

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

LEGISLATIVE COUNCIL

FIFTY-EIGHTH PARLIAMENT

FIRST SESSION

Wednesday, 26 October 2016

(Extract from book 16)

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By authority of the Victorian Government Printer

HANSARD¹⁵⁰



1866–2016

Following a select committee investigation, Victorian Hansard was conceived when the following amended motion was passed by the Legislative Assembly on 23 June 1865:

That in the opinion of this house, provision should be made to secure a more accurate report of the debates in Parliament, in the form of *Hansard*.

The sessional volume for the first sitting period of the Fifth Parliament, from 12 February to 10 April 1866, contains the following preface dated 11 April:

As a preface to the first volume of “Parliamentary Debates” (new series), it is not inappropriate to state that prior to the Fifth Parliament of Victoria the newspapers of the day virtually supplied the only records of the debates of the Legislature.

With the commencement of the Fifth Parliament, however, an independent report was furnished by a special staff of reporters, and issued in weekly parts.

This volume contains the complete reports of the proceedings of both Houses during the past session.

In 2016 the Hansard Unit of the Department of Parliamentary Services continues the work begun 150 years ago of providing an accurate and complete report of the proceedings of both houses of the Victorian Parliament.

The Governor

The Honourable LINDA DESSAU, AM

The Lieutenant-Governor

The Honourable Justice MARILYN WARREN, AC, QC

The ministry

(from 20 June 2016)

Premier	The Hon. D. M. Andrews, MP
Deputy Premier and Minister for Education, and Minister for Emergency Services (from 10 June 2016) [Minister for Consumer Affairs, Gaming and Liquor Regulation 10 June to 20 June 2016]	The Hon. J. A. Merlino, MP
Treasurer	The Hon. T. H. Pallas, MP
Minister for Public Transport and Minister for Major Projects	The Hon. J. Allan, MP
Minister for Small Business, Innovation and Trade	The Hon. P. Dalidakis, MLC
Minister for Energy, Environment and Climate Change, and Minister for Suburban Development	The Hon. L. D'Ambrosio, MP
Minister for Roads and Road Safety, and Minister for Ports	The Hon. L. A. Donnellan, MP
Minister for Tourism and Major Events, Minister for Sport and Minister for Veterans	The Hon. J. H. Eren, MP
Minister for Housing, Disability and Ageing, Minister for Mental Health, Minister for Equality and Minister for Creative Industries	The Hon. M. P. Foley, MP
Minister for Health and Minister for Ambulance Services	The Hon. J. Hennessy, MP
Minister for Training and Skills, Minister for International Education and Minister for Corrections	The Hon. S. R. Herbert, MLC
Minister for Local Government, Minister for Aboriginal Affairs and Minister for Industrial Relations	The Hon. N. M. Hutchins, MP
Special Minister of State	The Hon. G. Jennings, MLC
Minister for Consumer Affairs, Gaming and Liquor Regulation	The Hon. M. Kairouz, MP
Minister for Families and Children, and Minister for Youth Affairs	The Hon. J. Mikakos, MLC
Minister for Police and Minister for Water	The Hon. L. M. Neville, MP
Minister for Industry and Employment, and Minister for Resources	The Hon. W. M. Noonan, MP
Attorney-General and Minister for Racing	The Hon. M. P. Pakula, MP
Minister for Agriculture and Minister for Regional Development	The Hon. J. L. Pulford, MLC
Minister for Women and Minister for the Prevention of Family Violence	The Hon. F. Richardson, MP
Minister for Finance and Minister for Multicultural Affairs	The Hon. R. D. Scott, MP
Minister for Planning	The Hon. R. W. Wynne, MP
Cabinet Secretary	Ms G. A. Tierney, MLC

Legislative Council committees

Privileges Committee — Ms Hartland, Mr Herbert, Ms Mikakos, Mr O'Donohue, Ms Pulford, Mr Purcell, Mr Rich-Phillips and Ms Wooldridge.

Procedure Committee — The President, Dr Carling-Jenkins, Mr Davis, Mr Jennings, Ms Pennicuik, Ms Pulford, Ms Tierney and Ms Wooldridge.

Legislative Council standing committees

Standing Committee on the Economy and Infrastructure — Mr Bourman, #Ms Dunn, Mr Eideh, Mr Elasmarr, Mr Finn, Ms Hartland, Mr Leane, Mr Morris and Mr Ondarchie.

Standing Committee on the Environment and Planning — #Mr Barber, Ms Bath, #Mr Bourman, Mr Dalla-Riva, Mr Davis, Ms Dunn, Mr Eideh, #Ms Hartland, Mr Melhem, #Mr Purcell, #Mr Ramsay, Ms Shing and Mr Young.

Standing Committee on Legal and Social Issues — Ms Fitzherbert, #Ms Hartland, Mr Mulino, Mr O'Donohue, Ms Patten, Mrs Peulich, #Mr Rich-Phillips, Mr Somyurek, Ms Springle and Ms Symes.

participating members

Legislative Council select committees

Port of Melbourne Select Committee — Mr Barber, Mr Mulino, Mr Ondarchie, Mr Purcell, Mr Rich-Phillips, Ms Shing and Ms Tierney.

Joint committees

Accountability and Oversight Committee — (*Council*): Ms Bath, Mr Purcell and Ms Symes. (*Assembly*): Mr Angus, Mr Gidley, Mr Staikos and Ms Thomson.

Dispute Resolution Committee — (*Council*): Mr Bourman, Mr Dalidakis, Ms Dunn, Mr Jennings and Ms Wooldridge. (*Assembly*): Ms Allan, Mr Clark, Mr Merlino, Mr M. O'Brien, Mr Pakula, Ms Richardson and Mr Walsh

Economic, Education, Jobs and Skills Committee — (*Council*): Mr Bourman, Mr Elasmarr and Mr Melhem. (*Assembly*): Mr Crisp, Mrs Fyffe, Mr Nardella and Ms Ryall.

Electoral Matters Committee — (*Council*): Ms Patten and Mr Somyurek. (*Assembly*): Ms Asher, Ms Blandthorn, Mr Dixon, Mr Northe and Ms Spence.

Environment, Natural Resources and Regional Development Committee — (*Council*): Mr Ramsay and Mr Young. (*Assembly*): Ms Halfpenny, Mr McCurdy, Mr Richardson, Mr Tilley and Ms Ward.

Family and Community Development Committee — (*Council*): Mr Finn. (*Assembly*): Ms Couzens, Mr Edbrooke, Ms Edwards, Ms Kealy and Ms McLeish.

House Committee — (*Council*): The President (*ex officio*), Mr Eideh, Ms Hartland, Ms Lovell, Mr Mulino and Mr Young. (*Assembly*): The Speaker (*ex officio*), Mr J. Bull, Mr Crisp, Mrs Fyffe, Mr Staikos, Ms Suleyman and Mr Thompson.

Independent Broad-based Anti-corruption Commission Committee — (*Council*): Mr Ramsay and Ms Symes. (*Assembly*): Mr Hibbins, Mr D. O'Brien, Mr Richardson, Ms Thomson and Mr Wells.

Law Reform, Road and Community Safety Committee — (*Council*): Mr Eideh and Ms Patten. (*Assembly*): Mr Dixon, Mr Howard, Ms Suleyman, Mr Thompson and Mr Tilley.

Public Accounts and Estimates Committee — (*Council*): Ms Pennicuik and Ms Shing. (*Assembly*): Mr Dimopoulos, Mr Morris, Mr D. O'Brien, Mr Pearson, Mr T. Smith and Ms Ward.

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

Heads of parliamentary departments

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

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

Parliamentary Services — Secretary: Mr P. Lochert

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

President:

The Hon. B. N. ATKINSON

Deputy President:

Mr K. EIDEH

Acting Presidents:

Ms Dunn, Mr Elasmr, Mr Finn, Mr Melhem, Mr Morris, Ms Patten, Mr Ramsay

Leader of the Government:

The Hon. G. JENNINGS

Deputy Leader of the Government:

The Hon. J. L. PULFORD

Leader of the Opposition:

The Hon. M. WOOLDRIDGE

Deputy Leader of the Opposition:

The Hon. G. K. RICH-PHILLIPS

Leader of the Greens:

Mr G. BARBER

Member	Region	Party	Member	Region	Party
Atkinson, Mr Bruce Norman	Eastern Metropolitan	LP	Mikakos, Ms Jenny	Northern Metropolitan	ALP
Barber, Mr Gregory John	Northern Metropolitan	Greens	Morris, Mr Joshua	Western Victoria	LP
Bath, Ms Melina ²	Eastern Victoria	Nats	Mulino, Mr Daniel	Eastern Victoria	ALP
Bourman, Mr Jeffrey	Eastern Victoria	SFFP	O'Brien, Mr Daniel David ¹	Eastern Victoria	Nats
Carling-Jenkins, Dr Rachel	Western Metropolitan	DLP	O'Donohue, Mr Edward John	Eastern Victoria	LP
Crozier, Ms Georgina Mary	Southern Metropolitan	LP	Ondarchie, Mr Craig Philip	Northern Metropolitan	LP
Dalidakis, Mr Philip	Southern Metropolitan	ALP	O'Sullivan, Luke Bartholomew ⁴	Northern Victoria	Nats
Dalla-Riva, Mr Richard Alex Gordon	Eastern Metropolitan	LP	Patten, Ms Fiona	Northern Metropolitan	ASP
Davis, Mr David McLean	Southern Metropolitan	LP	Pennicuik, Ms Susan Margaret	Southern Metropolitan	Greens
Drum, Mr Damian Kevin ³	Northern Victoria	Nats	Peulich, Mrs Inga	South Eastern Metropolitan	LP
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Eideh, Mr Khalil M.	Western Metropolitan	ALP	Purcell, Mr James	Western Victoria	V1LJ
Elasmr, Mr Nazih	Northern Metropolitan	ALP	Ramsay, Mr Simon	Western Victoria	LP
Finn, Mr Bernard Thomas C.	Western Metropolitan	LP	Rich-Phillips, Mr Gordon Kenneth	South Eastern Metropolitan	LP
Fitzherbert, Ms Margaret	Southern Metropolitan	LP	Shing, Ms Harriet	Eastern Victoria	ALP
Hartland, Ms Colleen Mildred	Western Metropolitan	Greens	Somyurek, Mr Adem	South Eastern Metropolitan	ALP
Herbert, Mr Steven Ralph	Northern Victoria	ALP	Springle, Ms Nina	South Eastern Metropolitan	Greens
Jennings, Mr Gavin Wayne	South Eastern Metropolitan	ALP	Symes, Ms Jaclyn	Northern Victoria	ALP
Leane, Mr Shaun Leo	Eastern Metropolitan	ALP	Tierney, Ms Gayle Anne	Western Victoria	ALP
Lovell, Ms Wendy Ann	Northern Victoria	LP	Wooldridge, Ms Mary Louise Newling	Eastern Metropolitan	LP
Melhem, Mr Cesar	Western Metropolitan	ALP	Young, Mr Daniel	Northern Victoria	SFFP

² Appointed 15 April 2015

³ Resigned 27 May 2016

¹ Resigned 25 February 2015

⁴ Appointed 12 October 2016

PARTY ABBREVIATIONS

ALP — Labor Party; ASP — Australian Sex Party;
DLP — Democratic Labour Party; Greens — Australian Greens;
LP — Liberal Party; Nats — The Nationals;
SFFP — Shooters, Fishers and Farmers Party; V1LJ — Vote 1 Local Jobs

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Wednesday, 26 October 2016

The PRESIDENT (Hon. B. N. Atkinson) took the chair at 9.33 a.m. and read the prayer.

JOINT SITTING OF PARLIAMENT**Senate vacancy**

The PRESIDENT — Order! It is my pleasure to inform the house of the result of the joint sitting last night for the vacancy in the Senate. I have to report that the house met with the Legislative Assembly yesterday to choose a person to hold the seat in the Senate rendered vacant by the resignation of Senator the Honourable Stephen Conroy and that Ms Kimberley Kitching was chosen to hold the vacant place in the Senate. We extend our congratulations to our new senator for Victoria, who celebrated in Queen's Hall with a few of her closest and dearest friends last night, which was very good.

PAPERS**Laid on table by Clerk:**

Auditor-General's Reports on —

Efficiency and Effectiveness of Hospital Services: Emergency Care, October 2016 (*Ordered to be published*).

High Value High Risk 2016–17: Delivering HVHR Projects, October 2016 (*Ordered to be published*).

Commission for Children and Young People — Report on the Systemic inquiry into services provided to Aboriginal children and young people in out-of-home care in Victoria, October 2016 (*Ordered to be published*).

Legal Profession Uniform Law Application Act 2014 — Practitioner Remuneration Order, 1 January 2017.

Ombudsman — Ombudsman enquiries: Resolving complaints informally, October 2016 (*Ordered to be published*).

MEMBERS STATEMENTS**Port Phillip EcoCentre**

Ms PENNICUIK (Southern Metropolitan) — On Sunday, 23 October, my colleague Nina Springle and I attended the annual general meeting of the Port Phillip EcoCentre. It was wonderful to hear from president Pam O'Neill and executive officer April Seymore about the achievements of the eco-centre for the past year and its plans for the future. Back in the 1990s the seeds of the eco-centre were sown by the members of Earthcare St Kilda, which held its meetings and kept its

equipment for its local indigenous plantings and the St Kilda penguin study, now in its 30th year, in the original building, a 1966 brick veneer at the corner of the Saint Kilda Botanical Gardens, which was the base for the gardens and for City of Port Phillip parks staff.

The vision for the eco-house back then was to transform the house and garden into a model sustainable building that would provide education and inspiration to the wider community, acting as a seed for further change. It is absolutely amazing to see today how that vision has been more than achieved. The Port Phillip EcoCentre is a hub for environmental education and community action around Victoria and Australia. The eco-centre runs dozens of programs and projects, concentrating on education and community action. It has run programs in 67 schools, and thousands of people have participated in its programs and volunteered for it over the past year. It is fantastic to see how dynamic and influential the eco-centre has become, and I pay tribute to the hundreds of staff and volunteers who have made that possible since it was launched in 1999.

Jameka

Mr PURCELL (Western Victoria) — It gives me great pleasure to rise today to congratulate the connections of thoroughbred Jameka, who won the Caulfield Cup recently. Many locals celebrated alongside Jameka owner and Warrnambool businessman Colin McKenna and trainer Ciaron Maher, who is originally from Winslow. It was great that Colin took the cup to the Warrnambool races the next day, where numerous photographs were taken of the cup. They and our community now look forward to the Melbourne Cup next week, in which Jameka is one of the favourites and will take on many of the best international riders who will come to try and take it from us.

Margaret Kelson

Mr PURCELL — It also gives me great pleasure to thank and acknowledge Margaret Kelson for 24 years of service to St Patrick's Primary School, Koroit. Margaret has recently retired from her role as administration officer in which she kept St Patrick's running smoothly by connecting the school community. Thank you, Margaret, and a huge thankyou to the children of St Patrick's Primary School, particularly those in grades 4, 5 and 6, for their help in putting this statement together.

Fire Action Week

Mr RAMSAY (Western Victoria) — This week is Fire Action Week, and with the recent good rains and good grass-growing weather fuel loads will be high this summer across Victoria. It is important that the Victorian community starts to prepare for the coming fire season by being proactive in reducing fuel load vegetation around their properties and installing appropriate water systems at their homes to fend off ember attacks. A fire plan is mandatory now, given we live in one of the most fire-prone countries in the world.

The Andrews government has been running full-page advertisements in metropolitan and regional newspapers this week to alert the Victorian community to the dangers of the coming fire season and asking the community to start preparing to reduce the fire risk. And so they should; they have a duty of care to the Victorian public. However, the smell of hypocrisy taints the sweet smell of spring air in rural Victoria as they churn out millions of dollars of self-promotion as the firefighter's friend and community protector while they have single-handedly, thoroughly and methodically, with precision and the complicity of the United Firefighters Union (UFU), destroyed the Country Fire Authority (CFA) and its volunteerism to such an extent that morale in the once-proud volunteer base is at an all-time low.

While the federal government has introduced legislation to protect the authority of volunteerism in our firefighting organisation, the Andrews government and the UFU are seeking to challenge it through the High Court, even before the Fair Work Commission has tested the new legislation on the UFU-CFA enterprise bargaining agreement under the amended Fair Work Act 2009. Despite the betrayal by the Andrews government of firefighters across Victoria, our volunteers will turn out to fires. They will protect the communities they represent, and they will do it with the same passion, commitment and unselfish attitude they have always shown to get the job done.

Country Fire Authority Warrnambool brigade

Ms TIERNEY (Western Victoria) — On Sunday I had the pleasure of attending the official opening of the Warrnambool fire station along with Rohan Luke, acting assistant chief officer of the south-west region; Paul Marshall, Warrnambool Country Fire Authority station officer; Richard Bourke, operations manager, district 5; Craig Lapsley, emergency services commissioner; and Lance Baillie, life member of the brigade, along with many, many members of the community.

The Andrews Labor government committed \$6.7 million through Project 360 towards the construction of the new fire station in Warrnambool. The station has eight bedrooms, four motor bays and sheds for smaller vehicles at the back of the property. I also had the pleasure of handing over the keys to the new \$360 000 medium tanker, funded by the Andrews Labor government and fundraising through the local brigade. The local brigade raised \$100 000 towards the funding for the new tanker, a fantastic achievement which highlights the Warrnambool community's appreciation of the local brigade and their dedication to fire safety. The new fire station and medium tanker will help increase the fire protection for the people of Warrnambool and outlying districts, with the fire brigade expected to respond to around 600 calls per year.

It was fitting for the opening to be held at the beginning of the 2016 Victorian Fire Action Week, which encourages Victorians in fire danger areas to talk with friends, family and members of the community about fire risk and their plans for what they will do on hot, dry and windy days. I congratulate the Warrnambool fire brigade on the new station and wish them safety throughout the fire season.

Timber industry

Ms DUNN (Eastern Metropolitan) — Last week VicForests released the annual update of its clear-felling schedule, which is given the doublespeak name that would make Orwell proud, the *Timber Release Plan*. It is not a plan; it is a scorched-earth policy. The *Timber Release Plan* targets every coupe of high-value conservation forest that remains in the Central Highlands of Victoria. No concessions have been made for biodiversity conservation — not one.

The Andrews government has been pussyfooting around the issue of native forest logging and the creation of the Great Forest National Park. First they abdicate responsibility to a forest industry task force process, then they have a non-response when the forest industry task force agrees that a business-as-usual approach to logging is unacceptable and short-term plantation supply must be sought and now they are silent when their own *Timber Release Plan* is completely incompatible with the forest industry task force's own determinations. This is not leadership; this is gutless, and the Victorian Greens are calling it out. We will keep campaigning for the end of native forest logging in this state; a transition plan for workers; further protection for the endangered species that live in the forests, including the Leadbeater's possum; and the establishment of the Great Forest National Park.

Employment

Mr MORRIS (Western Victoria) — It has been drawn to my attention that a good support organisation which provides employment opportunities for unemployed people has had its funding cut by the Andrews government. This is a government that talks up its support for the unemployed, but these are being shown more and more to be empty words as a result of its continued failure to support those who are finding themselves in unemployed situations and indeed the organisations that support those who are unemployed.

Run Ballarat

Mr MORRIS — I would also like to congratulate the organisers and all those who were involved in Run Ballarat on Sunday, 23 October. This event raised over \$1 million for the Ballarat Base Hospital's children's ward, and I certainly congratulate every one of the 6425 participants who either ran or walked on Sunday, raising funds for our local hospital. It is exceptionally pleasing to see community support for our hospital and indeed the children's ward, that I know from personal experience has been very well patronised by my own children and is an important piece of infrastructure in our community.

Melbourne Employment Forum

Mr MELHEM (Western Metropolitan) — Last Friday was the launch of the Melbourne Employment Forum (MEF) organisation, which is an organisation that seeks to provide a one-stop shop for African-Australian jobseekers by providing information, referral, advocacy and placement services. A community-led initiative, the MEF will build on a partnership between the African-Australian community; the federal, state and local governments; the Jobs Victoria Employment Network; and jobactive providers to establish better employment outcomes for all African-Australians.

Besides developing the employability skills of its clients, the organisation facilitates work experience opportunities and provides career advice and intensive and sustained career development support. Although based outside of my electorate, in the City of Melbourne, the services provided by the MEF reach out to African communities in surrounding regions, including my electorate of Western Metropolitan Region.

The MEF is an excellent organisation, and I will do what I can to assist the organisation in achieving its goal of developing an upswing in the contribution and

employment of African-Australians across a range of occupations and industries and to help our new migrants and new Australians coming from an African background — particularly at the recent event — to integrate into our society and be able to find meaningful employment and meaningful life in this country, which is the reason they have come to Australia for a better life. We need to do everything possible to make sure they do integrate and have a better life, and I want to thank the organisers who actually put it together, in particular Abeselom Nega.

Regional Achievement and Community Awards

Ms LOVELL (Northern Victoria) — On Friday, October 14, I represented the Leader of the Opposition, Matthew Guy, at the Regional Achievement and Community Awards. I was proud to attend the awards, particularly as Greater Shepparton had a very good night. Shepparton Villages won the award for Employer Excellence in Aged Care, and the Love to Sew Ladies won the Senior Achievement Award. Rumbalara Elders aged care were a semifinalist, and former Shepparton resident Aislin Jones won both the People's Choice Award and the Gippsland Regional Achiever Award for her achievements in skeet shooting, including representing Australia at the Olympic Games. Congratulations to all winners and nominees. It was great to see excellence in regional Victoria recognised.

Shepparton Business Awards

Ms LOVELL — On Friday, 21 October, together with Neale Burgess, the shadow minister for small and medium enterprises, I attended the Shepparton Chamber of Commerce and Industry's annual Shepparton Business Awards. I would like to congratulate all nominees, particularly the winners of this year's awards. I would also like to thank the sponsors of the awards, White King-Pental and radio station 95 3SR FM.

A highlight of the awards each year is the hall of fame induction. This year's inductee was Cellar 47, and I would like to congratulate Angelo, Franca and the Grasso family. Cellar 47 has been operating in Shepparton since 1977. I can remember being taken there as a child by my parents, and I continue to eat at Cellar 47 to enjoy great food and the hospitality of the Grasso family, who over the years have become good friends.

Maroondah Hospital

Mr LEANE (Eastern Metropolitan) — Last week being Mental Health Week, I was very pleased to represent the Minister for Mental Health, Martin Foley, at the opening of the new Maroondah Hospital mental health facility, the psychiatric assessment and planning unit (PAPU), which is aligned with the emergency department (ED) ward. It is a 24-hour service for the community in that area which provides short-term — up to 72 hours — stays for people who may have a psychiatric illness. As the name of the facility suggests, people can be assessed there, and planning for their treatment going forward is done in that facility.

Personnel at the facility have a computer system which flags patients when they present at the ED who may previously have had a psychiatric health issue. Health professionals can then go to the ED, remove those patients from the waiting room at the ED and usher them into the PAPU quickly, which is obviously a good thing not only for them but for everyone else waiting in the hospital.

Melbourne Metro rail project

Mr DAVIS (Southern Metropolitan) — Today I want to draw attention to the government's failure to connect South Yarra in its extraordinary decision under the Melbourne Metro plan. In fact what the government seeks to do is to disconnect two lines, the Cranbourne and Pakenham lines, from the South Yarra station interchange and in doing so deprive people of access and easy change points for the Sandringham and Frankston lines.

In particular, the Forrest Hill precinct of Stonnington, close to South Yarra station, is an area that is growing very rapidly indeed. I pay tribute to the work of the Stonnington council in costing and working through the options for a South Yarra interchange. It is very clear that it is feasible and affordable, and in fact it would be a historic mistake to disconnect two lines whilst building billions of dollars of new infrastructure for Victoria.

Victoria, and Melbourne in particular with the congestion that is growing, does need additional rail capacity, and the metro tunnel will provide some of that rail capacity. To actually disconnect two lines from a densely populated area of Stonnington will lead to a situation where people will not be able to access those lines in the same way. Those who are travelling to the south-east will not be able to do so directly from that Forrest Hill precinct and all of that area of Stonnington. It is extraordinary and it is dumb, and I have got to say

that Jacinta Allan and Daniel Andrews are making a historic mistake.

Night Network

Ms SYMES (Northern Victoria) — People from Seymour, Wallan, Donnybrook and Kilmore and authorised personnel from Bridges Barracks, Puckapunyal, have already taken up the new weekend coach service that Labor has introduced as part of the Night Network trial. Bendigo, Ballarat, Geelong and Traralgon regional communities have been benefiting from all-night public transport on weekends since the service began.

The latest addition to the Night Network is the result of many residents in my electorate, particularly those in Wallan and Seymour, expressing a demand for this service, so I am so very pleased that by working with Minister Allan's office we have been able to provide this. The service leaves Southern Cross coach terminal at 2.00 a.m. on Saturdays and Sundays, dropping off passengers at stations along the Seymour train line as well as drop-offs and pick-ups in the town centres of Wallan and Kilmore. Arriving at Seymour just before 4.00 a.m., the night coach finishes its route 15 minutes later, with a final drop off at the barracks at Puckapunyal. Public Transport Victoria did a lot of consultation with the defence force, and the provision of a safe way for their authorised personnel to get home has been very much welcomed.

The announcement of the new service has certainly been one of the better performing posts on my Facebook page. I would also like to thank the electorate office team for their enthusiasm and production of flyers for all the towns, with many businesses displaying the timetable in their windows, to get the word out that there is now an affordable way for people to enjoy all that night-time Melbourne has to offer, from music gigs to sporting events, dinner, drinks, pubs, bars and clubs.

The service started on 14 October, so we have only had it for two weekends. However, it was good to hear that last Saturday night, despite the horrendous weather, 22 people utilised the coach to get home. I look forward to monitoring the trial and hearing about how people in my electorate are enjoying the service.

Diwali festival

Mr ONDARCHIE (Northern Metropolitan) — Namaste and Happy Diwali to all parliamentarians and all Victorians. The Victorian Parliament is leading parliaments across the globe by hosting a Diwali and

Annakut exhibition for four days. This festival is celebrated by millions across the globe. Hosted by the Parliament of Victoria for another year, the Diwali and Annakut exhibition brings together the Hindu, Jain, Sikh and Buddhist communities to share the deep significance of the Diwali and Annakut festivals. The exhibition gives all parliamentarians, staff and Victorians a chance to enhance their knowledge of this very important Indian festival. With its team of volunteers BAPS Swaminarayan Mandir of Mill Park has been instrumental in leading and coordinating the 19 participating organisations to put on the Diwali and Annakut exhibition in Queens Hall at the Victorian Parliament.

This is a festival that signifies the victory of light over darkness, good over evil and knowledge over ignorance. BAPS volunteers are inspired by His Holiness Mahant Swami, who has taken over the helm of BAPS globally following the passing of His Holiness Pramukh Swami on 13 August 2016. Mahant Swami continues the work of Pramukh Swami, who inspired millions by living his life with the ethos, 'In the joy of others, lies our own'.

In Australia BAPS volunteers are led by Pujya Paramchintan Swami and three other swamis. It is their guidance that enables the Diwali and Annakut exhibition to succeed by energising local BAPS volunteers to serve the Victorian and Australian communities. I thank trustee Sitesh Bhojani, volunteer Pulin Amin and the BAPS volunteers who, together with my own staff of Nadine Tulk, Jacky Douglas, Sarah Pavano and Renata Rees, have brought this festival to our Parliament.

FRANKSTON LINE ELEVATED RAIL PROPOSAL

Mrs PEULICH (South Eastern Metropolitan) — It is unfortunate that this motion has to be moved in this chamber. Given the nature of the subject and the international obligations encompassed in this motion, an environmental impact statement should already have been done by the government as the proponent of a brave proposal in sky rail that is being — I think it is probably more than considered — advanced, proposed, spruiked by the Andrews government for the Frankston line. This is notwithstanding the fact that a sky rail is now being erected along the Caulfield–Dandenong line without having gone through any of the due processes that one would expect with such a major project, such as an environmental impact statement. It has had lots and lots of trees removed and has had a very negative impact on individual homes, on privacy and on major community assets. The turmoil and angst that that has

caused the community is regrettable and certainly out of character for any government that prides itself on democratic principles. Regrettably I think we are hurtling down a similar scenario along the Frankston line.

However, there are greater complications for the proposal of sky rail along the Frankston line, which is the reason for the motion which I have pleasure in moving. I move:

That this house —

- (1) notes the Edithvale-Seaford wetlands, part of the Carrum Carrum Swamp, were listed on 29 August 2001 as wetlands of international importance under the Ramsar convention (Ramsar site 1096);
- (2) notes that wetlands of international importance subject to the Ramsar convention is a multilateral environmental agreement containing obligations for all contracted parties;
- (3) expresses concern that the construction of sky rail along the Frankston line will have a significant impact on the ecological character of a declared Ramsar wetland, the hydrology of the wetland, the habitat and life cycle of protected flora and fauna which are also matters of national environmental significance protected under national environmental law including the Environment Protection and Biodiversity Conservation Act 1999;
- (4) notes the failure of the Andrews Labor government to undertake environmental impact statements for its planned level crossing removals along the Frankston line and notes that any matters of 'national environmental significance' require an environmental impact statement under the Federal Environment Protection and Biodiversity Conservation Act 1999;

and calls on the Andrews Labor government to immediately refer the construction of sky rail along the Frankston line to the federal government for environmental assessments under the Environment Protection and Biodiversity Conservation Act 1999 to ensure that sky rail does not place Australia in conflict with its national and international obligations as a contracted party to the Ramsar convention.

Contracted parties, referred to in paragraph (2), are not contractors; they are signatories to the convention, of which there are many, and they meet on a regular basis to review how these obligations are being met.

In particular I would like to draw to the house's attention the nature and characteristics of the Edithvale-Seaford wetlands, which would be impacted by a sky rail if it were built along the Frankston line. The Edithvale-Seaford wetlands are a group of two principally freshwater swamps totalling 261 hectares, or 640 acres, lying in the suburbs of Aspendale, Edithvale, Chelsea Heights and Seaford — all of it in my electorate, in the south-east of Melbourne. Together they form the Edithvale-Seaford wetlands Ramsar site,

and with the nearby eastern treatment plant they form the Carrum wetlands important bird area.

The proposed sky rail from its furthest point to the northern part of the wetlands at Edithvale is approximately 1.4 kilometres in distance; however, it is an entire area that has been constructed around its primary purpose initially, which was to create a drainage system. But at its closest point to the proposed sky rail, in Seaford, it will be only 400 metres away from the sky rail. So its proximity and its width mean that what is being proposed certainly would have an impact in so many ways on the Edithvale-Seaford wetlands, on the hydrology and the management of the wetlands, which are being used to enhance the natural values and control the ingress of saline groundwater.

There will be impacts on the hydrology and the ecology. There are a number of protected species there, and in particular birdlife. There will also be impacts on the flight paths of migratory birds. Indeed an erection such as sky rail, 20.2 metres high at its highest point, given its proximity, say 400 metres at the Seaford point; 1.4 kilometres at the Edithvale point, may well impact — I do not know, I am not an expert on this — on the flight path of migratory birds for whom the Edithvale-Seaford wetlands are but one stop in an international flight path.

Indeed only proper environmental impact statements undertaken in the appropriate way could establish what impact the construction of a sky rail would have, as I said before, on the hydrology and the ecology, including on the protected species and the migratory flight paths of protected species. There is no wriggle room. The convention on the wetlands, called the Ramsar convention, after the name of the city in which it was signed, is an intergovernmental treaty that provides the framework for national action and international cooperation for the conservation and wise use of wetlands and their resources. The contracting parties to the Ramsar convention continue to meet and continue to consider their obligations as a diverse global network of partners to meet its objectives. They range from other global conventions and agencies to international and national non-government organisations and private companies.

The Ramsar *4th Strategic Plan 2016–2024* acknowledges the importance of partnerships in enhancing the implementation of the convention. Paragraph 42 reads:

The wise use of wetlands and their resources will ultimately involve a range of actors well beyond those responsible for the management and maintenance of Ramsar sites and other wetlands. This holds at local, national, regional and global

levels where existing partnerships ... should be strengthened and new partnerships with civil society and the business sector forged ...

It goes on to talk about the commitments of the contracted parties through various resolutions and indeed the multilateral environmental agreements which are outlined in various resolutions, which, as I mentioned before, are periodically revisited, most recently in June 2015 in Uruguay at the 12th meeting of the conference of the parties to the convention of the wetlands, initially signed in Ramsar in Iran in 1971. There is certainly a great list of obligations that are outlined for all of those contracted parties.

Under the convention — and, as I said, it is an international treaty — the wetlands are considered to be of international importance. Under the federal legislation which governs this there are a number of criteria that fulfil the requirement for wetlands to be considered of international importance. I quote from *Matters of National Environmental Significance — Significant impact guidelines 1.1 — Environment Protection and Biodiversity Conservation Act 1999*, put out by the then federal Department of the Environment:

An action is likely to have a significant impact on the ecological character of a declared Ramsar wetland if there is a real chance or possibility that it will result in:

areas of the wetland being destroyed or substantially modified —

and there is no doubt, colleagues, that the periodic building of pylons and the beds they need to rest in — and some of them can be quite close — will impact on the ecology and hydrology of the Carrum Carrum Swamp and the wetlands. Second under the significant impact criteria is:

a substantial and measurable change in the hydrological regime of the wetland, for example, a substantial change to the volume, timing, duration and frequency of ground and surface water flows to and within the wetland ...

So this is not just the specific area; it is the surrounding swamp area that will impact upon the hydrological regime of the wetland. Also considered to be a significant impact criterion is:

the habitat or life cycle of native species, including invertebrate fauna and fish species, dependent upon the wetland being seriously affected —

and I will come to that in a moment, noting that there are some protected species that are particular to this wetland. Indeed if the habitat or life cycle of native species, including fauna and fish species, are going to be affected, it is considered to be a significant impact criterion and therefore requires assessment under the

federal legislation. We will come to the mechanism for that in a moment — if, for example, an environmental impact statement at the state level were not undertaken to the satisfaction of the federal legislation. Lastly there is:

a substantial and measurable change in the water quality of the wetland — for example, a substantial change in the level of salinity, pollutants or nutrients in the wetland, or water temperature which may adversely impact on biodiversity, ecological integrity, social amenity or human health ...

Indeed we know, given its proximity to the coast and the amount of works that are going to be undertaken in the construction of sky rail, that all of these would indeed be threats or risks to the wetlands and would, again, trigger the need to have an assessment federally.

In relation to the migratory birds there are of course other international agreements which place obligations on us. Australia has international commitments to protect migratory birds under the Ramsar convention as well as the Bonn convention. In Australia the Environment Protection and Biodiversity Conservation (EPBC) Act 1999 provides for the protection of migratory species as a matter of national environmental significance. The act prohibits a person from taking an action that has, will have or is likely to have a significant impact on the listed migratory species unless the minister for the environment has given approval. Indeed there is a lot of documentation about referral guidelines and how that might work.

My understanding is that the matter needs to be referred by the state government, as the proponents of the project, to the federal department and that within a defined time line they would decide what type of an assessment would be required. That would then govern how long that assessment would take and how it would occur — the methodology — and ultimately of course the recommendations would inform the proposals for that project. Unfortunately the government has inverted the process, because it did not go through the proper process of taking it through cabinet.

I am sure that there are many good ministers in the cabinet who would have insisted on these processes being observed. I have confidence that the Minister for Planning would have also pointed out the conflict that exists between the sky rail proposal, especially as it impacts established suburbs, and the convention itself. If it were a greenfield area, it certainly would not raise as many concerns. That is a separate argument; today we are simply looking at the Ramsar convention and the need to undertake an environmental impact statement, given that the state government has not

undertaken one and that this proposal is likely to occur turning a blind eye to an important international convention because it did not go through the processes. Those ministers, who are duty-bound and have taken an oath to serve the state, have not been given the proper opportunity to exercise their due diligence and to be informed to make sure that they were fulfilling their obligations.

The treaty allows for nations to identify important wetland sites. The wetlands included in the list are as I mentioned before. There are 11 wetlands in Victoria; one of those is impacted by this sky rail proposal, and as a result of that it acquires a national and international status. They are recognised as being of significant value not only for the country or countries in which they are located but for the whole of humanity, and they are a critical part of biological diversity and of course need to be protected under our international obligations.

When we think of some of the wetlands we fail to recognise that there are 65 Ramsar sites in Australia, and indeed they are governed by very important and onerous obligations for all of the contracted parties. According to the Department of Environment, Land, Water and Planning website the Edithvale-Seaford wetlands:

assist in the natural control of flooding;

support foraging and potential breeding habitat for the nationally endangered Australasian bittern (*Botaurus poiciloptilus*);

support more than 1 per cent of the East Asian-Australasian Flyway population of the migratory shorebird sharp-tailed sandpiper ...

