute doughnut, Point Cook. And I tell you what, they are worried about their roads, they are worried about their schools, they are worried about their hospitals. The people of Point Cook are worried about crime and they are worried about all the crises that I am talking about because the member for Point Cook is not standing up for them. He is standing up now, but he does not stand up for the electorate.

Mathew Hilakari: On a point of order, Deputy Speaker, I think the member is lost again like he was the other day – and lost in Laverton, not Point Cook.

The DEPUTY SPEAKER: There is no point of order.

David SOUTHWICK: Thank you, member for Point Cook. When I send this speech out to the electorate, I will also make sure that I include Point Cook residents so they can see how incompetent and hopeless you are.

Let us continue on, because another great song is *Reckless (Don’t Be So)* by Australian Crawl. Don’t be so reckless as to sign up to the Suburban Rail Loop with no money and with no guarantees. We have bupkis, absolutely bupkis. And this Premier went out and signed the first contract only two days after we found out that the North East Link was blowing out by billions of dollars.

There was an Auditor-General’s report – billions of dollars worth of blowout on the North East Link, and two days prior we had a signing of this contract. Why would you sign a contract when you have budget blowouts? Why would you sign that contract when you do not have federal funding? Why would you sign contracts when the value capture has not been fully disclosed? You know why –

because every single Victorian will be paying the value capture of \$11.5 billion in a new housing tax. That is what the Suburban Rail Loop will be, and that is why the Allan Labor government have not spoken about this as part of the Suburban Rail Loop, because everyone is going to be on the hook for a new Suburban Rail Loop housing tax to fill the hole of \$11.5 billion. Only yesterday the Premier was out on radio and said they are not even sure whether the federal government is going to give their \$11.5 billion – two-thirds of the money not there. That means that money has to come from somewhere – the \$22 billion value capture, a new housing tax that every single Victorian will pay. This would be the most incompetent, hopeless decision that any government have ever made in their history. This is the largest infrastructure project in Victoria's history, and this Premier has signed contracts without having the money. You do not sign up for a house if you do not have a housing loan, and this is what this government has done – they have signed Victorians up to record debt without having the money in the bank. It is absolutely hopeless.

But let us continue, because Bon Jovi says it all. It is a great song, *Livin' on a Prayer*, because that is what we have got at the moment. We are living on a prayer, and we are only halfway there. We are two years in and we are living on a prayer because there is no money. There is no money, so all we can do is pray and hope to God we can get through to 2026. There is no money. All there is are fake promises, empty promises, nothing there, and Victorians are saying, 'Please bring on 2026 so we can get rid of this hopeless, this reckless, this incompetent government that are spending taxpayers money and wasting it like it's their own.' This is almost a fraudulent government, an incompetent government. You know what, if this was a private company, the directors would be in jail. The Premier would be in jail, the former Premier would be in jail – red shirts, incompetence, the whole lot. This is the most corrupt, incompetent, hopeless government that we have ever seen.

But let us continue on, because we have also got the big issue here of 'What about me? It isn't fair.'

Mathew Hilakari interjected.

David SOUTHWICK: You would know about this, Point Cook. 'It isn't fair. I've had enough and I want my share. Can't you see, I want to live, but you just take more than you give.' That is what you do, and that is what Labor do. They take more than they give. That is what they do, and you know all the backbench are saying, 'We want our share. It isn't fair'. The Suburban Rail Loop, 26 kilometres in the east of Melbourne – you get nothing, you get nothing, you get nothing.

Nina Taylor interjected.

David SOUTHWICK: Even Albert Park over here, she gets nothing in her electorate – nothing in terms of the Suburban Rail Loop. They have all been let down, and that is why the backbench are knocking on the Premier's door and saying, 'Pause the Suburban Rail Loop. Pause it, cancel it, give us our fair share.' And this incompetent Premier is so pig-headed that she will not cancel it, she will not pause it. She is doubling down and spending the money we do not have. That is why we are almost broke, and that is why people have had enough and they want to see the back end of the Premier and they want to see the back end of this incompetent government. They want to because they need to, and every time we go out and we talk to people – not in our own electorates, but we go out to Werribee and Hoppers Crossing and Point Cook and Essendon and Niddrie. In all of these areas – Bentleigh, St Albans, Carrum – they all tell us, 'Get rid of them. Please get rid of them.'

But it does not go on from there, because I tell you what, at the moment there is a big SOS – the ABBA song *SOS*. It is Victorians crying out for a new government. 'Where are those happy days? They seem so hard to find'.

There is one song that we all know, and that is 'Hang on, help is on its way'. We will be there as fast as we can. John Pesutto and the Liberal–National team will deliver a great government. We will fix the mess, and we will fix the incompetence and the waste and mismanagement, because that is what we need to do. But I know that we have many people in Victoria that want to see the back end of this government, and the song that they want to bring on – well, they want an angel, and the Angels song

they want is *Am I Ever Gonna See Your Face Again*. That is what they will be saying, and the answer will be – (*Time expired*)

Energy policy

Nina TAYLOR (Albert Park) (17:45): I think it was entertaining for the chamber to hear the member for Caulfield reliving his DJ days, and certainly he was pretty fabulous –

A member interjected.

Nina TAYLOR: I am not sure if I can deliver on that in this moment. It is a pity it was a bit of a fact-free zone, but in any case, why am I grieving? I am grieving because the coalition quietly released their new renewable energy policy –

Members interjecting.

Nina TAYLOR: Ooooh! But the only problem is it is anti-renewables – who knew? – and an anti-investment plan. I grieve for the state of Victoria if they are ever able to implement that plan. We know they have form in this space, and I am going to speak to that a little bit and what would be the consequences. I am going to unpack it in a very detailed way, don't you worry. We have got a little bit of time on our hands to do this.

The consequences for our state would be blackouts, higher power prices and lost jobs and investment in Victoria. I grieve deeply for their woeful energy policy. It is zeroing out when it comes to renewables. Actually, do you know what it is? It is a plan to prolong unreliable coal and open the door to Peter Dutton's nuclear reactors. We know that there is no social licence in Victoria for that outcome. It is certainly not what the people of Victoria want. They have spoken loud and clear about investing in clean renewable energy – they have backed it all the way – and bringing back the SEC, so we are going to continue on that path.

I do need to validate my grievance, and I shall proceed to do that. Think about the dark old days of the previous coalition government when wind farms were effectively banned. I remember them well. I remember the barriers they had in place, and it seems like they want to do it again. Who could possibly understand why anyone would want to go back to those dark old days, but that is the kind of rhetoric that you get out of the coalition. Investment was smashed and over a quarter of all jobs in the sector were lost. I did promise to unpack my grievance in greater detail, so let us look at this part of the coalition policy:

Reinstate the right of appeal to the Victorian Civil and Administrative Tribunal, ensuring that community voices are heard in the planning process.

Ah, but what does that mean? I am just unpacking it here. One in five renewable projects was being dragged through VCAT, and in almost every case the original approval was upheld. This is simply their way of delaying critical projects because they do not believe in renewables – they do not like cleaner energy policy. Anyway, let me continue. Their plan is to:

Revoke planning scheme amendment VC261, instituted by Labor to strip local communities – these are their words; this is not my thinking –

of planning powers over the high voltage transmission lines.

What is our response? Where do we stand? Transmission projects are already subject to rigorous approvals processes via the environment effects statement, the EES. This will only again – get this – delay critical projects and risk blackouts. That does not sound like a very promising idea to me.

I am going to go further. I did promise to be detailed on this issue. This is the clincher; I could not believe it when I read this one:

Institute a default 2km buffer zone around proposed wind towers to minimise the impact on residential properties and local communities.

When last in government – who knew – the 2-kilometre buffer devastated the wind industry. Victoria's strict noise regulations already protect neighbouring properties. So they would not hesitate again to devastate the wind industry. You could not write this stuff; you could not come up with it. I thought they would have learned the first time – clearly not. They have got it in their policy. But anyway, that is what they are offering. At least we know. But they did release this plan rather quietly, and I think I know why. Anyway:

Ensure major transmission and large-scale wind and solar generation projects face a rigorous and independent planning panel assessment.

Get this – large projects are already subject to an environment effects statement (EES), so all they are trying to do is delay this critical infrastructure. If we look at the layering, how many different ways can you try to delay critical infrastructure? But it goes further:

Develop principles that ensure overhead lines adhere to strict setback requirements to minimise visual and environmental impact.

Translated, what are the principles? What effect will they have? Transmission projects are already subject to an EES. The EES for the Western Renewables Link will be the largest in the state's history.

I have to go further. There is more:

Ensure Lower emission generators, high voltage transmission lines and large scale battery owners are be required to comply with all relevant bushfire overlays.

