

PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE

2021–22 Budget Estimates

Melbourne—Friday, 18 June 2021

MEMBERS

Ms Lizzie Blandthorn—Chair

Mr Richard Riordan—Deputy Chair

Mr Sam Hibbins

Mr David Limbrick

Mr Gary Maas

Mr James Newbury

Mr Danny O’Brien

Ms Pauline Richards

Mr Tim Richardson

Ms Nina Taylor

WITNESSES

Mr Martin Foley, MP, Minister for Equality,

Ms Brigid Monagle, Deputy Secretary, Fairer Victoria,

Ms Nicola Young, Executive Director, Multicultural Affairs, Equality and Office for Youth, and

Mr Andrew Minack, Deputy Secretary, Corporate and Delivery Services, Department of Families, Fairness and Housing.

The CHAIR: We welcome back Minister Foley, this time for the consideration of the equality portfolio. We invite you to make a short presentation, and this will be again followed by questions from the committee. Thank you.

Visual presentation.

Mr FOLEY: Thank you, and can I thank the committee for the opportunity of making this presentation. I begin by acknowledging the traditional owners of the land on which we meet, and I pay my respects to elders past, present and emerging.

The equality portfolio is perhaps not the biggest portfolio in the Victorian government but one that since 2015 has continued to champion the cause of diversity amongst Victoria's LGBTIQ+ people. The commitments and investment in the portfolio have focused on removing discrimination from Victorian laws and from Victorian society, ensuring LGBTIQ+ people and their families are able to access LGBTIQ+ family services whilst at the same time promoting LGBTIQ+ inclusion and celebrating the rich diversity across Victoria's government and society. In the light of the global pandemic we have also had to focus on providing ongoing support to strengthen the LGBTIQ+ community, which in turn supports our wider rainbow-diverse Victorians.

In regard to investments reflected in this 2021–22 budget, our budget is focused on implementing the priorities and election commitments that we made for Victoria to be an inclusive place for our rainbow communities. This budget ensures that LGBTIQ+ Victorians are celebrated through the large-scale commemoration and celebration of Melbourne Pride 2021. This is a significant milestone reflection on the fact that this year is the 40th anniversary of the decriminalisation of homosexuality in Victoria by the then Hamer government, and it needs to be marked. LGBTIQ+ communities deserve to have that significant milestone as a public stage on which to celebrate. That is why we are investing a further \$1 million to deliver Melbourne Pride and making sure that we recognise the milestone in this community's history and a chance to celebrate the vibrant diversity of the wider Victorian community. In addition to this, we are allocating a further \$1 million to the successful LGBTIQ+ grants program. Since 2017, 75 different organisations, particularly around promoting sustainability of organisational structures and leadership, have been the focus of that investment.

In regard to our investment in the equality portfolio itself we have seen a significant increase across the board when it comes to now more than \$55 million invested in the equality portfolio since its establishment. In particular it includes a wide range of priorities in this year's budget that go to strengthening the first whole-of-government LGBTIQ+ strategy, which we committed to and which will be due for at least some level of community engagement and broader engagement late April 2021, and it also looks the opening of the Victorian Pride Centre in coming times. There is also an additional \$2 million to ensure that we successfully implement our priorities to achieve equality with LGBTIQ+ Victorians.

There are a range of other measures in this budget. A key achievement for the last 12 months, despite the pandemic, is we have seen an impact of the \$1.2 million that we delivered in one-off funding for 25 businesses and organisations through the Revitalising the LGBTIQ+ Sector Fund as part of the stimulus for this particular community. These grants help support economic recovery and survival of small businesses, venues, health organisations and services that our LGBTIQ+ community relies on. There is also half a million dollars to build capacity and further leadership through the organisational developmental grants that I referred to.

Finally, in regard to some achievements in the past 12 months I refer honourable members to this slide, which in particular talks to the Change or Suppression (Conversion) Practices Prohibition Bill, which had some degree

of community debate, but banning the practice of changing or suppressing people's sexuality or gender identity is a measure that this government strongly supports.

The CHAIR: Thank you very much, Minister. Mr Richardson.

Mr RICHARDSON: Thank you, Chair, and thank you, Minister, for that important presentation and overview. I want to refer you to budget paper 3, page 46. For the committee's benefit are you able to please explain how the LGBTIQ+ grants program and the LGBTIQ+ equality policy and programs area in table 1.12 will be used?

