

**PARLIAMENT OF VICTORIA**

**PARLIAMENTARY DEBATES  
(HANSARD)**

**LEGISLATIVE ASSEMBLY  
FIFTY-EIGHTH PARLIAMENT  
FIRST SESSION**

**Thursday, 26 February 2015**

**(Extract from book 3)**

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## **The Lieutenant-Governor**

The Honourable Justice MARILYN WARREN, AC, QC

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Minister for Planning . . . . .	The Hon. R. W. Wynne, MP
Cabinet Secretary . . . . .	Ms M. Kairouz, MP



**OFFICE-HOLDERS OF THE LEGISLATIVE ASSEMBLY  
FIFTY-EIGHTH PARLIAMENT — FIRST SESSION**

**Speaker:**

The Hon. TELMO LANGUILLER

**Deputy Speaker:**

Mr D. A. NARDELLA

**Acting Speakers:**

Mr Angus, Mr Blackwood, Ms Blandthorn, Mr Carbines, Mr Crisp, Mr Dixon, Ms Edwards, Ms Halfpenny,  
Ms Kilkenny, Mr McCurdy, Ms McLeish, Mr Pearson, Ms Ryall, Ms Thomas,  
Mr Thompson, Ms Thomson, Ms Ward and Mr Watt.

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

The Hon. D. M. ANDREWS

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

The Hon. J. A. MERLINO

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

The Hon. M. J. GUY

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

The Hon. D. J. HODGETT

**Leader of The Nationals:**

The Hon. P. L. WALSH

**Deputy Leader of The Nationals:**

Ms S. RYAN

**Heads of parliamentary departments**

*Assembly* — Clerk of the Parliaments and Clerk of the Legislative Assembly: Mr R. W. Purdey

*Council* — Acting Clerk of the Legislative Council: Mr A. Young

*Parliamentary Services* — Secretary: Mr P. Lochert

**MEMBERS OF THE LEGISLATIVE ASSEMBLY**  
**FIFTY-EIGHTH PARLIAMENT — FIRST SESSION**

<b>Member</b>	<b>District</b>	<b>Party</b>	<b>Member</b>	<b>District</b>	<b>Party</b>
Allan, Ms Jacinta Marie	Bendigo East	ALP	McGuire, Mr Frank	Broadmeadows	ALP
Andrews, Mr Daniel Michael	Mulgrave	ALP	McLeish, Ms Lucinda Gaye	Eildon	LP
Angus, Mr Neil Andrew Warwick	Forest Hill	LP	Merlino, Mr James Anthony	Monbulk	ALP
Asher, Ms Louise	Brighton	LP	Morris, Mr David Charles	Mornington	LP
Battin, Mr Bradley William	Gembrook	LP	Mulder, Mr Terence Wynn	Polwarth	LP
Blackwood, Mr Gary John	Narracan	LP	Naphthine, Dr Denis Vincent	South-West Coast	LP
Blandthorn, Ms Elizabeth Anne	Pascoe Vale	ALP	Nardella, Mr Donato Antonio	Melton	ALP
Brooks, Mr Colin William	Bundoora	ALP	Neville, Ms Lisa Mary	Bellarine	ALP
Bull, Mr Joshua Michael	Sunbury	ALP	Noonan, Mr Wade Matthew	Williamstown	ALP
Bull, Mr Timothy Owen	Gippsland East	Nats	Northe, Mr Russell John	Morwell	Nats
Burgess, Mr Neale Ronald	Hastings	LP	O'Brien, Mr Michael Anthony	Malvern	LP
Carbines, Mr Anthony Richard	Ivanhoe	ALP	Pakula, Mr Martin Philip	Keysborough	ALP
Carroll, Mr Benjamin Alan	Niddrie	ALP	Pallas, Mr Timothy Hugh	Werribee	ALP
Clark, Mr Robert William	Box Hill	LP	Paynter, Mr Brian Francis	Bass	LP
Couzens, Ms Christine Anne	Geelong	ALP	Pearson, Mr Daniel James	Essendon	ALP
Crisp, Mr Peter Laurence	Mildura	Nats	Perera, Mr Jude	Cranbourne	ALP
D'Ambrosio, Ms Liliana	Mill Park	ALP	Pesutto, Mr John	Hawthorn	LP
Dimopoulos, Mr Stephen	Oakleigh	ALP	Richardson, Mr Timothy Noel	Mordialloc	ALP
Dixon, Mr Martin Francis	Nepean	LP	Richardson, Ms Fiona Catherine Alison	Northcote	ALP
Donnellan, Mr Luke Anthony	Narre Warren North	ALP	Ryall, Ms Deanne Sharon	Ringwood	LP
Edbrooke, Mr Paul Andrew	Frankston	ALP	Ryan, Mr Peter Julian <sup>1</sup>	Gippsland South	Nats
Edwards, Ms Janice Maree	Bendigo West	ALP	Ryan, Ms Stephanie Maureen	Euroa	Nats
Eren, Mr John Hamdi	Lara	ALP	Sandell, Ms Ellen	Melbourne	Greens
Foley, Mr Martin Peter	Albert Park	ALP	Scott, Mr Robin David	Preston	ALP
Fyffe, Mrs Christine Anne	Evelyn	LP	Sheed, Ms Suzanna	Shepparton	Ind
Garrett, Ms Jane Furneaux	Brunswick	ALP	Smith, Mr Ryan	Warrandyte	LP
Gidley, Mr Michael Xavier Charles	Mount Waverley	LP	Smith, Mr Timothy Colin	Kew	LP
Graley, Ms Judith Ann	Narre Warren South	ALP	Southwick, Mr David James	Caulfield	LP
Green, Ms Danielle Louise	Yan Yean	ALP	Spence, Ms Rosalind Louise	Yuroke	ALP
Guy, Mr Matthew Jason	Bulleen	LP	Staikos, Mr Nicholas	Bentleigh	ALP
Halfpenny, Ms Bronwyn	Thomastown	ALP	Staley, Ms Louise Eileen	Ripon	LP
Hennessy, Ms Jill	Altona	ALP	Suleyman, Ms Natalie	St Albans	ALP
Hibbins, Mr Samuel Peter	Prahran	Greens	Thomas, Ms Mary-Anne	Macedon	ALP
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Howard, Mr Geoffrey Kemp	Buninyong	ALP	Thomson, Ms Marsha Rose	Footscray	ALP
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Kairouz, Ms Marlene	Kororoit	ALP	Victoria, Ms Heidi	Bayswater	LP
Katos, Mr Andrew	South Barwon	LP	Wakeling, Mr Nicholas	Ferntree Gully	LP
Kealy, Ms Emma Jayne	Lowan	Nats	Walsh, Mr Peter Lindsay	Murray Plains	Nats
Kilkenny, Ms Sonya	Carrum	ALP	Ward, Ms Vicki	Eltham	ALP
Knight, Ms Sharon Patricia	Wendouree	ALP	Watt, Mr Graham Travis	Burwood	LP
Languiller, Mr Telmo Ramon	Tarneit	ALP	Wells, Mr Kimberley Arthur	Rowville	LP
Lim, Mr Muy Hong	Clarinda	ALP	Williams, Ms Gabrielle	Dandenong	ALP
McCurdy, Mr Timothy Logan	Ovens Valley	Nats	Wynne, Mr Richard William	Richmond	ALP

<sup>1</sup> Resigned 2 February 2015

**PARTY ABBREVIATIONS**

ALP — Labor Party; Greens — The Greens;  
Ind — Independent; LP — Liberal Party; Nats — The Nationals.

### **Joint committees**

**Environment and Natural Resources Committee** — (*Assembly*): Mr Battin, Ms Halfpenny, Mr McCurdy, Mr Richardson and Ms Ward. (*Council*): Mr Ramsay and Ms Symes.

**Scrutiny of Acts and Regulations Committee** — (*Assembly*): Mr J. Bull, Ms Blandthorn, Mr Dimopoulos, Ms Kealy, Ms Kilkenny and Mr Pesutto. (*Council*): Mr Dalla-Riva.



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## Thursday, 26 February 2015

**The SPEAKER (Hon. Telmo Languiller) took the chair at 9.33 a.m. and read the prayer.**

### ACTING SPEAKERS

**The SPEAKER tabled warrant nominating Lizzie Blandthorn to preside as Acting Speaker whenever requested to do so by the Speaker or Deputy Speaker.**

### DOCUMENTS

#### Tabled by Clerk:

Auditor-General:

Effectiveness of Support for Local Government —  
Ordered to be published.

Local Government: Results of the 2013–14 Audits —  
Ordered to be published.

### BUSINESS OF THE HOUSE

#### Adjournment

**Ms ALLAN (Minister for Public Transport) — I move:**

That the house, at its rising, adjourns until Tuesday, 17 March 2015.

**Motion agreed to.**

### RETIREMENT OF PARLIAMENTARY OFFICER

#### Yiannis Tremoulas

**The SPEAKER —** Order! I would like to inform everyone that Yiannis Tremoulas, who is sitting in the gallery, will be retiring after 30 years of service to the Parliament of Victoria. He has contributed tremendously to the Parliament, especially his technical expertise and his work around our beautiful building.

Yiannis's knowledge of the electrical system of Parliament is extremely valuable. Over the years he has seen many changes to the building and to his duties. He used to repair the microphones and record the proceedings in the Assembly chamber. One of his duties continues to be testing all the bells and microphones throughout the house and grounds. All of this knowledge is extremely valuable to his new co-electricians. Yiannis has an incredible eye for detail and is a craftsman who takes pride in his work.

Yiannis has a big heart and genuine affection for his work and colleagues. On behalf of the Victorian Parliament and all of our colleagues, we wish him all the best and a happy retirement. We will all miss Yiannis. I will particularly miss our very good yarns about football — the world game. I wish Yiannis all the best.

### MEMBERS STATEMENTS

#### Wyndham Private Medical Centre

**Mr PALLAS (Treasurer) —** I rise to inform the house of my visit on 6 February to the Wyndham Private Medical Centre in Werribee. The Wyndham clinic is currently undergoing a significant expansion of its medical facilities, including expanding its day care facilities and the addition of a new operating theatre, as well as much-needed mental health beds and services. It is fantastic to see the investment in health care in Wyndham. I was taken on a tour of the facility by Michael Vickers-Willis, the managing director, and Scott Vickers-Willis, the executive director, of the Techne Group.

The clinic also provides a range of specialised local services that are otherwise difficult for local people to access. The expanded clinic will sit next to the proposed site of the new St Vincent's Private Hospital in Hoppers Lane, and with the Werribee Mercy Hospital situated across the road it will provide a fantastic medical precinct to service the growing shire of Wyndham. This area will adjoin the nearby East Werribee employment precinct and form part of a crucial hub of employment for local residents.

#### Destiny Transformations

**Mr PALLAS —** On 13 February I opened the Destiny Transformations centre in Hoppers Crossing. The centre is a privately run centre designed for vulnerable patients with alcohol and drug addiction issues.

Destiny Transformations is a long-stay house and provides treatment within a community atmosphere in an attempt to address the host of other issues which often confront people with drug and alcohol addiction problems. These problems are confronting a significant and growing number of Victorians, and it is important that we are innovative and empathetic in how we tackle the challenges caused by drug and alcohol addiction.

### Alex Theatre St Kilda

**Ms VICTORIA** (Bayswater) — A star was born on Tuesday night, with the opening of the Alex Theatre in Fitzroy Street, St Kilda. The brainwave of theatre-loving entrepreneur Aleksander Vass, the three spaces, ranging from 500-plus and 330 seats to a black box and rehearsal space, open up a world of opportunity to develop new works, potentially preparing them for larger main-stage productions. Ably managed by the wonderful Richard Fitzgerald and a team of experienced professionals, this place is so important to Melbourne. The first show is *Sexercise — The Musical*, a hilarious look at modern life and relationships. I encourage those with a sense of humour and love for supporting new Australian works to get along and have a fabulous night out.

### Glen Park Community Centre

**Ms VICTORIA** — Pancake Day at Glen Park Community Centre was the fantastic initiative of Heidi Butler and her incredibly community-minded and dedicated team. Many calories were consumed and funds raised, with all the profits going to assist Uniting Care. Well done to the team!

### Leonard Ricardo

**Ms VICTORIA** — Over the past 102 years Leonard Ricardo has seen many changes, and it was a huge pleasure and honour for me to spend time over a cup of tea and some birthday cake with him last week. A delightful and charming man, I wish Len many more healthy years ahead.

### Country Women's Association Boronia branch

**Ms VICTORIA** — Fellow members of the Boronia branch of the Country Women's Association and I participated in a community awareness campaign recently, with a stall at the local shopping centre. It was with great enthusiasm that we talked about our latest cookbooks — the slice one is so delicious — but also about the important social issues often discussed at our meetings. Well done on the great initiative, ladies!

### Bill and Peggy Comerford

**Ms NEVILLE** (Minister for Environment, Climate Change and Water) — Last Sunday afternoon I had the privilege of attending and speaking at a testimonial for Queenscliff living legend Bill Comerford, who together with his wife, Peggy, has served the Queenscliff and Point Lonsdale communities tirelessly for nearly 50 years. The Queenscliff Football Netball Club hosted the testimonial following Bill's decision to retire as

president after 20 years at the helm. As president, Bill lived and breathed the club — for example, he and Peggy used to run the canteen and cook meals every Thursday night. He and Peggy fought hard to keep the club going until they were able to secure funding for the redevelopment of the club. That included running training camps at the Monahan Centre. The training camps were for football clubs and they cooked all the meals, changed all the sheets and did all the work to keep the club going until they could get the funding, which I was pleased to work with them on, to secure the first stage. I am looking forward to working on the second stage with them as well.

But Bill and Peggy's contribution to their community goes way beyond the footy and netball club to the Point Lonsdale Surf Club. In fact Bill is a life member of Water Polo Victoria, so he played an important role there. He has been an integral member of the community and in Victoria as well. There are some people who make a real difference to the world in which they live, and I can assure Parliament that Bill and Peggy are very much such people. My congratulations to my friends Bill and Peg.

### Greyhound racing

**Mr BURGESS** (Hastings) — Like most other Victorians, I was shocked to learn of the sickening practice of greyhounds being trained by chasing live bait. The scandal broke two weeks ago when the RSPCA and police raided a greyhound track at Tooradin. A number of greyhound trainers have been accused of using live animals to train their greyhounds and some have been suspended by Greyhound Racing Victoria.

The greyhound industry is worth \$3 billion a year to the Victorian economy but has been rocked by the fallout of the shocking *Four Corners* footage of live possums, piglets, rabbits and other animals being mauled by dogs. I have received hundreds of emails and letters from people throughout my community who were sickened by what they saw, angry at the cruel and callous attitude of the perpetrators and frustrated that they were not able to do something there and then to protect the animals that were being subjected to this grotesque cruelty. I call on the minister to take strong and decisive action to ensure this conduct has ceased, that it can never occur again and that the perpetrators are quickly brought to justice.

### Public holidays

**Mr BURGESS** — Along with Victoria's business community, I am astounded that the Andrews Labor

government has introduced one new public holiday in the form of Easter Sunday and intends introducing another in the form of one on grand final eve. A government that is less than 90 days old has already distinguished itself by being the most dishonest in Victoria's history, breaking promise after promise and being caught out making false claim after false claim. It has decided that the one commitment it will keep is one that will damage Victoria's economy, hurt business and cost thousands of jobs. It truly redefines the term ironic to have a small business minister whose first act as a minister is to do such damage to our state's small businesses. This comes at a time when Victoria's jobless rate is at a 13-year high of 6.8 per cent, the economy is sluggish and business confidence — —

**The SPEAKER** — Order! I call the Leader of the House.

### Campbel Giles

**Ms ALLAN** (Minister for Public Transport) — I rise to pay tribute today to the fabulous Campbel Giles, a friend and colleague of many of us in government and across the broader labour movement. Campbel so sadly passed away from cancer last week at the young age of 41. A Mount Gambier girl, Campbel moved to Shepparton to advance her career at WIN Television. A tall, blonde, smart girl called Campbel certainly stood out among the regional journo's. She was very well regarded amongst her peers. She was then recruited from Shepparton to work for the Bracks Labor government.

Campbel worked in many roles during her time with the government, including in the Premier's media office and advising in ministers' offices. When John Brumby became Premier in 2007 and I took on the role of Minister for Regional and Rural Development I was very keen to recruit Campbel as my adviser. There was stiff competition for her skills, and I was thrilled when she agreed to come and work with me.

Campbel brought great energy, passion and commitment to her role as an adviser. She listened to stakeholders and community members with respect. With her sharp intellect she provided valued advice. People enjoyed working with her. As a result Campbel was a workmate who became a great mate to so many of us. Our memories of our time with Campbel shine brightly. She was wickedly funny as well as being whip smart, kind and generous. Her friendship was a treasured gift.

On behalf of your many friends in this government and the former Labor government, I thank you, Campbel,

for your commitment to our shared cause of seeing government as a way to improve lives and build communities. On behalf of Yorick and our family, I pass on our condolences to Matt and Elsie.

### Government performance

**Mr R. SMITH** (Warrandyte) — The Andrews government, in just a few short months, has shown Victorians that it is a government with a lack of vision, a lack of a plan and a willingness to use spin over substance. This is the Labor hallmark. In just a few short months we have heard about a shovel-ready project that is anything but, a Metro rail plan that cannot be paid for and the removal of level crossings that were planned and paid for a year ago by the former government.

The Minister for Roads and Road Safety, in what have become increasingly painful experiences for both him and the rest of the house, has repeatedly proved that his West Gate distributor has not been planned or consulted on, has not had the appropriate studies done for it and does not even have a ballpark budget that is within \$150 million of reality.

The Metro rail project has much in common with the Brumby government's much-advertised \$38 billion transport plan: there is no funding attached. The Premier's hyped-up 'fully funded and fully costed' project apparently cannot go ahead unless he gets a federal government handout. He certainly forgot to fill us in on that small detail before the election.

Finally, clearly showing Victorians that this government has nothing to offer, the first announcements on the great level crossings removal project were about locations clearly set out in the coalition government's last budget, for which tenders were short-listed last September. This government is taking Victorians for fools. Adding the words 'shovel-ready' and 'fast-tracked' do not make the Premier's wish list of projects a reality, and Victorians are very quickly realising the shallowness of the Premier's promises.

### Lunar New Year

**Ms THOMSON** (Footscray) — On 18 and 19 February I got to enjoy the coming in of the Lunar New Year, the year of the goat, at the Quang Minh temple in Braybrook. With 7000 people in attendance, my parliamentary colleague the member for St Albans and I saw in the new year in great style.

I have been going to the temple for many years now to celebrate the coming of the Lunar New Year, but as this

is the year of the goat it is a special one for me, because it is my year — I am in fact a goat! So it was especially important for me and for those who celebrated with us. An ever-increasing number of people are going to the Quang Minh temple.

I congratulate the Venerable Thich Phuoc Tan and the committee of management which organises this event. Each year is bigger and better than the last. It is an amazing event to attend.

### *Australian Jewish News*

**Ms THOMSON** — I would like to take this opportunity to congratulate the *Australian Jewish News* on its 120th year in operation. It is the second oldest Jewish newspaper; another newspaper in the United Kingdom is the oldest. I congratulate the *Australian Jewish News* on its 120th year of providing current news to a community that is very keen to take all the news it can get.

### **Lake Charlegrark Country Music Marathon**

**Ms KEALY** (Lowan) — I congratulate the Lake Charlegrark Country Music Marathon committee on its excellent work in coordinating the recent event held near Minimay. This event, now in its 24th year, is completely run by local volunteers. Not only does it provide a key tourist attraction and stimulate the local economy, but all profits are reinvested into local community organisations, including the Edenhope hospital.

I commend the committee for its excellent support of the local area and for providing a great community event. I also congratulate Betty Pretlove on being honoured with life membership of the Lake Charlegrark Country Music Marathon. Betty has worked tirelessly to support this fantastic community event, and it is fitting that her hard work and commitment to the local area is recognised with this great honour.

### **Coleraine Men's Shed**

**Ms KEALY** — The story of the Coleraine Men's Shed is an absolute credit to the Coleraine community. About five years ago a number of inspired locals set up the shed, initially housed in a mechanics workshop, with rent paid by the Coleraine community branch of the Bendigo Bank. Today the Coleraine Men's Shed is housed in a brand-new, purpose-built shed. This project was made possible through the generous donation of land by Reg Milton, whose mother, June Milton, is now an 'honorary man' and member of the Coleraine Men's Shed.

Individual members also donated to the project, and local tradies generously supplied their time and expertise at no cost. Finally, the Coleraine community bank contributed \$5000 toward the fit-out, bringing its total contribution to in excess of \$33 000. I congratulate the Coleraine community on a fantastic project and wish the Coleraine Men's Shed all the best for the future.

### **Kaniva College**

**Ms KEALY** — I congratulate Kaniva College school captains Ellen Wheaton, Lewis Bothe, Jesse Grant and Zac Vivian for their recent appointments to these important positions of leadership and for coordinating the highly successful leadership ceremony. I wish all Kaniva College students every success in the coming year.

### **Bendigo Chinese community**

**Ms EDWARDS** (Bendigo West) — Bendigo has a long and proud multicultural history, and an integral part of this history includes the Chinese community. This year marks the 100th anniversary of the Bendigo Chinese Association and the establishment of its precinct on the Bendigo Creek in Bridge Street.

The Golden Dragon Museum has become renowned as the Chinese cultural centre of Australia. The museum opened in 1991 to document, interpret and preserve the rich Chinese heritage and culture forged on the goldfields of Bendigo. Chinese people were attracted to the Bendigo goldfields in great numbers, establishing a large Chinatown at Emu Point and eventually making up 20 per cent of the Bendigo population in the 1850s. In 1879 the Chinese community joined the Bendigo Easter procession, and to this day it plays a prominent and important role in Easter celebrations. First Loong, the world's oldest imperial dragon, and then Sun Loong, the world's longest imperial dragon, have been the highlight of every Easter in Bendigo for decades.

The Chinese called the rich goldfields of Bendigo Dai Gum San — Big Gold Mountain — a place of untold wealth and promise. Today Dai Gum San is again as rich as the beautiful Chinese precinct Bendigo so loves. Where wealth was once measured in gold, it now sits in the deep history left behind by the early Chinese goldminers. The precinct is a place of peace, beauty and colourful Chinese symbolism.

On Saturday night it was a pleasure to join with the Bendigo Chinese Association to celebrate Chinese New Year and the Year of the Goat. I congratulate the Bendigo Chinese Association for its dedication and

support to the Bendigo community and for the preservation of this important history.

### **Knox Gardens Primary School**

**Mr WAKELING** (Ferntree Gully) — I raise a concern on behalf of Knox Gardens Primary School in Wantirna South, and I call upon the Minister for Education and the Department of Education and Training to urgently look at the needs of the school with respect to plumbing problems. The school underwent some repairs last year that were funded by the coalition government. However, extensive plumbing issues in the school have resulted in continual flooding in the prep building, and this needs to be urgently attended to. On behalf of the school I request that the minister and the department look at this important project.

### **Hungarian community**

**Mr WAKELING** — I take this opportunity to congratulate Marta Marot and the Hungarian community in Wantirna for the wonderful Hungarian festival held last weekend. It was a great tribute to the work of the Hungarian community, and I congratulate all who were involved.

### **High Street Road, Wantirna South**

**Mr WAKELING** — It is great to see the construction on the \$16.2 million High Street Road duplication between Stud Road and Burwood Highway, which was funded by the coalition government. It is fantastic to see this duplication finally going ahead.

### **Knox Stroke Survivors Support Group**

**Mr WAKELING** — I take this opportunity to congratulate Lister Sabin, Rob Morgan and the team at the Knox Stroke Survivors Support Group on the recent 10th anniversary celebrations. This is a fantastic group that is providing wonderful support for people who have suffered from stroke, and I congratulate all who are involved for the great work they do.

### **Knox Bocce Club**

**Mr WAKELING** — I also take this opportunity to congratulate Michael Migliaccio, president of the Knox Bocce Club, and the players. I was very pleased to attend the annual club celebrations.

### **Edithvale Aspendale Sporting Club**

**Mr RICHARDSON** (Mordialloc) — Recently I attended the season launch of the Edithvale Aspendale Sporting Club, which was hosted by former Hawthorn

premiership player Robert DiPierdomenico. It was a tremendous fundraiser at the Rosedale Golf Club, which was well attended by over 200 people. I congratulate the committee, particularly the president, Peter O'Connor, and the vice-president, Aaron Martello, for a great evening. The Edithvale Aspendale Sporting Club now has over 20 sides across juniors and seniors and a thriving netball program, and I look forward to working with the club into the future.

### **Chelsea Football Club**

**Mr RICHARDSON** — Recently I also had the opportunity to stop by the Chelsea Football Club to hear about its future plans and the season ahead. The club recently acquired the services of Brent Guerra, a former Hawthorn premiership player, and it is looking towards success after a few lean years. Leigh Matthews is a former great and a Team of the Century star for the Chelsea Football Club, and although I am an Essendon fan I thought I would put that on the record for the Chelsea Football Club. I pay tribute to Richard Howlett and Max Shelton for showing me around the club and its facilities. It accommodates all of its 19 sides on the one ground, which is an amazing effort. I look forward to joining the club on Sunday, 12 April, for the big round 1 clash between the Edithvale Aspendale Sporting Club and the Chelsea Football Club.

### **African community**

**Ms SANDELL** (Melbourne) — I rise to take the opportunity to recognise the contributions and strength of the African community in Melbourne. Over the past 18 months I have been proud to attend a number of events with the Somali, Eritrean, Ethiopian and other African communities in my electorate. These events have included Iftar dinners, Eid celebrations, meetings at the mosque in North Melbourne, local barbecues and meetings with small business owners to hear about their ideas and concerns. I was particularly excited to attend the launch of Afrocare last week, where three young women, Tabotu, Tasha and Hiba, launched a program to raise awareness of and shine a light on the stigma surrounding mental health issues amongst the African community. Every event I attend reaffirms what we already know — that these communities are making Melbourne stronger and that this city of ours benefits greatly from its multiculturalism.

I would like to put on the record my sincere thanks to the leaders of the African community. I would also like to highlight that these communities are affected by systemic barriers to safe housing and employment, and this has a hugely negative impact on their quality of life. I commit to doing everything I can to overcome

these barriers. I will offer support from my office to constituents with housing uncertainty; advocate for more and better public housing; amend bills like the Back to Work Bill 2014; advocate for more employment opportunities; make sure that this government delivers better infrastructure, such as a new pedestrian crossing on Boundary Road; and speak out when I hear about injustices or unfair treatment of these communities. I have very much appreciated the support of the African community and will do everything in my power to continue to support them as they have supported me.

### **Bob Sims**

**Ms WARD** (Eltham) — I rise to speak of the importance of our neighbourhood houses and to mark the sad passing of a gentle, kind man who felt he could never do enough to repay the gift that one of our local neighbourhood houses, the Diamond Valley Learning Centre (DVLC), gave his wife, June. I met Bob Sims a number of years ago when I joined the committee of management at DVLC. He seemed involved in almost everything; he was on subcommittees, he was involved in classes and he was involved in many day-to-day activities. He provided invaluable advice and mentorship to DVLC, especially after the harsh budget cuts by the previous government. Bob was everywhere, and he gave DVLC all he could.

Bob's devotion to DVLC did not stem from his own education at the centre; instead, it was to repay a gift the centre had given his wife. After June passed away eight years ago, Bob set about remembering her by helping at DVLC. The gift that DVLC gave her was self-respect and confidence. Bob's wife did not receive a great formal education, and for a long time she was only too aware of what she felt were her shortcomings. It was only when she attended her local neighbourhood house, DVLC, that she expanded and developed her talents and that her confidence grew. This is why we cannot neglect our neighbourhood houses and must support them.

Neighbourhood houses have the power to absolutely transform lives, whether they be young kids without permanent homes, young mums wanting to get back into the workforce or older people who want to connect with the wider community. They have given so many people the gift they gave June — knowledge, confidence and self-respect.

Bob was a wonderful man whom I was very pleased to know. His devotion to DVLC is a beautiful story of the love he had for his wife. He will be greatly missed by the DVLC community.

### **Euroa electorate fires**

**Ms RYAN** (Euroa) — In December severe fires swept through much of the Euroa electorate, including Creightons Creek, Stewarton and Lake Rowan. I wish to place on the record my sincere thanks and the thanks of those affected to all Country Fire Authority members and other volunteers who fought the fires and assisted the community through the long and difficult weeks that have followed.

### **Girgarre botanic gardens**

**Ms RYAN** — I wish to draw the attention of the Minister for Regional Development to a magnificent proposal by the Girgarre community to establish a botanical garden. Gargarro would be a unique drawcard in northern Victoria. In addition to the capacity to hold events, with a large lawn and an amphitheatre, the garden would contain rare and indigenous plants which once flourished in the region. The Nationals committed funding to kickstart the project before the election, and I urge Labor to match its commitment to see this innovative idea come to life.

### **Heathcote community games**

**Ms RYAN** — On Saturday Heathcote held its first ever community games, an event for all ages and abilities which promoted social inclusion and the importance of getting active to improve health and wellbeing. The games were the brainchild of eight-year-old Jesse Bruce, who suggested the idea of a mini-Olympics-style event at a community meeting last year.

### **Merrigum post office**

**Ms RYAN** — Yesterday Merrigum residents were celebrating the rescue of their post office. Residents contacted me last month after the current owners of the post office decided to call it a day. They were concerned that the post office's closure would lead to the loss of other businesses in town. The news that Australia Post is taking steps to keep the post office open has been welcomed by residents and is a great testament to what can be achieved by a small but passionate community.

### **Seymour Blasters**

**Ms RYAN** — My congratulations go to the Seymour Blasters under-18 girls basketball team, which took out the division 1 state championship in Traralgon on the weekend.

**The SPEAKER** — Order! The member's time has expired.

### **Rotary Club of Oakleigh**

**Mr DIMOPOULOS** (Oakleigh) — I rise today to record my sincere appreciation of the Rotary Club of Oakleigh and its incredible work over many years for the local community. The Oakleigh Rotary team is well known for its long-term commitment to running a Sunday market in the Oakleigh area. In its nearly 28 years of operation this truly fantastic market on Hanover Street has raised over \$1 million for charitable works and people in our community. Every Sunday — rain, hail or shine — the Rotary team is out in force, coordinating a market that people come to from all over Melbourne.

In recent times the Rotary Sunday market was under threat due to a local council proposal to sell to developers the public land on which it is held. As I said when this matter came before Monash City Council last year, not only would sale of the land have removed an important car park, it would have displaced the market — something that is a true icon in my community.

I am thrilled to say that on Tuesday the Hanover Street site and Rotary market were saved. I would like to praise the work of the Oakleigh Rotary team — in particular market chairman, Peter Norman, and John Jarvis, president of the Oakleigh Rotary Club — and the whole Rotary community for their longstanding, dedicated commitment on behalf of our community.

I would also like to single out local resident Chris Pearson and the many volunteers and stallholders who have worked tirelessly in recent months to save the Rotary market. Together they collected around 3500 signatures on a petition to keep the market. On Tuesday over 200 local residents attended a Monash City Council meeting, where the proposal to sell the site was rejected, now and into the future. I am very pleased that common sense prevailed and that the Oakleigh Rotary team can now continue their fine work into the future.

### **Beach Road–Surf Coast Highway, Torquay**

**Mr KATOS** (South Barwon) — I rise to highlight the need for safety measures to be implemented along the Surf Coast Highway, particularly the urgent need to signalise the high accident prone intersection at Beach Road.

The Andrews Labor government made no funding commitment to signalise this intersection and has in fact

cut the \$160 million country roads and bridges program. This callous funding cut will see the Surf Coast shire lose \$1 million a year in funding for our local roads. I call on the Minister for Roads and Road Safety to provide the shortfall to fund the desperately needed improvements to this intersection.

The Surf Coast Shire Council wears some of the blame for this intersection not being signalised, given that support and approval was provided in 2014 by the then Minister for Roads, the member for Polwarth, to use money from the country roads and bridges program to fund the signalisation of this intersection. Rather than getting on with the job of fixing one of Torquay's most dangerous and frustrating intersections, the Labor-dominated Surf Coast Shire Council rolled the political dice in an election year and lost. Both the state government and the Surf Coast Shire Council need to take responsibility for these works and fund this important intersection upgrade immediately.

### **Darwin Defenders**

**Mr KATOS** — I was honoured to attend the commemorative service for Darwin Defenders last Thursday to lay a wreath on the 70th anniversary of the bombing of Darwin. I was pleased to join Brian Dunn, the Victorian president and chairperson of the commemorative committee and members of the Geelong RSL sub-branch in Belmont at this very significant event. About 200 000 Australians served in Darwin in World War II, and through the ceremony we give them the recognition and respect they deserve. Lest we forget.

### **Walk from Robe anniversary**

**Mr LIM** (Clarinda) — Next year marks the 160th anniversary of the overland walk by more than 18 400 Chinese gold-diggers who were compelled to walk the 500 kilometres from the township of Robe in South Australia to the Victorian goldfields. The walk was to avoid the racist poll tax that was imposed to restrict the number of Chinese people entering the colony at the time. Many died as a result of exhaustion and sickness or attacks by Aborigines. Many more were left stranded in the wilderness by unscrupulous guides.

The Chinese community is planning a re-enactment of this important milestone. This is an initiative of the Victorian chapter of the Chinese Community Council of Australia, with support from the wider Chinese community. The older established Chinese communities such as the See Yip Society, the Nam Poon Soon, the Masonic Society, the Hong Kong Club and the Chinese Museum are showing a keen interest in

taking the lead in this project. The commemoration is to celebrate the success and achievement of the early Chinese settlers as well as to recognise the suffering and hardship they went through on the goldfields, where they were surrounded by a harsh alien environment, oppression, discrimination and the ugly race riots to follow. The re-enactment is also to pay tribute to and acknowledge the significant contributions and sacrifice of the early Chinese settlers, who showed courage, resilience and tenacity in their great effort to make a success in their new land.

### **Beumaris sporting clubs**

**Mr THOMPSON** (Sandringham) — I pay tribute to members of the Beumaris sporting community as they have continued to raise funds to develop the new Beumaris Sports Club, which will advance the interest of the Beumaris tennis playing, cricket participating and football playing community. I wish Beumaris Football Club all the best in the A grade season in 2015.

### **Reverend Barbara Darling**

**Mr THOMPSON** — I place on the record the sadness of many people in the Bayside community following the passing of Reverend Barbara Darling. Barbara was a pioneer as one of the first Australian Anglican female clergy in 1992 and Victoria's first woman bishop in 2008. She served as bishop of the eastern region from 2009, where she was an expert at multitasking — overseeing 66 parish churches, tertiary and school Anglican chaplains, supporting ministries to family, and children's ministries; preaching, writing and teaching; and travelling extensively across Victoria. Barbara will be remembered as a caring listener, a wise counsellor and faithful friend across Australia and the world.

### **Sandringham electorate schools**

**Mr THOMPSON** — I acknowledge the great work undertaken by Sandringham school communities as they have allocated leadership roles for students across many different areas, including general school leadership, leadership in the environment, leadership in music and leadership in the arts. I congratulate teachers for their great work undertaken within the Sandringham electorate schools and the way they have inculcated values.

### **Lunar New Year**

**Ms SULEYMAN** (St Albans) — I was happy to bring in the Lunar New Year celebrating the year of the goat with over 10 000 locals at the Quang Minh temple

in Braybrook on Wednesday, 18 February, together with the member for Footscray. I am also looking forward to the 40th year anniversary celebrations this year to mark 40 years of settlement by the Vietnamese community in Australia. The Vietnamese community's contribution to the west has been an important part of the tapestry in Sunshine and St Albans in particular, where food and culture come alive.

I commend the Senior Venerable Thich Phuoc Tan and the organisers of the Quang Minh temple for hosting another successful event, with live performances and a spectacular showcase of fireworks. The Quang Minh temple also provides valuable services to the community. The temple is run by dedicated volunteers who work very hard during the year, and I commend them all. With your indulgence, Acting Speaker, Chuc Mung Nam Moi!

### **Highvale retirement village**

**Mr ANGUS** (Forest Hill) — I recently had the pleasure of attending the Highvale retirement village's 30th anniversary afternoon tea celebration. It was great to celebrate this significant milestone with residents and staff alike and to award longstanding residents with certificates. I congratulate manager Joseph Bailouni and his staff and wish them and all residents at Highvale well for the future.

### **Reverend Sylvia Akauola-Tongotongo**

**Mr ANGUS** — I was very pleased to attend the recent induction service for the new minister at Burwood Heights Uniting Church. Despite the fact that the service commenced almost in the dark following a local blackout, it was a great service. I join with the church members in welcoming Reverend Sylvia Akauola-Tongotongo and her family to the local area and wish her well in her new role.

### **Lunar New Year**

**Mr ANGUS** — I congratulate the Asian Business Association of Whitehorse (ABAW) for organising another fantastic Chinese New Year celebration at Box Hill earlier this month. As always, it was a spectacular event with huge crowds in attendance. I congratulate ABAW president Andrew Yu, committee members and all involved in putting on this great celebration, and I wish all Forest Hill residents of Chinese descent a happy new year of the goat.

### **Box Hill Reporter District Cricket Association**

**Mr ANGUS** — I congratulate the Box Hill Reporter District Cricket Association on its 125th anniversary. It

was great to attend the anniversary celebrations last Saturday night and to see the extensive range of memorabilia contributed by member clubs on display. I wish the association well for the future, and particularly member clubs from the Forest Hill district.

### Government performance

**Mr ANGUS** — Since being elected, the state Labor government has been incessantly repeating its mantra that it had a pipeline of infrastructure projects that were shovel ready. After almost three months in office, all Victorians can now see that no projects have commenced and that the Labor Party is just full of empty words. The Labor Party is to be condemned for its dishonouring of the east–west link contract, as this project was ready to go. The loss of 3700 direct jobs on this project is a shameful action of an incoming government that is big on rhetoric but small on action.

### Medical marijuana

**Ms GREEN** (Yan Yean) — This morning I had the privilege of visiting our world-class Royal Children's Hospital and spending time with Cassie Batten, the most amazing mother I know. She is the mother of Cooper Wallace, who is dealing with a dreadful illness at the moment. He and his family — Cassie, little brother Logan, little sister Ruby and his dad, Rhett Wallace — and the rest of the kids deserve all our support in our drive to make sure that medical marijuana can be available to this little boy so he can live a good life.