Why didn't we think of that? Guess what, the CFA already provide guidance to renewable energy developers. Who knew, the wonderful CFA are already on it – they are all over it. And transmission companies in relation to bushfire overlays – well, that is a relief. It is a pity they had not consulted on that issue. You know, they just thought, 'Oh we'll whack it in there. That sounds good.' Clearly, like the rest of the policy, it is rubbish, but anyway. I cannot understand why they would not have had a chat to them. But anyway, they thought they would just quietly put it out there and hope that no-one looked at it. Anyway:

Advocate to the Commonwealth that any compensation received by landowners for hosting major transmission lines, or for impacts caused by such projects, is exempt from taxation.

The Victorian government is already doing this. What? No! Oh, my goodness, we are already doing it. Taxation is ultimately a decision for the Commonwealth, so I do not know why they put that in there. They probably had to fill the space. Maybe it was for the alignment on the brochure. I do not know. Maybe it fit on the website. I do not know. They whacked it in there. They obviously did not check. Maybe they were hoping that no-one cross-examined their policy. Maybe that is it.

What would be the impact of the opposition's policies? I heard earlier in the chamber a bit of a retrospective on this, and I am going to revisit that too, because it is rather horrifying. Following the implementation of the coalition's planning restrictions in 2011, 14 wind farm projects were abandoned in 2012. The reference is AEMO, and I will provide the rest of the references for Hansard after as well. Renewable energy jobs were slashed by 25 per cent. That is horrifying. From ABS statistics, 3440 in 2011–12 versus 2490 in 2014–15. Jobs, jobs, jobs – these are important. People need jobs to have money to buy things. That might sound like a really basic assessment of why we need jobs, but it is kind of fundamental. Retail power prices increased by 34.1 per cent. That is ABS, quarter 4, 2010, versus quarter 3, 2014. And, woefully, something that absolutely I just cannot get over is that \$4 billion in investment was lost, and that is referenced through the Clean Energy Council. You see, there is actually merit in investing in clean energy projects. It is not only so we have cheaper energy. It also generates money for the economy. It generates investment in our state. There are good economic reasons to do so.

In relation to the recent renewable energy policy announcement from the coalition, the Clean Energy Council has said that mapping done using this previous 2-kilometre setback:

... shows that wind energy would be essentially out-of-bounds in Victoria, which would have serious consequences for the state maintaining a reliable electricity supply and meeting climate targets.

I think in anyone's language we can see that that would have devastating consequences for our state. We have deliberately set ambitious targets for the right reasons – because we need a safe and clean energy supply for our state, and compromising that would have devastating impacts on so many levels.

Okay, I am going to proffer the idea. The opposition have said, 'Oh, we've got to strike a balance.' But what does that actually translate to? And they support, 'a transition away from coal'. But that is exactly the language that they used before the 2010 election. We have heard it all before. Once they were elected, what did they do? They decimated the renewable energy sector. So those lines were very limp and meaningless and translated to cleaner energy going down the plughole.

In July the former Leader of the Nationals Peter Walsh described batteries as 'renewable rubbish'. I do not know, but I think that is a rather pejorative term, to say the least, and counterproductive when we are looking to not only generate cleaner energy but be able to store it efficiently as well. But it does also send a really strong signal as to where they stand on renewables. It is clearly not a priority. And the plan to replace our ageing coal-fired generators with wind and solar he described as an 'unfounded and insane belief'. I kid you not. I am going to repeat that: the plan to replace our ageing coal-fired generators with wind and solar was described as an 'unfounded and insane belief'. I am not sure where you can go from there, and you can see why I am grieving dearly about their so-called renewable energy policy with an attitude like that. Clearly, there is no priority whatsoever in driving a transition to a cleaner energy future. I will quote further:

A reality he says is proving what The Nationals have been saying for a decade – sustainable energy is light years from being a viable solution to this state's energy needs.

That is clearly incorrect, but furthermore it is deeply disturbing, and it is not only not thinking about current, but future generations of Victorians. We have to think of their future. We cannot just stay on the same old because it is a comfortable old thing. It is like a comfortable old couch; I do not want to chuck it out because it is the couch I know. Maybe that is the premise. Maybe it is just because they do not get cleaner energy. I do not know. We can provide them with the links. I am sure that we would give them all the information they need on these wonderful technologies. I do not understand where the barriers lie.

So why do we need new generation, storage and transmission? I am going to spell it out right now. Victoria's ageing coal-fired generators are becoming increasingly unreliable and are retiring. By 2035 the remaining 4.8 gigawatts of coal-fired generation will be gone. We cannot rely on that anymore just because it is somehow comfortable or what we have always done. At the same time, our domestic gas supplies are rapidly depleting and global fossil fuel prices are increasing. You can see the economic impacts built in there already. That is why we need to build more renewable energy and transmission to keep the lights on and the bills down, and that is exactly what we are doing.

To close out on this very important issue I do want to say that we do have a plan, which contrasts 100 per cent to the non-plan, the anti-renewables plan, of the coalition. In August the Minister for Energy and Resources released *Cheaper, Cleaner, Renewable: Our Plan for Victoria's Electricity Future*.

The plan outlines how we will reach 95 per cent renewables in 2035, attracting \$35 billion in capital investment and creating 59,000 jobs in the process. That sounds like a pretty decent idea. This is an enormous economic opportunity. It is not only about reducing emissions, it is actually an economic opportunity for Victoria. It will deliver direct benefits to landowners – who knew? – communities and traditional owners that host new energy infrastructure. Just think what this can do for the regions as

well – oh, my goodness, so many opportunities. And more low-cost renewables means that Victoria continues to have the lowest wholesale power prices in the country.

Question agreed to.

Members

Member for Berwick

Debate resumed.

James NEWBURY (Brighton) (18:01): In the 1 minute left I do want to advise the house that over the last 2 hours I have attempted to speak with the government at the highest levels to avoid the Parliament being misused in the way that the government used it for an hour before grievances. That has been declined again. Both before the motion was moved and during the grievance debate I made every effort to explain to the government how upsetting it is that the government would use this Parliament in the way that it is being used, and the government has said no. The government has said no, so for the next hour they will waste Victorians' time. They should be ashamed by the misuse, and it just shows the character of this government.

The SPEAKER: As we return to the motion before the house –

Members interjecting.

The SPEAKER: Order! Minister for Planning and Leader of the Opposition! I will not tolerate this. You will both be removed from the chamber. This has to stop, and it stops now. While I am in the chair while this motion is before the house members will be respectful.

Gary MAAS (Narre Warren South) (18:02): I would like to begin in relation to the amendment moved by the member for Brighton. I move:

That, in relation to the amendment moved by the member for Brighton, the word 'Labor' be omitted and replaced with the word 'Liberal'.

The member for Brighton takes great pride in coming to this place and using privilege to impugn members of the house. He does it several times. He does it often. I in fact have in the past been impugned by the member for Brighton using privilege. The member for Brighton was once an employee of the Australian Parliament House, and he himself was the subject of an investigation that was conducted by the Department of Finance. If you want to use imputations in this place against –

The SPEAKER: Order! Member for Narre Warren South, through the Chair.

Gary MAAS: If the member for Brighton wishes to use imputations in this place while there is a substantive motion against the member for Berwick and he seeks to play games in this place, the member for Brighton should realise that both sides can play it that way. And to the motion –

Members interjecting.

The SPEAKER: Order! I will not tolerate interjections. The member for Narre Warren South without support from the house.

Gary MAAS: I come to this place as a very, very proud migrant man. I come to this place being one in this great state of Victoria, where people come from over 200 backgrounds, speak more than 260 languages and follow over 135 different faiths. I do so with great pride, and a day never goes past that I am not grateful to my parents for making the tough decision to come here. What a great place Victoria is. You are able to have the freedom to follow your faith, and you can be embraced by your community, whether it is Springvale or whether it is Narre Warren South.

These are the fantastic things about our great community. I love that recently I got a chance to join the Honourable Ingrid Stitt, the Minister for Multicultural Affairs; the Honourable Sonya Kilkenny, the

Minister for Planning; many local south-east MPs; our Victorian Multicultural Commissioner; Uncle Mark Brown from the Bunurong Land Council; and members of our local community. And, you know what, that includes our local Sikh community as well. We announced the name of the lake at the Berwick Springs estate, and we called it Guru Nanak Lake. It was a good-news story. It was well received in our local Indian and Sikh communities and received global attention. It was a good-news story – global attention in Victoria, in Berwick Springs estate, in my pocket of Narre Warren South. It represented all the great things about Victoria and it spoke to what great Australians each and every one of us are.

But unfortunately this focus has turned bad in the case of our multifaith and multicultural communities. In our society there has been backlash from not only those on the right but those on the far right as well, those who seek to divide for the benefit of a political or bigoted end. Once you divide, you open the gap for extremists to fill. And, you know what, the Liberal Party have seen this before. They have seen it before. We know they have. I read a social media post from one who attended the rally that was organised by the member of Berwick, and this is what it reads:

Indians consistently play the Aboriginal card as if it gives them licence to replace us.