Mr FOLEY: Thank you, Mr Richardson, and I would be happy to. As I touched on in the presentation, the \$1 million allocated for the grants program will invest in, as I indicated, two vital programs to drive the equality agenda for our LGBTIQ+ community. This investment will deliver the organisational development grants and the leadership program that I referred to. In more detail the organisational development grants are just about that: fundamentally community-based grassroots groups that continue to be supported across the state to grow their capacity to endure, self-sustain and be well led. So it is about capacity and sustainability of those organisations in the LGBTIQ+ community. We know that the program has had a good impact, and we have seen it through some of the reviews that have been undertaken independently from government of that—particularly important during the COVID-19 pandemic. Eight hundred thousand dollars from that total of 1 million will now be allocated in the next round of important grants to get that program out as soon as we possibly can. This program was first funded in the 2016–17 budget, and I am proud to be able to see that it can continue on in this budget—and I hope in many budgets more to come—to build that organisational, community-based reflection of community-led and community-empowered responses. In regard to the leadership element of the program, this budget provides some \$200 000, which in the context of the Victorian budget might not seem a lot, but I can assure honourable members that sometimes it is the small targeted grants that leverage the greatest impact at a community level, and this is one such example.

The LGBTIQ+ leadership program has been running since 2018, and it aims to develop all the things that you would want in well-run, well-led, community-engaged groups—strong governance, accountable fiscal management, leadership capability—targeting particularly young and emerging leaders in the sector. The leadership program welcomes all young LGBTIQ+ Victorians from a diverse range of communities—from right across the community sector, from government, from the private sector and from the different parts of the LGBTIQ+ rainbow as well—and is designed to develop their skills to learn from and engage with each other and make sure that this sector, with some small support, can leverage off greater sustainable, well-led organisations.

Mr RICHARDSON: I understand, Minister, that the grant program has been running since 2017. For the committee's benefit, can you explain what difference it has made to LGBTIQ+ organisations and provide some examples?

Mr FOLEY: Thank you. To take the relative benefits of a targeted program to perhaps another level, what we have allocated over the four years you referred to is now some \$4 million for the LGBTIQ+ grants program again around, as I said earlier, that notion of developing capability and developing the sustainability of those community-based organisations. Between 2016 and 2019 we were able to deliver a total of some \$700 000 in grants each year to support the development of the sector, and that was targeted to some 63 different organisations funded to strengthen their leadership and to better serve their own communities.

Just recently I was proud to announce another 12 organisations who will share some \$500 000 as part of this program in the 2020–21 year. In regard to examples of the funded organisations, I can point to, across that 63, quite a number, but I will just highlight reflective examples. For example, \$50 000 was provided to the Three for All Foundation, which is to provide training and mentoring to members of queer refugee and asylum seeker peer support groups on the basis that people's sexuality and gender identity is, sadly, regularly used in many countries to harass and indeed harm LGBTIQ+ communities and individuals and is a significant driver in people fleeing under refugee or other status in a way that is perhaps sometimes underestimated. This grant will make sure that this group of people, who are largely excluded from so much of what goes for support for marginalised communities, are given the opportunity to empower that group to take on roles of leadership to support each other through what have been particularly challenging times.

In a completely different space, some \$49 000 has been provided to the Bendigo Queer Arts Festival to further develop their organisation strategy and to develop a forward plan to assist them to continue to operate well into the future, to drive the diversity of Bendigo as a cultural and community location, which increasingly relies on a diverse range of cultural events and artistic events reflecting the wide spectrum of how communities attract both diverse populations and interesting communities and with them a degree of vibrancy that flows well beyond just the festival itself and reflects part of the rich mosaic that we are increasingly seeing in our regional centres right across the state.

I think these reflect just some of the ways in which this organisational development grants project has levered success and opportunities well beyond the significant but nonetheless modest investment. I am very pleased that this budget once again supports that investment to continue these organisations' development and—I would be more than hopeful—to respond even better coming out of the implications of the COVID-19 pandemic.

Mr RICHARDSON: Minister, can I take you to the organisational development grants program: can you explain for the committee's benefit how many LGBTIQ+ leaders the leadership program has made a difference to since its inception, and what are the plans for its delivery in 2021?