**The ACTING SPEAKER (Mr Crisp)** — Order! The time for members statements has expired.

## SUMMARY OFFENCES AMENDMENT (MOVE-ON LAWS) BILL 2015

### *Second reading*

#### **Debate resumed from 25 February; motion of Mr PAKULA (Attorney-General).**

**Mr WATT** (Burwood) — As I was saying yesterday, this bill is all about individuals' rights and an individual's right to move around, an individual's right to go to work and an individual's right to protest. As I discussed yesterday, I have attended the Justice for Cyprus march in the middle of July every year for the last four years. My right to protest about the removal of troops and the occupation of Northern Cyprus was certainly not curtailed after the introduction of the laws we introduced last year. I felt there was no difference between the marches that I participated in for justice for

Cyprus in July 2011, July 2012, July 2013 or July 2014, and it is my intention, regardless of whether this bill passes the house, to participate again this year. I do not necessarily feel that this will change my ability to protest.

A person's ability to protest is not curtailed by the laws we introduced last year. What we did curtail was a person's ability to stop others from moving around from place to place. We curtailed a person's ability to stop others from entering a building, worksite or coffee shop.

There are some members on the other side — mostly the newbies — who either have no idea what this debate is about or who do understand and are trying to pull the wool over their constituents' eyes. Those members should not kid themselves. If this bill is passed, people participating in industrial action or political protest will be exempt from move-on laws. Every single person who stands up in this chamber and says, 'No, the police will still have the right to move people on', should know that that is utter crap.

**Ms Asher** — Nonsense?

**Mr WATT** — Nonsense. I apologise to the member for Brighton.

That is utter nonsense, because political and industrial protests are clearly exempt. Something like the boycott, divestment and sanctions campaign would be exempt as a political protest. The stuff that members on the other side have been saying is just not true. Some would call them untruths; and some might call them deliberate untruths, because the government does not want the public to know the truth about the bill it has introduced.

I have looked at the Charter of Human Rights and Responsibilities Act 2006. That charter only relates to government entities. It does not cover, say, the activities of a union. I am not a union basher; I have a staff member who was a member of the Australian Manufacturing Workers Union for 8 years and an organiser within his workplace. I am certainly not anti-union, and those on the other side who bash members on this side for being anti-union should know that that is just not true. What we are is pro-workers: we want workers to be able to get to work. The fact that the charter only affects government entities is, in my opinion, a weakness.

I will go through one section of the charter which was introduced by members on the other side of the house, some of whom are still in the house. I note particularly section 12, which relates to freedom of movement. A summary of that section, produced by the Victorian

Equal Opportunity and Human Rights Commission, reads:

People can stay in or leave Victoria whenever they want to as long as they are here lawfully. They can move around freely within Victoria and choose where they live.

Currently people are free to move around, but they will not be able to under the changes this bill will make to the act. If a whole bunch of people decide to lock arms and blockade a particular building, claiming they are engaging in a political or industrial protest, then under the new law there will be nothing the police can do about it if the protestors are standing there peacefully. The people in my electorate will certainly come to understand that either the members on the other side are trying to pull the wool over their eyes or they have got their heads in the sand.

I have heard some on the other side talk about freedom of expression and freedom of speech, and I certainly believe in those freedoms. I am a big believer in freedom, including the freedom to enter a business or walk into one's workplace. Not every person who is a member of a union or of the Labor Party or who goes to work necessarily agrees with the people protesting outside, but they should still be able to go to work. They should still be able to walk in that door.

Quite frankly, I know there are members on the government side who could not possibly agree with the effect of this bill. I have spoken to members on the other side who are vehemently opposed to the boycott, divestment and sanctions (BDS) movement, and I know there are some who support that movement. I am not going to mention them because they have been mentioned previously, probably earlier in this debate. But I know there are members on the government side who are bitterly divided over this bill. They have to be, because if they understand what the effect of this bill is then there is no way that certain members on the other side of the house could possibly agree with the bill and the effect it will have. I know there are those who are vehemently opposed to BDS. If they did not have their heads in the sand, they would understand the effect this bill will have on certain members of society.

**Ms Kairouz** interjected.

**Mr WATT** — Not certain members of society. The member for Kororoit screams out 'No', and I agree with her. Not some members of society, every member of society, because this bill says that it is okay to blockade a building; it is okay to stop a person being able to go into their place of business, a coffee shop, a hot chocolate shop or anywhere in Victoria, as long as the people standing in front of them, refusing to let

them move around, say, 'No, this is a political protest. Amnesty. You can't touch me. This is a political protest'.

This bill is vehemently opposed by members on this side of the house and will be opposed by members on this side of the house for a very long time. There is no way I could ever support a bill that would allow people to stop me from being able to go to work; a bill that would allow people to stop me from being able to go to a coffee shop or a hot chocolate shop, or, quite frankly, go anywhere where it is legal for me to enter those premises. But apparently it is okay, according to people on the other side of the house, for somebody else to stop me.

**Ms WARD** (Eltham) — I happily rise to speak in support of this bill. This is an important bill which restores the rights of Victorians to gather together and protest where they like. Victorians will again be able to freely engage in legitimate protests in this state — this wonderful state which has a proud history of community activism and of getting up and having a say. These laws, imposed by the previous government, had the potential to quieten the voices of dissent in our community. They took power away from the people. Police and protective services officers had the power to move on any group that was protesting, including those exhibiting no violence or unlawful activity. Protestors could be moved on because there was a reasonable suspicion — although reasonable to whom is a question — that an unreasonable obstruction could be caused or that a person could be impeding someone else. Our friends opposite have used this opportunity to again bash the union movement, a favourite pastime of theirs. I have an interesting story to tell those opposite.

During last year's election campaign I had a wonderful visit from a community mum. She wanted to chat with me about two concerns, and one of them was relevant to this very argument. It was relevant to the behaviour that is being displayed opposite, again bagging our unions and our union movement. This average suburban mum living in an average suburb came to talk to me because she was hurt. She was upset that the Premier of the day had called her husband a thug. He had called him a hooligan. This is the man who is the father of her children, who loves her and loves his kids, who volunteers in our community, who participates in community events at the school, who works hard. His one sin — the reason why he is a 'thug' — is that he happens to work with the Construction, Forestry, Mining and Energy Union. Who could imagine that an average person could work with a union, that an average person could get out and try to represent the

rights of workers, that an average person could get out and protect people?

I saw this mum again just before polling day. She again came to talk to me about this issue, but she also wanted to have her say to the then Premier. She had heard he was coming to our community, so she stood patiently in the sun waiting with her two small children for an opportunity to have her say. How would she have been affected by these laws? Is it possible that she could have been seen to be unreasonably obstructing the Premier in his day-to-day business? Unfortunately the Premier did not turn up, so she did not get the chance to have her say.

The move-on law takes away people's rights. This is not why we are here. We are here to enshrine people's rights and promote democracy; we are here to promote the ability of people to have their voices heard. As a former member of the West Heidelberg Community Legal Service Committee of Management, I well understand the importance of ensuring that the rights of individuals are protected, especially the vulnerable in our community. It is reasonable to expect that people with a shared concern will gather together to share their views. It is unreasonable to legislate that these people be restricted in their democratic rights. It is reasonable to expect that workers have the right to not only collectively bargain but also collectively protest. Like many in this house, I joined protests against increased university fees, violence against women, nuclear armament, discrimination and WorkChoices. I walked with thousands of people in support of reconciliation.

I take the house back to protests in the past in this state: women have chained themselves outside the front of buildings demanding the right to vote, people have sat in trees to protect them, people have sat outside buildings protesting the demolition of a significant historical site. Why would we take this history away? Why would we remove people's right to express themselves? As it stands the law means that anyone who ignored a move-on command could be arrested and face a \$720 fine. Police also have the power to obtain exclusion orders banning people from a place for 12 months — not for engaging in unlawful activity, not for breaching the peace but for being part of a group of people who are protesting.

The Federation of Community Legal Centres executive officer, Liana Buchanan, expressed her concern that the laws were unnecessary as existing laws already covered protests or criminal conduct. She is worried that the laws:

... could be used to stop positive activism, including 'peaceful protests about family violence, working conditions

or even the sort of public protest we saw following the death of Jill Meagher'.

What I found especially galling, as a proud resident of the most progressive state in Australia, was the comparison of our state with the regime of John Bjelke-Peterson. What an embarrassment!

I am a unionist, my parents are unionists, my partner, who is a teacher, is a unionist — none of us are thugs. This vilification of the union movement by those opposite is appalling. The use of this emotive, damaging language highlights all that is wrong with this law from the previous government. This law means that a person who has not committed a crime, who has not breached the peace could lose their rights and their freedoms because someone is suspicious that the person may obstruct or impede someone.

It may be news to those opposite, but perhaps if they spoke more often to people, they would understand a very obvious point — that is, it is not mainly unionists who protest. More than just unionists gather as a community to have their say. If we look back to the activities that happened during the docks dispute, that horrendous period in our history brought about by the previous Howard Liberal government and Peter Reith, we see that it was more than unionists who were protesting. We saw kids, grandparents, mums and dads. We saw people gather together to protect the rights of workers, to make sure that people were being looked after and that they had opportunities. They should not have been shut down. These laws shut people down and they are wrong.

Margaret Thatcher said there is 'no such thing as society' as she set about systematically destroying as much of the collective British society as she could. The laws enacted by the previous government reduced the power of the collective, and this is not the way of a democracy. All individuals have the right to stand up for themselves and be heard. They have the right to stand up and say, 'This is not right'. The laws introduced by the previous government set about stopping collective voices, which, as we know, are far more powerful than a voice that sings out on its own. This is what these laws are about. They are not just about stopping people from getting out there and having their say; they are about splintering the union movement and they are about splintering collectivism. They are about chipping away at our rights as a collective group of people to protest — to protect our rights, to protect ourselves, to have our say, to contribute to our community and to let our community know how we feel about a certain issue.

These laws are wrong, and the Andrews government promised the people of Victoria that it would set this wrong right, which is exactly what this bill does. This bill restores rights to people. This bill allows people to go about their day-to-day lives, to do their day-to-day activities, to participate in democratic protest, to join together and collectively protest, and to join together and collectively have their voices heard. As we have seen throughout this debate, those opposite have tried to shout us down. Those opposite have continued to try to shut the debate down. They have continued to try to silence us and silence the worst that we have to say. They have tried to drown us out with their shouting, with their taunts and with their criticisms of the union movement.

That is not the way forward. That is an example of why these laws are wrong. These laws are wrong because they try to shut people down, and they try to take rights away from people. Our changes to the law will enshrine those rights. Our changes will help people to have their say, and they will give them back the gift of democracy. They will give them back the gift of speaking as a collective, which those opposite tried to take away. This is a good bill. This is a bill that is exactly right for our state, and I commend it to the house.

**Ms ASHER** (Brighton) — I wish to make a couple of comments in opposition to the Summary Offences Amendment (Move-on Laws) Bill 2015. In the first instance, I want to make the comment that the specific rationale for this bill is that this Labor government wishes to undo the move-on law protections that were introduced by the previous government in 2014. Those laws were specifically related to moving on demonstrators — not just demonstrators per se, but demonstrators who were using threatening words, threatening behaviour, intimidatory tactics or threats of violence.

I note that in the second-reading speech on this bill — and I do not know whether this is the hallmark of what we can expect from this government — there are two fallacious claims. The first is that the government is still maintaining that our legislation restricted legitimate protests, which it did not. It was directed at a particular type of protest. The second fallacious claim is that somehow or other the bill before the house is meant to be protecting vulnerable groups. The shadow Attorney-General and others have gone through in detail the two fallacious claims made in the second-reading speech. It is a long time since I have seen a second-reading speech containing errors like that.

I refer to the rationale put forward by the previous government for the introduction of the piece of legislation that seems so offensive to the Labor Party at the moment. In a press release of 12 December 2013 headed ‘Coalition government to act on unlawful pickets and blockades’, the former Attorney-General, the member for Box Hill, outlined the rationale behind the Summary Offences and Sentencing Amendment Bill 2013:

Orders will in future be able to be issued where a person:

- is impeding lawful access to premises,
- has committed an offence in the public place,
- is causing others to have a reasonable fear of violence, or
- is endangering safety or engaging in behaviour likely to cause damage to property.

They were the specific criteria for introducing our legislation, and indeed the then Attorney-General went out of his way to say it. Again in this press release, he stated:

Every Victorian has the right to protest and express their views. However, when individuals resort to unlawful tactics that threaten the livelihood of law-abiding businesses, employees and their families, they must be held to account.

So a series of very specific criteria were to be applied; the legislation was not to be applied to protests per se. We on this side of the house support peaceful and legitimate protests. What we do not support is impeding access, threatening behaviour, intimidatory behaviour and so on.

The fact of the matter is of course that this is an early payback to the Labor government’s union mates in the Construction, Forestry, Mining and Energy Union (CFMEU) and elsewhere. It is interesting to note the priorities of this government, evident in the fact that such a bill would receive such attention in the Parliament so early.

The bill is heavily opposed, and I am sure my colleagues would have made reference to the *Australian Financial Review*, which on 11 February 2015 outlined the opposition of Victorian Employers Chamber of Commerce and Industry through Mark Stone, who said:

Laws must provide Victoria Police with adequate powers to keep the peace, protect the safety of individuals and their property and allow employers and employees to enter worksites and operate their businesses without risk or unnecessary disruption.

The *Herald Sun* was also opposed to the government's position, as expressed in its editorial of 11 February as follows:

It requires no stretch of the imagination to see the hand of the state's more militant unions in encouraging the government to make it a priority in the first sitting week of the new Parliament.

I can also refer to a press release issued by the Jewish Community Council of Victoria and the Zionist Council of Victoria, which was also opposing this bill. I understand that the Police Association also opposes this bill.

It is no coincidence that, on top of the CFMEU demonstrations that we all saw in the city previously, within a very short time of this government being elected the CFMEU shut down the Altona Aldi site. This bill is a payback from the government for its obligation to the unions as a consequence of the election.

However, I have another very grave concern about the bill before the house. I am sure that not too many people have touched on this, but as a strong supporter of women's rights and as someone who voted pro-choice in this Parliament when we had our abortion debate, I am deeply concerned about obstructionist protesters standing outside abortion clinics and preventing young women who are seeking legal abortions from entering. We have seen instances of these protesters obstructing, harassing and indulging in intimidatory behaviour towards young women.

I wish to make a distinction: those of us who were members of the last Parliament would have seen — every day basically — the right-to-life protesters outside this Parliament. That protest is legitimate. Those people for four years stood there in the rain, in the cold and in the heat, and held up signs. They often waved hello. I am in favour of that sort of protest. It does not reflect my view, but that to my mind is a legitimate protest, to have right-to-lifers outside the Parliament holding up their placards, expressing their legitimate political view.

However, I am deeply concerned that we have seen in this state — and indeed in others — aggressive protests that confront young women seeking abortions. They are shocking protests in my view, intimidating young women at a particularly vulnerable time in their lives when they are seeking to terminate a pregnancy that they do not wish to proceed with, legitimately and legally. These move-on laws would have assisted the police in managing protests like that. These protests to my mind are enormously offensive. A legitimate,

peaceful protest is fine; to intimidate, harass, use threatening language or give an impression that you are about to perpetrate violence on a woman seeking an abortion is beyond the pale. The laws that we introduced as a government I firmly believed helped police move on protesters like that.

This bill before the house — unfortunately, in my view — means that the police will not be able to move on protesters like this. I think it says a great deal about a party, many of whose members voted in favour of choice, that it has made this choice. It has made its choice: a payback to union mates is more important than the rights of these women to secure an abortion unimpeded by protesters at the front steps of abortion clinics.

I oppose this bill. I oppose it for the reasons outlined by many of my colleagues in terms of the payback to the union movement, the violent protests we have seen and the obstruction by many unionists of people in the workplace, but I also oppose it because I think it removes police powers to assist women who are seeking abortions being impeded by right-to-life protests that are out of control, violent and intimidatory.

**Mr EDBROOKE** (Frankston) — I appreciate the chance to rise and speak on the Summary Offences Amendment (Move-on Laws) Bill 2015. I can appreciate the passion shown on both sides of the chamber. I think I can appreciate and respect everyone's opinions on the matter.

I believe passing this bill is a must in order to restore the balance to protect people's fundamental human rights. These laws are not revolutionary, they have not been a magic pill, and repealing them will not relegate us to a Mad Max world.

Up until the coalition's amendments came into operation last year, move-on powers could only be used where a police officer or protective services officer (PSO) reasonably suspected that a person is breaching, or likely to breach, the peace; a person is endangering, or likely to endanger, the safety of any other person; or the behaviour of a person is likely to cause injury to a person or damage to property or is otherwise a risk to public safety. These three grounds provide a broad basis for the use of move-on powers and strike an appropriate balance between police powers to maintain public order and the protection of fundamental human rights and freedoms of all Victorians.

The coalition went about upsetting that balance by including five additional circumstances in which police officers and PSOs could direct a person to move on.

These additional grounds were not necessary. The original grounds of breaching the peace and endangering the safety of another overlap with several of these new grounds. Labor, along with many people in the community, criticised these grounds for going too far. The expanded grounds meant that a person who has committed no crime and caused no breach of the peace could have their rights and freedoms significantly limited, solely on the suspicion that the person is likely to cause an obstruction or impede another person.

While I listen to the opinions of other members in the chamber with the greatest respect, I like to refer to the law experts. Human rights commissioner Timothy Wilson put it well when he said that the laws were excessive because they gave police the power to fine people whom they only suspected of a possible offence. He stated that the law:

... unnecessarily gives police too much power to move on protesters unjustifiably.

He also said:

I have an issue with the low bar that is being set to give police powers to move people on.

So much for innocent until proven guilty! Victorians who respect the law have the fundamental right to move freely, express their views and associate with whomever they choose. The police still have adequate powers to do the fantastic job they do in keeping people who break the law off the streets. This is an amendment bill for all Victoria, not just some. If there is unlawful protest, the police already have the power to arrest for offences like besetting, trespassing and obstruction to name just a few. Indeed if most of the examples of bad behaviour that we heard from members yesterday were reported to the police, they would have resulted in charges.

I believe the move-on laws go too far. The orders impose serious limitations on freedom of movement, the right to peaceful assembly and freedom of association. They can be made in circumstances where a person has committed no crimes at all. I will take this one step further. Although I am no expert, I believe the Law Institute of Victoria might have a couple in its ranks. The law institute said that the amendments would:

... limit the ability of individuals and groups to assemble and protest in public. It would remove existing and important protections against move-on orders for individuals and groups engaging in picketing, protesting and public demonstration, and by introducing provisions which allow for arrest for breaches of a move-on direction, increase criminalisation of direct protest action in Victoria.

I would like to give members a practical example of a recent situation. As members would be aware, for over two years paramedics — who are good family people who want to work, help the community and save lives — were attacked by the former government. That is a fact. The relevant minister would not meet with them. They were ignored. Yet I believe they had a fair case and Victorians voted that way as well. The only means of paramedics being heard was through protest. Those people do not want to protest. They want to be at home in between their 14-hour night shifts. They want to be with their family, kids and friends. They are not union bullies, and it is a cop-out to call them that.

So here we have the members of a former one-term government accusing someone they have never met — a special school teacher and former firefighter with a wife and three small children — of being a bully. They do that because they disagree with my opinions. I ask: if I can be conveniently labelled a bully, who else can? All the fathers, mothers, sons and daughters who are firefighters, paramedics, TAFE teachers and other workers who speak up against the government can be labelled as bullies, as can anyone else who disagrees with the government. If people can so easily be conveniently labelled bullies for speaking up against the government, it is not beyond comprehension that these laws could, as the Law Institute of Victoria and Timothy Wilson suggest, be used to limit the ability of these so-called bullies to protest in public.

Whilst in government members of the now opposition ignored education, emergency services, public transport and employment matters and lost an election because they fell out of touch with the community, and the community found strength in unity. Opposition members are now passionately and aggressively defending laws which could potentially be used to silence dissent and stop people having their say during an election campaign. Who would have thought it? Seriously, if you are able to demonise ambulance officers, call them bullies and accuse them of ramming into a candidate's car, you can make up anything. Would those on the other side of the chamber fabricate stories of union thuggery to score political points? Would they involve police to score political points?

I refer to an *Age* article published on the day prior to the election with the headline 'Liberal claims of union thuggery debunked'. The Liberal Party campaign director released a statement detailing 'thuggish behaviour' at a pre-polling station in Yan Yean and a Liberal staffer then released times and locations that police attended. The same events took place at Narre Warren North. But the *Age* goes on to state that Victoria Police released a statement saying that police

did not attend either location and they have no records of such events. It is possible that these laws could be misused by false claims to interrupt totally legal protests.

We heard stories of firefighters bullying people at a Narre Warren pre-polling station, but it came out later that there were no firefighters at Narre Warren North; it is not an ultra-marginal seat. The truth is the passing of this bill protects these people from the real bullies.

**Mr Watt** — Not firefighters — just people dressing up.

**Mr EDBROOKE** — Keep on thinking that. Keep it up! Like the rest of the coalition's changes to the move-on laws, the exclusion orders also have the potential to harm some of the most vulnerable in our community: the homeless, the Koori community, youth and people with mental health issues — in other words, people who are likely to congregate in public places could be the target of such orders. The repeal of the coalition's draconian reforms to move-on powers will not provide protection to illegal protests. Businesses may also seek injunctions and damages through civil actions. Protests which may otherwise be seen as lawful and peaceful should not be criminalised.

Labor made its position clear during the election campaign. Its commitment was to repeal these laws and Victoria voted as it did. Nothing spoke to me like the number of times that opposition members mentioned unions in the past couple of days — union this, union that. The truth is that that totally gives their game away. This bill is not about unions. It is about protecting everyone's rights in Victoria — whether they are left, right, pro-life or pro-choice. The Victorian community was not hoodwinked by the union bogeyman running Victoria. Booga booga booga — he does not run Victoria. A whole campaign worth millions was based on this ridiculous premise. What Victorians do know is that community members are union members and constituents who are law-abiding citizens. I believe we are on a very slippery slope when we endanger our community's right to protest, and I wish this bill safe passage through to the other place.

**Debate adjourned on motion of Ms SPENCE (Yuroke).**

**Debate adjourned until later this day.**

## PARLIAMENTARY COMMITTEES AND INQUIRIES ACTS AMENDMENT BILL 2015

*Second reading*

**Debate resumed from 11 February; motion of Mr MERLINO (Minister for Education).**

**Mr HODGETT** (Croydon) — I rise to lead the opposition's response in the debate on the Parliamentary Committees and Inquiries Acts Amendment Bill 2015. I advise the government and the house that the opposition is opposing the bill. In my contribution I will outline the very sound reasons for our opposition. The government is seeking to amend the Parliamentary Committees Act 2003 to amalgamate certain committees. The bill also provides for various minor amendments to the Inquiries Act 2014, with which the opposition does not have a problem.

As people in this place know, committees play a very important role in the Parliament. They have a long and proud history and I think members on both sides of the house would respect the very important work of parliamentary committees and the role that they have played in this Parliament over many years. The opposition provided nominations to assist the government in establishing two important parliamentary committees — the Scrutiny of Acts and Regulations Committee and the Environment and Natural Resources Committee. We facilitated that to allow those committees to get on with their important work of scrutinising legislation and dealing with the very important reference of the inquiry into the Country Fire Authority's CFA Training College at Fiskville.

The opposition is also very keen to provide further nominations to and references for the existing parliamentary committees. Here we are, 88 days into the government's term and the government is yet to set up the other important joint investigatory committees provided for in the legislation. Given that it is 88 days into its term, that shows the importance this government is giving the joint parliamentary committees. Many suggest that this is a lazy government and that its members are yet to get on with their job of actually governing. I ask: how hard is it to actually establish committees? They are provided for under the legislation, and they are actually shovel ready — ready to go.

It is odd that the government has dropped this bill into the Parliament and then approached the opposition to have some meaningful discussion around the structure of parliamentary committees and how they function or operate in this Parliament. If we can get a good

outcome on the structure of parliamentary committees, opposition members are of course happy to accommodate that. We are happy to move forward. We do not want to rush in. We are happy to have some discussions about the structure of committees but we will not tolerate a do-nothing government taking no action at all but just setting up committees that the opposition provides references for or populates the membership of.

I understand that the Greens might be moving a reasoned amendment so that the bill does not pass the second-reading stage until further consultations are undertaken with members as to the number, structure and functions of the parliamentary committees.

**Mr Donnellan** interjected.

**Mr HODGETT** — I understand that they are going to move that. We will see what their reasoned amendment looks like, but we are happy to consider that too. We just want some action, and we would be more than happy to drag the government along through this process.

**Mr Donnellan** interjected.

**Mr HODGETT** — If it is in the interests of the committees, sure, we will. I said that at the outset. We are happy to have discussions with the government and other parties to get a good outcome on Victorian parliamentary committees. We are happy to consider whatever the Greens put forward, if they do put forward a reasoned amendment. We just want some action. We are happy to drag the government along through this process so that we can get the committees set up and have them get on with the important work that they do. We rate committees; we give them a high priority. As I said, we value the important work committees do in serving the Parliament.

Let us look at what the government is seeking to do to the parliamentary committee system through this bill. In relation to the Parliamentary Committees Act, the bill merges six existing joint investigatory committees to form three new committees. One of those new committees will be the Economic, Education, Jobs and Skills Committee that will undertake the functions of the current Economic Development, Infrastructure and Outer Suburban/Interface Services Committee — we were always in favour of a name change for that committee — and the Education and Training Committee. The Environment, Natural Resources and Regional Development Committee will undertake the functions of the current Environment and Natural Resources Committee and the Rural and Regional

Committee. The Law Reform, Road and Community Safety Committee will undertake the functions of the current Law Reform, Drugs and Crime Prevention Committee and the Road Safety Committee.

As is outlined in the second-reading speech given by the minister, the government will of course argue that the bill consolidates the functions of the six joint investigatory committees into three with the aim of ensuring that the committees operate more efficiently and that the workloads between the different committees are better distributed. What a load of crock! In the former parliaments' committee structure system committees operated efficiently. They had workloads, they had plenty of references and they had plenty of work to do. To put forward an argument that merging committees or collapsing their number from six to three will make them operate more efficiently or have a better distributed workload is just a nonsense.

The government says the new committees will continue any inquiries that are before the committees they replace, and it also says that any members who already have been appointed to committees affected by this bill, such as the Environment and Natural Resources Committee, which has been set up and populated with members, will continue as members of the new relevant committee. The government cannot even get that right. It has stuffed that one up. It has established the Environment and Natural Resources Committee, appointed members and given it an important reference, and now it wants to amalgamate it with another committee and change its name. That is the sort of arrogant practice we are going to see from this government. It has rushed in, it has set up a committee, it has grandstanded, it has given it a very important reference, it has populated it with some good people and now it wants to collapse that committee and merge it into another one, to change its name and to give it other work to do.

Let me outline for the house our areas of concern and indicate why we are opposing the bill. We are opposing these changes because the government, in our view, wants to dumb down the committee system. It wants to take away resources and restrict the work of committees in scrutinising the activities of government. We believe that is a direct attack on the parliamentary committee system; it is a planned, calculated attempt by the government to diminish the work of joint parliamentary committees.

As we know, a committee system in a parliamentary democracy system provides a way of achieving greater public input into issues being considered by the Parliament. The Parliament of Victoria, as we also

know, has an extensive system of committees which hold inquiries into particular issues. Committees have the ability to call for input from the wider community, including experts, individuals, businesses, governments and organisations that are asked to express their view. That is what we want to protect, and it is what the government wants to shut down. The government wants to restrict and shut down these opportunities. We are about protecting the capacity of committees to call for input from the wider community, including experts, individuals, businesses and groups, and to ask them to express their views and to get involved in the parliamentary system through the work of the committees.

If we accept this bill, there will be less opportunity for public input because there will be fewer committees. The government states that the new committees will have the same functions as the committees they replace and that there will therefore be no loss of coverage of the issues considered by the committees. However, as I have said already, reducing the number of committees is a deliberate attempt by the government to reduce the scrutiny of the activities of the government. Let us be clear about this: fewer committees means there will be fewer references to consider, which means less work undertaken, and that will result in less scrutiny of the government and its operations and activities.

Members who have served on various committees will argue that there is great value in those committees, and I agree. They will also argue that any reduction in the number of committees, firstly, limits the opportunity to serve on a committee, and secondly, represents a cut to the scrutiny that is applied to the operations of government. We would always be happy to consider ways of providing more balance in committees and to bring about greater confidence that there will be no reduction in the scrutiny of the activities of government under the new parliamentary committees structure. We would always be happy to consider that. That might be what the Greens have in mind, given their foreshadowed reasoned amendment, but as I said before, we will wait and see what the Greens put forward and respond to that in due course.

The current list of joint investigatory committees is extensive and very important. We have the Accountability and Oversight Committee; the Economic Development, Infrastructure and Outer Suburban/Interface Services Committee; the Education and Training Committee; the Electoral Matters Committee; the Environment and Natural Resources Committee; the Family and Community Development Committee; the Independent Broad-based Anti-corruption Commission Committee; the Law

Reform, Drugs and Crime Prevention Committee; the Public Accounts and Estimates Committee, the Road Safety Committee; the Rural and Regional Committee; and the Scrutiny of Acts and Regulations Committee. The government wants to collapse six of those very important joint investigatory committees into three. As I said, the Economic Development, Infrastructure and Outer Suburban/Interface Services Committee will become the Economic, Education, Jobs and Skills Committee. The very important Education and Training Committee will also turn into the Economic, Education, Jobs and Skills committee. The Environment and Natural Resources Committee will become the Environment, Natural Resources and Regional Development Committee. The successor of the Law Reform, Drugs and Crime Prevention Committee will be the Law Reform, Road and Community Safety Committee. The Road Safety Committee will of course also become the Law Reform, Road and Community Safety Committee. Finally, the successor of the Rural and Regional Committee will be the Environment, Natural Resources and Regional Development Committee.

I put all that on the *Hansard* record because I want to show what the existing committees are and what the government is trying to do by collapsing six of these important committees into three. I will take the example of the Education and Training Committee. That committee is arguably one of the most important. Its functions are to inquire into, consider and report to the Parliament on any proposal, matter or thing concerned with education and training. The government wants to merge this committee with another, collapsing two into one. Given this government based its election campaign platform on making Victoria the education state and went as far as proposing to put 'Victoria — The Education State' on numberplates, I am at a loss to understand why the Andrews government wants to merge this committee into the Economic, Education, Jobs and Skills Committee.

Surely the Education and Training Committee is such an important committee as to warrant its stand-alone status. We have seen some of the important work it has done. It has conducted many important inquiries, providing extreme value to this Parliament. I applaud that committee on some of the inquiries it has conducted in response to references it has been given in the past. It has inquired into approaches to homework in Victorian schools, it has inquired into the extent and benefits of potential music education in Victorian schools and it has had an inquiry into agricultural education and training. It has done some terrific work. Given the government had in its election platform that Victoria would be the education state, I am at a loss to

understand why it would want to water down, diminish and restrict this committee in terms of it having the important stature it has now.

I served on the Economic Development, Infrastructure and Outer Suburban/Interface Services Committee in the 56th Parliament. It was at that time chaired by George Seitz, a former member for Keilor. George was a great chair! We learnt a lot about Mr Seitz's activities. He taught me well about preselections and various other things — —

**The SPEAKER** — Order!

**Mr HODGETT** — Speaker, I thought everyone had come in to listen to my contribution!

**The SPEAKER** — Order! The member shall continue when this agenda item comes again before the chamber.

**Business interrupted under sessional orders.**

### QUESTIONS WITHOUT NOTICE and MINISTERS STATEMENTS

**Mr R. Smith** — On a point of order, Speaker, I refer you to the new sessional orders, specifically sessional order 11, and I ask you to provide a couple of points of clarity.

The first point is in relation to sessional order 11(2), which directs a minister who has been asked to provide a written response to a member of the opposition or another party to lodge that response with you by 2 o'clock. I accept that the answer you directed the Minister for Roads and Road Safety to give to you in response to a question asked on Tuesday of this sitting week did go to your office before the 2 o'clock cut-off, but I seek clarity around the time frame within which members should expect to receive such a response from your office. While I accept that your office received the response before the 2 o'clock deadline, it was some hours before I subsequently received it.

Secondly, I refer you to sessional order 11(3), which says:

The Speaker will determine the adequacy of a written response to a question provided under this sessional order.

I respectfully seek clarity from you as to what process you used to determine the adequacy of the written response, because by any reading of the six-word response I got from the minister, it is hardly adequate.

**Ms Allan** — On the point of order, Speaker, it is probably not unreasonable for the member to ask you to

provide the house with some guidance on when members can expect to receive written responses. It is remarkable to see how well opposition members are using our sessional orders, which they opposed, and to note that they are making sure they are fully implemented in this place.

On the second point that was raised, you may wish to reflect on the fine line the member is trodding in terms of how — —

*Honourable members interjecting.*

**Ms Allan** — Trodding, treading, crossing — it is Thursday! Quite clearly, when it comes to you giving direction to the house and making rulings, this is at your discretion. There are many instances in the standing orders and in our practices where the Speaker can determine in his own way how he interprets and acts on the sessional and standing orders the house has in place. I am sure you will do that appropriately, and I suggest to the member that he think twice before challenging you in this way.

**Mr Clark** — On the point of order, Speaker, any suggestion that the member for Warrandyte was reflecting adversely on you is completely unfounded. The member for Warrandyte was respectfully seeking an indication from you as to how you intend to apply sessional order 11(3). We are in the early days, and this is the first instance. In this particular case the question in relation to which the minister was ruled unresponsive was whether or not a business case existed. The answer that was received was that the business case would be released in due course. The member for Warrandyte is entitled to seek guidance as to how you intend to apply standing order 11(3) in determining in instances such as this whether or not a written response is adequate as well as in relation to the time frames that can be expected.

**The SPEAKER** — Order! I thank the member for Warrandyte for the point of order he raised. In relation to the adequacy of delivering the response the minister provided to my office, I will check with my office. My expectation is that the response will be provided to the member very promptly, as is the intent of the sessional order, so I take responsibility for that and will make sure that is the case. I will double-check on that and come back to the house.

On the other matter raised, in relation to seeking clarification as to whether the minister was sufficiently responsive to the question, it is my recollection — but I am happy to double-check *Hansard* — that the question asked of the minister was whether or not he

would provide a business case. On that basis it was my view, and so far remains my view, that the minister provided a very good response and one that was responsive.

I am happy to come back to the house on these two matters. I am happy to give members — and, may I say, the Chair — the benefit of the doubt. We have, as the Leader of the House correctly pointed out, entered into operation under new sessional orders, so not just members but the Chair as well have to work through these matters, and we should give ourselves the benefit of the doubt. On the next sitting day I will come back to the house in relation to the matters raised by the member for Warrandyte and the manager of opposition business.

### Cage fighting

**Mr GUY** (Leader of the Opposition) — My question is to the Minister for Education. Noting that in 2007 the now Deputy Premier stated that ‘the spectacle of two competitors in cage combat-style competition does not meet the community’s standards’, I ask: how will the minister explain to schoolchildren that it is now government policy to allow violent cage fighting in Victoria?

**Mr MERLINO** (Minister for Education) — I thank the Leader of the Opposition for his question — a pretty desperate question, can I say, and a pretty long bow he is trying to draw. This is just ridiculous. There are a couple of points here.

Firstly, mixed martial arts is legal in Victoria. The combat sports body has made recommendations in regard to the safety of the competitors that it needs to be in an enclosed environment. That is the commitment Labor made prior to the election. Those opposite have form on this side of the chamber. They continually want — —

**Mr Guy** interjected.

**The SPEAKER** — Order! The Leader of the Opposition will stay silent!

**Mr Clark** — On a point of order, Speaker, the Deputy Premier is now debating the question. I ask you to bring him back to answering it.

**The SPEAKER** — Order! I ask the Minister for Education to come back to answering the question.

**Mr MERLINO** — To deal with the question, Speaker, we will not break an election commitment. Those opposite continually want us to break our

election commitments, and we are not going to do it. This is a question of the safety of the competitors. Mixed martial arts is legal. It is the recommendation of the Professional Boxing and Combat Sports Board, and that is what we will implement.

### *Supplementary question*

**Mr GUY** (Leader of the Opposition) — I ask the minister if he will now instruct his education department to update antibullying and antiviolence campaigns in our schools to ensure that students are aware that caged combat violence is not okay.

*Honourable members interjecting.*

**The SPEAKER** — Order! I warn the Leader of the Opposition. The Leader of the Opposition understands clearly that he must remain silent while the Chair is on his feet.

**Mr MERLINO** (Minister for Education) — The outbursts from the opposition leader are no example for any child at school. This is a legal sport. We are implementing the recommendations of the combat sports board. We will not break an election promise. If the Leader of the Opposition — —

*Honourable members interjecting.*

**The SPEAKER** — Order! I cannot direct the minister to respond in any particular way. I understand that the Leader of the Opposition may wish the minister to respond and explain things to schoolchildren, but I suggest that at times I find it hard to explain to our schoolchildren our own behaviour. I call on government and opposition members to stay silent and allow the minister to continue to respond to the question.

**Mr MERLINO** — I would suggest that if you wanted to talk to schoolchildren about bullying and bad behaviour, they just need to look at the opposition leader.

*Honourable members interjecting.*

**The SPEAKER** — Order! It is Thursday, but I expect government members to come to order. The member for Mordialloc will come to order.

**Mr Guy** — On a point of order, Speaker, I have asked the Minister for Education a serious question in relation to bullying and antiviolence campaigns, and I ask the Deputy Premier to withdraw his offensive remarks and come back to — —

*Honourable members interjecting.*

**Mr Guy** — It is a reflection upon you. Do you support violence?

**Mr Eren** interjected.

**The SPEAKER** — Order! I warn the Minister for Sport. The minister will come back to answering the question, but before doing so allow me to seek clarification from the Clerk relating to the remarks, which I have not heard.

Neither the Clerk nor the Chair heard any remarks. I rely in good faith on members and, respectfully, the Premier to make a comment on the subject should that be the case. If not, neither of us has heard that, so I ask the minister —

**Mr Andrews** — He is happy to move on.

**Mr Guy** — Yes.

**The SPEAKER** — Order! I appreciate that the Leader of the Opposition is happy to move on and to give us, the Clerk and the Chair, the benefit of the doubt in that we did not hear any remarks, and the Deputy Premier indicates to us that he had not made any remarks.

**Mr MERLINO** — We will implement all our election commitments, and we make no apology for that. What we have seen in relation to this question on our seventh parliamentary sitting day of this new Parliament — it has only taken seven days — is the opposition leader clutching at straws and making desperate outbursts.