Australia's rarest native bird, the orange-bellied parrot, has also been spotted in this waterway network. Therefore the Edithvale-Seaford wetlands are an important part of life, literally — not just for the cities of Kingston and Frankston but indeed for a range of international priorities.

The management of Ramsar sites listed within Australia is controlled at the national level by the Australian government, predominantly through the Environment Protection and Biodiversity Conservation Act 1999 and its accompanying regulations, the Environment Protection and Biodiversity Conservation Regulations 2000. The act as of 2015 lists the principles required for meeting the treaty obligations in respect of the wetlands of international importance. They include environmental approvals, under sections 16, 17, 17A and 17B; the approval process, under section 138; strategic assessments, under section 146J; the

management approach, under sections 325 to 336 inclusive; and many more.

The applicable regulations list three requirements as of 2015: firstly, a set of general principles for management is described, including the need for public consultation, the involvement of parties with an interest and/or who may be affected by the management of wetlands as well as allowing for continuing community and technical input; secondly, the requirement for the management plan to be prepared for each listed wetland as described — the Auditor-General recently in his report had a lot to say about that and the fact that we are trailing in the way that we manage our wetlands, but the government has had some forewarning, so this would have preceded its forging ahead with the sky rail proposal — and thirdly, the requirement for the environmental impact assessment and approval are described for parties wishing to undertake activities that are likely to have a significant impact on the ecological character, hydrology and protected species of Ramsar wetlands.

We have a wetland of global significance in Edithvale and Seaford which is the home of endangered species and is afforded protection under the EPBC act 1999. We have sky rail — or elevated rail or whatever the spin doctors who are working on this want to call it. We have proposals to put rail in the air.

Of course the community along the Dandenong line has been completely ignored. I actually had the opportunity of walking along the length of that rail recently as I was doing a little bit of letterboxing. The trail of destruction that has been left is an absolute dereliction. Hundreds and hundreds of trees have been removed. We do not even know how many trees have been removed there, because there has been no study undertaken, but the devastation that has been left in the trail of this project is there for all to see. You just need to take a drive down there to see the trail of destruction that is being left. If this project was to proceed along the Frankston line, so close to our coast in the most livable city in the world for six years in a row. it would be nothing short of delinquency.

For the Frankston line the government is proposing a series of rail bridges going over roads — big unsightly rail bridges — along our bayside and of course along Nepean Highway, which should be a summer boulevard. This should actually be the bayside Riviera rather than ugly rail bridges. The community does not want them. There are Labor, Liberal, Greens, uncommitted voters and disengaged voters all campaigning against sky rail along the Frankston line. Predominantly they support level crossing removals,

and they want to see it happen as it is happening in Bentleigh, Ormond, McKinnon and Springvale. There is no dispute about the need, and there is no dispute or angst about the undergrounding of level crossings, but there is enormous angst in relation to sky rail.

The potential health risks include the further dispersal of carcinogenic diesel fumes and brake dust scattering over the suburbs, which can impact on the wetlands; there is no doubt about that. In addition to the construction, the flow and the impact on the hydrology, there will be noise pollution, and there will certainly be overshadowing.

Whilst the government spin doctors put out glossy brochures through the Level Crossing Removal Authority, which is spending an unlimited amount of money trying to procure an outcome that the community does not want and holding consultations at which no answers are provided, basically the community is devastated, because this project will leave such a devastating visual impact not only on their physical environment but also on the precious wetlands.

The government is investing a fortune in brainwashing the community, but of course the community will not buy it. The government tries to say that there are only one or two viable approaches at each crossing, but local groups, including one that has recently presented to the shadow cabinet when we met at Carrum — the No Skyrail Frankston Line group — presented a thorough document, including work undertaken by civil engineers, by health experts and the like, but indeed they discount many of the lines that are being used by the government to suggest that undergrounding was not a viable option. These people have worked on other significant government projects both here in Victoria and interstate.

Brainwashing knows no limit. Let me read you an email I recently received a copy of from Labor's Community Action Network newsletter. I quote:

Right now, we're seeing what happens when we're not organised — and it's not pretty.

While the state Labor government is trying to talk to local communities about getting rid of dangerous level crossings, a small group of Liberal-backed voices are howling down the conversation with lies and half-truths aimed at political pointscoring.

This is a huge insult to a community, many of whom are not Liberal voters, who are up in arms over the process as well as the proposal for sky rail, in particular along the Frankston line. Let me say that my heart goes out to those who have been impacted with no due

process along the Caulfield and Dandenong lines. The quote continues:

In fact, some of these recent 'anti-sky rail' protests have been in areas where 'sky rail' isn't even being considered.

And it's happening because no-one is standing up and challenging the Liberals' lies. I want to change that, but I need your help.

You and I both know what we can achieve when we encourage people to use their voice and speak up for what they believe in. With a Labor government in Victoria, we don't just have to wait for an election to do it.

We can be heard now.

So I'm inviting you to a Politics in the Pub on 5 October.

Will you come along and throw in your two cents?

There's nothing more powerful than a one-on-one conversation. Your voice and those of your friends and family can cut through all the confusion, the Liberals' lies and the media hysteria like nothing else.

All it takes is you stepping up to get the ball rolling.

Regards,

Claire and Melissa, organisers in Carrum and Mordialloc.

It seems to me that while the government is reportedly going through a genuine consultation process it is actually embarking on a parallel political process. I am also advised by local members of the Labor Party that there have been attempts to secure paid fees for retired civil engineers who can go out and spruik the benefits of sky rail. If the consultation process were genuine, this would not be happening. This is by the by in relation to this motion; however, it does shed light as to why the government has not undertaken an environmental impact statement, because I think it has been very convenient for it to ignore.

As I mentioned earlier, the wetlands are of international significance. They are the last remnants of the Carrum Carrum Swamp and critical to our biodiversity as well as to the food chain. They contain two endangered bird species — the Australasian bittern and the orange-bellied parrot. The orange-bellied parrot is critically endangered. It is Australia's rarest native bird — very few of them are ever seen, and there are believed to be only 44 of them remaining in the wild. They spend summer in south-western Tasmania and come to southern Victoria and South Australia in winter, and with only one or two parrots in the world that migrate, the other being Tasmania's swift parrot, the orange-bellied parrot has been recorded in the wetlands system. BirdLife Australia says collisions with structures is a reason for their mortality. Collisions with structures — I assume that sky rail, being

constructed at 20.2 metres, is such a structure, especially when you consider that, for example, the Seaford wetlands are only 400 metres away from such a structure.

The Australasian bittern is also endangered. It is listed as endangered in the commonwealth Environment Protection and Biodiversity Conservation Act 1999, and it is listed as threatened on Victoria's Flora and Fauna Guarantee Act 1988 April 2015 list and as endangered on the *Advisory List of Threatened Vertebrate Fauna in Victoria* of 2013. There are believed to be as few as 247 of them in Australia and as few of 86 of them in Victoria, and 14 of them have been spotted in the Seaford-Edithvale wetlands. BirdLife states that the Edithvale-Seaford wetlands are an important refuge for the bittern. BirdLife lists powerlines as a contributory cause to its decline. We have two very endangered birds — one critically endangered — in these wetlands, and collisions with structures and powerlines are listed as threats to these species, yet the government wants to build a very high electrified rail bridge close to the habitat without a study and without an environmental impact statement.

What is also surprising — although maybe it is not so surprising — is that we have not heard a peep out of many of the local environmental groups. I am disappointed that this is the case. If I had not gone along to the Auditor-General's briefing on the management of Ramsar sites, I might have overlooked a huge flaw in the process being undertaken by the government.

The Andrews Labor government is trying to avoid all scrutiny on the sky rail and the level crossing removal program. They are certainly not consultative despite spending a huge amount of money on it. These species and wetlands are clearly of state, national and international significance. The federal Environment Protection and Biodiversity Conservation Act 1999 provides that any matters of national environmental significance require an environmental impact statement. These sites should most certainly be subject to an environmental impact statement. Again, Ramsar sites are recognised as being of significant value not only for the country in which they are located but for humanity as a whole. We are talking about a Ramsar site which is home to two very endangered species.

There are nine matters of national environmental significance which can trigger assessment under the National Environment Law, one of which is listed threatened species and ecological communities. The Andrews government needs to fulfil its obligations. That is the reason for this motion. This is an issue

which the government has completely, and I believe deliberately, turned a blind eye to. The Andrews government should have, on its own, made sure that Australia is not in conflict with its national and international obligations as a contracted party to the Ramsar convention, but obviously it has refused to do so.

The community does not want this monstrosity to be erected, and it was not even told about it. It is happening between Murrumbidgee and Dandenong, and the government is threatening to do the same along the Frankston line, taking all of the people and wildlife it can in the process. This government must start taking a more responsible approach, and that is why this motion urges the government to trigger an environmental impact assessment. At the end of the day if the project gets a big tick of approval from the federal department, it may proceed, should the government be politically brave enough to do that, but I do not believe that is the case at all.

For anyone who is not convinced by the arguments, an Auditor-General's report entitled *Meeting Obligations to Protect Ramsar Wetlands* was tabled in September 2016 — very recently. You would have thought that would have been a wake-up call for the government. The report makes some very, very pointed criticisms and recommendations about the way to move forward, in particular about monitoring Ramsar sites. On page ix the audit summary of the report says:

The Department of Environment, Land, Water & Planning ... and primary site managers — Parks Victoria and Melbourne Water — all have a role in conserving and maintaining Victoria's Ramsar sites.

So they are all contracted parties. The audit also assessed:

... whether monitoring, evaluation and reporting occurs and is used to understand the impacts of management activities, inform management practices and meet reporting obligations.

Let me say it falls very short of what is required. On page 3 under part 1.2.1, which considers and discusses the Ramsar convention and its implications, are the convention definitions:

Wise use — the maintenance of the ecological character of wetlands, achieved through the implementation of ecosystem approaches, within the context of sustainable development.

Ecological character — the combination of ecosystem components, processes and benefits/services that characterise the wetland at a given point in time.

It goes on to say:

Changes to the wetland's ecological character outside natural variations could mean that impacts on the site are unsustainable and could degrade natural processes and the wetland's ecology, biology and hydrology.

It is for that reason that without any dispute under the nationally significant criteria it must trigger an environmental study, but also according to the Auditor-General's criticisms the state is clearly not managing the wetlands effectively or well.

The report goes on to say under 'Site management':

The site manager may be the government, a community entity, traditional owners, a company or organisation, or a private owner. Site managers are encouraged to:

manage the Ramsar site to maintain its ecological character;

have procedures in place to monitor and detect changes and threats to the site's ecological character;

...

seek approval under the Environment Protection and Biodiversity Conservation Act 1999 before doing anything that will, or is likely to, have a significant impact on the ecological character of the site.

There is no dispute about whether this referral needs to be done. It needs to be done. There is an obligation for it to be done under federal law.

On the next page, page 6, in figure 1F, 'Key commonwealth legislation relevant to Ramsar sites', it talks about the act as providing:

... the legal framework for the protection and management of nine matters of national environmental significance, including Ramsar. Other relevant matters include listed migratory species and listed threatened species and ecological communities.

Without further ado, there is a mountain of information as to why this should not have happened. I have never seen a government so badly botch a process or get it wrong so badly in terms of losing the goodwill of the community. The community embraced a commitment to level crossing removals. We as a coalition government made commitments. There were some nuances of difference, but there was certainly never any public discussion or debate about a sky rail for a whole range of reasons, including impact on amenity, lack of public support and the way that it would change the character of the most livable city in the world.

Separate to all of that is the fact that it would take a politically very brave government to proceed to erect sky rail along a corridor that delivered them

government on very slender margins, a handful of votes here and there mostly delivered through unions and Labor's community action network. There was a lot of activity, but it generated very, very narrow margins. It would be a very brave government to proceed given all of those factors, but the need to meet its obligations under the international Ramsar convention is something that is over and above all of those considerations. There is no wriggle room. The federal law is in place. The government did not go through the due processes it needed to.

There are a range of ministers who would be signatories to this convention, and that is why I am asking this house to vote to support what is an important obligation not just for our community but also nationally and internationally. I ask the house to not only pass the motion but also ask the government and the Premier to listen to what is being said about it and to act on it and make the referral. It may well be that in 20 or 28 days the federal minister or his department says, 'No, there are no concerns; no assessment is required'. I highly doubt it, because there has not been a statewide environmental impact statement; but they need to do it. There is no wriggle room. It is just about how quickly and how much money in the meantime they waste advancing a project that has no community support and adds little aesthetic value as a legacy to our coastal communities.

The government has disrespected the rights of those communities by ramming sky rail through their neighbourhoods and their streets. Indeed there is potential environmental impact on what is a very, very important and significant area. It is a huge area affecting the south-east covering the Assembly seats of Carrum and Frankston specifically, but of course it is everyone's asset. I certainly hope the house will support this motion, but I also hope the government will do the right thing despite it having turned a blind eye for so long.

Ms DUNN (Eastern Metropolitan) — I rise today to speak on Mrs Peulich's motion 332. Certainly the Victorian Greens welcome debate on this motion. I cannot tell you how delighted I am to be able to talk about endangered species in the wetlands of Victoria as part of my responsibility under the public transport portfolio. The Victorian Greens have always advocated for meaningful, timely and informed consultation with communities about major infrastructure projects. Included in that consultation there should always be full disclosure of the impacts on the environment by such developments.

I have already spoken in this chamber about the Labor government's tardiness in providing affected communities with information on the full extent of the impacts of level crossing removals. My colleagues and I will continue to advocate for continuing community consultation on the implementation of level crossing removals, particularly the preservation of heritage and the minimisation of the loss of trees and habitat.

This motion cites the Ramsar convention, also known as the Ramsar Convention on Wetlands. The Ramsar convention is the intergovernmental treaty that provides the framework for the conservation of wetlands. Signatories to the Ramsar convention must work towards the protection and wise use of all their wetlands through national plans, policies and legislation, management actions and public education. Australia became a signatory to this very important convention in 1974. They must also designate suitable wetlands for the list of wetlands of international importance to ensure their effective management.

Why is an international convention on wetlands necessary? Because wetlands are some of the world's most biodiverse environments. They are rich ecosystems that provide the habitat on which countless species of plants and animals depend for survival. But wetlands have been disappearing. Researchers at Charles Sturt University have conducted the meta-analysis and have deduced that at least 64 per cent of the world's wetlands have been lost since 1900. The Ramsar convention provides an international platform on which joint efforts and monitoring of wetland preservation are based.

Mrs Peulich's motion also refers to the commonwealth's Environment Protection and Biodiversity Conservation Act 1999 (EPBC act). The EPBC act is the most crucial piece of environmental legislation in Australia. It provides the framework for the protection of the Australian environment, including its biodiversity and its naturally and culturally significant places. The act refers to a number of international treaties and agreements, including the Ramsar convention and the 1992 Convention on Biological Diversity.

The Victorian Greens are delightfully surprised by the Liberal-Nationals coalition's newly discovered affection for the Ramsar convention and the EPBC act. I urge Mrs Peulich and her colleagues to further their interest in the tangible ecological services provided by the wetlands, including but not limited to water purification, flood control, groundwater recharge, carbon sequestration and shoreline stabilisation. Just as importantly, I encourage the opposition to cultivate an

affection for the ethereal beauty of these all too rare waterscapes, particularly rare in the suburban areas of Melbourne.

I must say this is quite a damascene conversion for Mrs Peulich and her colleagues in the Liberal-Nationals coalition. If only they had shown this dedication to the Ramsar convention when they were last in government. I seem to recall that it was this lot that were going to run roughshod over Australia's obligation under the Ramsar convention when they created the Port of Hastings Development Authority to expand that port. This duplicative and unnecessary expansion would have imposed extensive damage to 60 000 hectares of marine subtidal aquatic beds, intertidal mud and sand flats, salt marsh and mangrove forests in the Western Port wetlands. These wetlands are home to many species of small birds, including the pied oystercatcher, sooty oystercatcher, black-winged stilt, red-necked avocet, red-capped plover, black-fronted dotterel, hooded plover and masked lapwing. Considering their nascent devotion to the Ramsar convention, I look forward to the Liberal-Nationals coalition repealing their policy of expanding the port of Hastings to protect these shore bird species.

I turn to the specific wetland referred to in this motion. The motion correctly states that the Edithvale wetlands and the Seaford wetlands are remnants of the Carrum Carrum Swamp. As a new student of the history of the wetlands in Victoria, Mrs Peulich would know that the Carrum Carrum Swamp was drained and developed over a century before the Ramsar convention came into effect at a time when colonial misconceptions of wetlands were that they were festering swamps that were good for nothing except draining and converting to farmland. We know much better these days.

The Edithvale-Seaford wetlands were listed under the Ramsar convention in 2001, and while far smaller than the original extent of the Carrum Carrum Swamp, these wetlands harbour a dizzying array of flora and fauna: 151 bird species, including 74 waterbird species can be found in the Edithvale wetlands and 163 bird species, including 79 waterbird species, can be found in the Seaford wetlands. I will not list them all; however, some of the endangered waterbird species that can be found in these wetlands include the Australian little bittern, Lewin's rail, the eastern curlew, Pacific gull, magpie goose, blue-billed duck, white-bellied sea eagle, Australasian bittern, Baillon's crane and the painted snipe. There are also innumerable fish, frog and reptile species in this wetland habitat.

Of course there are flora values too. The wetlands have the following flora of regional conservation significance: the hairy centrolepis, the swamp crassula, the pale flax lily, the rounded noon-flower, the cherry ballart, the scrambling coral fern, the creeping monkey-flower and the common boobialla.

With her emerging acquaintance with the details of the Ramsar convention and the EPBC act, no doubt Mrs Peulich has acquainted herself with how they are applied in the *Edithvale-Seaford Wetlands Ramsar Site Management Plan* published by Melbourne Water earlier this year. This document provides a definitive mapping of the specific ecological zones of the wetland and a boundary of the Ramsar area. If you were to take a cursory glance at these maps, you would note there is not a train line anywhere near that. Indeed there are whole suburbs between the Edithvale-Seaford wetlands and the Frankston rail line. There are even a couple of golf courses, which typically have a poor record when it comes to water pollution due to the use of fertilisers, herbicides and pesticides.

There are eight level crossings slated for removal on the Frankston line. Of those, three are near water bodies. One is south of the Patterson River and two are in the vicinity of the Kananook Creek, both of which drain into the Edithvale-Seaford wetlands. None of these locations is adjacent or proximate to the aforementioned Ramsar boundary. While the Victorian Greens always demand proportional environmental impact assessment and mitigation to be undertaken for all major construction projects, particularly those projects that impact on threatened species, it appears to be overzealous to claim that these level crossing removals would have a noteworthy impact on the Edithvale-Seaford wetlands. This unfortunately raises suspicions in my mind about Mrs Peulich's budding fondness for the Ramsar convention. Maybe she does not have a passion for wetland ecologies. Maybe she cares not for the striped marsh frog or the large river buttercup. Maybe she is not awed by the vistas of sedge land and tall marshes at dusk.

Unfortunately it seems that the opposition is invoking the good name of the Ramsar convention to raise false hopes amongst communities along the Frankston rail line to score political points in this Parliament. Her party has good form on that tactic. Mr Davis used the same tactic to raise false hopes in communities along the Cranbourne-Pakenham line by falsely claiming that blocking planning amendment GC37 would prevent elevated rail from being built on the Cranbourne-Pakenham line. That is cynical politics at its worst.

I also note that the federal leader of the Liberal-National coalition, Prime Minister Malcolm Turnbull, announced earlier this week that the federal government would be reviving another dead policy from the disastrous Tony Abbott era. It seems the Prime Minister's hands are also tied by the hard-right, out-of-touch dinosaurs of his own government, and he has been forced to express a fervent desire to clamp down on free speech and free association. Malcolm Turnbull has decided to introduce Tony Abbott's laws to limit the legal standing of conservation groups mounting court cases against major projects. He wants to gag Australian environmental organisations that have the temerity to request that his government apply environmental laws such as the EPBC act to major projects, just like the level crossing removals, which leaves the opposition in rather a bind, does it not?

Let us consider a hypothetical situation where the level crossing removals on the Frankston line were a major threat to the health of the Edithvale-Seaford wetlands and there was a valid case to be made that the state government had neglected its responsibilities under the EPBC act due to imperilling a Ramsar-listed wetland. In that case, if a community-based environmental organisation such as Friends of the Edithvale-Seaford Wetlands or the Port Phillip Conservation Council were to try and launch a court case of a similar nature to that outlined in this motion, they would be gagged under Malcolm Turnbull's proposed legislation. It would seem that the right hand of the Liberal Party does not know what the left hand is doing.

The Victorian Greens and our federal colleagues will always advocate for full and genuine abidance by the Ramsar convention. The Victorian Greens and our federal colleagues will steadfastly defend and strengthen the EPBC act. The Victorian Greens will always stand up for the state's precious wetlands. The Victorian Greens will always advocate for meaningful, timely and fully informed consultation on major infrastructure projects. In comparison, the Liberal-National coalition has wilfully trashed Ramsar-listed wetlands and its federal colleagues are yet again attempting to weaken the EPBC act and silence environmental advocates. The Liberal-National coalition gives false hope to communities affected by major infrastructure projects in order to score political points. The means of this motion is a complete nonsense, but the Greens will not oppose its ends. The Victorian Greens will always support referrals for any project under the EPBC act where a trigger is identified.

Mr MULINO (Eastern Victoria) — Like a lot of motions of this type, there are going to be issues where we all agree and there are going to be issues where we

disagree. Within this motion there are some areas where I think everybody in this chamber would agree, and I will identify those at the beginning of my contribution. But I must say from the outset that because of the way in which this motion is worded, some aspects of it I find troubling. I will start with the areas on which I think we can all agree.

I think we can all agree that the removal of level crossings is an issue that the community places a high premium on. I think all of us in this chamber have spoken at various points about the importance of upgrading our transport system in light of increased usage, in light of population growth and in light of growing congestion.

Perhaps we should go back to the last election. This is not an attempt at gloating; this is simply a reflection and an attempt to glean from the last election's results what it is that the community said at that point in time. We in this place make assertions about what we think people in the community desire, but often that is founded on nothing more than anecdote and supposition. If we go back to that election, it was an election where one of the key issues was the removal of level crossings. In that regard there was a very clear result. There was a clear affirmation from the community that they wanted level crossings removed.

Indeed if we go to the Frankston line, transport was a key issue — transport in terms of the rail line and transport in terms of the effectiveness of the road network. We often talk about the Frankston line as being a key determinant of votes up and down those corridor seats, all of them closely contested. But the highways and the road connections are for many people just as much an issue as the effectiveness of the rail line. The issue is people sitting at level crossings. It is people dealing with road congestion on a day-to-day basis.

I raise that because there were four seats that were highly contested; there were four seats that all changed hands. It is pretty clear, I think, to anybody objectively looking at the last election's results that transport was an absolutely critical issue. I raise all that simply to say I think everybody in this place would agree that transport is one of the community's most important issues and that dealing with transport in areas like the areas that we are talking about will involve removing level crossings. Level crossings make it very difficult to increase the frequency of train services, and level crossings make it very difficult to have a functioning road system that interconnects with a rail system that is becoming increasingly busy. So that is point 1.

Point 2, which I think we could all agree on, is that environmental considerations will be an important factor in deciding how we should remove those level crossings. I would imagine that everybody in this chamber would agree with that. We certainly do, and I will talk about that later on when I explain some of the commitments that this government has already made in relation to undertaking an environment effects statement (EES) in relation to some of the most sensitive level crossings. We would all agree in this chamber that we should take into account environmental factors, we should take into account expert advice and we should follow due process in deciding which level crossings and how those level crossings will be removed. So I think we can all agree on that.

I believe that the wording of this motion, however, goes above and beyond those issues that we can all agree on, and I would say it is intentionally inflammatory in its wording to make a political point. That is fine, but the consequence of that is that we move beyond the realm of issues that we can all agree on and we get into the realm of political argy-bargy. Again, that is fine, but let us state from the outset that this motion was intentionally worded in a way to bring us into that realm.

I will highlight two particular instances of the wording that take us into that realm. One is in paragraph (3), which states that the house:

expresses concern that the construction of sky rail along the Frankston line will have a significant impact —

and on it goes. The use of the words ‘sky rail’ is interesting. I think the words ‘sky rail’ are used in parlance in this chamber in the back and forth of debate. That is fine. I think we all understand that sky rail has become part of the argy-bargy, but it is important in a motion such as this for us to be precise. By that I mean what this motion implicitly includes is a misrepresentation of a clearly stated government position. I think it is very intentional. Again, that is fine. That is the nature of motions such as this. But when motions are worded so as to intentionally misrepresent the government’s positions, it is going to lead to a contest around the wording of the motions rather than the substantive issues that they raise. That is unfortunate, but that is where we are.

The reason why it is problematic for this motion to refer to sky rail in this context is that the government has very clearly stated that it will not have an extended elevated rail corridor on this rail line. It may have rail bridges, and I will explain that later in my contribution when I get to this issue in more detail. There are rail

bridges throughout our rail system. Indeed there are many, many rail bridges in seats held by members of the parties opposite, yet they never complain about those rail bridges. Those rail bridges were built by governments of both parties over Victoria’s long history.

What I will allude to in the first part of my contribution is the fact that the insinuation here is that there is going to be an extended elevated rail corridor. Firstly, there is extensive consultation underway, and at each of the level crossings under consideration there are multiple options still under active consideration. Secondly, importantly and crucially, the government has ruled out an extended elevated rail corridor on this line. It will consider appropriate rail bridges at individual level crossings, which is entirely appropriate because, as I will discuss later in some detail, rail bridges are a well-functioning and accepted part of our rail network in many parts of the city.

The second problem with this motion is in paragraph (4), where it notes the failure of the Andrews Labor government to undertake environmental impact statements. Again I will clarify that the Andrews government has publicly committed to undertaking an EES, and I will refer to press clippings and the media release where the minister has made that statement. The point is that it is not appropriate to start that process at this point in time when we are still engaging with the community on which of the options at each of these level crossings is the suitable one.

Mrs Peulich interjected.

Mr MULINO — No, it is a commitment that we have made, and I will read that out from the media release. You could have done a bit more research on this one, so I will read that out for you when I get to that point.

Let us look at this issue of whether or not a rail bridge should ever be an option. The way those opposite talk in this place — —

Mrs Peulich interjected.

Mr MULINO — No, this is the motion. You have intentionally used the notion of sky rail. You have intentionally misrepresented what the government is considering.

The ACTING PRESIDENT (Mr Melhem) — Order! Mrs Peulich, you made your contribution, and I do not recall that there were any interruptions. Any further comments should be made through the Chair. Mr Mulino to continue without assistance.

Mr MULINO — Thank you, Acting President, and I must say that I would not consider what Mrs Peulich was doing as assistance in any reasonable use of the term. Nonetheless, I think it is the way it is described in this place.

The reason this is entirely relevant to the motion is that the motion expresses concern about sky rail when in fact what is being considered on the Frankston line is bridges at appropriate level crossings where that is the best option. The Frankston line, as those in this place realise, has more level crossings than any other metro train line. It has more congested death traps, it has particularly problematic interactions between the road network and the rail network and people in those communities have been waiting far too long for these issues to be resolved.

I make the point that the previous government did not remove a single level crossing on this line, and that is something I think they should reflect upon. In contrast, this government is committed to removing 12. Three have already been removed, so we actually have a track record. We have removed three, and we will be removing 12. I must say that the community along the Frankston line is very well aware of the opposition's tendency to continuously raise problems. They have a track record of removing none, and they now have a track record of continuously raising so-called concerns about every aspect. One gets to the point where one must question whether or not those opposite have any real commitment to removing level crossings on this line. I think I personally have already got to that point, but I suspect those in the community who have not are getting very close to that.

At the recent federal election the federal colleagues of those opposite tried to run what can only be described as a very aggressive and false campaign in the seat of Isaacs, and in that seat I must say that the electors, the good burghers of Isaacs, responded appropriately to the misrepresentation that occurred in that campaign in relation to the elevated rail options that were being considered. In fact the electors of that seat spoke loudly. The electors of that seat indicated they were happy for rail bridges to be considered. The electors of that seat at the last state election stated very clearly that they wanted these level crossings removed.

If you look throughout Melbourne, there are something in the order of 98 rail bridges — 98 crossings where rail goes over road. If you listened to those opposite, you would think that these were all communities living an unbearable existence. If you listened to those opposite, you would imagine that in each of these communities people were crying out for trenches to be built. If you

believed those opposite, you would think that there was a massive community groundswell to remove all of these rail bridges in these incredibly unlivable places like Glenferrie, Canterbury and Balaclava. What a shocking existence they have with rail bridges!

Honourable members interjecting.

Mr MULINO — They know how mischievous they are being.

The ACTING PRESIDENT (Mr Melhem) — Order! I let that go for a while, but I think it is really getting out of control. Mrs Peulich again and Mr Rich-Phillips, I think people want to hear Mr Mulino's contribution, and as I said earlier, previous speakers actually delivered their speeches without interruption, so I am not going to give anyone any more warning. Mr Mulino may continue.

Mr MULINO — I interpret increasing volume from the other side often as a reflection of unease with the truth, but that is just me.

Let us look at all these rail bridges around Melbourne. We do not have great concern in communities. People understand that often it is the best option. Those opposite talk as if the only reasonable approach is to always commit to a trench, always commit to a certain solution, when really they know that that is not a sensible policy response. They are adopting that position because they are trying to thwart and cause mischief for a program we are rolling out very successfully. They are trying to create a lot of white noise in the community. They are trying to create a lot of concern in the community, and it is really inappropriate and mischievous.

As I said, we have rail bridges right throughout our city. We have rail bridges in many of our most livable suburbs. They work very well in many contexts, and it is appropriate that rail bridges are under consideration. The government is not saying that we are going to adopt a particular approach in every situation. Sometimes rail going under road will be appropriate, sometimes a rail bridge will be appropriate and sometimes the solution might be something innovative which might not be easily characterised simply in a binary approach. What we are undertaking is a nuanced approach that reflects the fact that each crossing is going to have its own characteristics.

This is the reality of our approach, and I think the first point that is really critical to make is that this motion incorrectly creates the impression that there is going to be extended elevated rail. This morning I went onto the website to look at a number of level crossings on this

line. It is a very well functioning website and is very easy to use. It runs through all the key options on each of these level crossings. For one of the level crossings there are 11 options, some of which have been ruled out, and it gives a clear explanation as to why there are multiple options still under consideration. For another level crossing there were five options. Again, some were ruled out and some were under active consideration. There are also clear avenues through which people can communicate their concerns or views via email or telephone. There are community information sessions. There is a community engagement hub. It is important to put on the record that the way in which the government is undertaking a process for coming up with a preferred option at each of these sites is through extensive community engagements and considering the views of experts. That is the first key issue that I think is important to note in relation to this motion and the unnecessary, misleading and inflammatory wording of paragraph 3.

Then we get to paragraph 4, which talks about the failure of the Andrews government to undertake an environmental impact statement. The speaker who preceded me went into far more detail than I have the capacity to in relation to all the various flora and fauna that might potentially be affected, but like her I am interested in what might be described as this newfound interest in Ramsar by the opposition. It is certainly to be welcomed. I welcome the opposition's interest in Ramsar; I welcome the opposition's interest in the environment.

I will now read a public statement from the minister, which I hope will convey to the opposition that we all share this interest. The media release, issued on Tuesday, 6 September, states:

Design options that have been investigated include a rail bridge ... a rail trench ...

and a range of other options.

At the five separate level crossings in Mentone, Cheltenham, Edithvale, Bonbeach and Seaford, both a rail trench and a rail bridge remain under consideration ...

That is exactly the point that I was making earlier. Both options remain under consideration. Here is the exact quote:

As a result of expert advice, the Level Crossing Removal Authority will make a referral to the Minister for Planning to consider an environmental effects statement at those three sites.

They being Edithvale, Bonbeach and Seaford. That is a commitment. It is out there in this media release. I can send a link to it to anybody who is interested.

We all share this interest in the environment; we all share an interest in there being appropriate consideration of those factors. I am not an expert in this area, and I hazard to say that there are at least some other non-experts in this place. Some possibly do have degrees of expertise, but clearly it is easy to envisage — even for a non-expert — that there are potential environmental impacts from each approach. There are potential environmental impacts from building a rail bridge, but clearly there are also potential environmental impacts from building a rail trench. A long rail trench could potentially have significant impacts on the water table, so let us see what the environment effects statement says.

With a motion like this, when members opposite suddenly take a great interest in Ramsar and these processes, then as well as those opposite speaking at length about Ramsar and about how level crossings might do this or that, I would also like them to speak about their position when the EES reports come back in.

Mr Davis — If there is one.

Mr MULINO — No, I have just read from the media release which sets out a commitment, so there is no 'if'. I would like those opposite to speak. Mr Davis is going to get up to speak, although he cannot sit down because he is so interested in this topic. He will remain standing and start speaking soon. I would be really interested if Mr Davis indicated in his contribution what his position will be when the EES comes back with certain findings in relation to his beloved approach. Will he accept the outcome of an EES? If the environmental protection and biodiversity conservation (EPBC) process is triggered — and as Ms Dunn indicated, it may be triggered — let us see what happens based upon what the preferred approach is. If the commonwealth EPBC process determines that a rail bridge solution is the best outcome, would Mr Davis support that?

I think it is all well and good for those opposite to stand up here and grandstand about their love for the environment. I think it is all well and good for those opposite to have googled and extracted a few paragraphs from some website about Ramsar. That is fine, but I would like those opposite to specifically indicate whether or not they are going to support any such expert findings, because if they are not willing to make some commitments along those lines, what can one conclude about the motivations for this motion?

In short, I would say that, yes, apparently all of us in this place agree that level crossings need to be removed,

and the Frankston line's 12 level crossings are indeed 12 of the highest priority level crossings for removal by anyone's reckoning, the reason being that some of the congestion on that line in terms of the road interactions with the rail network is particularly damaging for the community. I think we all agree on that. We certainly all agree that environmental issues should be taken into account.

Firstly, I would like to put on the record that the government is considering rail bridges for level crossings on this line. It is not considering and has ruled out extended elevated rail lines. I think that is important to get on the record given the wording of this motion.

Secondly, I think we all agree that environmental factors are important, but I want to put on the record that the government and the minister have committed to making a referral to the Minister for Planning to consider an environment effects statement at Edithvale, Bonbeach and Seaford. I am very interested in hearing the views of those opposite as to what they will say when the impacts of those EESs come back in. Are they going to be so interested in them then? So it is Edithvale, Bonbeach and Seaford — those are the three that have been committed to in that release of 6 September. For that reason I think the underlying point of this motion, which is to suggest that we should consider environmental factors, is fine, but the way in which the motion is worded and the way in which it is argued are problematic.

Mr DAVIS (Southern Metropolitan) — I want to support Mrs Peulich's motion strongly. The motion notes the importance of the Edithvale-Seaford wetlands and the fact they are subject to the Ramsar convention. It expresses concern about the construction of the sky rail along the Frankston line and the risk that that will present to the declared wetland. It also notes the failure of the Andrews Labor government to undertake environment impact assessments for its level crossing removals on the Frankston line, and it calls on the government to immediately refer the construction of this particular sky rail along the Frankston line to the federal government for environmental assessment under the Environment Protection and Biodiversity Conservation Act 1999.

Let me be quite clear here; the government comes to these matters with a very low level of trust. Its behaviour on level crossings across the state has been extraordinary. I am going to indicate that the opposition, as it has said many times, supports the removal of level crossings.

Mr Leane — No, you don't.

Mr DAVIS — In fact we actually funded a number, the point being that we support the removal of level crossings, but that does not mean that the government has carte blanche to remove level crossings in any way that it sees fit. The sky rail example along the Caulfield to Dandenong corridor, the Cranbourne-Pakenham lines, was an extraordinary process, and to date it has been absolutely shocking — —

Mr Leane — 87 seven per cent of people support it.

Mr DAVIS — No, they do not; only 12 per cent support it. On your VicRoads study only 12 per cent support it, so let us be very clear: the government hoodwinked the community before the election. The government then advanced its plans for a sky rail, and that started to leach out in the late period of 2015. The story broke in the *Herald Sun* in January 2016. The government at first tried to fluff around and deny it but in the end realised that it was going to build it, and it made the announcement in the first week of February. Nobody in the community had been consulted about that sky rail.

