



Hansard

LEGISLATIVE ASSEMBLY

60th Parliament

Wednesday 12 August 2026

Office-holders of the Legislative Assembly

60th Parliament

Speaker

Maree Edwards

Deputy Speaker

Matt Fregon

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Jacinta Allan (from 27 September 2023 to 28 July 2026)

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David Southwick (from 28 January 2026)

Sam Groth (from 27 December 2024 to 28 January 2026)

David Southwick (to 27 December 2024)

Leader of the Nationals

Danny O’Brien (from 26 November 2024)

Peter Walsh (to 26 November 2024)

Deputy Leader of the Nationals

Emma Kealy

Leader of the House

Anthony Carbines (from 15 April 2026)

Mary-Anne Thomas (to 15 April 2026)

Manager of Opposition Business

James Newbury (from 13 October 2025)

Bridget Vallence (from 7 January 2025 to 13 October 2025)

James Newbury (to 7 January 2025)

Members of the Legislative Assembly

60th Parliament

Member	District	Party	Member	District	Party
Addison, Juliana	Wendouree	ALP	Lister, John ⁸	Werribee	ALP
Allan, Jacinta	Bendigo East	ALP	Maas, Gary	Narre Warren South	ALP
Andrews, Daniel ¹	Mulgrave	ALP	McCurdy, Tim	Ovens Valley	Nat
Battin, Brad	Berwick	Lib	McGhie, Steve	Melton	ALP
Benham, Jade	Mildura	Nat	McLeish, Cindy	Eildon	Lib
Britnell, Roma	South-West Coast	Lib	Marchant, Alison	Bellarine	ALP
Brooks, Colin	Bundoora	ALP	Marsh, Anthony ⁹	Nepean	Lib
Bull, Josh	Sunbury	ALP	Matthews-Ward, Kathleen	Broadmeadows	ALP
Bull, Tim	Gippsland East	Nat	Mercurio, Paul	Hastings	ALP
Cameron, Martin	Morwell	Nat	Mullahy, John	Glen Waverley	ALP
Carbines, Anthony	Ivanhoe	ALP	Newbury, James	Brighton	Lib
Carroll, Ben	Niddrie	ALP	O'Brien, Danny	Gippsland South	Nat
Cheeseman, Darren ²	South Barwon	Ind	O'Brien, Michael	Malvern	Lib
Cianflone, Anthony	Pascoe Vale	ALP	O'Keeffe, Kim	Shepparton	Nat
Cleeland, Annabelle	Euroa	Nat	Pallas, Tim ¹⁰	Werribee	ALP
Connolly, Sarah	Laverton	ALP	Pearson, Danny	Essendon	ALP
Couzens, Christine	Geelong	ALP	Pesutto, John	Hawthorn	Lib
Crewther, Chris	Mornington	Lib	Read, Tim	Brunswick	Greens
Crugnale, Jordan	Bass	ALP	Richards, Pauline	Cranbourne	ALP
D'Ambrosio, Liliana	Mill Park	ALP	Richardson, Tim	Mordialloc	ALP
De Martino, Daniela	Monbulk	ALP	Riordan, Richard	Polwarth	Lib
de Vietri, Gabrielle	Richmond	Greens	Rowswell, Brad	Sandringham	Lib
Dimopoulos, Steve	Oakleigh	ALP	Sandell, Ellen	Melbourne	Greens
Edbrooke, Paul	Frankston	ALP	Settle, Michaela	Eureka	ALP
Edwards, Maree	Bendigo West	ALP	Smith, Ryan ¹¹	Warrandyte	Lib
Farnham, Wayne	Narracan	Lib	Southwick, David	Caulfield	Lib
Foster, Eden ³	Mulgrave	ALP	Spence, Ros	Kalkallo	ALP
Fowles, Will ⁴	Ringwood	Ind	Staikos, Nick	Bentleigh	ALP
Fregon, Matt	Ashwood	ALP	Suleyman, Natalie	St Albans	ALP
George, Ella	Lara	ALP	Tak, Meng Heang	Clarinda	ALP
Grigorovitch, Luba	Kororoit	ALP	Taylor, Jackson	Bayswater	ALP
Groth, Sam ⁵	Nepean	Lib	Taylor, Nina	Albert Park	ALP
Guy, Matthew	Bulleen	Lib	Theophanous, Kat	Northcote	ALP
Halfpenny, Bronwyn	Thomastown	ALP	Thomas, Mary-Anne	Macedon	ALP
Hall, Katie	Footscray	ALP	Tilley, Bill	Benambra	Lib
Hamer, Paul	Box Hill	ALP	Vallence, Bridget	Evelyn	Lib
Haylett, Martha	Ripon	ALP	Vulin, Emma	Pakenham	ALP
Hibbins, Sam ^{6,7}	Prahran	Ind	Walsh, Peter	Murray Plains	Nat
Hilakari, Mathew	Point Cook	ALP	Walters, Iwan	Greenvale	ALP
Hodgett, David	Croydon	Lib	Ward, Vicki	Eltham	ALP
Horne, Melissa	Williamstown	ALP	Wells, Kim	Rowville	Lib
Hutchins, Natalie	Sydenham	ALP	Werner, Nicole ¹²	Warrandyte	Lib
Kathage, Lauren	Yan Yean	ALP	Westaway, Rachel ¹³	Prahran	Lib
Kealy, Emma	Lowan	Nat	Wight, Dylan	Tarneit	ALP
Kilkenny, Sonya	Carrum	ALP	Williams, Gabrielle	Dandenong	ALP
Lambert, Nathan	Preston	ALP	Wilson, Belinda	Narre Warren North	ALP
			Wilson, Jess	Kew	Lib

¹ Resigned 27 September 2023

² ALP until 29 April 2024

³ Sworn in 6 February 2024

⁴ ALP until 5 August 2023

⁵ Resigned 13 February 2026

⁶ Greens until 1 November 2024

⁷ Resigned 23 November 2024

⁸ Sworn in 4 March 2025

⁹ Sworn in 2 June 2026

¹⁰ Resigned 6 January 2025

¹¹ Resigned 7 July 2023

¹² Sworn in 3 October 2023

¹³ Sworn in 4 March 2025

Party abbreviations

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

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Wednesday 12 August 2026

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

Bills

Planning and Environment Amendment (Agricultural Land and Food Security) Bill 2026

Introduction

Emma KEALY (Lowan) (09:34): I move:

That I introduce a bill for an act to amend the Planning and Environment Act 1987 and the Environment Effects Act 1978 in relation to agricultural land and for other purposes.

Victoria is Australia's largest agricultural producing state, accounting for approximately 28 per cent of Australia's gross value of agricultural production, with a farmgate value of around \$22 billion each year. Our state is home to more than 21,000 farming businesses, representing around one-quarter of all farming enterprises in Australia. Together they produce the food and fibre that feed and clothe millions of people, generate billions of dollars in exports and underpin one of Victoria's most important industries.

But agriculture's contribution extends well beyond the farm gate. This sector supports thousands of jobs across transport and logistics, food processing, manufacturing, agricultural technology, research, science and innovation. It is the economic backbone of many regional communities and a vital driver of investment, employment and prosperity across our state. Farmers are also the custodians of our landscape. Every day they manage our soils, care for our waterways, protect biodiversity and safeguard the natural assets that future generations will depend upon. They carry the responsibility of producing the food and fibre the world needs while ensuring the land remains productive for those who come after them. That is why this bill, the Planning and Environment Amendment (Agricultural Land and Food Security) Bill 2026, is so important. This bill is about protecting capability, not preventing opportunity. It recognises that Victoria's most strategic agricultural land should be protected while ensuring development elsewhere only proceeds where our long-term agricultural capability can be maintained.

Yet despite agriculture's enormous contribution to our economy and our communities, agricultural land receives surprisingly little recognition within Victoria's planning system. When major projects are assessed, we rightly consider biodiversity, cultural heritage, native vegetation, landscape values and environmental impacts, but too often agriculture is treated as simply another land use rather than as a strategic asset that underpins our food security, regional economies and export industries. This bill seeks to change that. Its purpose is straightforward, and it is certainly not to prohibit development. It is to ensure that when decisions are made that affect agricultural land, those decisions are informed by agricultural expertise and made transparently, consistently and with proper regard for Victoria's long-term agricultural capability. We cannot manufacture more high-quality agricultural land. Once productive land is unnecessarily fragmented, sterilised or permanently degraded, its productive capacity may never be fully restored. That is why decisions affecting agricultural land deserve careful, informed and transparent consideration.

This bill establishes a new framework within the Planning and Environment Act to ensure agriculture is properly recognised in planning decisions. It establishes clear objectives, recognising the importance of agricultural land and food security. It provides for the identification of strategic agricultural land. It requires decision-makers to give significant weight to protecting that land. It introduces agricultural land impact assessments for prescribed developments. It requires consultation with Agriculture Victoria before significant decisions affecting agricultural land are made. It requires agricultural expertise to be represented on advisory committees and Environment Effects Act inquiry panels. It strengthens rehabilitation obligations through mandatory rehabilitation bonds and ongoing

monitoring, and it establishes a public register and annual reporting requirements so Victorians can better understand the cumulative impact of development on agricultural land. These are practical reforms that improve decision-making, transparency and accountability.

Importantly, this bill does not presume every proposal should be refused, nor does it elevate agriculture above every other public interest. Rather, it ensures agricultural impacts are properly understood, properly assessed and properly weighed alongside all other relevant considerations. Projects that can coexist with agriculture should be able to demonstrate they can do so responsibly. Projects that permanently reduce Victoria's agricultural capability should be required to justify those impacts and demonstrate why they are in the broader public interest.

Victoria faces increasing pressure on agricultural land: urban growth, renewable energy generation, electricity transmission, extractive industries, major infrastructure. Each of these developments may be necessary, but each of these also has the potential to permanently alter productive farming landscapes. As these pressures increase, our planning system must evolve to ensure agriculture is no longer the forgotten consideration and farmers have a voice. Regional communities deserve confidence that agricultural expertise will be at the table when decisions affecting their livelihoods are made. Farmers deserve confidence that the long-term productive capability of this land will be properly considered. I commend this bill to the house and urge that anybody who enjoys our Australian and Victorian food support this legislation.

Dylan WIGHT (Tarnait) (09:40): I rise this morning to make a contribution on this procedural motion and respectfully to make a contribution not in favour of this procedural motion and not in favour of introducing this private members bill by the member for Lowan. In doing so I would like to acknowledge the member for Lowan and her contribution and acknowledge her deep care for her community and Victoria's agricultural sector as a regional member of this place. Victoria punches well above its weight and always has in respect to our thriving agricultural sector. With just 3 per cent of this country's landmass, Victoria contributes 28 per cent of Australia's agricultural exports. Some of that may be that we are a pretty coastal region, and it is pretty hard to grow things in the centre of Australia, but we punch above our weight nonetheless.

The Carroll Labor government understands that and understands the critical importance of Victoria's agricultural sector to the Victorian economy. It contributes a significant amount to this state's gross state product and contributes a significant amount to this state's exports and puts a significant amount of money back into the pockets of Victorians. As a government that has several regional members, many of whom are in the chamber right now, including the Speaker, we understand the pivotal and vital role that our agricultural sector plays, and we will continue to ensure that agricultural perspective is properly represented through evidence which is brought to the table in the interests of Victoria's farmers.

It is understood by this government, though, that the issues that are on the table now that are being debated through this piece of legislation are complex. They are complex issues that we need to work through properly and thoroughly both through government channels and also through talking to our farmers and primary producers. This government has invested significantly into the agricultural sector over the last –

Jade Benham interjected.

Dylan WIGHT: Just you wait – almost 12 years. Member for Mildura, this year's budget delivers \$84 million for agriculture on top of \$146 million in drought support. We know over the past couple of years that parts of our state have seen significant drought events and a lack of rain, so we have provided \$146 million in support. It is kind of ironic, because what they are arguing against consistently is what causes the droughts. But we have invested significantly into the agricultural sector, and we always will. It also includes \$62 million in direct support following the January bushfires, and it also includes \$16.9 million in biosecurity and animal welfare, which is obviously incredibly

important, as we see at the moment with rising cases of bird flu. I know the member for Eureka, as the Minister for Agriculture, is working feverishly to try and do everything that we possibly can to minimise the effects of that.

The plain fact of the matter is that decisions of this nature that they are trying to address in this bill are already considered under current planning regulation and legislation. This government, the Carroll Labor government, will continue to support the agriculture sector.

Roma BRITNELL (South-West Coast) (09:45): I rise to support my colleague, the Shadow Minister for Agriculture Emma Kealy, in the introduction of this bill that will safeguard agriculture, land and food: the Planning and Environment Amendment (Agricultural Land and Food Security) Bill 2026. This is a place where ideas are put forward by anyone, and a private member's bill should have the opportunity to be discussed and debated in this chamber, and something as important as agriculture has long needed the protections that this bill introduces.

We need to safeguard our agricultural land so we can ensure our food security into the future. We know that once you sterilise or fragment high-quality farmland, you can never fully get it back. That is why it is disappointing to hear the member for Tarneit stand up and say they will not allow this bill to be debated today. Debating actually grows an idea and brings better opportunities for it to be improved. If it needs improving, and the Labor Party do not like the concept, they can improve it. But who can argue that against safeguarding agricultural land? This is our food security for the future.

Already in Victoria we do an extraordinary job as farmers in making some of the most fertile land highly productive; high-rainfall areas produce and supply food for people all over the world. That is not going to continue if we continue to leave farmers out of the discussion of how we can make sure food is produced safely and responsibly into the future. These farmers that work the land every day care for our fertile soils. They make the most of our reliable rainfall and favourable climate. In South-West Coast we produce a third of Victoria's milk, around a quarter of the beef and a significant share of our sheep, lamb, food and fibre, and that must continue. Having this bill introduced today into the Parliament will ensure we put the parameters in place to allow that into the future for our future generations. Once farmland is lost, it is incredibly difficult, if not impossible, to get it back.

Our farmers are not just feeding Victorians, they are driving regional jobs. They are providing exports for around the world, and we need to safeguard this critical asset. At a time when Labor say they protect farmers, they are doing the exact opposite by not allowing this bill to be debated. Farmers should have the right to have a say in whether people can come onto their land. If that happens at a time when you are lambing or harvesting or calving, that could be detrimental to the animal welfare or the food production aspect that is taking place at that point in time. Under this government, we are not seeing that. We are seeing, under this government, a government that wants to tax volunteers and stop them from volunteering with emergency services to put out fires. We see them trying to put up powerlines all over agricultural land that is not suitable, land that will be lost from agriculture if you cannot spray or fly over areas where you want to put fertiliser out by aeroplane.

This is an opportunity to make sure we come to the table and debate the importance of agriculture. We already know we have protections for biodiversity, cultural heritage and environmental values. Productive agricultural land is also something that we should be taking into consideration in the discussion when planning laws are made, but farmers are continually left out of that conversation and pushed aside when ideas of other land uses are suggested to be better. That might be okay from a market perspective, and that needs to be considered – I understand that – but you cannot take away the fact that once you lose agricultural land or sterilise it or fragment it, you cannot get it back.

We have seen, in other parts of the world, nations that have become hungry. We have never had hunger here in Australia. We came close during COVID; we saw what happened when supermarket shelves were bare, and I think then was the opportunity for us to recognise the importance of understanding that food will not happen without the hard work of farmers and the land that they have to work with.

So we must debate this bill today. We cannot have a Labor Party who say they care about farmers and care about agriculture but have them deny the right to have this bill debated, which would put safeguards in place to protect our agricultural land and to have it farming for future production of food safely and responsibly into the future for our generations to come. That is why this bill must be debated today and not – *(Time expired)*

Alison MARCHANT (Bellarine) (09:50): I rise to speak on this procedural motion introduced by the member for Lowan. Often when I have been in this place when agriculture or farming type bills or debates are in this chamber, I hear the opposition say that Labor governments do not understand regional Victoria or they do not understand farmers. I absolutely want to make it clear from the outset that I particularly and personally recognise the importance of agriculture, and I absolutely recognise the importance of the issues sitting behind this debate today. As a regional MP who has had a long farming history in my own family, one who still is a farmer today and owns farming land in western Victoria, one who has had a little boutique farm herself and sold garlic and berries at farmers markets and talked to customers about why it was really important that they knew where their food was coming from and that they knew their farmer and about that paddock-to-plate concept that has grown across our state because people care about their farmers and care about where their food is coming from, I certainly enjoy the debate. It is clear that this side of the government has absolutely made huge investments to protect and to support farmers in this state.

In addition to having a personal understanding of farming and the challenges that it presents, I think I am a sixth- or seventh-generation farmer in my own family. We have seen and documented a series of challenges. Mainly they have been droughts and fires that we have experienced across our communities, and they absolutely can decimate our communities. But in another sense, I would like to just maybe talk a little bit about the land use, which is what is being raised here. For four years from 2012, if I get my dates right roughly, I and rural communities across western Victoria got up to protect agricultural land from fracking, from gas drilling, that was going to completely decimate our agricultural sector. When I was doing that advocacy I was not in this place as a member; I was part of a community that went around and spoke to opposition members, and I spoke to opposition members on that side that were in Parliament. I spoke to them about supporting agricultural land, protecting water and protecting livelihoods against gas drilling. When I spoke to those members – I will give credit where credit is due – some members understood the value of agriculture and fought fiercely for it. I will give credit where credit is due. But there were some that were very pro gas, very pro fracking and very pro making sure –

Members interjecting.

The SPEAKER: Order! I ask members to show some respect to the member on their feet. The member for Bellarine, without assistance.

Alison MARCHANT: When we were fighting to protect agriculture at that time there were members that were more interested in the gas industry. We as a government were very proudly the first in the country to ban fracking in Victoria, and we very proudly have a \$22 billion industry that we support in this country. The only question I have with the amount of time I have left is: I have heard that there is going to be a gas boost for the state under an opposition government. I understand that that gas – *(Time expired)*

Jade BENHAM (Mildura) (09:55): Obviously I am in enthusiastic support of this bill, the Planning and Environment Amendment (Agricultural and Food Security) Bill 2026, which has been presented by the member for Lowan. Honestly, I cannot believe that this has not been done before, and the utter hypocrisy that is coming from the other side – pun intended – is fracking unbelievable. There is only one side of politics in this place that has ever done fracking, and that is Labor. There is only one side that has tried to industrialise agricultural land in this Parliament: Labor.

Members interjecting.

The SPEAKER: Order! The member for Lowan can leave the chamber for half an hour. The Leader of the Nationals is warned.

Member for Lowan withdrew from chamber.

Jade BENHAM: Victoria is Australia's largest agricultural producing state. This covers not just boutique farms but also commercial farms that feed the entire world. I was just saying to the Leader of the Nationals that one of the farms where my husband currently works, located in Victoria, is bigger than a lot of inner-city electorates. It is about 18 square kilometres and has more permanent plantings – trees – than a lot of inner-city electorates have people. We are producing food for the entire world at a rate of knots. As I have said multiple times in this place, without agriculture in Victoria you would all be hungry, naked and sober.

There were a lot of people upstairs last night at the Victorian distillers awards, a lot from the other side and a lot of staffers from the other side too. And what did we see on display, apart from all of the wonderful spirits? The grains which those spirits come from. We have heard members on the other side talk about how they support the ag industry and how they understand that they would go hungry and they would go sober without it. Do you know what, instead of playing politics with farmland in this state and instead of being utter hypocrites with private members bills that are introduced from this side that you know are good policy, similar to what we saw yesterday –

The SPEAKER: Member for Mildura, I ask you not to use the word 'you'.

Jade BENHAM: Apologies, Speaker. We saw the government yesterday introduce a bill to criminalise coercive control that the member for Eildon, to my right, introduced in November last year. Since then, 44 women in Australia have died at the hands of domestic violence, and now they come in today wearing orange ribbons supporting domestic violence –

Anthony Carbines: On a point of order, Speaker, the member is not being relevant to the procedural debate before the house, and I ask you to bring her back to that process.

The SPEAKER: Yes, member for Mildura, come back to the procedural motion before the house on the introduction of a bill.

Jade BENHAM: I am being entirely relevant to the procedural motion, pointing out that in November last year we introduced a bill similar to what we are trying to do today. We know that the government side of politics, the Labor side of politics, knows this is good policy and knows that it should have been done long before this, because it is basic common sense to have agriculture expertise at the table and to have advisory committees to take into account agricultural land with regard to development. What we know, as was demonstrated yesterday, is that when good policy is presented to the Labor side of politics, they agree it is good policy, as we have heard from the Labor members, but they will vote against introducing it today. Then they will wrap it up dressed as their idea, and in six months time – they will not have six months; they have got a couple of weeks left – they will try and introduce it and issue a media release like it was their idea, as they tried to do yesterday, which is an absolute insult.

I commend this bill to the house. Like I have said, this should have been done decades ago: requiring agricultural expertise with regard to prime agricultural land on advisory committees and with consideration to the environment effects statements. We know that farmers are some of the best land caretakers in the land as their entire livelihoods depend on it. I commend this bill to the house and, instead of being utter hypocrites, Labor should too.

John LISTER (Werribee) (10:00): I rise to oppose this procedural motion to allow the Nationals to debate this private members bill. As a member literally on the front line of pressures when it comes to agricultural land, much like the member for Bellarine and the member for Tarneit, in our peri-urban communities we see the pressures of planning. I do appreciate the Nationals actually coming up to this place with policy, not just putting out the bins like their coalition partners have done over the weekend,

and coming forward with something that means something to their constituencies. But I think the reason why I oppose this bill in particular is because I do not believe the Nationals at any point have bothered to consult with peri-urban communities like mine in particular when it comes to issues around access to agricultural land and trying to restrict access to officials to go onto agricultural land. While that side likes to tilt at windmills and renewable energy projects –

Annabelle Cleeland interjected.

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

Member for Euroa withdrew from chamber.

John LISTER: a few weeks ago I had the delight of having the Minister for Agriculture come out and meet with residents in Little River, which has been at the front line of pressures between rural conservation zones and urban development, particularly successfully fighting off Pacific National and their proposal out that way. But also I stand with them to make sure that we maintain the unique character of that place. In fact the member for Mildura referenced the spirits and distillery show last night, and I would like to note that Rothwell Distillery is one of those places where they grow that grain onsite – I believe the member for Mildura wishes to waste some of my time.

Jade Benham: On a point of order on relevance, Speaker, this is a procedural debate, not a members statement.

The SPEAKER: I do not uphold the point of order. Other members have mentioned the same thing.

John LISTER: As the member for Mildura referenced that and referenced the show, I feel it is appropriate to comment that Rothwell Estate sits on a rural conservation zone but of course they are trying to develop it in such a way that they can attract new business from nearby urban areas to be able to engage there. But in meeting with the Little River Action Group – and I note the minister is in the chamber – one of the key pressures and things that they want to see is the ability for officials to go onto agricultural land in the area and ensure that it is actually being used for agriculture, rather than for inappropriate uses like vehicle storage. They want officials to come onto the land, to be able to enter it and to monitor the use in line with the rural conservation zone planning schemes, as well as monitor introduced species on that land. It is important to consult with all of these groups before we go to adjusting our Planning and Environment Act 1987 around this. It is really important to get out there and meet with those peri-urban communities.