### Ministers statements: penalty rates

**Mr ANDREWS** (Premier) — I am very pleased to make it clear to all Victorians and certainly to every member of this house that this government values and believes in a fair day's pay for a fair day's work. I might also suggest to all members of this place that the 587 000 Victorians who work most weekends and rely on their penalty rates to feed and educate their kids, to pay their mortgage, to live their lives, to survive and to have a decent quality of life also support fair reward for fair work.

What is most troubling, and what I am very pleased to announce today the government will stand up against, is Tony Abbott's agenda to introduce via the Productivity Commission inquiry — via the back door, if you like — WorkChoices, which is a failed policy, a policy with no mandate and a policy with no good reason. In every forum we will —

**Mr Clark** — On a point of order, Speaker, again we are defining and determining what the scope will be for the new ministers statements that have been provided for under sessional order 7, which is expressed to be an opportunity 'to advise the house of new government initiatives, projects and achievements'. So far the Premier has been engaging in an attack on the commonwealth government and asserting broad statements of principle. I submit to you — and this will be a test for how this sessional order operates — that the Premier is not in fact responding to either the letter or the spirit of the sessional order and advising the house of new state government initiatives, projects and achievements.

**Ms Allan** — On the point of order, Speaker, the member is obviously right, these things will be determined somewhat in the running by your rulings, but if you refer to *Rulings from the Chair* in relation to question time as a whole, you see that the impact of the commonwealth government's policy settings on the state is a matter that can be canvassed.

*Honourable members interjecting.*

**Ms Allan** — We got rid of Dorothy Dixers. You should be happy about that. We did what you wanted.

**The SPEAKER** — Order! The Leader of the House will continue to make her point of order or she will resume her seat.

**Ms Allan** — Speaker, if we are seeking examples of current established practice in the house, that practice is established already in some of the rulings from the Chair that apply to question time as a whole. I suggest they can be used as guidance when determining that the Premier is indeed quite within the scope of the requirements of ministers statements to address the matters that the commonwealth has in place that affect Victorian workers.

**Mr Walsh** — On the point of order, Speaker, I seek your clarification. My understanding of the intent of the government's changes — the house's changes — to sessional orders was to get rid of Dorothy Dixers.

**Ms Allan** — We did. You proposed it, remember?

**The SPEAKER** — Order! The Leader of the House!

**Mr Walsh** — We now have the manager of government business asking you to rule on rulings around question time, not around ministers statements.

*Honourable members interjecting.*

**The SPEAKER** — Order! The Leader of The Nationals will continue, and the Attorney-General will stop interjecting.

**Mr Walsh** — Speaker, I ask you to disregard the argument put forward by the manager of government business and rule in favour of the point of order raised by the manager of opposition business.

**Ms Thomson** — On the point of order, Speaker, whichever way you look at it, even in relation to the statements by ministers and by the Premier, they should be allowed to set the scene for whatever initiative or project they wish to outline to the house, otherwise it is not in context. The Premier has been on his feet for less than half of the time allotted to him, and I suggest that he be allowed to continue in relation to this matter so that we can establish what the new initiative or project is that he wishes to outline to the house.

**The SPEAKER** — Order! I was listening very attentively to the Premier. He was outlining a government position on a particular matter. I do not uphold the point of order.

**Mr ANDREWS** — Let every member of this house and the Victorian community be in no doubt that this government will lodge a detailed submission to the Productivity Commission, and let me be very clear that it will be new and it will be different from that which would have been lodged by those opposite. We know their form: Liberals first and Victorians second.

We will fight these regressive changes, this agenda to bring in WorkChoices by stealth, in every forum and in every way, in defence of our nurses, our paramedics, our firefighters and our prison officers — all of those who in so many cases do the hardest and most dangerous work. They do it in our service, and they ought to be protected. Their take-home pay ought to be protected and safeguarded, not ripped away by a federal government that does not have the courage to put its regressive industrial relations agenda at the front of its government but instead tries to do it via the back door. This government will have none of it.

### **Cage fighting**

**Mr CLARK** (Box Hill) — My question is to the Minister for Local Government. With the Lord Mayor stating about cage fighting that ‘Melbourne doesn’t need these displays of ultra-violence’ and ‘Normalising violence like this can lead to the wrong attitudes. We should be condemning violence, not promoting it’, I ask: will the minister allow local councils that oppose the violent sport of cage fighting, like the City of

Melbourne, to ban tournaments from their municipality — yes or no?

**Ms HUTCHINS** (Minister for Local Government) — I thank the member for his question. I am a little bit shocked. I have actually met with a lot of councils over the last few months, and not one of them has raised this issue with me — not one.

**An honourable member** — You’re kidding!

**Ms HUTCHINS** — No, not one. There are plenty of other issues on the agenda of councils, I can tell you.

*Honourable members interjecting.*

**The SPEAKER** — Order! Government members will allow the minister to continue.

**Ms HUTCHINS** — I can tell the member what is at the forefront of the minds of councils today. An Auditor-General’s report was tabled in this house just an hour ago — —

**Mr Clark** — On a point of order, Speaker, the minister is debating the question. It was a specific question in relation to cage fighting and local government, and I ask you to bring her back to that question.

**The SPEAKER** — Order! The minister had just begun. I do not uphold the point of order.

**Ms HUTCHINS** — The thing that concerns councils the most today is the \$1 billion cut made by the mates of those opposite in Canberra to the budgets of local councils. That \$1 billion cut we have seen in the Auditor-General’s report today has put nine councils in deficit. Shame!

**Mr R. Smith** — My point of order, Speaker, goes to relevance. There is absolutely no way the Minister for Local Government can seriously have interpreted the question as being to do with the Auditor-General’s report.

**The SPEAKER** — Order! The minister will come back to answering the question.

**Ms HUTCHINS** — I remind the house that under the Local Government Act 1989 councils are sovereign bodies. They have the ability to bring in by-laws. But I have to say that I have not had one council raise this issue in all of the roundtable meetings I have had — and you are irrelevant!

*Supplementary question*

**Mr CLARK** (Box Hill) — I refer to the minister's closing remarks, noting the fact that Crime Victims Support Association spokesman Noel McNamara has said that cage fighting is 'brutal and encourages people on the street to be violent', and I ask: will the minister allow councils to introduce new local laws that allow them to protect the community in relation to the circumstances surrounding violent cage fighting venues?

**Ms HUTCHINS** (Minister for Local Government) — As I have already stated, local governments are sovereign bodies. They can introduce their own by-laws, and if they choose to do so, they have the right to do so.

**Ministers statements: penalty rates**

**Ms HUTCHINS** (Minister for Industrial Relations) — I rise to inform the house of a new initiative, and that is that the Andrews Labor government will be making a submission to the Productivity Commission's inquiry into workplace relations — an inquiry, as the Premier has outlined, that has foreshadowed drastic, dramatic changes to the penalty rates and minimum rates of pay of our workers in Victoria. What we are going to do is stick up for Victorian workers.

**Mr Clark** — On a point of order, Speaker, again we are determining the scope of new sessional order 7, which relates to a minister being able to advise the house of new government initiatives, projects and achievements. As I understand it, the Premier's statement informed the house about the government's intention to make a submission to the Productivity Commission in relation to its current reference. The Minister for Industrial Relations seems to be talking about exactly the same subject.

I submit to you, Speaker, that if the Premier has already informed the house about this matter, the Minister for Industrial Relations is no longer advising the house, because the house has already been advised, and she is no longer talking about a new government initiative, project or achievement because the house has already been informed about it.

**Ms Allan** — On the point of order, Speaker, unless the member opposite has remarkable powers of perception, he does not know what new information the minister may be wanting to provide to the house. The minister is indeed the Minister for Industrial Relations, and she is expanding further on the information the

Premier provided to the house earlier. There is nothing in sessional order 7 that prohibits a minister from expanding and adding to information that has already been provided, particularly when it is relevant to their own portfolio area.

**The SPEAKER** — Order! It is my understanding that the intent of this sessional order is that a minister not be prevented from making a statement on occasions for a second time.

**Mr Watt** interjected.

**The SPEAKER** — Order! I warn the member for Burwood.

**Ms HUTCHINS** — I do have new information to reveal in relation to our submission to the Productivity Commission's inquiry. I can reveal the true cost to Victorian workers of cuts to their penalty rates.

Let me outline: there are over 580 000 Victorian employees who work on weekends, over 300 000 who usually work on Saturdays in their main job, over 200 000 who work on Sundays, over 157 000 who work a nightshift on any given night and over 277 000 who are paid at or below the minimum wage. Many hardworking Victorians rely on their penalty rates, including retail workers at our supermarkets, tradies on weekend calls, machinery operators, and drivers of the vans and trucks that keep our cities serviced day and night.

A Liberal cut to penalty rates has nothing to do with productivity and everything to do with penalising Victorian workers, making it harder for them to put food on the table and petrol in the car and to meet their mortgage demands. Victorians rely on their penalty rates; they factor them into their family budgets and way of life. We will stand up to Tony Abbott and defend Victorian workers' rights in every way.

**Cage fighting**

**Ms VICTORIA** (Bayswater) — My question is to the Minister for Health. The Australian Medical Association Victoria says that cage fighting injuries include facial lacerations, bruises, broken teeth, fractures, damage to eyes and vision, internal bleeding and damage to internal organs as well as the transmission of blood-borne infectious diseases and permanent brain damage. I ask: what assessments or advice did the minister ask for on the health dangers of this violent sport before she agreed to support it?

**Ms HENNESSY** (Minister for Health) — I thank the member for her question. I must say I am delighted

to see the Liberal Party finally interested in the health of Victorians, because it certainly showed no interest over the last four years. Here is the irony: mixed martial arts contests are legal in Victoria, and they have been for a long period of time. If the Liberal Party were so concerned about this issue, it would have taken steps whilst it was in government, and it failed to do so.

The Labor government made a commitment to safety enclosures to make mixed martial arts safer for participants. But given that the Liberal Party has suddenly decided that it has some interest in the health and wellbeing of participants, I might remind its members that this is a sport that is strictly regulated. In fact participants must undergo a pre-fight medical examination within 24 hours before they engage in a contest. They have to have a medical examination 24 hours after they have engaged in the contest. Competitors are actually prevented from competing unless they have been declared fit to do so by a medical practitioner. Contestants must undergo an annual medical examination. Contestants also undergo six-monthly blood tests for HIV, hepatitis B and hepatitis C.

**Mr Clark** — On a point of order, Speaker, relating to relevance, the question was seeking information about the assessments and advice obtained by the minister on the health dangers of cage fighting. She is not addressing that question, and I ask you to bring her back to it.

**The SPEAKER** — Order! The minister is in order. The minister will continue.

**Ms HENNESSY** — Just in case the Liberal Party did not pick this up, there are also six-monthly blood tests for HIV, hepatitis B and hepatitis C. I am surprised by the member's question regarding the health of mixed martial arts contestants, because the health and wellbeing of all Victorians was neglected for four years under the previous government.

*Supplementary question*

**Ms VICTORIA** (Bayswater) — Can the minister name one women's health group that supports Labor's policy to allow violent cage fighting in Victoria?

**Ms Allan** — On a point of order, Speaker, while I am absolutely confident that the Minister for Health will deal with this question appropriately, I do seek your guidance, and it is in line with some of the previous points of order from the opposition. This is an entirely different question. Supplementary questions are meant to have a relationship to the original question that was asked. This is an entirely different question seeking

new information from additional groups, and I cannot see how it has relevance to the original question that was asked.

I am happy, Speaker, for you not to rule on this now; I am happy for you to come back and provide some information to the house on how supplementary questions are to be appropriately presented to the house to make sure they have relevance to the original question.

**Mr Clark** — On the point of order, Speaker, the original question asked about dangers of cage fighting. The minister's response in effect was that there was not a problem, for the reasons that she has given. The member is now asking in effect if there is not a problem, can the minister name one women's health group that is in support of it. The member's supplementary question fully flows on from the theme of the question and from the answer that was given by the minister.

**Ms Thomson** — On the point of order, Speaker, my recollection at least of how supplementary questions operated in my time in the upper house was that you could not introduce anything new into your supplementary question; it had to arise from the question that was asked. No reference was made to women's health groups in the original question, and therefore it should be ruled out. If the member had mentioned that in her original question, then that would be relevant, but in fact there was no mention of that whatsoever. It brings in a totally new question. It requires an individual question in its own right and not a supplementary question.

**Mr R. Smith** — On the point of order, Speaker, the themes of cage fighting and stakeholder condemnation of this brutal policy that the Labor Party is bringing into this state was certainly current in both the substantive question and the supplementary question.

*Honourable members interjecting.*

**The SPEAKER** — Order! Government members will come to order, and whoever is making that funny noise on a Thursday will desist. I will withdraw the remark that I made about the Deputy Leader of the Opposition having the best lungs in the chamber — I think the member for Melton has them.

I ask the member for Bayswater to rephrase her question.

**Ms VICTORIA** — Can the minister name one peak medical group or other non-self-interested group that

supports Labor's policy to allow violent cage fighting in Victoria?

**Ms HENNESSY** (Minister for Health) — I have met with many medical and health groups, including women's health groups, and let me say, the issues the member raises have not been missed, but those groups have been very clear about the role of the previous government and its \$1 billion cuts to the health system. They have been very clear about the pressure and the consequences — —

**Ms Victoria** — On a point of order, Speaker, the supplementary question was very narrow: I asked for the name of one organisation that has given its support.

*Honourable members interjecting.*

**The SPEAKER** — Order! I warn the Minister for Housing, Disability and Ageing. The minister will continue answering the question. I do not uphold the point of order.

**Ms HENNESSY** — Every health group I have met with has been very clear about the impact of the previous government's cuts. It is the absolute height of hypocrisy — —

**Mr Clark** — On a point of order, Speaker, the minister is debating the question, and I ask you to bring her back to answering it.

**The SPEAKER** — Order! The minister will continue answering the question.

**Ms HENNESSY** — As I said, it is the height of hypocrisy for members of the Liberal Party to stand in this place and to confect any concern for the health and wellbeing of any Victorian after their four years.

**Mr R. Smith** — On a point of order, Speaker, given the narrowness of the member for Bayswater's supplementary question I think it is appropriate, and I put it to you, Speaker, that you should invoke section 11(2) of the new sessional orders and ask the minister to provide a written response to the answer. The member for Bayswater's question was narrow in that she asked the Minister for Health to name just one peak body that supported this brutal sport that the Labor Party wishes to bring in. In answering the question — or not answering the question — we did not have even one body offered by the Minister for Health. Again I implore you, Speaker, to invoke sessional order 11(2). It is entirely appropriate in this case.

**Ms Allan** — In response to the point of order, Speaker, I think it is incredibly unfair for the Minister

for Health to have to provide further information in answer to the shadow minister's clumsily worded question. It is very unfair on the Minister for Health. She was faced with great challenges in answering that question because of how clumsily it was worded. The Minister for Health should not be punished because the opposition cannot write an appropriate question.

**Mr Clark** — On the point of order, Speaker, the member for Warrandyte is correct. The minister did not address the question. If the answer is, 'There is no such group', that is the answer she should give, and she should be directed by you to do so in writing.

**The SPEAKER** — Order! I have ruled on the matter. However, I will give myself as Chair the benefit of the doubt and for the benefit of all I will review the answer and come back to the house on the matter on the next day of sitting.

### **Ministers statements: penalty rates**

**Mr NOONAN** (Minister for Corrections) — My ministers statement today addresses an important initiative that the Andrews Labor government is pursuing to protect the wages and working conditions of Victorian workers. Ministers on this side, including the Premier and the Minister for Industrial Relations, have already referenced the Labor government's intent to lodge a submission to the Productivity Commission's inquiry into workplace relations.

It goes without saying that we on this side of the chamber will defend the working conditions of Victorian workers. We will not allow the federal coalition government to revive WorkChoices, a scheme that the Prime Minister — —

**Mr Clark** — On a point of order, Speaker, again we are determining the scope of this new sessional order. This ministers statement is being made by the Minister for Police, who is also the Minister for Corrections. I take it to be implicit in the new sessional order that a minister makes a statement on matters relating to his or her ministerial portfolios. So far the minister has not related his remarks to a portfolio. If the interpretation of these new sessional orders is that a minister is not confined to his or her own ministerial portfolio, it makes these new ministers statements even wider than the Dorothy Dixier questions they were supposed to be replacing.

**Ms Allan** — On the point of order, Speaker, you have already ruled on this matter and made it very clear to the house that the content the minister was endeavouring to provide to the house is within the

scope of new sessional order 7. I suggest you rule the point of order out of order.

**The SPEAKER** — Order! I will make judgements on each and every ministers statement. I ask the minister to outline new material to the house.

**Mr NOONAN** — Speaker, I am very happy to take your guidance because I have done an analysis of what it would mean for custodial officers here in Victoria who might be impacted by changes to the Workplace Relations Act 1996 at a commonwealth level.

Let me talk about custodial officers first. They have a very tough job. They supervise some of the most hardened criminals in this state, and they do it 24 hours a day, 7 days a week. They do not clock off at 5 o'clock. Let me tell the house that these workers do receive penalty rates — a grade 2 custodial officer has an average gross wage of \$1194 per week. If those opposite and their mates in Canberra had their way, this custodial officer would earn \$907 per week, without penalty rates. That would be a loss of \$286 per week, and in fact that would be 24 per cent of their average weekly earnings.

I know that may not mean a lot to those opposite, but it certainly does to the more than 2000 custodial officers across the state, including the 1700 in regional Victoria. We will stand up and defend the rights of all custodial officers and Victorian workers.

**Mr Clark** — On a point of order, Speaker, I renew the point that statements under sessional order 7 need to relate to new government initiatives, projects and achievements. So far the minister has not related his remarks to matters relating to state government administration. My understanding is that custodial officers in Victoria are regulated by an enterprise bargaining agreement rather than by an award, so the minister needs to indicate whether he is intending to alter the state-negotiated enterprise bargaining agreement, otherwise his statement is not in order.

**Ms Allan** — On the point of order, Speaker, you have previously ruled on very similar subject matter raised by the manager of opposition business, and I put it to you that standing up for Victorian workers is indeed a very new initiative: Victoria has not seen it for four years.

**The SPEAKER** — Order! The minister had concluded his answer. The minister was in order.

## Greyhound racing

**Mr HIBBINS** (Pahran) — My question is to the Minister for Racing. Given the complete failure of Greyhound Racing Victoria (GRV) to detect, prevent or stop the outrageous and illegal practice of live baiting, how can the minister have such confidence to give GRV \$3 million to self-regulate ahead of the findings of the review by the racing integrity commissioner?

**Mr PAKULA** (Minister for Racing) — I thank the member for Pahran for his question, and I note that he understandably misconceived almost everything about the question he has asked. Despite the fact that 3000 full-time equivalent workers are employed in the greyhound racing industry and despite the fact that there are some 20 000 volunteers and other people who participate in the greyhound racing industry, I understand that the Greens would like the entire industry to be shut down. I understand that there is very real and understandable revulsion at the revelations that were shown on the *Four Corners* program.

When the member for Pahran suggests that as minister I have shown an outrageous display of confidence in the GRV board, he knows that not to be the case. In fact, the government has announced a review by the chief veterinarian, Charles Milne, and the racing integrity commissioner, Sal Perna, has announced an own-motion inquiry into greyhound racing. Interim reports of both those inquiries will be returned to me and the Minister for Agriculture by 10 March ahead of more fulsome reports that will come later.

The chairman of Greyhound Racing Victoria has resigned, trainers involved in these despicable practices have been suspended, the Tooradin trial track has been suspended and the greyhound industry awards night was cancelled. This government has taken an enormous array of actions to try to get to the bottom of the live baiting scandal that has occurred over the last period of years.

In regard to the Victorian Racing Industry Fund, which is provided from unclaimed dividends and from which there is already an allocation to each code based on the predetermined percentage, the government has determined that the proportion of those funds that would have otherwise gone to greyhound racing for other things — infrastructure, race day attractions and the like — will instead go to integrity, to animal welfare and to inspections, as is entirely appropriate. If it were not spent on that, it would be spent on things far less amenable and far less worthy for the benefit of greyhounds and those who are trying to clean up the sport.

If the member for Prahran thinks that those funds already allocated to greyhound racing ought to be spent otherwise, perhaps he can tell the house what he thinks they should be spent on.

*Honourable members interjecting.*

**The SPEAKER** — Order! Government members will come to order. I warn the Minister for Housing, Disability and Ageing and ask him to allow the member for Prahran to ask a supplementary question.

*Supplementary question*

**Mr HIBBINS** (Prahran) — Given the failure of Greyhound Racing Victoria to protect animal welfare, will the government now adopt the Greens policy of setting up an independent regulatory body for animal welfare?

**Mr PAKULA** (Minister for Racing) — In responding to the supplementary question, may I say in the first instance that I think it is appropriate to acknowledge the former member for Prahran, Mr Newton-Brown, who I do not think was acknowledged by the member for Prahran in his inaugural speech, so I take the opportunity to do that.

In regard to the supplementary question, can I say that it is not this government's practice to adopt Greens policies in this respect or in respect of anything else. In regard to animal welfare, the response will of course be guided by the report provided to me and the Minister for Agriculture by the chief veterinarian, Dr Charles Milne — and I will take the advice of Dr Milne before I take the advice of the member for Prahran, the member for Melbourne or indeed the Greens in the other place.

*Honourable members interjecting.*

**The SPEAKER** — Order! I warn the members for Footscray, South-West Coast and Hastings.

### Ministers statements: penalty rates

**Ms HENNESSY** (Minister for Health) — I rise to update the house on the government's submission to the Productivity Commission's workplace relations framework as it relates to Victorian health workers. Our paramedics work unsociable hours, covering shifts 24 hours day, 7 days week. They work day and night to save lives and support people in their most deserving time of need. The impact on their health and wellbeing and on their families is something they deserve to be fairly compensated for. That is reflected in the payment of penalty rates and shift loadings, measures that the Liberal commonwealth government wants to junk.

We will proudly support and defend our nurses, our paramedics and our frontline health services against the attacks by the Liberal Party on penalty rates and shift loadings — —

**Mr Clark** — On a point of order, Speaker, I renew my raising of the issue of whether a minister's statement needs to relate to his or her portfolio. The only way in which this statement can relate to this minister's portfolio is if this minister is foreshadowing that she is proposing to change enterprise bargaining agreements negotiated with state government workers in order to reduce their penalty rates. Unless that is what she is proposing, her statement is not relevant to her portfolio.

**Ms HENNESSY** — On the point of order, Speaker, I am informing the house of an analysis of what the commonwealth government's plan to junk penalty rates would mean for our health workforce. I am also updating the house in terms of how that data will be reflected in the state government's submission to the Productivity Commission.

**Mr R. Smith** — On the point of order, Speaker, it is plain that the Labor government's pre-election promise and its sessional orders are increasingly becoming a farce. This is the fourth question — —

**The SPEAKER** — Order! The member will take his point of order.

**Mr R. Smith** — My point of order is simply this: the farce the government is making of its own sessional orders is becoming patently obvious when the fourth question is on the same issue. From four different ministers — —

**The SPEAKER** — Order! The member will take his point of order.

**Mr R. Smith** — It is quite simple, Speaker. The point of order is that sessional order 7 is not being adhered to. They are the government's sessional orders and the government is clearly laughing at them.

*Honourable members interjecting.*

**The SPEAKER** — Order! The house will come to order! I do not uphold the point of order.

**Ms HENNESSY** — We will proudly support and defend our nurses, our paramedics and our frontline health service workers against attacks from the Liberal Party, which is unable to help itself. The kind of attack on our health workers would see, for a paramedic, in the order of \$230 a week taken out of their take-home

pay. If you were a nurse and Prime Minister Tony Abbott and the Liberal Party, and evidently the state opposition, get their way, we will see approximately \$280 taken out of an average nurse's take-home wage. Of course it is not the first time that our paramedics and our nurses have been attacked by the Liberal Party. They have not forgotten how they were treated — —

**Mr Clark** — On a point of order, Speaker, the sessional order requires that the minister be advising the house of new government initiatives, projects and achievements. The minister has ceased to do so. I ask you to bring her back in compliance with the sessional order.

**The SPEAKER** — Order! I ask the minister to return to making a statement.

**Ms HENNESSY** — In terms of the matters that will be canvassed in our submission, it will be standing up for the nurses and the paramedics that the Liberal Party has attacked at both a state and federal level. We will ensure that the fair pay and conditions of our medical workforce are protected by a Labor government when they are attacked, always by a Liberal government.

**The SPEAKER** — Order! The minister's time has expired!

### Cage fighting

**Mr GUY** (Leader of the Opposition) — My question is to the Minister for Sport. If Victoria Police, the Crime Victims Support Association, the Australian Medical Association, former Chief Commissioner of Police Ken Lay, the Lord Mayor of Melbourne, and even a former Labor Minister for Police and Emergency Services, Bob Cameron, have all said they want the violent sport of cage fighting banned, why does the minister not do the right thing and stop this violent sport coming to Victoria?

**Mr EREN** (Minister for Sport) — I thank the Leader of the Opposition for his question. The only violent sport that has gone on in this place is the way in which the Leader of the Opposition got to this place. He got to this place by pushing aside the former member for Bulleen, Nick Kotsiras, and further to that — —

*Honourable members interjecting.*

**Mr R. Smith** — On a point of order, Speaker, I think you can anticipate my point of order. The minister is debating the question. He should get back to answering the question that was asked.

**The SPEAKER** — Order! I uphold the point of order. The minister will come back to answering the question.

**Mr EREN** — I can say that all these highly disciplined sportspeople who practise mixed martial arts are highly offended — —

*Honourable members interjecting.*

**The SPEAKER** — Order! The Leader of the Opposition asked a question, and he should allow the minister to answer that question.

**Mr EREN** — I express the hope that the Leader of the Opposition cleans his ears out this time. The sport of mixed martial arts has been around for a long time, and I advise the house through you, Speaker — —

**Mr Clark** — On a point of order, Speaker, the minister is not being relevant to the question. The question did not relate generally to mixed martial arts. It related to cage fighting.

**Ms Thomson** — On the point of order, Speaker, the minister has been unable to get more than a few words out — not even a complete sentence — because of the interjections that have been coming from those opposite. The minister is entitled to put the question into context. I believe, from the little I could hear, that is what he was endeavouring to do.

**Mr EREN** — On the point of order, Speaker, the member for Box Hill is confused. Cage fighting is not a sport. What is a sport is mixed martial arts. Mixed martial arts is a sport, and it is legal. Just for the record — —

**The SPEAKER** — Order! What is the minister's point of order?

**Mr EREN** — My point of order is that the member is confused about which sport he is talking about. There is no such thing as 'combat sport'. That sport is cage fighting; it is mixed martial arts.

**The SPEAKER** — Order! The minister will resume his seat. I have heard sufficient on the point of order. There is no point of order. The minister will continue answering the question.

**Mr EREN** — This highly disciplined sport has been around for a long time. It was around at the time of the former government, yet it did not make any changes to make that sport safe. What we have is a situation where the now opposition in the lead-up to the last election made a very strong case, according to its members, in

relation to mixed martial arts. It did not work, because do you know what? People did not believe the coalition when it was in government, and they do not believe it now.

Mixed martial arts is a legal sport, and people who participate in that sport are entitled to do in safety. Further to that, there are certain promoters at the moment who are moving their events to Albury Wodonga because New South Wales has a current policy of allowing that sport to be fought in safety. Mixed martial arts — —

*Honourable members interjecting.*

**The SPEAKER** — Order! Opposition members will come to order.

**Mr EREN** — We made a commitment leading up to the election that we would make that sport safer, and that is what we are doing. It is a policy position we have, and the opposition knows very well that the only blood sport that has happened here is how the Leader of the Opposition got to this place. He moved from the upper house to the lower house — —

**The SPEAKER** — Order! The minister will desist.

**Mr EREN** — Nick Kotsiras, the former member for Bulleen, was first, Mary Wooldridge, a member for Eastern Metropolitan Region, was second and then the leader — —

*Honourable members interjecting.*

**The SPEAKER** — Order! The Minister for Sport will resume his seat. I warn the minister. Opposition members will come to order, and so will government members. I would have thought that of all debates, this is the one in which we should have had some semblance of calm, control and composure.

**Mr Walsh** — On a point of order, Speaker, I raise the issues of relevance and debating the question. I ask you to bring the minister back to answering the question. The only thug in this place is him.

**The SPEAKER** — Order! The Leader of The Nationals was doing well until he used that last word. I ask him to withdraw.

**Mr Walsh** — I withdraw.

**The SPEAKER** — Order! I call on the minister to come back to answering the question.

**Mr EREN** — We made a promise leading up to the election, which was the right thing to do, because the

Professional Boxing and Combat Sports Board, which the minister takes advice from, suggested that we make the sport safer. That is exactly what we did, and we will honour that commitment to make that sport as safe as possible.

*Supplementary question*

**Mr GUY** (Leader of the Opposition) — Can the minister confirm that he announced Labor's pro cage fighting policy just days after he returned from an all-expenses paid trip to Queensland courtesy of cage fighting operator Ultimate Fighting Championship?

**Ms Allan** — On a point of order, Speaker, I am sure the minister will be happy to answer the question. However, my point of order goes to seeking your guidance on the marked difference between the original question, which involved a range of commentary and quotes, and the supplementary question, which introduces substantially different and new material. I ask you to provide some guidance to the opposition in its drafting of supplementary questions to ensure that they comply with the new sessional orders.

**Mr Guy** — On the point of order, Speaker, I noted that the member for Footscray in one of your determinations referred to how supplementary questions are asked in the upper house. Supplementary questions in the upper house are obviously based on the minister's answer and the substantive question. I noted that in the minister's answer he talked about the opposition leading up to the election in the formation of its policy, thus the supplementary question goes entirely to what the minister said in his substantive answer.

**Mr Pakula** — On the point of order, Speaker, in response to the Leader of the Opposition's point — —

*Honourable members interjecting.*

**Mr Pakula** — The Leader of the Opposition clearly misheard the minister's answer. When he referred to 'the opposition', he was referring to the current opposition's policy and the fact that the position it took to the election was rejected. That was the point he made.

**Mr Clark** — On the point of order, Speaker, the closing remarks of the minister were that the policy was adopted following representations made to him by, as he put it, the mixed martial arts sector. So the Leader of the Opposition's supplementary question flows on directly from the closing remarks of the minister.

**The SPEAKER** — Order! I have heard sufficient on the point of order. The question is in order. The minister will respond.

**Mr EREN** (Minister for Sport) — This question is coming from somebody who should tell us what happened with Ventnor and the Ombudsman!

**The SPEAKER** — Order! I warn the Minister for Sport. The minister will resume his seat immediately in silence. The Leader of the House will resume her seat. It is Thursday, and I have had every opportunity to ask many members to withdraw themselves from this chamber given that I have been on my feet. However, I ask members to regain some composure, and I ask members for silence. However, I warn the Minister for Sport. When I ask the minister to resume his seat, he shall do so immediately. It will not happen again.

**Mr R. Smith** — On a point of order, Speaker, the barely contained rage and aggression from the Minister for Sport — —

**The SPEAKER** — Order! The member for Warrandyte will resume his seat. I also warn the member for Warrandyte; it will not happen again.

**Mr EREN** — I go back to my original point. The professional combat sports board advised me while I was doing the stakeholder consultation in relation to that sport being safer.

*Honourable members interjecting.*

**Mr EREN** — I would further say that some 75 per cent of the Liberal Party conference floor overturned the cage ban, and he knows that. I go back to my point, and I totally reject the premise of that question and the insinuations that have been made by the Leader of the Opposition.

**Mr Clark** — On a point of order, Speaker, I raise with you sessional order 11(2) in relation to whether or not an answer is responsive to a question. The question related to an all-expenses-paid trip to Queensland. I submit to you that the minister has not been responsive to that question, and I submit that you should ask him to provide a written answer.

**Ms Allan** — On the point of order, Speaker, perhaps the member opposite could not hear the minister's answer because of the carry-on from those opposite, but the minister did totally reject the claim that was put by the Leader of the Opposition and therefore has answered the question.

**The SPEAKER** — Order! There is no point of order.

**Mr Guy** interjected.

**The SPEAKER** — Order! I will not allow members to reflect on my rulings. The Minister for Sport did reject the premise of the question. I have ruled on the point of order.

### Ministers statements: penalty rates

**Ms ALLAN** (Minister for Public Transport) — I am pleased to add some additional information about how the Andrews Labor government's submission to the Productivity Commission inquiry into workplace relations will be all about standing up for Victorian workers. This is a very important thing that this state needs because for four years we have not seen this sort of initiative.

In addition to the information that has been provided by my colleagues earlier, I can advise a house that it is not just police officers, nurses and paramedics who will be affected by any changes in this area but also train and tram drivers as well. I am advised that around 25 per cent of the pay of these workers is related to shift penalties and penalty rates. The people we have been discussing today are people who serve our community each and every day.

**Mr Clark** — On a point of order, Speaker, I renew the points of order I previously made about ministers statements needing to be relevant to their own portfolio, and I renew the point that so far the Minister for Public Transport has given no indication as to whether or not she intends to apply the matters she refers to enterprise bargaining agreements, which apply to workers in her portfolio. She is therefore not relating her remarks to her portfolio and therefore I submit that she is not complying with sessional order 7.

**Ms ALLAN** — On the point of order, Speaker, I am the Minister for Public Transport. I would have thought train and tram drivers would be something that was very relevant to my portfolio, and indeed, as the Minister for Employment, matters relating to jobs and workers and workers conditions are also entirely relevant to my portfolio. I suggest that the shadow Minister for Industrial Relations stop his tiresome efforts and let us finish question time.

**The SPEAKER** — Order! I do not uphold the point of order raised by the manager of opposition business.

**Ms ALLAN** — As I was saying, these are people who serve our community each and every day, and I am

proud to be part of a Labor government that is going to stand up and defend Victorian workers' wages and conditions. This is a vital initiative. This is a vital action from the Victorian government. Alongside these steps, we are going to create jobs. We will create jobs through our transport infrastructure program, through level crossing removals and through the Melbourne Metro project, and this is in stark contrast to the last four years when the only time the government of the day mentioned workers in this place was to bag them and criticise them for being members of a union. This government will support them. We want this support to be universal.

However, we do not know if we will be able to achieve this. I will read this quote:

If the government were really serious about getting businesses going and getting people back to work, it would look at penalty rates and at reducing red tape.

This call from the member for Caulfield to strip penalty rates in this state is rejected by this government. We will stand up for Victorian workers.

## CONSTITUENCY QUESTIONS

### Box Hill electorate

**Mr CLARK** (Box Hill) — (Question 83) My question is to the Minister for Education. I refer the minister to Koonung Secondary College, to which the coalition government allocated \$8.8 million for a much-needed upgrade after Labor failed to fund an upgrade for the school when last in office, and I ask: will the government proceed with this vital upgrade for Koonung Secondary College?

### Pascoe Vale electorate

**Ms BLANDTHORN** (Pascoe Vale) — (Question 84) My question is to the Minister for Public Transport. Labor identified the railway crossing at Glenroy Road, Glenroy, as one of the 50 worst level crossings in Victoria. Indeed the RACV identified it as one of Victoria's most dangerous and advocated for its urgent removal. This is not news to the local community, who have long worn its cost to local productivity and suffered the dangerous implications of its setting.

This crossing cuts across Glenroy Road just before Pascoe Vale Road. The vicinity includes a busy bus interchange and a vibrant shopping precinct. It is a major thoroughfare for anyone travelling from east to west across the northern part of the Pascoe Vale district. Thousands of cars travel this route every day. As the

railway line carries both metropolitan and regional services, the boom gates are often down. Relentless traffic jams ensue sometimes all the way down Pascoe Vale Road to Oak Park and from Glenroy Road to Hadfield. Traffic jams can go the length of suburbs. The frustration this causes leads people to take silly risks. Twenty one reported safety incidents have occurred at this crossing. Labor committed to the removal of this crossing, and I ask the minister to provide an update for the community regarding this project.

### South-West Coast electorate

**Dr NAPHTHINE** (South-West Coast) — (Question 85) My constituency question is for the Minister for Health. I note that the coalition budget for the financial year 2014–15 provided record funding of \$14.9 billion for Victorian hospitals and health services. This meant that public aged-care services and hospitals across my electorate of South-West Coast received record levels of funding to meet the increasing health needs of our ageing and growing population. However, this funding did not include any provision for the additional penalty rate costs associated with the Labor government's decision to declare Easter Sunday a public holiday. I ask: given the government's commitment to penalty rates, will the government guarantee to provide the full amount of the additional funding required by public hospitals and aged-care services in my electorate to meet the additional costs of higher penalty rates as a direct result of the government's decision to declare Easter Sunday a public holiday?

### Eltham electorate

**Ms WARD** (Eltham) — (Question 86) My constituency question is to the Minister for Training and Skills. Can the minister provide information on how the government's \$4 million investment, fast-tracked from the \$320 million TAFE Rescue Fund, will benefit the Melbourne Polytechnic community in my electorate of Eltham? The Greensborough campus of Melbourne Polytechnic, which was formerly the Northern Melbourne Institute of TAFE, in my electorate of Eltham was shamefully closed under the Naphtine Liberal government. As a result of the former government's cuts, the number of government-funded students at Melbourne Polytechnic declined by 27 per cent between 2011 and 2014. These cuts hurt not only students but also their families, their parents, their communities, women returning to work and local businesses. I welcome the quick action by the Minister for Training and Skills in fast-tracking \$4 million for Melbourne Polytechnic from the \$320 million TAFE

Rescue Fund and ask the minister to outline the benefits this will provide Melbourne Polytechnic, its students and the local community.

### **Evelyn electorate**

**Mrs FYFFE** (Evelyn) — (Question 87) My constituency question is to the Minister for Mental Health. I refer to the fact that during the time of the Napthine coalition government 54 synthetic drugs were banned under the Drugs, Poisons and Controlled Substances Act 1981. However, every day new synthetic forms of drugs such as synthetic marijuana are appearing and being sold through various retail outlets in the Yarra Ranges. I am told that synthetic marijuana is highly addictive and that it is being sold through shops such as sex shops. It is sold as tea, potpourri, incense et cetera and often carries the instruction ‘Not for smoking’. The chemical composition changes frequently, with businesses having backup compositions ready to sell. Not only are these drugs addictive and have an impact on the user’s thought processes and motivation but with long-term use they can damage the organs of the body. Does the government have any plans at all to ensure that all forms of synthetic drugs are banned, given my constituents’ current concerns about the impact of drugs on our society?