White Australians must stop caring about being called ‘racist’ and re-assert dominance over the country our ancestors built, or non-Whites will gang up –

on us –

and take it from us forever –

It is that simple. That was said by a neo-Nazi, a leader of the neo-Nazi group that attended the rally organised by the member for Berwick. When you seek to divide –

Members interjecting.

The SPEAKER: Order! Members will be removed from the chamber.

James Newbury: On a point of order, Speaker, I am deeply concerned about the megaphone this member is giving –

The SPEAKER: What is your point of order?

James Newbury: I am deeply concerned about the unparliamentary words that the member is using in giving a neo-Nazi a megaphone.

Tim Richardson interjected.

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

Member for Mordialloc withdrew from chamber.

The SPEAKER: I appreciate that this debate before the house is very emotive.

John Pesutto interjected.

The SPEAKER: Leader of the Opposition, I do not need your commentary.

Members interjecting.

The SPEAKER: Also I do not need yours. I would remind members that slurs, innuendos and name-calling are inappropriate – absolutely inappropriate – and this house should be better than this.

David Southwick: On a point of order, Speaker, I take offence from the member for Bentleigh referring to us on our side and suggesting that we dance with Nazis. I take –

Nick Staikos interjected.

David Southwick: No, no. I take absolute offence to that.

The SPEAKER: Order! Member for Caulfield!

Members interjecting.

The SPEAKER: The member for Bentleigh can leave the chamber for half an hour. The member for Caulfield is warned.

Member for Bentleigh withdrew from chamber.

Gary MAAS: I am aghast that this person was in attendance in my community of Narre Warren South, and he was not there as a resident, he was not there as a concerned regular visitor to the lake, but he was there in his capacity as a neo-Nazi.

Let us be clear about the facts here: the member for Berwick organised this rally. He placed full-page ads in the local paper, he wrote to everyone in the neighbouring electorate and he placed blanket digital ads around the place. The member for Berwick was also the beneficiary of a full-page advertorial in the local paper. He gave a nod to the worst kind of innuendo, and it is against our multicultural communities. He went ahead and he fanned the flames, and he sent invites out far and wide to a divisive protest. As I said, when you divide communities –

James Newbury: On a point of order, Speaker, I am deeply worried about the allegations that members of the Labor Party are making –

Members interjecting.

The SPEAKER: Order! The Member for Eureka can leave the chamber for half an hour.

Member for Eureka withdrew from chamber.

James Newbury: about you in their reflections from the back bench.

The SPEAKER: Order. There is no point of order.

Gary MAAS: There is no place for hate in Berwick Springs estate or in Narre Warren South or in the great state of Victoria. The guise of consultation should not be used as a tool to create division and open up hate and bigotry in this state. The history of Nazis is really well known, and what I want to know is: what side of history do the Liberal Party want to stand on and what side of history does the Leader of the Opposition want to stand on, and do they stand with neo-Nazis or do they stand with the government and condemn the member for Berwick for organising and promoting this dangerous and divisive protest?

Matthew GUY (Bulleen) (18:12): As a former minister for multicultural affairs, I find this a repulsive, disgraceful, desperate motion that demeans everything that all of us do in this chamber. For the previous speaker to start making references to all of the Liberal Party and a relationship with, in his words, ‘Nazis’ –

Members interjecting.

Matthew GUY: I would like to speak. I did not interrupt yours, so if you do not mind I will have my say, thank you.

The SPEAKER: Member for Footscray, you are warned.

Matthew GUY: To say that to the Deputy Leader of the Liberal Party, who is a Jew, at this time, with what is happening in our state, where you are in government and there are people out the front of synagogues –

The SPEAKER: Through the Chair, member for Bulleen.

Matthew GUY: To stay that to someone like myself, whose great-grandfather was murdered by the Nazis in Ukraine, whose auntie was denied medical attention and died in a German labour camp

because they were denied medical attention by the Nazis south of Hamburg, and to walk into this chamber and to say that on this side of the house we would not condemn anything to do with Nazism or the Nazi party is disgusting, and it demeans everything we do in this chamber.

I think I would be the only member of this chamber and maybe this Parliament 50 per cent of whose staff are Sikhs. I go to Sikh temple with my mates. They are not my staff – also some of them are my mates. They are my friends. I did not discover the Sikh community, dare I say like the Premier or the Minister for Planning, for the sake of politics; they are my friends. I have been to the Golden Temple with them. I have been to Bangla Sahib with them.

Juliana Addison interjected.

Matthew GUY: Who are you?

The SPEAKER: Member for Wendouree, you are warned.

Matthew GUY: This motion, as the Minister for Planning has come in here and said – her words – is about respect. So let us talk about respect as per what the Sikh community believe is respect, because the word ‘gurdwara’ has the word ‘guru’ in it, and the last guru was a book. When you go to a gurdwara, you see the book which is the emblematic symbol – it is the last guru. Anything to do with the last guru, as I said in an adjournment which is still not replied to by the Minister for Planning, has to be pure.

You must take off your shoes when you go into a gurdwara. You must wash your hands. You must not have drunk alcohol that day. You certainly cannot smoke in a gurdwara. You cannot eat meat. When you go to the Golden Temple – the member for Berwick has, as have I – you will find that everything around the Golden Temple –

Members interjecting.

Matthew GUY: If you would not mind, please.

The SPEAKER: Order!

Matthew GUY: Well, how do you know that is the only one? How do you know?

The SPEAKER: Member for Bulleen, through the Chair!

Matthew GUY: You will find that everything surrounding the Golden Temple is vegetarian. There are questions which still need to be answered, which the member for Berwick has asked and I have asked, in relation to naming something – and the planning minister cannot even say the name correctly. Guru Nanak Dev Ji – ‘Dev Ji’ means religious respect, ‘Ji’ is a term for respect. I would say ‘Speakerji’ as a respectful term for you, Speaker. That is what Indians say when they are giving respect to someone. When you have Guru Nanak Dev Ji, which is the correct name for that lake, that means you cannot stock it with fish like the government has for people to go fishing. That is disrespectful to Sikhism. You cannot eat meat around that lake and have a barbecue. As I said in this chamber not two weeks ago, I was horrified to hear the Minister for Multicultural Affairs say, ‘Let’s all go down and have a barbecue at Guru Nanak lake.’ This is incredibly disrespectful to those in Sikhism who know Guru Nanak Dev Ji to be one of the most pre-eminent religious figures in history. You cannot engage in tobacco smoking. You cannot go down there and get stuck into beers. That is completely disrespectful. What has been asked for by me and by the member for Berwick are explanations for this, and a proper amount of respect to be given to one of the most esteemed religious figures in history.

I have been to a number of gurdwaras in the last few months. Something that is very disrespectful to Sikhs – like it would be to any religion, but certainly to Sikhs – is to stand at the podium at a gurdwara and make promises to a community, to a congregation, that you then do not honour. This government, with great respect, has made many promises ranging from a Ghandi park to Indian aged care to money for the Blackburn gurdwara to a whole range of things – so many I have raised in this chamber – which

have not been honoured. The community is rightfully asking me on Radio Haanji, they are asking me when I go to gurdwara, and they ask, as you can imagine, my staff as a contact: why would the Labor Party – their words – come to our gurdwara and make these promises and say these things in our gurdwara, standing next to the book, which is emblematic, which is the last guru, and not honour those commitments, some of which are from the first term of this government, from 2016?

That is what respect is. And disrespect is also to then make those commitments and frankly do it for politics. Some might say lie and some might say deceive, whatever it might be, it is obviously disrespectful to Sikhs and to Sikhism. To run into this chamber and put this motion forward, with great respect, I am not sure the Minister for Planning actually believes it. I think the Minister for Planning – whether she was told by the Premier or told by the member for Macedon, I do not know. But I think if anyone standing up – the member for Narre Warren South or any other member who wants to stand up after this – really believes this motion, maybe they can repeat it and the words in it outside this chamber. Because it does not say ‘you encouraged people’, which was what the planning minister’s speech and presentation earlier today said, it says ‘for bringing neo-Nazis’. For bringing them.

I say this again to you, Speaker: If someone in this chamber believes in this motion – any following speaker – I put the challenge to them that they should repeat this motion. It is only two lines. Have the courage and the respect to the Sikh community, who they claim to be standing up for, to say that outside this chamber. Because it is not difficult to do, and it will tell all of us, including those in the Sikh community, whether or not Labor, the government, are doing this for the sake of cheap politics, to politicise an ethnic community – which, as we know, the Labor Party has done a lot of – or because they actually believe what has been said. I think we all know the answer to this, don’t we? Because we have seen this from some of the recent IBAC reports. Was it the Operation Watts investigation into branch stacking which involved ethnic branch stacking?