The people on the Frankston line are equally concerned. We have also seen on the Frankston line the Ormond situation. Mr Mulino mentioned the three crossings further up the Frankston line, and obviously there are eight further south along the Frankston line. But the Ormond crossing was one, Mr Leane, that the previous government funded. At this particular crossing a rail-under-road solution is widely supported in the community. But what did the government do? They built a huge concrete pad, which we now know can carry a building up to 40 storeys high — 40 storeys high! It is a concrete pad over the station, which they constructed without telling anyone — probably illegally — and without even telling the Glen Eira council.

On Monday night I met the person who discovered the pad, rang the council and said, 'Are you aware that they're building this huge concrete pad over the station?'. And the council said, 'No, we were not aware of this at all'. Nobody was aware. There is clearly an issue with the Level Crossing Removal Authority processes, the Minister for Planning's processes and the extraordinary processes that are put in place by the Minister for Public Transport, Jacinta Allan.

People on the Frankston line come to this with a high measure of scepticism, noting they all believed prior to the election that the level crossings on the southern part of that line would be rail under road. Everyone believed that. Nobody believed any different to that, but the now state government — Premier Daniel Andrews and his

crew — did not honestly state that they may use massive, long-distance elevated rail bridges on any of these lines.

Now they have been forced to consult about this. Well, I can tell you people do not want them. They do not want a sky rail on the Frankston line. Mrs Peulich has been to some of the consultations. I have been to some of the rallies, and I know what the people are saying. They are not interested. Mrs Peulich and others have been at those consultations, and the community are not getting open and transparent discussion from the officials. In fact the questions are censored. Some people are not able to ask the questions that they want, and the invitations are narrowed. This is the same trick that was used along the Caulfield to Dandenong line. It is the same trick: you set up a patsy group to try to give some cover — some apparent arrangement where there is some consultation. No, this is not being tolerated by the community. The community see through it, the community know what is going on and the community are highly sceptical.

The community know, despite Mr Mulino's comments, that sky rail is still firmly on the agenda for parts, or more, of the eight crossings and that the sky rail is a concern for all in the community. It is not the outcome that people want. There is noise and there are diesels high on this line, as there are on the Dandenong line — not as many, but there are still diesels on that line. It is very clear that the freight trains will continue and that the visual impact of a sky rail along the beach is just extraordinary. The impact on local communities, the impact on traders and the impact on people's enjoyment and amenity in the area are very significant.

If the government does not intend to build a sky rail, they should rule it out, but they have not done so. Mr Mulino tried to say the government would do an environment effects statement (EES). Actually that is not what the government has said. They said they may refer to the Minister for Planning the possibility of an EES. If he is telling us today that an EES will be undertaken on this line, I would welcome that, but that is actually not what he said. What he said is that the Level Crossing Removal Authority may refer this to the planning minister for assessment as to whether an EES would be required. The planning minister's history here is extraordinary, and if the behaviour on GC37 is anything to go by, we should be very concerned. If the planning minister is prepared to tolerate the creation of huge concrete pads without planning support and is prepared to do that without any community consultation or any community involvement, I think the community will be very sceptical.

The essence of this motion is that there is an important Ramsar wetland, and that Ramsar wetland has been referred to in the recent Auditor-General's report. Some of us, unlike Mr Mulino, do actually have a history of supporting a range of environmental points. I have worked for shadow environment ministers and worked as shadow Minister for Environment — indeed for federal shadow environment ministers — —

Mr Leane interjected.

Mr DAVIS — Me, that is right, writing policy on a number of these exact topics. The point I would make here about when people question the sincerity of the Liberal Party with respect to the Ramsar treaty is that the Ramsar treaty was actually signed by the Gorton federal government in February 1971, so it was actually a Liberal government that signed the international instrument, the Ramsar instrument, after a conference in — —

Mr Leane — Were you there?

Mr DAVIS — No, I was not there. I promise I was not there. But let us be quite clear: it is a Liberal treaty. It is a Liberal attempt to preserve and protect migratory birds across the world recognising that the habitat of migratory birds across the world needs to be protected, because if you lose one part of the habitat, the future of those significant birds is at significant risk. This is a Liberal treaty and is supported by the Liberal Party. I have got to say that it is one of the better international treaties. I am always personally sceptical of international treaties that are signed by national governments, but this is one that I have always supported. As a former member of Birds Australia, I also have some ongoing focus on these issues and interest in preserving in a sensible and practical way — —

Ms Shing — You wouldn't know a bar-tailed godwit if you fell over one.

Mr DAVIS — I am not going to claim to be an expert on ornithology, Ms Shing, and I do not think you are either.

Ms Shing — That's what Birds Australia do.

Mr DAVIS — I know what they do, and I know their history. Do you want me to give you a little history of Birds Australia — the old Royal Australasian Ornithologists Union, indeed, Ms Shing?

Ms Shing — A union — did you just — —

Mr DAVIS — A union, but not a trade union. Let me be quite clear here. The significant point in this motion is that there is a wetland, and there should be a proper assessment in terms of any sky rail impacts on that wetland. The government has a poor record of environmental protection.

Let me go back to the other line for a moment to give you some example of the behaviour. Yesterday the government released its tree retention policy for the Caulfield–Dandenong line. It released the tree retention policy after it had cut out 1000 trees. This is an Orwellian attempt to try to cover something. It is in fact a tree destruction policy that shows all the trees that have been destroyed. It actually tries to minimise the impact visually by drawing small — tiny — red circles where those trees used to be. Many of those trees, of course, were ancient red gums — for example, through the Noble Park area. The government has destroyed all of those with no environmental impact assessment and no environment effects statement, and it released the tree retention policy after it trashed the trees. I have to say their policy in this area is very weak. It is very dangerous to let this government proceed in any project without proper assessment and without proper protections.

What did they do on the other line when they declared the Major Transport Projects Facilitation Act 2009? What did they do? They stripped out part 3 and part 8. Now, part 3 and part 8 are the parts that have the impact assessments, that have the panels, that have the community engagement. They took out all of the protections in the Major Transport Projects Facilitation Act, and they proceeded just with the nasty teeth in the act and none of the protections. This was an extraordinary misuse and abuse of that act, a misuse and abuse of power by the Premier himself. The Premier is the one who declared it under the Major Transport Projects Facilitation Act, and the Premier is the one who removed the protections that were so much a part of that legislation.

That legislation went through this chamber originally in 2009. Many of us were concerned at the time. We thought that the legislation on balance had protections in it, but what people did not know at that time was that a wilful Premier like Daniel Andrews would misuse the act, declaring it so that he has overweening power over councils and communities right along the rail corridor. I would be very interested to know from Mr Mulino, who has finished his contribution, whether the government actually intends to use the Major Transport Projects Facilitation Act in this particular case — along the Frankston line? Do they intend to use it for some of the level crossing removals there? That question has not

been answered. If they did do that, would they declare it in the same way as they did on the Caulfield–Dandenong line — without any of the important protections in it?

Then there is the issue of the business case. There is no business case for the level crossing removals, something the Auditor-General has said is risky. We know they are already \$1 billion over budget. We know sky rail is cheaper, we know it is quick, we know it is nasty, we know it is ugly and we know it is impactful, but this government in its headlong rush to deliver a project is at risk of delivering very poor projects with very poor long-term community outcomes.

I think the community will look at this, the one between Caulfield and Dandenong, as a terrible monument to Daniel Andrews, and if they build this sky rail even part of the way along the bayside, it will be another terrible monument to Daniel Andrews — having a terrible impact on those suburbs, destroying the visual amenity, destroying the quality of life and, as Mrs Peulich pointed out, putting at risk some of our important birds and putting at risk some of our important international obligations.

I think this motion is timely. I think the government needs to come clean on what act it is going to use. They need to come clean on whether there will actually be an environment effects statement rather than a circle-go-round that is put in place, and they need to come clean on whether they would be prepared to refer it nationally.

The ACTING PRESIDENT (Ms Dunn) — Order! Mr Davis, that is time.

Mr LEANE (Eastern Metropolitan) — I want to just note in particular some parts of Mr Davis's recent contribution. I do find it interesting that when he explores his past and certain things he has worked on it seems to have been a very long career, which does not match his appearance. He is actually — and I mean this genuinely — a youthful, handsome man. It makes me wonder if he has had an easy life, to be able to achieve that.

As my colleague Mr Mulino indicated, I think the sentiment around protecting the environment and particularly the wetlands around this area of Edithvale and Seaford — which is an iconic, fantastic piece of parkland that is very important to the environment and very important to birdlife — is that all the community around there love this particular piece of wetland. I find that the members opposite are fantastic at being chameleons. Today they are champions of the

environment, but previously, when it came to windmills and things like that, they were charging at them like Don Quixote with tinfoil hats on, like they are some sort of evil thing. So we have this inconsistency around their position about many things.

But I do compliment both Mrs Peulich and Mr Davis on the roles they play in opposition. They are very good opposition MPs. They will oppose anything that happens along the Frankston line — we know that.

Mr Davis — We support rail under.

Mr LEANE — That is fantastic; I am glad you said that. We note Mr Davis just said they will support rail under. Now the Frankston line — unlike anything that Mrs Peulich or Mr Davis will try and convince you of which is not true — will have eight different remedies to remove those level crossings.

Mr Davis — Well, I do not accept that is what they are going to do.

Mr LEANE — He does not accept it, but let us go back to his statement. It will have eight different remedies. Any of those remedies include rail under. If it is seven or eight, if it is all of them or if it is six, those particular six projects Mrs Peulich and Mr Davis will completely support. They will completely support every one of them. No matter what happens at those particular removals — —

Mr Davis interjected.

Mr LEANE — No matter what happens at those particular removals, if they are rail under, Mrs Peulich and Mr Davis will be there with their pompoms going, 'This project is fantastic. There is nothing wrong with this project going forward'. But we know that is not true because there are currently level crossing removals as we speak in the east of Melbourne, around Bayswater and Blackburn, where the coalition have opposed nearly everything about those particular level crossing removals despite them being rail under. Mr Davis and Mrs Peulich spoke about tree removal, and it is great — they are new-found environmentalists. Maybe you have always been one, Mr Davis, but as there are people sitting behind you like Mr Finn — Mr Finn sort of polarises that position; he does not believe a lot of environmental experts and a lot of scientists around global warming and things like that — I do not know where all the coalition members sit on that. As I said, it is a bit inconsistent.

Getting back to any of these particular removals that involve rail under, I expect the opposition MPs will be champions of those particular projects going forward,

and I really look forward to that. But I wonder if that is the case. Obviously any remedy used on a level crossing removal does cause concerns for people, whether it is rail under, rail over or road over. Of course it does. Mr Davis has this thing where everything has the word 'sky' in front of it. There is sky rail, and there is actually a sky road in Melton — I do not know if you made that one up. Everything has 'sky' in front of it: sky microphone, sky minister, sky Acting President — everything has 'sky' in front of it! I have got to say, the sky is a good thing. Most people like the sky. Mr Davis has tried to turn 'sky' into a swearword, but people like the sky. Usually when we get out of here, because of daylight saving and because we have been stuck in here all day we walk out and we go, 'Oh, the sky! The sky — how I've missed you for the last 10 hours listening to Mr Davis talk about his pet project in Dandenong!'. So I am a bit confused about that particular attack.

As I have noticed, Mr Davis for his long, long career must have had a very easy life because he is still a good-looking rooster, I have got to say that. I mean that genuinely. I remember saying the same thing about Mr Hall when he was a member of this chamber, and he blushed for about three days. But I meant it. Anyway, I appreciate Mrs Peulich's concern about environment effects statements for these particular three level crossings that she has got concerns with. I can say as the Parliamentary Secretary for Infrastructure that the process has to be followed and the Level Crossing Removal Authority has to go to the planning minister to trigger the EES process, but I can say today that that process will be triggered. There will be environment effects statements for those particular level crossings because, as I have said, that particular wetland is a fantastic natural asset to our state, and the last thing our government would want to do is affect that particular wetland.

Now, going back to what Mr Mulino said, if the EES talks about a remedy to remove those level crossings that may not suit the opposition, what will the opposition say? We have already got a commitment from opposition MPs that they will support any rail-under project, and I appreciate their support on that; that is fantastic. But in saying that, when you want to talk about the environment, rail-under — digging a trough — usually affects a lot more vegetation than any other remedy. It also affects the future going forward inasmuch as when you dig a trough in a rail corridor, what is left in the corridor? With the battering on each side of the trough to maintain the underpass or the rail or the road, the putting back of vegetation is very difficult because you have a limited amount of space.

Also, with new vegetation in rail corridors, common sense comes into play.

If you want to put a tree a metre away from a rail line, it can only be a metre high, and if you want to put a tree 2 metres away from a rail line, it can only be 2 metres high, for an obvious reason — not to affect the train line and the services. As we have seen with the recent storms, unfortunately a lot of trees did come down across the rail corridor, which affected the services. I think every government's aim should be to have the best reliable public transport service that we can have, because we want more and more people to be able to access our rail services.

In saying that, these particular level crossing removals that are going on along the Dandenong and Frankston lines, and the ones in the west, are going to afford, along with the Melbourne Metro project when that is completed, the possibility of trains leaving stations every 4 minutes in peak hour and people not having to bother about having a timetable. I think that is an aspiration that we should all have. I am sure the coalition would support that because, as I said, we want more and more people travelling on public transport. Public transport is essential to the way in which we move people in the state, particularly in the future.

Going back to Mr Davis's claim that everything is sky, the bottom line is that every level crossing will have a bridge. Whether it is rail under or rail over or road under or road over, every one will have a bridge. When the rail goes under the road, the road that travels over that trough is actually a bridge. I am not too sure if that is going to be called sky bridge or not. The bottom line is I know Mr Davis wants to say everything is sky rail and so forth — and sky road, which we have in Melton — but the bottom line is there is a common term for this particular process or for this particular piece of infrastructure where a rail might go over a road or a road might go over rail. It is called a bridge. The Romans built them thousands of years ago. They actually go over roads or rivers or whatever. It is actually called a bridge.

I know Mrs Peulich and Mr Davis are just going to keep at it because that is their nature — and good on them because that is their job — but I know any remedy or anything that gets done anywhere they will not be happy with and they will be railing against it. But as a government we have come here with an ambitious capital works program. The program is, as far as removing level crossings is concerned, an important one, because the bottom line is that people have died at these particular level crossings. Train drivers have also reported hundreds and hundreds of

near misses where people could have died. When there is an incident like that, people's families are affected forever, the train drivers are affected forever and the emergency services personnel that have to come across and deal with such horrific incidents are affected forever.

For that reason alone, we do not apologise for this level crossing removal program. We are proud of it. We want to work with communities. We want to do the best we can and get the best outcome for everyone. Unfortunately that does mean disruption for some people; we are not shying away from that. When we are doing the removals it means disruption to rail services, as is coming up soon in Bayswater. There will be a number of weeks where the service will be down during which those particular two level crossings will be grade separated, and that is unfortunately the nature of this.

If we all could sit down with a blank page and plan our rail network today, we would not put one level crossing on it, but unfortunately this is what we inherited. I am more comfortable being a member of a government that is prepared to remove level crossings, even if we are going to be criticised for doing so. I am happy to be in a government that is going to be criticised for it, rather than being in a government that is going to be criticised for not doing something about it.

As I have said, as the Parliamentary Secretary for Infrastructure I am saying that there will be environment effects statements on the three concerns Mrs Peulich has. So, cut that out of *Hansard* tomorrow, Mrs Peulich, and send it to the people that you have raised concerns with, and then they can relax about that particular issue, and we can move on and get the job done.

Mrs PEULICH (South Eastern Metropolitan) — I would like to thank all of the contributors to this debate. It was interesting to hear some of the comments made by the lead speaker for the government and the promise to refer to the Minister for Planning for consideration — for consideration only — the need to perhaps entertain the thought of an environmental impact statement on three stations of those that have been listed on a longer list for removal, those being Edithvale, Bonbeach and Seaford along the Frankston line.

First of all can I just say the view of the south-east — with some exceptions, in particular the Labor Party spruikers and organisers who have been mobilised during what is supposed to be an authentic period of consultation where views have supposedly not been

formed around any particular option and who are out there spruiking and hiring retired civil engineers to talk about the benefits of sky rail — in the poetic words of one man named Chris Papapavlou, whose life has been ruined by sky rail on the Caulfield–Dandenong line, is that ‘Skyrail sux’. Put that into quotation marks, because it is actually a sign that he had painted on his back fence — and lo and behold somebody came and removed that particular sign. You might try and get someone to actually remove graffiti from your fence that may abut onto a railway line ad infinitum without any success, but if you put up ‘Skyrail sux’, a view that is contrary to that of the government, suddenly you have these community-minded people taking the initiative to remove these sentiments from public exposure.

Quite clearly sky rail sucks and the people do not believe the sky lies, Mr Leane. Sky lies — they are big lies. They are not little ones, they are big ones; limitless. There are three reasons. Number one is policy: it is bad policy. Not even Blind Freddie would tell you in the most livable city in the world in a beautiful coastal area like the south-east along Nepean Highway that sky rail is going to be seen as an improvement of amenity. The policy itself stinks. It sucks. The processes suck — I am using that in the poetic words of Chris Papapavlou, a Noble Park resident who wrote this very profound assessment on his back fence: ‘Skyrail sux’ — for an English teacher, that is it!

In terms of process, there is no business case and no environmental impact statement. Indeed whether or not this referral is made to the Minister for Planning for three stations it does not get the government off the hook in terms of the federal legislation. You cannot do a pea-and-thimble arrangement; it does not get you off that particular hook.

Mr Mulino spoke about how bridges have always been structures necessary to provide public transport. I used to use the Glenferrie station all the time, so I have no doubt about that, especially when there are no built-up areas around those stations. If it went through greenfields, who would object? You would simply be able to scaffold appropriate architectural designs around those structures in order to make the most of amenity and opportunity. But unfortunately there have been longstanding planning policies over successive governments to increase density around transport nodes, in particular railway stations, moving towards medium and high density. You have a beautiful vista at your fifth-storey apartment, and suddenly the next thing is you have sky rail whizzing past while you are sitting there in your jammies having a cup of tea. I am sorry,

but they do not actually see that as an improvement in amenity.

Honourable members interjecting.

Mrs PEULICH — Well, that is if they are wearing jammies. Some of them may not be.

I appreciate the fact that the Greens will not be opposing the motion, and I would hope that irrespective of their views or the bias that they may have about how genuine people are or are not on environmental issues they would have nowhere else to go but to support this motion. But could I just say I was disappointed to hear Ms Dunn spend most of her contribution trying to vilify me in particular and the opposition in general. Can I say my track record on environmental issues is strong — I do not believe in voodoo science, and it is different to that of the Greens, but it is strong. I was the one who prosecuted the Brookland Greens case in this chamber when the methane gas crisis emerged in Cranbourne. I was the one who was able to drag out \$24 million for the City of Casey in order to offset some of those costs for rectification. I was the one who prosecuted the need to better manage our inland waterways, such as Mordialloc Creek and Kananook Creek. I was the one who pushed for better management of landfill and tips in Clayton, Clarinda and Lyndhurst.

My environmental credentials are on the public record. They are different to those of some of the members of the Greens and the Labor Party — as I said before, I do not believe in voodoo science — but I do believe in a beautiful environment. I believe in a clean environment. I believe in reducing transport congestion. Yes, public transport is critical — everyone supports the removal of level crossings, but by undergrounding them, absolutely.

Indeed a more sensible way of doing it would have been to actually build on this particular occasion the Mornington Peninsula Freeway extension to connect the Frankston Freeway with the recently completed Dingley bypass as an alternative route for traffic on Nepean Highway so that level crossing removals could actually proceed with less negative impact on road users who need to commute either from Frankston and the peninsula into the city or the other way around on their way home. That would have been a sensible way to go, but no. We had set aside \$11 million in order to facilitate design of the Mornington Peninsula Freeway extension, more recently named the Mordialloc bypass — a renaming that I particularly do not agree with; I think a broader name is more important — but that has been redirected to other purposes, who knows where. But it should have been done. It should have

been progressed. One of the big reasons why the south-east won us government in 2010 was precisely traffic congestion.

Mr Leane interjected.

Mrs PEULICH — No, it would not. It still takes planning, and you have actually misappropriated that money.

Mr Leane interjected.

Mrs PEULICH — Yes, you have. Bridges are okay in greenfield areas, but are not okay in coastal areas where vistas and amenity are important, particularly in the most beautiful city in the world. It is bad policy and bad process, and most importantly it shows disrespect for the people. When we had a presentation to the shadow cabinet on sky rail — —

Mr Leane interjected.

Mrs PEULICH — Yes. There was no consultation, certainly, with those being impacted on by the Caulfield to Dandenong — —

Mr Leane interjected.

Mrs PEULICH — There was no consultation, and they are all listening.

Mr Leane — That is not true.

Mrs PEULICH — Mr Leane says it is not true — that they have been consulted.

Mr Leane — Of course they have.

Mrs PEULICH — He says, ‘Of course they have’. Those whose lives are being destroyed, whose homes or the values of their homes are being destroyed and whose peace of mind is being destroyed do not agree with him, but this is a separate argument to the one we are now having on the Frankston line.

When the community presented to the shadow cabinet, it was a member of the Liberal Party and a member of the Labor Party who did so. There are members of the Greens and Greens voters involved in these groups. I recommend that members actually go to the website of No Sky Rail On Frankston Line. They have a series of fact sheets. These people take their jobs very seriously. They are good, honourable people. They may have a diversity of political allegiances, most of which I would not know. I have not had to drive any of this; they have driven it themselves. Mr Leane is smiling.

Mr Leane — You are the driver of everything.

Mrs PEULICH — No, I am not the driver of everything; they have driven it themselves. They are passionate about their patch of the world, and they intend to defend it. They have fact sheets. They have a fact sheet on Charman and Park roads and Cheltenham station. They have a fact sheet on Balcombe Road, Mentone station. They have a fact sheet on Bonbeach station and the Bondi Road crossing. They have a fact sheet on Carrum station and Eel Race Road. They have a fact sheet on the Seaford Road level crossing, and they have a fact sheet on Overton Road, Frankston. I will tell you what each of those will do. These are people who have years of experience in design and engineering on public and private projects — big ones. They said:

All sites able to go rail under road —

all sites.

Watertables are not an issue:

see government borehole data at www.vvg.org.au.

Soil types are not an issue:

have supported rail for 100 years;

coastal dune deposits (sand).

On hydrology, the government’s hydrology maps show that undergrounding is not an issue. They concede that construction access for Cheltenham and Mentone is tight. These are detailed studies reflecting an enormous amount of work by the local community and local members whom the government has treated with contempt. They got the policy wrong, they got the process wrong and they have treated people badly.

However, we do have federal legislation in relation to this particular more narrow motion, which hopefully will allow the federal government, the federal minister and the federal department to decide on what sort of environmental study is required in order to protect Ramsar-listed wetlands at Edithvale and Seaford — Edithvale is 1.4 kilometres away from the railway line; Seaford is 400 metres or thereabouts — and assess the impact on hydrology, on protected species and on the flight paths of migratory birds.

With those few words I thank all of those in the various community organisations — the rail-under-road group, the group in Seaford and Frankston, No Sky Rail On Frankston Line and the group north of Mordialloc Creek. I thank all of those individuals for giving endless amounts of their time and their passion. I apologise to them for the sleep that they have lost worrying about a policy which simply stinks.

Mr Leane — It has not been announced yet.

Mrs PEULICH — You say it has not been announced — —

Mr Leane — Do you know something that we don't know?

Mrs PEULICH — I have attended a lot of the consultations, and let me say there were lots of questions asked and no answers provided. I think it is really quite sad that paid public sector employees are trotted out to interface with the public because the politicians are too scared to actually face the public. They should be on the front line, defending this policy and answering those questions. Public servants have been trotted out and the Labor Party has hidden behind them and been shielded by them. The public sees through that.

Mr Leane — I am glad that you are going to support any rail under.

Mrs PEULICH — I am going to support the best outcome for my community. In government and in opposition I was the one who campaigned when the rail safety audit came out and we saw those rail crossings assessed on the basis of their danger, the Clayton level crossing being one particular passion of mine because it is close to Monash Medical Centre. I campaigned consistently, and I was delighted that the coalition put that on the agenda. We removed a number of level crossings and had plans for others. We funded one out of the three graded separations that the government has recently opened and provided funding for the design and planning of the next two.

The rolling program of level crossing removals would continue under our government if we were elected and should continue under any future government. Intensification and population growth mean that we do need to reduce the conflict between forms of commuting, and that means investing in roads as well as public transport to make it safer, but sky rail is not the answer. In the poetic words of Chris Papapavlou of Noble Park, could I say in closing, 'Skyrail sux'. I call on all members to support the motion.

Motion agreed to.

SAFE SCHOOLS PROGRAM

Dr CARLING-JENKINS (Western Metropolitan) — I move:

That this house —

- (1) notes that —
 - (a) the bullying of any child, for any reason, is undesirable and unacceptable;
 - (b) the Safe Schools program has been found to be an ideologically driven indoctrination program, designed to promote a contested and controversial form of gender theory, rather than being the anti-bullying program it has been promoted as;
 - (c) Victorian parents have not been consulted prior to the rollout of the Safe Schools program within schools;
 - (d) Victorian parents are concerned about the age-appropriateness of the content being presented by the Safe Schools program to their children;
 - (e) Victorian parents of children with disabilities feel the Safe Schools program does not take their children's needs into account;
 - (f) there is widespread public awareness that the Safe Schools coalition Victoria has social re-engineering as one of its higher purposes;
 - (g) government schools should be free of any form of radical indoctrination; and
- (2) calls on the government to —
 - (a) withdraw the program immediately from all schools; and
 - (b) conduct a review, which takes into account the views of parents into the incidence and prevention of bullying in schools.

This motion addresses the issue of the Safe Schools program, which is a program that I have been suspicious of since before entering this place. In fact I first started asking questions about the program in May last year during the budget estimates as a member of the Public Accounts and Estimates Committee. I am very pleased that in June this year the coalition came to a firm position against this program as well. I am pleased with their commitment to scrap this program when they gain government. However, this is at least two years away, and I am sure the government hopes it is longer, and two or more years of this program is far too long. I am therefore calling on the government today to withdraw the program immediately from all schools and to review the program and the issue of bullying thoroughly.

According to the Safe Schools Coalition Victoria website there are 276 member schools, including 43 P–12 schools and 39 primary schools. I find the number of primary schools that have signed up to this program particularly disturbing. I will now move to the points within my motion.

The first point I make is that this house notes that the bullying of any child for any reason is undesirable and unacceptable. This is undeniable. No-one in this place supports the bullying of children for any reason. All bullying is undesirable and unacceptable. It can result in irreparable damage for the child. This is why it is so important to get anti-bullying programs right. So why have we introduced an unproven program? Why have we inflicted a program not based on scientific fact? And why have we decided to put in place a program that has never been trialled, never been tested and never been proven prior to inflicting it on vulnerable children?

It is undeniable that children who feel same-sex attraction or who are experiencing gender or identity confusion should be supported. However, the Safe Schools program is a flawed program. I do not believe it will achieve its aim. In fact I would be as bold as to say that history will vindicate me here, and in the decades to come the generation of children exposed to the safe schools program will be more confused, struggle more with their identity and question ultimately why the state insisted they be taught such things. Perhaps another government apology will be in order.

I will also point out that children with disabilities, children from different ethnic backgrounds and children with obesity, to name a few, are also subjected to bullying often. However, no specific program is designed for them, no specific program takes their needs into account and no specific program helps them to celebrate their difference and diversity. In 2014 the *Annual Review of Psychology* published an article by Jaana Juvonen and Sandra Graham called ‘Bullying in Schools — The Power of Bullies and the Plight of Victims’. The article provides a critique of the main intervention approaches designed to reduce school bullying and its harmful effects and makes recommendations for future directions. It draws upon the research of over 150 articles, and nowhere in this extensive review does it suggest that anti-bullying programs should be based upon gender ideology in the way that the Safe Schools program is.

The second point of my motion calls on the house to note that the Safe Schools program is ideologically driven and that is not actually the anti-bullying program that it is being promoted as. Patrick Parkinson from the

University of Sydney recently published a paper on Safe Schools entitled ‘The Controversy over the Safe Schools Program — Finding the Sensible Centre’. He pointed out that a rational discussion is badly needed about the Safe Schools program based upon evidence. He advocated for a sensible centre between those who are advocates of the retention of the program and those who would like to see its abolition. I would agree with that.

This program has become a political football between the ALP, the Greens, the coalition and the DLP. I think it is our duty to find a sensible centre because our children are the ones who will suffer if we continue to use them as pawns in such a game. A sensible discussion should be had, and this is a discussion that should occur now not in two years time as part of an election campaign.

I will note that in an attempt to justify this program the authors of the program have made false claims, which I expect may be repeated in this house today. Parkinson brings attention to this fact. He says that in the teaching resource *All Of Us* on page 8 the claim is made that 10 per cent of people are same-sex attracted. This statistic is presented as fact by the Safe Schools Coalition Victoria. However, this figure is not reconcilable with any body of research. It has no basis in fact. I encourage everyone to read Parkinson’s paper and if incorrect figures are quoted during this debate, I am happy to speak to this point further in my summation.

Business interrupted pursuant to sessional orders.

QUESTIONS WITHOUT NOTICE

Carlton heritage property

Ms PATTEN (Northern Metropolitan) — My question is to the Minister for Planning, represented here by Minister Dalidakis. Carlton’s Corkman Irish Pub has stood proudly on the corner of Leicester and Pelham streets in Carlton for 159 years. The building was recently sold to developers for \$4.76 million, who then saw fit to tear the historic and much-loved building down on 15 October without any approval — a move that spewed asbestos across the site and put public health at risk. Without heritage restrictions on the site, it has now doubled in value since its demolition. With a pathetic fine of just \$380 000 now in the offing for these reckless developers, what is the government going to do to make sure these developers do not get away with this historic vandalism?

Mr DALIDAKIS (Minister for Small Business, Innovation and Trade) — I thank the member for her question. I say from the outset that this is an act of wilful vandalism, but it is also far more serious than that given the very serious health repercussions caused by the exposure of asbestos in the destruction of this pub. The asbestos was not dealt with in an appropriate manner. It has left both the public exposed and the people that undertook this reckless destruction and demolition exposed. It has left the people that transported the asbestos exposed and the people where they dumped the asbestos exposed, and this has the potential, as I said, for very serious health consequences.

I know that Minister Wynne has spoken at great length about this issue and about looking at possible interventions by the state and by him as minister. I know that Minister D'Ambrosio has spoken at length about the very serious consequences of the unfortunate disturbing of the asbestos. Whilst you have asked Minister Wynne in particular for a response — and I will ask the minister to outline very specifically the opportunities for government to respond as per your question — I will also seek from Minister Wynne a joint response to you, including from Minister D'Ambrosio, given that the issues are so interconnected.

Supplementary question

Ms PATTEN (Northern Metropolitan) — Thank you, Minister. I look forward to those responses, and I appreciate you getting both ministers to respond to this, because in the past the government has not had a great track record on preserving some of the historic buildings in Melbourne, even in the last two years that it has been in government. I certainly was involved in trying to save the Princess Mary Club, which was left in neglect by the owners. It had a historic overlay on it, but it was left in neglect by the owners.

Mr Davis — Absolutely shameful.

Ms PATTEN — It was absolutely shameful, Mr Davis, and then the government allowed that to be demolished. We are seeing the same thing on our doorstep with the Palace Theatre, where that has been gutted, and I think the government should have intervened. Is the government going to impose further sanctions on these developers who are flouting the laws around development of historic sites?

Mr DALIDAKIS (Minister for Small Business, Innovation and Trade) — Again I thank the member for her question. I think the supplementary is absolutely in

keeping with the substantive, and in asking what in fact Minister Wynne is looking at doing in relation to those people that have undertaken this wanton disregard for both public policy and the destruction of our older buildings the answer should comfortably cover the supplementary question. I just wish to reiterate that the government is not at any stage prepared to accept what happened and that the community outrage is met by the same level of outrage by the government if not more, I must admit. We will be doing everything that we can to ensure that nobody thinks that they should be able to undertake this type of vandalism again and get away with it.

Firearms

Mr BOURMAN (Eastern Victoria) — My question today is to the Minister for Police represented by Minister Herbert in this place. The national firearms agreement (NFA) came into existence 20 years ago this year. For those 20 years we have been told that it is world's best practice and a shining example to the world, yet we are in the middle of a hysterical debate about the revision of this fantastic NFA because of its deficiencies. This debate, and it is very one-sided and is not really a debate, is clearly designed to create fear to get a predetermined outcome rather than have a rational conversation based on fact.

Onto the Adler A110: we have had lever-action shotguns with five shots or more for 129 years in this country and no recorded instances of misuse exist. Should these things really be considered hyper lethal? I reckon we would have noticed. My question is: precisely what is the government's position regarding the reclassification of the Adler A110 and lever-action shotguns in general?

Mr HERBERT (Minister for Training and Skills) — Firstly, can I thank Mr Bourman for his question. Obviously I and the government do not agree with his premise and the commentary before the question. However, I understand that is the position of him and his party on it. What I can say is this: I was not at the meeting of course, not being the police minister, but I understand that all states and territories except New South Wales — so that would be Victoria obviously — agreed to reclassifying the five-shot Adler from A to B and reclassifying the Adler with more than a five-round capacity to a category D firearm. Category B means that not only does there need to be a genuine reason to have a licence but there also needs to be a genuine reason to own the firearm. Category D is of course a high category, which means that it would only be allowed in the hands of military or police. As I say, all states except New South Wales agreed to that,

so there was not a national consensus at that meeting. Agreement was not reached, and that obviously means that the issue continues to be unresolved and there will be more consideration of it in the future. If I can add any more to the specifics of your question, Mr Bourman, I would be glad to do so in writing.

Supplementary question

Mr BOURMAN (Eastern Victoria) — I thank the minister for his answer. Interestingly, yesterday in question time the government repeatedly committed itself to fact-based policy on other issues. So my supplementary question is: what evidence, not advice, is this position based on?

Mr HERBERT (Minister for Training and Skills) — Thank you, Mr Bourman. It is correct that we as a government want to make decisions based on facts, but unfortunately those facts I do not have at my disposal right now. I will refer it to the police minister and get a thorough written answer for you.

Timber industry

Ms DUNN (Eastern Metropolitan) — My question is to the Minister for Agriculture. The Forest Industry Taskforce has agreed that a business-as-usual approach to logging is unacceptable and short-term plantation supply must be sought. This is reflected in the task force statement of intent. Last week VicForests released the government's *Timber Release Plan*, which reflects a business-as-usual approach to logging our forests. Why is VicForests ignoring the Premier's Forest Industry Taskforce and its agreed statement of intent? Why were there no exclusions of high conservation value forests as part of the development of the *Timber Release Plan*?

Ms PULFORD (Minister for Agriculture) — I thank Ms Dunn for her question. I will provide Ms Dunn with a written response to her question but indicate that the task force worked very closely with VicForests on the updated *Timber Release Plan*.

Supplementary question

Ms DUNN (Eastern Metropolitan) — Thank you, Minister. My supplementary question is: what action is the minister going to take to ensure the VicForests *Timber Release Plan* aligns with the statement of intent and agreed decisions of the Forest Industry Taskforce?

Ms PULFORD (Minister for Agriculture) — I thank Ms Dunn for her supplementary question. I will provide Ms Dunn with a written response.

Australian Paper

Ms DUNN (Eastern Metropolitan) — My question is to the Minister for Agriculture. Australian Paper continue to be controversial because they use native forests, the habitat of the Leadbeater's possum, as a supply of pulp to make copy paper. Since coming to office what support has the government provided to Australian Paper, including industry assistance, grants support, regional development funding or other payments?

Ms PULFORD (Minister for Agriculture) — I thank Ms Dunn for her question. I will provide a written response to Ms Dunn's question about this very, very significant regional employer.

Supplementary question

Ms DUNN (Eastern Metropolitan) — Thank you, Minister. My supplementary question is: what support is the government considering providing to Australian Paper currently or into the future?

Ms PULFORD (Minister for Agriculture) — I feel that Ms Dunn is asking for the vibe on this one, seeking some hypothetical information about future support of or assistance for Australian Paper. What I would say, though, is that through the regional development portfolio we have a great group of people on the ground in every region of Victoria working closely with significant employers to explore opportunities with them to strengthen or support their businesses to achieve jobs growth and their business objectives.

Deaths in custody

Mr O'DONOHUE (Eastern Victoria) — My question is to the Minister for Corrections. On 14 September this year you told the house in response to a question without notice from me that:

... many people are coming into our prisons older and they are dying in prison at an older age.

Minister, do you stand by this answer given that, according to the Coroners Court, of the 25 deaths in custody since 1 July last year 4 were under the age of 35 and 60 per cent were under the age of 60?