### **Macedon electorate**

**Ms THOMAS** (Macedon) — (Question 88) My constituency question is directed to the Minister for Planning. As the minister knows full well, the previous government implemented an arbitrary no-go zone banning wind farms of all shapes and sizes in the Macedon Ranges. This ban paid no heed to science, no heed to evidence, no heed to the job-creating opportunities that renewable energy presents and no heed to the wishes of local communities within my electorate. The Andrews Labor government’s pre-election commitment to lift the ban and enable proposals for community wind farms in the Macedon Ranges to be assessed on their merits was therefore greeted enthusiastically in my electorate, particularly by the passionate and committed members of the Macedon Ranges Sustainability Group. I ask the minister to provide me with advice and a time line for the delivery of this commitment.

### **Shepparton electorate**

**Ms SHEED** (Shepparton) — (Question 89) My constituency question is to the Minister for Public Transport. Shepparton currently has four passenger rail services to and from Melbourne each weekday, while

Bendigo has 18 services to Melbourne and 21 back to Bendigo. A survey released last year found residents are, and I quote, ‘extremely dissatisfied with the city’s passenger rail services to and from Melbourne’. Can the minister advise what steps are being taken to engage the residents of the Shepparton district in the draft regional network development plan consultation process to provide a blueprint for an improvement in passenger rail services in the Shepparton region?

### **Carrum electorate**

**Ms KILKENNY** (Carrum) — (Question 90) My constituency question is to the Minister for Roads and Road Safety. I ask that the minister provide an update on the government’s election commitment to duplicate Thompson Road. Thompson Road runs right through my electorate of Carrum. It is an important arterial connection through the region, and many of my constituents use this road every day to drive to work and school. During the election campaign last year concerns about traffic congestion on this road were raised over and over again by local residents. The bottlenecks along this road are notorious, and travel in both directions is heavily affected during both morning and afternoon peak drive times. Residents, quite rightly, are sick and tired of sitting in bumper-to-bumper traffic — time that could be spent with families or at work. Businesses are also very concerned with traffic delays on Thompson Road, citing safety issues and impacts on productivity. I believe residents and businesses in my electorate would be very keen to participate in and hear about what plans are in place for the proposed duplication of Thompson Road, and I ask the minister if he could provide an update for them.

### **Mildura electorate**

**Mr CRISP** (Mildura) — (Question 91) My constituency question is to the Minister for Health. I refer to a matter raised by Joan Hill, who is a volunteer at the Sunraysia Information & Referral Service, and to the fact that the Victorian patient transport assistance scheme will reimburse the cost of taxi transfers from the airport for medical treatment, and I ask: will the minister extend the reimbursement to chauffeured hire cars to and from Melbourne Airport given that they offer personalised pick-up and delivery, assistance with luggage to the door, assistance with mobility aids and a child’s car seat?

### **Dandenong electorate**

**Ms WILLIAMS** (Dandenong) — (Question 92) My constituency question is for the Minister for Multicultural Affairs. I ask that the minister provide me

with some information about the process that will take place to determine the most appropriate location for the Indian precinct committed to by the Premier prior to last November's election. As I represent the most multicultural electorate in the state, this commitment is of great interest to many in Dandenong. The Indian community is numerically one of the largest ethnic groups in the Greater Dandenong and Casey local government areas. I am sure my neighbouring members would agree that this community is a very important and vibrant part of the multicultural south-east. Traders in Dandenong's Little India are particularly excited about the commitment to an Indian precinct, and they are eager to make the case for the precinct to be located in Dandenong. As such, information from the minister on this matter would be most helpful.

## PARLIAMENTARY COMMITTEES AND INQUIRIES ACTS AMENDMENT BILL 2015

### *Second reading*

#### **Debate resumed.**

**Mr HODGETT** (Croydon) — Before question time I was talking about the wonderful work of parliamentary committees and I was defending the parliamentary committee system against the government's plan to water down and diminish the work of the committees. I was talking about the earlier version of the current Economic Development, Infrastructure and Outer Suburban/Interface Services Committee, which was known as the Outer Suburban/Interface Services and Development Committee, and my time as a member of that committee in the 56th Parliament and the good work done by the other predecessor of the current committee, the Economic Development and Infrastructure Committee, which was chaired by George Seitz, the then member for Keilor.

The Outer Suburban/Interface Services and Development Committee looked at economic development, industrial affairs and infrastructure. We looked at the provision of services to new urban regions and at development for expansion of new urban regions. I very much enjoyed my work with various members of the Parliament in conducting those inquiries. Earlier I said that many members of this place and the other place would value their contribution to the work that the committees do.

I refer to the Law Reform, Drugs and Crime Prevention Committee. I know the member for Narre Warren North, who is the Minister for Roads and Road Safety, would be particularly interested in the work of this

committee, which undertook a number of important inquiries. It looked at legal constitutional parliamentary reform; the administration of justice; law reform; the use of drugs, including the manufacture, supply and distribution of drugs; and the level and causes of crime or violent behaviour. Members need only look at some of the work the committee did to agree that the work that parliamentary committees do is valuable.

As an example of the terrific work that the Law Reform, Drugs and Crime Prevention Committee did, I refer to one of its references. The committee was requested to conduct an inquiry into the supply and use of methamphetamines, particularly ice, in Victoria. I would have thought the work of that committee would be protected when one considers the important work it did around methamphetamines. I will put on the record the importance of some of the work the committees do.

I will touch on the work done in response to that particular reference given to the Law Reform, Drugs and Crime Prevention Committee. It looked at examining the channels of supply of methamphetamines; it examined supply, distribution and links to organised crime organisations; it examined the nature, prevalence and culture of methamphetamine use in Victoria, particularly among young people, Indigenous people and those who live in rural areas; it examined the links between methamphetamines and crime, in particular crimes against the person; it looked at the short-term and long-term consequences of use; it reviewed the adequacy of past and existing state and federal strategies for dealing with methamphetamine use; and it considered best practice strategies to address methamphetamine use and associated crime, including regulatory, law enforcement, education and treatment responses, particularly in relation to those groups I mentioned above.

Despite this important work, the government wants to diminish the work of committees by watering it down and having fewer references, which means having fewer members and fewer resources. I would have thought members of both houses would have relished the opportunity to serve on such important committees, to look at those important references and to do valuable work and bring it back to the Parliament.

Without doubt the Road Safety Committee is one of the Parliament's most important joint investigatory committees, having undertaken some terrific work over many years. Its functions are to inquire into, consider and report to Parliament on any proposal, matter or thing concerned with road trauma or safety on roads and related matters. There probably would not be a person in this place who has not been touched in some

way or form by road trauma or the issue of safety on our roads and related matters. As I said, this is without doubt one of the most important committees, and it has done fantastic work over the years as it has looked at a number of issues. I have never served on it, but I have spoken to members who have served on it, and they have spoken very highly of the work it has undertaken and its value.

During its time as a stand-alone committee members of the Road Safety Committee conducted inquiries into serious injury; motorcycle safety, which is a big issue in Victoria and particularly out my way in the shire of Yarra Ranges, which includes the Yarra Valley, where the numbers of motorcycle accidents and safety issues are enormous; federal and state road funding; and safety at level crossings, to name a few. You would have to ask: why would the government want to diminish the work of such an important committee? I know the government will argue that amalgamating committees allows them still to do the work, but as I said before, having fewer committees means fewer references, fewer members and fewer resources, and the outcome is going to be that less work will be done by these important committees.

Have a look at the Rural and Regional Committee. This committee has been examining the provisioning of services to regional Victoria and the development of regional Victoria. We know the government does not care about rural and regional Victoria; while it is wrong, we know the government wants to shut down this committee and stop the valuable work it has been doing. This committee has conducted inquiries into opportunities for increasing exports of goods and services from regional Victoria; opportunities for people to use telecommuting and e-business to work remotely in rural and regional Victoria — and we know about some of those issues; and the impact of food safety. The list goes on and on. Again, the Rural and Regional Committee has done some fantastic work over the years.

Finally I refer to the Environment and Natural Resources Committee. I mentioned earlier the importance of the reference it has been given to do an inquiry into the Country Fire Authority training college at Fiskville. We facilitated the setting up of that committee, and we helped populate it with members so it could get on with that important reference. Again I ask: why would the government now want to merge that committee — by collapsing two committees into one — and therefore reduce the number of references that members of two stand-alone committees could take on?

Need I say more? I could go through the important reference that committee has, but I think we all understand the importance of that inquiry into the CFA training college in Fiskville. We will support that, but again I argue that the government should not be collapsing those six committees into three and watering down and diminishing their work.

In conclusion, I note that we oppose this bill. We oppose the government's direct, deliberate and planned attempt to restrict, limit and shut down the important work of the parliamentary committee system. We will do everything we can to protect the committee system, and we will argue for the continued scrutiny of the activities and operations of government. We on this side of the house oppose this bill.

**Mr BROOKS** (Bundoora) — It is a pleasure to be able to join the debate on the Parliamentary Committees and Inquiries Acts Amendment Bill 2015. This is an important bill because it deals with the operation of parliamentary committees — I will come to that part of the bill in the moment — but it also has a very important part 3, which deals with the Inquiries Act 2014, an act brought in under the previous government. I would have thought the opposition would have identified this part of the bill as being very worthy of its support. In fact I am quite concerned that the opposition may not have done its homework of addressing this part of the bill.

Despite the concerns of the opposition about the operation of parliamentary committees and their structure, which we can have a debate about, to simply oppose this bill in its entirety, when it contains important changes to the way in which the Inquiries Act will operate, is quite short-sighted. I hazard a guess that opposition members have not spent enough time considering all the aspects of this bill.

The lead speaker for the opposition, the Deputy Leader of the Parliamentary Liberal Party in this place, the member for Croydon, in his contribution a few moments ago mentioned that he understood that the Greens might be moving a reasoned amendment. We will wait and see if that eventuates. Again, that would be a great concern, because the part of this bill that deals with the Inquiries Act is quite important. There are some minor aspects, which I will go through, but there is a very important component of the bill which deals with the ongoing operation of royal commissions, including the McClellan Royal Commission into Institutional Responses to Child Sexual Abuse.

I would not think that the Liberal Party, The Nationals or the Greens would want to oppose a bill — or have a

bill taken out of this place by a reasoned amendment — and put in jeopardy the ongoing viability of that very important royal commission. We will see if their position changes or not — whether or not it has been a mistake and whether or not they come to their senses and are able to adjust the way in which they are going to approach this bill. I would in fact ask them to do that. I would ask them to come back with their position on part 3 of this bill, which is an important part of this bill. If the relevant shadow minister has made an error and not picked up this part of the bill, then they should come back to have discussions and see whether we can get this part of the bill through the house.

Part 3 of the bill deals with the Inquiries Act 2014. There are some reasonably minor aspects to these changes. The first few clauses deal with clarifying the definitions of ‘judicial officer’, ‘member’ and ‘non-judicial member of VCAT’ and clarifying the circumstances in which witnesses who are attending a formal review under the act are entitled to be paid expenses and allowances. The most important aspect of this bill, in my view, relates to the provisions in clause 16, which allow for the continuing operation of royal commissions. The example I cite is the McClellan Royal Commission into Institutional Responses to Child Sexual Abuse. I would have thought the Liberal and National parties would want to reconsider their position of total opposition to this bill, given the important nature of that clause. I call on them to separate themselves from the Greens, if the Greens do move a reasoned amendment, and to have another look at this important part of the bill.

The bill also looks at parliamentary committees, which are an important part of the way in which this Parliament operates. They are one of the most productive and useful ways in which members participate as members of Parliament, often cooperating across party lines to look at different sorts of policy issues and challenges, working together to come up with solutions and policy responses to put to the government. Parliamentary committees are an important aspect of parliamentary life and work. I do not think members of the general public see enough of that work, but it is great work for members of Parliament to participate in. It is very rewarding and a great learning experience as well.

The bill sees the Economic Development, Infrastructure and Outer Suburban/Interface Services Committee merge with the Education and Training Committee to become the Economic, Education, Jobs and Skills Committee; it sees the Environment and Natural Resources Committee merge with the Rural and Regional Committee to become the Environment,

Natural Resources and Regional Development Committee; and it sees the Law Reform, Drugs and Crime Prevention Committee merge with the Road Safety Committee to become the Law Reform, Road and Community Safety Committee.

It is important to reinforce that the functions of the previous committees under the previous act will be transferred to the new committees, so there is no loss of function with any of these changes. All the functions of the previous committees, all the areas they could inquire into and all their roles are carried forward to the new committees. The bill effectively presents no change in the ability of committees to carry out their work. Some opposition members suggested this will mean that less work will be done and that we are shutting down committees, but anyone who reads the bill will know that is nonsense. There will always be a level of work done, and the number of committees in this place will always change. It is worth noting that before 2003 there were 8 joint investigatory committees. That number went up to 12, and this proposal sees it coming back down to 9. It is still a good number of committees across a broad range of policy areas that are important to the Parliament.

It is also important to note that it is not just this side of the house that makes changes to the way in which parliamentary committees operate. In March 2011 this house considered the changes of the then government, now opposition, to membership and quorum requirements for parliamentary committees. At that time the then minister in his second-reading speech indicated that, because of the changes to the number and workload of upper house members, changes to committee quorums were required and also that membership requirements should be changed. There is history in this area of changing the function of committees to better suit each individual Parliament. With 8 committees prior to 2003 and the number going up to 12 and now back to 9, there is a good number of committees across a range of portfolio areas that will do a great job in providing advice to government and to the Parliament.

Another aspect flowing from this bill that is worth discussing in this debate is what government does with the recommendations of parliamentary committees. The Deputy Leader of the Liberal Party in his contribution went through some of the inquiries the Education and Training Committee has undertaken. I was lucky enough to be the deputy chair of that committee for a short time at the end of the last Parliament. Over the life of the Parliament it inquired into a range of areas, including approaches to homework, music education, agricultural education and training and also the

education of gifted and talented students, which are all great policy areas for government, and particularly for that parliamentary committee, to have a look at.

That committee had pretty much all of its recommendations ignored. The government responded to them, but if members read through the government responses to those inquiries, they will see lots of, 'We'll do this subject to resources being available'. By the time we got to the end of the last Parliament, virtually none of those recommendations had been acted upon in a meaningful way. It is all well and good to talk about the usefulness of parliamentary committees and about wanting more or fewer committees, but one of the key things is that a government must be committed to giving parliamentary committees good references to look at serious policy issues and then have an approach of dealing with those recommendations once they have been presented to the government. It is not just about keeping parliamentary committees busy but about giving them work that will be recognised and supported once it is completed, and that is the way this government will approach this issue.

In conclusion, I commend the bill to the house, and I commend the changes to the Parliamentary Committees Act 2003. It may be that the opposition has concerns with the way in which parliamentary committees will work, but, most importantly, I ask the opposition, with or without the Greens, to have a serious look at the Inquiries Act aspects of the bill and have a discussion with the government — and it may be aside from the debate in this chamber — around the important aspects of being able to maintain the operation of royal commissions.

**Mr MORRIS** (Mornington) — I am interested that government members are now proposing how we should respond to their bill. If they want to address a particular aspect of the Parliamentary Committees and Inquiries Acts Amendment Bill 2015, perhaps they will take it into a consideration-in-detail stage rather than trying to push it through. Despite the urging of the previous government speaker, I have no intention of devoting my speech on this bill to their subject matter. I propose to focus on the impact on parliamentary committees.

Committees have a long, important and honourable role in this place, and many members have spoken about it at length at other times. I served for four years as the deputy chair of the Drugs and Crime Prevention Committee and two years as a member and a further two years as the deputy chair of the Public Accounts and Estimates Committee. For eight out of the eight

years I have been in Parliament I have been heavily involved with committees.

I was interested to note that this bill was introduced by the Deputy Premier, because normally these sorts of matters are the purview of the Leader of the House. I also note that despite the method of the introduction the Leader of the House seems to have carriage of this bill outside this place. I am not surprised that she sought to remove herself from carriage of the bill within this place, given her attitude to previous reforms. This is Labor hypocrisy at its absolute best.

Many members will be aware that in 2013 we had a similar debate in the 57th Parliament. I was interested to contrast the attitudes of some members of the chamber then who are also members of the chamber now. There was an extensive debate at the time. The member for Bendigo East, the member for Melton, the member for Cranbourne, the then member for Macedon, who is now retired, and the member for Narre Warren South all had a crack. Five members from the other side spoke in that debate — four of them are still members of the house, and two of them are now senior office-bearers of the house — and all of them were totally opposed to those earlier reforms. There was much confected outrage about the changes that were proposed. There was much confected outrage even when debate on the bill was going to be adjourned, and that outrage was even reflected by the now Deputy Premier, when he came into the chamber to protest that decision.

What crime was the government of the day committing? Were we abolishing the committee system? No, we were not. Were we cutting the budget of parliamentary committees by 90 per cent? No, we were not. Were we proposing custodial sentences for members of committees who get out of hand? No, we were not. None of the above. In fact what we were doing was combining four committees into two. That bill sought to make some sensible adjustments. This bill seeks to take six committees — already expanded committees — and turn them into three.

There is absolutely no logical synergy in the proposals before the house. In 2013 the proposal was entirely different — it was to combine committees that worked together. The Drugs and Crime Prevention Committee was combined with the Law Reform Committee. The Economic Development and Infrastructure Committee was combined with the Outer Suburban/Interface Services and Development Committee. They were sensible measures. As a former deputy chair of the Drugs and Crime Prevention Committee I obviously have a good working knowledge of the activities of that

committee. We often dealt with issues that demanded legislative change, but we could only make the most general recommendations with regard to amendments. We did not have that legal expertise, and certainly legal expertise would have been helpful.

There were similar synergies with the Outer Suburban/Interface Services and Development Committee and the Economic Development and Infrastructure Committee. To give an example with regard to the former, in the 2013 debate the member for Bendigo East referred to a report that that committee had produced into people trafficking for the purposes of sex work. I was part of that investigation. It was a pretty torrid investigation, and I can say clearly to the house that the addition of the Law Reform Committee function would have been of great assistance. The member for Bendigo East said at the time that that was a reason why those reforms should not be pursued. In fact it is a great example of why those reforms should be pursued. She got it wrong then, and she has it absolutely wrong now.

As I said, there are great synergies between the Outer Suburban/Interface Services and Development Committee and the Economic Development and Infrastructure Committee. As a member of an interface electorate I can see those obvious synergies. Perhaps the member for Bendigo East, as a provincial member, could not see those synergies. I certainly could. Those combinations have been an outstanding success.

Let us contrast those 2013 amendments, which were so vigorously opposed by Labor, with proposals in this bill. In 2013 four committees were consolidated into two, capitalising on the synergies of their activities. By contrast, under this bill the Economic Development, Infrastructure and Outer Suburban Interface Services Committee is abolished. The Education and Training Committee is abolished. The Environment and Natural Resources Committee is abolished. The Law Reform, Drugs and Crime Prevention Committee is abolished. The Road Safety Committee is abolished. The Rural and Regional Committee is abolished. This bill takes the sensible reforms of 2013 and expands them beyond recognition in a grossly irresponsible way. It takes those larger committees — the committees that were created in 2013 — and makes them absolutely huge, to the point where they will become effectively unworkable. They are tripled in size by this proposal.

If Labor had problems with the committee changes that were made in 2013, how can it possibly put this proposition forward? The net effect of this bill is that the eight committees that existed before 2013 will now be reduced to three. What did the member for Bendigo

East have to say about the last changes? She had a lot to say, but I will give just two small quotes. She said:

It is very clear that the government is quite content to reduce the scrutiny that will be afforded through the work of parliamentary committees in important policy areas.

I will paraphrase the following, almost quoting it. She also said that it will require the two new committees to do the same amount of work as that done by four committees and will load up the committees with extremely broad terms of reference. The resources will be spread incredibly — —

**Mr McGuire** interjected.

**Mr MORRIS** — I am starting halfway through the sentence. The quotes are there; they are available to *Hansard*. *Hansard* will sort out how it wants to do it. The fact is that the member for Bendigo East was wrong then, but if she were to repeat those charges in the Legislative Assembly today, I would say that she would be absolutely correct.

The second recurring theme of that debate which rears its head again is the suggestion, which was constantly made by Labor members, that coalition members were less committed to the committee system and indeed less committed to work than their Labor compatriots. ‘Lazy’ was the term that was used. The accusation was that fewer committees meant a lower number of members would be engaged. That accusation was effectively and rightly rejected at the time because a number of new committees had also been established, so there was no trimming. This time, however, there are no additional committees being introduced. It is simply a huge cut.

This government has a larger majority than its predecessor. There are more members to go around, but is Labor prepared to pull its weight? No, it is not. The opportunity here is to change section 21 of the Parliamentary Committees Act 2003, which determines the number of members on each committee, but the government will not do that. If it did, it might make these changes more defensible; there would still be a reasonable number of members involved.

In the last Parliament 18 government members were required to service these committees at a minimum. Under this proposal only nine government members will be required to service these committees and cover the same ground. That is nine members who could have been doing something useful and nine members who could have been earning their money. Are Labor members prepared to do it? No, they are not. Coalition members did it. We did it for the term. We did the hard yards. I contrast that with the government of today —

not this time, not Labor. Some members clearly are in it for what they can get out of it and others for what they can put in. I suspect the former is the case for the members who congregate around the Treasury benches.

I say in conclusion that, yes, the committee system needs to be adjusted to the needs of each Parliament; it is not set in concrete. Consolidation is okay if it is done in conjunction with other measures. If we had additional committees and additional members, improved independence from the executive or any of the other many alternatives that would be available with a reorganisation of this nature, then these changes might be reasonable. However, in this case Labor is simply proposing to abolish six committees in the absence of other measures. It is a step too far, and as the member for Croydon said, the coalition cannot support it.

**Ms THOMSON** (Footscray) — I rise to support the Parliamentary Committees and Inquiries Acts Amendment Bill 2015. In so doing I might refer, firstly, to the amendments to the Inquiries Act 2014, as contained in clause 16, and make it clear why this is an important component of the bill. The member for Bundoora also spoke about these matters in his contribution.

The bill clarifies that the Governor in Council may amend the letters patent of a royal commission, such as the McClellan Royal Commission into Institutional Responses to Child Sexual Abuse. This amendment is important because the federal government has extended the term of the royal commission's inquiry, and unless we sign the letters patent it will not be able to act within Victoria. This is a nice, simple measure that will enable the royal commission to continue its role within Victoria. This is an important clause. The impact that it may potentially have cannot be underestimated. It is one that needs to be reflected upon when members register their vote, and it should also be reflected on when considering any reasoned amendment that may be proposed by the Greens party. Those are the things that I wanted to raise around the practicalities of this bill.

I now wish to talk about the committee structure. Like other members of this house, I have served on committees. As a former minister I have had to attend and present at hearings of the Public Accounts and Estimates Committee. I have not served on it, but I have been a member of the former Economic Development and Infrastructure Committee of the Parliament. I know the worthwhile work that committees can do and I recognise the importance of joint committees in being able to come to decisions

based not on party lines but on the evidence that is presented to them. I understand the work and effort that is put in by people who make submissions to ensure that committees can make their recommendations based on as much information as they can possibly get their hands on. They are really worthwhile.

The other thing that committees can do, which is not so readily easy for governments to do, is to look beyond the day-to-day, year-to-year or parliamentary term issues and actually look at initiatives that may be applied for a longer term agenda. That is an amazing role that committees can play that goes well beyond the next election. If you have a look at the way in which these new committees are structured, you may consider that the change should be seen as a potential opportunity for that rather than a limitation.

As I go through the newly structured committees, I will refer, firstly, to the one I probably know best, that is, the Economic, Education, Jobs and Skills Committee, which replaces the Economic Development, Infrastructure and Outer Suburban/Committee and the Education and Training Committee. We are now learning of the importance of early childhood development in creating people with active minds — people who may become our entrepreneurs of the future. We know the importance of infrastructure for driving economic growth. We know the important role that education plays in creating young people who will take on skills and jobs, which have to be the jobs of the future, not just the jobs of now.

We know all those things, but this new committee enables the consideration of references that encompass all of that, which we would not have been able to do until now. Parts of the reference would have gone to the economic committee and parts would have gone to the education committee. The inquiries would have been disjointed, whereas now all the matters can be brought together and considered for a longer term view about how communities can be taken into what should be an exciting new future for Victoria. Up until now and certainly under the previous government it has not been a case of looking to what the future may look like for Victoria and where we may need to place ourselves to be ready for it; it has been a case of just sitting back and sort of letting it happen. Letting it happen is not good enough. We cannot just let things happen any longer. The work of these committees can result in committing future governments to undertaking activities that otherwise they may not even have thought of.

This is a perfect example of where everything that has been put into a committee may make for amazing results and recommendations. People who may present

to those committees would never have thought to go to, say, an education committee. They may be involved in businesses that deal in a very small sphere of business activity, but because the committee's work involves economic development and infrastructure suddenly it takes on a new meaning for them and they can see the value of skills training, education and infrastructure, all driving our economic growth, and looking to the future. There is no doubt that we are now in an industry-transition period. We have to be ready for what our new industries will look like in the future. We have to have our young people ready. By that I mean we have to have children who are born today ready to be able to fill those jobs of the future, and we need to be planning for that right now. These committees can be an important part of helping us plan for that future.

I refer the house to the new Environment, Natural Resources and Regional Development Committee, which will replace the Environment and Natural Resources Committee and the Rural and Regional Committee. I have heard it said that there is no link, but I have not heard any debate in this house that has not included the importance of the environment and issues to do with climate change, which we will have to confront in the future, to regional and rural communities. We also talked about the importance of channelling the irrigation areas and the food bowl work that was done by the previous Labor government.

All these things are so important to regional and rural areas. So why should the work on the environment and regional and rural issues work not be complementary? I think they are a natural fit. I cannot think of an area of Victoria that is not affected by the changes that will occur in our climate. It is important that we start factoring that in as we consider the way that our rural and regional communities will develop. As I said, it is a natural fit. I believe regional and rural communities would welcome a committee structure that allowed for a longer term view of the impact that environmental circumstances will have on them and hopefully develop the policies that will bring positive opportunities to those communities. It is a natural fit, particularly as this government is very keen on pursuing the food sector as an important part of Victoria's long-term future in relation to jobs and economic development. I think that is a very good fit.

I go to the Law Reform, Road and Community Safety Committee, which will replace the Law Reform, Drugs and Crime Prevention Committee and the Road Safety Committee. Again I say that we are putting all those at-risk behaviours together into one committee, along with law reform, which brings the legal overlay that the previous speaker, the member for Mornington, spoke

of. Those will all be brought together into the one committee so there will be the at-risk behaviours and the legal capacity to try to come to terms with them in an innovative way.

These are structured committees that, if given really creative references, and I believe the government will give creative references to them, will be enabled to do work that is quite challenging — I hope very challenging. I hope they will enable thinking outside of the box so that people can embrace new ideas, new ways of thinking and new ways of problem-solving, because as a state we have a lot of challenges ahead. These challenges are not in neat little boxes or little policy silos; they cut right across them. These committees will enable that work to be done, and I think this arrangement will give committee members an opportunity to develop new ways of seeing issues.

I commend the bill to the house. I look forward to its passing and to the work these committees may undertake in this, the 58th Parliament.

**Mr T. BULL** (Gippsland East) — I am pleased to rise to make a contribution to the debate on the Parliamentary Committees and Inquiries Acts Amendment Bill 2015. As we have heard, the purpose of the bill is to amend the Parliamentary Committees Act 2003 to amalgamate certain committees. I do not believe this is a good move. We have heard from the previous two government speakers about the importance of the inquiries provisions of the bill being passed. I point out that the opposition would be more than happy to agree to the bill if the government were prepared to split the bill and leave the committees structure alone, for the many reasons that speakers on this side have pointed out. That is certainly something we would be happy to accommodate.

I would like to expand on this by making some commentary on why the provisions relating to the committees structure are flawed. It was interesting to note that in her contribution the member for Footscray spoke about a number of the many issues that relate to rural and regional Victoria — not only issues at the current time but challenges that will be experienced in the future. Therefore it makes no sense to disband the Rural and Regional Committee. I would have thought that this would be the perfect argument to put forth as to why that committee should be retained.

I will focus my contribution on the impacts of the bill on rural and regional Victoria. The bill merges six existing joint investigatory committees into three. It proposes to merge the Economic Development, Infrastructure and Outer Suburban/Interface Services

Committee and the Education and Training Committee; the Environment and Natural Resources Committee and the Rural and Regional Committee; and the Law Reform, Drugs and Crime Prevention Committee and the Road Safety Committee. The government states that the new committees will have the same functions as the committees they replace and therefore there will be no loss of coverage of the issues that are covered by committees. That is simply not accurate; it is just not right.

The fact is that there will be fewer inquiries undertaken and therefore fewer inquiries undertaken relating to rural and regional Victoria. Let us look at some of the inquiries these committees that are proposed to be abolished have covered in recent years and the importance of those inquiries to rural and regional Victoria. Let us look at the Education and Training Committee. Its inquiries over recent years have included an inquiry into agricultural education and training. Could there be a more important topic in relation to growing our agricultural industries in rural and regional Victoria than what came out of the recommendations of this inquiry? The committee also undertook an inquiry into skills shortages and an inquiry into improving healthy living, which is not only of huge importance to all Victorians but is a serious issue in relation to many rural and regional Victorian communities. It also undertook a number of inquiries in relation to improving student outcomes; there were a whole range of these inquiries.

I point out to government members that in rural and regional Victoria we well know our school completion rates. When those rates are compared to those for city-based students it can be seen that we have lower school completion rates. We also have a lower rate of students who progress from secondary to tertiary education. A number of the recommendations from all the inquiries about improving student outcomes have related to rural and regional Victoria. They will be ongoing challenges. What is the government's response to that? It is to abolish the Rural and Regional Committee.

The Environment and Natural Resources Committee is a committee I have personally been involved with, having served on it for two and a half years. Among the recent inquiries it undertook was the inquiry into heritage tourism and ecotourism. They are very important industries to rural and regional Victoria. The findings that came out of that inquiry gave rise to a great range of recommendations for how those industries can be grown in this state.

The committee has also responded in relation to issues and challenges that have confronted our rural areas. The floods in Victoria in 2010 obviously had a devastating impact on a lot of regional areas. Following on from that we had inquiries into flood mitigation, levy bank ownership and maintenance and rural drainage. These inquiries needed to be done quickly and to provide sound advice on how to deal with these issues going forward. The committee conducted inquiries into renewable energy projects, pest plants — which is a massive issue in rural Victoria — fisheries and many other rural and regional issues. Labor's response to the incredibly important work this committee has undertaken on behalf of rural communities in recent years is to abolish the committee. It makes no sense.

Then there is the Rural and Regional Committee. We just heard from the member for Footscray about the massive challenges regional and rural Victoria will be facing — in fact she gave a perfectly reasoned argument as to why this committee should be maintained — yet the committee is going. In recent times it has undertaken inquiries into opportunities to increase exports; telecommunications and working remotely in rural Victoria, which is so important for its economy; attracting and retaining young farmers; disadvantage in rural Victoria; and fatalities and injuries on Victorian farms. These are all important and pertinent inquiries. We will not have that committee to look into matters of equal importance that arise in the future.

The Law Reform, Drugs and Crime Prevention Committee will also be merged. The work this committee did in relation to the supply and use of methamphetamines, particularly ice, in Victoria was absolutely crucial. That committee is now going. The Road Safety Committee, which was specifically tasked to look at road safety issues and held inquiries into the country road toll, rural road safety and infrastructure and various other road safety issues, will go.

Reducing the number of committees is clearly an attempt by the government to lessen the scrutiny of government activities and also to reduce this government's commitment to rural Victoria. Members on both sides of the chamber who have served on these committees would be in unanimous agreement that the work they undertook was extremely important. They provided very sound advice to government on a range of contentious issues.

The great state of Victoria has many areas that are growing in population in rural and regional as well as metropolitan areas, and it has many areas with population forecasts in the negative. Growing

populations in some areas and reducing populations in others will bring a range of challenges in themselves in terms of employment, industry, health, education, growth and infrastructure. These issues need to be looked at and dealt with, but instead we have a reduction in the committees that could look at them. This government's solution is to reduce the number of committees that can make sound recommendations.

Reducing the number of committees will also lessen the ability of the government to respond quickly to issues. I mentioned the 2010 floods earlier; the inquiries in relation to the issues arising had to follow shortly after those events. The government says it is looking after country Victoria, but we have to go outside Bendigo, Ballarat and Geelong when we talk about country Victoria. It is all the rural areas that sit outside those areas — —

**Mr Foley** — Let's look at South Gippsland, shall we?

**Mr T. BULL** — The minister at the table mentions South Gippsland, which has been ignored again, with no candidate. It is another rural area that is being ignored, and I have to ask what is going on.

For these reasons we are opposing this bill. We do not think this is good legislation, and that is the reason we strongly oppose it.

**Mr PEARSON** (Essendon) — I am delighted to join the debate today on the Parliamentary Committees and Inquiries Acts Amendment Bill 2015. This is a bill to amend two acts, the Parliamentary Committees Act 2003 and the Inquiries Act 2014. I will start my contribution focusing mainly on the Parliamentary Committees Act before turning to the Inquiries Act.

The bill amends the Parliamentary Committees Act 2003 to reduce the number of joint investigative committees from 12 to 9. I have listened with interest to the contributions of opposition members, and they have been quite pedestrian and workmanlike to date. It has been almost a 20th-century debate in the sense that it has been quite linear. There does not appear to have been great thought or consideration given to the way in which the economy and society are changing, or the fact that we do not have a compartmentalised approach to the economy, life or business anymore. It is much more free-flowing, and you often see a greater level of collaboration between businesses, organisations and industries than you would have seen previously. It is important that the parliamentary committees reflect and embrace those changes. Change is nothing to be scared of. There is no need to be frightened by the fact that we

are moving into a different economy with greater levels of engagement. The opposition should be concentrating on thinking about the opportunities created by these changes and how we can best make use of the committees' time to investigate matters.

The previously existing Economic Development, Infrastructure and Outer Suburban/Interface Services Committee and the Education and Training Committee will now become the Economic, Education, Jobs and Skills Committee. This committee could look at issues such as education in the suburbs or the intersection between higher education and economic development. We are a smart society. We are a smart state. In fact we are the education state, and we should be encouraging the development of a committee to look at that nexus. It is clear that looking at encouraging people to broaden their education and their skills, be that in terms of vocational education and training or further higher education studies, will be a key economic driver for this state. That is a good thing.

The contribution to date from the opposition has been this dead hand of reform; this saying, 'No we need a compartmentalised approach. We have specific and strict terms of reference and you will only stay there. You will not be allowed to go beyond there'. That is just not the way our society or our economy is structured. That is not how it works. You need to have that free-flowing ability to move across and to examine other forms of inquiry. Having that freedom is fundamentally important, and I think will improve the quality of the work of the committee structure.

The Environment and Natural Resources Committee and the Rural and Regional Committee will now become the Environment, Natural Resources and Regional Development Committee. I would have thought that would be supported by The Nationals. I would have thought that if you looked at how the development of, say, the mineral sands industry in Western Victoria can be linked to improvements in the quality of life in regional and rural Victoria, you would have to say that that would be a very good thing. I would have thought the opposition would embrace that; I would have thought they would support it.

Similarly, on the topic of environmental tourism and the impact that can have in terms of strengthening and growing regional and rural communities, I would have thought that would be supported and embraced by The Nationals. I would have thought they would understand the fact that this is an important structure. I think they are quite important aspects of this legislation. Similarly, in terms of agriculture, growing and developing agriculture in this state will have a direct correlation to

improving the quality of life of those who live in regional and rural Victoria. Again, there is a key correlation between those two former committees. What we are doing now by making them into one better committee is looking at making sure there is a capacity to look at how you can grow the dairy industry in Victoria, for example, and the implications that will have in terms of making regional Victoria a destination for people who want to live, work and raise a family. These are good things.

I believe the member for Gippsland East expressed some concern about the fact that this bill is proposing to look at merging the Law Reform, Drugs and Crime Prevention Committee with the Road Safety Committee. Again, looking at the great work that was done in a previous Parliament in relation to ice, in which I know the member for Niddrie played a key and pivotal role, there is clearly a correlation between road safety and crime. I think it is important that we understand that and that we develop an appropriate committee structure to reflect it. From that point of view there is nothing to be afraid of. This bill is about making sure that you can look at having the freedom to explore a number of wideranging policy areas that will impact upon a number of different portfolio areas and a number of different industries.

If we are looking at the new Economic, Education, Jobs and Skills Committee, we can see that clearly leads to a discussion around innovation start-ups in the suburbs. Encouraging people out in the suburbs to potentially broaden their education, to look at starting their own business or to look at working from home is what we want. Traditionally the way in which Melbourne was structured, again in the 20th century — which I think is where most opposition members currently wish they were — was that you had the doughnut society. The outer suburbs were commuter suburbs, where you just went to sleep and raise your family and you got in the car and drove into the city to work where your place of employment was. That is no longer the case.

We should be looking at encouraging flexibility within the committee structure to look at issues around innovation and how the nexus with education will drive our economic growth. That is the future. That is where we are headed as a society and as an economy. We have to make sure that we structure our parliamentary committees in such a way that they have the freedom and the liberty to look at pursuing those important matters as they see fit. This is a very important thing to do, and that is why I commend the government for having an approach that allows that flexibility.

The Inquiries Act 2014 is largely a technical act which looks at making changes to replace the definitions of judicial officer and non-judicial member of Victorian Civil and Administrative Tribunal. It is looking at clarifying that royal commissions and boards of inquiry established before the act came into force can continue any current inquiries. It is important to have that consistency. The Inquiries Act also talks about formal reviews. I was not familiar with formal reviews, but I understand that they are a fairly new instrument arising from the Inquiries Bill 2014. It is a fairly new and lower level form of inquiry, and it is important in terms of these changes that witnesses who appear before a formal review can be paid expenses and allowances. That is very important, because we have to have a triaging of our inquiry system. Clearly whenever a government seeks to establish a royal commission, it is usually because something very serious has gone wrong, something that is often quite tragic. The next level down is a board of inquiry, and we now have a formal review process.

I think it is important that we look at the empowering of formal reviews. We should look at trying to make sure we get the structures around those reviews properly in place to make sure that if you are asking for witnesses to appear, they are properly remunerated for their time, and look at making sure that the formal review can do its job. Sometimes I suspect that it may well be better in the interests of public policy to have a flexible formal review structure in place so that we are conducting formal reviews on a regular basis rather than sitting back and doing nothing and then having to have a royal commission because something has gone awry. Empowering the formal review structure is really important. It will ensure an improvement in the quality of public policy in the state.