There is a history, and the one history that is found by many investigative bodies is of the Australian Labor Party using and abusing ethnic communities. They are not my words. They are the words from investigative bodies who have looked into these matters, whether it is the Macedonian community, the Greek community, the Vietnamese community and others. Now all of a sudden it just seems to be coincidental that when the government is in trouble, particularly in growth areas, falling below 30 per cent primary in opinion polls, the Premier, who has never, ever, ever talked about the Sikh community in her quarter of a century parliamentary career, comes into this chamber and now suddenly she has found the Sikh community and wants to talk about gurdwara and goes to India – she does not leave New Delhi, I might add, but she goes to India.

I think the member for Brighton is correct. He has asked the government, ‘Please don’t proceed with this motion. It demeans all of us.’ From the Speaker to the Deputy Speaker to all of us as MPs, it demeans this chamber because, frankly, it is not real; it is not true. The contents of the motion are really quite low. We can go back, and I can move amendments to then replace the word ‘Liberal’ with ‘Labor’. We can do this every speech, but it is demeaning this Parliament.

Surely there is something better for us to talk about for the sake of the people of Victoria, whether it is our healthcare system, whether it is law and order, whether it is the state of our finances, whatever it might be. Maybe we should talk about that rather than a concocted motion from a political party that has been using and abusing ethnic communities for the best part of 40 years. To come in here for a disgusting motion moved by a minister who I do not even think believes what she moved – I say again for any single one of you who speak next: say it outside the chamber if you believe it.

Pauline RICHARDS (Cranbourne) (18:22): Let me tell you about the Sikh community that I serve and about how they live their faith. I talk about them a lot in here, and I am proud to do it again. I know some people from our community are watching on. These are the things I have learned – because I am not Sikh, but these are the lessons I have had in becoming a little bit more understanding and a little bit closer to the people I serve: how they live their faith through Vand Chhako, and I am not sure about my pronunciation, but it means sharing; Kirat Karo, which is to live honestly; Naam Japo, which

is to chant the name of the true god; sarbat da bhala, which means wishing for everyone's happiness; and of course the one that so many of us from across this Parliament understand about is service.

So many of us are very familiar with Dr Harpreet Kandra from the Siri Guru Nanak Darbar gurdwara in Officer, together with his wonderful wife and family, who have been side by side with our community at times of great grief, including recently when members of the community passed in drownings. His response was to organise swimming lessons and to overcome his own fear of swimming. But that is not all. He organised vaccinations for people during COVID, and food relief. His commitment to the environment is without par. He provides cups of tea. He provides a shoulder for people to lean on. In response to objections to the placement of the gurdwara in Officer he doubled down with hospitality. Of course there are the Sikh volunteers – quiet Manpreet, who has turned up to Anzac Day services, to the Lynbrook lake, checking in on people who need help and gently and so modestly and humbly serving the community and living his faith. Sukhwinder is the most modest and humble woman I know, who never walks forward into the limelight. She serves and lives her faith by cooking food, including for people who are homeless and people whose lives are complex.

[NAME AWAITING VERIFICATION]

She provides dignity to those who are in desperate need. And how many of us have heard the dulcet tones of Jaswinder, who has become world famous. He is kind of a big deal. He is on the *ABC News*. He is recognised internationally and considered to be a great Australian. He is celebrated by us all, because of the work of the Sikh volunteers, and we all know about the Sikh volunteers. They are spoken about reverentially internationally. We know that they drove to the floods and the fires. We know that they provided food service, that they were lauded universally for the work they did. And given every opportunity, we have celebrated the work. But before the fires and the floods, at the time of the Christchurch mosque killings, I arrived at the local mosque, like so many of us did, for open day. I was 10 minutes early, but Jasbeer was already there. He walked into the mosque and asked if he could pray with the imam at the mosque in solidarity. And I have got to say, there was hardly a dry eye in the place as he quietly, without fanfare, stood in solidarity with his brothers and sisters in the Muslim community.

So a few weeks ago we had the opportunity to celebrate the naming of a lake in Berwick, and they came to celebrate with their children. They brought food to share with the community. They brought bottles of water because the sun was shining. Just let that settle in. Those children were so happy and running around in the way that children do. I was telling my mum about it afterwards and she said, 'Oh' – because I have Polish and Prussian-German heritage; Fritsch Holzer Park in Hawthorn is named for my family – 'how wonderful it is for the children to have a name that is so familiar to them, just like the Irish heritage in the names of the places down near Warrnambool that recognise those other places from my heritage.' Finally they were going to have a name. My mother is 92. She thought it was about time. It is pretty simple and straightforward. I showed her some of the photos of the children.

But this was hijacked. There is a post I have got from the rally that was organised and advertised by the member for Berwick and somebody in the other place:

Me and the boys at the Liberal Party Klan rally at Berwick Springs on Tuesday to take the lake back for the White Man!

This is what was brought to our community at a time of celebration, at a wholesome opportunity for a community to come together while people were sharing food and water and celebrating with joy. This was brought to our community, and we stand here and reject it, just like we rejected it in 2018 when I stood on polling booths in Cranbourne and had members of our African-heritage community crying as they arrived to vote. Members of our African-heritage community remember what happened in the south-east when Peter Dutton and those opposite decided to weaponise the disadvantage that is experienced by people in our community. I will never forget a woman walking in pregnant, in tears, a woman with African-heritage children, and I thought, 'No, not this time.' I cannot imagine it would ever happen again, because it is not sport. This is not sport. What we do here is not sport.

Those children who came to that lake to watch this great celebration were there with their families, to be a part of our community in the same way that my family are part of this community, and that has been taken away by this, and I will not let that go. That is why we had to have this motion, because our community is expecting us to stand against this type of hate.

So I am kind of furious in the way that I need to be because it is our community that is getting damaged by people who are playing games. And we can talk in semantics – ‘We left when they arrived. We were there for a few minutes – not many minutes.’ But I do not know if that cuts it with me, because I worry that we are talking about people whose lives are damaged in a way that does not do this place dignity. Whether it is the African gangs comments that damaged us, whether it is Peter Dutton talking about not being able to go out for dinner, whether it is the member for Hawthorn walking up and down the shops in Hawthorn talking about crime in a way that demonises people, we are not going to let that happen this time.

James Newbury: On a point of order, Speaker, under standing order 120, at least, the word that the member used is highly offensive and I would say unparliamentary and reflected on a member specifically. I would ask you to counsel the member not to use words like that in the chamber.

The SPEAKER: Order! I am going to counsel all members again about how this motion can be very damaging with the words that they use and to be very careful.

David SOUTHWICK (Caulfield) (18:32): We have seen the best of this Parliament, and we have seen times in this Parliament when we have come together united on hate. We have come together when atrocities have happened. The previous member just mentioned Christchurch. I can recall in this Parliament a number of very, very moving speeches from both sides about the atrocities that happened during that time. We came together in the events of 7 October, and members of both sides spoke very passionately about Jews that were murdered by terrorists, united in the cause of calling out hate, calling out division, calling out terrorism and supporting those that had been targeted.

We came together for the call to ban probably one of the most evil symbols in our lifetime, the Nazi swastika. The member for Brighton particularly and I worked with the Liberal Party to ensure that that piece of legislation came to this Parliament. I remember sitting at the table with the Minister for Multicultural Affairs at the time after I had done an adjournment and said, ‘We need to do this,’ and getting the commitment to then form a committee which ultimately got it done. For this government to weaponise Nazis like they have today is the worst of this Parliament that I have ever seen, by a long shot. I cannot believe we are having members of the government throwing insults across the chamber like, ‘You’re happy dancing with Nazis.’ I just cannot believe it.

My father-in-law came here after his mother escaped from Nazi Germany and was not brought up in his home as a Jew because his mother did not want anything to happen to him again. So he went to school and he had sandwiches that people thought were a bit strange because he was of Hungarian background, and only when he was at the age of 12 or 13, when he saw other boys wearing a kippah, some of whom were having their bar mitzvah, he came home to his mum and said, ‘What are those boys wearing the skullcaps? What are they all about?’ And she said, ‘They’re Jewish, and you’re Jewish.’

For the first 13 years of my father-in-law’s life he did not know he was Jewish because they hid it after what happened. That is just one of so many stories of what happened. Half of my wife’s family got wiped out from the Holocaust, and they are far too common stories. I think most people in this chamber would know that I am very, very careful calling anybody a Nazi, but when it happens and when you see them, you call it out. You leave and you call them out. I am very proud, and I think it is probably fair without going into too much detail, of what we have done on this side of the chamber after Nazis turned up on the steps of Parliament. We called it out, and the member that those opposite are referring to, when Nazis turned up, called it out. He called the police and he left. What more are you expected to do? I know how these people operate, because I see them every day. I see how they operate every

day. They are deliberately going to these events, and guess what, they may turn up to some of your events.

A member interjected.

David SOUTHWICK: I hope not either. I really hope not.

The SPEAKER: Member for Caulfield, through the Chair.