Mr HERBERT (Minister for Corrections) — Yes, there are many older people entering our prisons. There are also many people entering with poor health. They have chronic disease, and the vast majority of deaths are by natural causes. That is the case, and if I can add anything further, I am happy to.

Supplementary question

Mr O'DONOHUE (Eastern Victoria) — Minister, by way of supplementary, the age of the prisoners is not the real reason why deaths in custody have ballooned under your government from only 4 in 2011–12 to 25 since 1 July last year. As Mr Chanrandev Singh, a deaths in custody researcher, told media:

The whole explanation that it's been extremely elderly people dying in prison doesn't accord with the reality of people dying at unprecedented levels.

Minister, is not the rapid increase in deaths in custody just further evidence of the chaos, dysfunction and lack of control that your government has over the corrections system?

Mr HERBERT (Minister for Corrections) — I thank Mr O'Donohue for his supplementary question, and no, that is absolutely not the case. It is the case that you left the prison system in shambles, with overcrowding and massive problems in terms of bed shortages. It was a prison system that was much in need of reform, which we are now reforming, and a parole system that was shambolic. We are reforming all of this, and we are fixing it. But to your substantive question, let us just state a fact. Mr Bourman asked about facts before on the government's position. In 2015–16 the average age of death in Victorian prisons was 62; in 2013–14 the average age was 58. They are getting older and they are dying older, they are in the prison system for longer and there is not a crisis whatsoever. We are fixing the crisis you left.

Regional and rural infrastructure

Mr RAMSAY (Western Victoria) — My question is to the Minister for Regional Development. The Liberal and National parties secured agreement from the government that 10 per cent of the port of Melbourne lease proceeds will be spent on transport infrastructure projects in regional Victoria. Minister, can you confirm that the 10 per cent secured for regional Victoria will be spent entirely on transport infrastructure projects and not on energy projects, skills development programs or market access campaigns?

Ms PULFORD (Minister for Regional Development) — I thank Mr Ramsay for his question. It feels like yonks since I have had a question from the Liberals in the regional development portfolio. The allocation of the proceeds of the port of Melbourne lease is of course primarily a matter for the Treasurer, but certainly it is my understanding that the 10 per cent allocated will be very much dedicated to transport projects.

Supplementary question

Mr RAMSAY (Western Victoria) — Regional communities were somewhat surprised when it was revealed that the Stronger Country Bridges program was paying for bridge upgrades in metropolitan areas, including the Premier's own seat of Mulgrave. Minister, what safeguards have been put into the guidelines for using regional Victoria's 10 per cent share to ensure that it is not funnelled into metropolitan Melbourne like we saw with the Stronger Country Bridges program?

Honourable members interjecting.

The PRESIDENT — Order! There was a fair bit of interjection. I would like to hear Mr Ramsay again.

Mr RAMSAY — Thank you for the opportunity, President. My supplementary question is: regional communities were surprised when it was revealed that the Stronger Country Bridges program was paying for bridge upgrades in metropolitan areas, including the Premier's own seat of Mulgrave. Minister, what safeguards have been put into the guidelines for the using of regional Victoria's 10 per cent share to ensure that it is spent on transport infrastructure within regional communities and not funnelled into metropolitan Melbourne like we saw with the Stronger Country Bridges program?

Ms PULFORD (Minister for Regional Development) — I thank Mr Ramsay for his supplementary question. Any guidelines Mr Ramsay is seeking are primarily a responsibility of the Treasurer, and I will seek for Mr Ramsay a further written response.

Regional development programs

Ms BATH (Eastern Victoria) — My question is to the Minister for Regional Development. An evaluation of the Regional Victoria Living Expo and Good Move campaigns found that both programs were achieving a range of short and intermediate outcomes. It also noted positive outcomes, including the opportunity for small councils to promote themselves to a targeted audience that they would not otherwise have access to, and also evidence that people considering a move were seeking out information and visiting locations of interest. Minister, why did the government axe the regional living expo and Good Move campaigns when you had an evaluation that told you, and I quote:

No other Victorian government program delivers a targeted positive message about the benefits of living and/or investing in regional Victoria?

Ms PULFORD (Minister for Regional Development) — I thank Ms Bath for her question and her interest in the former government’s regional living expo and note her very selective quoting from the evaluation report of this initiative of the former government. The value-for-money proposition that The Nationals would love dearly to claim just did not really stack up. Anecdotally, I think maybe one or two people might have made a move. The former government spent millions of dollars on advertising to get people in the door, and the evaluation demonstrates something, I think, a little different to the parts that Ms Bath is choosing to quote from. But I look forward to providing her with a written response.

Supplementary question

Ms BATH (Eastern Victoria) — I look forward to receiving the minister’s response. Minister, in a media release of 15 December last year you said that \$17 million for these two programs was an outrageous spend that delivered no result. Contrary to your statement, the evaluation report notes that both programs came in under budget and both delivered positive results. Minister, were you aware of the evaluation’s positive findings when you made that misleading statement?

Ms PULFORD (Minister for Regional Development) — I completely reject Ms Bath’s assertion that \$17 million was not an accurate account of the expenditure on these programs, and I look forward to apprising Ms Bath of perhaps a better set of information and facts about the Regional Victoria Living Expo. It was a not bad idea that served a good purpose, but it had run its course and we are taking a different approach.

Chisholm Institute

Mrs PEULICH (South Eastern Metropolitan) — My question is for the Minister for Training and Skills. Earlier this month Chisholm Institute was offering students who signed up to their database the opportunity to ‘Win the trip of a lifetime ... with a travel voucher worth \$4000’ — maybe joining the minister. The competition tells prospective students that they might ‘Find yourself in the heart of New York. Or lazing in a hammock on a tropical island’. Minister, do you think it is right for TAFEs to induce students with the prospect of overseas holidays?

Mr HERBERT (Minister for Training and Skills) — I think Chisholm is an excellent TAFE doing a fabulous job in most of its programs. They have a highly respected CEO, a very good board now and a

very good chair, and I just want to put on the record that they do a very, very good job of training. On the issue of a competition that may have been run amongst students, I shall take that on notice and get back with some information on it.

Supplementary question

Mrs PEULICH (South Eastern Metropolitan) — Just to refresh the minister’s memory, last year you cut funding contracts to providers who were offering incentives or inducements to students. Is this promotion by Chisholm Institute a breach of government guidelines, and if so, what action do you plan to take?

Mr HERBERT (Minister for Training and Skills) — That is quite correct. Let us put it in context. Like the federal government, we banned the use of laptops et cetera by dodgy providers across the state, just as the commonwealth attempted to do with VET FEE-HELP in relation to providers that were enticing people with a monetary bribe — people who really were not interested in doing training. On the issue of this competition that Chisholm seems to have been having and whether it has breached the guidelines or not, I shall seek advice on that, find out about this competition and get back to you with a written answer.

Major events strategy

Mr DALLA-RIVA (Eastern Metropolitan) — My question is to Minister Dalidakis in his role as Acting Minister for Tourism and Major Events. Minister, the Andrews government has recently axed the body that won Victoria every major event, from the grand prix to the comedy festival, yet over the past 18 months it has lost the Australian Masters golf to Perth, the Women’s Australian Open to South Australia, the Ironman Asia-Pacific event to Queensland and the opening game of the American college football season to Sydney. Minister, can you explain why Victoria’s major events program is in disarray, with no performance targets and no ongoing targeted strategy?

Mr DALIDAKIS (Acting Minister for Tourism and Major Events) — I thank the member for his question. I thought Dorothy Dixers had been done away with by the new standing orders! There is only one risk of our major events being put at risk, and that is this group of people that keeps asking for the contract for the Australian grand prix to be released to the public. This is a contract that they have signed before and a contract that we have signed before, and they want to release it to the public. The only people putting our major events at risk are those who are asking these silly questions.

In relation to major events, the member does not mention that of course we have the *Book of Mormon* and *Kinky Boots* coming and that the World Cup of Golf was secured in the past 18 months — oh no, of course that is completely irrelevant! — or about the Ryder Cup coming back to the Royal Melbourne Golf Club. Of course it does not suit that narrative. If Mr Dalla-Riva wishes to rely on the views of a number of former staff who may not have received jobs in the new entity of Visit Victoria, that is just another example of the opposition talking Victoria down. However, I will ask the department to list other events that we have secured in the last 18 months to completely demonstrate that the question is without fact or substance.

Supplementary question

Mr DALLA-RIVA (Eastern Metropolitan) — I thank the minister for his answer. The point that I was raising, in particular in relation to the substantive question, was that we have now seen four senior Victorian Major Events Company members leaving and there are other board members and staff having their positions abolished. Minister, you would understand that this is an industry where networking and contacts are vital and important, so the question I have is: why is the government sitting on its hands and not having some form of performance targets and an ongoing targeted strategy to deal with major events leading into the future?

Mr DALIDAKIS (Acting Minister for Tourism and Major Events) — I thank the member for his question. Just to be very clear, the question was: ‘Why are we and why don’t we?’. We are not and we do.

QUESTIONS ON NOTICE

Answers

Ms PULFORD (Minister for Agriculture) — I have five answers to the following questions on notice: 5281, 7454–5, 7464 and 7608.

Ms WOOLDRIDGE (Eastern Metropolitan) — The Deputy Leader of the Government indicated she tabled five responses to questions today. One of those is to question 7464 that I asked of the Minister for Agriculture for the Minister for Roads and Road Safety. The minister has made no attempt to even try to answer the question that was asked, and I ask you to reinstate the question.

The PRESIDENT — Order! Ms Wooldridge showed me the courtesy of allowing me to look at this question and response prior to question time, and I have considered that question raised with me. I am of the view that the question has not been satisfactorily answered, so I reinstate question 7464.

QUESTIONS WITHOUT NOTICE

Written responses

The PRESIDENT — Order! In regard to today’s questions, for Ms Patten’s substantive and supplementary questions to Mr Dalidakis, Mr Dalidakis has undertaken to provide written responses. Given that they are to a minister in another place, that will be two days.

For Mr Bourman’s substantive and supplementary questions to Mr Herbert, Mr Herbert has also undertaken to see if there is further information that might be provided to augment the comments that he has already made in the house. In looking to see if there is any further information to provide he needs to liaise with the minister in another place, so that will be two days.

For Ms Dunn’s first substantive and supplementary questions to Ms Pulford, that will be one day. In regard to Ms Dunn’s second substantive and supplementary questions to Ms Pulford, that will be one day. But I make the point in terms of the expectation on the supplementary question that it would only be for any assistance that is currently being assessed. To otherwise talk about the future would be speculation, and the minister is clearly not in a position to do that. It is also possible that if a process has not concluded the minister might not be able to provide information on that process because it might jeopardise it. So I make that qualification of my expectation for that supplementary question.

For Mr Ramsay’s supplementary question to Ms Pulford, that will be two days. I believe the substantive question was satisfactorily dispatched.

For Ms Bath’s question to Ms Pulford, that will be one day; that is a written response to the substantive question. I believe that that response will incorporate what was discussed in the supplementary.

For Mrs Peulich’s substantive and supplementary questions to Mr Herbert, Mr Herbert has indicated that he would be prepared to pursue further information on that, and that is one day.

In regard to Mr Dalla-Riva's question to Mr Dalidakis, I seek a written response on the substantive question, because Mr Dalidakis indicated he was prepared to find some further information that might be of value to Mr Dalla-Riva. That is one day.

Ms Crozier — President, yesterday during question time you asked the Minister for Families and Children to provide written responses to a number of questions that were asked in relation to issues that I raised regarding the youth justice system. I ask that a number of those questions be reinstated. The first one goes to my question to the minister about how many of the clients who were involved in the October and March Parkville riots had also been involved in significant incidents over the past two months at Malmsbury as well as other issues relating to the previous riots. If you look at the Department of Health and Human Services website, the definition of category 1 includes serious client behavioural issues that impact on client or staff safety. The minister's response says that the Department of Health and Human Services reports significant incidents by incident category and not the number of young people involved. However, in relation to receiving those category 1 reports, I would have thought that you would have to report on who those individuals were who were involved in those serious incidents, so I do not believe that question to have been satisfactorily answered in relation to what was asked, and I ask that it be reinstated.

I had a number of other questions. In relation to how many young offenders have been transferred from either the Parkville or Malmsbury youth justice centres to the adult prison system, the minister's response says:

I am advised that decisions about young people's placement across the youth justice custodial system occur on a daily basis based on a range of factors.

I was not actually asking about that; I was asking about transfers from the youth justice system to the adult system, so I do not believe that the minister has answered that one satisfactorily either.

To my further question about damages and costs not only relating to the weekend's riots but also extending back to 1 October 2015, the minister's response was:

I am ... advised that the Department of Health and Human Services has not finalised repair costs.

We are in a new financial year. I would have thought that the costs would have been known to the minister and the department, so I ask that that question be reinstated and answered appropriately and properly.

Finally, there was Mr Morris's question about code whites. These are very serious issues that happen when an incident such as a riot occurs. Again, this goes to category 1 incidents reporting behavioural issues. They are known, they are reported and they are received by the minister, so I believe that this question has also not been answered satisfactorily by the minister, and so I ask that it be reinstated.

As you pointed out yesterday in your contribution in relation to some of these questions, President, it is in everybody's interest to know what is going on and to provide solutions, so I am hoping that these questions might be reinstated and answered appropriately.

Ms Mikakos — I believe that each of these questions has been responded to in a very comprehensive manner. Just yesterday the member was seeking a briefing. She is asserting all sorts of details now that she is claiming should come to me; these are things that she is making up. The precedent is that the questions have been comprehensively responded to.

For example, one of the issues that the member referred to was in relation to transfers. Her original question related to transfers from one facility to the other and not to adult prisons. In her point of order she essentially incorrectly paraphrased her own question. So I would ask you, President, to have a look at these responses in some detail prior to making a ruling because these questions have been responded to. As has been pointed out, some of these questions have significant resource implications yet the member believes that she should receive a detailed response on these issues in less than 24 hours.

The PRESIDENT — Order! In respect of Ms Crozier's question about the cost of damage, I note that the minister has provided an answer that says that the repair costs have not been finalised at this stage. The member might refer to, and in fact has referred to, the fact that it is after a financial year. Yes, but it goes back to a previous year as well. However, it is my view that I will not reinstate that question, because I believe that an answer has been provided. In my determining of these matters I am not in a position to determine whether or not the answer is actually factual, and I am not going to be in a position of sending things backwards and forwards to establish whether or not they are factual. If the member does not believe that this is a factual answer, perhaps they might pursue it through other means, but from my point of view an answer has been provided. It is actually an emphatic answer — that the costs have not yet been finalised — and on face value I have to accept that that is a genuine response to that question.

In respect of the question on transfers, as I read the answer in fact the number has been provided on the adult transfers, which is 15. It says:

I am advised that according to the Youth Parole Board's annual report, in 2014–15 the board — —

I accept that that is not right. The minister yesterday in the house undertook to find out what the current figures were for this financial year. In other words, the minister was actually able to provide those figures for last year and I think the year before, and as I recall there were only two people who were transferred from the juvenile system to the adult system. That is remarkably few, and I would have thought therefore that between July and October we are not dealing with a deluge of offenders being transferred within the system. We are probably still dealing with perhaps one or two, given there are age factors involved in this. I do not accept that that information would take a great deal of time to find out.

Whilst on my reading of this I thought that that was covered by the last paragraph of the answer, I do accept that this question could be reinstated to the extent that figures for any transfers for the past four months could be provided to show if there had been any transfers in that period, and I define the question that way.

In respect of the other two matters, I will take those on notice at this stage and have a close look at them. There are matters that the minister has sought to explain, but I also need to have a bit more of an understanding before I make a ruling on those two questions.

Ms Wooldridge — On a point of order, President, there are two things I would like to raise. Firstly, the minister in her response to questions — and the transfer is a good example of that — is seeking to avoid answering both the substantive and the supplementary by combining them into one answer, and then in doing so trying to hide, potentially, what the answers to two separate questions actually are — and I note that you have reinstated this question. I would ask you to rule, and I believe it would be appropriate, that all ministers when they are asked to respond to both the substantive and the supplementary question do so individually and separately, rather than creating an opportunity, which we have here, where the last line actually relates, probably but unclearly, to the substantive question and not the supplementary question.

My second point is that in answering the question on the transfers the minister yesterday used some numbers from the annual report for 2015–16 which are not published. That report has not yet been released. The minister did give a specific number in relation to the transfers from the adult system but did not give a

2015–16 number for the transfers between Parkville and Malmsbury, which was the substantive question. Because those numbers are not yet on the record and the question was not answered by the minister, I would ask that you also consider asking the minister, who clearly has those numbers to hand but did not choose to share them with the house, to specifically respond to the substantive question relating to the 2015–16 figures, which she did not do. That has not been responded to in the written response.

The PRESIDENT — Order! I could be corrected, but as I understand it Ms Crozier actually did not seek that information by way of reinstatement today. As I understand, Ms Crozier only sought the transfers to the adult system in terms of the reinstatement of that question today.

Ms Crozier — On the point of order, President, I was making the point about the supplementary question, which was specific about the transfers from the youth justice centres into the adult prison system. As has been highlighted in the minister's answer, she refers to the Youth Parole Board of 2014–15, which does not actually capture those dates I was referring to. I am seeking that both those questions be reinstated, but I was making a point about the transfers into the adult prison system as well.

The PRESIDENT — Order! I will come back to the members on that.

CONSTITUENCY QUESTIONS

Eastern Victoria Region

Ms BATH (Eastern Victoria) — My constituency question is to the Minister for Agriculture, the Honourable Jaala Pulford, and it relates to forestry in the Gippsland region. Many members of my electorate are concerned about the final deliberations of the forest industry task force. We were supposed to see a report by June 2016, but have only seen a statement, with a final report and recommendations yet to come. Of particular concern is the impact on the potential establishment of a Great Forest National Park. My constituents are asking the minister: has the government done any modelling and investigated the impacts of a Great Forest National Park on local industry, such as Australian Paper in Morwell, including in the study the impacts on Australian Paper employees, contractors and indirect jobs in the Latrobe Valley?

Western Metropolitan Region

Mr EIDEH (Western Metropolitan) — My question today is for the Minister for Energy, Environment and Climate Change, who is also the Minister for Suburban Development, the Honourable Lily D’Ambrosio. Recently we witnessed the destruction of the Corkman Irish Pub in Carlton, which has a heritage overlay, and the subsequent dumping of asbestos from that site in Cairnlea within my electorate of Western Metropolitan Region. In fact the asbestos was dumped at 93 Furlong Road, which is just up the road from my electorate office. In the immediate vicinity of this property is a primary school, a kindergarten, a junior sporting club ground, a shopping centre and countless private residences. This is obviously a cause for great concern amongst my constituents, especially those living, working and engaging in recreational activities near the property. My question to the minister is: what is being done to address this serious health concern to residents in my electorate? Further, what measures are being taken to ensure that those responsible are held accountable for this outrageous breach of community health and safety as well as numerous state and local laws and regulations?

South Eastern Metropolitan Region

Ms SPRINGLE (South Eastern Metropolitan) — My constituency question is for the Minister for Public Transport, Jacinta Allan. Of the 21 daytime bus routes which interchange at Frankston station only one is a SmartBus — the 901. The only other bus that comes at a frequency of between 20 minutes and 30 minutes is the 775. All of the other routes range in frequency from every 30 minutes to only a few times a day. This infrequency may contribute to the fact that in 2013–14 less than a quarter of people entering Frankston station arrived by bus, whereas more than 40 per cent drove there. Of the 2900 people who arrive by bus, fewer than 20 per cent transfer to the train, possibly due to the infrequency of buses, which are not well coordinated with train departures. Minister, what is the plan to improve the frequency of buses in Frankston and to improve the coordination between bus and train timetables?

Southern Metropolitan Region

Ms FITZHERBERT (Southern Metropolitan) — My constituency question is to the Minister for Public Transport. Last week a constituent contacted me about the effect of the \$2 tax on taxis that the Andrews government plans. She wrote:

This will add between \$1000 to \$1500 a year to my disabled pensioner daughter’s expenses. She needs 24-hour care and travels in a wheelchair. In order to go to her day-placement venues in the community and then home again she could have five or six trips each day.

As it is, her mobility allowance doesn’t cover it and she supplements her travel from her pension. But the proposed extra tariff per ride would lead to hardship. This would apply to many severely disabled people unable to hop on tram or train.

My question is: how does the minister plan to address the impact of the \$2 taxi tax on disability pensioners such as the daughter of my constituent?

Western Victoria Region

Ms TIERNEY (Western Victoria) — My constituency question is for the Minister for Veterans. In June this year the minister announced three grants programs — the Victoria Remembers grant program, the Anzac Day Proceeds Fund and the Anzac centenary community grants program. The Victoria Remembers grant program helps communities make personal connections with the centenary of World War I and assists projects or activities that commemorate other wars, conflicts and peacekeeping operations in which Victorians have served. The Anzac Day Proceeds Fund provides practical assistance for veterans and their dependents who are in need. The fund is distributed to organisations that provide welfare support for veterans. The Anzac centenary community grants program is administered by the Victorian Veterans Council and is designed to leave a lasting legacy for future generations of those who served in World War I. I know that a number of organisations in my electorate have made applications — the Warrnambool RSL, the Torquay Museum Without Walls Inc. and the Colac Legacy club — and I ask the minister: can he advise me when they will know whether their grant applications have been successful?

Southern Metropolitan Region

Ms PENNICUIK (Southern Metropolitan) — My constituency question is for the Minister for Roads and Road Safety, and it concerns the truck curfew along Port Phillip Bay and refers to a letter that was copied to me and that was sent to the minister on 13 September this year. That was a letter further to another letter sent by the Inner South Metropolitan Mayors Forum to the minister on 21 September 2015. State route 33 goes through Bay Street in Port Melbourne and along the Nepean Highway and winds its way past playgrounds, lifesaving clubs et cetera and Ricketts Point Marine Sanctuary. The Inner South Metropolitan Mayors Forum would like the truck curfew along that route

extended from 8.00 p.m. Friday through to 6.00 a.m. on Monday and for a compliance regime to be implemented. My question is: will the minister support this call by the mayors forum for the extended truck curfew along that route?

Western Victoria Region

Mr MORRIS (Western Victoria) — My constituency question is directed to the Minister for Education. When will the government commit to building a government primary school in Lucas? Prior to the 2014 election the Liberal Party committed to build a new primary school in Lucas, and indeed the Catholic education office will open a new school for the 2018 school year in Lucas. With the nearest government primary school — in Alfredton — bursting at the seams, I congratulate the member for Ripon in the Legislative Assembly, Ms Louise Staley, for strongly advocating for her constituents and for the need for a primary school in Lucas. Despite the obvious and desperate need for a government primary school in Lucas, the government continues to ignore the needs of families in western Victoria.

Western Metropolitan Region

Mr FINN (Western Metropolitan) — My constituency question is directed to the Minister for Public Transport. I am sure the minister will recall a campaign that was run with some considerable success last year in the Sunbury community to preserve V/Line services to Sunbury. The minister did indeed visit Sunbury on that occasion and was given in no uncertain terms the message from the Sunbury community that they were not at all happy with her or her decision on this particular matter. My concern surrounds a number of what I suppose are rumours that are doing the rounds in Sunbury at the moment — that V/Line services are once again under threat in the Sunbury community. So I ask the minister to give a categorical, total guarantee that there will be a continuation of V/Line services to Sunbury in at least the current numbers for the duration of this government.

Northern Victoria Region

Mr YOUNG (Northern Victoria) — My constituency question today is for the Minister for Sport. I have been contacted by many shooters recently inquiring into the status of their sport due to a refusal to be included in a recent grant program that provides defibrillators to sporting clubs. Field and Game Australia is an organisation that many people here are aware of due to their work in conservation, environmental restoration and recreational hunting

endeavours. They have worked tirelessly on many issues over the years, and they do so whilst also providing clubs for people to participate in the shooting discipline of Australian Simulated Field. While this is not an Olympic sport, it is one that many thousands of Victorians love. It is a simulation of the many field hunting opportunities in Victoria and provides recreation during closed seasons for game.

The coming weekend will see hundreds of competitors congregate at the Pinegrove field and game club to have a go at the national carnival, so it seems appropriate to ask the minister: when will Field and Game Australia be recognised as a state sporting agency and the largest organisation for Australian Simulated Field?

Northern Victoria Region

Ms LOVELL (Northern Victoria) — My question is for the Minister for Public Transport, and it is regarding the Night Network late-night rail services, specifically the continued lack of this service for the Shepparton region, despite it once again being promoted on our local TV. In February I advised the minister that my constituents in the Shepparton region were unhappy that they were being fed ‘false advertising’ by the Andrews Labor government, which was running an ad for late-night rail services in the Shepparton viewing region — despite the fact that the last service to Shepparton leaves Melbourne at 6.22 p.m. on Fridays and 6.32 p.m. on Saturdays.

A new ad is now running featuring an extension of this service to Seymour; however, this service is of no use to Shepparton residents unless they can get their mum to drive the 2-hour round trip to Seymour — to pick them up — and back to Shepp. This ad is once again rubbing salt into the wounds of Shepparton residents, who have one of the worst rail services in the state. Ms Symes this morning hailed this service, but it is not coming to Shepparton. My question to the minister is: when will a late-night rail service from Melbourne to Shepparton be provided?

SAFE SCHOOLS PROGRAM

Debate resumed.

Dr CARLING-JENKINS (Western Metropolitan) — I will now continue with my contribution around paragraph (2) of the motion standing in my name. Safe Schools, I will note, is not supported by the entire LGBTI community. In an opinion piece in the *Herald Sun* in May Catherine McGregor wrote an article headed ‘I’m transgender but I can’t support Safe Schools’. She wrote this:

... I do not support the Safe Schools program as the best way to support trans kids. I had been asked to be an ambassador for the program and had initially agreed. But when I learnt more about the political leanings of Roz Ward, whose role in Safe Schools is pivotal, I simply could not countenance it. She is a committed Trotskyite, who believes in the overthrow of the capitalist system and has expressed her contempt for the Australian Defence Force to which I belonged for nearly four decades.

...

... Safe Schools teaches a derivative of queer theory, which I believe leads trans people into a blind alley. Most of us transition because gender is important to us and we feel torn between our anatomy and our psychology. Being told to live genderless would have killed me ...

...

... Our schools must be safe for all our kids. Decent teachers and parents, not Trotskyites, can ensure that.

Gender theory, or contested queer theory, not antibullying, lies at the heart of the Safe Schools program — an ideology which is being taught as fact in our primary schools as well as our secondary schools. Furthermore, teaching gender ideology to children is not supported internationally. The American College of Pediatricians issued a position statement in February of this year entitled 'Gender Ideology Harms Children'. The statement includes the following, and I quote:

The American College of Pediatricians urges educators and legislators to reject all policies that condition children to accept as normal a life of chemical and surgical impersonation of the opposite sex. Facts — not ideology — determine reality.

This position statement goes as far as to say that chemical and surgical treatment of children based on gender ideology is child abuse.

Finally, on the second point let us hear the words of Roz Ward, coordinator of the Safe Schools Coalition Victoria. On Friday, 13 June 2014, she said this, and I quote:

... Safe Schools Coalition is about supporting gender and sexual diversity. Not about celebrating diversity. Not about stopping bullying.

End of quote. So in the author's own words the program is not an antibullying program but quite simply an ideologically driven indoctrination program designed to promote a contested and controversial form of gender theory.

The third point of my motion is in regard to Victorian parents not being consulted prior to the rollout of the Safe Schools program within schools. Many schools implement Safe Schools without the knowledge of parents in the community. To not consult parents or to

ignore their concerns has a touch of the Orwellian. George Orwell, in *Animal Farm*, said this:

No-one believes more firmly than Comrade Napoleon that all animals are equal. He would be only too happy to let you make your decisions for yourselves. But sometimes you might make the wrong decisions, comrades, and then where should we be?

Victorian parents are effectively being cut out of the discussion about Safe Schools. Apparently they cannot make decisions for themselves lest they 'make the wrong decisions, comrade'. And do not attempt to complain, because the Safe Schools Coalition has a strategy to deal with complaints. Roz Ward said this on 13 June at the national symposium:

... we have complaints sometimes directly from parents ... When people do complain, then school leadership can very calmly and graciously say 'You know what? We're doing it anyway. Tough luck'.

Joel Radcliffe, project officer of the Safe Schools Coalition added this:

It's important to know that it does come up a lot. People say 'What about the parents?' a lot ... Parents don't have the power to shut this down. There's an insignificant minority that might have an issue with it.

So parents, according to the Safe Schools Coalition, you are an insignificant minority if you disagree with them. No wonder parents are feeling disempowered; they are worried about the impact this program is having on their children. This is what one parent had to say:

It has been a cause of stress, anxiety and tears for my child who strongly agrees with the antibullying message but does not support all values endorsed by and associated with the GLBQTI movement. Students who take issue with some aspects of the Safe Schools program are themselves feeling bullied and are being told they are ignorant and homophobic.

Other parents describe being intimidated into silence when they raise concerns. This is simply not good enough.

To the fourth point of my motion, Victorian parents are concerned about the age appropriateness of the content being presented by the Safe Schools program to their children. These concerns are well founded. Rebecca Urban in the *Australian* of 14 May 2016 noted that Roz Ward discussed:

... an activity from the program's main teaching guide, *All Of Us*, claiming, 'I did this with a grade 3 class'. 'It's a great activity if you ever want to do it', she tells the group of teachers.

The article also states:

However, the *All Of Us* resource was created only with year 7 and 8 students in mind.

So content for years 7 and 8 students is being taught to year 3 students. There is a vast difference in the level of psychological development between these two age groups, something which our laws recognise.

Sitting suspended 1.01 p.m. until 2.04 p.m.

Dr CARLING-JENKINS — As I was saying prior to lunch, there is a vast difference in the level of psychological development between year 7 and 8s and year 3s, something which our laws recognise and so something that I would think that the government would also recognise. For example, the Children, Youth and Families Act 2005 recognises that a child under the age of 10 is not culpable for their actions legally speaking, but the culpability increases with age. The fact that children in primary school have been exposed to contentious ideology and inaccurate information before they have reached a level of moral culpability is highly concerning to many in our community.

The federal government acknowledged that there were legitimate questions concerning the age appropriateness of the program and undertook a review. Why does this government fail to do the same? With all the concerns being expressed by the Victorian public and all the national attention that has been given to the controversial nature of Safe Schools in Victoria, which now runs independently of its national equivalent, why would this government not want a review of the program?

One parent had this to say about the materials being promoted through the Safe Schools program:

In brochures such as *OMG I'm Queer* there are specific suggestions about how to sexually explore ... It mentions that consent should be obtained from the potential sexual partner but makes no mention of the age of consent. This is inappropriate and irresponsible material for use in a school environment.

I am also concerned that through this program, students ... can be encouraged at a very young age to identify as 'gay' before their sexual feelings have matured.

Another parent had this to say:

It saddens me that my child's innocence has been compromised at such a young age. I just do not feel that discussion of sexuality and sexual orientation is appropriate at primary school level.

From yet another parent — and bear with me as I quote parents, because I think their voices are very important:

We the parents — not schools — are responsible for moulding our children into adults regardless of them being straight or gay.

For the life of us we do not understand why this is becoming a major thing in schools when the focus should be education and allowing children to make the right choices. There have also been cases where those who do not show support are made fun of, which is kind of ironic given that the whole thing is to do the exact opposite.

If you want to hear more voices of parents, look up their website, youreteachingourchildrenwhat.org, established by a group of concerned mothers. A number of testimonials from parents and students are available there.

At this point I would like to emphasise that the Education and Training Reform Act 2006 affirms the rights of parents to take an active part in their child's education and training and to choose an appropriate education for their child. Section 1.2.1 states in part:

- (b) all Victorians ... should have access to a high quality education that —
- ...
- (iii) allows parents to take an active part in their child's education and training;

Later it says:

- (d) parents have the right to choose an appropriate education for their child —

except, apparently, when it comes to Safe Schools.

The fifth point in my motion talks about the feelings of parents of children with disabilities where they do not believe that their children's needs are being taken into account. I recently had a constituent in my office describing the incidents of bullying of his child with a disability at school. Excluded from the playground because there was no supervision and excluded from mainstream activities with other children their age, Safe Schools does not help this child feel safe or cared for. Safe Schools does not help students in this child's grade understand what autism is, and Safe Schools does not help the parents of this child have any confidence in the school.

The State of Victoria's Children report 2013–14 found that Victoria is home to over 1 250 000 children and young people aged 0 to 17, and around 2 per cent, or 25 000, of these children required assistance with core needs, indicating they have a profound disability. Research shows that 1 in 100 children have autism in

Australia, which means there are around 12 500 children and young people with autism in our state.

Taking into account the needs of children with disabilities while they are still young and in school is critically important; however, our schools fail our children with disabilities time and time again. A study published this year by the Autistic Family Collective found that in 44.2 per cent of cases bullying was being perpetrated by a teacher, that 84.6 per cent of research participants informed they were unsatisfied with the actions taken by school staff when alerted to the bullying and that bullying did not cease as a result of actions taken by the school to address it.

Last year a federal parliamentary inquiry into the plight of children with disabilities in schools produced highly disturbing findings. According to the committee's chairwoman, ALP Senator Sue Lines, the inquiry found a disgraceful level of discrimination against children with disabilities and that bullying and exclusion are the norm. Victorian parents are concerned about bullying within schools from other students and from teachers towards their children with disabilities. The amount of investment into the Safe Schools program is yet another blow for them — one which further confuses their children, further upsets them and provides nothing to assist them.

Cella White is a mother of four who made headlines earlier this year when she made the decision to pull her children from Frankston High School after it had started implementing the Safe Schools program. Cella's daughter has achromatopsia, which renders her day blind, and Cella was uncomfortable with the fact that through the gender ideology being taught by Safe Schools boys would be able to use the female bathrooms if they felt they identified more as a girl. She was concerned for her daughter's safety, especially given her disability, which was not being taken into account by the school. I commend Ms White's commitment to doing what was best for her child. Ms White also has a son with a learning disability who became very confused by discussions around transgenderism and cross-dressing. As his mother, Ms White knows that at his age and at his level of development he lacked the ability to understand such matters. Safe Schools failed to take this into account, and as a result it was confusing her child, confusing many children across the state and causing emotional harm to children with disabilities.

Finally, the last two points in paragraph 1 of my motion are that the house notes that:

- (f) there is widespread public awareness that the Safe Schools Coalition Victoria has social re-engineering as one of its higher purposes;
- (g) government schools should be free of any form of radical indoctrination.

Earlier this month the *Australian* published an editorial piece headed 'Victoria, a misandrist state of child indoctrination', which called on the Andrews government to stop being led by the nose by far-left social engineers. Such public sentiment has been expressed in a number of news articles, on radio and social media and in petitions that have received thousands of signatures. The Chinese community even rallied on the steps of Parliament House a few weeks ago against the Safe Schools program, and the 'You're teaching our children what?' Facebook page has over 7500 likes — not bad for a group of mothers on a mission to inform parents about the dangers of the program. I wish I could go on, but time is of the essence.

I move to the last paragraph, which is to call on the government to:

- (a) withdraw the program immediately from all schools; and
- (b) conduct a review, which takes into account the views of parents into the incidence and prevention of bullying in schools.

The research paper *Safe Schools Coalition Australia — anti-bullying program or ideological project?* makes an accurate observation. It says that:

People are objecting, and the people behind Safe Schools are fearful, because both know that at the heart of this 'anti-bullying' effort is a barely concealed political agenda aimed directly at kids. It is an agenda which has so far avoided proper public scrutiny, comment and review ...

...

... Safe Schools Coalition Australia is not a benign anti-bullying program. Rather, it is a political project dressed in anti-bullying garb ... Like every other Marxist project, it is totally reliant on the public purse, makes effective use of propaganda and is adept at silencing opposition.

Mr O'Doherty called a plan to roll out and make compulsory the Safe School program across all schools in Victoria an abuse of political power. He said:

The Andrews government in Victoria is using its political power to enforce an ideology on schools that surpasses the teacher in the classroom — and very importantly, the parent at home.

Australia's education system, under the Melbourne declaration, says that education is a partnership between governments and the whole community, including parents ... If the Andrews government insists on one version only of a sexuality agenda, then it's completely cut this partnership approach out of the picture. The idea that a government will mandate something in this area is a very dangerous idea.

No child should be bullied and no child should be discriminated against. Any child troubled by sexual orientation or gender identity should receive appropriate expert support. Gender dysphoria in childhood and adolescence is far too complex to be addressed by pop psychology or internet-based self-help materials. The DLP believes the parents are the primary educators of their children, not the state. The state has a responsibility to protect the rights of parents and the wellbeing of children. Safe Schools is not the way. What we need is a program that teaches respect and emotional intelligence across the board and that takes into account the needs of children with disabilities. This would achieve true equality and inclusion without any strings attached to radical ideology or public controversy. The Safe Schools program falls short of this — a very, very long way short. I commend this motion to the house.