I would like to note that in this place, just before my time, in 2024 one of our committees did do an inquiry into food security. In briefly reading through the recommendations – and I have spoken about this inquiry myself in this place – there are a whole lot of recommendations there. Only one goes to the idea of food security and healthy eating options out in our peri-urban communities and on this front line between rural conservation zones and urban development: recommendation 24. It recommends that we explore some of the restrictions and some of the opportunities to make sure that land is being used appropriately but also look at healthy food options within those communities, which I know the member for Northcote knows quite well, as we have been engaging on that – and the proliferation of KFCs on the urban fringe is something that I have spoken about in this place as well. The government's response says that they will work with stakeholders to implement these planning provisions and to explore these planning provisions, because this is not necessarily something that we have to go to legislation for in this place and where we expect the good people of Victoria to come and watch us on *Hansard*, on our live broadcast. Rather, they will have that consultation out on the ground, with people like the Little River Action Group, to understand these pressures before planning provisions are put into this place or even regulatory changes, which do not require the contribution of the National Party in Parliament to be able to happen. I think it is important that we encourage people to engage with our local members around this and to work with the Minister for Planning on these provisions.

Assembly divided on motion:

Ayes (30): Brad Battin, Jade Benham, Roma Britnell, Tim Bull, Martin Cameron, Annabelle Cleeland, Chris Crewther, Gabrielle de Vietri, Wayne Farnham, Matthew Guy, David Hodgett, Emma Kealy, Anthony Marsh, Tim McCurdy, Cindy McLeish, James Newbury, Danny O'Brien, Michael O'Brien, Kim O'Keeffe, John Pesutto, Richard Riordan, Brad Rowswell, Ellen Sandell, David Southwick, Bridget Vallence, Peter Walsh, Kim Wells, Nicole Werner, Rachel Westaway, Jess Wilson

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

Motion defeated.***Business of the house*****Notices of motion and orders of the day**

The SPEAKER (10:11): Government business, notice of motion 16, and general business, notices of motion 51, 52, 62, 63, 76 and 77 and order of the day 5, will be removed from the notice paper unless members wishing their matter to remain advise the Clerk in writing before 2 pm today.

Committees**Environment and Planning Committee*****Inquiry into Renewable and Affordable Energy for Apartments***

Juliana ADDISON (Wendouree) (10:11): I have the honour to present to the house a report from the Environment and Planning Committee on the inquiry into renewable and affordable energy for apartments, together with appendices and transcript of evidence.

Ordered that report and appendices be published.***Bills*****Electoral Amendment (Miscellaneous Matters) Bill 2026*****Council's agreement***

The SPEAKER (10:11): I have received a message from the Legislative Council agreeing to the Electoral Amendment (Miscellaneous Matters) Bill 2026 without amendment.

Committees**Dispute Resolution Committee*****Membership***

Anthony CARBINES (Ivanhoe – Leader of the House, Minister for Artificial Intelligence and the Digital Economy, Minister for Major Events, Minister for Medical Research, Minister for Racing, Minister for Economic Development) (10:12): I move, by leave:

That the Honourable Ben Carroll MP be discharged from the Dispute Resolution Committee and that the Honourable Gabrielle Williams MP be a member in their place.

Motion agreed to.

*Motions***Motions by leave**

Gabrielle DE VIETRI (Richmond) (10:12): I move, by leave:

That this house notes that Premier Ben Carroll has said that he will aggressively pursue a larger role for Victoria in war and weapons manufacturing under AUKUS. This deal draws us further into dangerous and illegal US wars and wastes hundreds of billions of dollars of public money that could be spent –

Leave refused.

*Members statements***Melton electorate achievements**

Steve McGHIE (Melton) (10:13): In lieu of any valedictory statement, I want to use these final weeks of Parliament to highlight some of the achievements we have delivered for Melton. The new Melton hospital is well and truly taking shape. Our three level crossings have either been removed or are about to be, and we will soon open the brand new Melton station, meaning no more dodgy underpass just to catch your train. From there you will be able to jump on a bus to Eynesbury, a service that simply did not exist beforehand, and from Cobblebank station, which I was proud to help open in 2019, you can now connect to the new Thornhill Park bus service. Existing bus routes have also seen timetable improvements. Those buses are connecting a growing community, including the five new state primary schools and one new secondary school we have delivered.

Every existing government school in Melton, bar one, has also received upgrades and investment, not to mention investments in Catholic and independent schools. Education does not stop at school. We have brought TAFE back to Melton. Courses are already underway in temporary facilities, with the construction of the new Kangan TAFE campus at Cobblebank to come. We have delivered new ambulance stations, major intersection upgrades on High Street and Norton Drive and Coburns Road, improvements to the Melton Highway and preconstruction works beginning on the upgrade to the Western Freeway. Add to that investment in sporting and recreation facilities, helping local clubs and seeing more people participate in sport, and a new regional park for our growing community – there simply is not enough time to mention everything. It is great to see the progress in Melton, and we will continue to do so into the future.

Gavin O’Sullivan

Peter WALSH (Murray Plains) (10:15): Gavin O’Sullivan from O’Sullivan’s Transport, Elmore, was honoured at the 40th anniversary conference of the Livestock & Rural Transporters Association of Victoria, which he helped found, and he was its inaugural president. Gavin and his brother Peter have been running the business for over 60 years and are a familiar sight the length and breadth of eastern Australia, with their fleet of more than 50 livestock transports running around the clock.

Ron Hooper

Peter WALSH (Murray Plains) (10:15): Echuca CFA pay tribute to the remarkable career of volunteer Ron Hooper, who is about to clock up 70 unbroken years of service to the brigade. He has already received an OAM for his lifelong commitment, and now the station’s new fire command vehicle is named after him. Ron has children and grandchildren who have followed him into the CFA, and they all joined a huge crowd of wellwishers who packed the station to celebrate this latest honour in an unparalleled story of community service.

Tracey Hughes

Peter WALSH (Murray Plains) (10:16): Tongala netballer Tracey Hughes racked up her 500th game in blue. If that sounds unbelievable, the 500-game milestone is for Tongala games only. Squeezed in the middle were three seasons for Kyabram, with another 70 games, meaning all up this

48-year-old mother of four is on her way to an outstanding 600 senior games of netball. You would have to go a long way to find a better country sporting story.

Andrew Gietman

Jackson TAYLOR (Bayswater) (10:16): I rise to acknowledge the passing of Andrew Gietman, who, sadly, passed away on 31 May this year. Andrew was a loving and devoted father to Melina and Connor. Despite his own health challenges, his children were at the centre of his life, and he was incredibly proud of them. Andrew was highly respected nationally and internationally for his expertise in alternative energy, particularly in biomass- and refuse-derived fuel. But for those of us who knew Andrew, it was his character and the way that he treated people that stood out most. Andrew had been a member of the Labor Party since around 2020 and had been a friend and supporter of mine since 2019. He was the kind of person who was always keen to help in any way he could. He never judged others, was always respectful and genuinely cared about people. What I will particularly remember is that despite his own challenges, Andrew would always dig deep to help me and those around him. He gave his time, his support and his friendship freely. That tells you a lot about the kind of bloke that he was. Andrew wore his heart on his sleeve. He believed strongly in social justice and had a genuine empathy for people who were doing it tough. He was also a proud and passionate Hawthorn supporter for 42 years. I extend my deepest condolences to Melina, Connor, his parents Julie and John, Andrew's two brothers and all of his family and friends. Andrew was a good man, a loving father and a loyal friend. Vale, Andrew Gietman.

Preston Lions Football Club

Cindy McLEISH (Eildon) (10:17): I was most disturbed by the behaviour of some Preston Lions Football Club supporters in a match against South Melbourne Football Club in mid-July. Their behaviour was greatly offensive at best. It was misogynistic, crude and racist. The messaging targeted at Greek Australian women was appalling and needs to be called out widely. There is no place in sport for behaviour like this or elsewhere in our communities. This level of sexism and disrespect for women must stop. I urge the members of Parliament who sponsor the club to carefully consider their future sponsorship, in particular the federal member for Cooper, who is the Assistant Minister for the Prevention of Family Violence. I note the club, clearly in damage control, put out a statement apologising and condemning this behaviour, with those involved to be disciplined.

Public transport safety

Cindy McLEISH (Eildon) (10:18): I want to acknowledge the quiet courage and community spirit shown by two everyday Victorians in Healesville. During a bus journey a local woman, Stephy Keach, was discreetly warned by a fellow passenger and the bus driver that another commuter's behaviour was cause for concern. When the man went to get off at the same stop, bus driver Trevor Esplin from McKenzie's bus line went a step further, calling the woman back onto the bus and ensuring she was dropped closer to home. I commend Trevor and the young passenger, whose awareness, compassion and willingness to act represent the very best of our community. Their actions remind us to be aware of our surroundings, trust our instincts and never hesitate to speak up if something does not seem right. Far too many women change the way they travel because they do not always feel safe.

One Night Outside

Michaela SETTLE (Eureka – Minister for Rural and Regional Development, Minister for Agriculture, Minister for Water) (10:19): I rise today to acknowledge One Night Outside. Last week I had the privilege of joining more than 50 people who took part in One Night Outside as part of Homelessness Week. The event was a powerful reminder that homelessness is not just about the absence of a roof but about the loss of security, dignity and connection. Spending just one night outdoors cannot replicate the reality faced by people experiencing homelessness, but it does help to shine a light on the challenges that they confront every single day. I want to acknowledge Linsie from the Central Highlands Homelessness Alliance for her leadership and Juelz from Uniting for organising

such an important event. I also want to thank the many frontline workers who joined the sleep-out. Their willingness to spend a night outside in Ballarat reflected the commitment they show every day of the year, supporting some of the most vulnerable members of our community. This government understands the importance of protecting those in our community, and I want to acknowledge the first ever Minister for Homelessness, the Honourable Nick Staikos, whose leadership will drive Victoria's response to homelessness through prevention, housing and support services. To everyone who participated in One Night Outside, thank you for standing in solidarity.

Casey Hospital

Brad BATTIN (Berwick) (10:21): Sometimes you have to put yourself in someone else's shoes to understand the feelings that they will feel in a set situation. I ask you to imagine, Deputy Speaker, that you are a nurse and you go to Casey Hospital and you cannot get a car park because the car parks are full and you are forced to park down Kangan Drive, and it might be 500 or 600 metres away. That might not be the end of the world at 3 o'clock walking into work, but at 11 o'clock when you finish your shift you have got to walk back and none of the lights on Kangan Drive work. They have been off for months. These nurses are leaving work after working in the community and taking care of people in the health departments and the emergency departments. Sometimes, as we have seen, they get assaulted at work. They have people who throw abuse at them before they leave the hospital. And then we say to them, 'We couldn't get you a car park. We're now going to tell you to walk down a pitch-black street in an area with some of the highest crime rates here in this state.' These staff should never have to be in a position where they are walking down a street, putting themselves in danger, because of the lack of commitment from a government to turn the lights back on. It is a very simple thing; it is a very simple fix. I say to the government: maybe it is time that you go down and speak to those nurses, put yourselves in their shoes and join them for a walk at 11 o'clock after a shift in pitch-black conditions on Kangan Drive.

Kororoit electorate small business

Luba GRIGOROVITCH (Kororoit – Minister for Youth, Minister for Carers and Volunteers) (10:22): Today I want to give a shout-out to some of the incredible people in our community in Kororoit. David from No9 The Cafe donated to the Western Emergency Relief Network \$1 from every coffee that was sold, which was absolutely unbelievable. He was aiming to raise \$250 for this incredible network but well exceeded that. Well done to David and the whole team at No9.

I also want to recognise Chris and his entire team at the Deer Park Compounding Pharmacy. Chris is an absolute local legend and a gift to our community. He never turns anybody away. Chris is also a proud provider of the Chemist Care Now services.

I would like to also thank the Burnside retirement community village. What an incredible retirement village this one is. It really is seeing seniors enjoy the best days that they have got ahead of them. I was lucky enough to have a cuppa and a chat there last week and also go along to their birthday celebrations – 24 years in the making.

Kororoit electorate early childhood education and care

Luba GRIGOROVITCH (Kororoit – Minister for Youth, Minister for Carers and Volunteers) (10:23): Last of all I would like to mention that we have got early childhood educators who are working hard teaching our next generation. In exciting news, I am pleased to announce that we will be building a government-owned early learning centre in Rockbank. This centre will have space for 130 local kids and will include maternal and child health services, playgroups and allied health. We are also upgrading the kitchen at the YMCA Kororoit Creek centre in Burnside Heights, which will allow easier preparation of healthy meals so that they can watch the food being prepared. I am so excited that our cutest Victorians are getting the best start in their life, thanks to a Carroll government investment.

Wesley Uniting Tennis Club

Kim WELLS (Rowville) (10:24): I rise today to condemn the Uniting Church in Australia Property Trust (Victoria) for its poor financial management and its disgraceful attempt to sell off the Wesley Uniting Church tennis club courts at 2 Collins Street, Box Hill, where I am a member. Following the property trust's failure to adequately supervise noncompliant capital drawdowns from the Gore Charitable Trust, the Supreme Court determined the Uniting Church in Australia Property Trust (Victoria) was liable to restore those eroded funds. Now, to cover the cost of its own continuing governance failures and mismanagement, the Uniting Church in Australia Property Trust (Victoria) is attempting to liquidate the local tennis club by asserting the land is held by the church for general purposes. This is completely wrong. The land was gifted to the Methodist Church, now Uniting Church, over 100 years ago specifically for the purpose of a tennis club, a use explicitly acknowledged by the trustees of the Box Hill church at the time in its minutes, recording acceptance of the gift, and in their letter of thanks to the donor of the land. The nature of this gift is akin to a special trust. The Uniting Church in Australia Property Trust (Victoria) should hold this land in the spirit of the original gift, not as a general trust asset to be raided to pay for the church's poor asset management elsewhere. The Uniting Church in Australia Property Trust (Victoria) must abandon any proposed sale of the tennis court land and respect the original intent of the gift.

Frankston Rovers Junior Football Club

Paul EDBROOKE (Frankston – Minister for Police, Minister for Crime Prevention, Minister for Emergency Services, Minister for Multicultural Affairs) (10:25): On the weekend I had an absolutely amazing night. I spent time at the Rovers in Frankston for the Ride for Rovers junior football club. The president of the Rovers Aaron Gale decided, to raise awareness and money for the club's upcoming redevelopment, that he would take on a gruelling 24-hour bike challenge. I do not know whether anyone saw the Tour de France lately, but it is certainly not something that I would take on. But Aaron decided that he would do laps up to Mordialloc and back to Frankston. He rode the equivalent of, I think, the distance to Mount Gambier – an amazing effort – with no sleep for 36 hours straight.

As we look forward to the future of this amazing club with the redevelopment, we are beginning the process of seeing the club raise funds for the things it will need to put inside the new clubroom, equipment and resources that will help not only the current players but the players of the future and the future champions of our sports in Australia, if not internationally. Can I just say how absolutely proud I am of that community. To see Aaron come across the finish line with the local CFA and with the kids – what a role model for that community. It was just amazing to see everyone together. So many people were there: local government representatives, federal government representatives, everyone all together for one purpose.

Road maintenance

Tim BULL (Gippsland East) (10:27): On Monday morning I drove to Melbourne, and I had the Waze app on the little car screen. Never before have I seen so many of those little yellow logos pop up to tell me there were potholes approaching. It was not the rain – the weather has been blamed, but we had had 15 mil of rain – it is lack of investment. Never before have I seen the potholes so wide and deep. It was really dangerous. We saw all the cars lined up on the side of the road. We had other instances right across Gippsland where we had rim damage. I had one constituent, Michelle, who contacted me on Monday. She hit a pothole a month ago – \$2330 in damage. She put in her claim, and the government basically said, 'Not my problem.' It is going to take more than a billion dollars to fix. That is why we have committed to five times that amount to make sure that the roads are fixed and fixed properly so we do not have these situations recurring every time we have a little sprinkle of rain.

Kokoda Track

Tim BULL (Gippsland East) (10:28): I want to put on the record my thanks to all the sponsors and to Adventure Kokoda for their support when we took 35 students across the Kokoda Trail recently as part of the Victorian scholarships. These kids learn about resilience, respect and commemoration. We take them to where their soldiers died – they all carry a soldier. We then take them to the graves afterwards, and they really learn a lot about our history. Thanks to the members for Narracan and Murray Plains for also assisting in that.

Early Learning Matters Week

Belinda WILSON (Narre Warren North) (10:28): Today I want to talk about Early Learning Matters Week. In its ninth year, Early Learning Matters Week highlights the importance of quality early childhood education and the vital role that it plays in contributing to all of our children's learning, development and wellbeing. This celebration brings together educators, parents, carers and community leaders to advocate for high-quality early learning and to recognise the dedicated people who support our younger learners every single day. I was really proud to go along and watch the work of an amazing centre in my electorate, KingKids early learning centre in Narre. Tammy, the incredible centre manager, showed me around with her amazing team and showed me through the centre explaining the important work that they do for our community, their activities and their facilities. It was actually quite incredible. It was wonderful to see the dedication of all the educators, the care that they provide to the kids and the wonderful work that they do. These programs play an important role in ensuring that the youngest members of our community have a strong foundation for their future learning and also prepare them so they are all ready for prep in their later years.

Narre Warren North electorate sports clubs

Belinda WILSON (Narre Warren North) (10:29): I want to now talk about community sport, and we all know that community sport is the heart of our communities. AFL season is coming to an end, and it is the women's sport that is really winning in my community. The Endeavour Hills Eagles are through to the granny in two weeks. The Narre girls had a loss. They have got a second chance for division 2. Good luck to all the teams.

Community safety

Gabrielle DE VIETRI (Richmond) (10:30): The tough-on-crime approach has completely failed. Victoria has the largest police force in Australia, and Labor's harsher laws, increased prisons and almost doubling of police funding have not made people feel any safer. We cannot keep doing the same thing and expecting a different result. We need a different approach to community safety – that means evidence-based policies that prevent crime, tackle inequality and connect and support young people. We need to back community-led programs that break the cycle of offending. We need a health-led response to mental health crises, with trained first responders and outreach workers to support people in distress instead of sending in police. We need to address the root causes of crime with secure housing, good schools, decent jobs, health care and community services. This is not radical. Even New South Wales is moving away from sending in police to mental health emergencies, investing more than \$270 million in a new health-led response. New York has just experienced its safest first six months on record after adopting a more compassionate, evidence-based approach to community safety. The principle is simple: send the right person to the right problem and invest in preventing harm before it happens instead of just policing it after the damage is done.

Old Kyneton Primary School

Mary-Anne THOMAS (Macedon) (10:31): Big things are happening in Kyneton, including an exciting new chapter for one of Kyneton's most treasured heritage buildings, the old Kyneton Primary School. A new consortium has been appointed, led by one of Australia's leading social enterprises – Kyneton's own Social Foundry – alongside Impact Neighbourhoods International, Waterman Workspaces and ValueLab.Co. The precinct will become a place where people can gather, create,

work and connect. Plans are already afoot for the opening to coincide with the daffodil and arts festival, and feedback from the community has been invited as we look to a future that includes new opportunities for local businesses, artists and young people. I particularly want to acknowledge and thank Paul Dettman and Bron and Simon Burnett for their vision, leadership and commitment to creating meaningful opportunities for our community.

Kyneton netball facilities

Mary-Anne THOMAS (Macedon) (10:32): Thanks to a \$1.5 million investment from our Labor government, players at the Kyneton Football Netball Club and Kyneton Netball Association now have access to two brand new competition-standard netball courts and a modern pavilion at the showgrounds. At the opening, netball manager Loryn Savoia spoke passionately about the way these facilities will change the game for our netballers in Kyneton and beyond.

Country Fire Authority Metcalfe station

Mary-Anne THOMAS (Macedon) (10:32): Just up the road, I recently joined CFA volunteers and staff to officially open the brand new Metcalfe fire station. I thank Murray Blaskett, former chairman of the brigade, and captain Len Girvan for leading the campaign for this amazing project. For more than 130 years, Metcalfe fire brigade has supported the community through major emergencies, including of course the 2009 Black Saturday fires.

State election

Brad ROWSWELL (Sandringham) (10:33): Six candidates, six communities but one shared commitment to offer Victorians the fresh start that they deserve and to deliver a government that works. In Melton I doorknocked with Jarrod Bingham, a local snake catcher who has spent a decade protecting Melton families from snakes in their homes, and now he wants to catch snakes in Parliament. A mighty effort – he has personally knocked on 13,000 doors. In Sydenham I met Nathalie Moussi, the candidate there, a local small business owner. Just days after Natalie was preselected, we visited businesses together and doorknocked as well. In Hastings, I campaigned with Frank Schiefeler, a former army serviceman turned political adviser, ready to fight for a community let down by police station closures and rising crime. In Bass I stood alongside Rochelle Halstead, the current mayor of Bass Coast. She and her husband have been local small business owners for years, and the great thing about Rochelle is that she is local through and through. In Bayswater I not only met with but campaigned with David Kitchen, a finance manager at a food processing company who understands household budgets and the cost-of-living pressures facing local communities. We also visited local schools together. I commend every single one of these candidates to the communities that they seek to represent. I thank them for their service, I thank them for their efforts, and what a wonderful part of the team they will become.

Mornington Wanderers

Paul MERCURIO (Hastings) (10:34): A big congratulations to the Mornington Wanderers motorcycle club on celebrating 25 years of doing what they do and love. They meet every Saturday at Vesbar cafe in Somerville for breakfast, coffee and a chat before they go off on a ride somewhere around Victoria. They are great supporters of local business and a great motorcycling club.

Hugh's Quest

Paul MERCURIO (Hastings) (10:34): A big congratulations to Hugh, who had a life-threatening brain tumour when he was seven years old. I am very happy to say he beat it. He set up Hugh's Quest to raise money for the Robert Connor Dawes Foundation as a way of giving back for the love and support he had on his cancer journey and to support those that are just beginning theirs. In past years there have been badges and bookmarks, and this year Hugh has made greeting cards. All four designs have been drawn by Hugh himself, with a bit of printing help from his mum. I am glad to say that at the recent store at the Somerville market he sold out.

Jennie Bryant

Paul MERCURIO (Hastings) (10:35): A very big thankyou goes to Jennie Bryant OAM, who set up and runs the koala hospital in Tyabb. I had a fantastic evening visiting her koala rehab hospital and catching up with her and the menagerie of animals that she cares for. We have had far too many koalas killed in the area, and I am grateful for the work that Jennie does to help those koalas. In over 40 years of doing this she has looked after over 1500 koalas.

Westernport Veterinary Clinics

Paul MERCURIO (Hastings) (10:35): Lastly, congratulations to Matt, Alison, Abbey and Jessica, owners of the newly built Westernport veterinary clinic, which opened at the beginning of August in Somerville.

Road maintenance

Roma BRITNELL (South-West Coast) (10:36): The people of South-West Coast are asking a very simple question: how does this Victorian Labor government decide which roads get fixed? Because from where our community are sitting, the priorities simply do not make sense. Concerned residents, including Elise McKinnon, Rachael Batten and others, have formed Connecting Warrnambool because they are deeply concerned about the Hopkins Highway. Traffic has increased, roads have deteriorated and families and children face dangerous intersections, yet their concerns are seemingly ignored. The same frustration is being expressed across the electorate. In Port Fairy sections of the highway are significantly degraded, yet roadworks have been prioritised on the other side of Port Fairy, toward Portland, leaving locals wondering why the worst sections were not dealt with first. In Warrnambool, near the Shell service station, locals watched crews repair the right-hand lane when the potholes were actually in the left lane. Then there is Panmure. The community was told works could not proceed because winter had arrived. The equipment had been brought up and set up, then it was all packed up and taken away. Locals were told works could not be done until September because of winter conditions, yet just weeks later, in the heart of the same wet winter, roadworks proceeded near Port Fairy. Understandably, people are asking: what is the logic? What determines the priority? And why do the explanations seem so inconsistent? It is clear that Victoria needs a fresh start. This will only happen under a Liberal government. We have the solution. We have promised \$5 billion to fix the roads properly and to eliminate potholes, because when the roads are as bad as they are in South-West Coast, patching does not work.