David SOUTHWICK: If any of these horrible, hateful, disgusting individuals turn up, you call it out and you leave. You do whatever you can and you call the police, because they do not deserve to be anywhere. They are filthy, rotten human beings. That is what the member did. And you know what? He did not go to the *Herald Sun* and talk about it publicly because that is the attention and the megaphone that they would have wanted. But he made sure that Victoria Police were aware of what these people were doing, gatecrashing an event. They had an agenda, and the member acted appropriately. So for those opposite and for the government to weaponise this in the way that they have is disgusting. It is absolutely disgusting, and it just feels to me like every time this government is in trouble they go low. They are quite happy, this government, to work together –

Nick Staikos interjected.

David SOUTHWICK: Member for Bentleigh, the words that you used before are unforgivable. I think the member for Bentleigh should know with the amount of Jews that he has in his electorate that you do not just throw ‘dancing with Nazis’ across the table to a Jew. You do not do that, member for Bentleigh. You do not do that to a Jew, member for Bentleigh. You do not cast every member of the Liberal Party as dancing with Nazis, particularly given the stance that the Liberal Party and this particular Victorian Liberal Party have taken from day dot. Matthew Guy, the former Leader of the Opposition, was part of the team which instigated the ban on the Nazi swastika. We led the charge in this place.

Nick Staikos interjected.

David SOUTHWICK: It is all very well to be able to do it; the record speaks for itself. Do you know what, member for Bentleigh? We did it together, and we were very proud to do it together. Member for Bentleigh, it is not about taking credit. What it is about is saying you stand up for what is wrong and you stand up and you say, ‘That’s wrong.’ That is what we are doing, and that is what we have done.

I tell you what, we were on a unity ticket when the policy was announced way before the legislation came to this Parliament. Six months before, a policy to ban the Nazi swastika was adopted and passed by the party room of the Liberal Party in solidarity by the Liberal Party. This is a side of Parliament that stands against Nazis, and this Parliament should be a Parliament that stands against Nazis. This should be something that we are on a unity ticket on – standing against Nazis. Do not use it to weaponise. Do not use it to politicise. Do not use it because your polling numbers are down and you want to then try and actually weaponise it. Do not use it to weaponise it.

You know very well this is just all politics, and this is not what people want. The member reacted appropriately in what he did – he reported it to the police. How many times has a member of the Labor Party reported things to the police when far-left activists have turned up their events? How many of those far-left activists that want to see the end of Jews, that want to see ‘from the river to the sea’ turn up to far-left events within the Labor Party, to the Labor caucus and to the ALP conferences? When they turn up and say, ‘From the river to the sea, Palestine will be free,’ how many of the Labor Party turn up and call that out at ALP conferences?

Do not do this when it suits. Do not do this because your polling numbers are bad. Do not do this because you have neglected the west.

The SPEAKER: Member for Caulfield, through the Chair!

David SOUTHWICK: Speaker, the government cannot do this when they have neglected the west and neglected the north. Multicultural communities have been neglected – Africans, Indians, Muslims all alike have all been neglected by this government. Now this government wants to use a most horrific term and categorise and weaponise it in such a way that is offensive beyond belief. It is all very well to stand in unity, as we should, because the multicultural state is something that we should all be very proud of. It is something that has taken generations and years of this Parliament –

Nick Staikos interjected.

David SOUTHWICK: Not your interjection, member for Bentleigh, because you are already a disgrace.

The SPEAKER: Member for Caulfield, through the Chair!

David SOUTHWICK: Speaker, this has taken years to form, but you do not try and weaponise the most horrific term ever. Calling people Nazis just because you think you can get a headline – that is what the Labor Party is all about. They are about a headline. It is a disgrace. This is the worst form of Parliament that I think we have seen, and it is not the way we should be behaving. I tell you what, the government should grow up.

Nick STAIKOS (Bentleigh) (18:42): For those tuning in at home, that was an example of defending the indefensible. I am going to talk about an experience I had in September. In September I travelled to India with the Premier of our state. When I travelled to India we had a four-day packed itinerary in Delhi. On the fourth day we visited the Gurudwara Bangla Sahib Sikh temple. We were taken through that temple on a tour – it is a magnificent building, a magnificent monument. At some point on the tour we were taken through some double doors that led us to this giant kitchen, the biggest kitchen I have ever seen in my life. There were hundreds and hundreds of Sikh volunteers in that kitchen cooking curry, rice, naan bread and roti bread. And you know why they were doing that? Because day in, day out that temple feeds thousands of underprivileged people.

You know what? I was raised as a Christian. I was baptised in the Greek Orthodox Church. I attended Catholic schools. I live by the part of the gospel that says ‘Faith without works is dead’. But do you know who the people are who live by that better than any of us? They are the Sikh people. When this government wants to ensure that the state of Victoria reflects the people of Victoria, the greatest multicultural state on earth, and says that the Berwick Springs lake should be called the Guru Nanak Lake, named after the founder of this beautiful, peaceful religion, those opposite organise a hateful rally against that and then Deidre Chambers the Nazis have turned up. Deidre Chambers, what a coincidence. I mean what are we talking about today, Speaker?

The fact is if you participate in bigotry and if you participate in racism, the Nazis will turn up. That is the golden rule. Do you know what I was doing today with a number of my colleagues? I was upstairs launching the Allan Labor government’s anti-racism strategy. I spent a lot of time with my colleague Sheena Watt in the other place co-chairing the Anti-Racism Taskforce, because this government believes in combating racism. We were joined by members of the First Nations community and we were joined by members of the multicultural community. Not a single Nazi turned up. To those opposite, Nazis do not turn up to our events. They do not turn up to our events. They are not welcome at our events. We fight Nazis on this side of the house, unlike that side of the house.

James Newbury: On a point of order, Speaker, under standing order 120, I take personal offence.

Members interjecting.

The SPEAKER: Order! The member for Bentleigh did not mention any members by name.

Nick STAIKOS: For the last 20 years I have been either a local councillor or a member of Parliament. I have therefore attended hundreds of citizenship ceremonies, and every time I speak at a citizenship ceremony I say to the new citizens that I am speaking to that there are three things that set

our country apart from the rest of the world: our Indigenous people, our multiculturalism and our social safety net. Those opposite say similar things and they get their selfies, then they go on 3AW and they say something entirely different. But we live by our values and we stand by our values in this house; those opposite do not.

In my role as Parliamentary Secretary to the Premier and in my role as Parliamentary Secretary for Multicultural Affairs I am often at multicultural events throughout our state, and often I am joined by the Shadow Minister for Multicultural Affairs. That man is the Leader of the Opposition, and the Leader of the Opposition says one thing at those events and then comes in this house and says something entirely different, because the Leader of the Opposition's main priority is to appease the hard right of his party.

I am not just a member of a government that supports multiculturalism, I am a member of the party of multiculturalism. Do you know my family arrived in this country 60 years ago, and my grandfather became an Australian citizen years later when Gough Whitlam was the Prime Minister. Do you know why? Because Gough Whitlam made migrants feel welcome in this country. That is what he did. He made migrants feel welcome in this country. We are the party of multiculturalism. We do not just pay lip service to multiculturalism; we honour multiculturalism, we are loyal to multiculturalism and we support multiculturalism. That is the difference between this side of the house and that side of the house.

What I would say about that side of the house – and, you know, we have heard a lot of rubbish from that side of the house – is that that side of the house is a nasty, bigoted outfit.

James Newbury: On a point of order, Speaker, earlier you warned the house and provided guidance to the house about the words that all members used, and most members have heard you.

The SPEAKER: What is your point of order, member for Brighton?

James Newbury: The words the member has just used are unparliamentary and are demeaning this whole chamber.

The SPEAKER: I have heard words bandied around in this chamber from both sides of the house during this debate. There is no point of order.

Nick STAIKOS: Look, he is a strange unit, there is no doubt about that. But what I would just say –

The SPEAKER: Member for Bentleigh!

James Newbury: On a point of order, Speaker, under standing order 120, I take personal offence.

The SPEAKER: Member for Bentleigh, withdraw.

Nick STAIKOS: I withdraw, Speaker. Look, the member for Brighton has said he is not a strange unit, but what I would say –

The SPEAKER: Member for Bentleigh, you are pushing the boundaries. You have withdrawn once, and I am going to ask you to do it again.

Nick STAIKOS: I withdraw. But look, do you know what, I am really concerned about this pattern of behaviour by those opposite. Trump has just been re-elected in the United States, and a lot of people are saying, 'Thank goodness that our politics is not like the United States,' but it is heading that way, let us be honest with ourselves. Listen, in the last term when we were debating the pandemic legislation there were a number of odious people who assembled outside this Parliament with gallows, with nooses, with all of those things. Those opposite fraternised with those people. At the end of the day, if you participate in bigotry, if you participate in extremism, you attract Nazis – it is that simple.

The SPEAKER: Through the Chair.