Ms SHING (Eastern Victoria) — I rise today to contribute to the motion that Dr Carling-Jenkins has moved in this place. I note at the outset that it has been a respectful engagement. It is an issue with a number of facets, as set out in the notice paper. Dr Carling-Jenkins has been able to present her position and the reasons that underpin it free of interjection, and to that end I would seek the house's continued support for a respectful engagement on this particular issue.

Safe Schools and the issue of the way LGBTI young people and people are treated is one that requires as its foundation the notion of respect. To that end I think it is important that we do have the capacity to have these conversations and to have them in a mature and respectful way. With that in mind I would like to go to the motion that Dr Carling-Jenkins has moved and indicate that at the core of a number of elements of the motion is the notion of the importance of a lack of tolerance and a lack of acceptance of any form of bullying.

This should go without saying, but I will say it nonetheless: bullying is in fact something that destroys lives. It undermines people's sense of self, dignity and self-esteem. It is often something which people experience early in life. They can experience it because they are other; they can experience it because of the situations and circumstances in which they find themselves; they can experience it because of the

circumstances of the bully themselves. In any event, what we should not forget is that the schoolyard is often a place where bullying occurs, and it can be ferocious. I would suspect that everybody in this chamber — everybody who has ever sat in this chamber over the many parliaments that have preceded us — has experienced bullying, whether they were on the receiving end or they dealt it out.

Sticks and stones break bones, and names can also break people. This is something which I have a very personal experience of. Growing up I knew that I was other. Growing up I wished that I could, like everyone else, just fit in. But I did not just fit in, because unlike what I perceived to be everybody else — and it was not until much later that I discovered that in fact it was not everybody else, but unlike so many others — I was not completely settled in who I was. I was not completely settled in the idea that I would grow up, marry a nice boy, have children, settle down and continue with the 'Boys wear blue, girls wear pink' way of life that I had seen in every part of my life growing up — in magazines, in newspapers, on television — hearing about it, watching it, being exposed to it. The fact that I grew up surrounded by a heteronormative world was not sufficient to stop me from experiencing the inner feeling that I was different — that I was other.

With that in mind, I make my contribution today not as the first LGBTI woman in the Victorian Parliament but as the first out LGBTI woman in a Victorian Parliament, because I have no doubt whatsoever that there are other women who have been in this Parliament and other women who are in public office who, like people throughout society, have gone their entire lives hiding themselves from the world, hiding themselves from the reflections that they see in the mirror, living lives which may seem to put a somewhat tolerable skin on it on one level but which do not truly reflect who they are on another.

I have for many years lived with the pain and the confusion associated with not being able to comfortably express who I am. It takes great courage to come out. It takes great courage to hear somebody come out and to put aside presuppositions about who or what you thought that person would turn out to be. It is enormously challenging for parents to look a child in the eye, hear them out and say to them that they love them anyway — that they love them unconditionally. That is not always the case. It is also not always the case that children are accepting of the other, that children can understand the importance of being accepting and respectful, that children understand the importance of the fact that sex, gender, sexuality, race, ethnicity and religion — personal characteristics, the

essence of who somebody is — are not and should not ever be considered to be causes of derision or contempt or isolation or exclusion or bullying.

Try as we might, as a good government, as a good society, we can never rest on our laurels in relation to the need to be inclusive, to be welcoming, to be accepting of who people are, of their right to live as they are and of their right to be authentic and true to themselves. In this regard it has taken me personally a very long time to come to terms with who I am. For some people it is a very easy road. For some people coming out is something that is as natural as breathing — either that or they feel like they have never actually had to come out because they have been out all along. Being LGBTI is something which is inherently as much a part of some people's character from day one as it is for some people who conversely live their entire lives hiding who they are.

In this regard we can cite all of the statistics and quote all of the reports that we want that show the exceptions that prove the rule. We can look at what Cate McGregor said in the *Australian* when she indicated that she was not prepared to be an advocate for the Safe Schools program. When we break down her comments in the *Australian* we can see that they were based on political belief and not on who she is. We can see from research and statistics that have been produced by and published by the Australian Human Rights Commission on its federal page — by the Australian government — that Australians of diverse sexual orientation, gender or sex identity may count for up to 11 per cent of the Australian population.

Dr Carling-Jenkins has disagreed with that statistic, and in some ways I do not disagree with her argument that these figures may not be accurate, because they may not be accurate — because ultimately it is really, really hard to do a test of the Australian population to determine the extent to which people feel that they are different from or other than the heterosexual norms that we grow up around. A reason for that — at least in my own very personal experience — is that hiding is often the easiest and most straightforward way to accommodate a life and to live in a society that does not necessarily seem to accommodate you.

According to the Australian Human Rights Commission, which reports statistics that have been prepared by the Australian Bureau of Statistics, the reported number of same-sex couples more than tripled between 1996 and 2011. In 2011 there were around 6300 children living in same-sex couple families, up from 3400 in 2001. Most of these children, 89 per cent of them, are in female same-sex couple families.

There are no firm figures for Australia's intersex population; however, Minus18 does provide case studies and information that suggests that it may be between 1 per cent and 2 per cent of the population. That is about the same as the percentage of redheads in the population; it is about the same percentage of the population as the statistics that Dr Carling-Jenkins quoted for autism and the incidence of autism in the Australian community.

But at the key of this particular motion, at the heart of this motion, lies an argument that purports to say that because children with disabilities are not adequately accounted for in an agenda about respectful engagement at school, that because we do not yet have all the resources that we need directed to that area — and I note that Dr Carling-Jenkins quoted from the Senate inquiry that found that children with disabilities were woefully under-serviced in terms of the respect they receive around respectful engagement at school — that that somehow creates some form of nexus to justify the removal of the Safe Schools Coalition program. It does not. Everybody and anybody who feels other — when they are at school, when they are in their sporting clubs, when they are hanging out with their friends, when they are at work, when they are seeking to access services — deserves the support of a government that can do more.

The Safe Schools Coalition program has not always been this controversial. This was a program that received bipartisan support. Let us not forget that. Let us not forget that governments of all levels have committed to greater engagement and positive support for LGBTI people across the board. Let us not forget the fact that in recent years we have seen significant improvements in the way that our discrimination legislation operates and that we have seen a raft of changes which accommodate a greater understanding of difference.

This program is in essence about saying to kids in secondary schools — because that is where the program operates at a mandatory level, fulfilling the government's promise before the election — that, 'You are exactly okay exactly as you are'. And do you know what? I would have loved to have heard that when I was at school, but I did not. I would have loved to have had my friends hear that and to have had my teachers hear that. I would have loved to have had my family hear that.

There is always more work to do. We see that children at secondary school can have access to materials that say, 'Do you know what? You're a bit different, that's fine'. What we see is material that has been produced in

a bipartisan way that says to kids who are same-sex attracted or gender questioning, 'You are okay. You're absolutely fine. Don't worry about the fact that not everybody may get you, because as long as you get yourself, you'll be fine'.

What we know from the statistics is that LGBTI people are at the receiving end of discrimination for their entire lives. We find it difficult to access services. We experience discrimination in so many ways. Starting at school to enhance the way in which we understand the differences is an important part of breaking down that discrimination. Eighty per cent of LGBTI kids will experience discrimination when they are at school. If we, as adults, cast our minds back to when we were at school, when we were on the receiving end of bullying or discrimination or harassment, when we had personal attributes about our essential selves highlighted and ridiculed, when we were the subject of isolation or exclusion, we know that is the sort of thing that sticks around for a lifetime. That is the sort of thing which in the aggregate leads to enormous damage to our sense of self-esteem. The data makes it very, very clear that LGBTI people suffer from depression and anxiety at a much greater level than those who are not LGBTI. The data suggests that LGBTI people are more than seven times more likely to attempt suicide or to succeed at taking their own lives.

This program is as much about the people who are around LGBTI people as it is about LGBTI people. This program provides those who receive the benefit of its resources, until recently largely uncontroversial, with the opportunity to understand how it feels to be on the receiving end of bullying or harassment. The program goes so far as to enable people to walk in the shoes of somebody who has felt other and felt different for their entire life.

This program provides guidance and support to teachers and to staff. In that sense the feedback that I have received as a Safe Schools ambassador has been extremely positive. I have received feedback from teachers in schools or from staff in schools who have also wondered about the same questions: how do I treat somebody who is coming out? How do I refer to somebody who is not yet settled in how they want to be known? How can I make somebody's life easier? How can I show respect without being condescending? These resources are also an important message for those of us who went without them when we were at school. These resources are a crucial part of a respectful engagement that says it is okay to be exactly who you are.

It was a great pleasure and such a privilege, and a day where I needed more than a few tissues, when earlier this year the Andrews Labor government apologised for historical convictions that were issued and reinforced against men and women for homosexual activity. This was an important day in so many regards. Men spent their lives with convictions hanging over their heads for being who they were. Their families spent years in shame and confusion, often torn between the need to love and support and care for members of their families on the one hand whilst also noting that the law and society on the other had condemned them.

In the Premier's speech in which the apology was given this year he noted that two women were the subject of a prosecution under homosexual offences for holding hands on a tram. Two women in the 1970s went for a tram ride, they held hands and they were prosecuted. So when we look at the aggregate of every book, of every movie, of every television show and of every love song where it is about boy meets girl, boy falls in love with girl, something minor happens to challenge that love and everything works out well in the end, and we look at a world in which until recently it was criminal to be gay, we see how far we have come but we also see how far we have to go.

We have a number of initiatives that are about making sure that children in Victorian secondary schools do not feel wrong for feeling other. These initiatives are pretty straightforward. These initiatives are directed to a group of people that suffer fundamental disadvantage because of who we are. Where we can set up a system that provides support and active guidance for people to be themselves, then we diminish the harm that bullying and discrimination can cause when experienced throughout school. When we tell people that there are ways to have conversations that are respectful, that are geared towards accepting someone for who they are, then what we do is change the shame that has been a veil over so many LGBTI Victorians' lives, over so many LGBTI Victorians' families' lives and we turn it into pride. Because, as the Premier said when he issued the apology for historical homosexual convictions, pride is the opposite of shame and pride only comes where we make a concerted effort across the board to accommodate and accept and support people for being exactly who they are.

It has taken me a long time to be able to talk this frankly, because it is not easy, and it is not easy because everything in the world, unless you listen carefully, says that you should be other, that you should be straight and yet I am not, and so many of us are not. We deserve the resources that enable other people to understand that that is okay, because we go through that

battle every day until we settle on being comfortable with who we are. It was difficult for me to have that element of myself become one of the catchpoints for my role as an upper house MP. It was enormously difficult because I did not want that to become the centrepiece of who I am at the expense of everything else. I know that I have ticked a lot of diversity boxes in my time — being a little bit Asian, being a little bit out, being a little bit regional, being a lawyer — these things are — —

Mr Leane interjected.

Ms SHING — The lawyer bit is the worst, I am sure. Thank you, Mr Leane. The thing is I have to come out multiple times a day and I have had to do that ever since I decided that I was not comfortable hiding who I am. Every little bit helps — every little bit of respect that can be created in our classrooms and in our workplaces, in the way in which we fill out forms and in the recognition that we have when we apply for documentation that reflects our identities. It is so crucial that these symbolic changes are made. It is so crucial that we have a gender and sexuality commissioner. It is so crucial to the work that we are doing to be progressive and to continue this momentum that we have an equality task force, and if that means that standing here in tears, as I am, in front of a camera like a dork is part of that change, then so be it, because it is about time we made it easier. It is about time we made it easier, not just for LGBTI Victorians and their families but for that overwhelming majority of people who want to be part of respectful engagement on the breadth of the community as it is.

We cannot change the fact that LGBTI folk are everywhere. We are everywhere. Watching *Melrose Place* every Wednesday night throughout the 1990s did not make me straight, so I do not know how eight sets of resources on an education home page is going to turn people into something that they are not. The formative years of being a teenager are when the majority of same-sex attracted and gender diverse people begin to question and begin to explore. Providing them with resources in order to do that and providing teachers and staff with resources to allow that to happen in a respectful way is crucial.

We have come a long way in the sense that we now have *Kinky Boots* playing at Her Majesty's Theatre and it is sponsored by 3AW. This is the 3AW with the morning program that has derided the Safe Schools Coalition program and an afternoon program that has called it a waste of money. This is a musical which encourages people to be who they are and to love who they are, and this is a musical which — spoilers

ahead — indicates to people that the best way, in the case of the protagonist, to be a man is to accept others for who they are.

The vast majority of people who I deal with in this role in public service accept me for who I am, but having said that, there are a number who do not. That number is small, but it is very, very vocal, and that number is prone to being vicious on occasion. That number is prone to telling me that I am an abomination, that I am a disgrace and that I should be ashamed, and so in standing here today I refuse to be an abomination, I refuse to be a disgrace and I refuse to be ashamed. But in doing that I note that it has got to be happening to kids in secondary school, because if it is happening to me as an elected member of Parliament, if it happens to me in my workplace and it happens to me out in the broader community, then it has got to be happening in our playgrounds and it has got to be happening at our bus stops, and I know it is happening in our workplaces.

There are reasons that LGBTI people suffer greatly disproportionate rates of depression and anxiety. There are reasons why we try to kill ourselves. There are reasons why we are overrepresented in the number of people who commit suicide. The Safe Schools Coalition program is not the answer in and of itself to curing those reasons, but it is a really big step in the right direction.

What it does is it starts a commentary and a narrative that is not about Marxist ideological agendas. It is not about making a political football, as Dr Carling-Jenkins indicated. It is about saying to people just like me, 'You are okay exactly as you are'. It is about saying to people, 'You can be who you want to be, you can live the life that you want to live and you ought be given the same opportunities to be respected for who you are as everybody else'.

I do not claim to have any greater moral authority on this issue than anyone else, but geez, I have experienced a lot of it firsthand. And in my 40 years of being around I have met with as many people and talked with as many people who disagree with my right to be who I am as I have those who need the support of a government and a community that provide resources to allow people to flourish and to live their lives in the best way, to give them happiness and to allow them to contribute. As I said earlier in my contribution — —

Sitting suspended 2.44 p.m. until 2.58 p.m.

Ms SHING — As I was saying before the literal sprinklers kicked off after my virtual sprinklers had been going for some time with me in tears over this motion, I experience discrimination and I experience being other. I experience all of that and have the obligation to turn the other cheek. In turning the other cheek I am also keenly aware of the fact that in doing so I might allow people to conclude that behaviour that excludes people for being different and behaviour that excludes LGBTI people for being who we are is okay. It is not okay. In this regard the commitment of \$1.34 million over four years to have this program operate in Victoria seems to me to be an extremely worthwhile investment.

As I indicated earlier, a lot of what we do as LGBTI people is hide. That is not the case with all of us because many of us are audaciously proud from the day that we are born. I envy that. I envy that sense of self that is so resolute in some people that no matter how shaken their surroundings may be, no matter how vitriolic the abuse they face may be and no matter how difficult their lives may become, they never sway or resile from being who they are.

But we live in a real world where humanity is a broad church, and in that sense so many of us do hide. I hid. I hid throughout school. I hid at my year 12 formal when I wore a tuxedo and went along with a boy who also wore a tuxedo. Everyone smiled indulgently after they had gotten over the concern that perhaps I was undermining the formal dress movement by choosing to don a cummerbund and tails instead. I was not doing it as a political statement. I was not doing it for any Marxist ideology. I was not doing it because I believed myself to be some sort of outer eastern suburbs version of Nelson Mandela on the issue. I was doing it because it was who I was, and I was isolated for that. I was teased for that. I was isolated and teased by some of the people in my life who were meant to be there for me unconditionally. Therefore any opportunity to educate people about the hurt that this sort of treatment can cause is important.

This is not about Roz Ward. This is not about Karl Marx. This is about not about Trotsky or *The Communist Manifesto*. This is not about reds under the bed. This is about LGBTI people being able to look at ourselves in the mirror and know that we are okay exactly as we are. This is about providing the tools so that LGBTI people do not have to hide.

I continue to get these emails from people who have all sorts of views. I will continue to be trolled, as I am sure anyone with any particular characteristic does from time to time. But kids at secondary school do not

deserve that. People starting out in their first jobs who are asked to tick a box to indicate their gender and do not feel they are able to do so without lying to themselves do not deserve that. People who dress differently, like I did with my tuxedo choice — it was a terribly 90s version of a tuxedo, I assure you — want to present a certain way because it helps them to reflect on the outside who they are on the inside. They do not deserve that.

In being part of the Andrews Labor government nothing has made me prouder than participating in a progressive agenda that is about systematically dismantling sources of discrimination against LGBTI people that have survived far longer than they should have. I have had meetings with people who ardently disagree with me on religious grounds, for personal reasons and for social reasons. They have listened politely to me and I have listened politely to them, but at the end of those meetings these people get to go away and be content in the knowledge that their views are the right ones, whilst I get to feel the slightest twinge of not being okay.

The thing about this particular debate is that for LGBTI folk it never ends. There is that sense that you are never truly going to quite fit in to the *Melrose Place*-watching, *Beverly Hills 90210*-obsessed popular culture that prioritises a kit home with a picket fence and a lovely husband and two kids who turn out not to have any same-sex attracted or gender diverse issues of their own. The fact is that I do not fit into that mould, and so many others do not either.

In the same way that we are turning our minds to better equity of opportunity for people from culturally and linguistically diverse backgrounds, in the same way that we are accommodating difference and in the same way that we understand and recognise — or at least some of us in the political world understand and recognise — issues such as the gender pay equity gap and other issues that strike at the heart of gender-related disadvantage, what we see here is an opportunity for Parliament to reflect the broader community sentiment that says that it is no big deal for kids to grow up and realise, or to have always known, that they are LGBTI.

What is a big deal — and I can tell you this personally — is documentation that asks what someone's gender is and the way in which language is couched to exclude people who do not necessarily easily fit into one category or another. What is a problem is Parliament lagging behind the significant progress that we have made to be better representatives of the communities for whom we are here.

I do not pretend to have an understanding of every facet of the LGBTI community's views at hand today. What I do know, however, is that I have had parents in tears in my electorate office, thanking me for being out because their child has a role model. I do not pretend to be a good role model, but I also do not pretend to be hiding anymore. And in not hiding, I think that what I am trying to achieve — as this government is trying to achieve — is a better recognition of the importance of fundamental equity to the way in which good society operates. In understanding and recognising the fact that some kids just have two mums, some kids just have two dads, some kids have one mum or one dad, some kids are raised by single parents and others are raised by families, we need to understand that there is no demon lurking at the heart of any and all of the permutations that make up a family.

In debating and discussing the plebiscite, we need to understand and to recognise that whilst it may be an ideological battleground for some, for people like me it is about being able to be treated equally. For people like me it is about being able to understand that fundamentally I am okay exactly as I am.

This program was always ripe for review, for dismantling, for analysis and for manipulation along political lines, but at its core it is nothing more than something which is there to provide assistance; something which is there to facilitate dignity; something which is there to correct misinformation, to allow people to be who they are; something which hopefully sets up people from secondary school to be more compassionate. If there is a politically motivated downside to that, I fail to see it. If there is an ideologically driven subtext here, someone needs to point that out to me, because this is not about anything more complicated than saying to people like me, 'You are okay'.

There are so many ways in which we can debate this issue. There are so many ways in which narratives can be manipulated. We will see fact sheets and we will see news grabs, and it is all too easy to tweet 140 characters to show your ardent support of or your opposition to something like the Safe Schools Coalition program. But putting aside the peripheral elements of Dr Carling-Jenkins's motion as I believe them to be, this is about making sure that our kids have the best possible opportunities to flourish, to learn well, to access services and to make themselves active and participating parts of society without needing to be ashamed. This is about saying that everybody matters.

We have, as I said earlier in my contribution, a long way to go. As the human rights commission page

indicates, 80 per cent of homophobic bullying involving LGBTI young people occurs at school and has a profound impact on their wellbeing and education. Wellbeing is at the heart of what good government can facilitate. Education is at the heart of what the Andrews Labor government is here to deliver. It is on our number plates — how can we be wrong?

What we are saying though is that education is about something more than the bricks and mortar of mathematics and of English. What we are saying is that the resources that are provided, no matter where people live, should actually be tailored to inclusive environments within the school and education community.

I am proud to be the ambassador for the Safe Schools Coalition program. I am proud that I have stood here today and bared my soul to the 3 people who are probably watching online and the 13-odd people who are here in the house, because I believe that we are here to leave the community in a better state than we found it. I firmly believe that if I had had Safe Schools, I would have felt a much keener sense of self and a much better sense of dignity as a consequence, that I would have had the language to understand and communicate who I am, that I would not have hidden and that so many others would not have hidden.

This is all about, as Dr Carling-Jenkins indicated, respect, but it is respect within a very particular part of the community. It is respect demonstrated to and demonstrated within the LGBTI community. The flip side of shame is pride: pride in seeing the Premier walk at the Pride March and hearing the apology for homosexual historical convictions. That two women were convicted for holding hands on a tram a mere 40 years ago — which is when I was born — shows that we still have a long way to go, but geez, we have come a long way. It shows that there is value in continuing this incremental effort towards being more progressive and inclusive. It shows that, much like children with disabilities, much like people who require support and assistance, programs that engender a greater sense of inclusion and of dignity and of self-esteem are never a bad thing.

We can make this about all of the politics in every encyclopaedia that we can find here in the parliamentary library, but as someone who knows firsthand — and I suspect that I am not the only one here in this chamber who has hidden — I wholly support initiatives like this. I wholly support the access to resources that provide staff and teachers with the tools they need to guide children, young people and kids from year 7 and 8 through to year 12. Schools that

provide primary education that require or request resources to guide children should also be provided with them. Schools should be provided with resources so that they can have the necessary dialogue to make sure that everybody is part of an inclusive classroom and to make sure that we understand that there is nothing wrong with a kid who may want to dress a little differently so that her outside matches her inside. For that reason, and with pride, I confirm that the government does not support this motion.

Mrs PEULICH (South Eastern Metropolitan) — I rise to speak on a very important motion and would like to commend Dr Carling-Jenkins on bringing it forward to the chamber for debate and apologise for perhaps the amount of time that may not be available to members for their contributions as a result of the arrangements that have been entered into by all the parties to see the rest of the agenda move through.

Could I first of all say as a former schoolteacher of 15 years — as an educator — and as a mother that this program, the Safe Schools Coalition, has little to do with bullying. Every teacher — and hopefully every parent, but certainly every teacher — should be an anti-bullying teacher, no matter what subject they teach or where they teach it. The sort of bullying that no doubt many people have experienced I have experienced myself. The previous speaker spoke about having been bullied on the basis of her sexual orientation. I was bullied as a result of being a migrant and not being able to speak English; I was beaten up every Friday for a bit of sport. So there is discrimination, there is bullying and it is not appropriate. As I said before it is very, very important that schools do provide a safe environment and that every teacher is a teacher of anti-bullying.

This program, however, is much more than that. It is much more about ideological indoctrination than anything else. We have heard the argument from the previous speaker that this is the start of a narrative, of a conversation, but unfortunately it is not the start of a narrative, because this program has already been mandated by the government, and that conversation, especially with parents, school communities and other key stakeholders, has been bypassed. It has been hijacked by those who believe that diversity and generosity of spirit is one-way traffic and only applies to those who have a similar view, not to those who have a different view, those who as a result of their upbringing, their values, their religious beliefs or their cultural background believe, while accepting that there are people who may have a different sexual orientation, that this program and the material that accompanies it — and as a schoolteacher one of the very first things I

did was look at the teaching resources — are not what they purport to be.

This program is very much is about trying to shape children's attitudes during their most formative years. It is not about encouraging people to be who they are. It is trying to shape them into being something very different and accepting a particular ideological doctrine about gender identity that the vast majority of people do not share. That does not mean they do not accept that there are same-sex relationships, that there are people with a different gender orientation or that there are children who are born into same-sex families or single-parent families; it is that they believe that anti-bullying is about teaching of respect but not essentially about trying to reshape the values that define people and who they are.

Can I say that Ms Shing spoke about people being vicious towards her. I have heard more vicious attacks on people who hold a different view than I have on the other side of the equation. I have heard that coming from the Premier's mouth — the leader of this state. If you do not believe in Safe Schools, if you do not believe in the radical left-wing ideology that has been propagated through this program, you are a bigot and you are a homophobe; I reject that outright. That is not diversity.

One thing we do need to accept as part of this debate is that some of those values will never be reconciled. Some of them may run in parallel. That is what is called diversity. That is genuine diversity. People from multicultural backgrounds, who I have a lot of contact with through my portfolio, are absolutely appalled by some of the material they have seen and have been encouraged to seek out and discuss, and they are frightened about what the motives are of this particular program. There has been reference to a huge petition that has been collected in New South Wales among the Chinese community. A similar petition has been gathered here. I am certainly aware of the Indian community's concern about the content of this program, which is not about safe schools and not about just anti-bullying.

As I said before, everyone in a democratic society and a humane society accepts that bullying is not okay, whether it is directed towards people on the basis of their sexual orientation or that they might have red hair, that they might have freckles, that they might be fat or that they might be from another culture and not be able to speak the language. Whatever the grounds, it certainly can be very destructive.

This program is based on one huge contradiction. On the one hand it says that young people are born and that their gender is somehow something that cannot be changed. On the other hand we have the argument that gender is also fluid. I think the jury is out. Certainly in reading some of the commentary about this program, what disturbs me most is the selective manipulation of statistics that is the basis of the Safe Schools Coalition program and that is now filtering into government materials and resources and certainly programs.

Encouraging people to be who they are also extends to those people who do not share those views. That does not justify bullying and that does not justify discrimination. We have anti-discrimination laws. I do have great problems with children being inculcated with values that their own parents have had no input into and have not been consulted on and the fact that they may be encouraged not to share the experiences of some of these classes with their parents. Encouraging children to become alienated from their parents I think rings alarm bells for many parents.

In noting that the bullying of any child is undesirable and unacceptable — and I do not think anyone could possibly disagree with that — I note that the Safe Schools program has been found to be an ideologically driven indoctrination program. That is the reason the opposition has called for this program to be reviewed and changed. It does not strike the right balance. It is designed to promote a contested and controversial form of gender theory. The program's use of statistics is based predominantly on research involving young people at school or in educational institutions and then applied to the general population, and I believe misleadingly so.

Victorian parents were not consulted prior to the rollout of the Safe Schools program within schools, and we have now seen a light version of Safe Schools in the respectful relationships program, which is probably a little less contentious but certainly does target children who are younger. Victorian parents are concerned about the age appropriateness of the content being presented by the Safe Schools program to their children. I was appalled that one of the activities that children of years 7 and 8 were being encouraged to do was to trawl through personal classified ads — I think that is inappropriate — or to engage in role-playing people of a different sexual orientation. That is pushing the boundaries. I think you can convey and teach the lessons of respect and anti-bullying without playing with people's minds.

Ms Shing spoke about the levels of depression and the incidence of mental health issues and suicide amongst

same-sex-attracted people. We all know that young people can be curious and that adolescence is a time when there is a lot of identity confusion. Why would we want to add to that? Why would we want to confuse children even more by so proactively pursuing such a one-sided agenda? It might provide some sort of support to some children, but it would certainly confuse and cause, in my view, greater harm to others.

Dr Carling-Jenkins has spoken about the way that parents of children with disabilities feel that the Safe Schools program does not take their children's needs into account. I am not a great expert in the area of disabilities, but I listened with great interest to Dr Carling-Jenkins's comments, and this again shows how this program has been implemented without sufficient consultation with all of the stakeholders who count. There certainly is wide public awareness that Safe Schools Coalition Victoria has social re-engineering as one of its higher purposes. There has been a lot of commentary surrounding that. I would certainly agree.

Government schools should be free of any form of radical indoctrination, and indeed diversity in all of its forms should be fostered and supported. That also means that children and young people who have particular needs should be supported in an appropriate and targeted way rather than this broadbrush approach being taken to radically indoctrinate children into a set of values that they may not share and which may not be supported by their own religious beliefs or their own family upbringing. Dr Carling-Jenkins's motion calls on the government to withdraw the program immediately from all schools and conduct a review, which takes into account the views of parents, into the incidence and prevention of bullying in schools.

Much of the time the justification for the program is explained as emanating from the initiatives recommended by the family violence royal commission. I would just like to quote from page 38 of the summary of the recommendations coming out of the report. It says:

Leadership from the Victorian government is essential, but action by the government alone will not be sufficient. To create a culture of non-violence and gender equality, ordinary Victorians must come together to change attitudes and behaviours.

Gender equality is something that I think Australians have always had a proud history of, and the independence of women and the status of women is something that is revered and admired about Australia by many, many other countries in the world. This is something that I think we all do share, and certainly

everyone has a role to play in this. But this goes way beyond that. Whilst the general overarching objectives are something that people can share, the details should be of enormous concern to everyone.

The paper entitled *The Controversy over the Safe Schools Program — Finding the Sensible Centre* by Professor Patrick Parkinson, AM, University of Sydney, talks about the politics of safe schools and the attack on those who do not share the same values as bigots and homophobes. Professor Parkinson talks about how the program seeks to be seen as a marker of ideological identity. He says there are important questions about what we teach children and young people about sexuality and gender identity, when we do so and how we do it, and that it obviously needs to be sensitive to the cultural diversity of the whole Australian population. I do not believe that this occurs.

Name-calling, abuse and using the terms ‘homophobic’ and ‘transphobic’ is just the sort of bullying that this program purportedly seeks to eliminate. I would encourage people to read this paper, because it actually debunks many of the figures and statistics that are used to justify the program and its mandating. I know that time is fast elapsing, but just as an indication of the type of concern that is being raised in the community — it certainly has been raised with me — I refer to some correspondence to Ms Lovell, who was looking to speak on this motion but no longer has an opportunity to do so because the time allocated for speakers has not been observed. I would just like to quote briefly from one of her correspondents. He says, and I quote:

Schools already have sound codes of conduct and anti-bullying programs operating effectively. After having spent in excess of 40 years in the teaching profession, I can honestly say that this program is the most sinister, divisive and dangerous program to be flagged. It is your responsibility as a politician to familiarise yourself with the Safe Schools Coalition, identify the hidden agendas and oppose its implementation.

I have certainly encouraged parents, school communities and faith communities who have raised the issue with me to form discussion groups within their own social milieus, to seek out the information and the materials and to closely scrutinise them and be aware of the detail, in particular some of the teaching resources that have been provided and some of the links. I think they are terribly inappropriate. It certainly takes away the right of parents to be raising their children, or to primarily be the socialising agent for their children’s values. It subverts that right to a school that is being driven by an ideological political agenda. It is not appropriate, it is not right, and I would urge this chamber to support Dr Carling-Jenkins’s motion.

The opposition would like to have the opportunity of having this program reviewed and a genuine anti-bullying program put in place that recognises the genuine diversity in our society, including the diversity of views and values which this program seeks to change.

Debate adjourned on motion of Ms PENNICUIK (Southern Metropolitan).

Debate adjourned until later this day.

STANDING COMMITTEE ON LEGAL AND SOCIAL ISSUES

Reference

Debate resumed from 12 October; motion of Ms CROZIER (Southern Metropolitan):

That, pursuant to sessional order 6, this house requires the legal and social issues committee to inquire into and report on, no later than Thursday, 24 November 2016, issues at both Parkville and Malmsbury youth justice centres including, but not limited to —

- (1) matters relating to incidents including definitions, numbers and changes to the reporting of incidents;
- (2) the security and safety of staff, employees and young offenders at both facilities; and
- (3) any other issues the committee considers as relevant.

Ms SPRINGLE (South Eastern Metropolitan) — This motion has been probably one of the most difficult motions I have had to consider in my time in this place. It brings me back, I suppose, to a much earlier time in my life when my mother and her then husband worked in the youth detention facility that was called Winlaton in Nunawading. That was a long, long time ago. I can see Ms Wooldridge nodding her head. A lot of people in this place might not remember it, given that they probably were not aware of youth justice issues.

I spent a good deal of my teenage years and my early 20s hearing about the stories of the girls in Winlaton, and they were often not very pleasant stories. They were very troubled stories. There was a severe impact not just on those girls as a result of what they had endured in their lifetime and in that particular facility but also on the staff that worked with them and how that affected their lives and those of their families. I can assure you, as the daughter of a youth worker at that time working in that facility, that it did impact on their families in a very adverse way. In fact I can say that the repercussions of that time echoed through all of our lives for decades afterwards.

It is with a heavy heart that I stand here today to address these issues. Having looked at some of the issues that are going on in our youth detention centres now, they do not appear to be very different to what they were 25 years ago. I think there are a few things we can agree on — members on both sides of this chamber, including even those on the crossbench and the Greens — and the most glaringly obvious is that we all are coming to this debate from quite different perspectives.

However, there are certain facts that everyone can agree on. One is that there have been very disturbing reports of incidents and unrest in both of Victoria's youth detention centres in recent months. Another fact is that the number of young people we are talking about today in the debate on this motion is incredibly small. The total population of the two youth justice centres is currently just over 200. A third fact is that the number of young people on remand in Victoria's youth justice centres has been growing out of whack when compared with the number of young people sentenced to custodial terms in the youth justice centres.

In 2006–07 the total number of young people who spent time on remand in youth justice centres was almost the same as the total number of young people who were sentenced to a custodial term. But in the decade since, while the number of custodial sentences has significantly decreased, the number of remand orders has skyrocketed. In 2014–15 there were well over three times as many remand orders as they were custodial orders. On Monday I visited Parkville, and I learnt from Ian Lanyon, who is the director of secure services and heads operations at both Parkville and Malmsbury, that 87 of the 101 young people who are currently at Parkville are on remand.

When the Melbourne Youth Justice Centre at Parkville opened in 1993 — which is around the time that I spoke of before — on the old site of Turana, which was the boys equivalent of Winlaton, it was set up to be a facility for young people sentenced to terms of incarceration. Fast forward to today, and less than 14 per cent of the total population of Parkville is on a sentence. This has huge implications.

Once a young person is found guilty by a court and receives a custodial sentence, they can then engage in rehabilitative programs which aim to address the underlying causes of their criminal behaviour. But before a young person is found guilty — while they are still on remand, for instance — there is a presumption of innocence, and rightly so. While young people who are remanded at Parkville do participate in the renowned Parkville College, they are not able to

participate in any of the rehabilitative programs that aim to address the cause of their offending.

Young people are able to be linked up with support services as part of bail support programs if they are on bail, so there is already a huge problem here. When we remand young people, we are missing a major opportunity to get them linked in with programs which aim to address aspects of their lives that may need to be addressed. Remanding someone does not really allow any effective intervention.

As soon as a person is released from custody, he or she will most likely return to the same environment which saw them get into trouble in the first place, and nothing will have been done to address it. We are not doing justice to the young people themselves or the entire object of Victoria's youth justice system, which is rehabilitation. We are also not doing justice to the broader community. It can cost up to \$600 a day to keep a young person on remand. Unless that person absolutely needs to be there, that is money that could be spent on rehabilitative efforts. Above all else we know that incarcerating a young person actually increases the likelihood that they will commit more crimes when they are eventually released. This is well known in criminological literature, especially with respect to youth crime.

According to a seminal study by the New South Wales Bureau of Crime Statistics and Research, all other factors being equal, spending time in prison increases the likelihood that a particular person will reoffend upon their release — that is, in comparison with what their likelihood of reoffending would have been had they been placed on a non-custodial sentence. We know that the younger a person is when they spend time in custody the more likely it is that that young person will eventually spend time in the adult prison system, because we have missed the opportunities to divert them from further criminal behaviour.

I refer members to the report prepared in 2010 by Sheryl Hemphill and Rachel Smith for the Australian Research Alliance for Children and Youth. That report, titled *Preventing youth violence — What does and doesn't work and why?*, makes it very clear that social inclusion programs, family therapy, parental training and education, school-based programs which provide schools with options other than suspension and expulsion, peer mentoring programs, community resilience programs and bullying prevention programs do work well in the prevention and reduction of youth violence.

But that report also found that grouping antisocial young people together, which is what we are doing in Victoria's youth justice centres, does nothing to prevent future violence. For young people who might be assessed as relatively low risk, grouping them in a place like Parkville or Malmsbury with other high-risk young people is very likely to increase the rate of antisocial behaviour. As Mr Lanyon told me this week, the remand populations are particularly challenging for a number of good reasons. Sentenced populations of young people are relatively stable. Pecking orders are established, there is a degree of certainty around the length of time young people are spending inside, and that certainty helps both the centre and the young person themselves to begin to plan effectively towards their release.