It is also important in relation to the bill that we are also looking at allowing royal commissions and boards of inquiry to continue their work and, more importantly, to address matters such as updating their terms of reference or extending their reporting date. I commend the bill to the house.

**Mr HIBBINS (Pahran)** — I welcome the opportunity to speak on the Parliamentary Committees and Inquiries Acts Amendment Bill 2015. This bill has two parts — a committee section and an inquiry section — and I will speak first to the committee part. I will now move my reasoned amendment, which specifically relates to the committee part of the bill. I move:

That all the words after 'That' be omitted with the view of inserting in their place the words 'this house refuses to read

this bill a second time until consultation has taken place with members of Parliament regarding the number, structure and functions of parliamentary committees’.

The Greens are moving this reasoned amendment because, as with our previous reasoned amendment in the last sitting week regarding sessional orders, we feel that the new Parliament, with its changed make-up of increased party representation here in the lower house and a very diverse party representation in the other place, provides an ideal opportunity to rethink and review how committees can best work for this Parliament. Firstly, the consultation should look at how other parliaments use their committees. I have had a look at parliaments in other states and countries, including the federal Parliament. Before anyone gets too excited, I am not proposing a study tour or anything like that, but parliaments have various different iterations with joint, standing and select committees, so I feel that a thorough review in that area would be appropriate.

Secondly, we could have a look at the membership structure of committees, and specifically the provision to have temporary participating members of committees rather than simply having full members. I note that this bill collapses a number of committees. Having participatory members of committees would allow members to join committees when that particular committee was investigating an issue or a topic in which that member had expertise or a particular interest. It would allow them to join a committee for the discussion of that issue rather than being a full member of that committee.

The Greens also feel that a consultation process could look at whether it is appropriate for oversight committees such as the Public Accounts and Estimates Committee and the Scrutiny of Acts and Regulations Committee to be chaired by a government member, regardless of which party is in government. For those oversight committees the chairmanship should be looked into, because essentially parliamentary committees are a tool of the Parliament. I will quote some information from the federal House of Representatives:

Parliamentary committees are one mechanism the house uses to keep a check on the activities of the government.

It may be appropriate that we look at those oversight committees. As I said, the committees are a tool of the Parliament. We saw the previous government undertake reviews into significant policy matters — for example, when it looked into adoption and TAFE issues — and I think it would be appropriate that a consultation process about the role of committees take place. The public

might see it as a small thing, but I am sure many members consider the work of committees a serious and important matter.

I will move on to the inquiries section of the bill, and I note the contribution from members in regard to new part 7, which clarifies that the government may amend the letters of patent, royal commissions and instruments of appointment of boards of inquiries that were established before the Inquiries Act 2014 commenced. If the government were of the view that this clarification would have a material impact on the ability of royal commissions to act, then I would welcome the opportunity to pass this section of the legislation by splitting it off from the other part of the legislation.

I note that there are two other somewhat minor technical changes in the bill. I am aware that the previous government made changes to the Inquiries Act. At the time the Greens argued that before introducing that legislation the government ideally should have established a committee inquiry that consulted with all relevant stakeholders as to how to legislate for inquiries in the best interest of this state. Now the new government is introducing changes, and it has the opportunity to hold such an inquiry, and the Greens urge it to do so. An inquiry could look at questions such as what is the function of public inquiries, what principles should underlie their use, are the inquiries generally set up only when they are needed and are there examples of cases where an inquiry would have been useful but was not set up. Nothing like that occurred in Victoria before the current legislation was introduced. This is important legislation, and if we are looking at inquiries as a whole, the bill needs to make sure it works for Victoria and is adapted to the needs of all Victorians.

**Mr McGuire** (Broadmeadows) — The public view of Parliament is too often distorted through the lens of question time, and like today’s question time it sounds and looks like two dogs barking rather than considered debate in the public interest. There is a critical point that we need to understand in relation to what happens within the parliamentary committee system, and it goes to it being a great credit that we are able to address serious issues in the public interest in a considered way, seek bipartisanship and then make the necessary legal changes for systemic change and in some cases for generational change.

The most critical inquiry in the 57th Parliament was the inquiry undertaken by the Family and Community Development Committee into child sexual abuse by religious and other non-government organisations. I had the privilege to be the deputy chair of that committee.

Members of the Liberal Party, The Nationals and the Labor Party were able to work through the deeply concerning issues and hear from members of the public, who sometimes disclosed for the first time what had happened to them, showing enormous fortitude and courage to come before the Parliament to address this issue.

We were able to get to a bipartisan report, which was hailed by the then Attorney-General as a landmark report, the *Betrayal of Trust* report. I remember clearly that we had middle-aged men weeping with joy and we had women who had been silenced by unspeakable crimes since they were girls raising three cheers for the Victorian Parliament on the day more than a year ago when I told survivors that we had won bipartisan support and had secured support across the chamber to implement all the recommendations. That was the key.

The findings revealed a cover-up that killed in religious and other non-government organisations in this state. Heinous crimes were exposed, blighted lives acknowledged and remedies agreed across the political divide. Victims who had been abused physically, emotionally and sexually as innocent children felt vindicated after summoning the fortitude as adults to testify. Survivors waved red balloons and hugged each other during their Rally of Hope on the steps of this Parliament in recognition that after so much suffering at the hands of institutions a measure of trust had finally been restored.

Unfortunately goodwill expired with Victoria's 57th Parliament. Survivors have contacted me expressing dismay that the key recommendations were not implemented, despite incontrovertible evidence that the sexual and physical abuse of children has been endemic for generations in many Victorian public and private institutions. The dark heart of sexual crimes against children has always been individuals and organisations getting away with the use and abuse of power. A recommendation not implemented required non-government organisations to become incorporated and adequately insured where the Victorian government funds them or provides them with tax exemptions or other entitlements. This reform would have provided scrutiny, accountability and compliance, because it paves the way for the organisations to be sued for offences.

Men claiming to represent God committed crimes against children, once hanging offences in Victoria, the parliamentary inquiry revealed. Whether criminal child abuse was concealed because of noble cause corruption or a misplaced sense of loyalty to a higher duty, religious organisations rationalised the most egregious

conduct. The Anglican and Catholic churches and the Salvation Army regularly took steps to conceal wrongdoing through wilful blindness and codes of silence, according to their concessions before this inquiry and a substantial body of credible evidence. Jewish and Islamic representative bodies testified that their communities also suffered the scourge of child abuse but experienced difficulties even mentioning that it may have occurred. A similar situation can be expected in other religious, social, sporting and cultural groups where offenders have easy access to children and where, for a range of reasons, abuse has been kept hidden, the inquiry disclosed.

*Betrayal of Trust* validated the rights of individuals. The failure to introduce an important principle ignores lessons from other jurisdictions. Only organisations that appeared before Victoria's parliamentary inquiry benefit from delays in implementation, anticipating that community outrage and the media spotlight would shift to fresh concerns, leaving them relatively unscathed. Child sexual abuse is too important for politics. It is about crime, not faith, as I have long argued. Church and state must implement recommendations in the public interest no matter who is in power, because if accountability simply involves acceptance of temporary outbursts of anger and nothing more, it is not meaningful, least of all to victims. Worse, it does not provide any greater protection in the future for our children.

With this bill today we go to a critical issue in the ongoing examination of child sexual abuse. The work that was done through the *Betrayal of Trust* report and by the Victorian Parliament is being echoed nationally, as other inquiries have discovered internationally. To get to the heart of the matter we need to amend the Inquiries Act 2014 to clarify that the Governor in Council may amend the letters patent of a royal commission, such as the McClellan Royal Commission into Institutional Responses to Child Sexual Abuse, or an instrument of appointment of a board of inquiry that was established prior to commencement of the Inquiries Act to facilitate the continued operation of that royal commission or board. This piece of legislation is vital.

In the 57th Parliament the reason that the then government gave for not implementing all the recommendations, as it said it would, as we had bipartisan support, was that it was waiting for the royal commission to hand down its findings. We are now in a situation where it could jeopardise this process. During the debate we have had shifts in position by the Liberal Party, which is now calling for the bill to be split. We cannot play politics with this issue. It is too important

and always has been. This should be addressed, and this bill should be passed for this issue alone.

I will go now to some of the other points that have been raised in the debate. What this bill is looking to do is to provide new committees with exactly the same functions as the committees that they will replace. It will enable them to inquire into the same subject matter, and that is the critical point. That is the crux of the matter. It is all about the references that are given to address what needs to be done. If we go through the detail, we will see that some of the committees have had their titles changed to give them a stronger focus on what needs to be done right now in our community to deal with unemployment, the changing nature of work and the demise of the automotive industry. An entire industry is being lost, and the impact will be felt most in this state.

We have six existing joint investigatory committees, which will be formed into three. The first of the new committees is the Economic, Education, Jobs and Skills Committee, which will undertake the functions of the current Economic Development, Infrastructure and Outer Suburban/Interface Services Committee and the Education and Training Committee. To return to the point about references, even with a title as long as the previous one was, that committee was given a reference into marine safety. I was deputy chair of the committee. What was the direct relevance of marine safety to that committee? That was something that should have been done by the department responsible for police and emergency services. Let us not kid ourselves about what that was about. It comes down to the references — to their time lines and to their appropriateness. My argument is that this is a much better frame of reference to deliver what needs to be done.

Similarly with law reform, the Law Reform, Road and Community Safety Committee will undertake the functions of the current Law Reform, Drugs and Crime Prevention Committee and the Road Safety Committee. That issue is clearly covered as well. The same applies to the third new committee that is going to be established. This house must pass this bill, because it goes to the heart of the issue of the *Betrayal of Trust* report.

**Ms ASHER** (Brighton) — I too wish to make a couple of comments in relation to the Parliamentary Committees and Inquiries Acts Amendment Bill 2015, and reiterate the coalition's opposition to this bill. There are a number of basic functions undertaken by the bill, and I will confine my comments to the structure of the parliamentary committee system. My having been a

member of this place for over 22 years, most members would know that I am a strong supporter of the committee system. The committees do very important work.

Currently there are six committees, which will be merged to form three new committees. The Economic, Education, Jobs and Skills Committee will undertake the functions of the current Economic Development, Infrastructure and Outer Suburban/Interface Services Committee and the Education and Training Committee. The Environment, Natural Resources and Regional Development Committee will undertake the functions of the current Environment and Natural Resources Committee and the Rural and Regional Committee. Much has been made of that by previous speakers. The Law Reform, Road and Community Safety Committee will undertake the functions of the current Law Reform, Drugs and Crime Prevention Committee and the very important Road Safety Committee, which over the decades has achieved an enormous amount for the people of Victoria.

One of the reasons we are opposing this bill is that there are two problems for the Labor Party in its framing of the bill. The first problem is that the Labor Party forgot that Victoria is not a unicameral system. There is an upper house in the state of Victoria. The reasoned amendment moved by the member for Prahran, on behalf of the Greens, goes to the fact that if the Labor Party wants a bill to pass this Parliament it will need to have some discussion with opposition party members, be they Greens, coalition or any of the other range of people in the upper house.

The other problem for the Labor Party, and why I am so excited to speak on this bill, is that this bill is in direct contrast to the way the Labor Party behaved in opposition when the coalition, in government, sought to change the structure of the Parliamentary Committees Act 2003. The coalition government sought on two occasions to change the structure of the Parliamentary Committees Act.

I have heard some reasonable comments by government members who have spoken on the bill already, but I would give a piece of gratuitous advice to those on the government side, particularly the new ones. They might want to look at the history of some of these matters before they blindly jump in, support their cabinet and make an idiot of themselves. Unfortunately the Labor Party's track record on amendments to the Parliamentary Committees Act is one of complete and utter obstruction.

When the coalition government sought to amend the Parliamentary Committees Act in 2011, it was hoping to make small changes in relation to the membership of committees and what numbers would constitute a quorum, but the Labor opposition vigorously opposed those very simple changes. The Labor Party had not provided enough members to participate in the committees: it offered only seven upper house members, which was the reason the government sought to institute the changes to the legislation.

In her contribution to debate on the Parliamentary Committees Amendment Bill 2011, on page 747 of *Hansard* of 23 March 2011, the member for Bendigo East, who was then the manager of opposition business and is now Leader of the House, said:

The amendments in this bill seem to be what could be described as a ruthless attempt by the government not only to change the requirements of the Parliament but also to reduce scrutiny of the activities of the government.

These were minor changes that the government of the time was seeking to introduce. Recorded on the same page of *Hansard*, the member for Bendigo East said:

I think it is a real shame that at these early stages of this parliamentary term we are already seeing that the government is more willing to use its numbers —

as the current government is intending to do in this place —

in a very blunt, ruthless way rather than to take a reasonable approach to working things through with the opposition.

The member for Bendigo East, when she was in opposition, wanted to have issues worked through with her and the opposition, but now this Labor government has just introduced into Parliament a bill stating exactly what it wants to do. This bill stands in complete contrast to the way the Labor Party approached this matter when it was in opposition. In her contribution to that same debate in 2011, the member for Bendigo East said:

What they —

coalition government members —

want to see is a reduction in the scrutiny that is applied to the operations of government.

I put it to the house that if it were a reduction in the scrutiny of the operations of government when the Labor Party was in opposition, then ipso facto it must be a reduction in the scrutiny of the operations of government when the Labor Party is in government, and Labor cannot budge from that position.

I now move on to 2013, when the coalition government attempted to merge four committees into two. We tried to merge some committees, in much the same way as the government is seeking to now, though on a much lesser scale. I might also add that two new committees had been established, the Independent Broad-based Anti-corruption Commission Committee and the Accountability and Oversight Committee. We in government moved to merge four committees into two. We are now seeing six committees merge into three, and we will apply the same logic Labor applied to our activities in government.

The member for Bendigo East is just a gift that keeps on giving. I refer to her contribution to the debate on 17 April 2013, when she said that the then government was ‘winding back scrutiny’ and accused it of ‘reducing opportunities for members of Parliament to serve as members of committees’ and of ‘being consistent in undermining the parliamentary committee system’. If a merger of committees was undermining the parliamentary committees system in 2013, surely it follows that it is an undermining of the parliamentary committees system now. Of course this was one of the points made by the Deputy Leader of the Opposition when he spoke on this bill.

The member for Bendigo East also said in this 2013 debate:

It is not merging four parliamentary committees into two ... but it is abolishing four parliamentary committees.

That was her thesis: that if you merge a committee, you abolish it. Oddly enough, the member for Bendigo East then went on to argue that because the coalition government was merging the Economic Development and Infrastructure Committee and the Outer Suburban/Interface Services and Development Committee meant that it did not care about those committees. Surely it follows suit that if that is the argument in opposition, it should be the argument in government. Indeed I note that this is one of the committees that is being further merged — further dwindled and further diluted in its capacity to do its work.

I continue on with comments of the member for Bendigo East. I guess this is the crux of her argument at the time:

When the number of committees is reduced it will mean they will be doing fewer inquiries, and the only people who will benefit from that are members of the government, who do not want the light shone on issues that may embarrass them, may expose their policy failures or — heaven forbid, as we have seen this week — may expose grubby, potentially corrupt matters that breach parliamentary privilege. That is the true

reason why the important work of parliamentary committees is being restricted and why the parliamentary committees are being gagged and starved of funds. It is all because, firstly, the government does not want to do the hard work, but most importantly I believe, secondly, government members are just not prepared to stand themselves up for scrutiny.

Again, if this argument held in opposition for the now Leader of the House, one of the most senior members of this government, surely it then holds that the reason the government is merging these committees is that the government wishes to avoid parliamentary scrutiny and it is too lazy to provide members of Parliament to actually populate the committees and do that work.

I am delighted to have had the opportunity to say a few words on the Parliamentary Committees and Inquiries Acts Amendment Bill 2015. I think what is good for the goose is good for the gander. Labor vigorously opposed two parliamentary committee restructures when it was in opposition. Labor members used language such as 'seeking to avoid scrutiny' and seeking to collapse the amount of scrutiny of Parliament. They used that form of language in opposition. We too oppose the fact that this newly minted Labor government is seeking to avoid scrutiny, which is one of the Parliament's fundamental roles. I wish the government really well in dealing with the upper house.

**Mr CARROLL** (Niddrie) — It is my pleasure to rise to make a contribution to the debate on the Parliamentary Committees and Inquiries Acts Amendment Bill 2015. It is nice to follow the member for Brighton and to hear voice again. She made some useful comments, and I will get to those a little later.

The bill has two broad purposes, the first being to amend the Parliamentary Committees Act 2003 to reduce the number of joint investigatory committees from 12 to 9. The second purpose is to make minor and technical amendments to the Inquiries Act 2014. The bill seeks to merge six investing joint investigatory committees into three new committees. The Economic Development, Infrastructure and Outer Suburban/Interface Services Committee will be merged with the Education and Training Committee to create a new Economic, Education, Jobs and Skills Committee. The committee will inquire into education development, education and skills. Essentially the committee will go in a new direction in terms of lifelong learning. The new Labor government is keen to put education front and centre, whether it be from our numberplates to putting back the \$1 billion into education that from the previous government ripped out. The committee will look into the TAFE sector and how to make it more sustainable.

The Environment and Natural Resources Committee will merge with the Rural and Regional Committee to create a new Environment, Natural Resources and Regional Development Committee. I would have thought the opposition would support this one. This committee could look at the opposition's policy of trying to commercialise our national parks. The former government wanted to rip up our national parks and make them purely commercial entities. This committee could provide an ideal investigative report on what that policy was and how we can look into it. That could be a useful inquiry for that committee.

The Law Reform, Drugs and Crime Prevention Committee will be merged with Road Safety Committee to create a new Law Reform, Road and Community Safety Committee. This committee would inquire into matters relating to law reform, drug use, crime and road safety. I was very proud to be a member of the Law Reform, Drugs and Crime Prevention Committee in the previous Parliament, and I brought in the committee's two-volume report into ice. The report attracted wide media attention. It was a groundbreaking report in terms of its examination of how New Zealand halved the use of methamphetamine, also known as P in New Zealand — from the New Zealand Prime Minister's leadership down.

One of the key recommendations of the report was that the Premier set up a ministerial task force and take the lead on this. The former Premier was fairly silent once the report came out. He announced a policy on sniffer dogs, which the committee did not even look at. You will not see mention of sniffer dogs in this 500-page report, but for some reason the former Napthine government thought sniffer dogs was the answer. As the Leader of the Opposition, the Premier knew sniffer dogs would not provide the complete answer, and as opposition leader he led the debate on tackling ice. Now we see he has not just been a man of words; he has been a man of action. He has committed to a task force to come up with a real plan to tackle ice within the first 100 days of government, and the substantial inquiry that was undertaken will inform that task force and any plan that the Premier announces.

Overall we received 78 submissions, conducted 113 public hearings and heard from more than 220 witnesses. The committee produced a 2-volume, 32-chapter, 900-page report with some 54 recommendations. This body of work will be instrumental in tackling the ice epidemic going forward. There were other inquiries that were undertaken by the Law Reform Committee — which can still conduct inquiries in the future — and the Acting Speaker, the member for Ivanhoe, was quite

instrumental in some of these inquiries, as was the former member for Prahran.

The inquiry into sexting looked at issues around children under the age of 16 being put on the sex offenders register for sending images of one another. This was groundbreaking, cutting-edge reform to make the laws adaptable. The former member for Prahran did a good job as chair of that committee, and was supported by the members for Brunswick and Ivanhoe on our side. They were at the forefront in terms of supporting that report. On our side, the members for Broadmeadows and Thomastown, along with members on the other side, produced the groundbreaking report entitled *Betrayal of Trust*, which made recommendations on where we go into the future to make sure that what happened in the past never happens again. It is a commendable report. This type of inquiry will still happen in the future with the new committee structure.

The members for Brunswick and Prahran contributed to the inquiry into donor-conceived children. This inquiry also attracted media interest. In fact the television program, *Australian Story*, did a whole episode on the inquiry. If members look at that what happened at the inquiry, they will see that it started off with the viewpoint that perhaps the donors should be protected. Then it came around to support the interests of the children in the quest to know what the family history was and where they came from.

The opposition has nothing to worry about from this reform. It is about making our committee structures workable and putting them at the forefront of the new Parliament. The bill should be embraced as a way to really make our committee structure more seamless and more transparent. It will attempt to minimise a lot of the disruption that happens with joint investigative activities and ensure that our joint investigatory committees continue to be strong and bipartisan.

One of the things I noticed as the previous Parliament came to an end was that in their valedictory speeches almost every member, from the member for Hawthorn through to others, spoke about their committee work and the importance of committees, including the importance of committees adapting to the times and changing. My experience of working on a couple of inquiries was that it was a great way for me to get to know members on the other side, no matter their political persuasion. The committees do important work.

I refer to the report on the inquiry into ice. The editorial in the *Age* of 8 September 2014 is headed 'Ice report

must spark comprehensive action' and states about the report released in the final days of the last Parliament:

The landmark report into methamphetamine, a powerful and highly addictive stimulant, released in recent days by the Victorian Parliament's Law Reform Committee needs to become a catalyst for a comprehensive community offensive against an illicit drug that is causing tragic harm, particularly to young people in regional and rural areas, where youth unemployment is striking hardest.

...

The report, which makes 54 recommendations, must be backed by manifold action.

The editorial describes the report as being 'a compelling call to action' because it reflects the community's concerns. The editorial highlights that alcohol is by far the worst drug but states that the use of ice needs to be tackled. It refers to a key recommendation that was ignored but was taken up by the new Labor Premier. It states that the recommendation was to create a ministerial council, led by the Premier, to engineer a statewide response to ensure that communities have a strategy to deal with crystal methamphetamine use. As I said, the Premier has very much taken up the baton and is taking action on that.

Whether it be the *Betrayal of Trust* report, the reforms recommended by the inquiry into sexting or the inquiry into donor-conceived children and the rights of those children to know where they come from, in many respects committee inquiries inform what the laws of this state should be. You, Acting Speaker, had an important role in the sexting inquiry as well as the inquiry into donor-conceived children. As I said, often during an inquiry people have the time and resources to really get down into the issue. The inquiry into donor-conceived children began with looking at the rights of the donor but by the time the inquiry was finished it was about the rights of the children to know where they came from — that is, their family history.

All committee work to date has been substantial. It has informed Parliament. Almost all members from both sides of Parliament when they leave this place look back on their committee work fondly. It will continue to be a key part of the work of this Parliament. The reforms to committees that will make sure that they are transparent, workable and highlight the subject matters that are most pertinent to society today are very important. I commend the bill to the house.

**Mr GIDLEY** (Mount Waverley) — I rise this afternoon to make a contribution to the debate on the Parliamentary Committees and Inquiries Acts Amendment Bill 2015. I do so with particular reference

to the changes made by the bill to the joint investigatory committees. The bill amends the Parliamentary Committees Act 2003 by merging six existing joint investigatory committees to form just three new committees. If the bill is passed the first of those committees will be the Economic, Education, Job and Skills Committee, which will undertake the functions of the current Economic Development, Infrastructure and Outer Suburban/Interface Services Committee and the Education and Training Committee. The second committee established by the bill is the Environment, Natural Resources and Regional Development Committee, which will undertake the functions of the current Environment and Natural Resources Committee and the Rural and Regional Committee. The third joint investigatory committee established by the bill is the Law Reform, Road and Community Safety Committee, which will undertake the functions of the current Law Reform, Drugs and Crime Prevention Committee and the Road Safety Committee.

A number of speakers across the Parliament have clearly articulated the work that committees have done during past parliaments, including the most recent Parliament. I refer to a number of the reports. The Education and Training Committee tabled a number of reports of inquiries into important topics. During the hearings of those inquiries Victorians had the opportunity for greater engagement with their parliamentary representatives based on the terms of reference of the committee. To name just two, the Education and Training Committee conducted an inquiry into the approaches to homework in Victorian schools and an inquiry into the extent, benefits and potential of music education in Victorian schools.

The Environment and Natural Resources Committee also did important work. In its inquiry into heritage tourism and ecotourism in Victoria it considered the opportunities to grow our state, including employment opportunities, while at the same time balancing that against the importance of conservation. The member for Niddrie clearly outlined the report tabled by the Law Reform, Drugs and Crime Prevention Committee following its inquiry into the supply and use of methamphetamines, particularly ice, in Victoria.

The Road Safety Committee produced a report that generated significant interest in my district — that is, the report of its inquiry into motorcycle safety. As many members would know, the issue of motorcycle safety, particularly along freeways such as those that make up the Monash-West Gate corridor, is something that comes up consistently in considering whether the measures that have already been taken by the state of

Victoria are effective, whether they are doing more harm than good and also what alternatives there are.

As I said, I mention those reports of inquiries because they are a good snapshot to show that the existing committee structure has served the interests of Parliament and the people of Victoria quite well. That is why it is enormously concerning that this bill changes the status quo by reducing the current number of committees. Many contributors to the debate on this bill have indicated that the current committee structure has worked well. Given that the current structure is working well, as is clearly shown in the good work that the committees have done, it would be odd to look to change the structure.

Given the information provided in the bill, there is really only one reason why a government would seek to make a change to the committee structure, and that is to reduce scrutiny of government. I refer to what was clearly outlined by opposition members, including the member for Brighton, and what members of the government when in opposition in earlier parliaments said about possible changes to parliamentary committees.

It is very clear that, based on the rationale that they would reduce scrutiny, those opposite opposed those changes strenuously. That logic and that reason stand today, as does the record. Yet just 12 weeks into government, just 12 weeks after gaining the ministerial cars and offices, members of this government have already reached such a level of arrogance that they put aside what is on the record — that is, their previous clear opposition to a reduction in the number of parliamentary committees.

That opposition was very successfully prosecuted by those opposite in previous parliaments. They have arrogantly put that aside and now they say, 'That doesn't apply anymore. We will hoodwink the Parliament and the people of Victoria, and we will reduce the number of parliamentary committees'. That is being done for one reason only, and that is to reduce the scrutiny of government.

The changes are being made not because of any criticism of reports prepared following inquiries but as a mechanism to reduce the scrutiny of government. It probably should not surprise members that just 12 weeks into this four-year term the arrogance of this government is already on display in reducing scrutiny, because the record of the Victorian branch of the Labor Party is appalling in a number of areas of good governance in the state of Victoria.

Whether it is in the expenditure of public funds on botched projects such as myki, the desalination plant or HealthSMART — a personal pet favourite of the Premier — the record is very clear that in this state Labor has an enormous problem in managing significant budgets made up of valuable taxpayers money. Therefore it should not surprise members that in just 12 weeks the government has come in to reduce the transparency and scrutiny of government under the parliamentary committees structure. It is being done to ensure that Victorians are less able to hold this government to account through there being less transparency in and less scrutiny of the way the government spends money. It is true to form.

What have we seen thus far in terms of the treatment of Parliament by this government? Firstly, we have had the introduction of a bill that is clearly going to reduce the scrutiny on this government in terms of the committee structure. Secondly, just 12 weeks after members of this government got their ministerial cars, offices and spin doctors, they defied the Parliament and clearly indicated that they will defy the Parliament when it seeks information on government contracts. So the government has reduced the number of committees and thumbed its nose at Parliament when it sought information on behalf of the people of Victoria. That is two things in just 12 weeks — goodness knows where we will be after four years in terms of scrutiny, arrogance and the government thumbing its nose at Parliament and the will of the people.

Thirdly, the government has clearly followed its consistent form by reducing opportunities for debate and the ability of Victorians to look at how the government is spending and managing their money — that is, the number of hours this place sits outside of normal business hours. That is just another example of the changes to the sessional orders that — there is no question about it — have reduced the capacity of people to hold this government to account.

Those are three actions in 12 weeks which not only are clearly aimed at reducing scrutiny and transparency, as I said, but also go so strongly and clearly against the propositions put by the members of the then opposition, which are on the record. They are not my words and they are not the words of the members for Brighton or Euroa; they are the words of members of the then opposition, which were very clear in relation to the negative consequences that reducing the opportunities of parliamentary committees would have for Victoria. It is crystal clear. Yet 12 weeks after Labor came to government, Labor members come here and say, 'Forget about everything we said in opposition. Forget about the commitments, whether they be about

releasing contracts, accepting and obeying the will of the Parliament regarding the release of contracts, the sitting hours of Parliament or the parliamentary committee structure. Forget about what we said and look at what we are doing now'.

It is the height of arrogance to think that the people of Victoria, through their parliamentary representatives, can be hoodwinked. It is holding the Parliament in contempt. It is wrong. It is against the principles of good governance. There is only one conclusion that can be drawn as to why this government, just 12 weeks in, wants to defy the Parliament, shut it down, strip resources from it and silence it by reducing the number of parliamentary committees on offer, and that is that the government is afraid of scrutiny. It is afraid of transparency. It is afraid of the nightmares of myki, the desalination plant, the Premier's pet HealthSMART project and the other projects which Labor's record clearly shows it cannot manage. It is worried that those nightmares will reappear and it is not prepared to confront that, therefore it will shut down, defy, silence and strip the Parliament. That is why this bill should be opposed.

**Mr HOWARD** (Buninyong) — It is good to see you in the chair, Acting Speaker. I am pleased to add my comments on the Parliamentary Committees and Inquiries Acts Amendment Bill 2015. To start off, I cannot follow the member for Mount Waverley without commenting on his contribution, because he immediately did what I guess oppositions have done in the past — that is, try to paint this legislation as a dark act undertaken by a newly elected government that is afraid of scrutiny.

Clearly we on this side of the house are not afraid of scrutiny. We welcome scrutiny, and we are pleased that when we put ourselves in front of the Victorian people for scrutiny in November last year they said, 'Yes, we want the Labor Party to lead our government in Victoria. We don't want another four years of the Liberal-Nationals government we just had, because it didn't do much. It was a very disappointing government. We want a progressive government that is going to get in there and deliver for all Victorians'. We on this side of the house are certainly not afraid of scrutiny.

The bill is not about scrutiny; it is about practicality. We recognise that we need to get on with appointing parliamentary committees, because they form an important function within the running of our parliamentary system here and we want to appoint new committees. But there are practicalities involved in coming to government, looking at the issues associated

with the committees and determining the best structure for them. Obviously at the start of any term a government is going to review the committee structure it inherited from the previous Parliament and look at making some changes. Clearly there are practical issues to do with ensuring that members of Parliament are not overworked and that we have the right number of members available to be on committees.

The Liberal-Nationals coalition in the last Parliament experienced the same problem. What did it do? When it was initially elected in 2010 it kept the number of committees the same rather than reducing them, but it reduced the number of members of Parliament who could be on those committees, so we went from having seven members on most of those committees to having five. That put a lot more work on those five members on each committee. Sometimes one or two of them may not have been able to attend an event or public hearing, which meant the committee was down to three members. What the former government did — keeping the same number of committees in place but reducing the number of members on those committees — was not a practical solution.

This government does not want to reduce the number back to five. We want to have more members of Parliament on committees. We have also recognised that there has been a practical issue with the way the committees have functioned. For example, in the last term of Parliament I was on the Rural and Regional Committee. One of our reports related to looking at education or training opportunities for young people who wished to go on to a career in agriculture, so we undertook studies associated with that, but what else happened? At the same time, or nearly the same time, the Education and Training Committee was given a very similar reference, and it also went around the state. In fact members of the Rural and Regional Committee bumped into members of the Education and Training Committee on a number of occasions and found that they were going to an education and training institution that we had just visited a few days before, conducting a similar inquiry.

There have therefore been overlaps in inquiries in so many areas in the past, so to have the six parliamentary committees we had in the last Parliament reorganised, recognising there are connections between them, is a very practical and sensible way to go.

What have we proposed? One proposal relates to the Education and Training Committee and the Economic Development, Infrastructure and Outer Suburban/Interface Services Committee, which was itself a committee that had been combined under the

former government. As we know, it had two bites at changing the committees; half way through or in the latter stages of its four-year term it collapsed four committees down to two. It is hard to know whether or not it was that the government had found that having five members on a committee was not enough. Perhaps when the member for Mount Waverley said we were trying to avoid scrutiny, he was actually thinking about why those opposite did what they did back in 2013. What he has tried to accuse us of today is perhaps referring to the motives of the then government in collapsing the committees. In contrast, our motives are practical motives; we are trying to make the committees function more successfully. We are not reducing the resourcing of those committees or of the committee structure at all. We are simply compacting committees where they have cross links.

As I said, it is proposed that the Economic Development, Infrastructure and Outer Suburban/Interface Services Committee be combined with the Education and Training Committee. Clearly when you look at economic development you are looking at skills development, at education and at jobs all linked in together, so why not make it one committee? There is some clear practicality there. In terms of the Environment and Natural Resources Committee and the Rural and Regional Committee, again I note that the Environment and Natural Resources Committee already has a reference before it in relation to issues associated with Fiskville. When you look at that matter, you ask yourself, 'Where is Fiskville?', and you note that it is in rural and regional Victoria and that the matter is to do with the Country Fire Authority. It clearly has a link to both rural and regional Victoria and to the environment, so it makes absolute sense to combine those committees if you are looking to compact the number of committees.

Lastly, it is suggested that the Law Reform, Drugs and Crime Prevention Committee be combined with the Road Safety Committee to create a committee that looks more broadly at community safety issues. Linking those committees makes practical sense. I heard the member for Mornington talk about the benefits of having had the then Law Reform Committee and the then Drugs and Crime Prevention Committee linked together during the last Parliament: they could share skills, and they had a natural linkage. We have therefore already heard, during this present debate, from the opposition about there being practical linkages proposed between these committees that make sense.

Let us be clear about this. Members on this side of the house are not doing this for the wrong reasons. We are doing it so that we can make these committees work,

with enough members of Parliament on each committee to make them function well. It is always a shame but I guess in this system of Parliament also natural that the opposition opposes legislation rather than deciding to work in a bipartisan way to make this place work better. It is in the nature of our parliamentary system that we have an opposition that wants to oppose the government. That perhaps emphasises further the value of our parliamentary committees. I have really enjoyed being on parliamentary committees, because they bring members of both parties and both houses together to work on issues.

Working together helps to break down some of those unhelpful aspects of the Westminster democratic system we have inherited — a system of governments and oppositions — as members of Parliament come together within our committee structure to reach agreement. In the parliamentary committees I have been on I have been really pleased to see that members from both parties and both houses have been able to work together. We have produced joint committee reports with very little argument overall, and we have found that the committees have been very helpful and good ways of developing social relations with people on the other side of the house. I am therefore certainly pleased to see this bill before the house.

I am hopeful but not confident that the bill will have a speedy passage. I will be disappointed if it does not, because we want to get on with appointing the committees and getting into some committee work, and if the bill is held up either in this house or in the other house, clearly we will not have our committees in place for some time. These are sensible, practical changes that the government is putting together. We would welcome some cooperation from the opposition with respect to this matter. We would welcome it not trying to do the usual thing of opposing simply for the sake of opposing but looking at this as a practical way forward and recognising that we want to have at least seven members on all committees and that there are clearly linkages between the committees this government is proposing to join together. I commend this bill to the house, and I hope we can get on and appoint committees and see some progressive work done to assist this Parliament.

**Ms RYAN** (Euroa) — I am pleased to rise to contribute to this debate on the Parliamentary Committees and Inquiries Acts Amendment Bill 2015. The Nationals oppose this bill, which seeks to change the structure of parliamentary committees. Those opposite are seeking to rationalise six existing joint investigatory committees into three new committees in addition to making a number of minor and technical

changes. The bill proposes amalgamating the Economic Development, Infrastructure and Outer Suburban/Interface Services Committee and the Education and Training Committee to create the Economic, Education, Jobs and Skills Committee; amalgamating the Law Reform, Drugs and Crime Prevention Committee with the Road Safety Committee to create the Law Reform, Road and Community Safety Committee; and amalgamating the Environment and Natural Resources Committee and the Rural and Regional Committee to form the Environment, Natural Resources and Regional Development Committee.

These changes may seem minor, but they will have a profound impact. Members opposite argue that the functions of these committees will be exactly the same, but it will not be possible for these committees to do twice as much work as committees did during the last Parliament. I would submit that either those opposite are too lazy to do the work that is needed on parliamentary committees or they are seeking to stifle debate on these very important issues. The government wants to restrict these committees to prevent scrutiny, and earlier in the debate we heard the member for Brighton outline some of the very hypocritical comments of the member for Bendigo East, who described a previous effort in the last Parliament to make some sensible changes to the committee structure as ‘gagging’ the committees. It is interesting to now see a role reversal on the other side of the house.

How quickly things change. Less than a year ago the now Attorney-General released Labor’s election platform, which promised more transparency and more scrutiny. In a media release titled ‘More government scrutiny under Labor reform plan’, the Attorney-General said that ‘an Andrews Labor government will not be afraid of genuine scrutiny’. In the first couple of weeks of this Parliament we have already seen how untrue that is, with the farce that question time has become and the apparent abolition of Dorothy Dixers, which have simply been replaced by ministers statements.

I am particularly concerned that the changes outlined in this bill will take away a dedicated focus on rural and regional Victoria. There will be less opportunity for regional Victorians to have input into public policy, particularly through public hearings. The Rural and Regional Committee was tasked with two main focus points, being the provision of services to regional Victoria and the development of regional Victoria, and the committee’s reports over the years have provided incredibly important insights into the issues and opportunities that affect rural and regional Victoria.

For example, the inquiry into the opportunities for increasing exports of goods and services from regional Victoria, undertaken in the last Parliament, found that to grow regional exports much-needed government support was required to identify and support our competitive advantages, reduce costs of production and increase efficiencies while also seeking greater access to existing and emerging export markets. The report of that inquiry acknowledged the critical role that rural and regional Victoria plays in the state's exports, in particular in relation to primary production like agriculture. It also noted that in the near future agriculture will become increasingly important to the state's economy, particularly with the growing wealth of the large developing economies to Australia's north. Victoria's dairy and meat sectors are already recognised throughout the world as being among the best in the marketplace.

Outbound and inbound trade missions and other international representations from the Victorian and commonwealth governments are critical to opening up new and emerging markets to greater exports from regional Victoria. This was a major focus of the coalition government through its \$50 million international engagement strategy. In 2011, I was pleased to accompany the then Premier, Ted Baillieu, to China, where we took some 400 businesses and 600 delegates on the largest ever trade mission from Victoria. If members were to speak to any of the delegates on that trade mission, they would get a real sense of how important it was to them and to their businesses.

However, in the early days of this Labor government we have already seen that it simply does not understand the importance of agricultural exports. There was no ministerial representation at the Gulfood expo in Dubai this year. A spokesperson for the Minister for Agriculture said, when questioned about that decision, that 'future overseas visits and trade missions will be considered in the context of the minister's existing and future priorities'. What could be more important to the agriculture minister than securing new export markets for the industry?