Mr FOLEY: Yes. Thank you for that question. Again, a small leadership program that invests in the skills and the sustainability of particularly that next generation of leaders so as to make sure that they have the skills and the say in the direction of the future of their own community—that is what this program aims to do. Whatever it is they decide to do, whether it is in the private sector, the community sector, in government or public service, we have seen quite a level of how successful that program has been. Since the leadership program was first funded in the 2017–18 budget some 83 Victorians, young Victorians particularly, have graduated from the program, including 30 young leaders who graduated last year in the particularly challenging circumstances of the COVID year in which a large amount of that work was done online.

It is probably unfair to call out any particular individual, but I did want to point out that one of the graduates of the program is Jayde de Bondt, who graduated in 2018 and has carved out a leadership role in the AFL, in local government, and has now as a result of her leadership in that area been appointed the co-chair of the government's whole-of-government LGBTIQ+ task force.

In terms of how this year's particular program is scheduled to be delivered, planning is well underway, and in March this year the department held a workshop with graduates from programs in years gone by to help inform improved delivery into the future. The graduate feedback will be incorporated into the design and will be delivered in a much better 2021 project.

Mr RICHARDSON: Thank you.

The CHAIR: Thank you. Mr Riordan.

Mr RIORDAN: Thanks, Chair. For the benefit of everybody at the table, Minister, I refer to your department's outputs in budget paper 3, page 201—if everyone has got that. Why has the Andrews Labor government slashed funding by 25 per cent to the LGBTIQ+ equality programs in this year's budget?

Mr FOLEY: Thank you, Mr Riordan. I would refer you to the comments I made in the presentation regarding the economic stimulus support that we included in the 2021 budget, and that in particular I think is the object of what you are discussing, so—

Mr RIORDAN: Well, just on that point—

Mr FOLEY: If I could finish, perhaps—

The CHAIR: Mr Riordan!

Mr RIORDAN: I just wanted to clarify, in your answer—

The CHAIR: Mr Riordan, the minister has not had an opportunity to answer yet.

Mr FOLEY: I intend to address—

The CHAIR: If you could afford him that opportunity, please.

Mr FOLEY: Thank you. The equality output figure of \$5.7 million includes new budget initiatives and funding allocations from previous budgets, as you have indicated. The target is lower in \$9.3 million due to that set of one-off initiatives, such as the LGBTIQ+ sector economic recovery grants program, which in particular I highlighted in my presentation. So the output figure is not the only way we measure our progress in this particular relatively small but effective portfolio to drive the equality agenda targets. In regard to how every part of our community and our state works together, the reference that I made to Ms de Bondt chairing a whole-of-government task force, for instance, brings together a whole range of different parts of government to make sure that all of government is reflected in the LGBTIQ+ agenda, and indeed most of the investment that could be seen to be linked to the direction of the portfolio's success—for others to judge—is in many respects outside of the portfolio itself, whether it be in health, whether it be in mental health, whether it be in education or whether it be in economic development, regional tourism or creative industries. All of these different areas come together—

Mr RIORDAN: Are you still answering the question, Minister?

Mr FOLEY: Yes, Mr Riordan.

Mr RIORDAN: Oh, you are. Okay. Sorry, I was confused.

Mr FOLEY: They all come together in how this budget, this particular equality budget alone, invests, when you draw it altogether, over \$45 million worth of efforts to celebrate, mark and drive our LGBTIQ+ communities and provide, increasingly through other portfolios' whole-of-government efforts, the kind of practical support that prevents LGBTIQ+ Victorians being disproportionately under-represented in service engagement and over-represented in poorer outcomes. So to provide how that works I could point to, being relatively familiar as I am with it, the health portfolio, where we have now been able to target \$21.4 million for mental health support for particularly trans and gender-diverse young people in that 16- to 25-year-old age group, a program—

Mr RIORDAN: Minister, I hope you are not reading your notes—

Mr FOLEY: that was particularly supported by Professor Patrick McGorry and the Orygen organisation that he leads, we have seen investment in the Royal Children's Hospital and Monash Health's gender clinics to provide life-saving support and we have seen support for parent and support groups such as Transcend and community-led organisations such as Transgender Victoria. I could point to similar investments in the justice portfolio, where we could identify some \$2.8 million—

Mr RIORDAN: I do not think the Chair would let you talk about that, Minister, because you are not allowed to talk about other people's portfolios.