Footscray electorate sports clubs

Katie HALL (Footscray) (10:37): Community sport is the heart of our community, and I am delighted to acknowledge the footy teams who are wrapping up their seasons. Congratulations to all of the teams that will be participating in the finals next week. I would like to thank Darren Burnham from the West Footscray Roosters for his ongoing leadership at that great club. The Roosters are such a fantastic team. I was delighted at the last election to secure \$10 million so that Shorten Reserve could be flattened out and the kids would no longer be running up hills while playing football. That work is underway. We have also fought hard to make sure that the seniors can stay at their home of Shorten Reserve.

I would like to acknowledge Jason Agrotis from the North Footscray Devils, from the Yarraville Seddon Eagles Dmitri Colebatch and from Parkside Football Club Ben Crook. One of the things I love about participating in community sport myself as a mum – my little guy is playing for the under-8s at the Eagles – is just seeing how many volunteers make it happen, from the people that cut up the oranges to the coaches. It is a fantastic thing, and congratulations to all the teams.

St Anthony's Catholic Primary School, Lara

Ella GEORGE (Lara) (10:39): Last week I visited the year 4 students at St Anthony's primary school in Lara. They are an amazing group of intelligent and motivated students. This term they have

been learning about government, and they kindly invited me along to their class to talk about my role as their local MP. They have been learning about how democracy works in everyday life, the role of government and why communities have rules and laws. When I got there, it was clear how hard they have been working and how much they have already learned. I quizzed them on which level of government is responsible for a range of community services, and they got all of the answers correct. We had a great conversation about all kinds of local issues facing the Lara community, and the students had some very thoughtful questions for me. The year 4s had some great ideas about new laws to improve our community, including laws for e-bikes and e-scooters, to improve road safety and to ban graffiti. I was very impressed that all of their ideas were focused on improving community safety and making sure that young people are safe. They had some great ideas about what we can do in Lara to make it an even better place to live. These included more bike pump tracks, a basketball stadium for the Lara Giants, a movie theatre, an indoor rollerskating rink and more schools. One of my favourite things to do as a local MP is to visit local schools and meet students. I am always left feeling energised and encouraged that we are in the very best of hands with the next generation of young Victorians, and the students at St Anthony's are a remarkable group of young Victorians. Thanks to the whole class for welcoming me so warmly and for the thought-provoking conversation we had.

Islamic Community Milli Gorus Meadow Heights

Iwan WALTERS (Greenvale) (10:40): I recently had the opportunity to spend an afternoon at ICMG Meadow Heights for the winter market. It was a beautiful opportunity for the community to come together, and I am really grateful for the generosity of the committee, the ICMG women's committee, the youth committee and all of those who made that winter market possible to bring together people from our community in a really welcoming way that I think celebrated the best of both Meadow Heights and Greenvale more broadly.

Kolbe Catholic College

Iwan WALTERS (Greenvale) (10:41): I want to congratulate the Kolbe Catholic College community for the sod turn of the second stage of the St Catherine of Bologna campus but also for their recognition in the *Herald Sun* last week for the outstanding teaching and pastoral leadership that that school provides to every single student. They are at the forefront of evidence-based practice, and they are making a really important impact on the lives of students who need it the most. Many families have sent their children to Kolbe because of the educational opportunity it provides. But also these are families who are new to Australia, often from backgrounds of trauma and persecution, so the pastoral care and the educational leadership that Kolbe provides is so important.

St Carlo Borromeo Catholic Primary School

Iwan WALTERS (Greenvale) (10:41): I also want to thank St Carlo Borromeo's year 6 students, who hosted me recently for a really good conversation about things that matter to our local community. They are fantastic young people, great leaders and really good advocates for their school and their community.

Craigieburn rail line

Iwan WALTERS (Greenvale) (10:41): The Craigieburn line upgrade is here. From Sunday 23 August there will be an extra 115 services every single week starting on the Craigieburn line. From early in the morning until midnight seven days a week you will not have to wait more than 20 minutes for a train.

Melrose Pizza

Josh BULL (Sunbury) (10:42): There are some in our community that are simply legends, and last month I awarded my Local Legend award to Alexis and Russell Harris. Alexis and Russell are the owners of Melrose Pizza in Tullamarine. They have launched an initiative called Random Acts of Pizza, and I was honoured to attend this launch with the Premier a couple of weeks ago. This initiative

involves paying it forward, buying a pizza for someone in need, and it was absolutely outstanding to be able to talk to Alexis and Russell and congratulate them on their contribution to the community and for the work that they do.

Sunbury Saints Basketball Club

Josh BULL (Sunbury) (10:42): It was also terrific to join the Saints at basketball training just a couple of weeks ago at the Boardman Stadium in Sunbury, another terrific local sporting club who received a sporting grant. I congratulate the committee and all the players for the amazing work that they do in making it such a great club.

Sunbury TAFE

Josh BULL (Sunbury) (10:43): Finally, I want to acknowledge the work being done for the really exciting delivery of the brand new Sunbury TAFE – \$25 million, new training, new skills and new opportunities for our community. I am really excited for the delivery of the TAFE. I know that the community is fully pumped and excited to see this delivered, only by a Labor government.

Statements on parliamentary committee reports

Public Accounts and Estimates Committee

Report on the 2025–26 Budget Estimates

Richard RIORDAN (Polwarth) (10:44): I rise today to do a bit of analysis of the 2025–26 financial and performance outcomes, one of the reports of PAEC. Not only this week but this month and this year one of the biggest issues right across Victoria, but particularly in regional Victoria, is the state of our roads. Of course every year we have the budget process, and we have the follow-up review of where we are going with the budget. I think it is not only important that the Parliament is fully cognisant of the lousy job this government is doing with roads but also an opportunity to put it very crystal clear to the community: if they are wanting to know why our roads are in such a bad way, the statistics and the lack of effort from this government in looking after our roads is really laid bare in these reports. I want to read just one comment that the committee made recently about that, and I will read it out. It was finding 50:

The Department of Transport and Planning's justifications for modifying performance measure targets relating to scheduled works do not provide the public or Parliament with an adequate understanding of the basis for the change.

The changes they are referring to I will just read into *Hansard* because they are really quite stark as to why Victorians are expected now to drive around endlessly on goat tracks. If we look at the last six years of what we have done with our roads, it really lays bare what the problem is. Good road management requires surfaces of the road to be replaced and maintained in a 10-year cycle. That is what we used to do. In fact there are some 173,660 square kilometres of road surface in the state of Victoria, out in regional Victoria, and that amount has stayed fairly constant over the last six years, so it is very easy to compare apples with apples. Those apples we are referring to are that six years ago, with a budget of around \$616 million, the Victorian government was able to resurface and manage around 7 per cent of our roads, so it was a bit under world's best effort. It was a bit under what we used to be able to do when we drove around on real roads in Victoria at 10 per cent. They did 7 every year since, and this is why we have craters costing Victorians so much money with their cars and their communities in lost time, danger and accidents. The only winners in this are the crash repair people and the RACV.

In the last six years, we have gone from 7 per cent and then we dropped to 5 per cent. Can you believe that in the financial year 2023–24, 0.24 per cent of our road surfaces were redone. This is the year after COVID. You cannot blame COVID, you cannot blame floods, you cannot blame anything; it is just government incompetence. Not only that, they slashed some 30 per cent of the road budget in that year to what they had been doing – 0.24 per cent of road surfaces covered. When you put that much neglect

in, people really start to suffer. They then went to 1.9 per cent and down again to 1.56 per cent, and this year they are estimating that they are going to do, on the biggest road blitz this government claims to have ever hit Victoria, just 1.65 per cent of our road surfaces. That is not me saying that; that is in the budget report. That is what this government is actually telling Victorians it is doing for our roads.

When you drive around the roads of Polwarth, when you drive around western Victoria hitting crater after crater, when you bust your rims, when you drive into a wire rope barrier on the side of the road or just off the road into a tree, whatever it is that has been caused, it is simply financial managerial neglect by this Labor state government that has caused our road surfaces over the last six years to be well under 2 per cent of the road coverage. We are not getting close to the 10 per cent of road surface management that this state requires in order to have safe, viable roads that keep the state moving. We desperately need a fresh start in Victoria. We need a fresh start so that we can put the focus back on roads and on road maintenance to keep Victorians safe and to help with the cost of living, because at the moment this government has again shown its inability to do that.

Environment and Planning Committee

Inquiry into Renewable and Affordable Energy for Apartments

Juliana ADDISON (Wendouree) (10:49): I am delighted to rise to make a contribution about the inquiry into renewable and affordable energy for apartments. Late last year this place tasked the Environment and Planning Committee with an inquiry into renewable and affordable energy for apartments, townhouses and units. I was pleased to table our report just this morning, including 52 findings and 25 recommendations. Our inquiry focused on examining the barriers and inequities to more renewable and affordable energy for Victorians living in these types of housing. Importantly, we examined options to increase the uptake of renewable technologies, including rooftop solar, balcony and facade solar and community batteries. We also explored how complementary measures such as virtual power plants can expand access and increase grid resilience. Our two days of public hearings helped us consider the differing experiences of owner-occupiers, renters and social housing tenants in accessing renewable and affordable energy. Strong engagement from the renewable energy and strata sectors also helped shape our findings and our recommendations.

On behalf of the committee I wish to thank the individuals and the renewable energy, strata, housing, legal, academic and community groups, who made over 90 submissions to the inquiry, for sharing their expertise and observations, and a special shout-out to people that I have known long term, who are great people, Raoul Wainwright and Matt Torney, who both made contributions to our committee. I would also like to thank my fellow committee members: the greatest deputy chair of all time, who is in the chamber at the moment, the magnificent member for Morwell – thank you for being so amazing; and the marvellous members for Bass, for Croydon, for Monbulk, for Narracan and for Ripon for their cooperation and collaboration and their bipartisan approach throughout the inquiry; it has been integral to our success. But most of all I want to thank you for your friendship, your good humour and, most importantly, being excellent people over the last four years. We have had a ridiculous amount of fun whilst we have done our inquiries. I would also like to acknowledge the member for Warrandyte, who was a terrific member in our early years and disappointingly left us, but we warmly welcomed the sub-in of the member for Narracan – a fantastic contribution. To have Marianna in the house at the moment, our incredible secretariat – thank you to you and the secretariat for your professionalism and, most importantly, your patience, your intelligence, your diligence, your expertise and your excellence. I really did strike gold on this committee. Once again the behind-the-scenes work made sure that the committee could deliver this meaningful report to the Parliament today.

What did our report say, after I have done all of my Oscar-winning thanks? Solar is skewed to freestanding homes and barriers are complex. Solar uptake in Victoria has been strong but remains concentrated in freestanding owner-occupier homes. Shared ownership arrangements, limited roof space, ageing electrical infrastructure and electricity network constraints can make apartment energy projects more complex and of course costly. As more Victorians take up apartment living, ensuring

that they can access renewable energy is a matter of sustainability and fairness. Our report is about closing the renewable energy gap between Victorians living in freestanding homes and those who live in apartments, social housing and multiunit dwellings. Increasing access to renewable and affordable energy in apartment buildings will help reduce energy bills, improve energy equity and accelerate Victoria's transition to net zero emissions. Our recommendations are designed to make renewable energy more affordable and more accessible, to strengthen owners corporation governance and to promote complementary measures such as apartment electrification. One of the strongest themes from our inquiry was the need to make it easier for apartment communities to take collective action, and this can only happen through stronger governance focused on sustainability. We found that building governance matters: well-managed owners corporations are better placed to plan, approve and deliver sustainable upgrades. Owners corporation committees are made up of volunteers and they need more support. In closing, I will talk a lot more about the great things of our report. We are going to do a range of different things. I commend the report to the house.

Public Accounts and Estimates Committee

Report on the 2025–26 Budget Estimates

Tim McCURDY (Ovens Valley) (10:54): I rise to speak on the 2025–26 budget estimates and in particular I want to move to 9.5, 'Energy and resources portfolio', page 147, highlighting finding 72:

As a result of its transition to 95% renewable electricity, the Government expects improved electricity affordability due to cheaper electricity generation.

In which universe does anybody think we are getting cheaper electricity? We certainly are not. Power prices have gone up in Victoria, and we know our own household bills have gone through the roof. Even constituents who tell me that they put in solar a few years ago and moved to a battery are still saying their power prices are higher than what they were five to 10 years ago. That is why, if we are genuinely trying to look at renewable energy and other opportunities, I must ask about hydroelectricity versus the solar factories that are being forced upon us in our region, certainly in Glenrowan and Meadow Creek.

In 1965, under the Bolte government, Lake Buffalo was built in north-east Victoria, just out of Myrtleford. It holds 93,000 megalitres. At the same time the land was purchased to build Big Buffalo. The benefits of Big Buffalo have been well talked about over time, and at the moment the land that has been purchased is full of weeds, blackberries and sambar deer. There is evidence that suggests that, should we build Big Buffalo, it has got the elevation that creates the perfect environment and hydraulics to then go on to hydroelectricity. That hydroelectricity could either go down to Lake Nillahcootie, which then goes into the Goulburn system and eventually into the Murray, or go down the Ovens River, again eventually getting into the Murray.

Communities that are being ridden roughshod over by solar factories that are coming into communities, where good agricultural land is being consumed, can see a solution right before their eyes. That solution could be – I am not saying it is, but it could be – building Big Buffalo, which would then help with that hydroelectricity. We already have hydro going in my electorate up at Mount Beauty. It is a very practical renewable energy, and of course there is room to improve on that. It seems like ever since solar factories and wind turbines came to town there is a new kid on the block, and everybody said, 'That's all we'll concentrate on,' when right before their very eyes there are opportunities to still look at renewable energy for reduced prices in electricity.

Certainly the Carroll Labor government simply will not even consider it. Neither of the Premiers before the current Premier would even look at hydro opportunities in the Ovens Valley. We know the benefits are storage of water for environmental benefits, less evaporation than any of the shallow lakes in the Murray-Darling Basin and of course recreational outcomes and tourism benefits. I have raised this, as I say, over the last 12 years, and there was the arrogance from the former former Premier, who just said, 'Building dams doesn't make it rain.' That is just ridiculous, the stupidity – someone who

came from a farming family should understand that we make hay when the sun shines and we certainly store water for a non-rainy day. That is the sort of attitude you need to have.

There is the National Water Grid Authority, which used to have \$2 billion in it federally. I think that has been pilfered by the Albanese government, but there is still money there. That actually looks into scoping out projects – it is not money to build, but money to scope out and say, ‘Okay, should we build Big Buffalo on the existing Buffalo, taking it from 23,000 megalitres to a million megalitres? What are the opportunities for solar, recreation and other environmental uses?’ That is what that money can be used for. Up until now, over the last 12 years, the government has refused to look at that. I am sure they are driven by the Greens in their environmental policies, and that is where we seem to hit a brick wall all the time.

It is important that we do look into these opportunities. We talk about trying to get cheaper electricity. Here is a situation that is right before your eyes and that still exists. We can look into something like Big Buffalo, because the land has been purchased, it is sitting there and it is ready to go. As I say, if we spent some time, instead of just pushing solar factories, as I call them, onto good agricultural land, dividing communities, making life difficult for communities and destroying communities, we could see these options and opportunities for hydroelectricity with the building of Big Buffalo.

Public Accounts and Estimates Committee

Gambling and Liquor Regulation in Victoria: A Follow up of Three Auditor-General Reports

Mathew HILAKARI (Point Cook) (11:04): Deputy Speaker, let me take you back three years. You will remember well the discussions on *Gambling and Liquor Regulation in Victoria: A Follow up of Three Auditor-General Reports*, a report which was delivered in November 2023. You would remember me getting up in this chamber and speaking on this issue before, and it is an issue that I remain passionate about and something that I hope is achieved by government. It is around recommendations 4 and 5 of this review, and it relates to the review of the purpose of the community benefits arrangements related to pokies and what percentage of gaming revenue is being redirected into the community as opposed to being spent on the operational expenses of pokies and increasing their clientele. Recommendation 5 is around the taxation discount that pokies venues receive as a result of the supposed community benefits that they are providing. That taxation discount is an 8.33 per cent discount to gaming revenues of clubs with electronic gaming machines or pokies.

I just want to take you to the community that I represent in the City of Wyndham. Net gaming revenue in the community that I represent was almost \$60 million. That is an extraordinary amount of dollars for the community that I represent. Of that, the pokies venues, seven of them, reported that they had provided almost \$11 million of community benefits. I just want to break down what those community benefits are. I am using a particular club here as an example. They said that they provided \$1.3 million worth of benefits in the community. About 1.2 per cent of that \$1.3 million, or \$15,000, was actual community benefits. According to them, they were donations, gifts and sponsorships. So that extraordinary 8.33 per cent tax discount they had got actually related to a \$15,000 series of gifts and donations and sponsorships, but that was certainly subsumed in a substantial way by the more than \$580,000 that they spent on wages that they purported were a community benefit. I would suggest to you that when you spend \$580,000 on wages, it is not related to your benefit to the community; it is a benefit to your business. It is actually a requirement of you running your business to have people at the business, cooking the food, serving the drinks and being at the pokie machines. The tab waging wages of 10 grand and the management wages of 106 grand are meant to be supposedly community benefits. It is an absolute outrage that we allow this to continue on.

That \$15,000 in donations, gifts and sponsorships is dwarfed by the interest that they pay on their loans to the bank account, on their bank loan fees, on fees to ASIC, a requirement by law – that is not a community benefit; that is something they have to legislatively meet – their licensing fees and their cleaning fees so there are not rats and mice running around the building and cockroaches in their kitchen. This is extraordinary that they say that these are community benefits, not costs of running

their business or requirements by law. I do not know why we stick with this. Their superannuation payments, \$80,000 of them – I am glad to see that they are paying their super, but they are required to do so by law, not because it is some sort of community benefit, some benevolence from this club. Their WorkCover payments – I mean, this is extraordinary stuff that we allow to continue, and we should cut it out.

If they are going to get a discount on their taxation from the Victorian government, they should have to provide genuine community benefits. If they cannot, and they have demonstrated they are not doing so over the last three years and over the years before that, then we should cut this system out and return that money to the taxpayer, who is much better at spending this money in the support of the communities. Communities that I represent need their football ovals, they need their sporting clubs, they need their basketball courts and they need their swimming pools. They need their community services.

It does not mention here at all support for people to minimise their risk and cost of gambling. That is very often one section that they leave as a zero dollar in these organisations. I say that we have got to end this. We should end it. It is important that government acts on this. These are recommendations that are outstanding from three years ago. We have the opportunity to act. I commend these recommendations to this house, and I hope to see them acted on.

Electoral Matters Committee

Inquiry into Victoria's Upper House Electoral System

Chris CREWTER (Mornington) (11:04): I rise again on the Electoral Matters Committee's report into Victoria's upper house electoral system, this time with something important having changed. As the committee's deputy chair, I acknowledge the work of the chair and former chair, members and former members, the secretariat and every witness and submitter. The report did not pretend that there was universal agreement about the future structure of the Legislative Council, but there was broad agreement on the urgent first step: group voting tickets had to go. Our committee strongly recommended this. When I spoke on this report on 12 May I said that group voting tickets had had their day. On 28 July the government finally introduced legislation to abolish them, and on 29 July, last sitting week, the Assembly passed that bill without opposition. Finally, last night, it was then passed through the Legislative Council.

I welcome this reform. I also ask: why did Victorians have to wait until the eve of an election? The committee reported in December 2025. Recommendation 1 said that the government should act as soon as possible so voters, parties and the Victorian Electoral Commission would be ready for November. Electoral rules should be made on principle, not according to polling or calculations about which party might benefit. The committee squarely acknowledged the trade-off – that without a structural change, abolishing tickets may make it harder for small parties to be elected – but it also found that delay would further erode public trust. Minor parties will not be banned or silenced; they will simply have to persuade voters to give them preferences, just as every serious democratic movement should. The principle is simple: voters should direct their own preferences. Under these changes Victorians will be instructed to number at least five groups above the line, with savings provisions protecting ballots that express fewer preferences. A voter will choose where their vote travels; a party operative or paid preference broker will not.

The case for change is overwhelming. In an analysis published recently by Antony Green, he showed how group voting tickets engineered victories that ordinary voter preferences would otherwise have been unlikely to produce. In the Eastern Metropolitan Region in 2018 Transport Matters won from just 0.62 per cent, defeating a Greens candidate who began on 9 per cent. In Southern Metropolitan Region Sustainable Australia won from less than 1 per cent while the second Liberal candidate began on 12.3 per cent. That is not proportional representation; it is basically preference wizardry.

Then there is Glenn Druery, the so-called preference whisperer. In 2022 the ABC reported a video in which he described charging minor parties \$55,000 to optimise their preferences. The committee found that paid preference coordination combined with group voting tickets had undermined public trust. Mr Druery has now warned that abolition may help One Nation. That is beside the point. We did not design democracy to manufacture our preferred winner; we designed it so that voters choose the winner.

Nor can Labor pretend it stood outside this machinery. In that 2018 Eastern Metropolitan count almost 11,000 Labor surplus votes helped push Transport Matters ahead after Labor's ticket placed it second. Under the separate lower house preference system at the 2025 Werribee by-election, Labor trailed the Liberals on first preferences but retained the seat after preference distribution, assisted by substantial support initially cast for the Greens, Victorian Socialists and Legalise Cannabis. Labor understands preference flows very well when they work in Labor's favour.

The final absurdity was the law being mocked in real time. Avi Yemini was explicit that his now registered Free Palestine Party was intended to attract left-wing votes and redirect preferences to parties on the right, with One Nation in the frame. An attempted Muslim Votes Matter registration echoed the same tactic. This pointed out what has happened for years already. But whatever one's politics, a ballot paper label should not be bait in a preference harvesting scheme.

It is good that the government have finally accepted the committee's central recommendations, but these changes do not complete the committee's report. The recommended weighted inclusive Gregory counting method and a post-election process to build agreement on the Council's structure remain unfinished business. Victoria was the last jurisdiction clinging to group voting tickets, so it is great that this reform has now passed both houses, and it is great that the Victorian Electoral Commission now has the time it needs to implement this before the election in November. We must continue to restore the most basic democratic rule: your vote should go where you send it.

Economy and Infrastructure Committee

Inquiry into the Impact of Road Safety Behaviours on Vulnerable Road Users

Anthony CIANFLONE (Pascoe Vale) (11:09): I rise again to make a further contribution on the Legislative Assembly Economy and Infrastructure Committee's report *Inquiry into the Impact of Road Safety Behaviours and Vulnerable Road Users*. That is why I continue to draw the minister's and the Department of Transport and Planning's attention to the 61 findings and 56 recommendations set out in the report, particularly the following, which relate to the local issues I am about to highlight: recommendation 6, review the flexibility of speed zoning guidelines, with the aim to decrease suburban rat-running and reduce speeds around schools and arterial roads within activity centres; recommendation 8, that government place greater emphasis on the safety of vulnerable road users in future road and urban infrastructure design and strategies; recommendation 26, that DTP review intersections commonly used by vulnerable road users and assess if treatments such as timed pedestrian protections would benefit; and recommendation 27, review the location of pedestrian crossings on arterial roads to ensure there are regular crossings linked to public transport stops, activity centres and schools.