In that same report on increasing exports, the Rural and Regional Committee acknowledged the expectation that governments would provide a world-class telecommunications network across rural and regional Victoria that meets the demands of businesses, including Victoria's growing tourism market and education sector. The coalition government responded to that with a \$40 million blackspot program, which was widely well received throughout regional

communities. That program was designed to leverage money from the commonwealth's \$100 million fund.

Across my electorate there are communities that face serious challenges as a result of communications blackspots, including Goorambat, Tatong, Reedy Creek, Broadford, Tarcombe and Upton Hill, just to name a few. As the Rural and Regional Committee noted, addressing these blackspots and providing adequate communications infrastructure across electorates such as Euroa does not just address the serious risk to emergency services but also grows businesses and jobs. Of all the 23 recommendations, one of the most critical was that the Victorian government continue to support policies that grow regional towns and cities.

Another inquiry of the Rural and Regional Committee during the last Parliament was the inquiry into the extent and nature of disadvantage and inequity in rural and regional Victoria, which is an issue that The Nationals members in this house are passionate about. It was another incredibly important piece of work. The committee examined the evidence of disadvantage in rural and regional Victoria with a view to identifying the social groups most affected by disadvantage and the geographical locations in rural and regional Victoria where disadvantage is most severe. The purpose was to prioritise these areas for future action by government.

Again we see that the role of these committees and inquiries is to highlight priority areas for government to act upon, and that underpins the concerns on this side of the house that in collapsing these committees we will see a reduction in the scrutiny of government policy and in the number of ideas that can be put forward to government. If we look through the recommendations of these committees and note the number of recommendations that are adopted by government, we can see just how important they are in policy formulation.

In conclusion, members opposite claim they care about regional communities and regional industries, but they do not care enough to give them a dedicated voice in Parliament. By not ensuring that the scrutiny of government policy for rural and regional Victoria will continue, they have seriously let regional communities down. While the opposition would be happy to have a discussion with the government about how the committee system can best operate, it cannot support the rationalisation of committees in a manner that will reduce representation of the issues that are important to rural and regional Victoria.

**Mr CARBINES** (Ivanhoe) — I am pleased to make a contribution to the debate on the Parliamentary Committees and Inquiries Acts Amendment Bill 2015 and pick up on some of the comments of previous speakers, particularly the member for Buninyong, who has a lot of experience in this place and a lot of committee experience too. He made the point that the arrangement put in place by the previous government — that is, of having more committees with less representation from parliamentarians, who are elected by Victorians — was not satisfactory. Not only that, but a lack of resourcing meant that many committees had to function less than optimally because of cuts to committee budgets by the previous government.

When we talk about scrutiny, it is important to note that the Liberal government cut funding to the Parliament and to committees, and that lack of resourcing in the committee structure meant there was less accountability and less scrutiny by the independent, bipartisan and cross-party committees. Their resourcing was less under the previous government. When we talk about scrutiny, the previous government should consider the cuts it made to the committee process, which undermined the capacity of those committees to effectively carry out inquiries into the references given to them by the government of the day.

I note that the bill clarifies that witnesses who are requested to give evidence to formal reviews are entitled to be reimbursed for expenses when the formal review's establishing instrument authorises this. That is about making sure we provide adequate resourcing to committees and the structure that is in place.

In picking up the comments of the previous speaker, the member for Euroa, I hope her experience of the committee process in the coming years is more positive than she sought to outline to the house. We have seen a lot of evolution in the way committees have been established in this place to reflect changes over time. We have had interface and outer suburban committees established in the past by the Bracks and Brumby governments, which is also about acknowledging the role of growing communities in outer suburban Melbourne and making sure their issues and concerns are raised and investigated by members in this place.

I was fortunate to serve as a member of the Law Reform Committee, a committee that was scrapped by the previous government despite three very effective reports that saw changes to legislation and also changes to the way in which the law operates here in Victoria. When I came into this place the then Speaker, the former member for Bass, outlined to new members that

their work on the committees would be some of the most valuable work they would do. That is absolutely true.

I was pleased to serve with the former member for Prahran, Clem Newton-Brown, along with the member for Morwell and the member for Brunswick on the Law Reform Committee. We had to do that work with fewer members than committees had previously had because of the way in which the previous government sought to structure committees. The work was onerous at times because we had to spread that work amongst fewer people. As I made the point before, the budgets for committees had been cut by the Baillieu and Napthine governments.

There were three reports in particular that we worked on. One was on an inquiry into sexting laws in Victoria. To outline to the house some of the effective roles committees can play in this place, I note that one of the key recommendations from that inquiry is for:

... the Victorian government to introduce legislation to create an offence for the distribution of intimate images or video of a person without consent, and to introduce legislation so that minors who make or possess sexually explicit images or video of themselves or their peers cannot be charged with child pornography offences.

The report also states:

While in most circumstances little or no harm is done to willing participants in sexting, real and significant harm can occur when images are distributed to other people without consent.

This is the digital footprint people these days can leave out there for all time. After we made those recommendations the government responded. We had changes to legislation that were effective in protecting the rights of individuals and also making sure we were reflecting community attitudes. Sometimes people can make mistakes in the digital world, and their digital footprint is there for all time.

We also produced a report on access to the justice system by people with an intellectual disability or cognitive impairment in which we investigated and recognised the important role played by police along with the courts and the legal profession in safeguarding the rights of all people with an intellectual disability or cognitive impairment. While the previous government did not pick up on any of the 47 recommendations we made in that report, it did raise a number of issues and present a number of recommendations. The previous government chose to ignore those recommendations. While the committee process is important, it is often only as good as the reference it is given by the government of the day and the willingness of the

government of the day to act on the recommendations of the bipartisan committees.

Another example of the work with which I was involved as part of the Law Reform Committee was the inquiry into access for donor-conceived people to information about their records. The committee's press release of 28 March 2012 outlines the issue:

Under current Victorian legislation, people who were conceived using gametes donated before 1 July 1988 have no rights to any information about their donors. People conceived using gametes donated between 1 July 1988 and 31 December 1997 can access information about donors if the donor consents to release of that information. By contrast, people conceived using gametes donated after 1 January 1998 have unconditional access to identifying information about their donors.

The point we were making was that there are three laws that applied that were based on, in effect, when you were born. I quote from the former member for Prahran, Clem Newton-Brown:

While the committee recognises that donors who donated their gametes before 1988 did so on the basis of anonymity, the committee considers that donor-conceived people have a right to know the identity of the person who contributed half of their biological make-up ...

The committee is convinced that this right must be given precedence, even over the wishes of those donors who would like to remain anonymous.

That report was released in March 2012. The government had six months to respond. We got a one-page document saying that the government was going to take more time to respond, but it was a year to 18 months before we got a further response from the government at the time. It chose not to take action that we thought would have been satisfactory.

The member for Brunswick and I worked on a private members bill, which was introduced in the other place by the now Leader of the Government in the upper house. It was all about trying to bring about change to those circumstances that were recognised in the reference we were given — change that responded to the recommendations of the report we tabled in the Parliament. We continued to fight and lobby and bring private members bills to this place to seek action on this issue, where the government of the day, despite having given the reference to the committee, had chosen to ignore the committee's recommendations.

The 2014 Victorian ALP platform says on page 71 under the heading 'Rights of donor-conceived people to know their genetic heritage':

Labor will:

Introduce legislation that ensures all donor-conceived people have the right to identifying information about their donors, regardless of when they were born and whether or not the donors believed they would remain anonymous

Ensure the legislation contains the safeguard of contact vetoes for those donors who do not want contact with their offspring, in recognition of the fact that donors may well have more than one donor child

This is in the Victorian Labor Party platform. It is going to be introduced in a bill that will come before this place. It will be introduced by the Minister for Health. It is a Labor commitment that was supported by the Victorian people at the election. It goes to show again — and this brings me back to my point — that the work of committees in this place is critical, but it can only be as good as the references given to committees by the government and the government's willingness to act on the recommendations of those bipartisan committees and to resource them adequately to be able to do their work. The previous government cut funding to parliamentary committees and therefore cut the level of scrutiny that was available to members of this place.

The changes that the Andrews government is making to the committees structure will make the committees more effective, and I am sure that the recommendations that committees make will be given due consideration by this government. I look forward to continuing to meet our pledge to act on the recommendations of the Law Reform Committee's work in relation to donor-conceived people.

**Ms KAIROUZ** (Kororoit) — Firstly, Acting Speaker, I congratulate you on your appointment to that role. Today I rise also to speak on the Parliamentary Committees and Inquiries Acts Amendment Bill 2015. As the house has heard, the bill has two broad purposes. Firstly, it amends the Parliamentary Committees and Inquiries Act 2003 to reduce the number of joint investigatory committees, reducing the number of committees from 12 to 9. Secondly, it amends the Inquiries Act 2014.

Joint investigatory committees are essential to the transparency of our Parliament. Their role in conducting inquiries into legislation allows proper scrutiny of the workings of government to take place and ensures that there can be adequate participation in the legislative process. The greater the input there is into the legislative process, the better the outcomes are for the Victorian people. Joint investigatory committees have played an important role for the Victorian

community throughout the history of this Parliament. Take, for example, the Family and Community Development Committee inquiry into the handling of child abuse by religious and other organisations, which the member for Broadmeadows talked about earlier. The inquiry received 578 written submissions from the community. It heard from many witnesses who spoke for the first time about their abuse. That prompted the government to implement important recommendations to keep Victorian children safe, as well as to ensure that religious and other organisations are equipped with strong approaches to prevent and report child abuse when it happens. Joint investigatory committees such as that show the impressive work that members from both sides of the house can do when they work together.

I point out for the benefit of the new members that joint investigatory committees present an important opportunity for members of all political persuasions to work together, to do so in a professional and sometimes personal way, to research, and to deliver to the government of the day fair, balanced and sound advice in the form of recommendations. Members in previous Parliaments and those in the current Parliament who have been around for a while will all attest to the fact that committee work is the most rewarding work that a member of Parliament can do. It is reports like those from the child abuse inquiry and that to which the member for Ivanhoe referred in his contribution that attest to the great work that members who sat on those committees did.

In order for joint investigatory committees to fulfil their important role in the Victorian Parliament it is essential that they operate efficiently. This bill aims to consolidate functions of the current six joint investigatory committees in three new committees to ensure that they are able to function to the best of their ability and enable the workloads between the different committees to be better distributed. The bill creates new joint investigatory committees in the following ways: the Economic Development, Infrastructure and Outer Suburban/Interface Services Committee and the Education and Training Committee will become the Economic, Education, Jobs and Skills Committee; the Environment and Natural Resources Committee and the Rural and Regional Committee will become the Environment, Natural Resources and Regional Development Committee; and the Law Reform, Drugs and Crime Prevention Committee and the Road Safety Committee will become the Law Reform, Road and Community Safety Committee.

These changes reflect the many priorities of the current government, including creating more jobs, growing our regions and ensuring that our roads and communities

are safe. It is important to note that while the names of the committees are important, it is the references and the policy formation that matter most. These changes will also minimise disruption to the activities of the current joint investigatory committees. The bill enables previous joint investigatory committee inquiries to continue under the new joint investigatory committees. It provides, firstly, for any inquiry that has been referred to a previous joint investigatory committee to be referred to the relevant new joint investigatory committee; and secondly, that any members appointed to a previous joint investigatory committee are now to be appointed to the new relevant investigatory committees. These transitional provisions will ensure that the new joint investigatory committees are able to continue the good work of the committees that they replace.

I also direct the attention of members to the amendments the bill proposes to the Inquiries Act 2014. These minor yet important amendments clarify the circumstances in which witnesses to formal reviews are entitled to be paid expenses and allowances; clarify that royal commissions and boards of inquiry established before the act came into force can continue any current inquiries; clarify that the Governor in Council may amend the establishing instruments of royal commissions or boards of inquiry that were established before the act came into force; and replace the definitions of 'judicial officer' and 'non-judicial member of VCAT' as these cross-refer to the Judicial Commission Bill 2014, which has not been enacted. These amendments to the Inquiries Act are important, particularly in the case of expenses and allowances for witnesses in formal reviews. These amendments clarify that a formal review witness is entitled to be paid expenses and allowances under certain circumstances. As I mentioned earlier, the amendments also make necessary changes to royal commissions and boards of inquiries that were established prior to the Inquiries Act.

The Parliamentary Committees and Inquiries Acts Amendment Bill 2015 makes important changes to both joint investigatory committees and the Inquiries Act. These changes encourage cooperation and promote a transparent and open legislative process. I commend the bill to the house.

**Ms SULEYMAN (St Albans)** — Thank you, Acting Speaker, and I congratulate you on your role today. I rise to follow my colleagues in also speaking in support of this bill and to echo the same sentiments. This bill amends the Parliamentary Committees Act 2003 and the Inquiries Act 2014. It will reduce the number of joint investigatory committees from 12 to 9

by merging committees. This will enable Parliament to work effectively, allow members to express their views and provide an opportunity for stakeholders, in particular our communities, to have a say. I repeat that there will be no loss of the functions of previous committees.

One matter that is important to me is that the existing Law Reform, Drugs and Crime Prevention Committee and Road Safety Committee will merge to become the Law Reform, Road and Community Safety Committee. A matter that is extremely important to the electorate of St Albans is clearly safety on our roads — safety for motorists and safety for pedestrians. I know the previous committee did a good job in finding some solutions, but with the new committee there will be an opportunity to find better solutions in relation to safety.

Another matter that is close to me is law reform. A particular issue that is close to my heart is family adoption in this state. At the moment there seems to be a gap where there are adopters who may be discriminated against because of their religion. There will be an opportunity for the Law Reform, Road and Community Safety Committee to address this concern.

There are other important matters, such as crime statistics. In the west, and particularly in the area of St Albans, we can see that crime statistics went up under the previous government. With the joint committee there will be an opportunity for openness and transparency and for there to be a real sense of engagement with stakeholders to look at some real solutions in that area. I reiterate that there will not be a loss of function; this is a change. This government is committed to making sure that there is an honest, transparent and effective way of working within the committee structures. Yes, the names will change but the functions will not change. I commend the bill to the house. In conclusion, as I have made clear, there will be more scrutiny, better consultation and an opportunity for all members of the house to contribute to the committee process.

**Ms HALFPENNY** (Thomastown) — Thank you, Acting Speaker, and it is good to see you in the Chair. I also rise to support the Parliamentary Committees and Inquiries Acts Amendment Bill 2015, which amends both the Parliamentary Committees Act 2003 and the Inquiries Act 2014. I will confine my contribution to the debate to the proposal to reduce the number of parliamentary committees by merging some of them.

At the moment there are 12 parliamentary committees, and they will be merged into 9. The Economic Development, Infrastructure and Outer

Suburban/Interface Services Committee will merge with the Education and Training Committee and be known as the Economic, Education, Jobs and Skills Committee. There will also be a merging of the Environment and Natural Resources Committee and the Rural and Regional Committee. I am currently a member of the Environment and Natural Resources Committee, together with a member on the other side, who is in this chamber. The committee is currently undertaking an inquiry. It is proposed that the new committee will be the Environment, Natural Resources and Regional Development Committee. The third merged committee will be the merged Law Reform, Drugs and Crime Prevention Committee and Road Safety Committee, which will be renamed the Law Reform, Road and Community Safety Committee.

As I mentioned, I am confining my contribution to the debate to the merging of parliamentary committees, and it particularly relates to the merging of the Environment and Natural Resources Committee and the Rural and Regional Committee. I put to the house that this is a good proposal. How many times with inquiries do we hear about concerns expressed and organisations saying that the government operates with a silo mentality — one department does not know what another department is doing, and one organisation does not know what another arm of government is doing? This is a way of bringing together important aspects in the policy area.

When you look at issues concerning the environment and natural resources, you see that they fit so well with rural and regional communities. Often things like the fracking and coal seam gas debate and the timber industry — all the things that require particular policy and have controversy about them — have the greatest impact on people living in rural and regional areas. This seems an absolutely natural fit and is being proposed by the Labor government for very good reason. The ridiculous arguments we hear from the other side, that for some reason a reduction in the number of committees will reduce transparency or the ability to scrutinise government, just do not make sense, particularly if you look at their record on this sort of stuff. For example, in the last term of the Liberal-Nationals government we saw committee member numbers drop from the original seven down to five.

**Mrs Fyffe** — Speaker, I direct your attention to the state of the house.

**Quorum formed.**

**Ms HALFPENNY** — I believe the Environment and Natural Resources Committee and the Rural and Regional Committee are a very good fit for a merger. When I listen to the Greens, it sometimes seems that the environment and natural resources are the province of the inner city, while the direct impact of those issues and policies on people living in rural areas is largely ignored. This affects their livelihoods and the economic development of their communities. It therefore seems fitting that a committee looking at issues around the environment and natural resources would also look at issues affecting rural and regional communities.

The idea that this is somehow an issue of laziness, as the member for Euroa said, is offensive. I have sat on parliamentary committees, including in the last Parliament, and a lot of work, time and effort is put in by all members of those committees. It is not important how many committees there are. A matter is referred to the committee for inquiry, or the government determines that a matter should be inquired into, and it is then up to the members to do their duty, be diligent and work hard to make sure a thorough investigation takes place. Some members have also said that this is an issue of reducing scrutiny. That is a laugh, particularly when you consider the reduction of the number of members on committees in the last Parliament. We now have an increase in numbers from five to seven. That allows for further scrutiny, because there are more members on the committee to share in the work and contribute.

It seems members on the other side are complaining just for the sake of it. It is either that or a complete lack of understanding. I find it incredible that The Nationals would sell out to the Liberal Party, which is doing this for political pointscoring — although I do not think it is succeeding. Members opposite want to try to argue that merging the Environment and Natural Resources Committee with the Rural and Regional Committee is somehow not a good thing. Of course it is a good thing, and it is important. We should all get on with the job of trying to work in the interests of the Victorian people, rather than making a song and dance about the silliest and smallest of issues.

**Mr EDBROOKE** (Frankston) — I rise today to speak on the Parliamentary Committees and Inquiries Acts Amendment Bill 2015. I must admit that throughout the last two days I have seen more of what I expected Parliament to be — a lot more passion, a couple of smiles, a couple of chuckles and a couple of words across the chamber. It has been good.

The Parliamentary Committees and Inquiries Acts Amendment Bill 2015 will amend both the

Parliamentary Committees Act 2003 and the Inquiries Act 2014, and I do not see any big issue with that. I would like to speak on the Parliamentary Committees Act first. The bill merges six existing joint committees to form three new committees: the Economic, Education, Jobs and Skills Committee will undertake the functions of the Economic Development, Infrastructure and Outer Suburban/Interface Services Committee and the Education and Training Committee; the Environment, Natural Resources and Regional Development Committee will undertake the functions of the Environment and Natural Resources Committee and the Rural and Regional Committee; and, last but not least, the Law Reform, Road and Community Safety Committee will undertake the functions of the Law Reform, Drugs and Crime Prevention Committee and the Road Safety Committee. I look forward to seeing the more efficient running of parliamentary committees through the consolidation and believe that this bill should pass quickly.

I have been told committee work is some of the most valuable we will do in our careers as MPs. I have just started on a committee, and I cannot wait for that work to begin. I am particularly interested in the joint parliamentary inquiry into the Country Fire Authority's training college at Fiskville. As a career firefighter for 14 years, I will be very interested to see how that one goes. Again, this is just an example of how rewarding committee work is, and how much Victoria counts on the recommendations of committees. I have probably spent a year of my life in Fiskville. In 2001 started as a rookie firefighter. I was involved — —

**Mr Battin** — On a point of order, Speaker, in relation to the comments around Fiskville, that inquiry is before the committee at the moment. I want to urge caution in the comments that are made by the current speaker in relation to Fiskville as the matter is currently under investigation by the committee.

**The SPEAKER** — Order! The member can talk about the inquiry in general terms, but the member cannot disclose any content of the committee inquiry, if he sees the subtle distinction. I am sure he does.

**Mr EDBROOKE** — As the member for Gembrook would know — and I thank him for his caution; I do not want to step over the line — I do not know anything about what the committee is dealing with at the moment.

The value for me as a member of the Victorian community is to know that these things, whether good or bad, are going to be investigated. As I said, as someone who spent a year of my life up there and who

was in Fiskville doing drills during a time that is being investigated, it is very reassuring to know that these committees will do the correct job. It does concern me, though, that the previous government cut budgets for some of these committees, meaning there is less scrutiny and less accountability, and that cannot be a good thing. I challenge anyone in the Victorian community to say that having less scrutiny and accountability is going to lead to better governing of Victoria.

Some people just do not like change. That is a fact. Throughout my career as a teacher and as a firefighter I realised that some people do not like change, and there are various motivations behind that. Some are political, some are because we have different opinions and some are because people are conservative, and that is all great. What I take exception to is the member for Euroa suggesting that laziness could be part of it. I am not sure if the member is on any committees yet, as she is in a similar position to me and fairly new to the Parliament, but I would say that it is not laziness. We are trying to make things more efficient; we are trying to make things open to more scrutiny, and that is a good thing.

Consolidating the functions of the six joint investigatory committees into three will ensure that the committees run more efficiently and that the workloads of the different committees are better distributed between them. As the committees will have the same functions as the committees they replace, there will be no loss of coverage of issues considered by the committees. Any suggestion that that is the case is purely hypothetical. The new committees will continue any inquiries currently being conducted by the committees they replace. In addition, any member who has already been appointed to a committee will carry on as before.

I would like to support this bill in its ascension to the upper house. I believe it is a good bill and not something that should be argued about. It is a very simple change. It is not rocket science, and I do not think it is going to affect any kind of government decisions. The committees make recommendations, and they will make them efficiently and effectively. I think this bill should be passed.

**Mr NARDELLA (Melton)** — I support the bill before the house. I have been on a number of parliamentary committees in my very short time within this place, ranging from the Crime Prevention Committee with Ken Smith, the former member for Bass, who was also with me in the upper house.

**Mr Walsh** — Two rogues!

**Mr NARDELLA** — That is absolutely correct. Talking about rogues — and I am not referring specifically to my honourable friend — Ken Smith was my chair on the Crime Prevention Committee from 1992 to 1995 and he was then my deputy chair for the Outer Suburban/Interface Services and Development Committee from 2002 to 2006, so the rogues got back together again.

I have spoken about this matter in the house before, but the major inquiry that committee undertook with Ken Smith and others from about 1993 to 1995 was with regard to sexual assault against women and children and was extremely important. One thing, among a number of others, that came out of that inquiry that continues to this day was the cover-up by the Roman Catholic Church. I know that Ken Smith was extremely upset when one of the monsignors lied to the committee.

**Mr McGuire** — Monsignor Cudmore.

**Mr NARDELLA** — It was Monsignor Cudmore, as the member for Broadmeadows points out to me. He is now the late Monsignor Cudmore. We were looking at recalling the monsignor because of the statements he made.

We did a number of things on that committee that I think were quite groundbreaking. Perhaps members can remember the pink taxis that were floated by the Premier at the time, the Honourable Jeff Kennett. That idea arose from an inquiry that again was done by the Crime Prevention Committee on the taxi industry in Victoria. So there is a continuance of factors that then go into policy development and changes to laws within this state.

I have served with some very difficult people on parliamentary committees, especially on the Family and Community Development Committee from 1999 to 2002 — and it was not someone on my side of politics. If you have a look at the membership of that committee, there was one particular lady who was impossible. I am not going to cast aspersions on her but she was in this house and is now in the upper house. She is still around, having managed to come back after losing her seat. She was extremely difficult.

One of the amazing things about parliamentary committees is that you do some fantastic things: you learn things not only from the trips and the evidence taken but also from the members from the other side of the house. There are not many opportunities to develop an understanding, a friendship or a rapport with

members from the other side of the house, but the parliamentary committees enable you to do that. When I was chair of the Outer Suburban/Interface Services and Development Committee, I tried to get consensus in the inquiries that we undertook. When George Seitz was the chair — even though I was doing the work! — we tried to get consensus amongst the members of Parliament to come up with the best recommendations, which the Parliament and the executive of the government could then consider. Those things are extremely important.

The number of parliamentary committees will be reduced through this bill. It is a difficult situation because of the changes in the upper house. The number of committees that have to be staffed and dealt with by the upper house will mean that the understanding of members from both chambers of this Parliament will not be to the same extent as it has been in the past.

I also served on the Crime Prevention Committee and on the Scrutiny of Acts and Regulations Committee (SARC). Why I was on SARC a second time is beyond me; I am still trying to work out why — and my therapist is still working on that. I was also on the Family and Community Development Committee, the Outer Suburban/Interface Services and Development Committee and the Rural and Regional Committee, which did extremely interesting work when we did the investigation into disadvantage and inequity in rural and regional Victoria.

When we visited communities during that investigation, it was interesting to learn about the way they dealt with disadvantage and isolation. The distances they have to deal with on a day-to-day basis gives you real inspiration. I will give the house an example. Donald High School has, I think, one of the best education processes in its delivery and results anywhere in the world. I will explain why. The principal works with other schools within the district, which is very large. With the use of technology, he provides subjects to his students and to other students in other schools where subjects cannot be provided, so it breaks down a lot of barriers. One of the really interesting things is that, for example, when a parent meeting is held at Donald High School — there are about 220 families there — 200 families turn up. That is an effect of the respect for that principal and his staff. Again, it is about how you break down barriers, and you get those insights from the parliamentary committee system.

I have served on committees with a number of members and former members, including the member for Bulleen and the former member for Hawthorn, the Honourable Ted Baillieu, on the Outer

Suburban/Interface Services and Development Committee, where we did a number of investigations, and the member for Burwood, who is waving at me, served with me on SARC.

**Mr McGuire** — What a privilege!

**Mr NARDELLA** — Yes, and I can tell the member for Broadmeadows I have never looked back! The time you are able to spend with people gives you a different perspective. Members from the previous Parliament know that the former member for Benalla, Dr Sykes, would spar with us quite vigorously when we were on the other side of the house —

**An honourable member** interjected.

**Mr NARDELLA** — Ten; that's right, but when you were on a committee and working with Dr Sykes you found that he was very human. You deal with some really serious issues on committees, and I think the newer members will appreciate the work they will get to do on the committees. I commend the bill to the house.

**Ms WARD (Eltham)** — I welcome the Parliamentary Committees and Inquiries Acts Amendment Bill 2015, which will amend both the Parliamentary Committees Act 2003 and the Inquiries Act 2014. I welcome this bill for a number of reasons. Firstly, and most importantly, I welcome this bill for its ability to continue to put into action Labor's commitment throughout last year and since this Parliament was sworn in to get ourselves and this state back to work.

**An honourable member** interjected.

**Ms WARD** — That is exactly right: we will get ourselves and this state back to work. For four long years this state was in hibernation. It was asleep at the wheel; we went nowhere, we did nothing. Very little happened. There was much bluster and much inefficiency. We need to get back to work. Labor promised to be different, and it will be. This bill offers that opportunity. I cannot fathom why those opposite want more of the same tired ideas, more of the same tired inaction and more of the same tired old inefficiencies.

We have changed sessional orders to provide a more efficient Assembly. We have made announcements such as fast-tracking \$20 million of our \$320 million TAFE Rescue Fund to help prop up our failing TAFE system. We are getting this government and this state back to work after four years of doing nothing and four years of doing little — half of that with our Doctor

Dolittle former Premier. This bill is yet another example of the Andrews government getting down to business and providing for greater efficiencies. We do not want to spend four years sitting on our hands doing nothing, as the previous government did, letting our state drift into apathy and inaction. We need to get back to work. We want a government and a Parliament that work for the people of this state. We need to lead by example. We need to get to work, and we need to be efficient. We want our communities to know that we are hard at work and achieving outcomes in the most efficient, non-wasteful way possible.

This bill will merge six joint investigatory committees to form three new committees. That is it. It is not a complex problem. It is not a complex development. Those opposite, being conservatives, oppose change. They fear it. They are afraid of it. They were afraid of the change in sessional orders. They appear to be afraid of the changes this bill will create. Allowing the Economic, Education, Jobs and Skills Committee to continue the functions of the Economic Development, Infrastructure and Outer Suburban/Interface Committee and the Education and Training Committee makes sense. It is efficient, and it will ensure that the committee will work hard. We will be getting back to work, and we will be hard at it.

My own committee will change. I welcome this. For the Rural and Regional Committee to be incorporated into the Environment and Natural Resources Committee makes sense. Our natural environment is vitally important to our rural and regional communities. For example, we are currently looking at the issue of the Fiskville Country Fire Authority training facility. This is of strong interest to those living in and around that rural area. I would have thought the member for Euroa, coming from a rural area as she does, would welcome the change. This new committee will expose more people to the issues that confront rural and regional areas and will be able to merge the concerns of people in metropolitan areas with those of people in rural and regional areas.

Climate change is another environmental area of extreme interest to our rural and regional communities. The climate is changing, and this affects farming and agricultural economies. It makes little sense to separate the two areas. This issue is important to the needs of rural communities. Scientists are clear that farmers will need to adapt as our climate continues to change. It will affect Victoria; there is no question of that. CSIRO climate applications scientist Steve Crimp has been quoted as saying:

Certainly across most of southern Australia, the projections of the future are for warmer and drier conditions, so when we experience warm and dry conditions, growing those crops, canola, wheat, barley et cetera will be more challenging in the future.

When he says ‘across most of southern Australia’, that means Victoria. That means we need to be on board, we need to know what is going on and we need to ensure that there is a relationship between the people working on the environment committee and the people working on the rural and regional committee. We need to put the two together. It creates greater efficiencies.

The CSIRO report warns us that our farms and our grazing livestock, especially cattle, will also be under threat. Animals will experience stress and will find it harder to breed. This is a serious economic concern. Why would you not then combine the Environment and Natural Resources Committee with the Rural and Regional Committee? Why would you not have these people talking to and working with each other? Again this will create greater efficiency and get us back to work. It will mean we have a Parliament that is working hard and getting results. As I said earlier, it all makes perfect sense.

The people in my electorate care deeply about the environment. We care about our green wedge, which begins at the edge of my electorate and extends all the way to just below Kinglake. This is a rural area with dirt roads, farmland, vineyards and so on. Why would this not be a part of a committee that also talks about the environment?

However, to a conservative mind change is a challenge. We believe change can be good, and in this instance it is an excellent change. Change does not hurt us. Change and progress can help us to better develop and have a more efficient Parliament — a Parliament and a committee system that work well. It also makes sense to create a new Law Reform, Road and Community Safety Committee that incorporates the responsibilities of the Law Reform, Drugs and Crime Prevention Committee and the Road Safety Committee.

I find it astonishing that those opposite are resisting moves to make this Parliament as efficient as possible. They talk about efficiencies all the time. They talk about making things better all the time. So why can we not do it here? Why can we not have committees that are efficient, address the issues that concern people and have a relationship with each other? Committees will continue to function just as the sun will continue to rise, and they will continue to do their work. These changes will not hamper the committees; instead they will make them better at what they do. There will be better

communication in shared areas of interest. People will be able to work better together. This is us looking at what we have and how we can make it better. This is what Labor wants to do. This is part of our policy and our drive to get our state back to work, to get us on our feet and to get things moving.

Since the first day we were elected to government, we have moved forward and we have worked hard to get things happening in this state. This is just a small example of how we are going to be able to do that. We have made the sessional orders more efficient. We have a better working Parliament, and we are going to have better working committees that will better represent the needs of the people we represent. I welcome the opportunity to talk to the people in my committee who have a focus on rural and regional areas. This will be interesting for me, since I live on the border of the metropolitan area. I have kangaroos, paddocks and vineyards — all in my backyard. I want to know what is important to those people as well. I want to know, from an environmental perspective, how we can work together to get better outcomes for our community across the board.

This is a very good move by the government. This is a far-sighted move by the government. It shows again why we won the election last year; it is because we have the vision to take this city and our state forward, to give better opportunities and to get better outcomes. I commend the bill to the house.

**Debate adjourned on motion of Ms ALLAN (Bendigo East).**

**Debate adjourned until later this day.**

## RULINGS BY THE CHAIR

### Quorums

**The SPEAKER** — Order! I wish to respond to a point of order raised with me by the member for Burwood concerning the calling of quorums. On Wednesday, 11 February 2015, the Deputy Speaker used his discretion to decline a second quorum call as a quorum had already been called and established a little earlier in the day. The member for Burwood sought my guidance on how many quorums could be called before such a call would be considered excessive. Two previous rulings relate to situations where the Chair has declined to ring the bells for a quorum, the first being where a quorum had been sought shortly after the bells had been rung to establish a previous quorum and the second where the persistent calling of quorums was deemed to be a disruption to proceedings.

The calling of quorums is an essential part of our procedures. However, it will remain the discretion of the Chair, depending on the circumstances in the house at the time, whether or not to ring the bells for a quorum in accordance with our current practices.

**Mr Guy** — On a point of order, Speaker, I noted in question time today that the Minister for Sport said he rejected the premise of a question I asked, the premise of that question being around a trip to Queensland to a cage fighting match in Queensland. I note that the minister has in fact declared the trip about which I was asking, yet he said he rejected the premise of the question.

Not wanting the minister to mislead the Parliament, I ask if you would be able to seek a personal explanation from the minister given the inconsistency between the answer given in question time, which was that he totally rejected the premise of the question, and a declaration that he has made in relation to gifts exceeding \$500, one in relation to the ultimate fighting championship sporting event held at the convention centre on the Gold Coast in Queensland. There is a clear disparity, and I ask if you would thus seek from the minister a personal explanation to the house as to where that disparity has occurred.

**Ms Allan** — On the point of order, Speaker, in responding to what the Leader of the Opposition has just said I wish to make two points. I appreciate that the Leader of the Opposition is new to this chamber and that there may be practices that are a bit different in this chamber to those that he has been used to.

The first point I would like to make is that this point of order has been taken long after the horse has bolted, and it is not an appropriate use of the parliamentary procedures. This takes me to my second point: if he wants to raise this, there are appropriate ways to raise with you questions of other members misleading the house and seeking personal explanations. I would suggest to you, Speaker, that you may wish to consider counselling the Leader of the Opposition on the practices of this place and not uphold his point of order at this time.

**Mr R. Smith** — On the point of order, Speaker, the Leader of the Opposition is completely within his rights to raise a point of order at any time during the sitting. The Leader of the House suggests that the horse has bolted, to put it in her vernacular, but the fact of the matter is that the Leader of the Opposition can raise a point of order at any time, and he is certainly entitled within the precedents of this house to request a personal explanation from the minister. There is a perception

that the minister has misled the house, and we certainly want to clear that up.

**The SPEAKER** — Order! On the point of order, I wish to make two points. The first is that I had already ruled on that point of order, and the second is that — as the Leader of the Opposition knows — it is not for the Chair to direct the minister to respond in any particular way.

### SUMMARY OFFENCES AMENDMENT (MOVE-ON LAWS) BILL 2015

#### *Second reading*

#### **Debate resumed from earlier this day; motion of Mr PAKULA (Attorney-General).**

**Mr PAKULA** (Attorney-General) — As there are no further speakers on the Summary Offences Amendment (Move-on Laws) Bill 2015, in summing up the debate I would like to commend members on their contributions to the debate despite the fact that it was not always in the best spirit and nor was it the most temperate of debates we have had in this chamber. I want to thank all members for their contributions. I wish to make particular reference to the audition by the member for Hawthorn, which I would describe as being a work of fiction at very high intensity. It was certainly something —

**Mr Pesutto** interjected.

**Mr PAKULA** — Well, he says he has learnt from the master, and I assume he is talking about his leader. They seem to be in a sort of high-agitation intensity contest. It was, if nothing else, a very entertaining contribution by the member for Hawthorn. I am not sure the dispatch box has yet recovered!

These additional move-on powers have been in place for less than a year, but if you were to believe the contribution of the member for Hawthorn and the contribution of the member for Caulfield, for the 150 years prior to these move-on powers, the police have had no adequate ability to respond to protest in the state of Victoria. Never in the 150 years before these move-on powers came in did they have adequate powers, and if those powers are repealed — as we committed to do before the election — the police will once again be powerless. It has only been for these few months between this law being enacted and this law being repealed that police have had the ability to deal with protests!

If you listened to particularly the contribution of the member for Caulfield, you would have heard that if

these move-on powers are repealed our streets will be destroyed. The use of the word ‘destroyed’ indicates the level of hyperbole that we are contending with in this debate. We are also being asked to believe by the member for Hawthorn, the member for Burwood — resplendent as he is — the member for Caulfield and others that somehow these move-on powers would have been the solution to the Construction, Forestry, Mining and Energy Union protests that we saw in the city. Those protests were described by the member for Box Hill at the time as violent and illegal — all sorts of descriptors were used.

What we are being asked is to forget the court action that took place, forget the enormous fines, forget the contempt action, forget the Australian building and construction commissioner or the Construction Code Compliance Unit or the trade union royal commission. We are being asked to believe that what was really needed were the move-on powers. If only the police could have said, ‘Hey fellas, would you move on?’, that would have been the solution to what the then government, the now opposition, described as the most violent, unlawful, outlandish, outrageous protest that we have seen. That is the kind of logic that we are being asked to accept. The same could be said for those boycott, divestment and sanctions (BDS) lunatics that the member for Caulfield talked about. He described their conduct in debate in this place in August 2011 as trespass on private property — a crime, as we already know. That is something that police already have the powers to deal with.

The member for Hawthorn also tried to tell the house that these move-on laws, the ones we are seeking to repeal, were brought in in response to the BDS protests. We know that that is not the case. We know now, and we knew it then. We know that these laws were in fact brought in in response to people like Miranda Devine, Michael Kroger, Andrew Bolt and Tanya Cirkovic hopping into Ken Lay, Ted Baillieu and Peter Ryan because they would not send the police in to break up industrial disputes. They would not send police in to break up one particular industrial dispute.

I remember hearing Mr Kroger on Melbourne Talk Radio — some of us remember MTR — lambasting the Chief Commissioner of Police and the police minister at the time because they would not use Victoria Police as a private security firm. Back then Mr Kroger was only the party’s spiritual leader; now he is its actual leader. Now he is the state president, and that —

**Ms Staley** — Not yet.

**Mr PAKULA** — Not yet. I withdraw the grave assertion that Mr Kroger is the state president of the Liberal Party, although we know it is coming.

We also know phone calls were made to the police minister's office, and that was the genesis of these laws — the inability or refusal of Victoria Police to be used as a private security firm in industrial disputes and the ensuing lambasting the then Premier, the then police minister and the then chief commissioner got from the Liberal Party's conservative commentariat, whether from Ms Devine, Mr Kroger or Mr Bolt.