Nick STAIKOS: If you participate in bigotry, if you participate in that sort of extremism, you attract Nazis. And then they think, ‘Oh, my gosh, Nazis have turned up to this rally against the Sikh people.’ Well, really? I mean, it is just absolutely incredible. I say the Labor Party is the party of multiculturalism. It is the party of diversity. Can I also say one of our greatest strengths as a state is our multiculturalism and our diversity. That is why we are the preferred state of international students – because they know that they can come here and that it is a multicultural state, a diverse state and a welcoming state. We are the most multicultural place on earth, and it is time we stopped pretending that multiculturalism was bipartisan, frankly; I am sick of pretending that it is bipartisan. Multiculturalism as government policy was started by Gough Whitlam. It is a Labor policy, and it is only Labor who supports multiculturalism. It is only Labor, frankly, who jealously guards our diversity from the extremists opposite. And do you know what? Frankly, those opposite – *(Time expired)*

Wayne FARNHAM (Narracan) (18:52): I cannot believe the rubbish I just heard in the last 10 minutes. I cannot believe the rubbish that just came out of the member for Bentleigh’s mouth. It was the biggest load of whatever I have ever heard.

This motion today is why Victorians have lost faith in politicians – it really is. This motion –

Members interjecting.

The SPEAKER: Order! Member for Bentleigh, the member for Narracan will be heard in silence.

Wayne FARNHAM: This is a grubby and low attack on the member for Berwick. This is why the public opinion of politicians is so low – because we bring forward grubby motions like this that are false; they are not true. Not one thing in this motion that has been put forward by the Minister for Planning is factually correct. It is not factually correct, and I would love to see –

Members interjecting.

The SPEAKER: Order! Member for Bentleigh, you will be removed from the chamber again. Member for Brighton!

Wayne FARNHAM: If they went to the member for Berwick’s Facebook page and they had a look at the photos of the people that were there – have a good look at the photos and have a look at all the different nationalities. This was a rally about government consultation on the naming of a lake – or a lack of consultation. That is what the rally was about.

Members interjecting.

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

Member for Bentleigh withdrew from chamber.

Wayne FARNHAM: I have just heard that we are bigots, we are racist –

Members interjecting.

The SPEAKER: Member for Bentleigh! When the member for Bentleigh returns to the chamber in 1 hour tomorrow, he will apologise to the Chair.

Bridget Vallence: On a point of order, Speaker, as the member for Bentleigh was leaving the chamber he called me a racist.

The SPEAKER: I did not hear that.

Bridget Vallence: He called us a bunch of racists. I find that highly offensive and ask him to withdraw.

The SPEAKER: I did not hear that, member for Evelyn, and I have asked the member to return and apologise.

James Newbury: On a point of order, Speaker, he also called me a racist. I take personal offence. I know you asked him to apologise to you for his strange behaviour, but he spoke –

The SPEAKER: Order! The member for Brighton will resume in his seat.

James Newbury: Speaker, can I finish my point of order, please?

The SPEAKER: What is your point of order?

James Newbury: My point of order, on standing order 120, is that both the member for Evelyn and I were called racists, and we both ask for him to apologise for his words.

The SPEAKER: I will speak to the member for Bentleigh when he returns to the chamber.

Wayne FARNHAM: We have been accused of being racist and bigots and not believing in multiculturalism or any of those things that have been said in that 10 minutes of rubbish when the member for Bentleigh was speaking. Just let me point out a few facts to the other side that they have clearly forgotten. Next to me, the member for Warrandyte is Malaysian Chinese. The member for Mornington's wife is Hong Kong Chinese. I have a Filipino fiancée. My leader's wife is Italian and Greek. The member for Brighton has an Ecuadorian wife. The member for Bulleen is Ukrainian; his wife is Macedonian. The member for Caulfield is a Jew. Ann-Marie Hermans, the other lady that attended the rally, is Sri Lankan. Trung Luu in the other place is Vietnamese. So how can that side stand up and call us racist and call us bigots?

A member: What about the Irish?

Wayne FARNHAM: And do not forget the Irish. This is the type of grubby, crap politics that is why the Victorian people hate politicians. This is a waste of time. You have made false accusations –

The DEPUTY SPEAKER: Through the Chair!

Wayne FARNHAM: against the member for Berwick. No-one on that side of the chamber, not one on that side of the chamber, is brave enough to say it outside – not one of you.

Tim Richardson interjected.

Wayne FARNHAM: Member for Mordialloc, you can mouth off all you want, but you say it outside the chamber and see how you end up. You are absolutely –

Members interjecting.

Wayne FARNHAM: Then say it outside. You say it outside.

The DEPUTY SPEAKER: Through the Chair, member for Narracan.

Wayne FARNHAM: Read that motion outside and see what happens. That is the problem with this motion: they have brought it in with parliamentary privilege and they have had a grubby attack on the member for Berwick, and they hide behind these doors. There is not one Labor member on that side of the chamber that would be brave enough to say this outside – not one. It is a pathetic attempt to smear someone's reputation.

I went to India with the member for Berwick. We went to the Golden Temple, and we saw exactly what the member for Bentleigh was talking about. Anyone that tries to call the member for Berwick a racist, a bigot or a neo-Nazi sympathiser is absolutely full of rubbish. He never invited them to the rally; they turned up. What did he do? He called the police and walked away. What else are you meant to do? No-one over there has said to me yet what he was meant to do. He did not invite them; they turned up.

I will tell you what, when they turn up to one of that side of the chamber's rallies, which they will, my goodness, are they going to cop it in this place. As soon as they turn up to a Labor rally, we will go

hell for leather on that side of the chamber for what they have done to the member for Berwick today. It is a grubby unsubstantiated attack on a good member of Parliament who is trying to look after his community because of the lack of consultation by the government. That is what the rally was about. The member for Cranbourne knows that. She knows it, and I will tell you what, it is absolutely disgraceful what this lot have done to the member for Berwick.

Business interrupted under sessional orders.

Adjournment

The DEPUTY SPEAKER: The question is:

That the house now adjourns.

Croydon road safety

David HODGETT (Croydon) (19:00): (951) My adjournment today is for the Minister for Roads and Road Safety, and the action I seek is for the minister to prioritise pedestrian safety by installing a flashing ‘Give way to pedestrians’ traffic sign at the pedestrian traffic light crossing located at the T-intersection off Civic Square and Mount Dandenong Road, Croydon, and/or change the lights to pedestrian priority traffic lights so that the green light for pedestrians comes first for a time before the green light for motor vehicles.

On Monday 12 August my constituent Nava and her 3½-year-old daughter Ellie were hit by a car when crossing on the pedestrian traffic light across Mount Dandenong Road in Croydon as they headed toward the skate park. The driver of the vehicle turning left out of Civic Square failed to give way to them and hit Nava and Ellie. The driver disclosed that she saw pedestrians crossing from the opposite side of the road and was trying to get through the intersection quickly before those pedestrians crossed in front of her, and she subsequently failed to see Nava and Ellie on the crossing directly to her left.

This incident prompted Ellie, with the help of her mum, to write to me, and I would like to share her letter with you:

To whoever can help, me and my mummy were hit by a car. We were crossing the road because we had a green light. But it was also a green light for the cars at the same time. The lady that hit us forgot to look out for the people. Can you please change the traffic lights so it's not green for people and cars at the same time?

Since the accident Ellie will not go back to the crossing as she says it is not safe.

The location of this busy pedestrian crossing means there is a high volume of foot traffic as it is close to a playground, an oval, a skate park, shops, a university, the library and the local pool. Many of the pedestrians who use the crossing are families, children and the elderly. With no signage currently to alert the drivers to take care and watch out for pedestrians, there is a risk of more accidents occurring.

Minister, I urge you to install a flashing ‘Give way to pedestrians’ traffic sign at the pedestrian traffic light crossing located at 220 Mount Dandenong Road, Croydon or change the lights to pedestrian priority traffic lights so that the green light for pedestrians comes first for a time before the green light for motor vehicles. We see this in and around other intersections where for a brief period of time green comes on for pedestrians or indeed cyclists to let them advance into the intersection and cross before the green light comes on for motor vehicles. That would be a good solution here.

My constituents were lucky this time and are physically okay after the accident, but the next person may not be. This simple addition could prevent a tragedy from occurring whilst showing Ellie she can make a difference and improve pedestrian safety here and for others.

Community sport

Luba GRIGOROVITCH (Kororoit) (19:03): (952) My adjournment is for the Minister for Community Sport. The action I seek is for the minister to provide an update on this Labor government's investment in community sport across my electorate of Kororoit.

Since 2014 the Labor government has invested more than \$2.3 billion to deliver world-class community sport infrastructure that boosts participation and improves accessibility for more Victorians – programs like the Local Sports Infrastructure Fund, which is helping local communities plan, design and build the facilities that they need, from indoor stadiums and aquatic facilities to upgrades for women and girls, community facilities, all-abilities infrastructure and planning to encourage more people to get involved.