Remand populations, on the other hand, are constantly shifting. They are constantly being disrupted by new people, and pecking orders are forever being challenged and rearranged. This constant flux produces extraordinary challenges in terms of behaviour management in an environment that was never constructed to house a remand population in the first place. This analysis of the importance of pecking orders amongst incarcerated populations in places of institutional violence is well known among social psychologists and is used favourably by Professor James Ogloff, who is co-leading the framework review into Victoria's youth justice system. Ms Crozier has concerns about the safety and security of young people and staff at both Malmsbury and Parkville — and of course we are all concerned and we all should be concerned about the safety and security of young people and staff — but it is highly likely that the security incidents we have been witnessing at Parkville and Malmsbury over recent months are symptoms of an underlying systemic issue.

We should be sure when remanding a young person in custody that it is absolutely the only option available. It has become quite common for young people to spend one night, a weekend, a week, a month and sometimes even longer in Parkville on remand before they are eventually released on sentence.

There are many reasons for the recent increase in the remand populations. Significant amongst them are the changes that were made to the Bail Act 1977 by the previous government, which at one point resulted in an increase of 200 per cent in the number of children being held on remand, including a 300 percent increase in the number of children aged between 10 and 14 being held on remand. That was a terrible amendment, and while it has been reversed, courts have not, it seems, returned to their pre-amendment practices, so the youth justice

system is still dealing with the legacy, if you like, of those changes.

We need to face up to the reality that many of the young people who are currently on remand probably should not be there. I also think that we do need to face the reality that some of the more simplistic calls out there — calls for greater use of incarceration and even more secure supermax-style prisons for young people — fail to take into account the evidence about what works and what does not work to reduce youth offending. What everyone wants is less youth offending. There is an evidence base which supports certain interventions and which proves the ineffectiveness of other interventions. We should be consulting the evidence base whenever we are considering interventions in the area of youth justice.

The immediate issue that is before us today is a motion by Ms Crozier which would direct the Standing Committee on Legal and Social Issues to inquire into various issues at Parkville and Malmsbury youth justice centres. On the face of it Ms Crozier's motion points to a very specific narrow group of issues. We spoke with many people, including researchers, criminologists, experts in child violence and legal practitioners, and of course Mr Lanyon, and we consulted with the available literature and the evidence base. It is clear that there are issues. I cannot know whether some of the issues Ms Crozier has pointed to can be substantiated, but it is clear to us that there are some systemic issues that do need to be investigated. These systemic issues, such as the reasons for the very high remand population, cannot be covered in a short six-week inquiry.

History shows us that if we look at things only in isolation we always get a different picture than when we look at things in a holistic manner. This goes to the importance of the terms of reference for the inquiry. We can either respond directly to the symptoms or work out what is actually going on below the surface and address the more underlying systemic issues. To that end I will circulate my amendments.

I move:

That all words after 'no later than' be omitted with the view of inserting in their place —

'Tuesday, 1 August 2017, issues at both Parkville and Malmsbury youth justice centres including, but not limited to —

- (1) matters relating to incidents including definitions, numbers and any changes to the reporting of incidents;
- (2) the security and safety of staff, employees and young offenders at both facilities;

- (3) reasons for, and effects of, the increase in the numbers of young people on remand in the last 10 years;
- (4) implications of incarcerating young people who have significant exposure to trauma, alcohol and/or other drug misuse and/or the child protection system, or who have issues associated with mental health or intellectual functioning, in relation to —
 - (a) the likelihood of reoffending;
 - (b) the implications of separating young people from their communities and cultures;
- (5) additional options for keeping young people out of youth justice centres;
- (6) the culture, policies, practices and reporting of management at the centres;
- (7) the role of the Department of Health and Human Services in overseeing practices at the centres; and
- (8) any other issues the committee consider relevant.’

I have to say that reaching a conclusion on this matter has been one of the more difficult things I have had to do in this place, as I have already said. If the Greens were ever going to support an inquiry into recent issues at Parkville and Malmsbury it would have to be a holistic inquiry into the systemic underlying issues that I have just talked about.

It is true that there are already some very substantial reviews and inquiries on foot. The Commission for Children and Young People is undertaking an own-motion investigation into the use of isolations and crackdowns in Parkville and Malmsbury. There is also a very wideranging framework review that is being undertaken by Professor James Ogloff and Ms Penny Armytage. Professor Ogloff is an extremely respected lawyer and psychologist, whose expertise ranges across many aspects of offending behaviour, and Ms Armytage has been a very senior public servant in Victoria, including an extensive stint as the head of the Department of Justice and Regulation.

I acknowledge that there is a case for holding off on any additional parliamentary investigation until these reviews report. Certainly the Greens are of the opinion that not only is Ms Crozier’s original motion far too narrow to be of any real effectiveness, it also has the potential to do actual harm to the existing inquiries and indeed to the system of youth justice as a whole. This point leads perhaps to the most vexing aspect of this whole business. The public conversation around certain issues of youth justice, including issues pertaining to the motion that is presently under consideration, is currently at fever pitch. There are all kinds of

incendiary claims being made and all kinds of allegations, distortions and blatant untruths. I have got to say that one of the elements that has made this decision particularly difficult is the conduct of the Liberal Party over the last couple of months.

Naming and shaming young offenders clearly does not work to reduce offending behaviour. This has been known for a very long time, and yet the opposition leader has committed himself to a policy of naming and shaming, even against the advice of the police commissioner. Transferring children to prison is not something we should be talking about in Victoria, especially so soon after the Ombudsman unequivocally pointed to such overwhelming problems with this practice. Above all, transferring children to prisons just does not work to prevent or reduce criminal behaviour, and yet the opposition have been calling for exactly this against all the available evidence. The opposition have also been claiming that youth crime is out of control — that there is some kind of youth crime wave on foot. I believe they called it a tsunami recently. It does not seem to matter that the levels of youth crime have been trending down for the past decade. It also does not seem to matter that in the latest Victorian crime statistics the youngest age groups were the only ones not to record a substantial increase in reported criminal offending.

Against these truths we have all been subjected to a very heated and distorted series of rolling reports in certain media outlets about the so-called Apex gang. This so-called Apex gang, which we are supposed to believe is some kind of organised criminal gang made up of teenagers, also happens to be made up of certain ethnic and cultural minorities. I have spoken to a lot of people who are working at the coalface with challenging young people, especially in the south-eastern region, about this issue. What they have told me is that the Apex phenomenon is simply a fallacy. These are not gangs; these are young people, some of whom have severe social problems of the sort that are common in communities from low socio-economic, new and emerging or vulnerable backgrounds, who have the technology to organise like never before. They are also exhibiting behaviours that are common to teenagers at certain stages of their development.

As an aside, I know a lot of these workers personally as they are my ex-colleagues from my time as a community development worker in the south-east. It is also true to say that some of the young people we are talking about in the chamber today are actually kids I have worked with, so I do know them personally. It probably points to why I find a lot of the discourse particularly unpalatable. The language that I hear in this

chamber quite often from both sides dehumanises these people, but they are human and they are people, and some of them have very, very difficult and traumatic backgrounds.

My staff and I have also spoken to experts of all kinds, including researchers, legal practitioners and criminologists, and everyone is saying that the kinds of reports that are appearing regularly in certain news media are actually contributing to the likelihood of youth violence. The absolute last thing that anyone needs to be doing is generating additional notoriety, especially through mass media. Front pages, sensationalist headlines, double-page spreads, name-and-shame proposals — all this is likely to inflame, not help, the situation. It is also vitally important that we in this place do not make the same mistakes given the level of heat around youth justice right at this very moment.

There are many people — experts and practitioners — in the field who are saying that a public inquiry actually has a lot of risk attached to it. I am acutely aware of that, and that is part of the reason why this decision has been incredibly difficult for me. If a public inquiry is used to simply air inflammatory opinions about youth justice and if a public inquiry is used to further distort the public conversation, then it may actually do more harm than good, so it is absolutely imperative that we avoid that.

There are two cautionary tales from which we can and must take lessons here. What we really must avoid here in Victoria is a repeat of the situations that have developed recently in both Queensland and the Northern Territory. Campbell Newman's shock-jock, evidence-free policies, which included naming and shaming and boot camps, are sensibly being reversed by the Palaszczuk government after evaluations showed their total ineffectiveness. There is now a royal commission in the Top End which is examining just what happens when the youth justice system is conflated with the adult corrections system and when the measures aimed at responding to youth crime move away from a focus on rehabilitation and towards punishment. What we should be doing is going back to first principles — what we do know about what works and what does not work. How do we translate that knowledge into policy and practice?

I respect that the government's position in relation to the present debate is that because the existing inquiries have not yet reported, a parliamentary inquiry is premature. I also respect the argument that we must avoid a public inquiry that is likely to do more harm than good. But there are ongoing incidents. And as we

looked into whether Ms Crozier's motion had a basis, we found that there are clearly systemic issues that must be aired. An independent public inquiry would do this. It must not be a narrow inquiry that focuses solely on recent incidents without considering the broader contexts within which those incidents have taken place. It must focus on the broader context.

As such, we have proposed an amendment to Ms Crozier's motion. We say that an inquiry into the youth justice centres must inquire into the reasons for the increase in the numbers of young people on remand over the past 10 years, under successive governments, and it must also inquire into the effects of that increase in the remand population on the operations of the youth justice centres. This would allow the Standing Committee on Legal and Social Issues to take true stock of the changes that have been made to the Bail Act 1977 over recent years. An inquiry into the youth justice centres must also look at the implications of incarcerating young people who have: significant exposure to trauma, alcohol and other drug misuse or to the child protection system, or issues associated with mental health or intellectual functioning. Is incarceration really the best place for these young people and for the community as a whole?

There is quite a bit of information in the annual reports of the Youth Parole Board about the particular cohorts of young people who spend time in youth justice centres. To the best of my knowledge the 2015–16 annual report is not publicly available yet, so I think the most recent statistics come from the 2014–15 report. According to that report 43 per cent of young people in custody had a previous child protection order; 62 per cent were victims of abuse, trauma or neglect; 58 per cent had previously been suspended or expelled from school; 33 per cent had presented with identifiable mental health issues; 22 per cent had presented with issues concerning their intellectual functioning; and 53 per cent had offended while under the influence of both alcohol and other drugs. This is a truly staggering picture of social disadvantage. It is not enough to merely record these statistics in annual reports, nor is it enough, in my view, to simply implement some counselling or other programs for people to participate in while they are incarcerated. As good and as effective as such programs might be, we cannot ever get away from the fact that they are being run in an environment of incarceration.

Having been taken through Parkville on Monday, I have to say that some of the euphemisms that are used in the centre cannot really hide the fact that the centre very much resembles a prison in some major respects. The holding cell into which young people are locked

upon reception — after they have had what they do not call a strip search but which is kind of a strip search, because they are just wearing a towel — is a pretty small, bare room that is painted a sort of cream colour. There is no window, and there is a bench. Some of the kids who are in that centre are seven or eight years old. Many times they have come from the back of a divvy van. They are put in there, alone, to ‘de-escalate from a heightened state’, as it is labelled. The trauma that could be associated with that experience, particularly if a young person is already highly traumatised, cannot go without mention.

Going into a girl’s bedroom — she was not there as she was in school, because they do a lot of school; they are in school seven days a week, sometimes for 6 to 8 hours a day — was very confronting. I have a 17-year-old daughter, and I thought of my daughter when I was in that room/cell, which is locked with a very heavy prison door at 8 o’clock every night. It has a tiny window, and it is very small and quite claustrophobic. I am the parent of a child who has had issues during her teenage years, who has spent time out of school because of her mental health issues and her trauma issues. I thought of my daughter in that cell and how alone she would feel on the first night of being in a centre like that, because, let us face it, this could happen to anyone’s child. I will not hear that it is a certain class or group of people whose plight this is. This could happen to anyone.

It is really important that we acknowledge that while, yes, these young people have committed crimes, or at the very least a court has been satisfied that there is enough of a chance that they have offended to not grant them bail, that is not actually the issue. The issue is actually what works to keep those kids out of there, what does not work and how we can minimise the risk that a young person will reoffend. Ultimately, if what we want to do is to keep the community safe, then this is the question that matters. Any inquiry into the youth justice centres must look at the cohort of young people going into them and whether separating them from their families and their communities is actually the very best thing that can be done. Any inquiry into the youth justice centres must look at the additional options for keeping young people out of them in the first place. If we truly want to address the recent outbreaks of violence within these centres, we actually need to look at ways of reducing the population of the centres — especially the remand population. We must also look at the culture, policies, practices and reporting of management at the centres.

I have to say that pretty much everything Mr Lanyon told me on Monday sounded excellent. The workforce

development strategy, the commitment to trauma-informed therapy and practice, the commitment to the best interests of the child, the explanations for the statistical spikes in the use of isolation and the apparent casualisation of staff, the interim arrangements they have made with respect to their remand population and their efforts to consciously break down barriers between and amongst the ethnic and other groupings of young people — all of that makes a lot of sense. I fully expect that this will emerge from a parliamentary inquiry and will assist in the development of public understanding of what is happening on the ground at Parkville and Malmsbury.

Ms Crozier, I know, has particular concerns around the reporting of serious assaults and other incidents inside Parkville and Malmsbury. I am aware of various allegations that are floating around about that particular issue. If I have understood the allegations correctly, category 1 incidents in the youth justice centres are being reclassified so that they are not considered by the Youth Parole Board. The implications of that is that the Youth Parole Board is not then being given the opportunity to think about transferring a young person to an adult prison under section 467 of the Children, Youth and Families Act 2005.

I have to say categorically that the Greens are totally opposed to the transfer of children to adult prisons. I quote the Victorian Ombudsman from his December 2013 report entitled *Investigation into children transferred from the youth justice system to the adult prison system*:

I am of the view that there are no circumstances that justify the placement of a child in the adult prison system.

Many of the 24 children transferred to adult prisons who were investigated by the Ombudsman were ultimately held in solitary confinement in the high-security Charlotte management unit of the Port Phillip Prison for months, regardless of whether they were suffering from active psychiatric illnesses. These young people were kept in their cells alone for 22 to 23 hours each day and were then released into the exercise yard for an hour or two at most while wearing handcuffs and ankle restraints — and please let us remember that these are children. Let me state again: the Greens are absolutely opposed to children being transferred to adult prisons.

In any case I am informed by the minister’s office that the allegation about the changes to the reporting of serious category 1 incidents is not correct. I know Ms Crozier is particularly concerned about this issue, so after much consideration we have left it in the terms of reference for the committee. If the minister’s

information is correct, and I have absolutely no reason to believe that it is not, then I fully suspect that this particular issue will be addressed quickly by the committee and laid to rest.

But there remains a problem, and that is one of transparency. The fact is that I cannot go to a departmental report and get much useful, detailed information about what is and is not happening in Victorian's youth justice centres. I actually think there is a role for the Parliament here in terms of asking questions and getting some information onto the record. Personally I suspect that much of what is happening behind the scenes at Parkville and Malmsbury is along the lines of good and necessary evidenced-based reforms, but to be quite frank, at this point, as the Greens spokesperson for families and children, I am concerned about the lack of quality information. I have been underwhelmed by the minister's answers to questions without notice in this area.

The reviews and inquiries that are on foot are very likely to result in some excellent recommendations and contribute towards some necessary reform. Professor James Ogloff, Ms Armytage and Ms Buchanan are immensely qualified people who will produce extremely valuable reports, but on balance the Greens see a need here for an independent parliamentary inquiry. We must note that Professor Ogloff and Ms Armytage will be provided with guidance by a project advisory group that will be co-chaired by the minister and the secretary of the department. It will include representatives of the major stakeholders in the youth justice field. This is absolutely appropriate, and I am not for a moment suggesting that it is not. I accept that there may be some areas of overlap between the framework of the inquiry and this inquiry that I am proposing, but the point of difference for me is the need for an entirely independent inquiry that will address issues specifically pertaining to these two centres and come at those issues from a different direction.

The best thing for everyone would be for the heat and hyperbole to be taken out of the present public conversation about youth justice. It is vitally important that we as political leaders play a responsible role here. The best way of countering the heat and hyperbole is with facts, information and transparency. The Greens are generally reticent to vote against the need for a public inquiry on any issue. On this issue, as I have said, we have thought long and hard. We have concluded that on balance it is better to bring to the surface what is going on. If it is bad, then it must be exposed. If it is good, and I truly suspect that there are some good stories to tell about what is being done in the youth justice space at this moment, then it is vitally

important that the public knows about it. At the moment it seems that the only stories being told about Victoria's youth justice system and the youth justice centres in particular are stories of fear, heat and hyperbole. I just do not think that reflects the true state of what is actually happening. It seems to me that a parliamentary inquiry would be an excellent and appropriate forum through which to present the true state of affairs in Parkville and Malmsbury.

Ms PATTEN (Northern Metropolitan) — I am pleased to rise to speak in relation to Ms Crozier's motion. I promise I will try to keep it brief so we can get through this. I appreciate that Ms Crozier has been asking many questions about this issue over the past few weeks and the past few months, and I commend the work that she did in the last Parliament on child abuse within organisations. Like Ms Springle, Ms Crozier and previous speakers, I too have an interest in youth justice. I have a family member who is a forensic psychologist who worked at Don Dale and in many of the hard juvenile justice centres in New South Wales. I have spoken to her many times about her experiences.

Reading Ms Crozier's motion, I would support her — and I believe Ms Springle touched on this as well — in saying that we are not seeing transparency in what is going on. We are not getting the answers, and I do think that an inquiry will hopefully provide information and shed some light on that. However, I am not convinced that we are seeing a tsunami of crime amongst youth or that we are seeing out-of-control, gang-ridden and gang-led sprees and riots within our juvenile justice system. I am not convinced of that; however, that will certainly play out with this inquiry. It is for that reason and my interest in the area that I do support Ms Springle's amendments to this reference motion.

It is a reference to a committee of which both Ms Springle and I are members, so I think we will bring our passion on this issue to this inquiry. I hope this will be a very positive inquiry and will complement the work that is being done by the commissioner for children and young people and by the department itself in looking at a framework around juvenile justice.

But let us remember that we are actually seeing a decline in the number of young offenders. We are not seeing more and more offenders; we are seeing a decline in that number. I recognise that in fact our young offenders are getting older, if you can say that, so we are seeing an older young offender who is being charged with more severe crimes when they first enter into our criminal justice system. Their reoffending is also of a severe nature. We need to understand why this is happening. I agree that it is important to look at the

recent incidents at Parkville and Malmsbury, but we need to understand why that behaviour is occurring. We have to look at the factors that underpin youth offending. If we are going to look at what is happening in juvenile justice centres and if we are concerned about what has been happening there, I do not think that the *Herald Sun* is necessarily the go-to document for this information.

When I have spoken to the CEO at Parkville and to other people within juvenile justice, the information they give me is something very different. When I visited Parkville we were not told that Apex-led gangs were running there. In fact most of the people there were trying to say that they were from Apex because they thought it was a cool thing to do. I think one of the calls from Parkville in particular was, 'Please stop talking about Apex', so I will stop.

On looking at these people and arguing that we need supermax prisons and we need to throw away the key on these people, we need to look at who we are locking up. As Ms Springle touched on, the Youth Parole Board's annual report gives us some clear information about who these young offenders are: 62 per cent of the youth detainees come from child protection orders — 62 per cent are victims of abuse, trauma and neglect; 58 per cent of them have not been able to stay in school; 33.3 per cent, one-third of them, have mental health issues; many of them are also registered with disability services; and most of them were offending while they were under the influence of alcohol or under the influence of drugs or both. This is a very damaged cohort of our young people, and we need to understand that more to look at how we can stop them offending in the first place.

I must say that I was amazed to see that the current policy framework around juvenile justice has not been looked at for 16 years — 16 years and we have not looked at the juvenile justice framework. We know that the Aboriginal community is completely over-represented in that area. We have had deaths in custody reports, and we have had a whole range of other reports that look at how our Koori community is so negatively impacted by our justice system. In Victoria that is no different.

I support the amendments to take this to a much broader inquiry. While I am very pleased to see that the government is finally addressing a framework that has not been touched on or looked at for 16 years, I agree that a parliamentary inquiry will enable us to look at a broader range of things and probably create greater transparency and, I would hope, a level of

independence that is hard to operate within the public service and the public sector.

When you look at the parole board that deals with all of these people, you see that they are saying the same things that we are saying. They are saying that we need to address alcohol and drug services for young people, we need to address violence prevention programs and we need to look at young people and family violence. We need to look at all of the reasons why people are in Parkville and Malmsbury — young children.

When I was out there, I met with the CEO. He commented that he had been a police officer before, and he commented that in the case of some of the children in Parkville he had arrested their parents as a police officer. In fact he had arrested their grandparents as a police officer. We need to be breaking these cycles, and we need to be looking at how we can do that. I hope that this reference will go some way to looking at this, will go some way to stopping the recidivism rate and will go some way to looking at why 40 per cent of the kids in Parkville are there on remand. They have not even been prosecuted yet; they are there on remand.

Decreasing youth recidivism has benefits to the community in terms of safety and cohesion, but it also has cost-saving implications. It is very expensive to look after a child within the juvenile justice system. It is a very expensive model, and it is a model that, by and large, when you look at all the reports, actually does not work. In fact by putting a juvenile into the criminal justice system you are ensuring that their chances of ending up in the adult justice system are far greater. I do not know the numbers, but I would say you would probably triple their chances of ending up as an adult offender by putting them into a juvenile justice centre. Simply toughening sentences for young offenders will not achieve the results we want.

I support this motion. I commend Ms Crozier for the work she is doing on trying to provide greater transparency in what is actually happening, and I support Ms Springle on the broadening out of this inquiry.

Ms MIKAKOS (Minister for Families and Children) — I am pleased to have the opportunity to make a contribution to this debate. I say at the outset that the government does not support this motion because this inquiry is in fact unnecessary. We have at the moment a number of reviews and inquiries underway by people who are experts in this field, including an inquiry by the Commission for Children and Young People.

I remind members, particularly in relation to Ms Patten's remark just now about transparency, that our government has been the most transparent government to date in relation to issues around youth justice. In fact earlier this year our government passed legislation to strengthen the oversight powers of the commissioner for children and young people so that the commission now receives all reports of serious incidents in Victoria's youth justice centres and has the power to investigate and report on issues relating to our youth justice system.

The commission currently has an inquiry underway into isolation, separation and lockdowns in our youth justice centres. That inquiry is expected to make recommendations relating to practices, definitions and policies in our youth justice facilities. It is also undertaking an inquiry into restraint incidents. It is because of our government's changes to strengthen the commission's independent oversight function that all of these inquiries are actually underway.

The commission's findings will also help to inform a review that our government has established in terms of updating the current 16-year-old policy framework. In August my department started examining youth support, youth diversion and youth justice services, and this work is being led by experts — former Secretary of the Department of Justice Penny Armytage and Professor James Ogloff — who are consulting widely with stakeholders and are assisted by an expert project advisory group. I think it says a lot about the fact that the previous government, now opposition, have a lot to say around these issues now, but when they had the opportunity to update the youth justice framework that governs the whole youth justice system in this state they failed to do so. In fact I have inherited a 16-year-old document. I am quite incredulous that it has taken this long, but our government is addressing this issue. That has a very broad scope in nature and is really looking at a broad range of issues.

The other inquiry that is underway is a very well known one, and that is the royal commission into the Northern Territory youth justice system following the shocking revelations by the *Four Corners* program about the Don Dale Youth Detention Centre. It is worth noting in this respect that Victoria has in fact been asked by the Northern Territory to provide advice and assistance with their youth justice reforms. So the Victorian department's director of secure services will share his advice and experience as the Northern Territory considers changes to its system. That really is because Victoria is regarded as a leader in relation to these issues. The royal commission will make recommendations about legal, cultural, administrative

and management reforms to prevent inappropriate treatment of children and young persons in detention and what improvements can be made.

Many recommendations and findings of this royal commission are expected to be of use to other jurisdictions when they are considering how their youth justice systems can be improved. It is important to point out that many of the challenges facing youth justice systems are common across many jurisdictions. I just want to point out some media clips that I have seen. There is a very recent one from Saturday, 22 October, of this year; I have a copy of an article from an online New Zealand publication that refers to a group of boys there getting onto the roof of a South Auckland youth justice facility after overpowering staff and stealing their keys. I also have a copy of an article from the *Sydney Morning Herald* of 8 August this year, and the title of that one is 'Rooftop stand-off at Sydney's Cobham Juvenile Justice Centre lasts for 9 hours'. Similarly I have a copy of a story from 18 September this year from the *Courier-Mail*, and the heading of that one is 'Brisbane Youth Detention Centre at Wacol placed in lockdown'. It goes on to talk about teenage inmates there climbing onto the roof of the facility and refusing to get down, and that went on for several hours.

So the point that I am making there is that there are challenges facing our youth justice system, and this is why our government is working hard to address these issues. But there are a number of inquiries underway right across our state, and also across the nation, looking at these precise issues. Of course, as members would be aware, I have also asked my department to conduct a number of independent reviews of specific incidents that have occurred in our youth justice system, and I am very grateful for the fact that people who are experts in their field, including Mr Muir, who is a former head of New South Wales Juvenile Justice, have assisted us with this work. The former police commissioner here in Victoria, Neil Comrie, has assisted us with these reviews as well and has provided very important insights into these specific issues.

We are getting on with the task of implementing those recommendations, so it is important that we do draw upon the expertise of those who have the most intimate knowledge about these issues. I will not apologise for the fact that I have sought that my department conduct these independent reviews, including a review by Mr Muir into occupational health and safety issues to make sure that our workforce is protected and is provided with a safe working environment — something that the previous government did not undertake.

I also point out the hypocrisy of Ms Crozier being critical of me for putting in place reviews and then wanting to have an inquiry of her own. She has been criticising me for a number of weeks about conducting reviews, and now she wants to have an inquiry; not only that, but she is calling for this inquiry at a time after she has gone out with a policy to commit her party to building a supermax in Victoria, not understanding what a supermax is. A simple bit of internet research would have helped her with this; it is a facility that locks up the worst of the worst adult offenders for 23 hours a day, indefinitely. This is what a supermax actually is. It is effectively replicating the arrangements and conditions that were put in place in Don Dale that her own Prime Minister, Malcolm Turnbull, was so highly critical of. In fact he put in place a royal commission.

So it is an interesting approach by the Liberal Party that they would go out and commit themselves to a supermax and then decide that they want to have an inquiry into youth justice issues. It is really thought-bubble policymaking. Those opposite are not really looking at any research into or evidence on these issues; they are running out with half-baked policies and not actually looking at the substantive issues. In fact I think Ms Crozier will rue the day come the next election when stakeholders look back and reflect on the fact that, as the shadow Minister for the Prevention of Family Violence and shadow Minister for Families and Children, her first policy announcement as shadow minister was not to announce a policy to eliminate family violence in our society. I note that the coalition is yet to commit to implementing all of the recommendations of the family violence royal commission, despite the fact it is Victoria's no. 1 law and order issue; nor did Ms Crozier commit her party to building a single kindergarten in this state; nor did she commit her party to doing anything about child protection or out-of-home care in this state.

Her first policy as the shadow Minister for Families and Children in this state was to commit the coalition to building a supermax. I think that is going to speak volumes about Ms Crozier's credibility as the shadow minister come the next state election when those stakeholders reflect on the fact that that is the ilk of the policymaking and the calibre of the policies that the coalition is prepared to put out.

Of course we have also had the other thought bubble put out recently in relation to the name-and-shame policy. This was another thought bubble that was roundly criticised by many recently.

Even the Chief Commissioner of Police expressed concerns that, and I quote:

These young people really thrive on being brought out into the open.

The victims of crime commissioner, Greg Davies, did not support the idea, and the police association said they had not been consulted. The mother of a young offender who has recently been in the media spoke out against the idea because she was concerned about negative impacts on siblings and other family members. Of course Youthlaw and the Youth Affairs Council of Victoria did not support the idea either.

It is actually interesting that Ms Crozier has gone out and promoted this policy ahead of any parliamentary inquiry or any evidence-based approach to these issues. I can quote for the benefit of Ms Crozier a parliamentary committee finding on this exact policy issue. In April 2008 Christine Robertson, the chair of the New South Wales Standing Committee on Law and Justice, which had conducted an inquiry into the prohibition on the publication of names of children involved in criminal proceedings, is reported as saying:

young offenders should continue to be protected from the 'stigma of being associated with a crime ... to assist in their rehabilitation and recovery'.

'The weight of evidence presented to the committee clearly indicates that naming and shaming juvenile offenders is more likely to increase the likelihood of their reoffending rather than reduce it'.

The committee was highly critical of that particular idea.

This is the kind of thought-bubble policymaking that we are getting from the opposition at the moment. I was incredulous to hear earlier this week Matthew Guy taking a call on 3AW and saying that he would be taking policy ideas forward from that call. I think someone called up to say that judges should basically be made redundant and they should not be involved in sentencing. Now Matthew Guy is going to make up all of his policy through talkback radio. Next he will be doing opinion polls through the internet. This is the scientific research, the evidence — —

Mr Mulino — The number of clicks.

Ms MIKAKOS — The number of clicks — exactly, Mr Mulino. The number of clicks in a vote online — 'Do you want the death penalty back?' and 'What is it that the community wants?'. It is just sheer populist politics with no regard for the evidence and no regard for what is actually going to work. This is what we are seeing from the coalition at the moment. It is

just running a clear scare campaign in the community designed to grab some cheap headlines without regard for any policy that would actually work.

We have seen their record in the past when they were last in government. In opposition they promised mandatory sentencing, then they backflipped on that. Perhaps Mary Wooldridge had a role in that because I remember that Ted Baillieu had come out strongly in favour of mandatory sentencing for young offenders and then they backflipped on that. In fact in government they introduced a youth diversion program. That is something that I support, and our government is funding its expansion in the budget this year. We have got a position from the coalition where they are running around trying to scare the community around law and order issues.

In terms of our record, in our first budget we provided \$1.1 million in funding over four years for bail supervision within the youth justice service. In this year's budget we have provided \$5.6 million over two years towards a pre-plea diversion program in the Children's Court. We have funded in this year's budget \$3.3 million to improve the physical infrastructure at Parkville as well as a further \$1.1 million over two years to expand the youth justice bail supervision program, building on investments in our first budget. In July last year we announced \$1.2 million over four years to divert Aboriginal young people from entering the youth justice system, which is being rolled out currently.

By contrast, what we have seen from the coalition is thought-bubble politics — a supermax, a Don Dale for Victoria and 23-hour-a-day isolation for young people, which is the same approach that is taken for convicted terrorists and murderers in our adult jails and would result in potentially incarcerating children as young as 10 in 23-hour-a-day isolation. We are seeing policies that are half baked and made to scare the community.

I want to make a few points around specific parts of the motion in the time I have available to me. In relation to the point around incident reporting, I point out that Ms Crozier has got on her soapbox about this issue, but I have made it very clear that our government has not made changes to the way these serious incidents are reported. In fact the last change that occurred was under Ms Wooldridge in 2011.

I have previously referred Ms Crozier to the document entitled *Critical Client Incident Management Summary Guide and Categorisation Table — 2011*. At the bottom of the document it says 'Updated December 2012', so in fact this was a document that was

developed and issued during the time of the previous government. The only change that was made is one that I have spoken about in the house before, and it relates to a practice change that was put in place as a direct result of evidence at the Royal Commission into Institutional Responses to Child Sexual Abuse.

I will now read directly from the information that is published on the department's website. For the first time we have committed to publishing quarterly incident data. Our government is now publishing category 1 incident report numbers on a quarterly basis, something that the previous government did not do. It did that on an annual basis. We also legislated to ensure that the commission gets these category 1 incident reports, which is the first time for the youth justice system. I will quote from what appears with this data:

Following public hearings at the Royal Commission into Institutional Responses to Child Sexual Abuse, a practice change occurred in mid-2015 that has resulted in all youth justice clients being asked about events prior to being admitted to custody. Following this practice change, there has been an increase in the number of assault incidents reported. These incidents are alleged to have occurred prior to clients entering the custodial setting.

Recently we saw media reports about people who, when they were younger, resided in the old youth training centres and who had been sexually abused or abused before coming into custody, and it is important that these questions are asked. This is why this is now occurring. We are putting stronger oversights into our reporting system, and we are also legislating through a bill that is currently before the Parliament to ensure that this category 1 incident report data will be published online on the department's website by all future governments. Effectively we are Liberal-proofing it, because we know that when it comes to the crunch and the Liberals come into power, despite all their rhetoric in opposition, all of a sudden reports and data never get published. So we are going to ensure that that is going to be there into the future.

I want to make a few remarks in relation to the reference in the motion about the safety of staff and clients, because as I have made clear to the house on a number of occasions, we take the safety of clients and staff in our youth justice facilities extremely seriously, and this is why we have made a number of improvements. Despite the fact that the previous government cut 20 youth justice staff when they were in office, we have introduced better recruitment practices and infrastructure upgrades. We have put in place a new model of rolling recruitment and training to help manage unplanned future vacancies and ensure that this is a foundation for better client outcomes. At

the time of their induction all of our youth justice staff receive training in preventing occupational violence and participate in mandatory refresher sessions within stipulated time frames.

Despite the grandstanding from the opposition, I make the point that WorkCover claims soared under the previous government. In September this year the WorkCover claim rate was around half of what it was under the previous government in July 2014. The Liberals are all talk now, but where were they for four years when they had the opportunity to improve staff safety?

I note that during her contribution Ms Crozier quoted extensively from media clips. I do not propose to do that because I would rather say some more substantive things in the time available to me, but I will just quote from a couple of articles. The first one was published in the *Age* of 14 August 2012 and is headed 'Guards in fear as youth detention centres on the boil'. I am just going to quote from part of this article:

Guards at a Melbourne youth detention centre fear they may not return home from work at the end of their shift because of five brutal weeks that have left three of them in hospital.

In the latest incident, on Sunday night, a guard had his skull fractured after allegedly being king hit and stomped by two teenage inmates at the Melbourne Youth Justice Centre in Parkville.

The article goes on to say:

The Community and Public Sector Union says staff may walk off the job if the attacks continue.

Assistant branch secretary Jim Walton said a guard had his neck slashed and a colleague was held hostage for hours as four inmates barricaded themselves in a gym during an attempted escape on July 5.

A second article published in the *Bendigo Advertiser* of 2 April 2014 — so just before the last state election — headed 'Staff tell of ordeals' states:

Malmsbury Youth Justice Centre staff say the centre is a dangerous place to work and that clients who assault staff go unpunished.

A current employee, who wanted to remain anonymous, said staff were frequently abused and threatened by their clients — young male offenders.

The article goes on to say:

'I feel unsafe every day', the worker said, adding that they had been severely bashed there several times.

I make these points just to emphasise that these issues have been around for a long time.

I am aware that the union has raised concerns on behalf of their members, as they are legitimately entitled to do on many occasions. They never got to meet with Mary Wooldridge; they never got to have an opportunity to express their view and concerns around these issues. But we do talk to unions, and we make no apology for that fact.

I know Ms Crozier is proud of the fact that she did not participate in industrial action. She spoke about it proudly in her inaugural speech. But we are the party of workers. We are proud, as the Labor Party, to put in place measures to ensure the safety of workers, whether they are public sector workers or workers working in the private sector, so to have Ms Crozier come in here and pretend to be the friend of the workers is just unbelievable.

This is the coalition party that tried to take the word 'safe' out of WorkSafe. This is the party that on numerous occasions voted against changes to our WorkCover scheme. This is the party that voted against industrial manslaughter. The list is enormous in terms of the Liberal Party's voting record when it comes to these issues.

We are working to ensure that we put reforms in place to improve the safety of our workforce. This is why I very strongly condemn what happened on the weekend. This is why we are putting 60 staff into our youth justice facilities by the end of this year, with 23 staff being inducted this month. We care about the safety of the workers. This is why I commissioned a review into occupational health and safety. We are working, together with the union, to address the issues not only around occupational health and safety but also behavioural management issues. There is work going on at the moment around these issues.

I want to quickly address some of the issues that have come up in the course of debate and some of the claims being made by the opposition around these issues. This goes to the issue that was raised in the Assembly today around video games. The advice that I have received is that no games involving violence, theft or crime are provided to young people at Malmsbury. They get games like soccer, which is G-rated; basketball, which is G-rated; NFL, which is PG-rated; *Minecraft*, which is G-rated — and something that my little nephew is very keen on — and car racing games. They get those types of games.

When it comes to issues around pizza and so on that have also been reported — and it is interesting that the opposition did not think to come and ask me any of these questions around either of these issues — the

advice that I have is that no special inducements were offered to get clients down from the roof on 17 September. There have been other issues reported in the media on a regular basis — for example, there has been reporting of an incident involving an ex-staff member being confronted on their front lawn by a young person with a baseball bat. The advice that I have is that this occurred many years ago. It did not occur during the time of our government. It occurred a number of years ago.