Despite the sophistry of the Liberal Party contributions to this debate, we know these laws as they stand on their normal construction could absolutely be used against protesters like the McDonald's protesters at Tecoma. We know that because when that assertion was made during the debate on this bill last February the member for Malvern said, 'And so they should be'. We know absolutely that these laws could be used against protesters like the Lock the Gate protesters, who are opposed to coal seam gas extraction. We know absolutely that on their normal construction these laws could be used against nurses, paramedics, firefighters and taxi licence holders conducting protests.

We also know there is nothing in these laws, as they are currently constructed, that requires a protest to be either violent or illegal before the move-on powers are invoked. When opposition members come in here and say this is only about violent protests or illegal protests, that is absolutely untrue. There is nothing in the act that limits these move-on powers to violent or illegal protests. There is nothing in this act that requires a union picket line to be declared illegal before these laws can be invoked. They can be used even where industrial action is legally protected industrial action, and they can be used against union picket lines when no injunction has been granted or even sought. That is absolutely clear on the construction of the act.

We heard the member for Hawthorn trotting out examples of those who support their position, but we know that the legal fraternity was absolutely opposed to these laws when they were introduced. We know Geoff Bowyer, the former president of the Law Institute of Victoria (LIV) and a solicitor from Bendigo — he is hardly Che Guevara — —

**Mr Pesutto** interjected.

**Mr PAKULA** — I don't want to get you going — goodness!

We know the laws were roundly condemned, particularly for their potential to be used against

homeless people, and we know the current president of the LIV, Katie Miller, has warmly welcomed the decision to repeal these laws.

There were protests long before these move-on laws came into effect, and there will be protests long after they are quite appropriately consigned to the dustbin of history. Where those protests are violent or illegal, there are laws to deal with that. There always have been and there always will be, and the suggestion from members of the opposition that once these move-on powers no longer exist there will be no ability for anyone to deal with any violent or illegal protests is just so much guff — absolute guff. I heard the member for Hawthorn during his contribution talk about people being racially and religiously vilified. Let me say that where there are breaches of state or federal provisions regarding racial or religious intolerance or hate speech, there are laws to deal with that.

While we are on the subject of racial and religious intolerance, I would like to put on the record and hopefully once and for all make one point clear to those opposite. This party — the party that conceived of the Racial Discrimination Act 1975 and the party that introduced the Racial and Religious Tolerance Act 2001 in this state — will not be lectured to by the party of the Melbourne Club. We will not be lectured to by the spawn of Abbott and Brandis and Bernardi and Morrison. We will not be lectured to — —

**Mr T. Smith** — On a point of order, Acting Speaker, there is no member of the parliamentary Liberal Party who is a member of the Melbourne Club. I would ask the member to withdraw.

**The ACTING SPEAKER (Mr Angus)** — Order! That is not a point of order.

**Mr PAKULA** — I am glad the member for Kew considers membership of the Melbourne Club to be an insult. He probably ought to talk to some of his sponsors about that.

**Mr Pesutto** interjected.

**Mr PAKULA** — I'll never get as excited as you, John. We will not be lectured to by the party that sought to repeal section 18C of the commonwealth Racial Discrimination Act 1975 — we never have and we never will. Likewise we will not be lectured to by members of this house who purport to represent communities yet seek to do no more than whip up unjustified fear and loathing in those communities. We will not be lectured to by people who seek to frighten, for no good reason, the people they claim to represent.

There is one final thing, and this has been aired consistently during question time this week: it seems that members opposite just do not comprehend this concept. This is an election commitment that we made during the campaign — an election commitment we made from the time this bill was originally introduced in February last year — and that was repeated consistently throughout 2014. In his contribution the member for Caulfield conceded that it was an election commitment. He tried to make out that it was somehow a bad thing, but there has been a concession from those opposite that this was indeed an election commitment. We intend to adhere to the election commitment we made. We have an obligation to the people who elected us to adhere to our election commitments, and that is what we intend to do.

Good governments are not afraid of protests. Protests are inconvenient. They are often most inconvenient to government. They are often more inconvenient to government than they are to anybody else, because they highlight the decisions of government and sometimes they highlight the mistakes of government. While they are often inconvenient to government, they are the price of democracy.

By all means, we should give police the power to deal with violence, illegality, trespass, besetting and breaches of the peace. What we do not need in this state are laws that send Victoria down the road towards Queensland circa 1975. That is what we do not need. We do not need laws such as those, despite the fidelity and loyalty to and idol worship of the Leader of the Opposition of Joh Bjelke-Petersen. The fact that he has his poster up in his office is not a reason for us to have 1975 Queensland-style laws. This is bad legislation, it is unnecessary and we have promised to repeal it — and that is what we are going to do.

#### House divided on motion:

#### Ayes, 47

Allan, Ms	Knight, Ms
Andrews, Mr	Lim, Mr
Blandthorn, Ms	McGuire, Mr
Brooks, Mr	Merlino, Mr
Bull, Mr J.	Nardella, Mr
Carroll, Mr	Neville, Ms
Couzens, Ms	Noonan, Mr
D'Ambrosio, Ms	Pakula, Mr
Dimopoulos, Mr	Pallas, Mr
Donnellan, Mr	Pearson, Mr
Edbrooke, Mr	Richardson, Mr
Edwards, Ms	Richardson, Ms
Eren, Mr	Sandell, Ms
Foley, Mr	Scott, Mr
Garrett, Ms	Sheed, Ms
Graley, Ms	Spence, Ms
Green, Ms	Staikos, Mr

Halfpenny, Ms  
Hennessy, Ms  
Hibbins, Mr  
Howard, Mr  
Hutchins, Ms  
Kairouz, Ms  
Kilkenny, Ms

Suleyman, Ms  
Thomas, Ms  
Thomson, Ms  
Ward, Ms  
Williams, Ms  
Wynne, Mr

#### Noes, 35

Angus, Mr  
Battin, Mr  
Blackwood, Mr  
Bull, Mr T.  
Burgess, Mr  
Crisp, Mr  
Dixon, Mr  
Fyffe, Mrs  
Gidley, Mr  
Guy, Mr  
Hodgett, Mr  
Katos, Mr  
Kealy, Ms  
McCurdy, Mr  
McLeish, Ms  
Morris, Mr  
Mulder, Mr  
Naphine, Dr

Northe, Mr  
O'Brien, Mr  
Paynter, Mr  
Pesutto, Mr  
Ryall, Ms  
Ryan, Ms  
Smith, Mr R.  
Smith, Mr T.  
Southwick, Mr  
Staley, Ms  
Thompson, Mr  
Tilley, Mr  
Victoria, Ms  
Wakeling, Mr  
Walsh, Mr  
Watt, Mr  
Wells, Mr

#### Motion agreed to.

#### Read second time.

#### Consideration in detail

#### Clause 1

**Mr PESUTTO** (Hawthorn) — I want to comment on the debate we have heard over the last day and acknowledge all the contributions made by members. It has certainly been a stirring debate, one which has excited the passions, but I am afraid to say that the speeches I have heard from members on the other side of the chamber have shown no understanding of the real dangers of this bill and the practical problems that innocent people — whether bystanders, commuters, business operators or police — face in the heat of a protest. It is fine for us to have a nice debate, as passionate as it is, about democratic principles — in large measure we agree that everyone has the right to protest peacefully and express their views; we have no argument with that — but the real problem is how you manage flashpoints, which can easily evolve into violent eruptions or confrontations that involve racial exchanges or other kinds of intimidatory behaviour. We need a public policy response as to how we deal with that.

Yes, there is an arrest power, but it is not easily exercised by police officers in the heat of the moment and sometimes as a practical matter it is probably better and safer for everybody involved for a police officer

who is confronting a mob of protesters, whatever they are protesting, to say, 'We want you to move on just a little bit to make some room for people who need to get out of this property or enter a building'. Is that not better? That is what we are really talking about here. We are not necessarily talking about political differences; that is really not relevant.

The issue is how police officers manage difficult situations. With the Grocon protests that may well have worked. It might have been easier for the former Chief Commissioner of Police, Ken Lay, to meet with the leaders of the Construction, Forestry, Mining and Energy Union, and say, 'Look, unless we can resolve this by exercising our move-on powers, we will need to look at invoking powers under section 458 of the Crimes Act 1958 and deploying personnel to take people into custody if they are putting others in harm's way'. As I said yesterday and my colleagues said in the second-reading debate, is it not sensible and reasonable to give police officers an option to manage protests? That is what it is about.

Believe you me, no-one wants to interfere with the exercise of democratic rights. But I remember what happened in the heat of the Grocon protests. I was working in the Premier's office at the time, and whatever you might say about the political differences we all had, that was an exceedingly difficult situation. There were over 1000 protesters. Maybe not all of them were militant, but even those opposite would acknowledge that there were many who went way overboard in how they behaved.

I read some of the excerpts yesterday that are on the public record, and I remember participating in the processes. I will not go into the detail about how that was managed, but members should imagine dealing with a city on edge, with over 1000 protesters professing open and scornful defiance of a Supreme Court order. Whether members like the order or not, it was an order of the Supreme Court, and they were defying it again and again, scornfully, publicly and abusively. It was difficult for the police. They wanted to deal with it. It was not that they did not have the power of arrest; they had that. The difficulty was how to approach the situation. Resolving that situation required an enormous deployment of police personnel. It would surprise Victorians to understand just how much by way of resources had to be invested in managing that protest.

The repeal of the move-on laws that the coalition government introduced does not address the practical difficulties that our law enforcement agencies confront when they try to manage difficult protests. Having now

raised these issues for consideration again, I ask: what does the minister say this bill does to ensure that police officers can manage such difficult situations?

**Mr PAKULA** (Attorney-General) — I thank the member for Hawthorn for his question. I find it surprising that despite the fact that the bill was debated in the second-reading stage for hours and hours — there must have been something north of 20 contributors to that debate — he seeks to traverse ground that has already been traversed extensively during the second-reading debate. I say to him again — as I said to him in that debate and as I said to him back in February 2014 in the debate on the Summary Offences and Sentencing Amendment Bill 2014 — that there are extensive powers for police to deploy when protests become violent or illegal and where there is trespass or other forms of illegality. For the member for Hawthorn to believe that the thing that was required — the thing that would have been the silver bullet — during the Grocon disputes was move-on powers shows just how detached from reality he is.

**Mr WATT** (Burwood) — On the purpose of the bill, which removes some of the provisions we put into the Summary Offences Act 1966, I sat through most of the second-reading debate and listened to most of the contributions. Although there were well over 20 speakers, as the minister said, I did not hear any members on the other side say whether it would be better if police had powers not only to arrest people but to diffuse the situation in the first place by asking people simply to move aside by a few metres. That is the question I have for the minister. Surely a better way to deal with these situations would be for the police to be able to say, 'Can you move over a bit? Someone wants to come through. Then you can come back again.'

**Mr PAKULA** (Attorney-General) — Was there a question?

**Mr WATT** (Burwood) — That was the question. The question is: would that not be a better — —

**The DEPUTY SPEAKER** — Order! I inform the member for Burwood that I consider that to be two contributions.

**Mr PAKULA** (Attorney-General) — I will take it as a statement of the member for Burwood's view of the world, and to the extent that there was a question included I will attempt to answer it. The purpose of the bill, as set out in clause 1, is to repeal the move-on changes that were made by the former government in its February 2014 act. As for the member's view about

the relative merits of the law as it stands now and the law as it will stand if the bill we have before the house is passed, I simply point out to him that we have a difference of opinion with him about that. We think this bill strikes an appropriate balance between the powers of Victoria Police and the ability of Victorians to conduct peaceful, legitimate protest.

**Mr RICHARDSON** (Mordialloc) — It is a pleasure to speak in the consideration-in-detail stage of this bill, which delivers on an election commitment of the Andrews Labor government and on Labor's opposition to the existing legislation, which it has held since last year. As I come to the set of changes in this bill, it is worth reflecting on the consultation that is gone through to get to this stage and particularly on the time the previous government's legislation was brought forward in February 2014.

A number of issues were raised by third parties at that time. Those third parties included the Law Institute of Victoria, which raised concerns about the bill increasing criminalisation of direct protest in Victoria — a very poor outcome — and undermining fundamental democratic values and the most basic rights of people and groups in our community which are justified in a free and democratic society. There was also the consideration of the Victorian Council of Social Service, which raised the concern that vulnerable people in the community, such as homeless people, people with a mental health issue, people with drug or alcohol issues or young people, might be disproportionately affected by the legislation. The Victorian Equal Opportunity and Human Rights Commission referred to challenges in the proposed move-on laws and raised concerns about the government's lack of adequate justification for the expansion of move-on powers and exclusion orders.

Those are some of the concerns that were raised about the legislation the previous government brought in, and that brings us to the proposed repeal. Noting that a previous Attorney-General raised significant concerns about the infringements upon charter rights — section 12 — and in particular freedom of expression, peaceful assembly and free association, I ask: what has been the response of third parties in our community? I want to mention one more third party: the Australian human rights commissioner Tim Wilson, who has had a number of things to say on the former government's legislation. He has said it was excessive — this was in relation to the legislation we will repeal — and that:

It unnecessarily gives police too much power to move on protesters unjustifiably ...

Mr Wilson also said:

I have an issue with the low bar that is being set to give police the powers to move people on.

That is someone who had some things to say about section 18C of the federal Racial Discrimination Act 1975 which we on this side found pretty offensive. Again I ask the Attorney-General: what has been the response from third parties and the community in relation to our repeal legislation?

**Mr PAKULA** (Attorney-General) — I thank the member for Mordialloc for his question. I do not think I have had the chance to congratulate him yet on his election to this house. I have no doubt he will do a sterling job.

Of course at the time the former government's legislation was introduced it was extremely gratifying to hear the comments made by Mr Wilson in his role as a human rights commissioner. He is not someone members opposite could accuse of being a Labor Party acolyte in any respect. He is indeed far from that. In his role as a human rights commissioner he recognised that which many opposite did not: that there is a need to strike an appropriate balance between police powers and the rights of people to lawfully protest and indeed to engage in legally protected industrial action in pursuit of their rights and their wages and conditions.

He was but one voice, but the member for Mordialloc should also be aware, as I indicated during my summing up, that the former government's legislation was roundly criticised, not just by the Law Institute of Victoria but by the entire community legal centre sector. The community legal centre sector of course has experience in dealing with some of our most disadvantaged people. Whether it was the Peninsula Community Legal Centre, the St Kilda community legal centre or any of a number of others, the community legal centres were all roundly critical of the then bill, as it was in February 2014, and in turn the institute itself was very concerned about its potential impact upon the homeless.

I am pleased to say that those organisations have warmly welcomed the fact that the government is now prepared to abide by the commitment it made to the Victorian people and, by extension, to those organisations to rebalance the situation as between the rights of police and the rights of protesters and as between the rights of Victorians to engage in lawful demonstration and the need for police to deal appropriately with protests that become violent or illegal or get out of hand. I should indicate to the member for Hawthorn, in relation to his assertion that

the power of arrest will effectively be the only measure the police will have in their armoury if these provisions cease to be part of the statute book, that police have and often use their power to give warnings prior to arresting people. It is not as if they simply walk in and arrest people as a first port of call. We have said we are going to put the balance back into this legislation. That has been warmly welcomed by many stakeholders, and I am sure that they will be most gratified that the government is adhering to its election commitment.

**Mr TILLEY** (Benambra) — The Attorney-General could assist by making clear the practical implications of repealing the provisions of the move-on powers. Let me speak from firsthand experience, as a former member of the police force who has worked in places like Williamstown, St Kilda Road and even at the Crown Casino during September 2000. The repealing of these provisions will have an effect on the very people who are charged by the state of Victoria to uphold the rights of every person and the principles behind those rights, regardless of whether it is people going about their business of peacefully protesting in relation to an issue that is near and dear to them. How is going back to the draconian days of the common-law provisions in relation to breaching the peace going to assist the police?

I have had significant dental work as a result of trying to apply the breach of the peace provisions under common law, having got into a number of physical struggles. It has cost me a small fortune. There is a part of my mouth where I cannot chew my steak nowadays, thanks very much to those people — —

**Mr Pakula** — You still look good.

**Mr TILLEY** — I appreciate that; I will take it while I can. Nonetheless, can the Attorney-General assist the house by telling us how repealing the move-on laws and going back to the breach of the peace provisions under common law will assist the very people who uphold people's rights in the state of Victoria?

It is quite interesting to stand on the line out in the sun and talk to people about the issues of democracy that upset them. I have had many great conversations with a lot of people. The policy settings of Victoria Police — the organisation applying the legislation — are such that it would not be a constable or a senior constable turning around and making the decision to apply the move-on laws. It would be a person of more senior authority, whether a sergeant of police or an inspector in charge of keeping the peace, negotiating with a picket leader and making a decision when people are getting out of control.

Back in the days of the Albert Park grand prix protests, which were great fun, we had problems under the common law in moving people away from that area in that 10 minutes later we had the same people back disrupting traffic and doing a range of things. We had to effect an arrest to move them on, but they would be back 5 minutes later. This is not solving that problem. That was probably a lesser standard, but there were other times down at Swanston Street when we punched on pretty hard because it got a little over the top. How does the Attorney-General propose to protect those who uphold the democratic rights of all Victorians to go about their business?

**Mr PAKULA** (Attorney-General) — I thank the member for Benambra for his question. I say at the outset that, like all members of the house, I honour his contribution as a member of Victoria Police. I am sure he served his community with distinction when he wore the uniform.

**Dr Napthine** — He still does.

**Mr PAKULA** — The member for South-West Coast says he still does. I am sure he would not expect me to agree with him on that point. That is a matter for the electors of Benambra to decide.

I say to the member for Benambra that his assertion that the only powers Victoria Police will have after this repeal goes through, assuming that it does, will be common-law powers is simply incorrect. There are a range of relevant offences under the Summary Offences Act 1966 and the Crimes Act 1958 that the police will continue to have at their disposal. The repeal of move-on powers will not affect the ability of Victorian police to arrest people for a number of relevant offences, whether they be undue obstruction of a footpath or road; wilful trespass of a public place; wilful trespass of a private place; the use of profane, indecent or obscene language; the use of threatening, abusive or insulting words; conduct endangering persons; or property damage.

I also indicate that there will still be move-on powers in relation to circumstances where a police officer or a protective services officer reasonably suspects that a person is breaching or likely to breach the peace, that a person is endangering or likely to endanger the safety of any other person or that the behaviour of a person is likely to cause injury to a person or damage to property or is otherwise a risk to public safety.

We support members of Victoria Police. These particular move-on laws were not requested by the police. These move-on laws were handed over by the

former government without a request, and the government has no doubt that Victoria Police will still have a wide range of capabilities to deal with unlawful or illegal behaviour. In the normal course of events, as the member for Hawthorn knows, if Victoria Police comes to the government with requests for expanded powers, for changes to criminal law or for changes to summary offences, the government — as government always does — will give those requests due consideration.

**Dr NAPHTHINE** (South-West Coast) — The nub of the issue in clause 1 is the nub of the issue in the legislation as a whole with regard to whether the move-on laws should be retained or whether they should be repealed, as proposed in clause 1. The nub of the issue — and the Attorney-General said it himself — comes down to a difference of opinion. It is clear to me that, when balancing the rights of protesters versus the rights of ordinary citizens to go about their business, the Attorney-General and the Labor Party plump for the rights of protesters ahead of the rights of ordinary citizens. That is what clause 1 is about. It is about a matter of opinion about the rights of various groups within our society. The Attorney-General is telling us that according to him and the Labor Party the most paramount right is the right of protesters.

I agree that protesters have rights. They have the right to protest and make their views known in a peaceful manner. That is their right in a democratic society. However, where that oversteps the mark is when protesters interfere with the rights of other citizens to go about their business in a legitimate way, whether it be going to work, going shopping, walking down the street, driving on the highway or opening and running their businesses. They are the rights of a larger number — the majority — of the members of our community. In clause 1 the Labor Party is saying that by removing the move-on laws, which are there to protect ordinary citizens, it is putting the rights of protesters ahead of the rights of ordinary citizens.

Even when protesters protest peacefully, at times they can interfere with, interrupt and disrupt the rights of ordinary citizens. I recall, as members of this house may recall, a protest that went on for some months outside a sporting goods shop in the central business district. On many Thursday and Friday nights protesters stood in front of the shop quite peacefully — not committing an offence but deliberately intimidating people who wanted to go into the shop and intimidating and threatening the workers in the shop by their very presence. They were stopping that shop from conducting its business.

We have a similar issue with the boycott, divestment and sanctions (BDS) movement, where people are using their right to protest in an inappropriate way by interfering with the broader right of people to go about their daily business. What this government is saying with clause 1, and what the Attorney-General has succinctly put in his comments, is that this is about a difference of opinion — and it certainly is. It is about the opinion of the Attorney-General and the opinion of the Labor members. Their opinion is that the rights of protesters exceed the rights of ordinary citizens.

We on this side of the house have a different view. We have a clear and distinct view: it is the right of ordinary citizens that ought to be paramount. If people are protesting apparently peaceably but are interrupting ordinary citizens going about their daily activities, then there ought to be appropriate powers for the police to ask those protesters to move on and stop interfering with the daily activities of ordinary citizens. Yes, it is a matter of opinion. We know where Labor stands; it stands with protesters first and ordinary citizens second, third and fourth. On this side of the house we put the rights of ordinary citizens ahead of the rights of protesters.

**Mr PAKULA** (Attorney-General) — I am not surprised to see the member for South-West Coast seek to defend his legacy, even a legacy as unacceptable as this one. He has sought to verbal me and the Labor Party in terms of our view. Let me simply say that I would have a different description of the difference of opinion to his description. What the member for South-West Coast fails to understand when he says that this is about the rights of protesters versus the rights of ordinary citizens, what he fails to appreciate — I think that this is the cat that has been belled — is that protesters are ordinary citizens.

Protesters are ordinary citizens, whether they be people standing up for their rights at Tecoma or whether they be paramedics, nurses, firefighters, taxi operators or indeed ordinary workers on a picket line seeking to defend their ability to secure higher wages and conditions or seeking to avoid exploitative piecework arrangements or seeking to avoid terrible injustices, as we have seen in certain disputes over the last four years. We think those people are ordinary citizens. We do not believe in this divide-and-conquer mentality, which is about some of us versus the rest of us, which has been so eloquently displayed by the member for South-West Coast, perhaps inadvertently.

We do not draw these false distinctions between protesters on the one hand and ordinary citizens on the other. We see that every citizen of Victoria has a right

to express their view and to protest and that the right of police to move on ought to be confined to certain circumstances. We believe the legislation now before the house gets the balance right. We believe the legislation we are seeking to repeal does not.

**Mr EDBROOKE** (Frankston) — I would just like to raise a question in regard to the comment of the member for Mordialloc about the Australian Human Rights Commissioner, Tim Wilson. An *Age* article states:

Australian Human Rights Commissioner Tim Wilson said the laws were ‘excessive’ because they gave police the power to fine people whom they suspected of a possible offence.

‘It unnecessarily gives police too much power to move on protesters unjustifiably’, he said. ‘I have an issue with the low bar that is being set to give police the powers to move people on’.

Am I wrong in my belief that in Victoria we should be lining up somehow with Australia’s human rights expectations as listed by the human rights commissioner? I would like to know from the minister: by repealing this bill, how do we line up with Australia’s human rights expectations? How do Labor’s amendments to this law address Australia’s human rights commitments?

**Mr PAKULA** (Attorney-General) — Let me simply say to the member for Frankston that the laws as they currently stand were opposed by the Australian Human Rights Commissioner. While I am on the topic, let me indicate that I too stand with Gillian Triggs, and I hope members opposite will as well. Mr Wilson, in his capacity as human rights commissioner, is not someone I always agree with, but on this occasion I do.

**Mr Pesutto** — He doesn’t agree with you. He’s on the record.

**Mr PAKULA** — He does not agree with me, apparently.

**Mr Pesutto** interjected.

**Mr PAKULA** — I am sure you will get a go. The laws were also opposed by the Human Rights Law Centre, and the repeal of this bill will indeed bring Victoria back in line with expectations under various human rights provisions.

**Mr PESUTTO** (Hawthorn) — I seek to put a question briefly to my counterpart. Mr Wilson is a good man. He has been a good friend of mine for many years, but he has clarified in recent hours —

**Mr Pakula** interjected.

**Mr PESUTTO** — No, we all know Tim Wilson, and he is not to be leaned on. He is a strong, independent-minded person, but he felt that his position was being grossly misrepresented. I will clarify and then put to my counterpart what he thinks. Mr Wilson has said by way of tweets:

Vic parliamentarians r stating I think previous govt’s ‘move on’ laws went too far. Correct. But so does the current govt’s repeal —

and —

Protest should be preserved because it is an exercise of free speech, that doesn’t justify stopping others exercising their freedoms ...

I put to the Attorney-General: will he now correct the record to ensure that he does not misrepresent Mr Wilson?

**Mr PAKULA** (Attorney-General) — We may have moved beyond the purposes of the bill, but let me simply say that if Mr Wilson thinks that the current law goes too far and that the repeal goes too far, then my suggestion is that he resubmit himself for Liberal Party preselection. He can get himself elected to this Parliament, and he can suggest an amendment of his own.

#### House divided on clause:

##### *Ayes, 46*

Allan, Ms	Kilkenny, Ms
Andrews, Mr	Knight, Ms
Blandthorn, Ms	Lim, Mr
Brooks, Mr	McGuire, Mr
Carbines, Mr	Merlino, Mr
Carroll, Mr	Neville, Ms
Couzens, Ms	Noonan, Mr
D’Ambrosio, Ms	Pakula, Mr
Dimopoulos, Mr	Pallas, Mr
Donnellan, Mr	Pearson, Mr
Edbrooke, Mr	Richardson, Mr
Edwards, Ms	Richardson, Ms
Eren, Mr	Sandell, Ms
Foley, Mr	Scott, Mr
Garrett, Ms	Sheed, Ms
Graley, Ms	Spence, Ms
Green, Ms	Staikos, Mr
Halfpenny, Ms	Suleyman, Ms
Hennessy, Ms	Thomas, Ms
Hibbins, Mr	Thomson, Ms
Howard, Mr	Ward, Ms
Hutchins, Ms	Williams, Ms
Kairouz, Ms	Wynne, Mr

##### *Noes, 35*

Angus, Mr	Northe, Mr
Battin, Mr	O’Brien, Mr
Blackwood, Mr	Paynter, Mr
Bull, Mr T.	Pesutto, Mr
Burgess, Mr	Ryall, Ms

Crisp, Mr  
Dixon, Mr  
Fyffe, Mrs  
Gidley, Mr  
Guy, Mr  
Hodgett, Mr  
Katos, Mr  
Kealy, Ms  
McCurdy, Mr  
McLeish, Ms  
Morris, Mr  
Mulder, Mr  
Napthine, Dr

Ryan, Ms  
Smith, Mr R.  
Smith, Mr T.  
Southwick, Mr  
Staley, Ms  
Thompson, Mr  
Tilley, Mr  
Victoria, Ms  
Wakeling, Mr  
Walsh, Mr  
Watt, Mr  
Wells, Mr

#### Clause agreed to.

#### Clauses 2 and 3 agreed to.

#### Clause 4

**Mr PESUTTO** (Hawthorn) — The question I have for my counterpart is the consequence of the repeal of section 6(1)(d) of the principal act, which provides that police may give a direction to a person to move on, on the grounds that the person has or persons have committed an offence in the public place within the last 12 hours. The reason I am asking this question is that in recent times we have witnessed a matter which a number of speakers have addressed in this house during the course of the debate. The boycott, divestment and sanctions (BDS) campaign involved protesters who on the basis of race targeted Max Brenner, a lawful business, on the basis of race vilified that business and targeted it publicly, put patrons of that business in harm's way, caused injury to police officers, and according to the Magistrates Court judgement, cow-kicked police officers. That is totally unacceptable in our community.

The problem with the repeal of the expanded grounds that the coalition introduced in 2014 is that a number of the activities that were caught by the expanded grounds will no longer be caught because the provision outlining those grounds will be repealed by this bill and we will be left with the three grounds that had existed previously. Prior to the amendments that the coalition made, the grounds were restricted to breach of the peace, endangering or likely to endanger the safety of another person, or causing injury.

The scenario I want to put to my counterpart is this: let us say a person, not as part of any political protest, stands in front of that same business, chanting racially abusive remarks and waving racially abusive flags and related matters. Those activities would not be caught by the three principal grounds, but subsection 6(1)(d) provides that move-on powers can be exercised where there is an offence. In the scenario I am depicting, the conduct would fall foul of the Racial and Religious

Tolerance Act 2001; arguably that would be unlawful conduct — an offence. Can the Attorney-General address the house on the justification for depriving police officers of that power to move somebody on in those circumstances, where that conduct does not technically breach the peace, does not technically endanger the safety of another person and does not technically entail the causing or likely causing of injury?

**Mr PAKULA** (Attorney-General) — The member creates a self-described scenario.

**Mr Pesutto** interjected.

**Mr PAKULA** — He asserts that the conduct he describes would not fall within any of those other heads, and frankly he is not in a position to do that. The fact is that, as he has already indicated, the behaviour he describes may well be in breach of the Racial and Religious Tolerance Act, and as he knows, there are offences triggered by that behaviour and the ability of police to take action as a consequence of that.

He may wish to describe certain actions as only offending some provisions of the ongoing move-on powers and not others, but frankly that will be a matter of circumstance in terms of what is actually occurring in any given protest. In other words, what he is describing is hypothetical, to the extent that he cannot know in future whether protests will or will not engage those remaining heads of the move-on power.

**Mr WATT** (Burwood) — The question I have for the Attorney-General relates specifically to the removal of subsection 6(1)(h), which states:

the person is or persons are impeding or attempting to impede another person from lawfully entering or leaving premises or part of premises.

I wonder whether the intention of this removal is to say that it is okay for certain people in Victoria to blockade a particular building to stop people from being able to enter, let us say, a place of work or business for any particular activity that might be legal — obviously people going about their business and doing things which are legal, such as going to buy a cup of hot chocolate or simply going to work. I wonder whether the Attorney-General might explain whether or not, by removing this subsection, the government policy is that it is acceptable to blockade a particular building or premises to stop people from coming in or going out of that particular premises?

**Mr PAKULA** (Attorney-General) — I am wondering, in response, if that is a serious question, but

I will treat it as if it were. The intention of the government in — —

**Mr Pesutto** interjected.

**Mr PAKULA** — I am annoying?

**Mr Pesutto** — Mean.

**Mr PAKULA** — Mean; I thought the member said I was being annoying.

*Honourable members interjecting.*

**Mr PAKULA** — I am not setting out to be either annoying or mean. The government's policy is to return the move-on provisions available to police to the position they were in prior to the enactment of the Summary Offences and Sentencing Amendment Act in 2014.

**Mr SOUTHWICK** (Caulfield) — My question is in relation to the provision in subsection 6(1)(h) of the principal act, which is, again:

the person is or persons are impeding or attempting to impede another person from lawfully entering or leaving premises or part of premises.

I refer to the situation that both the member for Hawthorn and the member for Burwood have correctly mentioned in terms of the sorts of protests we have seen in the past where people have been particularly targeted on racial or religious grounds. In these situations, and in many instances, they are deliberately targeted as such. The Attorney-General has correctly said that it is within the rights of Victorians to go about protests in a legitimate way. However, what my particular point comes to is, when there are deliberate attempts by individuals to target premises and continue to obstruct premises, what guarantees can the Attorney-General give us that by repealing these powers, the Jewish community in particular — and I am certainly aware that the Attorney-General has met with the Jewish community and that — —

**Mr Pakula** — In fact I am a member of it.

**Mr SOUTHWICK** — He is a member of the Jewish community, and I know he is also concerned about some of these activities. But as he would certainly also be aware, after that meeting the Jewish community, including the Jewish Community Council of Victoria (JCCV), the Zionist Council of Victoria and the Australia/Israel & Jewish Affairs Council (AIJAC), all expressed concerns that these laws would weaken the position of where they are now compared to where they were before. What guarantees can the

Attorney-General give the community, in fact give his community, that by the repeal of these laws these businesses will be protected — the Jewish businesses will be protected, but frankly all businesses will be protected — and people can go about their legitimate day without fear or favour?

**Mr PAKULA** (Attorney-General) — The member for Caulfield talks about the fears and the concerns. As he indicates, I have met with the JCCV and spoken to AIJAC as well. I understand those deep concerns, because those boycott, divestment and sanctions protests were, in many cases, utterly outrageous. He asks for guarantees, and there seems to be an assumption implicit in the question that there is a guarantee now that these move-on powers would effectively resolve some of those outrageous, violent and disgraceful protests. I say to him that that is a heroic assumption. It is a heroic assumption to imagine that the appropriate response to people who are displaying and engaging in violent, repugnant religious and racial vilification could be or should be appropriately dealt with by being asked to move to the left 3 metres.

I think it is far more appropriate for the full weight of the law to be applied to those people who engage in racial and religious vilification. Where people are behaving violently or illegally or engaging in trespass I would hope, as I know the member would hope, that police would use the powers available to them to deal with people who are breaching the provisions of the Racial and Religious Tolerance Act, if that was indeed what was occurring.

**Mr T. SMITH** (Kew) — I have two questions. There is a general exemption for political protest, but what protest is not essentially political? They basically all are. My next question is: within the confines of political protest, at some point a police officer may make a judgement call that a protest is getting out of control, but he may not feel it is appropriate at that point to arrest a person for breaching the peace or the like. What powers will the police have to prevent protests from getting out of control by moving people on and dispersing that protest?

**Mr PAKULA** (Attorney-General) — The member makes an assertion that all protests are political. I do not think that is actually the case; I can think of many protests that are not political. I saw a bunch of Essendon Football Club supporters standing outside the Federal Court saying, 'Free James Hird'. I do not know if that is a political protest. The member answered his own question in his contribution — that is, it will be a

matter for police to use their judgement and discretion on the ground at the time.

**Mr WATT** (Burwood) — My question to the Attorney-General is along similar lines to that of the member for Kew. My question is: what protest would not be considered, as the explanatory memorandum to the bill states:

picketing a place of employment; or

demonstrating or protesting about a particular issue; or

speaking, bearing or otherwise identifying with a banner, placard or sign or otherwise behaving in a way that is apparently intended to publicise the person's view about a particular issue.

I am not sure what protest would not be demonstrating or protesting about a particular issue. If all protesters who are protesting about a particular issue are essentially exempt from move-on powers, can the Attorney-General explain which protests would be able to be moved on, or indeed if there are any protests that will be able to be moved on, considering they are all about a particular issue? I assume people do not protest if they do not have an issue.

**Mr PAKULA** (Attorney-General) — Again the member is asking me to speculate. He is asking me to speculate about circumstances that may exist in the future. All I can say to him is that the move-on powers that will apply after the repeal of these provisions will be the same move-on powers that applied prior to their introduction, and people will be able to be moved on unless they are engaging in the conduct that he just described.

**Mr T. SMITH** (Kew) — I will ask the Attorney-General my question again. How does a police officer — —

**Ms D'Ambrosio** — He's answered it.

**Mr T. SMITH** — No, he has not.

If a police officer does not feel it is appropriate to arrest a protester, but he wants to move them on to prevent them from possibly disturbing the peace or for the general good order of the premises where the protest is occurring, how does he do that now?

**Mr PAKULA** (Attorney-General) — Police will be able to exercise all of the powers that they had prior to the introduction of this legislation in February 2014.

**Mr PESUTTO** (Hawthorn) — My question relates to section 6(1)(e), which is proposed for repeal under the bill. In the course of preparing for this debate I had

occasion to speak to a number of people who have experienced a violent picket or protest. Naturally they are very fearful on the whole; they do not like their identities being revealed. But what I can say is that I spoke to one lady in her early 60s who works at a construction company that was the target of protests relating to the east-west link project — the contract for which this government has torn up with an outrageous threat to legislate, and which I note has today been canned by yet another group of experts saying how irresponsible it would be to proceed with such an action.

*Interjections from gallery.*

**Mr PESUTTO** — I take the point. This lady gave her account to me of what happened during the course of this protest — —

**Mrs Fyffe** — On a point of order, Deputy Speaker, I think you ought to advise the member that there should be no communication with the gallery.

**The DEPUTY SPEAKER** — Order! There is to be no communication with the gallery. I ask members and people in the gallery not to communicate — it is inappropriate. I thank the member for bringing that to my attention.

**Mr PESUTTO** — On an occasion in 2013 this woman, who had undergone spinal surgery and was walking with a walking stick, arrived at her workplace, and she described for me what she had to do to get to her office. This 63-year-old lady, who is physically challenged in the way I mentioned, had to walk between a brick wall and a cordon of police officers about half a metre from the brick wall, getting jostled by protesters who were cow-kicking, pushing police officers, yelling abuse and causing this woman and others to fear for their safety. I asked her if she would allow me to at least use her name. Unsurprisingly, she did not want her name to be revealed.

But it would not surprise anybody that those are the sorts of experiences people have when they have to negotiate their way through a picket to get to work. It is not easy at all. They are the forgotten ones, and when I stood up yesterday and spoke about the silent, the law-abiding, those who place their faith in the police force and the agencies we entrust with the responsibility to enforce the law, they are the ones I had in mind. They are not out to interfere with people's wellbeing; they just want to live their lives in accordance with the law. They are caring, they are sensitive and they do not quite understand why they should be the victims of abusive behaviour.

In terms of section 6(1)(e) of the Summary Offences Act 1966, which provides that police, in the circumstances that section deals with, have the power to move on someone when the conduct of that person, in this case a protester, is causing a reasonable apprehension of violence in another person, should not the woman I described be entitled to some protection? Is the protection limited to a police officer having to make the situation worse, potentially, by executing arrests? Is that easier? If a woman were walking through a 0.5 metre cordon between a brick wall and a line of police officers, those opposite, our counterparts, would have us all believe that it would be better and more manageable for the police officers in that scenario to start arresting the protesters, as if that would make the position of the woman I described safer and more secure.

The move-on option may or may not be used in such a situation, but it is vital that it be there. I ask the Attorney-General whether the government would consider excising the relevant provision repealing it from the bill, because it appears to me that the provision in the current act is a reasonable provision to protect people who have a reasonable basis for apprehending the threat of violence and harm.

**Mr PAKULA** (Attorney-General) — The short answer is no, on the basis that the bill before the house implements the commitment made by the government when it was in opposition. The assumptions made by the member for Hawthorn are erroneous. He seems to believe that where there is a violent, unwieldy protest that is completely out of hand, those circumstances can be alleviated by simply asking people who have clearly, in his description, decided to be unwieldy, to move on.