This government is also making community sport more accessible for residents in Kororoit because we understand the value of community sport. Residents want to be active, safe and engaged in activities that they love. It strengthens local connections and promotes healthier communities. That is why we are addressing cost as a barrier to participation since the introduction of the Get Active Kids voucher in 2020. So many families across my electorate of Kororoit have already benefited from this program. The sporting clubs grants program is another initiative that helps break down barriers to participation as well as supporting local sporting clubs, helping them purchase uniforms and equipment, run new inclusive programs and assist participants to compete in events away from home.

Our communities deserve to have great sporting facilities. By upgrading facilities and removing barriers to entry we are making sure that even more people can get involved in local sport in their own communities. The action I seek is for the minister to provide me with an update on investments in community sport across Kororoit.

Planning policy

Peter WALSH (Murray Plains) (19:05): (953) My adjournment matter is for the Minister for Planning and concerns the changes that will come into effect next March that will make it harder and more costly for regional people that want to build a dependent-person unit behind their existing dwelling for their ageing parents to live in and be cared for by their children, or for their adult children that have special needs to live in and receive care from their family. I ask the minister to reverse these changes for regional families so that they can still build a dependent-person unit with only the need for a planning permit, rather than the more expensive and burdensome processes that will come into place in March next year for a DPU, as it is called.

The planning changes were brought in to allow what are called small second dwellings to be built behind homes in Melbourne, but the size has been limited to 60 metres square. For an older family member who has mobility challenges to live in, with the need for space for access to showers, toilets, a passage and a second bedroom for a carer, it is just not possible to actually put all this in a 60-metre-square building.

I have some examples of people who have contacted me. One of those is from a family who are building a DPU for a lovely couple, placing it on their daughter's 1.047-hectare block. Mum and dad are fit and well at the moment and very independent; however, mum has been diagnosed with MS and will require a lot of help. They require two bedrooms, and there is no way that that could fit into a small second dwelling of 60 metres square. Luckily they got in before the law came into effect the first time. Why cannot this be changed again?

The other example is from a company that builds these units, and the woman I spoke to there has a son with a disability as well. She said she was working with a potential client who had a disabled child in their teens, and after being asked to leave group living the father decided to put a house in the backyard for his son. They require support workers and carers to stay. However, instead of the local council doing everything in their power to help them care for their son, because of the new rules they

actually made it more difficult and this person cannot build that particular home. This woman I spoke to believes:

[QUOTE AWAITING VERIFICATION]

At a time when it's harder for parents to get into independent living or nursing homes, or help for their young children with disability, the state has lost common sense totally. As a government, I would think you would do everything in your power to help people take care of their own rather than make it harder. I really don't understand why you have to abolish the dependent-person unit for a second small dwelling. Why can't people actually have the choice of either?

I ask the minister to reverse that decision so that people in regional Victoria can build a dependent-person unit behind their own home so they can care for their elderly parents or care for their adult children who have disabilities.

Werribee Open Range Zoo

Mathew HILAKARI (Point Cook) (19:08): (954) The biggest residents of Victoria are packing their trunks. What am I talking about? My adjournment matter is for the Minister for Environment and Minister for Tourism, Sport and Major Events, and the action that I seek from the minister is to join me on a visit to Werribee zoo and the elephant expansion that is going on there. Werribee zoo is a major tourist attraction within the community that I represent. The new elephant barns are bigger than Bunnings. The minister at the table, Minister Brooks, would attest to that. Their enclosure is almost as big as the entirety of the current Melbourne Zoo – appropriate, of course.

Within the expansive elephant habitat the herd will benefit from seven different yards connected by elephant overpasses – do not stand under them for too long! – two megapools and a visitor walking trail. These amazing barns that the elephants will call home are filled with sand, the perfect resting place for them to get some great shut-eye. I look forward to seeing the elephants at Werribee zoo, and having the minister there as well would be something to trumpet about.

Maroondah Highway–Killara Road, Coldstream

Bridget VALLENCE (Evelyn) (19:09): (955) The Coldstream community has been patient – very patient – waiting for this state Labor government to start works on the long-overdue upgrade to the Maroondah Highway, Coldstream, and to fix the dangerous intersection at Killara Road. For over eight years I have been campaigning together with the community, pledging to upgrade the dangerous intersection at Killara Road, Coldstream, and working with the former federal MP Tony Smith to secure \$20 million in funding for that project. Back in 2019 that funding was secured – 5½ years ago – and still our community waits for this dangerous and congested road to be upgraded.

Unsurprisingly the matter I raise is for the Minister for Roads and Road Safety and is in relation to the Maroondah Highway, Coldstream, project, and the action I seek is for the Victorian government to outline a detailed project plan and timetable, including when the works will actually commence to duplicate Maroondah Highway, Coldstream, and upgrade the dangerous intersection at Killara Road. Coldstream, Yering and Gruyere residents, the Coldstream and Gruyere CFA fire brigades, local traders and in fact people right across the Yarra Valley deserve certainty from the Victorian government and its transport department about the long-awaited Maroondah Highway, Coldstream, project and when the project will emerge from the protracted planning phase into actual works to fix this road.

While there has been some talk of project construction commencing mid-2025, that really cannot be believed. That is because the Allan Labor government has done nothing to progress this project beyond the protracted planning phase and has done nothing to guarantee a 2025 construction timeframe. That is why as the local member in this state Parliament I am calling on the minister who is responsible for the delivery of this project to respond with the detailed project plan and timetable to fix this state government road. Even the federal government's infrastructure project website, as at today, clearly states in relation to the timetable for the Maroondah Highway, Coldstream, project that still:

Project delivery timeframes for commencement and completion are being confirmed by the Victorian Government.

It is not yet confirmed. No timeframe is confirmed. It is absolutely outrageous, and my community deserves to know. They want to know whether planning has been approved, the works tendered, a contractor been appointed and when the residents and traders will be engaged in the design, consulted and informed about how long the impact of construction will be. This is just one of the many state government roads that needs fixing, but it is one that, as the local state MP, I have raised here in Parliament repeatedly for six years now, calling on the government to get this job done. Dare I say this project will only be delivered under a state Liberal government. I invite the state Labor government to prove me wrong on that. Seriously, it makes no sense for Labor to keep delaying this vital road safety project for Coldstream. Just get it done.

Lara electorate Punjabi community

Ella GEORGE (Lara) (19:12): (956) My adjournment matter is for the Minister for Multicultural Affairs, and the action that I seek from the minister is to provide me with an update about how the Allan Labor government supports multicultural communities in the Lara electorate. The Lara electorate is incredibly diverse and home to many multicultural groups. Last week I had the absolute joy of attending the Punjabi Swag and Virasati Punjabi School's annual end-of-year event. This was my second year attending, and it was an amazing showcase of the incredible work that students have done throughout the year.

[NAMES AWAITING VERIFICATION]

The Virasati Punjabi language school is part of the Punjabi Swag Geelong community group. These groups are run by incredible volunteers who dedicate hours of their time and their skills to ensure that their children continue learning, valuing and celebrating their culture and traditions. None of this would be possible without the wonderful Preet Khinda. Preet established Punjabi Swag to keep children of Punjabi heritage connected to their culture, and she has built a beautiful, vibrant community, which we celebrated last week. Thank you also to Simran Kalsi and Pari Jar, two students who did a fantastic job hosting the evening. You both have bright futures ahead of you, and I cannot wait to see what you achieve. Thank you to Shiraz Innovative Indian Restaurant in Geelong, who generously provided everyone with dinner. Thank you to all the parents and community members who came out to celebrate the work of the Virasati school students. It was wonderful to see their work on display, particularly the detailed art that the students created showcasing traditional homes in India.

Multicultural groups such as Punjabi Swag make invaluable contributions to our local community, and I am so proud to be a member of a government that supports multicultural communities across Victoria, celebrates our cultural diversity and makes sure that Victoria is a place where we honour, recognise and celebrate the different cultures and traditions of all of the people that make up our state.

Goulburn Ovens Institute of TAFE

Kim O'KEEFFE (Shepparton) (19:14): (957) My adjournment matter is for the Minister for Skills and TAFE in the other place, and the action I seek is that the minister provide a plan on how Shepparton GOTAFE are going to be able to provide adequate training, considering more than 60 critical jobs are set to be scrapped from Goulburn Ovens TAFE under a major restructure, which will have devastating consequences. Goulburn Ovens TAFE is regional Victoria's largest education provider. There has been a significant increase in enrolments across its campuses, which are up from 500 to 6500.

Yes, this is the fourth restructure in five years, and it will mean staff numbers have been slashed from 594 to 413 full-time equivalent jobs. National Tertiary Education Union Victorian division secretary Sarah Roberts said:

GOTAFE teachers simply won't be able to cope with 30 per cent of ... staff being cut.

...

These are the devastating ... consequences of the chronic underfunding of Victoria's TAFE system.