Further to my contribution of 17 June, I would also like to again draw the attention of the house to the need for ongoing improvements along Gaffney Street through Pascoe Vale and Coburg North. These improvements cannot come soon enough, as set out by a letter I received from St Oliver Plunkett principal Delfina Pieri, who stated:

Gaffney Street is a busy road that sees significant vehicle traffic throughout the day, including during school drop-off and pick-up times. While a limited 40km/h zone exists during school hours (currently for PV Primary Students to Dale Avenue) –

just over Cumberland Road –

... this does not provide adequate protection outside these times – particularly in the mornings before the designated time, after school hours, or during extracurricular activities when many students and families still use the designated pedestrian crossing on Gaffney Street.

That is just at the front of the church.

The current speed limit in sections beyond the existing school zone remains at 60km/h, posing a serious risk to pedestrians especially children, who are some of those vulnerable road users.

Extending the 40km/h zone would help mitigate this risk and align with broader efforts to create safer environments around schools. As part of our school's commitment to child safety and wellbeing, we regularly conduct risk assessments of traffic flow and pedestrian movements around our campus.

...

The safety of our students should not be restricted to narrow time frames. Our duty of care extends beyond the classroom and school hours, and we ask that road infrastructure and regulation reflect this reality.

I urge you to prioritise the safety of our community by extending the 40km/h zone further along Gaffney Street to cover the areas regularly used by students and families accessing the school crossing and surrounding footpaths.

This 40-kilometre school zone extension should extend further east over Landells Road towards Derby Street and even potentially link up with the pre-existing 40-kilometre zones out the front of Harmony Park and Coburg North Primary School, where the new kinder is being built, because it is families from Coburg North Primary that are east along the corridor that are calling for changes too. On 30 March Dr Natalie Holowko, a school council member, and Bryn Goodey, the school council president at Coburg North, also wrote to me to say:

I am writing on behalf of the Coburg North Primary School Council to raise a pressing concern shared by many families – the absence of a safe pedestrian crossing on Gaffney Street.

That is between and around Sussex Street, Jersey Street, Roosevelt Street and Mercier Street.

A significant number of our families reside north of Gaffney Street and have approached the school council about the difficulty of crossing safely.

Our school is proud to be part of the Ride2School network and actively promotes active transport ...

We value the opportunity for children to cycle to school, initially accompanied by a parent and progressively on their own. This independence builds confidence and capability, qualities we believe are essential for young people today.

Coburg North Primary School has approximately 500 students. With a new government-funded kindergarten currently being developed on the corner of Gaffney Street and Bishop Street next to Harmony Park, the need for a safe pedestrian infrastructure on Gaffney Street has never been greater.

Crossing Gaffney Street safely currently requires families to significantly extend their journey by detouring to the nearest signalised crossing.

While there are currently two pedestrian crossings on Gaffney St (at Sussex Street and at Dawson Street), they are both 400m to 500m from the point where families need to cross to access the school and the new kindergarten, which is due to open in 2028.

Without this detour, children and families face the risk of crossing at an unmarked and unsafe location ...

We currently have families crossing Gaffney Street between Bishop Street and Jersey Street at great risk of being hit by oncoming traffic.

Gaffney Street is considered an arterial road. With community services (school, skate park, Harmony park and the new kindergarten) on one side and many local businesses and parks on the other, this very busy area is dangerous for pedestrians and cyclists.

And of course there are the Coles, the Coburg North shopping village, where my office is, the Blu fish and chip shop and so much more. When the Gaffney Street–Sussex Street roundabout was upgraded by our government to a signalised intersection in May 2022, we supported that. We also fully support this vision being extended, as essentially they are talking about, and believe the next logical step is to extend that same commitment to safety further along Gaffney Street by installing an additional

dedicated pedestrian crossing. That is a natural and necessary continuation of the improvement works already done. This will ensure children and families can safely travel independently to schools, local businesses and community facilities. They respectfully request the state government and the Department of Transport and Planning to consider installing a dedicated set of pedestrian lights on Gaffney Street in the vicinity, as I said, of Roosevelt Street or Mercier Street, and I strongly recommend and encourage the new Minister for Roads and Road Safety to consider this proposal.

Bills

Education and Training Reform Amendment (Apprenticeships, Traineeships, Schools and Other Matters) Bill 2026

Statement of charter compatibility

Gabrielle WILLIAMS (Dandenong – Minister for Education, Minister for Skills and Training, Minister for First Peoples, Minister for Women and Gender Equality) (11:15): Under the Charter of Human Rights and Responsibilities Act 2006, I table a statement of compatibility:

In accordance with section 28 of the *Charter of Human Rights and Responsibilities Act 2006* (the **Charter**), I make this statement of compatibility with respect to the Education and Training Reform Amendment (Apprenticeships, Traineeships, Schools and Other Matters) Bill 2026 (the **Bill**).

In my opinion, the Bill, as introduced to the Legislative Assembly, is compatible with the human rights protected by the Charter. I have this opinion for the reasons outlined in this statement.

Overview of the Bill

The Bill introduces reforms to regulation of apprenticeships and traineeships, the permission to teach scheme administered by the Victorian Institution of Teaching, and the school community safety order scheme, and other matters. The apprenticeship and traineeship reforms are dealt with in Chapter 2 of the Bill, and the reforms related to schools and other matters are contained in Chapter 3 of the Bill. This section provides an overview of the amendments in each Chapter of the Bill.

The Bill seeks to deliver the following objectives regarding apprenticeships and traineeships regulatory reform:

1. **Economic outcomes:** to strengthen the State's economic base by providing a modern and skilled workforce that meets the current and future needs of industry, government and the community through successful completion of qualifications.
2. **Safety and support:** to support a proactive regulatory system that prevents as far as practicable the risk of harm to apprentices and trainees undertaking a workplace training arrangement.
3. **Training quality:** to support the continued development and provision of high-quality workplace training by employers of apprentices and trainees.

Implementing recommendations of the Apprenticeships Taskforce, which reported to government in early 2024, the purposes of the Bill in respect of apprenticeships and traineeships regulatory reforms, are to amend:

1. the *Education and Training Reform Act 2006* (**ETRA**) to provide for a new regulatory scheme for apprenticeships and traineeships, including by:
 - a. transferring functions relating to apprentices from the Victorian Registration and Qualifications Authority (**Authority**) to the Workforce Inspectorate Victoria (**WIV**), providing for the collection, use and disclosure of information in relation to apprenticeships and traineeships by the WIV, and establishing the Apprenticeship and Traineeship Consultative Committee;
 - b. providing for a new licensing system that authorises entry into training contracts to train apprentices or trainees, and providing for the execution, approval, cancellation and suspension of training contracts; and
2. providing for registrations of group training organisations (**GTO**), the making of approved training scheme determinations, and the preparation of training plans; and
3. the *Workforce Inspectorate Victoria Act 2020* (**WIV Act**) to provide for the appointment of the Apprenticeship and Traineeship Commissioner, and for the Commissioner's functions and powers.

The Bill also seeks to deliver the following objectives for schools and other matters:

4. introduce a new statutory principle which enshrines the expectation and intention that all Victorian schools are safe and respectful places of learning and work;
5. improve and strengthen the permission to teach registration scheme administered by the Victorian Institute of Teaching (**the Institute**);
6. implement a number of recommendations of the statutory review of the school community safety order scheme (**SCSO scheme**) and make other amendments; and
7. make minor consequential amendments to the Commission for Children and Young People Act 2012 and the Children, Youth and Families Act 2005.

In relation to the SCSO scheme, the Bill will make amendments to:

8. the process for making and extending immediate school community safety orders (**immediate orders**) in Division 2 and ongoing school community safety orders (**ongoing orders**) in Division 3 of Part 2.1A of ETRA; and
9. the process for reviewing ongoing orders in Division 4 of Part 2.1A of ETRA; and
10. introduce powers to make and review digital content school community safety orders (**digital content orders**) in new Divisions 4A and 4B of Part 2.1A of ETRA, which will prohibit the use of communication platforms or channels to harm members of the school community (including making orders to a person to remove or amend content or material published, or information communicated, on communication platforms and channels outside of the school environment).

Human rights issues

The human rights protected by the Charter that are relevant to the Bill are listed below, together with an overview of the scope of each.

Apprenticeships and traineeships regulatory reforms

Right to equality before the law and protection from discrimination (section 8 of the Charter)

Section 8(2) of the Charter provides that every person has the right to enjoy their human rights without discrimination. Section 8(3) of the Charter relevantly provides that every person is entitled to equal protection of the law without discrimination and has the right to equal and effective protection against discrimination. The purpose of this component of the right to equality is to ensure that all laws and policies are applied equally, and do not have a discriminatory effect.

Freedom from forced work (section 11)

Section 11 of the Charter provides that a person must not be made to perform forced work or compulsory labour. 'Forced or compulsory labour' relevantly does not include work or service that forms part of normal civil obligations. While the Charter does not define 'normal civil obligations', comparative case law has considered that, to qualify as a normal civil obligation, the work or service required must be provided for by law, must be imposed for a legitimate purpose, and must not be exceptional or have any punitive purpose or effect.

Right to privacy and reputation (section 13)

Section 13(a) of the Charter provides that a person has the right not to have their privacy unlawfully or arbitrarily interfered with. An interference will be lawful if it is permitted by a law which is precise and appropriately circumscribed, and will be arbitrary only if it is capricious, unpredictable, unjust or unreasonable, in the sense of being disproportionate to the legitimate aim sought. The right to privacy is broad in scope and encompasses rights to physical and psychological integrity, individual identity, informational privacy and the right to establish and develop meaningful social relations.

Right to freedom of expression (section 15(2))

Section 15(2) of the Charter provides that every person has the right to freedom of expression, which includes the freedom to seek, receive and impart information and ideas of all kinds. However, section 15(3) provides that special duties and responsibilities attach to this right, which may be subject to lawful restrictions reasonably necessary to respect the rights and reputations of others, or for the protection of national security, public order, public health or public morality.

Property rights (section 20)

Section 20 of the Charter provides that a person must not be deprived of their property other than in accordance with law. This right requires that powers which authorise the deprivation of property are conferred

by legislation or the common law, are confined and structured rather than unclear, are accessible to the public, are formulated precisely and do not operate arbitrarily.

Right to a fair hearing (section 24(1))

Section 24(1) of the Charter provides that a person charged with a criminal offence or a party to a civil proceeding has the right to have the charge or proceeding decided by a competent, independent and impartial court or tribunal after a fair and public hearing. The concept of a 'civil proceeding' is not limited to judicial decision makers, but may encompass the decision-making procedures of many types of tribunals, boards and other administrative decision-makers with the power to determine private rights and interests.

The right may be limited if a person faces a procedural barrier to bringing their case before a court, or where procedural fairness is not provided. However, the entire decision-making process, including reviews and appeals, must be examined in order to determine whether the right is limited.

Presumption of innocence (section 25(1))

Section 25(1) of the Charter provides that a person charged with a criminal offence has the right to be presumed innocent until proven guilty according to law. The right is relevant where a statutory provision allows for the imposition of criminal liability without the need for the prosecution to prove fault. The right is also relevant where a statutory provision shifts the burden of proof onto an accused in a criminal proceeding, so that the accused is required to prove matters to establish, or raise evidence to suggest, that they are not guilty of an offence.

Right to protection against self-incrimination (section 25(2)(k))

Section 25(2)(k) of the Charter provides that a person charged with a criminal offence is entitled not to be compelled to testify against themselves or to confess guilt. This right is at least as broad as the common law privilege against self-incrimination. It applies to protect a charged person against the admission in subsequent criminal proceedings of incriminatory material obtained under compulsion, regardless of whether the information was obtained prior to or subsequent to the charge being laid.

Right not to be tried or punished more than once (section 26)

Section 26 of the Charter provides that a person must not be tried or punished more than once for an offence in respect of which they have already been finally convicted or acquitted in accordance with law. This right reflects the principle of double jeopardy. However, the principle only applies in respect of criminal offences – it will not prevent civil proceedings being brought in respect of a person's conduct which has previously been the subject of criminal proceedings, or vice versa.

Penalties and sanctions imposed by professional disciplinary bodies generally do not usually constitute a form of 'punishment' for the purposes of this right as they are not considered to be punitive.

Rights promoted by Bill: right to life (section 9) and protection of children (section 17(2))

The Bill also seeks to promote the right to life in section 9 of the Charter of apprentices and trainees, by mitigating risks to, and promoting, their safety. Noting also the particular vulnerability of young people, and the power imbalances between employers, and apprentices and trainees (who can be under 18 years old), the Bill also promotes the right to protection of children in section 17(2) of the Charter. Section 17(2) of the Charter provides that every child has the right, without discrimination, to such protection as is in the child's best interests and is needed by the child by reason of being a child.

Collection, use and disclosure of information

The sharing of information between government regulators who deal with the apprenticeships and traineeships system is necessary to ensure the safety of apprentices and trainees. Sharing of relevant information is key to the operation of an effective regulatory system.

The Victorian Registration and Qualifications Authority

Clause 7 of the Bill inserts new sections 4.9.3A and 4.9.3B, which permit the Authority to, respectively, collect information from any person or body for the purposes of performing its functions or exercising its powers under the Bill or any other Act, and use any information it holds for the purposes of performing its functions or exercising its powers under the Bill or any other Act. Clause 8 amends section 4.9.4 of the ETRA to specify the WIV and any other prescribed person or body (or class of person or body) involved in the regulation of apprenticeships or traineeships as entities to which the Authority may disclose information that relates to the performance of their functions.

To the extent that the information collected, used or disclosed pursuant to new sections 4.9.3A and 4.9.3B, and amended section 4.9.4, includes personal information, clauses 7 and 8 would engage the right to privacy in section 13(a) of the Charter.

The Workforce Inspectorate Victoria and the Apprenticeship and Traineeship Commissioner

The functions of the WIV include collecting, analysing and publishing information in relation to apprenticeships and traineeships to assist in performing any of its functions under the Bill (section 4A.2.1(1)(f)). Pursuant to section 31G(1)(a), inserted by clause 68, the Apprenticeship and Traineeship Commissioner has this same function provided for in section 4A.2.1(1)(f).

Part 4A.9 provides for the collection, use and disclosure of information by the WIV. As information includes health information and personal information (section 4A.9.1), Part 4A.9 engages the right to privacy in section 13(a).

The powers provided for in new sections 4A.9.2, 4A.9.3 and 4A.9.4 permit the WIV to, respectively, collect information from a specified person or body for the purposes of exercising or performing a Chapter 4A function, duty or power, use any information it holds for the purposes of exercising or performing a Chapter 4A function, duty or power, and disclose that information to specified persons or bodies if the WIV reasonably believes it is necessary for the purposes of the person or body exercising its powers or performing its functions under the Bill or any other enactment.

Transitional and consequential amendments

Section 6.3.24, inserted by clause 51, provides that, as soon as practicable after commencement day, the Authority must provide to the WIV any information held by the Authority that relates to the Authority's apprentice functions.

The Workforce Inspectorate Victoria Commissioner and the Apprenticeship and Traineeship Commissioner may also disclose information acquired in carrying out a function under, respectively, the WIV Act and Chapter 4A of the ETRA (introduced by the Bill) if satisfied that it is in the public interest to do so. Clause 72 of the Bill extends the prohibition on disclosing information obtained by a person in performing their functions or exercising their powers under the WIV Act to include those functions or powers under Chapter 4A, subject to disclosures authorised under section 77 of the WIV Act. Further clause 72 of the Bill amends section 77 of the WIV Act to provide that both the Workforce Inspectorate Victoria Commissioner and the Apprenticeship and Traineeship Commissioner may disclose information acquired in carrying out their statutory functions if they are satisfied it is in the public interest to do so.

To facilitate the sharing of information between government regulators who deal with the apprenticeship and traineeship system:

- clause 89 provides for Energy Safe Victoria to collect from, and disclose to, specified bodies (including the WIV) information, and to use that information; and
- clauses 94 and 95 provides for the Labour Hire Licensing Authority to disclose to specified bodies (including the WIV) information about an apprentice or a trainee.

The right to privacy (section 13)

Each of the provisions discussed above interferes with the right to privacy in section 13(a) by enabling the sharing of information between regulators, which may include sensitive personal information, including about apprentices and trainees. However, any interference is lawful, as it is authorised under legislation. Further, interferences with privacy are not arbitrary, as collection and disclosure of information is confined to specified bodies. Finally, each provision is appropriately tailored to achieve the legitimate purpose of ensuring the regulators can effectively perform their functions and exercise their powers by accessing, using and sharing information as required.

Further, where regulators are subject to any secrecy or confidentiality requirements under relevant laws, these laws would continue to apply, ensuring that information is managed appropriately once collected, used or disclosed. Finally, those bodies that are public authorities under the Charter will be obliged to act compatibly with the right to privacy when performing their functions or exercising their powers. I therefore consider that the provisions discussed above are compatible with the right to privacy under the Charter.

Scheme fundamentals

Clause 9 of the Bill establishes the fundamentals of the new apprenticeships and traineeships scheme, including: establishing the objectives of the scheme (Part 4A.1), which include ensuring the health and safety of apprentices and trainees, and providing high-quality training to build a modern, skilled workforce for Victoria; outlining the functions of the WIV under the scheme (Part 4A.2); providing for the establishment of the Apprenticeship and Traineeship Consultative Committee (Part 4A.3); providing for the determination of approved training schemes (Part 4A.4); providing for an employer licensing regime (Part 4A.5); providing a process for the approval of training contracts and related matters (including with respect to the form and content of training contracts and their execution, the obligations of parties, and cancellation, suspension and variation of contracts (Part 4A.6); providing a process for development and oversight of training plans, as

well as obligations regarding assessment of skills of apprentices and trainees under a training plan (Part 4A.7); the establishment and operation of a registration scheme for GTOs (Part 4A.8); information sharing arrangements for the collection, use and disclosure of information (Part 4A.9, discussed above); other miscellaneous provisions (Part 4A.10); and internal and VCAT review (Part 4A.11).

Right to equality (section 8)

A determination under new section 4A.4.1(1) in respect of an approved training scheme may include 'requirements as to age, education, knowledge, skills and experience of an apprentice or a trainee' (under new section 4A.4.1(2)(i)). To the extent that the regime sets any requirements in respect of a person's 'age' or 'profession, trade or occupation', the right to equality under section 8(2) of the Charter may be engaged, as these are protected attributes under the *Equal Opportunity Act 2010* (EOA). Section 8(2) of the Charter provides that every person has the right to enjoy their human rights without discrimination. The Charter imports the definition of 'discrimination' in the EOA which provides that direct discrimination occurs if a person treats, or proposes to treat, a person with a protected attribute unfavourably because of that attribute, or occurs indirectly where a person imposes, or proposes to impose, a requirement, condition or practice that has, or is likely to have, the effect of unreasonably disadvantaging persons with a protected attribute (sections 7, 8 EOA).

I am of the view that while these provisions may constitute direct discrimination, any resulting limit on the right is reasonably justified, given the discrimination will be occurring in circumstances recognised as lawful under the exceptions in the EOA.

In setting any requirements outlined in new section 4A.4.1(2)(i), the WIV may reasonably discriminate on the basis of a person's education, knowledge, skills and experience when considering whether a person is a suitable candidate for a traineeship or apprenticeship, because the requirements set by the WIV will be based on the genuine occupational requirements for the role, and a person's experience, education or skills will be relevant to their employment under the relevant training contract (which are very similar circumstances to the genuine occupational requirements exception provided for in section 26(5) EOA in relation to discrimination in employment). I note further that the WIV will be a public authority under the Charter and will therefore be obliged to give proper consideration to the right to equality when setting the terms of a determination of approved training schemes, including whether any discrimination on the basis of education, knowledge, skills or experience is reasonable and justified in the circumstances.

The WIV may also reasonably discriminate on the basis of age when setting these requirements where it is necessary to prevent a person who does not yet have legal capacity from entering into a contract (i.e. a person under 18 years of age) (per the general exception in section 85(2) EOA relating to legal incapacity). A person's age and ability to understand the obligations of their training contract is relevant to their ability to safely undertake the requirements of the contract.

I am ultimately of the view that the power to make a determination under new sections 4A.4.1(1) and 4A.4.1(2)(i) in respect of the requirements as to age, education, knowledge, skills and experience of an apprentice or trainee is a reasonably justified limitation on this right having regard to the matters outlined above, and so is considered lawful under the Charter.

Right to privacy (section 13(a)) and right to freedom of expression (section 15(2))

New sections 4A.5.2, 4A.5.3, 4A.5.6, 4A.5.12, 4A.5.13, 4A.5.23, 4A.8.1 and 4A.8.2 will engage the right to privacy in section 13(a) to the extent that they require personal information to be disclosed to the WIV, and the right to freedom of expression in section 15(2) to the extent that this extends to a right not to impart information (including where compelled). However, I am of the view that neither right is limited.

A person who has sought to take part in the regime (i.e. as a licence holder, including a GTO) will have done so voluntarily and on the understanding that they are engaging in a regulated industry which has certain requirements and obligations of disclosure. Such persons are also voluntarily submitting to the WIV's powers to request and take into account relevant information received through information gathering processes for the purposes of assessing ongoing suitability for, and compliance with, the regime.

Accordingly, any interference with the right to privacy or freedom of expression is lawful and (with respect to the right to privacy) not arbitrary in that any powers to request or require disclosure of information are set out in clearly articulated legislative provisions, are voluntarily assumed by persons engaging with the regulatory regime, and are confined to information which is reasonably necessary for the WIV to inform its decision-making processes and to have sufficient transparency to ensure the effective administration of the regime.

Right to privacy and reputation (section 13)

Section 4A.9.5 provides that the WIV must establish and maintain a Register of Employer Licences that contains certain particulars, including a licence holder's name and, in respect of a person whose employer

licence has been cancelled, that person's name and date on which their employer licence was cancelled. The WIV must publish the Register of Employer Licences on its Internet site (section 4A.9.6).

I do not consider that these requirements would arbitrarily interfere with the right to privacy in section 13(a) of the Charter, or limit the right not to have a person's reputation unlawfully attacked in section 13(b). This is because, other than a person's name, the Register would not include personal information of a private nature and would serve the legitimate and important purpose of making it known to the public that an employer's licence is, or has been, cancelled. In relation to a person's name, the requirement to include this in the Register of Employer Licences, and the requirement to publish this Register, would be lawful and would serve the legitimate and important purpose of ensuring visibility of those employers who do not comply with regulatory standards so that the health and safety of apprentices and trainees can be protected.

Right to fair hearing (section 24(1))

The right to a fair hearing in section 24(1) of the Charter may be engaged with respect to the administrative powers exercised by the WIV that hold the power to determine private rights and interests. These include decisions to grant an employer licence subject to a condition or refuse to grant an employer licence, to renew an employer licence subject to a condition or refuse to renew an employer licence, to impose a condition on an employer licence, or to refuse to vary, or revoke a condition imposed on, an employer licence (under new sections 4A.5.5, 4A.5.8, 4A.5.9 and 4A.5.14 respectively), to suspend, immediately suspend, or cancel an employer licence (under new sections 4A.5.15, 4A.5.16 and 4A.5.19 respectively), to refuse to reduce a disqualification period, or refuse to accept the surrender of an employer licence (under new sections 4A.5.21 and 4A.5.23 respectively), to refuse to approve a training contract, or refuse to approve a variation of an approved training contract, or suspend or cancel an approved training contract (under new sections 4A.6.6, 4A.6.10 and 4A.6.12), to refuse to issue a GTO registration, or suspend, cancel or immediately cancel a GTO registration (under new sections 4A.8.3, 4A.8.4, 4A.8.7 and 4A.8.8). Such decisions might affect the employment rights or interests of a person.