In relation to the issue of the WorkSafe provisional improvement notice (PIN), it is important that I point out that there were PINs during the time of the previous government around these issues. In relation to the PIN in relation to Parkville, my department worked with WorkSafe, and that was satisfied. Then the more recent PIN in relation to Malmsbury was fully withdrawn by WorkSafe 11 days later. That is not to say that we are complacent about these issues. We are working assiduously to address concerns around occupational health and safety issues, but I think it is important to dispel some myths that are being put out there, in particular by the opposition. The most recent one seems to be that Malmsbury was completely trashed on the weekend, despite the fact it was one unit that was damaged.

Can I just say, as I have limited time available to me, that the issue of youth crime is one that our government is working to address. We know that the opposition are keen to continue a scare campaign in the community. Youth crime has been trending down now for a period of time, but we know that we have a small cohort of recidivist offenders, and this is unacceptable. This is why our government has introduced new offences of aggravated carjacking and home invasion, which have a presumption against bail, and we are sending a very clear message to criminals that this behaviour will not be tolerated and that people have the right to feel safe in their homes and in their cars. We will continue to make reforms to ensure the community is safe.

In relation to the changes that Ms Springle has added to the motion, can I just say that we are a government that is committed to addressing issues in our youth justice system. We are a government that is committed to looking at the underlying causes of crime. This is why our government is investing more money into education, into TAFE and into making sure young people get jobs, because these are the most effective ways to reduce crime over time. In relation to issues around complex behaviours, these issues are being looked at by the policy framework update that we are doing that is being led by Penny Armytage and Professor Ogloff. In relation to additional options, we

are putting in place a statewide diversion scheme in this state, so there is much work that is underway at the moment to address many of the points that Ms Springle has put forward in her motion.

Can I just say, in concluding my remarks, that these issues have had some sensitivity associated with them in the past. This is why when it comes to issues like national security or the internal operations of our prisons or our youth justice facilities, we have to be circumspect about what we say about these matters, because the last thing we want is to be essentially drawing a diagram for the young people — we may as well give them the keys to the facility. This is why the previous government put secrecy provisions into the Children, Youth and Families Act 2005, and in fact Ms Wooldridge in the second-reading speech in 2011 talked about how she introduced secrecy provisions similar to those in the Corrections Act 1986 to provide that confidential information is not disclosed in an unauthorised way. She went on to say:

The provisions extend search powers and create additional offences to the extent necessary to uphold the security and good order of youth justice facilities and to protect the broader community, detainees and staff.

It is important that I make this point, because we do need to bear in mind in relation to this that we need to put the safety and the good order of the facilities and those people who work there before any political exercise that this inquiry is designed to engage in relation to these particular issues.

We do not regard this inquiry as necessary. We think that there are a number of inquiries underway by people who are well qualified to look at these issues. There is the Northern Territory royal commission and inquiries underway by the Commission for Children and Young People as well as reviews underway by the department. This motion is just about cheap politics. The opposition know that; they absolutely know that. It is just designed to retrospectively justify their supermax, thought-bubble, Don Dale for Victoria policy, their name-and-shame policy — policies that they have made on the run without any thought as to what is actually going to work. This is why this is a motion that should be defeated.

Debate adjourned on motion of Mr ONDARCHIE (Northern Metropolitan).

Debate adjourned until later this day.

INAUGURAL SPEECH

Mr O'Sullivan

Mr O'SULLIVAN (Northern Victoria) — It is a pity it takes two Supreme Court hearings, endless motions moved by the coalition in this chamber and the other place and three months of waiting to take my rightful position in this place. By contrast, the Labor Party scheduled a joint sitting for Senator Conroy's replacement two days prior to their candidate even being preselected.

President, I am delighted to be able to present my inaugural speech to the Legislative Council today to represent the people of Northern Victoria. I am just a humble man from Patchewollock in the Mallee. My father was a farmer and my mother was a primary school teacher. I was very privileged to have been brought up in a loving family at Pine Plains, our family property at Patchewollock, a property we shared with my uncle and aunty. Between our two families there were 12 children, and more than half of them are here today.

My parents provided a very stable family upbringing and the encouragement to have a go. I am very proud to have many of my extended family and friends here today as well, particularly my Aunty Sue O'Sullivan. My extended family also includes my fellow Nationals MPs. I thank them for their ongoing support and their dedication to regional Victoria.

We still have our property Pine Plains in Patchewollock, even though it is in a reduced form. I am very fortunate to have grown up in the country and on a farm. It taught me how to be practical and to use common sense to deal with challenges and to maximise opportunities. These traits have held me in good stead throughout my life. I find that if you use common sense and a practical approach, you can go a long way to face the issues and achieve the best outcomes.

I intend to bring a common-sense and practical approach to my deliberations in this place. My parents, Brian and Kaye, instilled some of the most important life skills you could hope for: to respect your elders; to be polite to others; and most importantly to think for yourself and be your own person. My sister Brigid, my brother Paddy and I learned these traits by watching and listening to the style and example set by our parents. It is an example that I am very pleased to have witnessed and grown up with. It is an example that has forged the values that I live by today.

My brother Paddy has been a huge influence on just about every aspect of my life. He provides very sound counsel that has helped me through a range of scenarios, and he will continue to do that in the future, and I thank him for it. I would also like to congratulate him on being appointed as the CEO of the Australian Hotels Association Victoria. My sister Brigid is also the person that I look up to most in life. Without doubt she is the most decent person I know, and the example she and her husband set for their children is an inspiration to me.

With me having grown up on a farm where the nearest town was 25 kilometres away and the secondary college I went to was an hour and a half by bus, my parents enrolled me at St Patrick's College in Ballarat to conclude my secondary education. Being a boarder at St Patrick's was a fantastic experience and taught me a lot about being an adult and sorting out my own affairs. Although my parents had hoped my biggest achievement at St Pat's would have been in an academic sense, I am proud to say that I played in the first 18 football team. While many former Nationals MPs and many of St Pat's first 18 players went on to play AFL, sadly I did not. I ended up playing in the back pocket for Power House in the amateurs in division 4 and in the reserves. St Patrick's taught me a lot of things, but above all it taught me to strive to achieve, to be proud of where I came from and to be proud of what I do. Also I must acknowledge my colleague Mr Josh Morris, who also is a St Pat's boy.

I am proud to stand here today as a member of The Nationals. My father, Brian, was a state president of The Nationals and is a life member. He introduced me to the party, and I have been intricately involved ever since. I served as the state director of the National Party for six years. I went on to be the chief of staff to Peter Walsh when he was the Minister for Agriculture and Food Security and Minister for Water. I have since served as Peter's chief of staff when he became Leader of The Nationals. Having worked with Peter Walsh for over six years I have seen firsthand the strength of conviction and character as well as the dedication required to represent and be a leader on behalf of your community.

Peter Walsh and Matthew Guy, as the leaders of the Liberal-Nationals coalition in the Legislative Assembly, have overseen the most unified and strong coalition ever between our two parties. I am a strong coalitionist, and I will actively support its ongoing purpose for the betterment of the people who live in this state. The coalition is in very safe hands under the guidance of Peter Walsh and Matthew Guy.

Over the years I have been involved with The Nationals I have had the privilege to be involved in the heartbeat of democracy through the election of everyday people to parliaments, both state and federal. I have fond memories of working as a campaign director in the seat of Burrup in the far north of Western Australia back in 1998. It was a seat that The Nationals were contesting for the first time. I was bright-eyed and bushy-tailed as I spoke to the state president of the Western Australian Nationals, Dexter Davies, to ask him a few questions about the impending campaign. 'So, Dexter', I asked, 'how many campaigns has the candidate been involved with before?', to which he politely replied, 'None'. Okay, so I asked, 'How many members do we have in the electorate and how many branches?', to which he again replied, 'None'. I then asked, 'How many people are there on the campaign committee?', and to that question he answered, 'One. It's you'. I asked one last question: 'So what is going to be the campaign budget that we will have to deal with?', to which he roared with laughter and said, 'None!'.

The campaign was in the height of summer in outback Western Australia, and it was 40 degrees most days. I was staying in the candidate's backyard in an old caravan without air conditioning. It was a tough initiation to campaigning outback style in Western Australia, but I loved every minute of it. In the end we did not win the seat, but we made one of the safest seats in WA into the most marginal. The Burrup campaign taught me how to make the most of every opportunity and to scrape and fight for every advantage you can get without the extravagance of money.

A lot of lessons from that campaign and across the campaigns I have run over the years have culminated in my forebearer and good friend Damian Drum winning the seat of Murray at the recent federal election. I wish Damian all the best on his new venture into the world of federal politics, and I hope to carry on the fine example set by Damian in this place.

Standing here today, I cannot help but reflect on some of the past members who have served in this place before me. Many of them are my political heroes and mentors. The person I particularly look up to is Roger Hallam. Roger's contribution in this place was immense, and his roles as Minister for Finance, Minister for Local Government and Minister for Gaming in the Kennett era saw him instigate some reforms that made this state better. Of particular note was his reform of the local government sector. At the time council amalgamations were not popular, and many fought vigorously against them. Those reforms live on strongly today. In fact it is high time we looked

at the next round of reform of local government. A farmer from Hopetoun was telling me just last week his council rates double every 5 to 10 years, and he is now paying \$50 000 per annum. For his \$50 000 that he pays in rates each year, his rubbish does not even get collected. I believe we need to look at having local councils receive an alternative revenue source, and rural councils should receive a loading for the lower population base they have.

Another former member of this place who has played a significant role in mentoring me over many years is Ron Best. Ron is a good mate of my father's, and Ron has played a fatherly type role in my life for many years. He has helped to guide me through just about every aspect of my career, and I thank him for it.

There are many reasons why I put my hand up to represent the people of northern Victoria in this place. One of those reasons was due to a piece of legislation that was passed in this place back in 1990 which had a profound impact on my life and particularly on my family. As long as I live I will never forget it, and I will fight hard in this position to ensure that it does not happen to others in the same way. I fear that just around the corner it might happen again, with murmurings about the great forest national park.

Back in the late 1980s the then John Cain Labor government formed a committee called the Land Conservation Council to look into leaseholds of public lands in north-west Victoria. The Land Conservation Council wrote a report which recommended to the Labor government that it cancel several leaseholds and convert long-established family farms into national parks. My family's property was one of the leaseholds that were cancelled by a simple stroke of the pen in this very chamber. I sat in the gallery, where my family are sitting today, and witnessed the vote taking place.

The legislation was supported by the Labor Party and, to my family's dismay, it was also supported by the Liberal Party. It was only The Nationals who stood strong and voted against the creation of a new national park at Patchewollock and at Hattah, which took the property from the McArthur family. The strength of The Nationals in standing up for rural and regional people has long been established, and that is why The Nationals more than ever are critical to the political landscape of regional Australia in standing up for what is right for the people who live outside of the capital cities. Watching that vote take place in 1990 made me realise that the decisions that are made with a simple stroke of the pen and the results of those strokes of the pen have lifelong impacts on people's lives. This place

is meant to be where decisions are made to make people's lives better, not worse.

Our once-proud property was very productive. We were running 6000 merino sheep and 600 Hereford cattle. This farming enterprise supported two families and created employment for many locals, particularly during shearing and the mustering of stock. Grazing operations controlled noxious weeds and reduced the fuel loads to ensure that fires were never a threat to life and property, let alone fauna and flora. Now that the farm has been taken away to expand the Wyperfeld National Park, without grazing, weeds such as horehound and onion weed have flourished and are taking over this once-proud property. Having been back there just last week, there are scorched remains of the mallee trees, the box trees and the pine trees as far as the eye can see, as bushfires regularly burn due to overgrown fuel loads.

Do not get me wrong: I am not against existing national parks and public land when they are managed properly. But I will not stand for any new national parks until the current parks are managed properly, and I certainly will not be supporting the taking of productive leasehold properties to extend the current national parks for a cheap political hit.

The biggest issue confronting Victoria in the future is the lack of planning. The current population growth predictions indicate that there are more than 100 000 people per year, or a new Mildura and Shepparton, settling in Victoria annually. The predictions in the *Victoria in Future 2016* report show Victoria's population will reach 10 million by 2051, and Melbourne's current population will double by 2031. With Melbourne already congested now, Melbourne doubling to a population of 8 million in just 15 years is going to cripple productivity and livability. Melbourne needs more public transport and roads to cope now, let alone when the population doubles. To think that the Daniel Andrews government wasted \$1.2 billion to not build the east-west link demonstrates just how short-sighted this Labor government is in terms of planning to deal with significant population growth in the future.

I believe that Melbourne is not in a position to double in population by 2031. We need to be encouraging new residents to locate to rural and regional Victoria. Many small communities have experienced a decline in population and would welcome having new residents. We need to have policies that will encourage businesses to relocate to regional centres. We need to look at incentives to encourage businesses to establish outside of Melbourne. This would create new productivity and

new jobs for regional Victoria. We need to have better access to Melbourne via rail so people can live in the regions and commute to Melbourne to work should they wish to.

The institution that I am privileged to stand in today is an institution that none of us should ever take for granted. We are all here for a reason. We are all here to make a contribution to this great state. We are all here to leave this place in a better position than it was in when we first arrived. We are all here to make sure that this state reaches its full potential. There are 6 million people in Victoria who are counting on us to do the right thing and make their lives better. There are 6 million people who expect us to fix the problems and remove the barriers so they can get on with doing business, living their lives, raising their children and working in their local communities. Our job is to set the right political and regulatory framework for them to do so. Our job is to give them the tools they need to get on with doing what they want to do without unnecessarily interfering in what they do. Our job is to look after the people who genuinely cannot look after themselves and to get out of the road of those people who are having a crack.

Finally, I would like to thank some of the people who have helped me get here today. In particular, I would like to thank my partner, Steph Nicholls, for all her love and her support. Steph was the person who finally convinced me to nominate for preselection for this position. She sent me a text just before the close of nominations, and it read: 'You've put in an amazing effort getting everyone else elected and now it's your turn. A month is a short time in the big scheme of things and I am here to support you always. I love you. Let's get it done'.

To my beautiful daughters, Olivia and Layla, you mean the world to me and I love you both dearly.

The level of expectation that I have on myself in this place is that when they both get a bit older they will be proud of what their dad has done and they will be proud of what I have done for this state. Thank you.

Business interrupted pursuant to standing orders.

STATEMENTS ON REPORTS AND PAPERS

Ambulance Victoria: report 2015–16

Ms FITZHERBERT (Southern Metropolitan) — The latest annual report of Ambulance Victoria has spelt out the financial cost of settling the long-running dispute over the enterprise bargaining agreement

(EBA). We all know the history of this dispute. Daniel Andrews fanned the flames of this industrial dispute and chose to call it a 'war on ambos'. As well as not being the truth, this highly emotive phrase ignores history. On the last couple of occasions that the ambulance EBA expired and needed to be renegotiated, it was under a Labor government. On those occasions we saw bitter disputes that, I recall, ended in an arbitrated outcome when the union and a Labor government could not fully agree on the wages outcomes and other conditions that would comprise the new EBA and end the dispute.

This time the resolution of the dispute was agreed between the parties. The Fair Work Commission held hearings about work practices and how these had changed, but it was the government and the union that agreed on the new pay rates and allowances. As is the practice at the Fair Work Commission, these were captured in a commission document that is headed 'Recommendations'. This does not mean that the commission is recommending the figures; it means that this is the term that is used by the commission when it is recording the outcomes of a negotiated outcome between parties. It also means that it is not legally binding.

This is different to a decision of the commission, which is legally binding and is literally the outcome of a dispute or other matter that the commission has decided is appropriate. So it is highly misleading for the Minister for Health to say that the government has accepted the recommendations of the Fair Work Commission regarding the new wages and salaries, which implies that they were the work of the commission, or the independent umpire, as some call it. These wages and salaries were decided by the government and the union and then ticked off by Fair Work Australia. This happens all the time, but let us be honest about what happened. I also want to say that everyone agreed that there needed to be a pay rise, and the previous government had made offers to do so. But it is about being honest about the process and also the cost.

The Ambulance Victoria annual report reveals that it cost an average of \$826 over the last financial year to send out an ambulance, and that was about \$80 more than the previous year and \$156 more than in 2012–13. The total wage bill jumped by almost \$77 million last financial year, plus extra superannuation and long service leave. The report blamed the rise predominantly, in its words, on pay increases because of the new EBA.

Ambulance response times have not shifted a lot during the last two years. The Andrews government promised big in opposition and told us that 'people die' because of the 'ambulance crisis', as they called it. This language has stopped now that the ALP is in power. Today ambulance response times are attributed to population growth and traffic congestion. These are causes that Labor did not accept when it was in opposition. Another issue that affects ambulance response times is ensuring that people who do not need an ambulance are not in one. This is, of course, a very challenging issue to manage. In the last financial year Ambulance Victoria had much fewer non-emergency patients, with 13 437 fewer transported in 2015–16 compared to the previous year.

When you look back you see Daniel Andrews never put a time frame on improving ambulance times significantly, and today the government continues to use the language of 'There is still more to do'. But the Andrews government has been in power for nearly two years now, and it promised big. The ALP talked of people dying because ambulances were not arriving in sufficient time. They also talked up a war on ambos and then declared that the war was over the day after the election.

They sacked the board of Ambulance Victoria and installed their own people, and they sacked the CEO of Ambulance Victoria. After more than a year, they finally resolved the enterprise bargaining agreement dispute, and now we have the final confirmation of what that cost. But what we do not have is significant changes in ambulance response times. This is the government's responsibility alone, and it has had nearly two years to deliver it. The government deserves to be judged on what it set out as its priorities when it was in opposition. There has been no getting on with it, and it is time that they actually did.

Ombudsman: investigation into management of complex workers compensation claims and WorkSafe oversight

Mr EIDEH (Western Metropolitan) — I rise to speak on the Ombudsman's report on the investigation into the management of complex workers compensation claims and WorkSafe oversight. I thank the Ombudsman and her team for preparing this report. We all know that workers compensation has a fraught history in most jurisdictions, and Victoria is not exempt from this.

As the Ombudsman states:

It is socially responsible to provide for a universal system of insurance covering work-related injury to recognise the value of workers and the risks of work, and economically responsible both to support a return to work and to ensure that premiums neither stifle business nor bankrupt the state.

In an ideal world workers would present to work, they would be free from possible harm, both physical and mental, and there would not be a need for WorkSafe. But unfortunately accidents at work do happen; some are minor and some change a person's life forever. Usually WorkSafe complaints are straightforward; however, as this report highlights, when dealing with complex claims the current system has failed some workers, particularly those who are vulnerable.

The Ombudsman received over 500 complaints from the previous year. These complaints from the previous year were used to investigate whether WorkSafe agents were making unreasonable decisions to reject or terminate claims, which prompted over 50 people to contact the Ombudsman. The received complaints were not solely from injured workers; they were also from treating healthcare professionals who were shocked by what was happening to their patients.

Over this investigation the Ombudsman investigated a number of cases lodged by workers of varying ages and from varying professions, including police, nurses, teachers and farmers. The investigation found two common threads: the complexity of the cases and the fundamental unfairness of the process they received.

In addition to these findings, the investigation also uncovered cherry-picking of evidence to form an acceptance or rejection decision on and independent medical examiners being given incomplete or selective information on which to make a decision. In some cases independent medical examiners were used selectively in an adventitious manner by the insurers.

In addition to this, the report uncovered instances in which agents were working the system to delay and deny seriously injured workers the financial compensation which they were rightfully entitled to. In some instances cases took over two years to settle, which is a considerable amount of time when financial and mental hardship is considered.

As the Ombudsman indicated:

... the evidence of unreasonable decision-making, including the 75 per cent of 130-week termination decisions overturned by the courts, strongly suggests that at the disputed end of the spectrum, the balance is tilting away from fairness.

This needs to be addressed to ensure the wellness of workers. The report clearly shows that better safety nets are required to protect the vulnerable. The report has made a number of recommendations to address these endemic issues, and it is pleasing to see that WorkSafe has started addressing these issues and already improvements have been seen. I commend this report to the house.

Independent Broad-based Anti-corruption Commission: Operation Exmouth

Mr ONDARCHIE (Northern Metropolitan) — I rise to make a statement on the IBAC report *Operation Exmouth — An investigation into the conduct of former Victorian public servant, Carmine Petrone*. I start by outlining what this report is about. It is an investigation by IBAC into allegations that Carmine Petrone, a senior manager employed by Places Victoria, was involved in serious corrupt conduct. Operation Exmouth investigated allegations that Mr Petrone dishonestly awarded contracts for work under the fibre to the home project to entities with which he had a relationship and which were effectively under his control.

IBAC's investigation found that Mr Petrone played a critical role in one family, with whom he has a familial relationship, obtaining a large financial advantage through their subcontracting business. This advantage was obtained in circumstances where Mr Petrone flouted Places Victoria's policies in a range of areas, including procurement and declarations of conflicts of interest.

IBAC has also identified that Places Victoria did not provide adequate training and guidance by way of policies and procedures. As a result, opportunities to detect and regularise Mr Petrone's improper management of the fibre to the home project were missed. Recommendations have been made in this report to address those issues, and Places Victoria has responded to these recommendations, outlining action taken or existing arrangements which it believes are sufficient, despite the findings of IBAC's investigation.

Places Victoria is a portfolio agency of the Department of Environment, Land, Water and Planning. It was established in 2011 to undertake urban renewal projects on behalf of the Victorian government. It operates under the Urban Renewal Authority Victoria Act 2003, and its functions include purchasing or otherwise acquiring land for development and carrying out or coordinating urban renewal projects. The act states that Places Victoria's functions must be carried out on a commercial basis. Its predecessor organisations were the Urban Land Authority, the Urban and Regional

Land Corporation and the Victorian Urban Development Authority, which traded as VicUrban. Although the alleged corruption commenced when the agency was operating as VicUrban, all the references in the report that I speak to today are referred to as 'Places Victoria'.

Specifically the fibre to the home project involved the installation of a fibre-optic network infrastructure across a number of Places Victoria developments, including the Aurora estate in Epping. The infrastructure included cabling, exchanges and routing equipment, and it also involved a connection from each residential lot through the Aurora estate to a retail network. It is the Aurora estate I want to get to here specifically.

In 2002 under the Bracks Labor government the Urban Land Authority pitched a new development to new residents in Melbourne's north. A new life, they talked about — a new modern suburb, a great place to live. They said that Aurora in Epping would have fibre to the home; great new roads and public transport, including a new station at Epping North; a substantial bus network; and playgrounds and community centres — ideal for a family to go and live in. The residents and prospective residents bought into that estate on the promise of the Bracks Labor government that they were going to deliver all those things.

As it was developed they even built bus shelters on the streets as part of the development but failed to provide the buses. They promised these people that they would have a new Epping North railway station, but they failed to provide that. They talked about new community centres, substantial fibre to the home — all of this failed.

This is an example of another Labor failure. Here we are in 2016 under Labor and they are still yet to fulfil their commitment to the people and the residents of Aurora in Epping, who bought in on the promise of a new life in a great new modern suburb that Labor has failed to deliver.

When we listen to the speaking of local members — Ms Halfpenny, the Assembly member for Thomastown; Ms Green, the Assembly member for Yan Yean; Ms Mikakos, a member for the northern suburbs — we hear silence. We hear silence in their failure to deliver to the people of Aurora estate. Some of those people have moved out because they put in all their money and drew mortgages to buy these new houses in this wonderful new life in this wonderful new modern estate, and Labor has failed them. This is an

example of another Labor lie and another Labor failure. Can we believe anything this government ever says?

Department of Treasury and Finance: budget papers 2016–17

Mr MORRIS (Western Victoria) — I rise to make some comments with regard to the 2016–17 Victorian state budget. I actually have a copy of budget paper 3 with me at this point in time, and I wanted to reference page 99 and the title 'Policing and Crime Prevention'. I note that in these particular papers the government talks about improving Victoria Police members' mental health and wellbeing. I thought I might just detail some of the events that have occurred in Ballarat over the last couple of days.

In Ballarat just last night we had an apparent murder. It is something that up until recent times was a very uncommon event. On Tuesday of this week, that being yesterday, we had, I believe, three marijuana grow houses raided. On Friday we had a commercial-sized marijuana grow house operation raided. We have had several serious car crashes, some of which have been fatal. This is what Ballarat police have been dealing with in conjunction with dealing with recidivist youth offenders, dealing with increased violent crime due to drug use, such as the use of ice — —

Mrs Peulich — There are some people who want to legalise it.

Mr MORRIS — Indeed, Mrs Peulich. It is very concerning. We also have issues of domestic violence ongoing in our community as well. I am very concerned for local police because they are not being given the resources that they need to do the job properly. We have a government who in their own budget papers said that they are going to attempt to improve Victoria Police members' mental health and wellbeing. I think the government should, if they going to achieve this outcome, follow the advice of Police Association Victoria. The police association have been very clear in articulating what is needed, and that is more police on the beat. For some reason this government seems to not understand that with a growing population you are going to have growing issues with crime and that if you cut frontline police numbers you are going to see an increase in crime. The way to address this is to ensure that there are enough police to respond to those most serious of events.

We have heard just of late about a survey put out by the police association that stated that police were unable to get to code 1 000 calls. They are having to prioritise these critical calls from people in our community facing

violent criminals and violent offenders, because there are not enough police resources to deal with it. In Ballarat we have seen a brand-new police station that was funded and built by the Liberal Party that has already had its opening hours cut.

These situations are simply unacceptable. If the government are going to do what they say they are going to do in ensuring that our very hardworking police do improve their mental health and wellbeing, what they need to do is clear: they need to fund more police and they need to put more police out there on the beat to keep our communities safe.

Standing Committee on the Environment and Planning: rate capping policy

Ms BATH (Eastern Victoria) — Today I thought I would look at the report on the inquiry into rate capping. I think it is timely to review that report. Interestingly, Mr Ramsay raised the issue today in relation to the sale of the port of Melbourne, which is a one-off windfall for the government — about \$9.7 billion is coming into the coffers of the Labor Party government. The Liberals and Nationals argued and fought successfully for 10 per cent of the proceeds from the sale of the port of Melbourne to go to regional infrastructure and transport. I think it was very timely that Mr Ramsay raised that issue in Parliament today to demand, ask and request of the government that the money be spent on what it is set for — rural and regional transport and infrastructure, not other avenues.

It is also timely to look at this report because last week there was a briefing by Infrastructure Victoria on the 30-year strategy draft, which I attended. One of the main issues that was identified at that meeting was asset renewal, maintenance and management. Going back to the report in 2015 there were four recommendations. The first recommendation is particularly near and dear to my heart, as it is to many rural and regional councils, and that was:

That the Victorian government re-establish the country roads and bridges program which provided \$1 million per year to each of the 40 rural councils that qualified.

The committee's *Second report into rate capping policy* in 2016 commented also that:

... the committee recommended the re-establishment of the country roads and bridges program. During this reporting period the committee heard that road infrastructure was a significant cost, especially for small rural councils, and that the loss of this program would impact on the ability of local government to renew this infrastructure.

Lucy Roffey from the Mount Alexander Shire Council stated that:

Other programs at risk of underinvestment will include the replacement of our bridges ... The cost per bridge can be between \$250 000 and \$1 million. The loss of the country roads and bridges program that was cut by the state government will further impact on rural councils to be able to provide replacement of their bridges.

Noting that the \$160 million provided between 2011 and 2015 was cut, the report also goes on to identify other programs that have been announced. One of them was the \$35.8 million to strengthen bridges in regional Victoria. I think that was a slight misnomer — 'Stronger country bridges' is the identified slogan, so the thought would be that this \$35.8 million would be used in rural and regional Victoria, as per the name. In my electorate there are approximately 700 bridges throughout Gippsland. Of the 700 bridges you would think there would be a number being replaced. There was one listed in Gippsland on this program; however, one in five of the bridges to be upgraded for this program happen to be within 4 kilometres of Daniel Andrews's city electorate of Mulgrave. By contrast the Australian government has committed \$300 million to the bridges renewal program for the 2015–16 to 2018–19 time period. The idea of the feds providing significant funding is to improve and enhance the quality of life in rural and regional communities and to facilitate higher productivity through vehicle access.

Through the course of the hearings on rate capping we also heard about the impact of rate capping on asset renewal and maintenance, and there has been some commentary, which is in the public domain, from the East Gippsland Shire Council. The East Gippsland Shire Council is responsible for 2900 kilometres of council road. It has approximately 209 bridges to maintain. Within that figure there are 140 wooden bridges to maintain, costing between \$500 000 and \$1 million. Many of these bridges are vital links to those remote rural communities.

The topography of the high country — Omeo, Ensay, Tubbut and the like — and also of sandy beach towns means that when construction of bridges is underway the cost incurred by council is significant. There is often a 'one road in, one road out' policy. Those bridges are vital to those regional communities. They carry cattle trucks, milk tankers, vegetable transporters, and they enable tourists to come in.

Multicultural affairs: report 2014–15

Mrs PEULICH (South Eastern Metropolitan) — I wish to make a few remarks in relation to the *Victorian Government Report in Multicultural Affairs — 2014–15*. I make the overall observation that whilst there has been some restructure, I am not fully aware of the extent of that restructure as yet. I have sought a further briefing and will receive one. I understand that will bring me up to speed as to what changes will be in place from 16 November. There is obviously a continuation of many of the things that make Victoria the great multicultural story it has been. Obviously there are challenges, and the question is whether the changes to the structures that the government has put in place will serve us well moving forward in continuing to meet the social and cultural needs of our multicultural communities as well as the emerging educational and economic needs and the challenges of emerging communities as they face the task of integrating in a new country and starting new lives.

One of the small tweaks that occurred under the former coalition minister, Nicholas Kotsiras, was the provision of funding for grants not just for individual cultural groups but actually requiring them to collaborate with others. Often funding drives change. These are only small changes, and I think there is probably a lot more work to be done, but this has continued. We have actually seen some very good events being organised by groups that have been funded and encouraged by the conditions of the funding to involve others. There is funding under the Victorian Multicultural Commission community grants program. I note that the grants are designed to provide critical support for operations and activities of culturally diverse community organisations. However, the grants were very late in being paid out this time around, so many organisations had to continue with their events not knowing whether they were going to be funded.

An example of the type of events that I think make our state what it is is the Diwali and Annakut Exhibition we have in Queen's Hall at the moment. I would like to take the opportunity to extend my very best wishes to Victoria's Hindu community on the occasion of Diwali and Annakut. Diwali is a major celebration in the Hindu calendar when families, friends and entire communities come together to share food. It signifies the victory of light over darkness, good over evil and knowledge over ignorance. It was lovely to be present here on Monday night with members of other political parties and a range of 19 different organisations that have come together to pull together a very, very intricate event.

Also known as the festival of lights, Diwali is one of the five most popular festivals celebrated around the world, Christmas being one, Hanukkah being another, Ramadan being a third and Chinese New Year a fourth. They are pretty much the significant events. The enthusiasm with which the Indian community as well as the broader community have got behind Diwali is a delight for many of us who take great joy in the multicultural activities of our communities.

Diwali is a time to celebrate the strength and diversity of the Indian and Hindu cultures and for our Indian and Hindu community to share its traditions with the wider Victorian community. It was great to see so many Indian young people sharing their learnings, knowledge and insight into their own religion and culture with the rest of us. Diwali occurs on 30 October and Annakut on 31 October. The Parliament of Victoria is one of the world's leading parliaments when it comes to celebrating Diwali. I would like to congratulate my parliamentary colleague Craig Ondarchie for facilitating that particular exhibit and to congratulate the organisers for bringing the event together — the Hindus, Jains, Sikhs and Buddhists — to share the deep significance of the Diwali and Annakut festivities.

The exhibition allows members of Parliament, their staff and members of the wider community to enhance their knowledge of this most important festival in Hindu and Indian culture. Obviously by hosting the Diwali and Annakut exhibition the Parliament is demonstrating a multipartisan collaboration to continue making Victoria the great multicultural state that it is.

Commission for Children and Young People: report 2015–16

Ms CROZIER (Southern Metropolitan) — I am pleased to speak to the Commission for Children and Young People annual report 2015–16, which was tabled just recently. I do so because I want to make some comments in relation to some of the findings in the report but also to acknowledge the work of the commissioners. I know that the commissioner for Aboriginal children and young people, Andrew Jackomos, has also released his very significant report today, which goes to some significant findings in relation to the Aboriginal/Indigenous communities that also indicate an over-representation of Aboriginal children in out-of-home care and the youth justice system. I will say a bit more about the report at a later date. I do want to acknowledge the work he has done in his role as commissioner for Aboriginal children and young people and the work of Taskforce 1000, which was commenced under the previous government.

Turning to this report in relation to some of its findings, I note in the chapter headed 'Providing oversight and advocacy for vulnerable children' it refers to the work of the former commissioner, Bernie Geary. When he was commissioner for children and young people he conducted an inquiry and produced the report, "... *as a good parent would ...*". This inquiry was a self-referencing inquiry. It was an independent one that he undertook under the previous coalition government, and the former minister enabled him to have that independence. There were some serious findings in that report, which is good; we need to understand what is going on in the out-of-home care system and particularly in relation to sexual exploitation and sexual abuse. There were some very alarming figures in the report. When his report was finalised in 2015 I note that the minister said, and I quote from a media release of August 2015:

The report, which looked at critical incident reports from March 2013 to March 2014, has serious and concerning findings which highlight a system that needs reform from the ground up.

That seems to be needing more input, because we have findings in this report that the incidence of sexual exploitation is very high. In the chapter I referred to the report states:

However, reports relating to incidents of sexual exploitation of children and young people living in residential care continue to rise, indicating the need for urgent action on all of the inquiry's recommendations.

It was referring to the previous report I referred to.

The government has been in power for almost two years, and we know from this commission's report that the findings are pretty damning. From 1 July 2015 to 30 June 2016 the commission received 2833 reports of category 1 client incidents. This was an increase of 28 per cent compared to the previous financial year. If you look at some of those category 1 incidents, you see they relate to behaviour, sexual exploitation, with the number increasing to 412; behaviour, sexual, increasing to 269; sexual assault, indecent, increasing to 200; and sexual assault, rape, increasing to 138. This also happens with a lot of other figures in relation to issues concerning absent and missing persons, behavioural concerns, physical assaults, death, property damage, sexual assault, substance abuse, suicide and self-harm. So there are many concerns.

This area is very complex, as we all know. It is difficult, and there are many reasons for some of these behavioural issues occurring, but what I am concerned about is the increase in the number of incidents of sexual exploitation and sexual assault that are occurring

under the current minister's watch, especially when she indicated that she was going to take some action after the Bernie Geary report to address this. Clearly that is not happening. Clearly this is a system under immense stress. I will have more to say on this report in coming weeks.

Department of Treasury and Finance: budget papers 2016–17

Mr DAVIS (Southern Metropolitan) — Today I want to talk about the state budget 2016–17 and in particular the collection of taxes. We know that the state government is addicted to more tax. It has launched an extraordinary attack on the property and development industry and thereby on everyday Victorians who seek to purchase properties and buy new houses. Those young couples who want to buy a house on the edge of the city are the losers under Daniel Andrews and his government and its extraordinary attack through taxes, fees and charges. Before the election they promised they would not increase taxes, fees and charges by more than indexation. The CPI has been around 1 per cent for the last year or so, and during that period state taxes have risen 20.7 per cent. Land tax alone this financial year will go up 28 per cent in the total take.

New taxes have been introduced on foreign purchases. In terms of stamp duty, there are two increases over the next year. Land tax has been twice increased on foreign purchases. There has also been an extraordinary increase in the amounts that are put forward in terms of planning fees. We know that the planning fees are going to hit those who are wanting to get a permit on a property. In fact at least \$40 million is the additional take. This is the Premier who said he would not increase taxes, charges and fees beyond indexation. This is a huge breach of his election promise. He is an incompetent Premier. He has squandered \$1.2 million on the east–west link. The government is in effect awash with money — not only the additional money from the sale of the port but also very high tax receipts. We know state taxes are up by 20.7 per cent over two years.

There are also the infrastructure charges which have increased significantly around the edge of the city. They affect the growth areas of the city where these new infrastructure charges have been ramped up even higher.

Today I also want to draw attention to the growth areas infrastructure contribution (GAIC). I see that the Property Council of Australia has put out a statement about the bill that is in the lower house — that is, the

new tax bill that has a component of additional GAIC in it. The government has been very slippery and very dishonest in the way it has gone about this. There clearly is going to be a financial hit on families and on those purchasing properties. If the developer has GAIC brought forward, if GAIC is crystallised earlier and if the growth areas infrastructure contribution is levied on a greater number of properties than under the current arrangements, that is going to directly hit families. Those costs are of course passed straight through to the people who are purchasing the homes.