Mr FOLEY: That is why I indicated that I could, but I will not. But in terms of just that whole program—

Mr RIORDAN: I am waiting for the Chair to bring you to a point of order on that, because I think we are only allowed to talk about your cut from \$9.3 million down to \$5.7 million, which I think you have talked about for most of the time. But you have got 2 minutes left, if you want to tell us how it went and how moving it from \$9.3 million down to \$5.7 million is not a cut. You have managed to avoid that one.

Mr FOLEY: No, no, no. I thought I indicated, Mr Riordan—

Mr RIORDAN: One of your other colleagues referred to bouncing balls when they talked about cuts. But how do you refer to it?

Mr FOLEY: Well, Mr Riordan, I refer to it in the same manner in which I did at the initial part of this polite discussion, and that is that there were—

Mr RIORDAN: I think it is called a soliloquy, in Shakespearean terms.

Mr FOLEY: indeed a series of one-off economic stimulus measures right across government, including—

Mr RIORDAN: But isn't it the move from \$7.6 million to \$9.3 million that is your one-off? You have gone back to \$5.7 million—you are still miles behind what you started with before the stimulus, aren't you?

Mr FOLEY: No, no. I respectfully disagree.

Mr RIORDAN: The budget must be wrong, then.

Mr FOLEY: The arrangements that I think you are referring to go to the output figure of \$5.7 million, including the new budget arrangements, and the target is lower than the \$9.3 million figure due to those one-off initiatives such as—

Mr RIORDAN: What is the \$7.6 million?

Mr FOLEY: particularly the LGBTIQ+ sector economic recovery program, which I touched on in my earlier answer. That sought to drive, in the circumstances of the unprecedented level of disruption that we saw in private sector organisations, community sector organisations—

Mr RIORDAN: Okay, with your 50 seconds left, are there going to be less people employed to support LGBTIQ+ people with all those millions less being spent?

Mr WYNNE: No, no, I do not believe so, Mr Riordan, because what it was designed to do was support all of a representative group of particularly strategic organisations in the private sector and the community sector and other support services to make sure that they got through the incredible disruption that the global pandemic and associated measures to keep Victorians safe drove. In that regard I think LGBTIQ+ Victorians who were already on the margins of society very much supported that strategic investment.

The CHAIR: Thank you, Mr Riordan. Mr Hibbins.

Mr HIBBINS: Thanks, Chair. Thank you, Minister and your team, for appearing this afternoon. Point 1 of your presentation for the equality portfolio is:

Removing discrimination from Victorian laws, services and broader society ...

But there are some still-outstanding reforms to be made in laws, particularly in regard to exemptions that allow for discrimination against students and teachers at faith-based schools. In our previous conversations at PAEC you have indicated that you are looking to see what the federal government will do and then fill in the gaps as you see fit. Now, it is pretty clear that the federal government is not going to act. Can you give a commitment that the Victorian government will act in this term of Parliament?

Mr FOLEY: Thank you, Mr Hibbins, for the question, and the issue you raise is a very significant one. The issue you raise in regard to the promised actions that we were going to see from the commonwealth, which seem to have yet to materialise, is of particular concern to us given that it has not been ruled out by the commonwealth—that they are still not going to do it, if that kind of makes sense—on the basis that we all know, depending on how it is constructed at a federal level, of the opportunities for that to override state legislation. But the Victorian government does not resile from its position of supporting equal rights, particularly for young people and teachers, for LGBTIQ+ Victorians. When it comes to that balancing of those—if I understood the question—particular measures relating to discrimination in schools and young people in particular, that then runs us straight into the fact that so many of our faith-based community schools have some well-established concerns as to the complexity of balancing the right to religious freedom, freedom of expression and the right to be free from discrimination.

We know that Victorians experience higher rates of discrimination among LGBTIQ+ young people compared to the general population, and the government, through the working groups that I have referred to, remains committed to removing those exemptions and discriminatory provisions from legislation. Whilst it was not in this particular Parliament, in the last Parliament efforts to generally address that proposition, whilst they got through the Legislative Assembly, sadly did not make it through the Legislative Council. Our continued commitment to progress amendments to the Victorian *Equal Opportunity Act* to remove gaps in discrimination, some of which you have specifically referred to, stands. And in order to remove these gaps we are continuing to work predominantly with our LGBTIQ+ community leadership to drive through work that is underway with

the department of justice to continue to make sure that these issues are dealt with and that we protect all Victorians from discrimination.