If a broad reading of section 24(1) were adopted and it was understood that the fair hearing right was relevant to the reviewable decisions outlined above, this right would not be limited. The right to a fair hearing is concerned with the procedural fairness of a decision. The entire decision-making process, including the availability of review, must be examined to determine whether the right in section 24(1) is limited. For example, in the context of a decision to cancel or suspend an employer licence, the WIV is required to provide the licence holder written notice of the proposed suspension or cancellation, which sets out the grounds for the proposed suspension or cancellation and that the licence holder may make submissions within 14 days, which the WIV must consider before making their decision (under new sections 4A.5.15(3) and (4), and 4A.5.19(3) and (4)). The WIV must also provide the reason for the decision in relation to suspension and cancellation, and advise the licence holder of the availability of internal and VCAT review (under new sections 4A.5.17 and 4A.5.19(5)).

All of the decisions outlined above are reviewable (see new section 4A.11.1) under new sections 4A.11.2 (internal review) and 4A.11.3 (review by VCAT of an internal review decision). The WIV acts with relative independence, as it is established as an independent body corporate under section 19 of the WIV Act although it may be subject to direction by the Minister (section 24 of the WIV Act). Section 22 of the WIV Act provides that, when executing its functions, including when acting in its review capacity, the WIV must act in a fair, impartial and independent manner, and act in a manner that is transparent, accountable and consistent. In conducting an internal review, the WIV must have regard not only to material that informed its initial decision and the reasons for its initial decision, but also to any relevant new material that was not available at the time of the initial decision and the reasons for the application for review. The WIV has only 28 days to make an internal review decision, otherwise their original decision is deemed upheld (new section 4A.11.2(8) and (9)), and a person can then appeal to VCAT. For these reasons, I am of the view that the right to a fair hearing is not limited in respect of those decisions outlined above which are reviewable under new sections 4A.11.2 and 4A.11.3.

Right to be presumed innocent (section 25(1)) and right not to be tried or punished more than once (section 26)

The WIV has the power under new sections 4A.5.2(3)(f), (g), (h) and (i), and (4)(c) and (d), and 4A.5.4(1) and (2), and 4A.8.4(1), to consider past criminal convictions or contraventions of this Act, the regulations or other relevant Acts when exercising its powers in respect of the licensing regime for employers and GTOs. Under new sections 4A.5.2(3)(g)(v) and (4)(d)(v), the WIV must also consider whether the applicant for an employer licence, or any director of the applicant, is being or has been investigated in relation to a contravention of a specified law.

The right not to be punished more than once for the same offence under section 26 of the Charter may be relevant in respect of offences for which a person has already been finally convicted or acquitted in accordance

with law, and on which the WIV may rely as a basis to refuse an application for a licence or suspend a person's GTO registration. This right may also be relevant to new sections 4A.5.2(3)(g)(v) and (4)(d)(v), which requires the WIV to also consider alleged offending.

Detrimental treatment, penalties and sanctions imposed by professional disciplinary bodies generally do not constitute a form of 'punishment' which this right is concerned with, as they are not generally considered to be punitive. The mere fact that a law operates to impose a detriment on a person does not make it punitive. Rather, the question of whether the imposition of a detriment is properly characterised as punitive will depend upon a range of factors including the nature of the detriment, the criteria by reference to which that detriment is imposed, and the purpose(s) for which the detriment is imposed.

The nature of the detriment in this instance – preventing a person from qualifying or continuing as a licenced or registered member of this regime – is not typically associated with criminal punishment. The WIV's powers to consider past criminal convictions, and also alleged offending, is intended to serve a protective rather than punitive purpose, especially in the context of employers working closely with young people. These clauses ensure the integrity and good governance of the scheme, promote the health and safety of trainees and apprentices, are limited to matters directly connected to integrity, competency and good governance of the scheme, and do not extend to circumstances that could be considered arbitrary or punitive.

As such, I am of the view that section 26 of the Charter is not limited by new sections 4A.5.2(3)(f)–(i), and (4)(c) and (d), and 4A.5.4(1) and (2), and 4A.8.4(1).

Further, existing authority suggests the right to be presumed innocent until proved guilty according to law in section 25(1) of the Charter appears to primarily apply in relation to criminal proceedings only. In the event that section 25(1) was found to have application beyond criminal proceedings to the exercise of powers in respect of a licensing regime, section 25(1) may be limited by new sections 4A.5.2(3)(g)(v) and (4)(d)(v). However, I consider that any such limitation would be reasonably justified. As noted above, these clauses serve the legitimate and important purpose of ensuring the integrity and good governance of the scheme, and promoting the health and safety of trainees and apprentices. The WIV as a public authority under the Charter would need to give proper consideration to the right when making a decision on the basis of unproven or pending charges or allegations. Accordingly, I consider that any potential limitation would be in proportion to its aim and that new sections 4A.5.2(3)(g)(v) and (4)(d)(v) would be compatible with section 25(1) of the Charter, if it were found to have application beyond criminal proceedings.

Powers of entry and seizure by the WIV in relation to Chapter 4A employees

Clause 19 of the Bill inserts Division 3A into Part 5.8 of the ETRA to provide authorised officers appointed by the WIV with certain entry powers, and powers to seize items and to seek and execute a search warrant in relation to Chapter 4A employees.

The Bill introduces powers for authorised officers to enter premises during business hours and with the consent of the occupier of the premises, if they reasonably believe an apprentice or trainee is trained, or purportedly trained, under an approved training contract by a Chapter 4A employer at the premises (new section 5.8.3ZB(1)). If these conditions are met, the officer may do a number of things at the premises, subject to certain requirements, including searching the premises, making inquiries of any person, seize any thing and require an occupier, or their agent or employee, to provide reasonable assistance (new section 5.8.3ZB(2)–(4)).

The Bill also permits the entry into and search of a premises if authorised by a search warrant applied for by an authorised officer and issued by a magistrate where they are satisfied by evidence that there are reasonable grounds for believing that there is, or may be, a particular thing (including a document or device) that may afford evidence of the contravention, or potential contravention, of Chapter 4A, or the failure to comply with a notice to produce issued under section 5.8.10A or notice to comply issued under section 5.8.18A (new section 5.8.3ZC). The search warrant may authorise a named authorised officer to enter a particular premises, and search for, seize, secure, require production of, or examine and inspect the thing described in the warrant that the officer believes on reasonable grounds may afford evidence of the contravention, or potential contravention, of Chapter 4A, or failure to comply with a notice under section 5.8.10A or 5.8.18A (new section 5.8.3ZC(3)). The exercise of these powers authorised under the warrant are subject to a number of requirements, including to announce that the authorised officer named is authorised by the warrant to enter the premises and to give details of the warrant to the occupier (new sections 5.8.3ZD and 5.8.3ZE).

The seizure powers outlined above are subject to a number of requirements and protections: a receipt must be given for any thing seized (new section 5.8.3ZG), copies of seized documents must be provided for any documents retained by the officer (new section 5.8.3ZH), the officer must take reasonable steps to return the thing to the person from whom it was seized if the reason for its seizure no longer exists (new section 5.8.3ZI(1)), or after 3 months unless a proceeding for which the thing was retained has commenced and is

ongoing, or the Magistrates' Court makes an order under new section 5.8.3ZJ extending the period during which the thing may be retained (new section 5.8.3ZI(2)).

Right to privacy (section 13(a))

These powers of entry and seizure engage a person's right in section 13(a) of the Charter not to have their privacy unlawfully or arbitrarily interfered with by permitting authorised officers to enter and search premises, to take records and make inquiries of persons. I consider that these powers are compatible with section 13(a) because these provisions are precise and appropriately circumscribed, and are proportionate to the legitimate aim of monitoring compliance with the regulatory scheme, and investigating possible breaches of the Bill, ultimately protecting the safety of apprentices and trainees undertaking workplace training. In particular, I note that as the potential gravity of interferences with the right increases, that is, where entry and search of a premises may be authorised under warrant in the absence of consent from the occupier, there is greater oversight by a judicial body (being the Magistrates' Court) and the officer is required to prove, with evidence, the necessity for such authorisation. For these reasons, I do not consider the right to privacy will be limited by these provisions.

Right to property (section 20)

The seizure powers outlined above also engage the right to property in section 20 of the Charter (which would include a thing owned by a person). However, I consider that deprivation of a person's property pursuant to these seizure powers would be in accordance with law because the legal authorisation for the deprivation is publicly accessible, and governed by a clear and accessible process. Authorised officers may only seize a thing for the clear purposes provided for in the Bill, which support the legitimate protective objectives of the Bill. The safeguards outlined above also allow for the return of the item as soon as practicable, only allowing for the retention of an item for particular purposes and with the oversight of a magistrate where the retention is for an extended period of time. As such, I consider that the right to property is not limited by these provisions.

Reverse onus provision

New section 5.8.3ZK, as inserted by clause 19 of the Bill, provides that a person must not refuse or fail to comply with a requirement of an authorised officer under new section 5.8.3ZB(2)(h) to give reasonable assistance to the authorised officer if the authorised officer reasonably believes there is a serious risk to the health, safety or wellbeing of an apprentice or trainee without reasonable excuse. Under new section 5.8.3ZB(3)(a), before requiring a person to give reasonable assistance under new section 5.8.3ZB(2)(h), the authorised officer must warn the person that refusal or failure to comply with the requirement, without reasonable excuse, is an offence.

Presumption of innocence (section 25(1))

This offence is relevant to the right to be presumed innocent in section 25(1) of the Charter as it contains an excuse (also known as an exception) which places an evidential burden on the accused – that is, the accused is required to present or point to evidence that suggests a reasonable possibility of the existence of facts that would establish the exception or excuse. The Supreme Court has held that evidential onus provisions on an accused to establish an exception do not transfer the legal burden of proof and do not limit the right to the presumption of innocence. Once the accused has pointed to evidence of a reasonable excuse, the burden shifts back to the prosecution, who must prove the essential elements of the offence to a legal standard. Further, the existence of a reasonable excuse is something which is peculiarly within an accused's knowledge and would be unduly onerous for a prosecution to disprove at first instance.

Accordingly, I am of the view that this offence provision is compatible with the right in section 25(1) of the Charter.

Notices to produce and to comply issued by the WIV and related injunctions

Notice to produce (sections 13(a) and 15(2) of the Charter)

Under section 5.8.10A, which clause 25 inserts into the ETRA, the WIV may issue a written notice requiring a regulated entity to produce any document or information for the purposes of monitoring the regulated entity's compliance with Chapter 4A. A notice to produce is required to be in a prescribed form and include particular information, including specifying what must be produced, the date by which the document or information must be produced, being not less than 14 days after the issue of the notice, and the enforcement action that may be taken for failing to comply with the notice (new section 5.8.10A(2)). Failure to comply with a notice to produce without reasonable excuse can constitute both a criminal offence and give rise to a civil penalty (clause 30 inserting section 5.8.15A into the ETRA).

Clause 25, to the extent a notice is issued to a natural person, is relevant the right to freedom of expression in section 15(2) of the Charter, by compelling a person to impart information. Further, to the extent that personal

information of a private nature (rather than information relating to a corporation) is required to be given, the right to privacy in section 13(a) of the Charter may also be engaged. However, I consider that these rights would not be limited, as information gathering notices serve the important purpose of monitoring and investigating compliance with new Chapter 4A of the ETRA, investigating potential offences, and protecting apprentices and trainees from detriment or harm resulting from non-compliance with the regulatory scheme. The scope of the provision extends only to documents or information relevant to monitoring compliance with Chapter 4A. It is necessary for the WIV to be able to seek such information to ensure the effective administration of the regulatory scheme, and to use it to bring enforcement action where appropriate. Further, the requirement to provide documents or information in this context is consistent with the reasonable expectations of persons who are engaging within a regulated scheme and assuming the responsibilities and duties that apply to a person's behaviour towards and engagement with apprentices and trainees.

Notice to comply (sections 11, 13(a), and 25(1) of the Charter)

Under new section 5.8.18A, which clause 33 inserts into the ETRA, the WIV may give a licence holder a notice to comply if the WIV believes on reasonable grounds that the licence holder is not complying with the following sections introduced by the Bill: sections 4A.5.10(1), 4A.5.12(1), 4A.5.13(1), 4A.8.12(1), 4A.10.1(1), 4A.10.2(2), 4A.10.3(1), 4A.10.5(1), 4A.10.5(2), 5.8.3ZK(1) or 5.8.3ZL(1) or (2). Failure to comply with a notice to comply without a reasonable excuse can constitute both a criminal offence and give rise to a civil penalty (clause 38 inserting new section 5.8.22A into the ETRA).

Notices to comply may engage a bundle of rights, including privacy, to the extent that the notice restricts freedom to engage in certain conduct, and the protection against forced work in section 11 of the Charter, through the power to compel a person to take action (e.g. to comply with any condition imposed on their employer licence under new section 4A.5.10(1)).

However, I am of the view that any interference with rights will be compatible with the Charter. The notices have a threshold precondition, requiring the WIV to believe on reasonable grounds that the licence holder is not complying with the obligations listed above. These obligations serve the important purpose of protecting the welfare of apprentices and trainees, including by requiring employers of apprentices to be participating in the regulatory scheme in accordance with the law, including by complying with conditions on an employer licence, complying with prescribed standards and notifying the WIV of relevant matters. Notices to comply also prohibit behaviour that threatens the safety of apprentices and trainees (e.g. prohibiting advertising as a GTO registration holder without GTO registration under new section 4A.8.12(1) and threatening detrimental action against an apprentice or trainee under new section 4A.10.5(1)). Any action required to be undertaken pursuant to a notice would constitute work or service that forms part of normal civil obligations, so as not to limit section 11 of the Charter.

Further, as the WIV may give a licence holder a notice to comply in relation to criminal offences, new section 5.8.18A also engages the right to be presumed innocent under section 25(1) of the Charter. I note that nothing in the Bill limits a person's right to seek judicial review of a notice to comply. To the extent that a person's right to be presumed innocent in section 25(1) of the Charter is limited by these sections inserted by the Bill, I consider that this would be justified by the importance of the compliance notice scheme. It is a targeted mechanism for compelling a person to take necessary action, or for prohibiting harmful conduct, to prevent apprentices or trainees experiencing harm. Further, it can only be issued in relation to a licence holder, who has voluntarily assumed compliance responsibilities. A failure to comply is subject also to a reasonable excuse defence.

Accordingly, I am satisfied that the framework is an appropriate balance and compatible with Charter rights.

Injunctions (section 24(1) of the Charter)

Sections 5.8.14A and 5.8.21A, inserted into the ETRA by clauses 28 and 36 respectively, empower the Magistrates' Court, on application by the WIV, to grant an injunction in the terms it considers appropriate if satisfied a regulated entity has failed to comply with a notice to produce (section 5.8.14A) or if satisfied a licence holder has failed to comply with a notice to comply (section 5.8.21A). Sections 5.8.14B and 5.8.21B, inserted into the ETRA by clauses 28 and 36 respectively, also empower the Court, on application by the WIV, to grant an interim injunction pending the determination of an application for an injunction under new sections 5.8.14A or 5.8.21A. An application for an injunction under these provisions may be made on an ex parte basis (new sections 5.8.14A(3), 5.8.14B(2), 5.8.21A(3) and 5.8.21B(2)).

The right to a fair hearing under section 24(1) of the Charter is engaged by the provisions in the Bill enabling ex parte applications to be brought for injunctions. In these circumstances, parties affected by injunctions may not have the opportunity to be heard.

In relation to new sections 5.8.14B(2) and 5.8.21B(2), the aim of these provisions is to enable interim injunctions to be quickly put in place in circumstances where it is not possible or appropriate to notify the

other party (for example, in circumstances of great urgency). However, the making of an injunction on an ex parte basis remains at the discretion of the Magistrates' Court, which will need to be satisfied that it is appropriate to make the injunction in all of the circumstances of an application, including having regard to the obligation to afford procedural fairness and natural justice to all parties to a proceeding. Further, affected parties will have the opportunity to be heard prior to the making of a final injunction. I therefore consider that any limitation of the right to a fair hearing is reasonably justified in the circumstances.

Similarly, in relation to an application under new sections 5.8.14A(3) and 5.8.21A(3), the right to a fair hearing is protected by the procedures and judicial processes of the Court, which may bound both by obligations under s 6(2)(b) of the Charter and common law obligations such as the requirement to afford parties natural justice when deciding an injunction application. I consider that these protections are sufficient to ensure that any limitation of this right, which may be occasioned by the Court deciding an application on an ex parte basis, will only occur in exceptional or urgent situations and where justified in all the circumstances.

Strict liability offences

The Bill includes a number of criminal offences that do not require proof of fault, for example, being that the relevant party acted 'intentionally or recklessly'. These strict liability offences inserted into the ETRA include:

- New section 4A.5.1(1) provides that a person must not enter into, or purport to enter into, a training contract to train an apprentice or trainee unless the person holds an employer licence that is in force.
- New section 4A.5.22 provides that a person in respect of whom an employer licence has been cancelled must not apply for an employer licence while a disqualification period that applies to them is in effect.
- New section 4A.6.1(1) provides that an employer must not train an apprentice or trainee unless the employer holds an employer licence that is in force and trains the apprentice or trainee under and in accordance with an approved training contract that is in force.
- New section 4A.6.4(1) provides that an employer must ensure that a training contract is executed in accordance with section 4A.6.4.
- New section 4A.6.4(4) provides that an employer who is a party to the training contract must ensure that a copy of the executed training contract is given to each party to the training contract.
- New section 4A.7.6(2) provides that a registered education and training organisation that is given a notice under section 4A.7.6(1) to provide a copy of the training plan to the WIV must not contravene the notice.
- New section 4A.10.3(1) provides that a licence holder must notify the WIV in writing within 48 hours after becoming aware of an incident or the death of an apprentice or trainee who is trained by the licence holder that occurs while the apprentice or trainee is at work or attending an approved training scheme course.
- New section 4A.10.4 provides that a registered education and training organisation that provides an approved training scheme course must notify the WIV in writing within the prescribed period after becoming aware of a prescribed circumstance relating to an apprentice or trainee.
- New section 5.8.2AA, inserted by clause 15, provides that an authorised officer appointed under section 5.8.1(1) must return the authorised officer's identity card to the WIV as soon as practicable after the appointment is revoked.
- New section 5.8.3ZK(1) provides that a person must not refuse or fail to comply with a requirement of an authorised officer under section 5.8.3ZB(2)(h) without reasonable excuse.
- New section 5.8.15A(1) provides that a regulated entity that is given a notice to produce issued under section 5.8.10A must not fail to comply with that notice without reasonable excuse.
- New section 5.8.22A(1) provides that a licence holder who is given a notice to comply under section 5.8.18A must not fail to comply with that notice without reasonable excuse.

By imposing a strict liability offence which does not require proof of fault, these new sections may limit the right to be presumed innocent under section 25(1) of the Charter. This being so, strict liability provisions will generally be compatible with the presumption of innocence where they are reasonable, necessary and proportionate, and in pursuit of a legitimate objective. These provisions operate as a deterrent against breaches of regulatory requirements, which are designed to both protect the safety of apprentices and trainees, and to support the continued development and provision of high-quality workplace training. These provisions also provide incentives for licence holders and education and training organisations to provide certain information that will assist the WIV to monitor compliance with the regulatory regime set out in this Bill, facilitating the

taking of appropriate action by the WIV as required. I consider that the penalties provided for by these provisions are reasonable and in proportion to the identified need for deterrence.

For example, offences which deal with more administrative or minor matters, such as new section 4A.7.6, requiring the provision of a copy of a training plan to the WIV, attract a lower penalty in proportion to the consequences of failure to comply and the need for deterrence. By contrast, certain strict liability offences provide for a maximum of 120 penalty units where a more significant deterrent is needed. For example:

- training an apprentice or trainee without employer licence and approved training contract (new section 4A.6.1(1));
- failing to comply with a notice to produce (new section 5.8.15A(1)); and
- failing to comply with a notice to comply (new section 5.8.22A(1)).

The higher penalty of 120 penalty units is required to deter the core behaviours targeted by these offences. They also align with similar offences and penalty levels in other states and under other Victorian Acts. The addition of a fault element would undermine the WIV's ability to prosecute these serious offences because it would be too high a threshold for effective enforcement.

Further, these strict liability provisions are reasonable in that they do not exclude the common law defence of honest and reasonable mistake of fact. Finally, the penalties are strictly financial with no possible imprisonment.

For these reasons, I consider that any limitation of section 25(1) by these provisions is reasonable and justifiable within the meaning of s 7(2) of the Charter.

Civil penalties

Clause 41 of the Bill inserts in Part 5.8 of the ETRA (concerning enforcement) new Division 7A (concerning civil penalties in relation to Chapter 4A matters) and Division 7B (concerning infringements in relation to Chapter 4A matters). The Bill responds to the risk of harm to apprentices and trainees in a proportionate manner by applying civil penalties in respect of more serious conduct by employers than that enforceable by infringement notice.

Under new section 5.8.23J(1) of Division 7B, an authorised officer may serve an infringement notice on any person or body that the officer reasonably believes has committed a prescribed offence (being an offence against Division 3A or Chapter 4A or section 5.8.15A or 5.8.22A).

Under Division 7A, a person must pay a civil penalty (new section 5.8.23C) if:

- on an application by the WIV, the Magistrates' Court is satisfied on the balance of probabilities that the person has contravened a civil penalty provision (defined in new section 5.8.23A as a provision listed in Schedule 4, as substituted by clause 52) and makes a contravention order (new section 5.8.23B); and
- the Court makes a civil penalty order, requiring the person to pay a civil penalty of an amount not exceeding those provided for in Schedule 4 (new section 5.8.23C(1)).

The civil penalty provisions listed in Schedule 4 include offences in connection with licensing of employers (Part 4A.5) and training contracts (Part 4A.6).

Right to fair hearing and to have a criminal charge decided by a court (section 24(1) of the Charter)

The right to have a criminal charge decided by a competent court, which is a component of the right to a fair hearing in section 24(1) of the Charter, may include an implied protection against punishment being imposed outside of a court process and following a finding of guilt.

Accordingly, it is necessary to discuss the characteristics of the civil penalties which, in my view, do not constitute a criminal penalty for the following reasons:

- Civil penalties are imposed primarily for the purpose of deterrence and promoting compliance with the framework introduced by the Bill. They are intended to deter employers from committing the offences specified in Schedule 4 and to encourage behavioural change in employers. Civil penalties are one tool in the new compliance and enforcement framework, used because they are a faster, more flexible enforcement tool to deter unlawful behaviour.
- The penalty amounts are aligned with the seriousness of the offences, supporting the Bill's purpose to respond to risk in a proportionate way, and aligned with similar penalties and those in the ETRA. I consider that the amounts, being no more than 120 penalty units for a contravention by a natural person, are reasonably necessary to deter contraventions of the Bill's provisions.
- To the extent that the civil penalties in the Bill are considered to serve a punitive purpose (e.g. to punish offending against the regulatory framework), this does not make the penalties criminal, or akin to criminal punishment or a criminal charge. A civil penalty may be recovered by the WIV in a court of

competent jurisdiction as a debt due to the State (new section 5.8.23I). Accordingly, any necessary enforcement of this civil debt would be governed by the civil debt recovery system, not the criminal law (e.g. a person would not be imprisoned for a failure to discharge the debt).