The property council in a statement today expressed alarm at the government's plan to increase housing costs by up to \$500 million in Victoria's growth areas during the middle of an affordability crisis. We have heard the federal Treasurer talking about affordability. We know this has an incredibly important impact on local communities and families. The state Treasurer has an affordability task force and we are awaiting that. Let me just give him one tip: if you ramp up the tax, if you put more charges on those properties and if you force developers to pay more, the costs are going to be passed through to families.

Obviously everyone understands there have got to be some reasonable taxes and there have to be some charges on new developments, but this is all about good sense and doing this in a fair and reasonable way and providing certainty to the industry as well. The Victorian executive director of the property council, Sally Capp, said the State Taxation Acts Further Amendment Bill 2016 will lead to increased housing costs and rents in a community already struggling to secure affordable housing. Furthermore, the bill represents a slap in the face to the industry participants who negotiated the current arrangements in good faith with the former Labor government. The Brumby government brought in the GAIC, a brand-new tax by John Brumby and his government. Now this government is jacking it up again. This is unacceptable and the community will see it for what it is — a cash grab that will hurt families in growth areas. The government is treating the property industry as a cash cow. It has declared war on normal families through taxes and charges and hits on them. People are going to pay in having less affordable housing and it is going to be the fault of Daniel Andrews, the planning minister and the Treasurer.

Agriculture Victoria Services: report 2016

Mr RAMSAY (Western Victoria) — I wish to make a statement on the *Agriculture Victoria Services Pty Ltd — Annual Report 2016*. I must say it is quite an obscure report that I suspect has not been read by many.

But I know Mr Luke O'Sullivan would be interested in the work that this authority does. I must congratulate Luke on a wonderful maiden speech. It was interesting to hear the very strong roots he has in northern Victoria from a family perspective but also from an interest perspective. I know he would be interested in the work that this authority does in relation to being the interface between the department and primary industry in relation to the commercial work that it does in advancing new technology and commercialisation of patented products.

I want to particularly acknowledge the birthday of this authority, which is chaired by Dr Clive Noble, who I knew well back in the days when I chaired the Victorian Farmers Federation; his term expired in July. I would like to congratulate him and his directors and those directors before him for the 30 years of work that they have done in looking at new products and new ways to help with the productivity of farmers across Victoria, and in concert with the Department of Economic Development, Jobs, Transport and Resources, or DEDJTR as it is called, in providing a range of services, of which the department is a major supplier to the company, in areas of agricultural bioscience and related technologies which then go through to a patent process and commercialisation where farmers can use the technology.

It was interesting to see that there has been a lot of work in relation to herbicide-tolerant barley over a lot of years through Agriculture Victoria Services to find a suitable product that could be patented to help with barley yields and also reduce the impact of herbicides on those yields. While finding a herbicide-tolerant barley might not be exciting to the Bernie Finns of the world in the Western Metropolitan Region, certainly in the farming community in the Western Victoria Region it is very important work that is being done.

After 30 years of service I note the profit generated out of this very independent company from government almost doubled in the last year. It has gone from just over \$1.9 million net profit in 2015 to \$3.5 million net profit for the 2016 year, so a very commendable effort by the board to almost double the net profit. Its assets have grown from \$13.5 million in 2015 to \$16 million. It is a good profitable independent company that is helping farmers right across Victoria in providing new technologies and new bioscience innovation that can help the productivity of our farmers in Victoria. That side of the work that I wanted to acknowledge is very productive and profitable.

If I look on the other side, though, it is the on-farm research and development work that is being done by

the department with which I have some significant concerns. My view is there has been a significant reduction in investment in those research farms by the Andrews government over the last two years. There has been a significant shedding of staff, and the department is playing a lesser role in taking the work that Agriculture Victoria Services does in relation to the science, innovation and commercialisation of product to actually putting it on the ground and providing the service directly to farmers. That used to be the role of the research farms here in Victoria, which provided practical on-ground experimentation and commercialisation of product so farmers could see firsthand the value of the work being done. But all that has been run down over the last two years by the Andrews government, which is very disappointing.

It is good to see that Agriculture Victoria Services is a good standalone, profitable company that is making a lot of inroads. It has 504 patent filings in its history, and it has got over 22 this year, so it is doing a lot of good work. Congratulations to the directors, Clive Noble, Kathryn Adams, Antony Christianen and Judith Slocombe, whose terms finished in July 2016.

Goulburn Valley Health: report 2015–16

Ms LOVELL (Northern Victoria) — It gives me great pleasure today to speak on the *Goulburn Valley Health — Annual Report 2015–16*. I would like to start out with page 17 of the report that talks about the emergency department renovations that have been completed at Goulburn Valley Health. Everybody will be aware from my contributions in Parliament that Goulburn Valley Health is severely understaffed and has restricted space in the emergency department. The annual report talks about renovation works in the emergency department that have been completed, including expansion of the area and a new and improved waiting room. It goes on to say these renovations were funded by community donations to help improve patient flow through the emergency department. That is what Goulburn Valley Health has been doing; it is trying to plug the holes in the problems at the hospital.

The government has committed to a redevelopment of the emergency department, but we know that will not start until 2018 and not be completed until 2020. In the meantime, for the last three reporting periods the hospital has had the worst performing emergency department in the state. Less than half of the people who are treated in the emergency department are treated on time, so that is a slight on this government and its need to put in place some interim measures and some additional resources to ensure that Goulburn

Valley Health can offer the health service that the people in its catchment area both need and deserve.

Of real concern in the annual report is the note on page 123 that the hospital had a deficit of \$253 000 this year. When you think that last year it had a surplus of \$1.13 million, that is a \$1.383 million turnaround. The particular concern about a deficit is that hospitals, in the period leading up to the end of the financial year, are forced to make decisions around the resources they have and whether that means cancelling elective surgery lists or whether that means closing beds. Hospitals make decisions to try to operate within their budgets. This is a hospital that is struggling and this government need to give it the support that it needs.

On page 6 the report talks about self-sufficiency. Last year's report talked about self-sufficiency only being at 73 per cent and the need for that to be improved. Well, it has not improved in the last 12 months; 27 per cent of people in the catchment area still cannot get the services in their own community, and that figure has remained at 73 per cent.

On page 5 of the annual report they talk about the future challenges of these services and what we need to do to improve them, including the emergency department, elective surgery, cardiac services et cetera. It also talks about providing access to a broader range of cancer treatment services locally; this is not included in the redevelopment. We do particularly need radiotherapy in Shepparton, but there is nothing for our oncology department in the redevelopment. It also talks about expansion of mental health services — again, not included in the redevelopment. It does not even talk about outpatients; they are not even mentioned, but improvement is definitely needed and that also needs a redevelopment. It talks about the co-location of the hospital aged-care services at Rushworth; again this is not funded by this government. We need significant further investment in Goulburn Valley Health to ensure that outpatient, mental health and oncology services are brought up to standard along with the rest of the hospital and also that the services at Rushworth can be co-located.

Just in finishing I would like to talk about the board and in particular page 22, where it notes that Ms Robyne Nelson was appointed to the board on 1 July 2015. It says she resigned on 2 February 2016. That is interesting, because on page 23 — the following page — it notes that she resigned before the September 2015 meeting. I also note that I mentioned her resignation in Parliament on 8 December 2015, so there is something inaccurate about this statement in the

annual report that says she resigned on 2 February 2016.

The hospital is doing a fantastic job under some very difficult circumstances, and this government must provide additional support to Goulburn Valley Health to enable it to provide better health services to the people of the Goulburn Valley.

ADJOURNMENT

Mr DALIDAKIS (Minister for Small Business, Innovation and Trade) — I move:

That the house do now adjourn.

GriefLine Community and Family Services

Ms FITZHERBERT (Southern Metropolitan) — My adjournment matter is for the Minister for Mental Health, and the action I am seeking is clarity regarding the future viability of GriefLine after 30 June 2017. This issue has been raised with me by a constituent. GriefLine was founded 25 years ago by the sisters of the Little Company of Mary at the Bethlehem Hospital in Kooyong Road, which has been for some time a hospice. It was founded in response to the families and patients with multiple sclerosis and motor neurone disease who were using that service, but GriefLine is now independent of the sisters.

It is a highly efficient organisation providing a valuable service to those who are experiencing grief. Training in bereavement counselling is provided twice a year for those who participate, and it consists of a night a week for 10 weeks. Trained volunteers are then rostered to work for 2½-hour shifts from their home. The phone system switches calls through to the volunteers, and callers and volunteers are anonymous to each other. Phone support is available seven days a week, 365 days a year from 12 midday until 3.00 a.m. GriefLine likes to say that it is through narrative telling and retelling of the bereavement, loss or grief experience where the healing occurs. Other telephone counselling services that are similar to this are referral based. Callers are not able to talk as they are able to do with the GriefLine service, and this very valuable service takes 60 000 calls a year.

At the moment this organisation is supported by a donation base that adds to government funding. They receive support from the Helen Macpherson Smith Trust and Bendigo Bank, and what they need is funding of \$350 000 per annum. What has happened is that the state government has apparently said that GriefLine is too small to be viable going forward, that they should merge with another agency and that the national

disability insurance scheme (NDIS) will provide opportunities, as they put it, for mergers. This is a great concern, and I wonder how many other organisations find themselves in the same position of being defunded because of the NDIS. I also query whether support for those experiencing grief is really appropriately placed with the NDIS, which focuses on disability.

At the moment there is no state government funding for GriefLine beyond 30 June 2017, and this is causing considerable anxiety at this organisation. It provides a terrific service for people who need support right now. They lift the phone and need to speak to someone after they have suffered a bereavement. Sometimes it is shortly after a bereavement, and sometimes it is many years or many months later. I think, as many of us in this place know, grief is not something that evaporates suddenly and goes away. It is something that many people experience on an ongoing basis, and they need some support. So just to reiterate, the action that I am seeking is clarity regarding the future viability of GriefLine after 30 June 2017.

Early childhood education

Mr EIDEH (Western Metropolitan) — My adjournment matter tonight is for the Minister for Families and Children, the Honourable Jenny Mikakos. The Andrews Labor government has committed to making Victoria the education state. One of the most important ways of doing this is to invest in the early years education sector. We know that the first five years of a child's life are the most vital. They are when 90 per cent of a child's brain development occurs.

Results from the Programme for International Student Assessment Australia show that 15-year-olds that attended preschool were on average a year ahead of those that did not. Early learning attendance is important for all students in terms of their development and the transition to primary school education. Unfortunately those children from vulnerable or disadvantaged groups, which have the most to gain, are underrepresented in the early learning system.

The Western Metropolitan Region of Victoria is a culturally diverse and vibrant electorate. It encompasses Altona, which has the state's second highest proportion of children aged zero to four. It also includes the Moonee Valley area, where 27 per cent of its residents were born overseas, with backgrounds from more than 130 different nationalities. It is important that children from these communities have the same opportunities to learn and flourish in kindergarten before transitioning to school. I ask the minister to outline what is being done to increase the kindergarten participation of children

from culturally and linguistically diverse backgrounds in my electorate.

Drug harm reduction

Ms PATTEN (Northern Metropolitan) — My adjournment matter today is for the Minister for Mental Health, Mr Foley. The request that I am making and the action I am calling for is that the government immediately introduce a substance testing pilot scheme.

In the last week we saw another tragedy unfold with the death of Riki Stephens from the Heathcote Saints Football club. He was one of 16 people who were hospitalised on the Gold Coast as a result of taking something — we are not sure what. It could have been one of the synthetic substances called NBOMe; it could have been another called Flakka. They all thought they were taking MDMA, but they were not. This goes to the heart of why substance testing is necessary. People just do not know what they are taking.

Many of my colleagues in here say, 'Well, just say no. Don't take them.' How is that going? It is not going well. A former US president's wife started the 'Just Say No' campaign. It did not work. It did not reduce the number of people taking drugs. It did not reduce the harm related to people taking drugs. In fact just last week the United Nations Office on Drugs and Crime, which is one of the most conservative organisations that deals with drugs, when it came to its drug policies stated that 'Best practice will be to endorse substance testing'. This is the United Nations Office on Drugs and Crime. They probably started the 'Just Say No' campaign; they certainly started a lot of the international conventions on it.

We know that 11 per cent of 20 to 29-year-olds have taken ecstasy in the last 12 months — or what they thought was ecstasy — and 7 per cent of 18 to 19-year-olds have taken ecstasy, so it is happening. They need to know what they are taking. Their friends are buying them something and they are thinking that it is all right — and sometimes it is. If we had people going into a supermarket not knowing what they were taking or what they were buying, it would be an outrage.

Yes, I know these substances are not legal, but that is not stopping children from taking them. If we are to stop children from dying, we need to have best practice, and best practice is pill testing. We are seeing it in the Netherlands, Switzerland, Austria, Belgium, Germany, Spain and France. Studies in those jurisdictions show that two-thirds of people who had their drugs tested

went on to not consume them. This is a powerful harm-minimisation strategy.

Substance testing works; it changes people's choices and it saves people's lives. Given the tragedies that we have seen happening recently, I implore the minister to adopt a pilot pill testing project this summer to save lives, because a number of youth festivals will be happening in our state over that time.

Nillumbik police numbers

Ms WOOLDRIDGE (Eastern Metropolitan) — It is good to speak on the adjournment debate tonight. The action I seek is from the Minister for Police. I am seeking that she restore the five police who have been removed from Nillumbik since 2014.

Since the election of the Andrews government in December 2014 crime in Nillumbik has risen a massive 62 per cent. The area now has the dubious honour of actually having, when you look at the crime statistics, the largest increase in crime of any local government area across Victoria. In the year ended June, crime overall was up 49.4 per cent, and this has been in a range of different areas. The largest increase was in deception offences which have gone from 158 to 715, an increase of over 450 per cent in that period of time, but there are increases right across the board. Burglary and break and enter offences increased from 250 to 299, an increase of nearly 20 per cent. Theft increased from 779 offences to 1162, an increase of over 49 per cent. Even the area of assault, with only a small increase of 5 per cent, went from 174 offences up to 183. That is 183 people who have been assaulted in the area of Nillumbik. It is very concerning how much those statistics have increased.

The issue of course is that while crime is escalating in Nillumbik, the number of police in Eltham has actually dropped by five officers. In 2016 the current police headcount is 58, compared to 63 when the Liberals were in government back in 2014. Local residents are concerned. They are raising these issues because they are concerned about the increase in crime and unfortunately are having to pay as a result of Daniel Andrews walking away from the priority of community safety in my electorate.

There have been some comments from the police in the area saying that people leaving valuables inside their vehicles and doors unlocked were fuelling the increase in thefts. I am sorry, but I am a bit concerned about those statements, because that is blaming the victim rather than addressing the issue of who is actually undertaking these crimes. There has been an

improvement in relation to the value of items that are being stolen out of cars, because I think residents in Nillumbik are hearing that message and making sure their valuables are not on display, but the issue is that thefts are up.

We need to support our police in these areas to deal with this massive increase in crime, and we need to make sure that both the minister and the local member, who has not been an advocate on these issues, are actually supporting the police in the Nillumbik community.

Koala numbers

Ms TIERNEY (Western Victoria) — My adjournment matter is for the Minister for Energy, Environment and Climate Change. It is in relation to the growing population of koalas in the south-west of Victoria, and in particular in the Portland region. For some time communities in and around Portland have been drawing my attention to the growth in the koala population in the far south-west of this state and the impact this growth has had on local woodland, especially manna gums.

Manna gums are the preferred food of koalas, along with shining peppermint gum, red gum and swamp gum. In the south-west manna gum woodland is visibly bearing the brunt of koalas' ever-increasing need for food, with the effects of over-browsing clearly evident on both private property and Crown land. Expanses of manna gum are dead or dying, with flow-on effects for birds and other fauna which inhabit these woodland areas.

The mortality rates of trees show a strong relationship to koala density. A sustainable density is considered to be one koala per hectare. In the manna gum-dominated areas in the far south-west it is believed to be up to nine. Anecdotal evidence suggests it is even higher in some hotspots. The Arthur Rylah Institute has recommended the use of canopy health as an early warning system for the risk of unsustainable browsing pressures on eucalypt forest.

Locals are arguing that this sign is already present. There are precedents for effective action, most recently in the Otways, where koalas have been translocated to reduce stress on woodland and fertility controls introduced, and also in the successful 10-year Mount Eccles program, or even koalas being euthanased where they have become so malnourished that they have been in extreme distress.

The action I seek is for the minister to visit the south-west, to talk to local communities who are experiencing and seeing what is happening and to sit down and work out strategies to finally reach some solution to this traumatic situation.

Local government elections

Mr PURCELL (Western Victoria) — The matter I raise tonight is for the Minister for Local Government. Last weekend and in the weeks previously we have had the local government elections in which we elected our councillors, yet to be named. This year the vast majority of the elections were held by postal vote, and in rural Victoria I think all of the elections were held by postal vote, which meant that the forms were sent out to the community in early October and the communities were told that they had to report back if they did not receive their packages by sometime around mid-October.

Anyone who knows Australia Post in rural Victoria knows that the service has deteriorated over recent years and continues to deteriorate, and the matter of it taking a week or two to get your mail in rural Victoria is no unusual occurrence. These forms were sent out by Australia Post, and they took a long time to get to the voters. I have been contacted — and I would imagine many other members in this house have been contacted as well — by constituents saying that many residents did not receive their postal packages.

After I had received a number of these complaints I contacted the electoral commission, and the electoral commission said the best thing to do was to contact your local electoral officer. So I did, and I found out from the electoral officer that the ability to vote in Victoria comes from two areas. The first is from the electoral roll, which the electoral commission provides, and the second comes from your rates notice. The first two people on the rates notice actually get the ability to vote, and the electoral commission puts those together.

Most of the problems seem to have come from the rates notices, and absentee landowners who have contacted me have on many occasions said that they have not received these forms. It really just seems that the whole process was a shemozzle, with the late delivery of the postal packs and with many residents not receiving their forms. It brings into question the validity of the voting system. There is no excuse for getting this wrong, and therefore I urge that the minister look at the current voting methods and implement checks and balances to make sure that this does not happen again.

Problem gambling

Mr MELHEM (Western Metropolitan) — My adjournment matter is for the attention of the Minister for Consumer Affairs, Gaming and Liquor Regulation, the Honourable Marlene Kairouz, and it relates to problem gambling. Given the concerns of the Andrews Labor government around problem gambling in our community, it is great to see that awareness of the issue and the risk is being tackled at an early age. Through resources recently developed by the Victorian Responsible Gambling Foundation and the Mathematical Association of Victoria, Victorian secondary schools will be able to access an educational program to teach students during their maths classes more about the risk of gambling.

In their 2017 curriculum planning for years 10 to 12 students, schools may choose to incorporate gambling education material that challenges misconceptions about the chances of winning and outlines how young people with problem gambling can seek help. In my own electorate Williamstown High School students studied the probability of pokies, and to quote from the *Age*:

... you are more likely to be killed by lightning than to win the top prize on a Black Rhinos poker machine.

They also simulated a Melbourne Cup sweep and explored the economic impact of gambling on communities. The *Age* article continued:

Students were shocked to discover that betting agencies and casinos made huge profits at the expense of punters, student wellbeing coordinator Anne Goller said.

They picked up that if you are going to gamble, you need to set a limit and cover all your living expenses first ...

The action I seek is that the minister write to all the high schools in my electorate to encourage them to adopt the program in 2017 and beyond.

Greater Shepparton police numbers

Ms LOVELL (Northern Victoria) — My adjournment matter is for the Minister for Police and is regarding the lack of police resources in the Greater Shepparton policing district, particularly in the townships of Tatura and Mooroopna. The action I seek from the minister is that she ensure that additional police are allocated to the Greater Shepparton policing district as a matter of urgency, with priority being given to increasing the police numbers allocated to the Tatura and Mooroopna stations.

In many small towns in my electorate, local residents are concerned about the reduced level of police

presence within their communities, particularly at a time when local crime levels are continuing to increase. Tatura locals in particular have noticed a significant reduction in police presence, particularly since the introduction of the two-up policy, which has necessitated a cluster relationship between Tatura, Mooroopna, Murchison, Merrigum and Undera police staff whereby shift staff from one station are required to service the catchments of other stations during a single shift. Residents appreciate that the two-up policy makes officers safer, but without additional staff being made available to cover what is effectively a 50 per cent reduction in police presence, community safety is at risk of being compromised.

Community concern has reached such levels that the Greater Shepparton police service area's Inspector Hayden Downes and Shepparton police's Senior Sergeant Ross Brittain are hosting community meetings in Tatura and Mooroopna. I attended the community meeting in Tatura last Thursday night, which saw more than 100 passionate community members turn out to voice their concerns. The overwhelming message from the community to the police and the Victorian government was that Tatura community members simply do not feel safe in their own town. The message that was repeated over and over again was that the local level of crime is going up, yet there has been a reduction in police presence and station opening hours.

A number of specific recent incidents were cited by Tatura residents, including three burglaries within the space of a few days and increased drug crimes. One woman spoke of the brazen and distressing theft of her handbag off her shoulder in broad daylight on a Sunday afternoon and the 45-minute delay in police responding because Tatura police were not available and the officers had to come from Shepparton. Comments from the audience can be summed up by one quote: 'The whole community is very concerned about the level of crime and lack of police, and we are all here tonight to tell you we are not getting the police coverage we used to'.

Local police are doing the absolute best they can with the limited resources they are allocated. The concerning reality is that there are simply not enough resources to address demand, and with the ever-increasing crime levels members of the Tatura community are feeling increasingly unsafe in their own town. This is not acceptable, and the Andrews Labor government must act. The last increase in police numbers for the Greater Shepparton district came as part of the 1700 additional officers provided under the former Liberal government. The action I seek from the minister is that she ensures that additional police are allocated to the Greater

Shepparton policing district as a matter of urgency, with priority being given to increasing police numbers allocated to the Tatura and Mooroopna stations.

Kilmore school bus services

Ms SYMES (Northern Victoria) — My adjournment matter this evening is for the Minister for Education and relates to the school bus program and the conveyance allowance program that applies to students from Kilmore who attend either Broadford or Wallan secondary colleges.

The Andrews Labor government, through the Department of Education and Training and Public Transport Victoria, provides transport assistance to eligible families through an extensive network of free bus services or a conveyance allowance for country students. The school bus program effectively provides free travel to the nearest school, measured from the student's residential dwelling; families with students choosing to attend a school that is not their nearest school pay a fare of \$120 per term. Where no school bus program service operates the conveyance allowance program can kick in and assist families with meeting transport costs to and from their closest school.

The distance from Kilmore to Broadford is about 14 kilometres, and the distance from Kilmore to Wallan is about 13.6 kilometres. I drive those routes regularly, but Google Maps gave me those kilometres — to be as close to accurate as I could be. What this means is that it effectively depends which side of Kilmore you live on as to whether Broadford or Wallan is your closest public high school. There is quite a complex history involved in this situation, but I have managed to strip it down to the basics. Effectively they are that Wallan Secondary College opened for only years 7 to 8 in 2006 and was a full-year-level-operating school in 2011. During the construction time — the time of building up to be a full school — there was an exemption in place for the school bus program, effectively meaning that Kilmore students could get free travel to either Broadford or Wallan, regardless of their Kilmore address. That exemption ceased in 2011.

From 2012 it was determined that the Kilmore to Wallan school bus program be terminated and replaced with a public transport service and that students be eligible for reimbursement of the cost of using the public transport. This is under the conveyance allowance program; it is administered by the school, it continues to this day and it is not under review. However, for Kilmore students going to Broadford Secondary College the blanket exemption no longer applied from 2011. For whatever reason, despite this it

was not actually picked up until this year in a review by the Department of Education and Training. As a result Broadford Secondary College was obliged to write to parents of students residing in Kilmore to advise that they would have to pay \$120 per term per student if Broadford Secondary College was not their nearest public school. Obviously this has shocked and angered many parents who live on the wrong side of Kilmore — if their students are going to Broadford.

I do completely support the rationale of the school bus program — free to your closest and pay for choice; it is a fair system. However, there has to be room for a common-sense approach and flexibility in a situation such as that in Kilmore, a town that does not have its own public high school, given the history and given that it may be a matter of just kilometres or metres as to whether the \$480 is going to be taken out of your family budget or not. The action I seek is for the minister to issue an exemption over the town of Kilmore, enabling students to choose Broadford or Wallan secondary colleges, regardless of which is their closest, and that this exemption apply until such time there is a public high school in Kilmore.

Eastern Victoria Region roads

Ms BATH (Eastern Victoria) — My adjournment matter this evening is directed to the Minister for Roads and Road Safety and is in relation to the condition of country roads in my electorate. With the Andrews government cutting 10 per cent from the road asset management budget and scrapping the \$160 million country roads and bridges program we have watched the roads in Gippsland deteriorate. There is an urgent need to invest in our country roads, and I have highlighted this through a campaign which allows constituents to identify which roads are in most urgent need of repair. More than \$970 million will be spent on regional and rural transport infrastructure thanks to the Liberal-Nationals coalition securing a 10 per cent slice from the sale of the port of Melbourne. This is much needed.

The response from my campaign has shown that these funds are truly needed in my electorate, with constituents sending images of dangerously deteriorating roads. Certain roads that have been identified include the South Gippsland Highway near the Korumburra South Road intersection; the Strzelecki Highway between Mirboo North and Muirhead Drive; the Strzelecki Highway between Timmins and Lesters Road and Huntingfords Road; the Boolarra South-Mirboo North Road; Walkerville Road, Tarwin Lower; Foley Road, Yanakie; Waratah Road, Waratah Bay; the Rosedale-Flynn's Creek Road, where there are

potholes and dangerous shoulders; Cansick Street, Rosedale, which again has significant potholes and a dangerous intersection near the railway crossing; Maxfields Road and Hyland Highway in the Loy Yang precinct, where there is significant erosion around the bitumen on the edges; and Keith Morgan Drive in Traralgon South, which interestingly enough is right outside the entrance of the Country Fire Authority.

People have mentioned how concerned they are that certain roads are accidents waiting to happen. People have spoken about continuously patched up jobs that continue to crumble yet are never truly repaired or, even worse, roads that are completely ignored. The response to my campaign shows that concerned residents need action, and therefore the action I seek from the minister is for an urgent release of funding for local government and VicRoads to fix these hazardous roads in rural and regional Victoria in my Eastern Victoria Region.

The other comment I make is that unfortunately the road toll in rural Victoria is rising, and we need to make sure that we make every endeavour to eliminate both human error and road error in this process. So this is an urgent requirement, and I sincerely ask the roads minister to action my request.

Frankston line level crossings

Mr LEANE (Eastern Metropolitan) — My adjournment matter is directed to the Minister for Public Transport, Jacinta Allan, concerning the level crossing removals along the Frankston line. I know that the minister has said publicly that the particular level crossing removals along the line will be treated with eight different remedies because they are not in close proximity to each other. Therefore there will be eight different remedies as far as the road being separated from the rail is concerned. But unfortunately there are a number of people continuing to spread misinformation, particularly Mr David Davis and Mrs Inga Peulich, to the effect that the whole line will be of the elevated rail type, which is completely false — completely untrue. So the action I seek from the minister is to continue to advocate what the truth is around the particular remedies for these level crossings at every opportunity she can, despite the scaremongering and lies from Mr David Davis and Mrs Inga Peulich.

Regional and rural roads

Mr RAMSAY (Western Victoria) — My adjournment matter is for the Minister for Roads and Road Safety. It must be the week for roads and potholes, because I have already drawn the attention of

the minister to the urgent need for significant investment in the Great Ocean Road over the last few sitting weeks, and only this week we have seen more deterioration of that road and the impact it has had on traders.

The action I seek tonight from the minister is a full review, through the department and VicRoads, of the road construction specifications with a need to look at catering for heavier and higher volume traffic in the future. I say that because the Geelong Ring Road, which is only six years old, is actually starting to deteriorate significantly. It started construction way back in 2005, when about \$134 million was spent on section 1; in 2006, \$31 million was spent on section 2; in 2009, \$108 million was spent on section 3; and in 2010, \$61 million was spent on section 4A. So it was almost a \$350 million project to construct the Geelong Ring Road.

I must say that it is a fantastic piece of infrastructure, moving traffic out of Latrobe Terrace in Geelong. But that was 2010, and we are now having to repair the road virtually back to its base foundation. There is significant wear and tear on the Geelong Ring Road, and we are already seeing on Princes Highway west, with the duplication between Waurin Ponds and Winchelsea only having been opened last year, that there are now road crews doing repair work on that road.

To my mind there is something fundamentally wrong with the way we are constructing roads here in Victoria, and the volume of traffic and the load-carrying traffic are having serious impacts on the construction specifications of these roads. We have got \$1 billion of Western Highway being built at the moment, up to Horsham. We have got the second leg of Princes Highway west, the Drysdale bypass in my electorate down around Geelong, and a proposed link between the Geelong Ring Road and the Bellarine Highway. So there will be significant investment in roads and road construction over the next few years, yet I am not satisfied that we are actually building these roads to an appropriate specification to take the future heavy loads of traffic.

So my request and urgent action is that the minister actually consult with VicRoads and relook at the specifications and materials in relation to road construction to see if what we are doing is trying to spread the dollar further by doing a cheap and shoddy construction job of our road networks to enable more road pavement to be run out at the expense of the longevity of the roads themselves.

Sunbury rail services

Mr FINN (Western Metropolitan) — I wish to raise a matter this evening for the attention of the Minister for Public Transport. It was around about 12 months ago exactly that the community in Sunbury was roused to significant anger by the government's decision to remove V/Line services from the town. V/Line services have been servicing Sunbury for many a long year, and with the electrification of the line — and electrification, I have to say, does not have public support in Sunbury; they did not want it, but nobody asked them and they were given the electrification anyway — the minister announced that there would be a removal of V/Line services to Sunbury. The minister will recall that there was considerable anger — in fact fighting fury you might well call it — and there was an uprising among the local populace. The local lower house member took to the hills — —

Mr Ramsay — Who is it?

Mr FINN — I do not know who he is. He took to the hills; he could not handle it. But the minister, finally, after being dragged out to a public meeting in Sunbury one night, got the message. They tried to do a snow job on us this particular night. They had tables set up around a room with butcher's paper and pencils, and we were going to be doing surveys, but all the people wanted to tell the minister was that they wanted to keep their V/Line services. Now after a while the minister finally accepted that V/Line services, despite what she had previously said, were indeed important and necessary to the people of Sunbury.

It does concern me now, as I say, almost 12 months from the time we went into battle on this last time, when I hear rumours, murmurs — call it what you will; certainly a good deal of concern — around the Sunbury township that the V/Line services to Sunbury are indeed under threat again. This, I have to say, does not come as any great surprise to me, because I was suggesting last year when the government postponed it — and I do use the word 'postpone' advisedly — that I thought it was only a temporary turn of events. So I ask the minister to provide to me and to the people of Sunbury and surrounds an ironclad guarantee that V/Line services will remain servicing the people of Sunbury for the duration of this government.

Responses

Mr DALIDAKIS (Minister for Small Business, Innovation and Trade) — We have had adjournments tonight from Ms Fitzherbert to the Minister for Mental Health, regarding funding for GriefLine beyond

30 June 2017; from Mr Eideh to the Minister for Families and Children, asking for advice on what is being done for children of culturally and linguistically diverse backgrounds in his electorate, specifically in relation to kindergartens is my understanding; from Ms Patten to the Minister for Mental Health, asking for the introduction of a drug-testing regime — I presume that is in her electorate; from Ms Wooldridge to the Minister for Police, regarding an increase in police numbers for Nillumbik; from Ms Tierney to the Minister for Energy, Environment and Climate Change, asking for a visit to talk to locals in relation to the situation concerning koalas in the south-west and in particular at Portland; from Mr Purcell to the Minister for Local Government, in relation to the experience of many residents not receiving their postal ballots for local government elections in time and seeking a redress of this issue for future local government elections, or indeed any elections, I presume, that are undertaken by postal vote; from Mr Melhem to the Minister for Consumer Affairs, Gaming and Liquor Regulation, regarding writing to all of the high schools in his electorate to expand an anti-gambling program; from Ms Lovell to the Minister for Police, regarding additional police to be allocated across Greater Shepparton; from Ms Symes to the Minister for Education, regarding the school bus program; from Ms Bath to the Minister for Roads and Road Safety, looking at funding for repairs and maintenance in her electorate that the previous government failed to make; from Mr Leane to the Minister for Public Transport, asking her to communicate about the level crossing removal projects in his electorate to counter the devious and nasty misinformation campaign by Mr Davis and Mrs Peulich; from Mr Ramsay to the Minister for Roads and Road Safety, regarding a full review of specifications of roads and road construction in his electorate — —

Mr Ramsay — Not just in my electorate; in the state.

Mr DALIDAKIS — I think adjournments are confined largely to your electorate, Mr Ramsay, but if you wish me to expand it to the state, the world and beyond, *Hansard* can so note.

Mr Finn raised a matter for the Minister for Public Transport in relation to his concern about providing residents in Sunbury with a better travel experience by moving to electrification but their wanting to keep the old V/Line services.

I also have a written response to an adjournment debate matter raised by Mr Morris on 14 September 2016.

Mr Finn — On a point of order, President, having listened to the minister's summation of my adjournment matter for this evening, he seems to have got it very wrong. I was in fact not calling for the electrification of the line, because in fact the line has already been electrified. What I was calling for was the retention of V/Line services to Sunbury, even after the line has been electrified some years ago.

The PRESIDENT — Order! Thank you. The minister has acknowledged that, but in any event with these matters that are raised, they go to the department and the department and the minister's office has the opportunity to actually see what you were specifically requesting, so that will not be lost on the minister's office.

RULINGS BY THE CHAIR

Questions on notice

The PRESIDENT — Order! Before the house adjourns, there were some questions referred to me earlier this day that I indicated I would pass judgement on. The first one concerns a question on notice which Ms Hartland posed, question 5281, to the Minister for Agriculture representing the Minister for Roads and Road Safety in another place. It was in regard to traffic volumes in a number of areas, but primarily in western or inner southern suburbs. I have looked at the answer, which is quite interesting, not inaccurate, but it makes no attempt to really address the questions that Ms Hartland put. I do believe that, at least in the case of some of these streets, the information would be available, as per her request, and therefore I would reinstate question 5281.

QUESTIONS WITHOUT NOTICE

Written responses

The PRESIDENT — Order! In regard to the questions Ms Crozier had put to Ms Mikakos and that were the subject of some consideration just after question time today, I indicate that in regard to her question on youth justice centres — I think I might already have indicated — it would be possible to have the information to answer the supplementary question to hand fairly easily. Anyway, in regard to both the substantive and the supplementary questions, I am prepared to reinstate those questions. In doing so, I note that the substantive question provided a statement of significant incidents. I guess there is some subjectivity around the definition of what is a significant incident, particularly in the context of what the member might consider a significant incident compared with what the

agency would actually regard and categorise as a significant incident. So, I understand there may be some difficulty in terms of providing an answer certainly to the satisfaction of the member, but at any rate I would ask for that to be reinstated.

In regard to a question about transfers which was also posed by Ms Crozier to the Minister for Families and Children, her question asked about whether or not transfers have occurred from Parkville to Malmsbury for behavioural issues, such as riots and significant incidents. Again there is a definitional problem here, as to what behavioural issues are and whether or not that includes everything from biting your fingernails through to some activity that endangers other people. In terms of asking the minister to consider this question again, I am certainly focused more on the terms 'riots' and 'significant incidents' — in other words, matters that were substantive and perhaps involved damage to the property, intimidation of other people or indeed injury or suchlike, including, as I understand it, some staff required some attention as part of that. It might well be unfair to the member, but I am defining from my point of view the response that I might like to see delivered to the member as being in matters of riots and significant incidents, those last parts of her question, not some other behavioural matters that could be from the very minor to more major things.

In regard to the supplementary question about transfers from either Parkville or Malmsbury youth justice centres to the adult prison system, I think I have already ruled on that earlier today, but certainly the numbers provided for the previous full financial year were quite low. I would think that for the four months or so that we have had of this financial year the numbers would not be of great volume. I think that is actually an achievable answer as well, so I reinstate both the substantive and the supplementary questions in that regard.

On Mr Morris's question on code whites, I would prefer to keep hold of this question and to consider it further, because I need to understand in making a determination exactly what a code white involves from the agency's point of view, so I would be looking to receive some more information before I make a determination on that one.

In each case they are one day, but given the fact that it is late in the day, I accept that it is going to take another day.

The house stands adjourned.

House adjourned 6.35 p.m.