It is not correct to assume that in those circumstances that would be the most appropriate course of action. We have made it clear on numerous occasions that where are protests that are violent or illegal or involve trespass or other offences there are ongoing powers for police to use. I find it interesting that the member in his questions only ever uses examples of people behaving in a violent or unwieldy way, but as the member for South-West Coast made clear in his contribution, they are not the only circumstances in which those move-on powers, as they currently stand, can be used. It is quite clear that there are many forms of non-violent, non-illegal protest that can be caught up in the move-on powers as they currently stand. That was made clear by the member for South-West Coast.

**Mr SOUTHWICK** (Caulfield) — My question goes to section 6(1)(g) of the Summary Offences 1966. It is in regard to the person or persons present for the

purpose of unlawfully procuring or supplying, or intending to unlawfully procure or supply, a drug of dependence. We have heard from the Police Association its concerns about this particular issue. As I understand it, our changes to the move-on laws protected and gave powers to police to ensure that they could move on people in certain circumstance. The first is when they are obstructing businesses. This is because there have been many examples of businesses being effectively places of drug drop-off. You will often find people outside those premises, which again makes those premises a place where customers who would normally like to frequent them might not frequent them because of the drug dealing that may or may not be taking place.

The second thing is the targeting of vulnerable people. The Police Association has said, quite rightly, that having these move-on powers in place allows them to move these people on and ensure that they can effectively clean up streets and the problems we have had when these suspected transactions are taking place. I ask the Attorney-General what he would be able to offer up when these powers are removed in terms of ensuring that the police, without having to arrest someone, would have the power to continue to provide that our streets are kept clean and safe.

**Mr PAKULA** (Attorney-General) — Let me say a few things in regard to this issue. The opposition, as we were at the time, was quite disbelieving that the government of the day had included this particular provision in regard to the procurement or supply of drugs of dependence amongst the rest of the move-on powers. It seemed to us then, and I think the application of these provisions since have demonstrated it to be the case, that that was really a fig leaf for a government that sought to use move-on powers to effectively deal with what would otherwise have been lawful types of industrial action. If the member for Caulfield believes that the appropriate response of a police officer who ascertains that there is someone hanging about ready to supply people with a drug of dependence is to say, ‘Mister drug dealer, move along, will you?’, then he and I have a different opinion about that.

#### House divided on clause:

##### *Ayes, 46*

Allan, Ms	Kilkenny, Ms
Andrews, Mr	Knight, Ms
Blandthorn, Ms	Lim, Mr
Brooks, Mr	McGuire, Mr
Bull, Mr J.	Merlino, Mr
Carbines, Mr	Neville, Ms
Carroll, Mr	Noonan, Mr
Couzens, Ms	Pakula, Mr

D'Ambrosio, Ms  
Dimopoulos, Mr  
Donnellan, Mr  
Edbrooke, Mr  
Edwards, Ms  
Eren, Mr  
Foley, Mr  
Garrett, Ms  
Green, Ms  
Halfpenny, Ms  
Hennessy, Ms  
Hibbins, Mr  
Howard, Mr  
Hutchins, Ms  
Kairouz, Ms

Pallas, Mr  
Pearson, Mr  
Richardson, Mr  
Richardson, Ms  
Sandell, Ms  
Scott, Mr  
Sheed, Ms  
Spence, Ms  
Staikos, Mr  
Suleyman, Ms  
Thomas, Ms  
Thomson, Ms  
Ward, Ms  
Williams, Ms  
Wynne, Mr

*Noes, 35*

Angus, Mr  
Battin, Mr  
Blackwood, Mr  
Bull, Mr T.  
Burgess, Mr  
Crisp, Mr  
Dixon, Mr  
Fyffe, Mrs  
Gidley, Mr  
Guy, Mr  
Hodgett, Mr  
Katos, Mr  
Kealy, Ms  
McCurdy, Mr  
McLeish, Ms  
Morris, Mr  
Mulder, Mr  
Naphthine, Dr

Northe, Mr  
O'Brien, Mr  
Paynter, Mr  
Pesutto, Mr  
Ryall, Ms  
Ryan, Ms  
Smith, Mr R.  
Smith, Mr T.  
Southwick, Mr  
Staley, Ms  
Thompson, Mr  
Tilley, Mr  
Victoria, Ms  
Wakeling, Mr  
Walsh, Mr  
Watt, Mr  
Wells, Mr

**Clause agreed to.**

**Clauses 5 and 6 agreed to.**

**Clause 7**

**Ms STALEY** (Ripon) — Clause 7 repeals division 1B of part I of the Summary Offences Act 1966, which relates to exclusion orders. Exclusion orders allow police to apply for orders if a person given a direction to move on five or more times within a period of 12 months persists with that action. This clause is about public safety and order, and it prohibits a person from entering or remaining in a public place during the period of the order.

Exclusion orders are important for keeping women and their families safe when they are accessing abortion. Exclusion orders go to behaviour which is beyond a peaceful protest. Protests at abortion clinics are political protests, and political protests are exempted under these changes. Exclusion orders are particularly important to stop the ongoing harassment of women seeking abortion services. As members know, people who protest at abortion clinics do so explicitly to harass and intimidate women and to discourage them from accessing abortion.

This clause applies to these ongoing types of protests, not single, one-off industrial action protests. I submit that members opposite need to get off their self-declared high horses with their comments about our opposition to this clause being solely about trade unionism and union thuggery and instead address why members of a party with so many EMILY's List members in this place have not stood up for women's reproductive rights. That is what EMILY's List is about, and I count nearly 20 EMILY's List members in the chamber at the moment. Members of EMILY's List in this place were offered a clear choice between keeping the existing provisions in the act, which protect women choosing to have an abortion, and appeasing their union paymasters — and shame, they chose their union paymasters. The previous government protected abortion clinics from violent and offensive protests.

*Honourable members interjecting.*

**The DEPUTY SPEAKER** — Order! The member will be heard in silence.

**Ms STALEY** — We did it — yes, we did — and now the new Labor government is repealing the one clause that is directly applicable to excluding persistent pests at abortion clinics. I ask the Attorney-General why the Andrews Labor government is restricting police from excluding persistent protesters who impede or attempt to impede women from lawfully entering or leaving premises when accessing abortion services in Victoria?

**Mr PAKULA** (Attorney-General) — I thank the member for Ripon for her question. I simply make the point to her that at the fertility clinic in East Melbourne where there has been a protest every day for the last I do not know how many years, maybe 20, the move-on powers which she describes as the solution to those protests have not been used to deal with them. If, as the member for Ripon suggests, they are the solution, they have proven to be a wholly ineffective solution. The fact is that the move-on powers she describes are not the solution to that for which there are good reasons, but I do not think I can elaborate on them in the 47 seconds available to me.

It is also the case, as she knows, that that particular matter is currently before the courts. The clinic, having been joined by the Victorian Equal Opportunity and Human Rights Commission, is taking action against the City of Melbourne because it believes the City of Melbourne has not used the by-laws available to it to deal with the matter. I simply suggest to her that the evidence demonstrates that the move-on powers and the exclusion orders have not been effective in supporting a

woman's right to access abortion, because they have not been used. In fact there have only been two exclusion orders sought since this legislation has been in place.

**The DEPUTY SPEAKER** — Order! The time set down for the consideration of items on the government business program has arrived and I am required to put the following questions.

**Clause agreed to; clauses 8 and 9 agreed to.**

**Bill agreed to without amendment.**

*Third reading*

**Motion agreed to.**

**Read third time.**

**PARLIAMENTARY COMMITTEES AND INQUIRIES ACTS AMENDMENT BILL 2015**

*Second reading*

**Debate resumed from earlier this day; motion of Mr MERLINO (Minister for Education); and Mr HIBBINS's amendment:**

That all the words after 'That' be omitted with the view of inserting in their place the words 'this house refuses to read this bill a second time until consultation has taken place with members of Parliament regarding the number, structure and functions of parliamentary committees'.

**The DEPUTY SPEAKER** — Order! The member for Prahran has moved a reasoned amendment to the motion before the house. The question is:

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

**House divided on omission (members in favour vote no):**

*Ayes, 44*

Allan, Ms	Kilkenny, Ms
Andrews, Mr	Knight, Ms
Blandthorn, Ms	Lim, Mr
Brooks, Mr	McGuire, Mr
Bull, Mr J.	Merlino, Mr
Carbines, Mr	Neville, Ms
Carroll, Mr	Noonan, Mr
Couzens, Ms	Pakula, Mr
D'Ambrosio, Ms	Pallas, Mr
Dimopoulos, Mr	Pearson, Mr
Donnellan, Mr	Richardson, Mr
Edbrooke, Mr	Richardson, Ms
Edwards, Ms	Scott, Mr
Eren, Mr	Sheed, Ms
Foley, Mr	Spence, Ms
Garrett, Ms	Staikos, Mr

Green, Ms  
Halfpenny, Ms  
Hennessy, Ms  
Howard, Mr  
Hutchins, Ms  
Kairouz, Ms

Suleyman, Ms  
Thomas, Ms  
Thomson, Ms  
Ward, Ms  
Williams, Ms  
Wynne, Mr

*Noes, 37*

Angus, Mr  
Battin, Mr  
Blackwood, Mr  
Bull, Mr T.  
Burgess, Mr  
Crisp, Mr  
Dixon, Mr  
Fyffe, Mrs  
Gidley, Mr  
Guy, Mr  
Hibbins, Mr  
Hodgett, Mr  
Katos, Mr  
Kealy, Ms  
McCurdy, Mr  
McLeish, Ms  
Morris, Mr  
Mulder, Mr  
Naphine, Dr

Northe, Mr  
O'Brien, Mr  
Paynter, Mr  
Pesutto, Mr  
Ryall, Ms  
Ryan, Ms  
Sandell, Ms  
Smith, Mr R.  
Smith, Mr T.  
Southwick, Mr  
Staley, Ms  
Thompson, Mr  
Tilley, Mr  
Victoria, Ms  
Wakeling, Mr  
Walsh, Mr  
Watt, Mr  
Wells, Mr

**Amendment defeated.**

**House divided on motion:**

*Ayes, 46*

Allan, Ms  
Andrews, Mr  
Blandthorn, Ms  
Brooks, Mr  
Bull, Mr J.  
Carbines, Mr  
Carroll, Mr  
Couzens, Ms  
D'Ambrosio, Ms  
Dimopoulos, Mr  
Donnellan, Mr  
Edbrooke, Mr  
Edwards, Ms  
Eren, Mr  
Foley, Mr  
Garrett, Ms  
Green, Ms  
Halfpenny, Ms  
Hennessy, Ms  
Hibbins, Mr  
Howard, Mr  
Hutchins, Ms  
Kairouz, Ms

Kilkenny, Ms  
Knight, Ms  
Lim, Mr  
McGuire, Mr  
Merlino, Mr  
Neville, Ms  
Noonan, Mr  
Pakula, Mr  
Pallas, Mr  
Pearson, Mr  
Richardson, Mr  
Richardson, Ms  
Sandell, Ms  
Scott, Mr  
Sheed, Ms  
Spence, Ms  
Staikos, Mr  
Suleyman, Ms  
Thomas, Ms  
Thomson, Ms  
Ward, Ms  
Williams, Ms  
Wynne, Mr

*Noes, 35*

Angus, Mr  
Battin, Mr  
Blackwood, Mr  
Bull, Mr T.  
Burgess, Mr  
Crisp, Mr  
Dixon, Mr  
Fyffe, Mrs  
Gidley, Mr

Northe, Mr  
O'Brien, Mr  
Paynter, Mr  
Pesutto, Mr  
Ryall, Ms  
Ryan, Ms  
Smith, Mr R.  
Smith, Mr T.  
Southwick, Mr

Guy, Mr  
Hodgett, Mr  
Katos, Mr  
Kealy, Ms  
McCurdy, Mr  
McLeish, Ms  
Morris, Mr  
Mulder, Mr  
Naphthine, Dr

Staley, Ms  
Thompson, Mr  
Tilley, Mr  
Victoria, Ms  
Wakeling, Mr  
Walsh, Mr  
Watt, Mr  
Wells, Mr

## ADJOURNMENT

**The DEPUTY SPEAKER** — Order! The question is:

That the house now adjourns.

### Osborne Primary School

**Mr MORRIS** (Mornington) — I raise a matter this afternoon for the Deputy Premier in his capacity as the Minister for Education. The action I seek is that the minister ensure that the \$960 000 funding commitment proposed by the former Minister for Education, the member for Nepean, prior to the 2014 election for Osborne Primary School finds its way into the 2015 budget.

There are many excellent schools in the electorate of Mornington, and Osborne Primary School certainly is one of those excellent schools. Indeed I have had a long association with the school: I think I first presented prefects badges there back in 1993 as president of the Shire of Mornington Peninsula. The principal is an excellent principal. The school has dedicated and skilled staff who are very committed to the students. I have spoken before in this house about the terrific sense of community and community service that is engendered by the school.

However, like so many schools across the state, the fabric of the school buildings is not in exactly tiptop condition. If you searched in *Hansard*, you would find that, particularly in the 56th Parliament, this matter has been raised on many occasions. One of the reasons it was raised then was that this school, like so many others at the time, was promised a rebuild by the Bracks government and then by the Brumby government. That rebuild, like 200 others that were promised, never eventuated; those promises were never funded. The buildings were never constructed and the problem was never solved.

Upon coming to government the coalition commissioned a school maintenance audit and began to commence correcting the situation across the state. Osborne certainly benefited from that, as did a number of other schools in my electorate. Most recently I think some \$281 000 went to Osborne for works on the Hawker and Dava blocks. More work is needed, and that is why I am seeking that the minister support this proposition.

It is interesting to note that Labor made virtually no commitments in the electorate of Mornington at all. I think there was one school — Moorooduc Primary School — where \$1 million was promised. Subsequent to that promise there has been some \$759 000 in works,

**Motion agreed to.**

**Read second time.**

*Third reading*

**Motion agreed to.**

**Read third time.**

### CEMETERIES AND CREMATORIA AMENDMENT (VETERANS REFORM) BILL 2015

*Second reading*

**Debate resumed from 25 February; motion of Ms HENNESSY (Minister for Health).**

**Motion agreed to.**

**Read second time.**

*Third reading*

**Motion agreed to.**

**Read third time.**

### INTERPRETATION OF LEGISLATION AMENDMENT BILL 2015

*Second reading*

**Debate resumed from 25 February; motion of Mr PAKULA (Attorney-General).**

**Motion agreed to.**

**Read second time.**

*Third reading*

**Motion agreed to.**

**Read third time.**

**Business interrupted under sessional orders.**

a \$650 000 upgrade to the water and septic system, and \$76 000 in maintenance undertaken at Moorooduc. I hope that \$1 million is still on the table; certainly I will be seeking it, but we will see.

Of course Moorooduc is not the only school that needs some attention. Osborne needs this \$960 000, at a minimum, and I urge the minister to run the case hard in the run-up to the budget and provide some good news for the school on budget day.

### Regional rail link

**Ms COUZENS** (Geelong) — I ask the Minister for Public Transport why the regional rail link has been delayed. The regional rail link was planned and funded under the previous Labor government. Geelong constituents have been expecting this improved rail service. Anyone who travels the Geelong line will be aware of the current problems with overcrowding on our peak Geelong services, and as a regular user of our public transport system I am very aware of them. Once the regional rail link opens, Bendigo, Ballarat and Geelong line passengers will have a more reliable journey to and from Melbourne, with Geelong and Ballarat having dedicated V/Line tracks all the way to Southern Cross station and additional peak-hour services.

What did the previous government do? Why is it that we now have a situation where Geelong commuters face delays in the completion of this important regional rail link? The previous government had four years to deliver this project. The infrastructure has been ready to go since last year. The previous government was responsible for the April time lines set down for this year. My constituents are now asking: why is there a delay, and why does Labor have to fix this mess?

**The DEPUTY SPEAKER** — Order! I will be very lenient on this. The honourable member for Geelong has not asked for an action. She asked a question, and I did not stop her there, but she needs to ask for an action when raising a matter on the adjournment. I ask the honourable member to place before the house what action she seeks of the Minister for Public Transport.

**Ms COUZENS** — I ask the minister to meet with me and my community to explain the time line changes.

**The DEPUTY SPEAKER** — I thank the honourable member, and I thank the house for its indulgence.

### Melba College

**Mr HODGETT** (Croydon) — I raise a very important matter for the attention of the Minister for Education. It relates to the \$10 million promised by his government during the election campaign to commence a full rebuild of Melba College, and the action I seek is for the minister to meet with the principal, Terry Bennett, and members of the school community to provide a time line for the rebuild of Melba College on their preferred site.

On 15 July 2014 the then shadow Minister for Education visited Melba College with the ALP candidates for Croydon and Ringwood to make this announcement alongside teachers and students. This much-needed funding was also promised by the coalition government, which made it a win-win for the college as far as parents and students were concerned, as the funding for the rebuild was secure regardless of the result of the state election. It was a tremendous outcome for the school community to be in this position.

Melba College is a year 7–12 government secondary school that was formed from the merger of the Croydon and Maroondah secondary colleges in 2012. Melba College has a junior and senior campus, both of which are located in my electorate of Croydon, and has a total enrolment of approximately 800 students. The \$10 million rebuild will see the amalgamation of both campuses into one on the preferred site. There may be some cost recovery from this project as the vacated school site may be surplus to the education department's needs and the department will realise a return on the potential sale of such land.

Melba College has a vibrant school community. Over the years I have come to know Terry Bennett, the foundation principal of Melba, and many of the teachers and members of the school council who have campaigned and lobbied hard for a new state-of-the-art educational facility they all deserve. Late last year I met with Mr Bennett and the president of the school council, and they presented me with many letters from the school community calling for a rebuild of the school on one campus, which I presented to the then Minister for Education for consideration.

I request that the Minister for Education provide teachers, parents, students, other members of the broader school community and me with a time line to which his government will adhere to in order to deliver its election promise to build a brand-new facility for Melba College. Again the action I seek is for the minister to meet with the college principal, Terry

Bennett, and members of the school community to provide a time line for the rebuild of Melba College on their preferred site.

### **Holmesglen TAFE**

**Mr STAIKOS** (Bentleigh) — My adjournment matter tonight is for the attention of the Minister for Training and Skills, and it concerns the Andrews government's \$8 million commitment to the student hub at the Moorabbin campus of Holmesglen. The action I seek is that the minister visit the Moorabbin campus to discuss this project with staff and students.

Under the former government Victoria faced a jobs crisis with the highest unemployment rate in Victoria in 13 years — the highest unemployment rate on the mainland — and with youth unemployment through the roof. The response of the former government to this jobs crisis was to cut \$1.2 billion from TAFE, which had a devastating impact across Victoria. For the Holmesglen campus, which is of particular significance to my electorate, it meant the loss of a third of its government funding, the loss of 100 staff, larger class sizes and the doubling, and in some cases tripling, of course fees. It had a devastating impact indeed.

Many people in the community were saying they could not believe that the response to the jobs crisis from the government was to make it that much harder for people to gain the skills they needed to transition to a new job. As I said, it had a devastating effect, but what a difference a change of government makes — indeed what a difference the defeat of the Liberal government makes. The Andrews Labor government has announced a TAFE rescue package and, as part of that package, Holmesglen will benefit from the construction of an \$8 million student hub. It will provide greater amenities for students, and it will provide more spaces for teaching, learning and administration.

There are exciting things happening at Holmesglen. It has a state-of-the-art nursing facility and 40 bachelor of nursing places. It now has a partnership with Healthscope, which is building a 150-bed hospital on the Holmesglen site. It will mean that the nurses who are training at Holmesglen will be able to get graduate positions at the new hospital on site. It will mean it will be able to assist in addressing the anticipated shortage of 109 000 nurses that this country will have by 2025. This government is working in partnership with Holmesglen to deliver for students, and I invite the Minister for Training and Skills to visit the Bentleigh electorate to talk to the staff and students at Holmesglen.

### **Lowan electorate public transport**

**Ms KEALY** (Lowan) — I raise a matter for the attention of the Minister for Public Transport. The action I seek is for the minister to urgently announce a review of all public transport services in western Victoria, including the feasibility of expanding passenger rail services to the Wimmera and south-west Victoria. Our reliance on public transport to access key services such as medical appointments depends heavily on an ability to access it. For some people, driving themselves for an hour to a critical appointment is simply not an option. Some are forgoing their health and welfare needs because they simply cannot travel to appointments under the current public transport framework. Further, access to fast, reliable and regular public transport options is a known driver of economic growth, giving people more opportunities for commuting to work, school, sport and social activities and, importantly, connecting with family and friends.

A broadranging review is required to look at passenger rail and bus services, and it should evaluate other opportunities for public transport connections across western Victoria, such as a Horsham to Hamilton bus route. Part of this requirement is to undertake a feasibility study into passenger rail services to the Wimmera and south-west Victoria. The benefits of access to regular passenger rail services are well known, and I commend the work of eight councils across western Victoria, led by Horsham Rural City Council, that have been calling for this review with a united voice for over 12 months. Their commitment to this project is evidenced by their willingness to contribute \$34 000 to a passenger rail feasibility study. Clearly access to public transport, in particular passenger rail, is an important issue for locals, and the councils in the Lowan electorate are to be congratulated for their united efforts in lobbying for this major review.

To ensure fairness and equity for rural people, we need to maximise public transport connections, times of service and frequency of service so that we are meeting the needs of our people. We must recognise that access to public transport is a right not only the people of Melbourne but also of the people of rural Victoria. I note the recent announcements of the Andrews Labor government in splashing the cash around Melbourne, including \$11 billion for the Melbourne Metro rail project, \$8 billion to remove Melbourne level crossings and \$100 million for a new ballroom at Melbourne's Flinders Street station. Surely the minister can understand that rural people need access to public transport too. Our request is tiny in comparison with these Melbourne projects.

I call on the minister to match the pre-election commitment of the former government and urgently announce a review of all public transport services in western Victoria, including the feasibility of expanding passenger rail services to the Wimmera and south-western Victoria, to ensure that people in the Lowan electorate have fair and equitable access to public transport.

### **Robinson Street–Princes Highway, Dandenong**

**Ms WILLIAMS** (Dandenong) — I raise a matter for the attention of the Minister for Roads and Road Safety. I ask the minister to investigate the prioritisation of installing appropriate signage at the intersection of Robinson Street and Princes Highway, Dandenong. I understand it is an intersection the minister knows well from his frequent travels throughout the south-east. This intersection is a hazard. For traffic seeking to turn right from Princes Highway into Robinson Street, it is extremely difficult to predict the movements of oncoming traffic. While there are traffic lights directed towards that oncoming traffic, they are not visible to turning traffic and there is nothing to indicate whether oncoming traffic is facing a red or green light — so nothing to indicate whether it is continuing or stopping. It leads to some dangerous guessing games.

Furthermore, the intersection poses a great danger to pedestrians seeking to cross Robinson Street, many of whom will be attempting to get to the Vision Australia building near the corner. Many of those people will themselves be vision impaired, which only increases the risk factor. Drivers trying to turn into Robinson Street are often and justifiably preoccupied with negotiating the uncertainty of oncoming traffic and are therefore less likely to notice pedestrians crossing Robinson Street until they have made the dash and it is too late. I am frequently approached by locals about this intersection, and I believe the City of Greater Dandenong shares my concern. I call on the minister to make rectification of the problem at this intersection in Dandenong a priority and in doing so help to avoid unnecessary tragedy.

### **East–west link**

**Mr ANGUS** (Forest Hill) — I raise a matter of importance for the attention of the Minister for Roads and Road Safety. The action I seek is for the minister to provide to me in writing an explanation for the residents in my electorate of Forest Hill as to how the Labor government is going to address the dreadful traffic congestion issues at the city end of the Eastern Freeway, along Alexandra Parade, around Melbourne General Cemetery and through Royal Park. Many

residents in my electorate of Forest Hill have spoken to me both before and since the election about their enthusiasm for the previous government's east–west link project. They are now expressing to me their despair at the decision of the Labor government not to proceed with this vital transport infrastructure project. They despair because they will no longer have the option of bypassing more than 20 sets of traffic lights on their way to the airport. There is despair because many residents in my electorate either run a small business or work for one that has to use the Eastern Freeway on a regular basis as part of their work. They are all too familiar with the dreadful traffic congestion that occurs at the city end of the Eastern Freeway.

Before the last state election I had many people stop me in the street to talk about the importance of the construction of the east–west link, as it impacted on their businesses. Many tradesmen lamented to me as they told their stories of being stuck in traffic jams on Alexandra Parade and surrounding areas whilst trying to traverse the city to attend a job on the other side of town. Several tradesmen spoke to me before the election about trying to get supplies and equipment across the city and through the traffic bottleneck that exists at the end of the Eastern Freeway with minimal delay. Failing to address this chronic traffic problem is costing businesses and residents time and money on a daily basis. It is a serious traffic problem that will not magically resolve itself. I look forward to hearing from the Minister for Roads and Road Safety regarding this very important issue for the residents in the Forest Hill electorate.

### **Pascoe Vale Football Club**

**Ms BLANDTHORN** (Pascoe Vale) — I appreciate the opportunity to raise a matter for the attention of the Minister for Sport. The action I seek is that the minister meet with the Pascoe Vale Football Club to inspect the inadequate facilities that the female members of the club are expected to endure. I remind the minister that he met some of the inspiring members of the Pascoe Vale women's football teams last September when he and the Premier announced Labor's plan for upgrading women's change rooms and facilities.

In 2008 the Pascoe Vale Panthers entered an inaugural female team in the statewide AFL Victoria under-18 youth competition. The team enjoyed great success, and female participation at the club grew considerably. In 2012 the club established its first senior women's team, which competes in the Essendon District Football League. This was the culmination of tireless efforts by dedicated volunteers and club members, including

Terriann Seath, the secretary of the Pascoe Vale Football Club. The senior women's team has already claimed two premierships.

Despite the on-field success, the women continue to be forced into using substandard facilities off the field. Currently female players are required to share change room facilities with the male club members. This is entirely unsatisfactory. It is without doubt a significant deterrent for women wishing to join the club. It also means that some women from some cultural backgrounds are simply unable to participate in the club at all. This is an absolute disgrace. The Pascoe Vale community is inclusive of women from every corner of the globe, and all of them should be able to participate in local sport if they want to. They should not be excluded simply because facilities do not accommodate them. As a matter of justice, it is imperative that female players be provided with their own change room facilities. Encouraging female participation in sport, from the grassroots level to the elite, greatly benefits the individual and indeed the community as a whole. For these reasons, barriers to female participation must be overcome through the provision of fit-for-purpose change rooms.

Pascoe Vale Panthers is a flourishing community club boasting an array of both junior and senior male and female teams. The club is run by a group of extremely dedicated and hardworking volunteers who toil around the clock throughout the year to ensure that all club members have access to the best programs and facilities that can be offered within their limited financial resources. I ask the minister to meet with the women of Pascoe Vale Football Club to inspect its inadequate facilities and discuss possible solutions.

### **Murray-Darling Basin plan**

**Ms McLEISH** (Eildon) — I have a matter for the attention of the Minister for Environment, Climate Change and Water. The action I seek is that the minister meet with a delegation of business owners and landowners between Eildon and Seymour to discuss the potential implications of the Murray-Darling Basin plan and in particular the constraints management strategy. At this point I put on the record that my family owns land in that immediate vicinity.

As the minister for water in one of the Murray-Darling Basin states, the minister will from time to time be asked to make decisions about particular elements of the plan. The decisions she makes will affect Victorians. It is important that the decisions be made having the full information and all the facts. There is no denying that the Murray-Darling Basin plan is

extremely complex. The minister is new in the role, and some decisions might have to be made as early as June. There is not a lot of time between now and then, so there are reasons for my heightened sense of urgency, and that of the local community, that the minister be fully across the elements of and the potential risks associated with one of the proposals in the plan.

Recently I attended a meeting of business owners and landowners in Yea with the shadow minister for water. At the meeting 70 concerned residents considered a number of matters and had the opportunity to raise their concerns about elements of the proposal. In particular, under the plan it is intended to send large releases of water downstream to the Lower Goulburn flood plain. We are talking about 12 000, 15 000 or 20 000 megalitres per day. These are the environmental flows for Lake Eildon. Specifically around the Goulburn Broken catchment and in particular the Goulburn River and its tributaries — the Yea, Murrindindi, Acheron and Rubicon rivers and Home Creek — these volumes will have significant impacts. We know that during heavy rains and flood events releases from Lake Eildon are already causing problems. Around 18 months ago some land in this area was under water for months. I saw it constantly.

Andrew and Karen Williamson of Molesworth put together and provided me with a copy of the community impact statement and environmental impact statement of the plan on Molesworth. They say at 10 000 megalitres per day the river is in flood, while 20 000 megalitres a day covers farmland, roads, caravan parks and towns. Considering the fact that the Goulburn River channel capacity is only 9500 megalitres a day, there is significant angst in the community.

The flood plain landowners association has been convened, and I understand that the Victorian Caravan Parks Association is also extremely interested in the matter. I know the flood plain landowners association has been in contact with the minister's office, but I want to add that degree of urgency and ask that she meet with the delegation sooner rather than later.

### **Sunbury College**

**Mr J. BULL** (Sunbury) — I rise to speak on the adjournment debate tonight to raise with the Minister for Education the matter of funding for a science wing at Sunbury College. The action I seek is confirmation of the Andrews Labor government's commitment of \$3 million for a new science wing at the college. The Andrews Labor government is committed to making Victoria the education state and ensuring that every

child receives the very best possible education. We are focused on improving student outcomes, but this does not happen in isolation. We need to give teachers and principals the tools to develop and enhance their performance in the classroom.

As a former science teacher, I have a strong passion for quality learning environments that allow students and teachers to be the best they can be. We all know that great facilities assist lessons and help students and staff gain a world-class education so that they can go on and get the skills they need for the job they want. Students deserve the best classroom science equipment for the many experiments and practical exercises they do while they complete their coursework. As a former student, from 1997 to 2002, Sunbury College is a special place for me. I can recall doing year 12 physics and chemistry in the current science wing, and I am extremely determined to see this project delivered.

Members will recall that during the election campaign Labor committed \$3 million to restore the science wing at Sunbury College, which is in desperate need of repair. I thank the former member for Macedon for her strong advocacy for the school and her strong representation in the area over many years. In August I joined the Premier to tour Sunbury College, and it was wonderful to see many of my former teachers still working hard to ensure that students can achieve their best. However, it was clear that the science buildings were in great need of repair. Teachers showed the Premier and me numerous examples of structural damage caused by sinking foundations under the science wing.

I am certain that principal Stephen Smith; assistant principals Geoff Dillon, Margaret Bates and Cecilia Hoey; and students, parents and friends of the college will warmly welcome this project. I am determined to see this commitment delivered in full. Today I ask the minister for an update on this project.

### Responses

**Mr MERLINO** (Minister for Education) — I will begin by responding to the member for Sunbury. I thank him for raising the issue of Sunbury College. I acknowledge straight up the needs of the school, particularly regarding the science wing, which is in dire need of repair and upgrade. I also acknowledge that as a former student this must be a very special project for the member. I thank him for his strong advocacy for the project in his time as the new member for Sunbury and also as a candidate last year. I want to make it clear to the member, principal Stephen Smith and the Sunbury College community that this is a priority for the

government. We will absolutely deliver this commitment in full. It is a project of high priority for me.

Having talked about Sunbury specifically, let me again commit the government to delivering in full on all the commitments we made in the lead-up to the election. I thank the member for Sunbury for raising this important project with me. I look forward to delivering the new science wing so that the member can talk to the students there. It is a very good project.

The member for Croydon raised the issue of Melba College. This is a project close to my heart. It is close to my neck of the woods; Croydon borders my electorate of Monbulk. I have also known principal Terry Bennett for many years. This is a great project — not only the Melba College upgrade but the whole Maroondah education plan. Labor made a commitment last year to deliver \$19.5 million for schools across Maroondah, and that includes the \$10 million for Melba College. As the member said, the school is the result of a merger of two schools. This commitment will deliver stage 1 funding for the building of the new school on one campus. As the member for Croydon outlined, it is up to the school to determine which of these two campuses is the best option. That is a decision for the school community.

The plan also includes \$4.5 million for Norwood Secondary College and Mullum Primary School. The schools border each other, so there is \$4.5 million between them. There is \$5 million for Ringwood Secondary College. These great projects are part of the \$19.5 million Maroondah education plan. We also made a commitment to Mullauna Secondary College, which is also in that neck of the woods.

The member for Croydon asked that I meet with principal Terry Bennett and discuss the project and its time lines. I would be very happy to meet with the Melba Secondary College community. I have been engaging with it over a long period of time. This was a regeneration project under the former government, but the Maroondah regeneration project stalled. I am thankful that both sides of politics committed to Melba in the lead-up to the election, but I note that this project had been stalled for quite some time. I was absolutely determined that we deliver for this school community.

I want to pay tribute to Terry Bennett, who is a great principal and advocate for his community. I look forward to meeting with the school community. I inform the member for Croydon that I am pretty certain I have received correspondence from the school in relation to meeting with school representatives. I think

it is in my diary already, but I will double-check. I am certainly pleased to meet with the college, and I thank the member for raising that with me.

The member for Mornington raised the matter of Osborne Primary School and a \$960 000 commitment the former government made in the lead-up to the last election. I acknowledge the remarks of the member for Mornington, the praise for the school leadership at Osborne Primary School and the good things people are doing there. I gently take up the member for Mornington's claim that the former government corrected the situation through the audit process of 2012. I acknowledge the work of the audit, but we cannot escape the relevant facts. If you look at the capital budget — and this is in black and white; this is not a political point-scoring exercise — and if you look at the four budgets of the Liberal-Nationals coalition government, you see that the capital program was cut in half. The needs of Osborne Primary School and of so many other schools were therefore ignored for four years. We went from an average capital allocation of \$467 million in the last four years of the Bracks and Brumby governments to an allocation of around \$200 million in the first three budgets of the last government.

We are dealing with the impact of that underfunding of education capital right now. There has been a 500 per cent increase in portables being ripped out of schools right across the state because the former government simply did not build new schools or upgrade existing schools to the standard required. Because of the former government, portables are being ripped out. Between the last school year and the beginning of this school year 260 portables were moved to cater for enrolment growth of 13 000 students. That is because under the former government there was not the funding in education capital that was required.

We have committed an initial package of \$530 million for education capital, and we will be doing more. That initial \$530 million includes, as the member for Mornington said, Moorooduc Primary School. A member cannot seek more than one action in an adjournment item — —

**Mr Morris** interjected.

**Mr MERLINO** — The member did not do so, but he did mention Moorooduc. I take this opportunity to confirm the \$1 million commitment that we made to Moorooduc Primary School.

I acknowledge the member for raising the issue of Osborne Primary School. I will get further information

from the department with respect to that school. We made an initial commitment of \$530 million, and as the member would appreciate, in the first budget of a new government the focus is on implementing election commitments. However, I will ensure that Osborne is on my radar.

**Ms ALLAN** (Minister for Public Transport) — I am delighted that we have a fantastic member for Geelong, although I am not so delighted at having to provide some background before I do, certainly, agree to the action she sought from me. The action she requested was for me to meet with her and members of the community to explain some of the changes around the planned regional rail link rollout.

This was a very difficult decision, announced last week, that the government had to take — that there would be an eight-week delay in the planned regional rail link timetable. It was a difficult decision, but it was taken based on Public Transport Victoria's advice that it could not guarantee there would not be problems with the opening of the regional rail link because the former government had failed to ensure that there was an adequate supply of rolling stock for the opening of the regional rail link project.

I live in Bendigo, and like members who represent the Geelong area, I know just how keenly anticipated the opening of the regional rail link is, so this was very disappointing. We are currently running on a bare minimum of rolling stock across our regional rail system, which is again a consequence of the fact that for two years the former government sat on its hands and did not place a rolling stock order for the regional rail network. We all know that it takes a little while to build trains and that if those opposite had put the order in when they should have, we would have had the trains coming off the production line right now. That did not happen, and we are having to work through the consequences of yet another public transport bungle made by the Liberal-Nationals government. That is some background for the member for Geelong.

I have also been speaking to the member for Geelong about further bus timetable consultation that will go on during this period of the delayed timetable, and she has been a strong advocate for public transport improvements for her community. I look forward to working with her to deliver on those commitments, particularly the 20-minute frequency for rail services to Geelong, which is an exciting initiative. I hope that provides further information for the member, and I look forward to following up the action she requested.

The member for Lowan also raised for my attention a matter regarding regional rail services. She asked the government to match an election commitment for a review into public transport services in her community. For four years the Liberal Party and The Nationals were in government and The Nationals held the seat of Lowan, and for four years the local community was asking for something to be done on this front, and I know this because, as the shadow Minister for Regional and Rural Development, I met on a few occasions with representatives of the Horsham and Wimmera communities, the councils and the Wimmera Development Association, and they kept telling me how keen they were to see improved public transport services. They kept telling me how those calls were falling on deaf ears, but it is a funny thing what an election will do, and they finally got some traction on the eve of the election.

I understand incredibly well just how important public transport is to regional and rural communities, whether it is bus services connecting rural towns to larger regional centres or those larger regional centres connecting to metropolitan Melbourne. I understand that well; that is why Labor has always been the party of regional rail services. I am happy to have a look at this request from the member for Lowan. I am pleased to see her giving voice to these issues, and I hope she continues to give voice to these issues and reminds her community of and apologises for the inaction over the last four years, when some of this could have been done. I will have a look at this request for a review.

Public Transport Victoria is undertaking a broader piece of work on a regional network development plan, which will include consideration of some of this activity around connectedness between rural towns and regional centres and the provision of public transport for the whole of the state. No doubt the work the member has mentioned will be picked up as part of that. I hope that we can have a more productive relationship on these matters with the member for Lowan, because as I said, I understand well how important it is to connect rural and regional communities to each other and to the metropolitan centre. I suggest that we have a way to go to work forward on these matters.

The member for Bentleigh raised a matter for the attention of the Minister for Training and Skills.

The member for Dandenong raised a matter for the attention of the Minister for Roads and Road Safety.

The member for Forest Hill raised a matter for the attention of the Minister for Roads and Road Safety.

The member for Pascoe Vale raised a matter for the attention of the Minister for Sport.

The member for Eildon raised a matter for the attention of the Minister for Environment, Climate Change and Water.

All these matters will be referred for the respective minister's attention and response.

**The DEPUTY SPEAKER** — Order! The house is now adjourned.

**House adjourned 5.49 p.m. until Tuesday, 17 March.**