For the reasons listed above, I do not consider that the criminal process rights under the Charter are engaged by clause 41 of the Bill. Similarly, as the civil penalties provided for by clause 41 would not be considered as imposing criminal consequences, they do not result in the determination of a criminal charge pursuant to section 24(1) of the Charter.

Right not to be tried or punished more than once (section 26 of the Charter)

As noted above, section 26 of the Charter only applies in respect of criminal offences. It will not prevent civil proceedings being brought in respect of a person's conduct which has previously been the subject of criminal proceedings, and vice versa.

As I have concluded above that the civil penalties provided for by clause 41 of the Bill would not be considered punitive or a criminal sanction, and therefore would not be of such a nature and magnitude to constitute truly penal consequences, a person's right not to be punished more than once under section 26 of the Charter would not be engaged by new section 5.8.23F. Section 5.8.23F, inserted into the ETRA by clause 41, provides that a criminal proceeding may be commenced against a person for conduct that is substantially the same as conduct constituting the contravention of a civil penalty provision, noting that:

- the Magistrates' Court must not make a contravention order in respect of a person if that person has been convicted of an offence constituted by that conduct (new section 5.8.23D); and
- a proceeding for a contravention order in respect of a person must be stayed if a criminal proceeding has been commenced against that person for an offence, and the offence is constituted by that conduct (new section 5.8.23E).

Accordingly, I consider that clause 41 of the Bill is compatible with the right not to be tried or punished more than once under section 26 of the Charter.

Protection against self-incrimination (section 25(2)(k) of the Charter)

By providing that information given and documents produced by a person in a proceeding for a contravention order are not admissible in evidence in a criminal proceeding against that person for an offence constituted by conduct that is substantially the same as the conduct for which the contravention order was sought, I consider that new section 5.8.23G is compatible with the protection against self-incrimination in section 25(2)(k).

Adverse publicity orders and publication of details of non-compliance

By expanding the Court's power in section 5.8.30 of the ETRA to make adverse publicity orders, clause 47 of the Bill engages sections 13 and 15(2) of the Charter.

As amended by clause 47, section 5.8.30 of the ETRA will relevantly empower the Court to order a person (or body) to publicise or notify of certain matters including the basis for the conviction and any penalty imposed if the person (or body) to whom a notice to produce or a notice to comply is issued is convicted or found guilty of an offence against new sections 5.8.15A(1) (offence to fail to comply with notice to produce issued by the WIV) or 5.8.22A(1) (offence to fail to comply with notice to comply given by the WIV).

Further, clause 48 of the Bill inserts new section 5.8.31A, which provides that the WIV may publish on a website it maintains details including the person's name and the offence to which the finding of guilt relates if a person (or body) to whom a notice to produce is issued or a notice to comply is given is found guilty of an offence against new section 5.8.15A(1) or 5.8.22A(1) and the WIV considers it in the public interest to do so.

These powers engage:

- the right to privacy in section 13(a) of the Charter, and the right not to have a person's reputation unlawfully attacked in section 13(b), by making the commission of an offence known to a specific group of people or to the general public; and
- the right to freedom of expression in section 15(2) of the Charter, by compelling a person to impart information.

To the extent that the rights in sections 13 and 15(2) are limited, I consider any limitations to be justified. Adverse publicity orders and further publication of details of non-compliance serve the important purpose of seeking to promote accountability by preventing a person from concealing that they have been convicted of offences and required to pay penalties under the Bill, and ensuring that participants in the apprenticeship and traineeship scheme are aware of relevant matters when deciding whether to engage with, or train with, that person. For some individuals or organisations, the financial penalties imposed by the Bill may not be a

sufficient deterrent to reoffend. In these cases, potential damage to reputation via adverse publicity may be a greater incentive to comply with the Bill.

In relation to publication under new section 5.8.31A, that section includes various protections for people (and bodies), including that:

- as noted above, the WIV can only publish the information specified if it considers it is in the public interest; and
- procedural fairness is afforded to the person (or body) affected. Before making a decision to publish information, the WIV must give the affected person (or body) written notice of its intention to publish the information, its reasons for making the decision, and that the person or body may make a written submission setting out why the WIV should not publish the information, which the WIV must consider before making a decision (new section 5.8.31A(3) and (4)).

For these reasons, I consider that clauses 47 and 48 of the Bill are compatible with sections 13 and 15(2) of the Charter.

Apprenticeship and Traineeship Commissioner: ceasing to hold and removal from office

Under new section 31C of the Bill (inserted by clause 68), the Apprenticeship and Traineeship Commissioner ceases to hold office if the Commissioner is convicted of an indictable offence (or of an offence that, if committed in Victoria, would be an indictable offence) (section 31C(c)), or if the Commissioner is removed from office under section 31D (section 31C(e)). Under new section 31D(1)(b), the Governor in Council, on the Minister's recommendation, may remove the Apprenticeship and Traineeship Commissioner from office on grounds including misconduct by the Commissioner in carrying out the duties of the office.

The nexus between a criminal conviction and the vacation of, or removal from, office engages the:

- right not to be tried or punished more than once (section 26 of the Charter);
- right to a fair hearing (section 24(1)); and
- right to be presumed innocent until proved guilty (section 25(1)).

Rights not to be punished more than once and to have a criminal charge decided by a court

Section 26 of the Charter will be relevant if the vacation of the office of Apprenticeship and Traineeship Commissioner under new section 31C(c) of the Bill constitutes an additional 'punishment' for an offence for which the person has been finally convicted. This right may also be relevant to new sections 31C(e) and new section 31D(1)(b), which allows for the possibility that a criminal charge could be considered by the Governor in Council as misconduct. Relevant to the concept of punishment, and following recent decisions of the High Court concerning the constitutional validity of schemes involving 'legislated punishment' in the Commonwealth sphere, it may be suggested that the right in section 24(1) to have a criminal charge decided by a court implies a principle that a person may only be punished as a result of a charge being proven in a criminal proceeding.

In my view, sections 31C and 31D do not engage sections 24(1) or 26 of the Charter because the vacation of, or removal from, office of Apprenticeship and Traineeship Commissioner by reference to a criminal charge (as part of an assessment of misconduct), or to a conviction of criminal conduct, is not to be characterised as imposing a form of punishment for the following reasons:

- The mere fact that a law operates to directly impose a detriment on a person does not make it punitive. Rather, the criteria by reference to which the detriment is imposed, and also the purpose for which it is imposed, are central to determining whether the imposition of a particular detriment is properly characterised as punitive. Sections 31C and 31D serve a protective purpose, being to ensure the integrity and good governance of the Apprenticeship and Traineeship Commissioner, and to safeguard the public's trust and confidence in the office. Consistent with this purpose, a criminal charge will not result in automatic removal from office. Rather, a criminal charge may be a factor in the Governor in Council's consideration of what constitutes misconduct.
- The nature of the detriment being imposed (i.e. vacation of or removal from office) is not associated with a criminal sanction. A person would not be liable for subsequent sanctions of a criminal nature, such as a fine or imprisonment.

Accordingly, sections 31C and 31D do not amount to double punishment for the purpose of section 26, or engage the determination of a criminal charge pursuant to section 24(1), and these rights are therefore not limited.

Right to be presumed innocent

As noted above, the Supreme Court has found that the right to be presumed innocent until proved guilty according to law in section 25(1) of the Charter appears to apply only in criminal proceedings, which would not include the vacation of, or removal from, office of the Apprenticeship and Traineeship Commissioner under new sections 31C and 31D of the Bill.

In the event that section 25(1) was found to have application beyond criminal proceedings, then if the Governor in Council were to take a criminal charge into account in considering whether the Apprenticeship and Traineeship Commissioner had engaged in misconduct under new section 31D(1)(b), section 25(1) may be limited. However, I consider that any such limitation would be reasonably justified. As noted above, the purpose of these sections is to safeguard the integrity of the office, which is legitimate and important. The Minister, in making a recommendation, will be bound to act compatibly with rights under the Charter and would need to be satisfied that removal from office on the basis of pending charges was reasonable and justified in the circumstances. Accordingly, I consider that any potential limitation would be in proportion to its aim and that sections 31C and 31D would be compatible with section 25(1) of the Charter, if it were found to have application beyond criminal proceedings.

Schools and Other Matters reforms

Section 11(2) of the Charter provides that a person must not be made to perform forced work or compulsory labour. 'Forced or compulsory labour' relevantly does not include work or service that forms part of normal civil obligations. While the Charter does not define 'normal civil obligations', comparative case law has considered that to qualify as normal civil obligation, the work or service required must be provided for by law, must be imposed for a legitimate purpose, must not be exceptional or have any punitive purpose or effect.

Freedom of movement (section 12)

Section 12 of the Charter relevantly provides that every person lawfully within Victoria has the right to move freely within Victoria. The right extends, generally, to freedom to move throughout the State without impediment or restrictions (both physical and procedural) and a right to access places and services used by members of the public. However, this right is not absolute and may be subject to such reasonable limitations as are demonstrably justified in a free and democratic society, including the property rights of others and restrictions legitimately made in the public interest.

Right to privacy (section 13(a))

Section 13(a) of the Charter provides that a person has the right not to have their privacy unlawfully or arbitrarily interfered with. An interference will be lawful if it is permitted by a law which is precise and appropriately circumscribed, and will be arbitrary only if it is capricious, unpredictable, unjust or unreasonable, in the sense of being disproportionate to the legitimate aim sought. The right to privacy is broad in scope and encompasses rights to physical and psychological integrity, individual identity, informational privacy and the right to establish and develop meaningful social relations.

Right to freedom of expression (section 15(2))

Section 15(2) of the Charter provides that every person has the right to freedom of expression, which includes the freedom to seek, receive and impart information and ideas of all kinds.

However, section 15(3) provides that special duties and responsibilities attach to this right, which may be subject to lawful restrictions reasonably necessary to respect the rights and reputations of others, or for the protection of national security, public order, public health or public morality.

Right to a fair hearing (section 24(1))

Section 24(1) of the Charter provides that a person charged with a criminal offence or a party to a civil proceeding has the right to have the charge or proceeding decided by a competent, independent and impartial court or tribunal after a fair and public hearing. The concept of a 'civil proceeding' is not limited to judicial decision makers, but may encompass the decision-making procedures of many types of tribunals, boards and other administrative decision-makers with the power to determine private rights and interests. The right may be limited if a person faces a procedural barrier to bringing their case before a court, or where procedural fairness is not provided. However, the entire decision-making process, including reviews and appeals, must be examined in order to determine whether the right is limited.

Human Rights Issues*Supervision and support agreements and improvement plans*

Part 3.3 of the Bill establishes obligations in relation to supervision and support agreements for conditional authority to teach applicants or grantees. Clause 150 will introduce new section 2.6.14AA, which will require that a responsible person at the place at which an applicant for conditional authority to teach will be employed

or engaged by must enter into a supervision and support agreement with the Institute, which will set out the way in which supervision and professional support will be provided to the applicant.

Clause 147 will insert a definition of ‘responsible person’ into section 2.6.1 of ETRA, to mean the person in charge of the place at which a person with, or an applicant for, conditional authority to teach is employed or engaged or proposed to be employed or engaged. In the case of a registered school, the responsible.

Under new section 2.6.14AA(4), for the purposes of assessing compliance with a supervision and support agreement, the Institute may request that the responsible person provide information to the Institute that the Institute considers necessary (new section 2.6.14AA(4)(a)), and the responsible person must comply (new section 2.6.14AA(5)). In addition to requests for information, the Institute may conduct a site visit of the place at which the applicant for conditional authority to teach is proposed to be employed or engaged to assess compliance with a supervision and support agreement (in accordance with new section 2.6.14AB in clause 150). In conducting a site visit, the Institute may:

- conduct an interview with the responsible person, any other representative of the place at which the person with conditional authority to teach is employed or engaged, and/or the person granted conditional authority to teach (new section 2.6.14AB(3)(a)(i)–(iii));
- request documents that the Institute considers relevant (new section 2.6.14AB(3)(b)); or
- take copies of any documents provided (new section 2.6.14AB(3)(c)).

Under new section 2.6.14AB(4), the Institute must not conduct a site visit unless the principal has consented in writing to the site visit.

Further, clause 150 will introduce new section 2.6.14AC, which will allow the Institute to create improvement plans if the Institute reasonably believe that a responsible person is not complying with a supervision and support agreement. An improvement plan will specify the actions that the Institute requires to be taken to remedy the noncompliance (new section 2.6.14AC(2)(c)). Under new section 2.6.14AC(4), the responsible person must ensure that the improvement plan is complied with.

Freedom from forced or compulsory labour (section 11)

The compulsion to undertake an activity or ‘do’ something as required by an improvement plan under new section 2.6.14AC could potentially, if a broad view of the right was adopted, be relevant to the right to freedom from forced work, specifically on prohibition on compulsory labour in s 11(2) of the Charter. An improvement plan may result in the responsible person, or the person granted conditional authority to teach, being compelled to undertake additional work.

However, I am of the view that if the right is engaged, any work required by an improvement plan issued by the Institute would either fall within the scope of the exception in section 11(3)(c) of the Charter, being work or service that ‘forms part of normal civil obligations’ (assumed in performing a role in a regulated sector), or to the extent that it did not, would be reasonably justified in the circumstances. An improvement plan can only be issued in the context of a supervision and support agreement, which has been entered into with the Institute. The improvement plan is issued for a preventive or remedial purpose; namely, to remedy non-compliance with a supervision and support agreement. The obligation for implementing any remedial action is placed on the responsible person (or their nominee) who has assumed the responsibilities associated with a supervision and support agreement. Finally, the Institute is a public authority under the Charter and must act compatibly with Charter rights when determining the content of an improvement plan.

Accordingly, I am satisfied that any compulsion to perform work effected by this provision will be reasonable and justified.

Right to privacy (section 13)

New sections 2.6.14AA and 2.6.14AB may authorise interference with the privacy, to the extent that the Institute requests information, including documents, regarding matters relevant to the actions of a person subject to a supervision or support agreement, or performs a site visit.

In my view, a site visit will not engage the right to privacy as a low expectation of personal privacy attaches to the premises of a school or other place where a person is employed or engaged with conditional authority to teach, and any visit will occur in non-arbitrary circumstances including adequate notice and consent.

To the extent that the power to interview persons and request further information is relevant to privacy, the right will not be limited. The power will only permit gathering of information necessary to assessing compliance with a supervision and support agreement, which will principally concern information in the course of a person’s employment or teaching engagement to which a person holds a lower expectation of privacy. To the extent that it may extend to information in the private sphere, it will not be arbitrary as it is preconditioned on the requirement of necessity and is directed at the important and legitimate purpose of ensuring that the Institute has sufficient information to effectively assess compliance from persons or bodies

who have entered into agreements with the Institute. Further, I note that any information gathered will be subject to information privacy principles in the Privacy and Data Protection Act 2014 and the Charter.

Freedom of expression (section 15)

New section 2.6.14AB is relevant to the right to freedom of expression in section 15(2) of the Charter as it compels a person to impart information and documents. Further, to the extent that the information required to be given is of a private nature and is personal information (rather than information relating to a body corporate or other entity such as a school), the right to privacy in section 13(a) of the Charter may also be engaged (as discussed above).

However, I consider that these rights would not be limited, as these information gathering notices serve the important and necessary purpose of monitoring and investigating compliance with supervision and support agreements. The scope of the provision extends only to documents or information relevant to monitoring compliance in this context. It is necessary for the Institute to be able to seek such information to ensure the effective administration of the regulatory scheme, and to use it to determine whether an improvement plan is needed to remedy any defects. Further, the requirement to provide documents or information in this context is consistent with the reasonable expectations of persons who have assumed special roles and entered into an agreement to provide supervision and professional support.

Amendments to school community safety order scheme – immediate orders

The Bill makes amendments to the existing school community safety order scheme, which allows principals and other authorised persons in Victorian schools to make school community safety orders. Such orders can stop or restrict the actions of parents, carers and other adults who behave in harmful, threatening, or abusive ways towards people in the school community.

Part 3.4 of the Bill proposes to insert new provisions amending the existing process for authorised persons (as defined in the Act) to make immediate orders under the scheme:

- Clause 154 inserts new section 2.1A.3A to require an authorised person, to the extent it is reasonable and proportionate in the circumstances, to attempt to notify a person who an immediate order may be made in respect of and give them an opportunity to respond to the proposal;
- Clause 155 will remove ‘imminent’ from the threshold of the condition precedent of ‘imminent and unacceptable risk of harm’ required to make an immediate order;
- Section 2.1A.7(2) of the ETRA is amended to require an authorised person who makes an immediate order orally to state that the order prohibits a person from entering or remaining at the specified ‘school-related place of the relevant school’ (and any other matters prescribed to be stated under Division 5 of Part 2.1A of the ETRA) (clause 156);
- Clause 158 inserts new section 2.1A.9A, which allows authorised persons to extend an immediate order by one further period of up to 7 days if the authorised person reasonably believes that the grounds for making the order still exist, and the authorised person (or another authorised person) requires additional time to determine whether to make an ongoing order in respect of a person who is the subject of an immediate order or to give notice that an ongoing order is proposed to be made, or has been made; and
- Clause 159 repeals sections 2.1A.11 and 2.1A.12 of the ETRA, which, respectively, allow a person to whom an immediate order applies to make submissions in respect of immediate orders, and allowed an authorised person to review the immediate order to either make an ongoing order or to revoke the immediate order.

Lowering the threshold for making immediate orders and power to extend the duration

As outlined in the Statement of Compatibility to the Bill which introduced the school community safety orders (Education and Training Reform Amendment (Protection of School Communities) Bill 2021) (**previous statement**), the powers to make school community safety orders are relevant to various human rights, including:

- the rights to privacy, freedoms of expression and association (through orders to prohibit a person from communicating with specified school staff or corresponding with others on school-related communications platforms);
- the right to freedom of movement (through orders which prohibit a person from entering or remaining on any relevant school-related place and their immediate surrounds);
- the right to protection of families and children (through the effect of orders interfering with the ability of family members to attend school events, accompany children on excursions or school camps, volunteer at the school, communicate with school staff, or otherwise engage with the child’s education at the school);

- the right to equality (through the potential for orders to be made in response to behaviours that are a symptom of the protected attribute of disability, such as mental illness or cognitive impairment); and
- fair hearing (through the procedures for making orders affecting rights).

The previous Statement assessed the scheme as compatible with the above rights, as the scheme serves an important purpose of protecting the rights and safety of school staff and students, it goes no further than necessary to achieve its purpose, and is subject to sufficient procedural safeguards to protect against disproportionate impacts on vulnerable individuals.

As this Bill will lower the threshold for making an immediate order and therefore expand the potential circumstances in which orders may be made, as well as provide for extending the duration of an immediate order, the Bill could be characterised as authorising greater interferences with the above rights than was previously provided for. However, I am of the view that these amendments are both warranted and moderate in their effects, and will not alter the assessment of compatibility in the previous Statement.

The removal of the requirement that an unacceptable risk be ‘imminent’ is to give effect to the recommendations of the *School Community Safety Order Scheme Statutory Review (the Review)* to make the immediate order scheme more practical to use. This arose in the context of the Review noting the declining use of immediate orders as the imminency threshold was considered to be too high to be workable in practice, and making it impracticable to also comply with the scheme’s procedural requirements. Although removing the word ‘imminent’ allows for a wider set of circumstances in which an order can be made, I am satisfied that the existing framework and safeguards outlined in the previous Statement of Compatibility, with new procedural safeguards I discuss below, ensures the scheme remains compatible with human rights.

The Bill also provides for the extension of immediate orders for up to seven days, if the grounds for making an order still exist and additional time is needed in order to transition the matter to an ongoing order. This is to reflect the fact that the Review found that it takes around 2 to 3 weeks for an authorised person to make an ongoing order, such as seeking any advice to inform their decision or to follow the relevant process for making the ongoing order. By having the option to extend the duration of an immediate order by an additional seven days, an authorised person will have additional time to decide whether to make an ongoing order. The Bill requires an authorised person to be satisfied that the grounds for making an immediate order still exist to justify an extension, which ensures that an extension is appropriately tied to the purpose of reducing harm, interference or disruption in schools. New section 2.1A.9A makes clear that immediate orders cannot remain in force for more than 21 days. Further, clause 153 of the Bill inserts a new restriction to limit the number of immediate orders that can be made against the same person within a certain period in the circumstances prescribed in Ministerial Guidelines, to prevent against misuse and ensure that any need for multiple orders is dealt with under the ongoing orders scheme.

Fair hearing (section 24)

The Bill makes a number of amendments to streamline the process and procedures for making immediate orders. To the extent that the decisions to make, extend, or revoke an immediate order provided for in clauses 155, 158 and 159 of the Bill would enliven a broad reading of the right to a fair hearing in section 24(1) of the Charter, I consider that the amendments continue to ensure procedural fairness is safeguarded so as to not limit this right.

The Bill abolishes existing provisions relating to making submissions and internal review, and replaces them with a new procedural fairness process that is reasonable and proportionate to the circumstances and in accordance with any guidelines made under Division 5 of Part 2.1A. New section 2.1A.3A introduces new requirements to notify persons to whom an immediate order may apply that an order may be made and the reasons for that order, give the person an opportunity to respond to the proposal, and consider any response by the person. These must be applied to the extent it is reasonable and proportionate in the circumstances, which ensures the procedural requirements are not a barrier to responding to urgent circumstances such as an imminent risk. The Bill removes the existing redundant requirement to immediately review an order, which was in place due to the previous displacement of procedural fairness. While this will mean immediate orders will generally continue to have effect for their short duration, if an authorised person wishes to revoke an immediate order or make an ongoing order, they may do so in accordance with the relevant provisions in the ETRA.

The Bill also makes amendments to clarify when an immediate order remains in force, ensuring greater certainty in the duration of orders. Under clause 159, the repeal of the authorised person’s power to revoke an immediate order following review of the order is supplanted by the fact that an immediate order expires after 14 days (or, if specified in the order, an earlier date), and an authorised person can allow it to lapse without further action (for example, where the authorised person has formed the view that the immediate order has been sufficient in addressing the relevant risk).

In relation to the new power to extend an order, while a person is not afforded procedural fairness in relation to the decision to extend the order, a further reasonable and proportionate opportunity to make submissions will be afforded if, and when, an ongoing order is proposed to be made. I am satisfied that it is not practicable to afford procedural fairness at this point given the short duration of this extension, which is predominantly aimed at facilitating a more informed decision as to whether to allow the order to expire or to seek an ongoing order.

I am therefore satisfied that the above process is on balance compatible with fair hearing.