Mr HIBBINS: You raise an interesting—

Mr FOLEY: If I could just round up, we do continue to seek through the department of justice to engage with the commonwealth as to what the commonwealth's promised religious discrimination Bill would deliver, and we continue to advocate to the commonwealth that they provide greater protections in that Bill, should it proceed, for LGBTIQ+ Victorians, and we stand by our commitment that should that not happen we will look to how we deliver that.

Mr HIBBINS: In the last seconds remaining, you made an interesting point: in the last Parliament, bills were blocked, very unfavourable; this Parliament, more favourable; next Parliament, we do not know. Can we get a commitment that you will look to fill these gaps within this Parliament?

Mr FOLEY: Well, as I indicated, we have to take a real-world position of not wanting to set up a Victorian bill to be knocked over by the commonwealth. Our first line of defence in that process is that we want to make sure if there is a commonwealth bill it achieves the kind of goals that I think you have reflected on and which the Victorian government supports. If that is not the case, we take the view that we do not rule out taking further measures through the department of justice to achieve those same ends.

Mr HIBBINS: Thanks, Minister.

The CHAIR: Thank you, Mr Hibbins. Thank you, Minister.

Mr RIORDAN: A point of order, Chair.

The CHAIR: Mr Riordan.

Mr RIORDAN: Thanks, Chair. I would just like to request that you counsel the minister. We have a long session this afternoon. In 12 minutes I got one question and the Greens got one question out. At that rate the afternoon will be very, very unproductive for this committee. The minister is a seasoned and experienced politician. He ought to be able to get crucial information and data to this committee in a much more timely and succinct manner. Government members have been quick to point out the need for us to be relevant and pertinent with our questions. Chair, I seek your direction to the minister and to the health representatives this afternoon that churning up 12 minutes for two answers—Mr Hibbins can speak for himself, but I suspect he did not quite get his answer either—is not going to aid this committee getting the answers that it needs, and I think the minister has an obligation to be just a little bit more on the ball. If he is perhaps a bit tired and exhausted after a busy year—

The CHAIR: Mr Riordan, thank you.

Mr RIORDAN: we could offer to come back again at another time when it suits him.

The CHAIR: Thank you, Mr Riordan. You are also a seasoned operator and you know that that is not a point of order. I am sure the minister—

Mr RIORDAN: The point of order is relevance, Chair.

The CHAIR: Well, I am sure the minister was relevant in his answers to you, and I am sure that he hopes to be as accommodating and relevant to answer your questions as possible throughout the course of the day.

Mr RIORDAN: Chair, my question to you quite specifically is that there is a point of relevance. We all have a fairness to get through, and one question each in a huge amount of time is just not satisfactory.

The CHAIR: Mr Riordan—

Mr NEWBURY: Can I speak on this matter?

The CHAIR: Mr Newbury, I have already said that there is no point of order.

Mr NEWBURY: A different point of order.

The CHAIR: Well, I have not finished dealing with Mr Riordan's attempt at a point of order at this point in time, so if you could wait your turn, please, that would be appreciated. Mr Riordan, you know, yourself, as well from your own experience that that is not a point of order in the proceedings that have happened here today. The minister's answers have been relevant and very detailed. I would have thought that that would have been of assistance to you, and I am sure the minister will want to continue to be of assistance to you throughout the course of the day, and I would request—

Mr RIORDAN: Well, one question is in no way—

The CHAIR: Mr Riordan, please do not interrupt me. I would hope that all members of this committee and the witnesses remain relevant to the questions asked and answered. Mr Newbury, do you have a new point of order?

Mr NEWBURY: Yes, I do, Chair. Can I ask: earlier there was a ruling that when a Liberal member is speaking or asking any questions those questions must be tied—in fact there has been a request, which is contrary to any real requirement, that a reference be given—to a budget paper, which again is not accurate or correct. However, the ruling was given. But when a minister talks for 10 minutes without breathing and says the word 'budget', you find that relevant. How are the two rulings not contradictory?

The CHAIR: Mr Newbury, there is no point of order.

Thank you very much, Minister and your officials, for appearing before the committee today. The committee will follow up on any questions taken on notice in writing, and responses will be required within 10 working days of the committee's request.

The committee will now take a break and will resume consideration with you at 2 o'clock of the health portfolio. Thank you.

Witnesses withdrew.