None of these reductions make any sense considering the extreme shortage of trade workers and trade teachers and of course the much-needed trade workforce and apprentices. There will be many industries impacted by these job cuts. It is ironic that the Labor government are very aware of the shortage of tradies, which will significantly impact on their target to build 800,000 new houses in the next 10 years. They have raised the issue, with the lack of workforce impacting on the building industry, and yet here they are cutting back on the very industry that can provide the workforce that is needed.

GOTAFE plays a significant role in my electorate, and its vital education opportunities need to continue. We depend on GOTAFE to be able to provide ongoing training to quality staff for many industries and those that are facing significant staff shortages. GOTAFE provides educational and career opportunities and is a critical educational option in regional Victoria. This is a very stressful time for staff, who are facing losing their jobs and uncertainty for the future. If these job losses continue, the economic and educational consequences will be felt through the entire community. This is just another example of where the Allan Labor government cannot manage money and cannot manage GOTAFE, and Victorians are paying the price.

Preston electorate ministerial visit

Nathan LAMBERT (Preston) (19:16): (958) My adjournment matter is for the Minister for Environment, and the action I seek is for the minister to visit some sites of environmental interest in Preston and Reservoir. The first potential stop for the minister could be Clements Reserve. I think the Minister for Development Victoria at the table will know Clements Reserve, which is about 100 metres from his electorate on Dunne Street on the way into Kingsbury.

Colin Brooks interjected.

Nathan LAMBERT: What is that? A lovely part of the world – and as the minister will know, Darebin council has been in discussions with the Department of Transport and Planning for about six years now to acquire some land at the reserve, which currently has a children's playground on it and a few eucalypts and melaleucas and the like. Unfortunately, those discussions have been complicated by the discovery of both asbestos and lead at the site, reflecting its likely previous use as a dumping ground for building materials and prior to that its use as a shooting range in the 1920s for the Northcote Gun Club. For anyone interested there is a comprehensive write-up of this issue by Serena O'Meley on her *Darebin Independent Observer* website. We would appreciate the minister coming out to have a look, and we can perhaps discuss the slow progress on the park's remediation and how the EPA is assisting Darebin council in restoring it to full use. We are very pleased to have a new-look Darebin council in our part of the world, including a new councillor for that area, Vasilios Tsalkos, and we look forward to working with Vasilios and the EPA to progress that issue.

The second potential stop for the minister could be Edwardes Lake and the Edgars Creek Wetlands. The minister will get to appreciate all the work that Friends of Edwardes Lake have done there to make it a fantastic refuge for native flora and fauna, including some very significant recent plantings that were funded through our government's Green Links fund. Notably, Friends of Edwardes Lake recently won the most Outstanding Friends Group Award from the Victorian Environment Friends Network. I know the member will know that well, and we congratulate Kate Jost and all the volunteers on that. Unfortunately, their good work over many years has been marred by some recent cooking oil spills. I have referred to them previously in this place. I will not go into further details now, but suffice to say, the minister's visit would be an opportunity for him to update them and us on that issue, given the involvement of his agencies.

Finally, the minister might drop into the EPA northern metro office on Albert Street in Preston, where we could thank the team generally for their good work led by Lee Miezi and Jeremy Settle, who is a

local team leader there with a great team, and we might take the chance to discuss a couple of other issues related to noise pollution and waste to energy. We are grateful to the minister and his team for their consideration.

Land tax

Bill TILLEY (Benambra) (19:19): (959) I wish to raise a matter for the attention of the Treasurer. The action I seek is for the Treasurer to be true to his word and provide an exemption for Australian Defence Force members from his insidious land tax grab. Back on 25 April 2017 in an Anzac Day spin job this government announced exemptions for Australian Defence Force personnel from the first home owner grant residence requirements. This meant that they did not have to live in their new homes for 12 months to remain eligible for the grant. It was trumpeted that ADF personnel often cannot live at home while they serve abroad or live on base and that this exemption would make it easier for the men and women who serve our nation.

The Treasurer was quoted as saying:

These brave men and women are serving our nation abroad and interstate – the last thing they need is to be caught up in red tape and regulation.

The Minister for Veterans at the time, the Honourable John Eren, said:

Many of our Australian Defence Force members want to buy a home in Victoria, but are serving our nation elsewhere. That's why we're making this common sense change that recognises the special nature of their job.

[NAME AWAITING VERIFICATION]

I believe this exemption should be extended to the land tax. Reagan Coates is a member of the Royal Australian Air Force – not my favourite service; they are certainly the junior service in our defence force – and his primary place of residence is currently in Baranduda, just outside Wodonga. He has been posted to South Australia for the foreseeable future, so obviously he cannot live in the only property he owns, and that is in Baranduda, Victoria. He has been posted to South Australia for whatever the tenure of that posting will be. In thanks for his service to the nation from the grateful state government he received a land tax bill for \$975 on 3 May 2024. Mr Coates immediately sought advice from the State Revenue Office to determine if section 83 of the Land Tax Act 2005 provided him with an exemption. Upon receiving no response for four months – yes, that is right; you heard it right, four months – he phoned the SRO to be told he should be exempt and that his matter would be escalated. He phoned again just short of the due date and was told his matter would be actioned shortly. On 24 September he received advice that he was not exempt and that his payment was overdue and would attract a further interest payment of 12.36 per cent. Further insult to injury came with the advice that his debt had been handed to a collection agency and if not paid immediately would bring about possible legal action.

Please tell me, Treasurer: is this is how the Allan Labor government treats those who serve our nation, all for the sake of a grubby cash grab? You say one thing and you do another. Be good to your word and look after our ADF personnel.

Glen Waverley youth advisory committee

John MULLAHY (Glen Waverley) (19:22): (960) My adjournment matter is directed to the Minister for Youth, and the action I seek is for the minister to join me in a meeting with the 2025 Glen Waverley youth advisory committee. This group will begin in 2025 and will be formed with young members of the Glen Waverley district. It will allow members to research a topic about something that matters to our local community, and they will have an opportunity to creatively formulate a policy idea in response to that issue. I am passionate about empowering young people to share their views about what matters to them. They are our future, and it is paramount that they are not only informed about politics but actively engaged.

I would like to give a special shout-out to a Glen Waverley district resident, Kirwan Schoenborn, who was one of the recipients of the 2023 Premier's Spirit of Anzac Prize. A student at Wesley College in Glen Waverley, I was fortunate to meet her at this year's Remembrance Day service held by the Waverley RSL, where she gave a wonderful reading in memory of those that served our nation.

I thank the minister and her team for all the work they do in engaging Victoria's youth to be active participants in our community. I look forward to the minister's response.

Responses

Colin BROOKS (Bundoora – Minister for Development Victoria, Minister for Precincts, Minister for Creative Industries) (19:23): The member for Croydon raised a matter tonight for the Minister for Roads and Road Safety in relation to the installation of flashing pedestrian give-way lights – I think that was the request – at Civic Square, 224 Mount Dandenong Road, Croydon, and I will make sure that that matter is passed on to the minister. The member for Kororoit raised a matter for the Minister for Community Sport, seeking the minister to provide an update on a range of investments in the community sport area in her electorate of Kororoit, and I will definitely make sure the minister gets that request. I should take the opportunity to congratulate the former Leader of the Nationals for his service to the Parliament as Leader of the Nationals. The member for Murray Plains raised a matter for the Minister for Planning to reverse changes that the member feels will make it more difficult to build small second dwellings for dependants, and I will make sure the planning minister gets that matter.

The member for Point Cook raised a matter for the Minister for Tourism, Sport and Major Events and Minister for Environment seeking a visit to Werribee Park zoo to tour the fantastic elephant enclosure that has been built out there by Development Victoria for the client minister – a great project. The member for Evelyn raised a matter for the Minister for Roads and Road Safety seeking that the minister outline detailed plans and a timeline for a project to improve the intersection of Killara Road and Maroondah Highway at Coldstream. I will make sure that that matter that relates to the Coldstream area is passed on to the minister. The member for Lara raised a matter for the Minister for Multicultural Affairs asking for an update on support for multicultural communities in the electorate of Lara. I will make sure that matter is passed on as well.

The member for Shepparton raised a matter for the Minister for Skills and TAFE in the other place asking for a plan to be provided on Shepparton GOTAFE and for them to provide a plan on continuing to deliver training in her community, amongst some changes that she has outlined. That matter will be passed on. The member for Preston raised a matter for the Minister for the Environment asking him to visit the Preston electorate to discuss a range of local environmental issues, and that matter I am sure will be picked up by the minister. The member for Benambra raised a matter for the Treasurer seeking that the Treasurer deliver an exemption for defence force members from land tax, and I will make sure that matter is passed on. The member for Glen Waverley raised a matter for the Minister for Youth asking that the minister join him in a meeting with the 2025 Glen Waverley youth advisory committee, and I am sure that the minister will do that.

The DEPUTY SPEAKER: As Jean Valjean says, one day more. The house stands adjourned until tomorrow.

House adjourned 7:26 pm.