Amendments to ongoing order scheme

Part 3.4 of the Bill also makes amendments to the current ongoing order scheme:

- Clauses 160 and 161 repeal the existing ‘show cause’ process and replaces it with an obligation for an authorised person to give the person to whom an ongoing order is to apply an opportunity that is reasonable and proportionate in the circumstances and in accordance with any guidelines made by the Minister for Education under Division 5 of Part 2.1A;
- Clause 162 amends section 2.1A.26(1) of the ETRA to allow an authorised person, whether or not they made the ongoing order, to vary an ongoing order;
- Clause 163 amends section 2.1A.27 to allow an ongoing order to continue for a period not exceeding 12 months from the day of the order or for an extended period under new section 2.1A.27A. New section 2.1A.27A allows an authorised person to extend an ongoing order for a further period not exceeding 12 months if the authorised person is satisfied that the grounds for the ongoing order continue to exist, and may vary any other term or condition of the order;
- Clause 164 makes a number of amendments to the internal review of an ongoing order in section 2.1A.29 of the ETRA, including providing for seeking review of an extension of an ongoing order made under new section 2.1A.27A of the ETRA, and the specified circumstances in which such review can be applied for;
- Clause 164 also inserts new subsection 2.1A.29(8), to provide that where internal review is expanded to include both the original decision to make an ongoing order, as well as the decision to extend the order a person may not make a separate internal review application in relation to the decision to extend the order; and
- Clause 167 which provides for expansion of VCAT’s jurisdiction to review extensions of ongoing orders where a VCAT review of the original order is on foot.

Extending existing interferences with rights

Drawing on my discussion regarding the immediate order scheme, the power conferred in clause 163 to extend an ongoing order will, when exercised, extend the duration of existing interferences with substantive rights effected by the order under the ETRA (as identified in my previous discussion).

As above, I consider that this amendment will not alter the previous assessment of the scheme’s compatibility. An extension period is limited to no more than 12 months on the basis that the authorised person is satisfied that the grounds for making the ongoing order continue to still exist, which ties an extension to the purpose of the order (being to reduce harm, interference and disruption in schools). As such, I consider that any continued interference with rights effected by the extension of an ongoing order is justified and serves the purpose of ensuring that schools are safe places for staff and for students. Further, it is also subject to a grant of additional procedural safeguards, which I now discuss.

Fair hearing (section 24)

To the extent that extending an ongoing order for a period not exceeding 12 months from the day of the order under new section 2.1A.27A, including making any variations to the terms or conditions of the order, may engage a broad reading of the right, I consider that the right would not be limited because the authorised person must exercise their powers in accordance with the processes set out in the Bill.

The Bill replaces the previous ‘show cause’ process with a reasonable and proportionate procedural fairness process. The previous show cause requirement was found to unduly impair an authorised person’s ability to make an ongoing order as well as to enliven risks of harm to authorised persons through the requirement to re-engage with a person in circumstances where the person is being hostile, threatening or violent. This new obligation balances procedural fairness with protection of others, and allows a flexible approach according to individual circumstances. Additional guidance will be provided in the Ministerial Guidelines on what will be considered reasonable and proportionate in the circumstances. Given that the scheme is designed to be a tool of last resort after all other mechanisms have been exhausted, an order is unlikely to be made without a history of prior engagement, nor be unexpected or unforeseeable by the person being subjected to it. In such cases, the opportunity to be heard before an order is made may be less than for isolated or once off incidents, and

even so, any procedural fairness that is not afforded due to being considered unreasonable in the circumstances, is still required to be afforded under the internal and external review procedures.

In relation to extension of orders, the Bill safeguards procedural fairness by providing clear grounds for making an extension to an ongoing order, being that an authorised person (whether or not the authorised person who made the order) must be satisfied that the grounds on which the order was originally made continue to exist (new section 2.1A.27A(1)). Further, before an order is extended under new section 2.1A.27A(1), the authorised person must give written notice of the extension and any variation to the terms and conditions of the order, with a copy of the extended and varied order (new section 2.1A.27A(3)). Finally, the Bill extends the existing entitlements to apply for internal and external review to decisions to extend an ongoing order, subject to appropriate qualifications on reasonableness and fairness where a review is already on foot before VCAT.

Powers to make digital content school community safety orders

Clause 170 of the Bill introduces new Divisions 4A and 4B of Part 2.1A to grant powers to make digital content school community safety orders that extend to regulating behaviour on communication platforms or channels. A ‘communication platform or channel’ includes a social media platform, website, and an email or text messaging service. This includes all communication platforms or channels which enable electronic communication, and not just those operated or owned by a school.

New section 2.1A.34B will empower an authorised person to make a digital content order that prohibits a person from publishing content or material or communicating information on a communication platform or channel in order to:

- harm, abuse, intimidate or threaten a staff member of, or a student enrolled at the school specified in the order;
- interfere with the wellbeing and safety of students enrolled at the relevant school specified in the order;
- cause significant disruption to, or significant interference with, school operations or activities carried on by the relevant school specified in the order; or
- cause significant interference with the educational opportunities provided to students by the relevant school specified in the order.

This includes prohibiting the person from causing a third person to engage in the above behaviour (new section 2.1A.34B(1)(b)). A digital content order can, if applicable, require the person to amend or remove any content or material published or information communicated by the person on a communication platform or channel that does any of the things specified above (new section 2.1A.34B(1)(c)).

An authorised person may make a digital content order in respect of a person that requires the person to amend or remove any content or material published or information communicated by another person on a communication platform or channel that does any of the things described above, where the person who is subject to the order is able to amend or remove the content (new section 2.1A.34B(2)(a)–(b)).

Under new section 2.1A.34D, an authorised person can make a digital content order of a kind specified in new section 2.1A.34B(1) in respect of another person if they reasonably believe that there is an unacceptable risk of:

- harm to a staff member of, or student enrolled at, the relevant school; or
- interfering with the wellbeing and safety of students enrolled at the relevant school; or
- causing significant disruption to, or significant interference with the relevant school operations or activities carried on by the relevant school, or causing significant interferences with the educational opportunities provided to students enrolled by or at the relevant school.

Similar grounds are required to be satisfied if an authorised person makes a digital content order of a kind specified in new section 2.1A.34B(2).

An authorised person must consider the vulnerability of the other person of which the authorised person is aware and whether the order is the least restrictive means available to address the grounds on which the order is proposed to be made (new section 2.1A.34D(3)).

Under new section 2.1A.34D(4), an authorised person is not permitted to make a digital content order unless:

- the content, material or information to be prohibited, amended or removed directly impacts, or is reasonably likely to directly impact, the capacity of –
 - a student to participate in a school activity or engage in education or learning opportunities provided by the relevant school while at the school; or

- a principal, teacher or any other staff member at the relevant school to perform their work or duties for or at the school; and
- the order is reasonably necessary to address the grounds on which the order is proposed to be made.

New section 2.1A.34E requires written notice to be given to the person to whom the order applies to. New section 2.1A.34G provides the form in which a digital content order must take, including naming the person to whom the order applies to, the grounds on which the order has been made, and any conditions that are attached to the order, and stating if the order requires the person to amend or remove content or material published or information communicated, by the person on a communication platform or channel (and by what date).

New section 2.1A.34H requires an authorised person to not make a digital content order unless notice has been given to the person to whom the order would apply and an opportunity that is reasonable and proportionate to the circumstances to make submissions on the proposal. Any submissions received from the person to whom the order would apply must be considered in determining whether to make a digital content order, including for digital content orders made in respect of a person who is not a parent of a child at the school (new section 2.1A.34I(2)).

New section 2.1A.34I provides for communication and access arrangements to be made for digital content orders.

An authorised person making a digital content order must determine the period of duration that an order is to remain in force and may determine any conditions to be attached to the order (new sections 2.1A.34J and 2.1A.34M regarding the maximum duration of an order). An order can be revoked in accordance with the requirements in new section 2.1A.34L. An order can be varied by an authorised person under new section 2.1A.34L, and extended by new section 2.1A.34N.

Contravention of a digital content order may result in a civil penalty (new section 2.1A.34O).

New Division 4B provides for the internal and external review of digital content orders.

These provisions are relevant to the rights to freedom of expression, privacy and fair hearing.

Freedom of expression (section 15)

The exact scope of the right to freedom of expression in section 15(3) is still emerging. In comparative jurisprudence, the right has been found to protect criticism and protest as well as offensive, disturbing or shocking information or ideas, rather than merely favourable or popular expressions (see eg, *Sunday Times v United Kingdom (No 2)* [1992] 14 EHRR 123). However, the Supreme Court of Victoria has observed that the term ‘expression’ in section 15 of the Charter should not be regarded as unqualified or absolute, and what is protected expression must be informed by public policy considerations inherent in the nature of a free and democratic society (*Magee v Delaney* (2012) 39 VR 50, [86]).

The Bill restricts freedom of expression by enabling an authorised person to make an order prohibiting a person from communicating on a communication platform or channel about a staff member or a student, including by causing a third person to engage in the same communication. In addition, a digital content order may require that the person amend or remove the content or material published or information communicated on a communication platform or channel, which includes a social media platform, website, and an email or text messaging service. An order may also require that a person to amend or remove any content or material published or information communicated, by another person, which will inhibit the other person’s freedom to communicate.

I acknowledge that these provisions are novel and such orders are likely to significantly interfere with freedom of expression, to the extent that the right protects the freedom to engage in harmful, intimidating and abusive communications. It will do so in relation to an individual’s expression on platforms and in spheres that are beyond those controlled by the school, where an individual is generally free to communicate and express ideas without constraint (within the limits of the law and subject to the terms of service of these platforms).

However, I consider that these provisions will enliven the internal limit which permits restrictions reasonably necessary to protect the rights of others (section 15(3) of the Charter).

The provisions serve an important, legitimate and necessary purpose. This is to reduce harm to and harassment of staff and students and significant disruption of or, interference with school activities and operations, or the educational opportunities of students. These amendments are made in the context of recent and rapid increases in the number of e-safety (meaning electronic or online safety) incidents where staff and/or students are being abused, or threatened through social media and other forms of communication. Between 2022 and 2024, schools have reported hundreds of incidents of inappropriate social media behaviour from a parent, carer or advocate. Many of these incidents significantly impact the mental health and wellbeing of school staff, which has a flow-on detrimental effect on educational outcomes. In some circumstances they can pose a risk to

physical safety where online comments incite or provoke aggression and violence in a person. Schools do not currently have sufficient means to deal with these diverse and emerging e-safety incidents and hazards. Existing tools provided by the ETRA are limited to school-owned or controlled platforms and channels. Social media companies often have a high bar for removal of content from platforms.

The scope of the provisions is appropriately tailored to achieve this important objective and ensure the orders go no further than necessary. The orders are limited to prohibiting communications for specific purposes that reach an appropriate threshold of seriousness. This includes publishing content or material, or communicating information, on a communication platform or channel in order to harm, abuse, intimidate or threaten a staff member or student of a specified school, to interfere with the wellbeing and safety of students enrolled at a specified school, to cause significant disruption to or interference with school operations or activities, or to cause significant interference with the education opportunities of enrolled students. I consider these criteria to be sufficiently detailed and targeted so that they capture e-safety incidents of concern, and do not extend to targeting mere criticism or disagreement, or the communication of robust views.

Additionally, the order only targets communications for purposes specified in the order, and does not otherwise affect an individual's broader freedom to continue using such platforms or channels or communicating and expressing other ideas on those platforms or channels that do not engage the terms of the order. The framework for making the order also requires there to be nexus between the purpose of the order and the relevant school. This means that a digital content order cannot be made unless the content, material, or information to be prohibited, amended or removed directly impacts, or is reasonably likely to directly impact, students and staff of the relevant school in specified ways.

Various safeguards are built into the scheme. The Bill prevents such orders from being imposed on a staff member or student, or a child (new section 2.1A.34B(3)). The grounds for making an order under new section 2.1A.34D(1) in respect of a person requires a reasonable belief that there is an unacceptable risk of the person doing the actions or behaviours set out above. Similarly, the grounds for imposing an order on a person in relation to amending or removing content or material published, or information communicated, by another person requires the authorised person to have reasonable belief that the person is able to amend or remove the content, material, or information and that there is an unacceptable risk that the content, material, or information required to be amended or removed causes, or is likely to cause, the types of harm, interference or disruption outlined above. An unacceptable risk is a recognised legal criterion that involves considering both the likelihood and gravity of a specified risk to determine if that risk is unacceptable. Under new section 2.1A.34D(3), before making an order, an authorised person must consider any vulnerability of the other person (which the authorised person is aware) and whether the order is the least restrictive means available to address the grounds on which the order is proposed to be made. Further, new section 2.1A.34D(4) provides that an order cannot be made unless the authorised person is satisfied the order is reasonably necessary, and that the content, material, or information to be prohibited, amended or removed directly impacts, or is likely to impact, a student to participate in a school activity or engage in education or learning opportunities, or a staff member at the relevant school to perform their work or duties for or at the school. I consider this multi-stepped criteria to be sufficiently tailored and robust to ensure that any resulting order will occur in circumstances where there is a legitimate and pressing need to protect students or staff at the relevant school, will go no further than is necessary to address those protective aims and will constitute the least restrictive means in the circumstances.

The Bill also provides a process to ensure procedural fairness and accountability. New section 2.1A.34H requires written notice to be provided to the person to whom the order applies with a list of mandatory matters which must be outlined in the notice. A reasonable and proportionate opportunity must be provided to the person to make submissions in response on the proposed order, in accordance with any Ministerial guidelines, and an authorised person must consider those submissions if reasonable and proportionate in the circumstances to do so. In addition to the procedural requirements in the Bill, an authorised person will be a public authority for the purposes of the Charter and be obliged to consider human rights when making a digital content school community safety order. The Bill also provides discretion for an order to be revoked if the requested actions in the notice are undertaken. Similar procedural fairness provisions are afforded to any extension of an order. A person to whom a digital content school community safety order applies may apply for both internal review and external merits review by VCAT.

Finally, the administration of an order must be carried out in accordance with a communication and access protocol under new section 2.1A.34I to be prepared following the making of an order, which sets out the measures to be taken to ensure that a parent subject to an order may continue to communicate with the school and be informed about their child's education, and the arrangements to ensure their child's continued attendance at and safe access to the school and school activities. This is an important safeguard that seeks to mitigate the impact of the order on an affected person's human rights beyond what is necessary to give effect to the order. By obliging an authorised person to prepare a protocol for managing a person's access and

communication with the school (where relevant), this protects the administration of the order from arbitrarily affecting a child's education or prejudicing their best interests, or from arbitrarily interfering with family life. Guidelines will be prepared requiring such protocols to set out certain matters, to better ensure their consistency and proportionality. Further, any enforcement of a contravention of an order (by way of a civil penalty) is to be effected by application to the Magistrates Court, which will determine such application in accordance with the administration of justice and provision of procedural fairness.

Accordingly, with recognition to the novel and potentially significant impact of a digital content school community safety orders, I am satisfied on balance that this new scheme is appropriately tailored and circumscribed, subject to sufficient safeguards and oversight, and for the important and pressing purpose to constitute a restriction reasonably necessary to protect the rights of others. I am satisfied that the new scheme is compatible with the freedom of expression.

Right to privacy (section 13(a))

The power to make a digital content order will also be relevant to the right to privacy in that restrictions on expression may also interfere with elements of a person's private life, including their use of technology and expression of ideas in their private life, as well as the ability to develop relationships with others. The right to privacy recognises the importance of a person's autonomy, among other things, in their own private sphere and protects the freedom from the unjustified involvement of public authorities in their private sphere. As such, content or material published, or information communicated, by an individual on an independent platform and, particularly, outside of a school environment will likely constitute interference in a person's private sphere. Further, an order has the potential to indirectly interfere with matters of family life as restrictions on a parent or carer that are relevant to participation in school life is likely to closely relate to things within the family sphere.

However, for the same reasons as I outlined above in my discussion on the right to freedom of expression, any interference with privacy will be lawful and not arbitrary due to the digital content order framework being appropriately tailored and circumscribed, subject to sufficient safeguards and oversight, and for the important and necessary purpose of safeguarding child safety, wellbeing and educational outcomes, and staff safety and wellbeing. I am satisfied that these provisions are compatible with the right to privacy.

Fair hearing (section 24)

I have already discussed the procedure for making these orders above, but for completeness, the right to fair hearing is engaged by these provisions because, to the extent that a school principal or school proprietor (or person authorised by the school) is an 'authorised person' who is able to make a digital content order, the decision may not be free from the perception of bias. Such a person may be closely connected to the matter at hand – for example, they may be the employer of a school staff member protected by the order, or they themselves may be one of the relevant school staff members protected by the order. As such, in some cases where a principal may have been involved in the matter, the right to have a proceeding decided by an impartial tribunal could be limited at the original decision-making stage.

Further, whether or not a person is afforded a fair hearing is considered in light of the decision-making process as a whole, having regard to the nature of the decision and the entirety of the decision-making process, including any avenue of appeal or review. As such, the absence of an impartial tribunal in the making of the original decision to make an order does not necessarily result in incompatibility with the right to a fair hearing.

To address this limit, the Bill introduces new Division 4B, which provides for a multi-layered internal and external review process in which a digital content order may be affirmed, varied or revoked. The Division allows a person affected by a digital content order to seek both internal and external review of the decision, which largely replicates the same review processes for immediate and ongoing orders. This includes requiring internal review procedures to provide opportunities for an affected person to make written or oral submissions, allowing representation for an affected person, providing a written statement on the outcome of the review and reasons for the decision, and being consistent with Ministerial Guidelines under Division 5 of Part 2.1A of the ETRA. Following the outcome of an internal review and if the order has not expired or been revoked, new section 2.1A.34T provides for application to VCAT for external review of an order.

As such, considering the decision-making process as a whole, I consider that the right to a fair hearing is not limited by these provisions.

The Hon Gabrielle Williams MP
Minister for Education
Minister for Skills and Training

Statement of treaty compatibility

Gabrielle WILLIAMS (Dandenong – Minister for Education, Minister for Skills and Training, Minister for First Peoples, Minister for Women and Gender Equality) (11:15): Under the Statewide Treaty Act 2025, I table a statement of treaty compatibility:

In accordance with section 66 of the *Statewide Treaty Act 2025*, I table a statement of Treaty compatibility for the Education and Training Reform Amendment (Apprenticeships, Traineeships, Schools and Other Matters) Bill 2026 (the Bill).

In my opinion, the Bill is compatible with the matters set out in section 66(3)(d) of the Statewide Treaty Act 2025. I base my opinion on the reasons outlined in this statement.

Overview of Bill

The Bill introduces reforms to regulation of apprenticeships and traineeships in Chapter 2, and reforms to the permission to teach scheme administered by the Victorian Institution of Teaching, and the school community safety order scheme, and other matters, in Chapter 3.

Apprenticeships and Traineeships Regulatory Reforms (Chapter 2)

The Bill strengthens and modernises the regulatory framework for apprenticeships and traineeships, prioritising their safety and support. Key measures in the Bill include a greater range of enforcement tools for the regulator, introducing a licensing system for employers of apprentices and trainees and embedding an education-first approach to support employers to comply. The regulation of apprenticeships and traineeships will also move from the Victorian Registration and Qualifications Authority to the Workforce Inspectorate Victoria, complementing the Inspectorate's existing functions and capabilities as an industry-focussed regulator.

The Bill's reforms acquit the government's response to recommendations of the Apprenticeships Taskforce in relation to the regulatory framework for apprentices and trainees. The Taskforce consulted with apprentices and trainees from priority cohorts such as First Peoples apprentices and trainees, to inform its work.

Schools and other matters (Chapter 3)

The *Education and Training Reform Act 2006* (the ETRA) provides the statutory framework for Victoria's education and training system.

I have identified various matters relevant to the government education and training system in Victoria that are intended to be addressed by amendments to the ETRA. These matters include:

- a) the government's commitment to ensuring that Victorian schools are safe and respectful places of learning and work for students and staff;
- b) the review by the Victorian Institute of Teaching (Institute) of the 'permission to teach' scheme and report issued on 30 April 2025; and
- c) recommendations from the 2025 statutory review of the school community safety order scheme (the SCSO scheme).

In view of the above, the amendments to be made by the Bill include:

- a) improving and strengthening the permission to teach registration scheme administered by the Institute by:
 - i. replacing the name "permission to teach" (PTT) with "Conditional Authority to Teach" (CATT) to better reflect the circumstances in which that registration type is granted;
 - ii. providing that a responsible person such as a school principal, who intends to employ someone with PTT, must enter into a supervision and support agreement with the Institute setting out the way in which professional support and supervision will be provided to the person granted PTT;
 - iii. providing the Institute with appropriate regulatory tools for the purpose of supporting schools and other bodies with their obligations in relation to PTT holders;
- b) implementing a number of recommendations of the statutory review of the SCSO scheme and making other amendments to the scheme by:
 - i. expanding the power to make SCSOs to address behaviour on electronic communications platforms and channels (including social media and messaging platforms) to protect school staff and students from serious harm perpetrated online;

- ii. expanding the circumstances in which immediate orders may be made by removing the imminency element from each of the grounds for making such orders;
 - iii. requiring an authorised person to provide the person against whom an immediate order is proposed to be made with a reasonable and proportionate procedural fairness process;
 - iv. removing the requirement that an authorised person review an immediate order after making the order;
 - v. simplifying the requirements for making oral orders and empowering an authorised person to extend the duration of an ongoing order, for a further period not exceeding 12 months
 - vi. replacing the show cause notice process for ongoing orders with a reasonable and proportionate procedural fairness process; and
- c) introducing a new statutory principle which enshrines the expectation and intention that all Victorian schools are safe and respectful places of learning and work.

Consultation with the First Peoples' Assembly of Gellung Warl

The First Peoples' Assembly was not given an opportunity to advise on and did not make representations on the Bill, based on my understanding that it is unlikely to have a significant impact on First Peoples or Statewide Treaty.

Compatibility of the Bill with each of the objects in section 66(3)(d) of the *Statewide Treaty Act 2025*

I have considered whether the Bill is compatible with the objects at section 66(3)(d) of the Statewide Treaty Act 2025:

- a) advancing the inherent rights and self-determination of First Peoples; and
- b) addressing the unacceptable disadvantage inflicted on First Peoples by the historic wrongs and ongoing injustices of colonisation; and
- c) ensuring the equal enjoyment of human rights and fundamental freedoms by First Peoples.

In my opinion the Bill does not, in its terms, deal with First Peoples, nor is it expected that any aspects of the Bill will, in practice, have a differential impact on First Peoples.

Conclusion

For the reasons set out above, in my opinion the Bill is compatible with the objects specified in section 66(3)(d)(i) to (iii) of the Statewide Treaty Act 2025.

The Hon Gabrielle Williams MP

Minister for Education

Minister for Skills and Training

Second reading

Gabrielle WILLIAMS (Dandenong – Minister for Education, Minister for Skills and Training, Minister for First Peoples, Minister for Women and Gender Equality) (11:15): I move:

That this bill be now read a second time.

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

Incorporated speech as follows:

Today, I introduce a Bill to amend the *Education and Training Reform Act 2006* (Act) to:

- a) strengthen protections for Victoria's apprentices and trainees;
- b) strengthen the permission to teach scheme; and
- c) ensure that schools remain safe places of learning and work by:
 - introducing a statutory principle into the Act which enshrines the expectation and intention that all Victorian schools are safe and respectful places of learning and work;
 - important updates to strengthen the permission to teach registration scheme administered by the Victorian Institute of Teaching; and
 - further protecting school staff and students from harm by strengthening and streamlining the school community safety order scheme.

I turn firstly to the apprenticeships and traineeships regulatory reforms in the Bill.

Victoria's 62,000 apprentices and trainees form a crucial element of our economy and society. Apprenticeships and traineeships play a critical role in enabling our workers to develop their skills, participate in the workforce and provide employers with access to a skilled supply of labour to support Victoria's economic growth and sustainability.

To do these things effectively, we need an apprenticeship and traineeship system that is modern and flexible, keeping pace with a dynamic and changing domestic and global environment, that is fair, that promotes safety, manages risk and drives a quality experience for workers.

But the framework that governs the Victorian apprenticeship system is outdated. It has not kept pace with the changing nature of apprenticeships and traineeships, and Victoria's rapidly transforming economy. The current legislation was established 20 years ago. It does not provide adequate protections for apprentices and trainees, it is not risk based in recognising the particular vulnerabilities of this cohort of workers, and it does not enable the regulator, the Victorian Registration and Qualifications Authority, to act quickly in response to harms, and risks of harm to our workers.

In recognition of the need to make the system safer and fairer for apprentices and trainees, a key Victorian Government election commitment in 2022 was to establish an Apprenticeships Taskforce.

In July 2023 the Government established the Taskforce, investing \$1.5 million to support its work. The Government stated its role would be to advise the Labor Government and provide recommendations to improve safety in workplaces across the state. The Government recognises that the perspectives and lived experience of apprentices and trainees is critical to informing this work, and further notes that an Apprentice and Trainee Reference Group would be established to advise the Taskforce.

The Taskforce was chaired by former President of the Australian Council of Trade Unions Sharan Burrow. Justice Iain Ross, former President of the Fair Work Commission served as special adviser. As well as being advised by apprentices and trainees, the Taskforce membership comprised numerous employer representatives and unions.

Additionally, the Taskforce consulted extensively with apprentices and trainees, including from priority cohorts such as women and First Nations apprentices and trainees, unions, peak bodies, regulators and employers.

The Taskforce finalised its report in March 2024 and made 16 recommendations to reform the apprenticeship system, strengthen the regulatory framework, improve the apprenticeship and traineeship journey and enhance collaboration and coordination across the regulatory landscape for apprentices and trainees.

The Victorian Government has accepted all of the recommendations in full or in part.

The Education and Training Reform Amendment (Apprenticeships, Traineeships, Schools and Other Matters) Bill 2026 delivers on the government's response to the recommendations to strengthen and modernise the regulatory framework for apprenticeships and traineeships.

Various regulatory schemes work together to ensure workers are safe and protected from harm. But there are specific vulnerabilities and regulatory risks in the context of apprentices and trainees that mean it is critical that we have a strong, robust, flexible and highly targeted risk based regulatory framework.

The Taskforce found there can be a significant power imbalance between apprentices and trainees and their employers which can make them vulnerable to workplace exploitation. In addition, they are young. The majority are less than 25 years old, and a relatively large proportion are less than 19 years old. This means many may have limited or no previous work experience and are inexperienced in understanding their rights, recognising appropriate treatment in the workplace and knowing where to go if they need help.

Younger workers have also been found to be more prone to workplace safety incidents. Apprentices and trainees in the construction industry face greater health and safety risks given the inherent risks associated with working on a building site.

Over the past few years there have been safety incidents in Victoria which have resulted in death and serious injuries to apprentices. These incidents are tragic, preventable and unacceptable.

We also know some apprentices and trainees have experienced workplace bullying, harassment, discrimination and wage theft.

These harms, risks and specific vulnerabilities of this cohort point to the imperative to introduce a strengthened regulatory framework that provides greater oversight and protections, and is proportionate and accounts for risk, rather than the current 'one size fits all' approach to regulating this sector.

The Education and Training Reform Amendment (Apprenticeships, Traineeships, Schools and Other Matters) Bill 2026 will deliver on these critical elements.

In summary the key amendments in the Bill regarding apprenticeships and traineeships will:

- a) transfer regulation of apprenticeships and traineeships from the Victorian Registration and Qualifications Authority to the Workforce Inspectorate Victoria
- b) establish an expanded set of compliance and enforcement powers for the new regulator
- c) establish a new licensing scheme for employers of apprentices and trainees
- d) establish a framework for new employer standards to set expectations for the employer's role
- e) provide additional protection for apprentices and trainees engaged by labour hire providers
- f) establish new requirements for training plans
- g) facilitate greater information sharing between co-regulators
- h) provide for a five-year statutory review of the new scheme
- i) provide for a dedicated statutory Commissioner position and a consultative committee.

I will now speak to each element of the reforms in the Bill regarding apprenticeships and traineeships in further detail.

Transfer of Regulatory functions from the Victorian Registration and Qualifications Authority to the Workforce Inspectorate Victoria

The Bill will transfer apprenticeship and traineeship regulatory functions from the Victorian Registration and Qualifications Authority to Workforce Inspectorate Victoria. With its strong capability in industry regulation the Workforce Inspectorate Victoria is positioned well to take on these functions.

It will also enable the Victorian Registration and Qualifications Authority to focus on its core remit, being a regulator of schools and vocational education and training.

More enforcement tools to enable the regulator to take action in response to risk of harm

The Victorian Registration and Qualifications Authority does not have a modern regulatory toolkit to enforce non-compliance with apprenticeship and traineeship laws. Enforcement action is limited to cancelling an employer's approval to engage a worker, cancelling or suspending a training contract or prosecuting an employer in relation to training contract obligations.

These tools are at the upper end of the enforcement pyramid, and do not provide the regulator with flexibility to deploy a graduated, proportionate approach based on risk relativities.

The Bill provides for the regulator to issue notices to produce, compliance notices, infringement notices, official warnings and enforceable undertakings. The regulator will also be able to issue adverse publicity orders and there will be civil and criminal penalties for breaches such as providing false information and failing to comply with an Authorised Officer.

These tools will enable the regulator to act quickly, effectively and proportionately relative to the level of regulatory risk. This approach is consistent with other Acts that give effect to contemporary regulatory schemes, such as those established under the Child Wellbeing and Safety Act 2005 and the Social Services Regulation Act 2021.

Ongoing Oversight of Employers through new Licensing Scheme

The Taskforce analysis found that the existing approvals process for prospective employers of apprentices and trainees is static, it occurs at the beginning of the process, and does not enable an assessment of employer suitability in an ongoing way. Employer suitability is also solely based on a self-assessment process.

The new licensing system will enable regulatory oversight over the lifecycle of the apprenticeship or traineeship.

It will provide the Workforce Inspectorate Victoria with greater capacity to manage poor performing employers which in turn will improve apprenticeship and traineeship completion rates.

Apart from the initial licence assessment process, a subsequent 'light touch' reaffirmation process allows the licence to continue for another 12 months. The requirement for annual renewal has been designed to minimise burden on employers.

The Bill envisages that the licensing scheme can be operationalised through the ICT system in a way that streamlines the application and approval processes for employers.

New employer standards

The Bill enables Standards to be prescribed in regulations to provide clarity to employers on what the expectations are for a successful apprenticeship and traineeship journey. These expectations are not explicit under the current scheme.

Stronger regulation where apprentices and trainees are employed by labour hire providers

Labour hire providers employing apprentices and trainees attract a higher risk profile than other employers as these workers are working for a third party, meaning there is often limited or no oversight by the regulator.

The Bill provides for stronger obligations on labour hire providers who employ apprentices and trainees through the introduction of a specific standard to be prescribed in regulations, for this class of employer. The Workforce Inspectorate Victoria will also be able to consider current licences by the Labour Hire Authority in considering regulatory risk, and to impose additional licence conditions for this class of employer.

New requirements for training plans to promote quality

Effective training plans facilitate shared expectations between parties. The Bill proposes the inclusion of minimum requirements for information included in training plans, such as the vocation that the apprenticeship or traineeship relates to, details of employment-based training to be provided by the employer, details of the training scheme course which the apprentice or trainee is enrolled in, and intervals at which the registered education and training organisation must assess the skills of the apprentice or trainee.

Improved information sharing across co-regulators

Apprentices and trainees are relevant to the remit of multiple co-regulators, and these agencies often hold valuable intelligence about issues and incidents of concern for apprentices and trainees. The regulatory landscape can be fragmented and confusing, and there is no consistent approach to information sharing across agencies. The Bill will enable co-regulators to share information with each other consistently and comprehensively, creating opportunities for improved coordination – for example by sharing regulatory intelligence and opportunities for joint investigations.

Governance arrangements

A new Apprenticeship and Traineeship Commissioner will be established in Workforce Inspectorate Victoria. This will be a dedicated statutory role to support enforcement of the new regulatory scheme. Under the Bill, the Workforce Inspectorate Victoria Commissioner will be appointed to the role, in addition to their existing role.

The Bill will also provide for a consultative committee comprising industry, employee and other key representatives. The committee will advise the Apprenticeship and Traineeship Commissioner on current risks and issues requiring consideration in relation to regulatory priorities, ensuring broad stakeholder perspectives are taken into account by the new regulator.

Five-year review

To ensure the new scheme is efficient, effective and fit for purpose, the Bill proposes a statutory review of the scheme within five years of commencement, to be tabled in Parliament.

Implementation

The Bill outlines the apprenticeships and traineeships regulatory reforms will commence by 1 July 2029 or a date earlier to be proclaimed, but we have committed to deliver the reforms by 1 July 2028. There are a number of complex transitional activities required to support the new scheme, including transferring staff, assets and liabilities from the Victorian Registration and Qualifications Authority to the Workforce Inspectorate Victoria. An ICT solution for the new regulatory scheme is also required as the Victorian Registration and Qualifications Authority's existing ICT system is at end-of-life stage. A new ICT system will be required to be built.

A carefully designed system will be important to support a sophisticated, efficient, risk-based regulator that minimises regulatory burden for employers, and can also effectively support co-regulation and coordination with other entities.

These reforms are significant, there will be adequate opportunity for broad consultation with relevant sectors and key stakeholders on draft regulations and implementation, to inform careful implementation design.

The Victorian government will develop targeted communications informing relevant sectors and key stakeholders including employers, peak bodies, apprentices, trainees, unions and affected agencies about the reforms and the new obligations in the lead up to the reforms being implemented.

A range of regulations will be required to operationalise the scheme, including standards employers need to comply with, conditions on employers' licences and infringement offences and penalty levels. Development of regulations will be undertaken in a consultative manner.

I would like to take this opportunity to express my sincere thanks to Sharan Burrow, Ian Ross and the Apprenticeships Taskforce for the work and engagement they have undertaken throughout 2023 and 2024 which informs this Bill.

I would also like to acknowledge the important role of the Apprentice and Trainee Reference Group, and to thank numerous other stakeholders from unions, employers, peak bodies, regulators and apprentices and trainees, for your ongoing and thoughtful engagement in this process, and your contribution to the Bill before the house today.

I would now like to address the reforms to schools and other matters contained in Chapter 3 of the Bill.

In regard to these reforms, the key features of the Bill include the below amendments.

Statutory principle

The new statutory principle of the ETRA enshrines the expectation and intention that all Victorian schools are safe and respectful places of learning and work. This embeds the importance of safe and respectful school communities as a key principle underpinning the Education State.

Permission to teach

Permission to teach (PTT) is a form of teacher registration that enables an individual who does not meet the qualification requirements for registration as a teacher to undertake the duties of a teacher in a limited capacity based on their skills and experience. This registration can be used to address workforce shortages and is also granted to pre-service teachers on employment-based Initial Teacher Education pathways. In the majority of cases, PTT holders will be actively engaged in Initial Teacher Education and progressing towards provisional registration.

In 2025, the Victorian Institute of Teaching (VIT) reviewed the PTT scheme and recommended a suite of improvements to ensure the scheme is fit for purpose, including in response to sector concerns about adverse outcomes for the teaching workforce under the current PTT policy and its application.

The reforms I am introducing today will provide a clear co-regulatory lever to make sure PTT holders have access to the support they need to meet the conditions of their registration while appropriately balancing employment with study requirements and, for the many PTT holders who are engaged in Initial Teacher Education courses or pathways, increase the likelihood that they progress to provisional teaching registration and go on to long and successful teaching careers.

Changing the name of the scheme

The amendments update the name of the registration category of “permission to teach”, to “conditional authority to teach”, (CATT) to better reflect the conditional nature of this registration category where a person is only permitted to teach in a specific place, for a set time, under specific individualised circumstances.

Formalising employer obligations

The amendments formalise the existing employer obligations for CATT holders by providing the VIT with the ability to enter into supervision and support agreements with principals or other responsible persons of bodies engaging a person with CATT. A grant of CATT will be conditional upon an agreement being entered into by the responsible person. This benefits both CATT holders and the employer.

Sector stakeholders who employ CATT holders, and the VIT, have recognised a desire for a co-regulatory approach where the conditions of the CATT grant are sensitive to the context of the individual employer or school system and CATT holder, rather than being overly prescriptive. Formalising these agreements enables the VIT to apply grant conditions that are responsive to such context.

Supervision and support agreements will contribute to a greater awareness of and compliance with the scope of the roles that CATT holders can perform, the standards and outcomes that the CATT holders must attain during their employment and the support and supervision that an employer must provide to them.

The Bill will enable the VIT to monitor whether a responsible person is complying with supervision and support requirements. It enables the VIT to work collaboratively with the employer to assist it to improve its practice. Importantly, where a responsible person has contravened a supervision and support agreement, the Bill also enables the VIT to refuse to make future grants of CATT to the same responsible person or employer.

It is important that CATT holders receive the support they need to remain in the teaching profession and to provide quality teaching to Victorian students. Many CATT holders are still studying Initial Teacher Education, and it should be a priority for them to graduate successfully and become provisionally registered teachers.

The sector has expressed concerns about adverse outcomes for the teaching workforce under the current policy and its application. These reforms address these concerns and are a step towards a more sustainable teaching pipeline for Victoria.

School community safety order scheme

Our school staff work hard every day to educate students and ensure their wellbeing is supported. Sadly, there has been an increase in violence, threats, and abusive behaviour directed at school staff. School community safety orders help protect the safety and wellbeing of students and staff, reinforcing the right of everyone to learn and work in a safe and respectful environment.

The Bill amends the ETRA to strengthen the school community safety order scheme, giving principals simpler and more effective powers to protect staff and school communities from harmful, threatening and abusive behaviour. The changes implement recommendations from a recent statutory review into the scheme and aim to improve school safety, reduce red tape while maintaining the scheme as a last resort measure to protect school communities.

In particular, the Bill:

- a) expands the protections afforded by ongoing school community safety orders by enabling digital content school community safety orders to be made, which prohibit a person from using an electronic communication platform or channel, including social media and messaging platforms, to harm school staff and students;
- b) streamlines the process for making immediate school community safety orders (immediate orders) in Division 2 by:
 - i. expanding the circumstances in which immediate orders may be made by removing the imminency element from each of the grounds for issuing immediate orders;
 - ii. requiring an authorised person to provide the person to whom an immediate order is proposed to apply with a reasonable and proportionate procedural fairness process prior to the order being issued;
 - iii. removing the requirement that an authorised person review an immediate order after issuing the order;
 - iv. simplifying the requirements for issuing oral orders;
 - v. limiting the number of immediate orders that may be issued against the same person within a defined period specified in the Ministerial Guidelines;
 - vi. empowering an authorised person to extend the duration of an immediate order by a further 7 days where the authorised person requires additional time to issue an ongoing order;
- c) streamlines the process for issuing ongoing school community safety orders (ongoing orders) in Division 3 by:
 - i. replacing the show cause notice process with a requirement that an authorised person must provide the person to whom an ongoing order is proposed to apply with a reasonable and proportionate procedural fairness process prior to the order being made;
 - ii. empowering an authorised person, other than the authorised person who made the order, to vary an ongoing order;
 - iii. empowering an authorised person to extend the duration of an ongoing order for a further period not exceeding 12 months;
- d) improves the process for reviewing ongoing orders in Division 4 by:
 - i. allowing an application for internal review to be submitted to a reviewer directly, in addition to a school;
 - ii. empowering a reviewer to accept an application for internal review beyond 28 days after the reviewable decision was made in exceptional circumstances; and
 - iii. clarifying and putting beyond doubt that an application for internal review and external review cannot be made with respect to an ongoing order that has expired or been revoked.

Protecting school staff against social media abuse

Harmful online behaviour towards school staff and students is increasing. In many cases, the existing school community safety order scheme cannot protect staff and students from this type of conduct.

The school community safety order scheme will be expanded to enable authorised persons to make a new category of ongoing school community safety orders, to be known as digital content school community safety orders, which prohibit or require the removal or amendment of certain content or material published or information communicated, on social media or other communication platforms or channels, with the specific purpose of reducing harm to staff and students of the school and significant disruption of school activities and

operations. This includes platforms such as Facebook, Instagram and TikTok, as well as private messaging services such as WhatsApp. This change will ensure the education system is safe and effective for both staff and students.

Digital content school community safety orders will protect against the unacceptable risk of harm to staff members and students by targeting harmful, abusive, intimidating or threatening online communications. These orders will also protect against the unacceptable risk of interference with students' wellbeing and safety, or of significant disruption or interference with school activities or students' educational opportunities, by targeting online communications that directly impact a school or its students.

As social media and online content can occur anywhere and anytime, including outside of the school grounds or school hours, the Bill provides for the specific harm which it is seeking to prevent or address to have an appropriate nexus to school operations by requiring that the information, material or content to be prohibited, amended or removed, directly impacts or is reasonably likely to directly impact, the capacity of a staff member from being able to perform their duties or work for or at the school, or a student from being able to participate or engage with the educational and learning opportunities at or provided by the school.

Digital content school community safety orders will ultimately ensure students can fully engage in education, and that teachers and other staff members can safely and effectively perform their duties to provide education opportunities to students, without significant disruption or interference, as part of our state's strong compulsory system of education.

Simplifying immediate orders to protect the school community faster

The Bill simplifies the way immediate orders are made to allow swift action to address harmful behaviour towards the school community.

The circumstances in which immediate orders can be made will be expanded by removing the requirement for there to be an imminent risk. The review found that this threshold is too high to be practical and rules out the majority of circumstances that require an order to be made urgently.

The requirements to make an immediate order orally will be simplified, and the requirement that an authorised person review an immediate order as soon as practicable after making the order will be removed.

The Bill also empowers an authorised person who makes an immediate order to extend the order by a further 7 days and up to a total of 21 days, if they reasonably believe that the grounds for making the immediate order still exist.

To ensure the rights of parents and carers are protected despite these changes, there is a new requirement for authorised persons to provide reasonable and proportionate procedural fairness before making an immediate order. What is reasonable and proportionate will depend on the circumstances and will be expanded on in the Ministerial Guidelines underpinning the scheme. The number of immediate orders that can be made within a specified period is also limited to minimise misuse.

Simplifying ongoing orders to better manage longer term harmful behaviour

The Bill simplifies the process of making ongoing orders including by replacing the requirement that an authorised person provides notice that an ongoing order will be made, with a requirement to provide reasonable and proportionate procedural fairness to the person who will be subject to the order, prior to the order being made. The statutory review found that the time and administrative burden involved with preparing a notice and considering the response from the subject led to orders not being issued expediently, leaving school staff at risk of further harm.

The Bill also allows an authorised person to extend an order for a period not exceeding 12 months if the grounds continue to be met and the risks to the school community remain. This allows authorised persons to avoid repeating the process of making an order, which risks exposing the school community to harm if there is a gap in protection between the two orders.

Extensions would retain the same procedural safeguards as the original order, including providing reasonable and proportionate procedural fairness to a person ahead of the extension being made, and the right to have the order reviewed.

I commend the Bill to the house.

Cindy McLEISH (Eildon) (11:16): I move:

That the debate be adjourned.

Motion agreed to and debate adjourned.

Ordered that debate be adjourned for two weeks. Debate adjourned until Wednesday 26 August.

Associations Incorporation Reform Amendment Bill 2026*Statement of charter compatibility*

Tim RICHARDSON (Mordialloc – Minister for Local Government, Minister for Consumer Affairs, Minister for Renters) (11:17): Under the Charter of Human Rights and Responsibilities Act 2006, I table a statement of compatibility:

Opening paragraphs

In accordance with section 28 of the *Charter of Human Rights and Responsibilities Act 2006*, (the Charter), I make this Statement of Compatibility with respect to the Associations Incorporation Reform Amendment Bill 2026 (the Bill).

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

Overview

The purpose of the Bill is to strengthen the regulation of incorporated associations under the *Associations Incorporation Reform Act 2012* (AIRA) to ensure that the benefits of incorporation are only available to groups that reflect the intent of the AIRA.

The Bill introduces reforms to provide powers to the Registrar of Incorporated Associations (the Registrar) to exclude associations and registrable bodies that have been declared as prohibited hate groups and listed terrorist organisations from registration under the AIRA, as well as provide the Registrar with a discretionary power to exclude groups from registration under the AIRA where registration is not in the public interest. The purpose of these reforms is to prevent groups whose purposes or activities are fundamentally inconsistent with the maintenance and promotion of community safety, social cohesion and the public interest from benefiting through incorporation under the AIRA.

The Bill also introduces reforms to exclude associations and registrable bodies with an industrial relations purpose from registration under the AIRA. The purpose of these reforms is to ensure that groups with industrial purposes are regulated under more appropriate existing schemes for the regulation of industrial bodies, such as the Fair Work Act 2009 and Fair Work (Registered Organisations) Act 2009 (FWRO Act).

The Bill will amend the AIRA to:

- prevent prohibited hate groups and listed terrorist organisations from registering as incorporated associations by requiring the Registrar to refuse an application for registration
- remove prohibited hate groups and listed terrorist organisations from the register of incorporated associations by requiring the Registrar to direct the association to wind up
- prevent groups from registering as incorporated associations where in the Registrar's opinion, circumstances exist which, in the public interest, justify the decision to refuse an applicant for registration. In making these decisions, the Registrar must have regard to the association's purpose or conduct and the effect or likely effect of the purpose or conduct on the public and whether the effect or likely effect on any person or group of persons is because of a protected attribute under section 102B of the *Equal Opportunity Act 2010* (EO Act)
- provide that in making a decision to wind up an incorporated association on the basis of the public interest, the Registrar must have regard to the association's purpose or conduct and the effect or likely effect of the purpose or conduct on the public and whether the effect or likely effect on any person or groups of persons is because of a protected attribute under section 102B of the EO Act
- prevent groups with an industrial relations purpose from registering as incorporated associations by requiring the Registrar to refuse an application for registration
- remove groups registered as an incorporated association with an industrial relations purpose from the register by requiring the Registrar to direct the association to wind up unless they are exempt, fall within the meaning of a 'transferring association' for the purposes of the Bill or alter the purposes in their Rules to omit any industrial relations purpose
- enable the Registrar to request information concerning the purposes or conduct of an applicant or incorporated association to support these decisions.

Human Rights Issues

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

- Recognition and equality before the law (section 8)

- Reputation (section 13)
- Freedom of expression (section 15)
- Right to peaceful assembly and freedom of association (section 16)
- Cultural rights (section 19)

Recognition and equality before the law (Section 8)

Section 8(2) of the Charter provides that every person has the right to enjoy their human rights without discrimination. Section 8(3) of the Charter provides that every person is equal before the law, is entitled to the equal protection of the law without discrimination, and has the right to equal and effective protection against discrimination.

Discrimination under the Charter means discrimination within the meaning of the *Equal Opportunity Act 2010* (EO Act) on the basis of an attribute set out in section 6 of that Act (including, for example, age, sex or disability). Discrimination can either be direct or indirect. Direct discrimination occurs where a person treats, or proposes to treat, a person with an attribute unfavourably because of that attribute. Indirect discrimination occurs where a person imposes a requirement, condition or practice that has, or is likely to have, the effect of disadvantaging persons with a protected attribute, but only where that requirement, condition or practice is not reasonable.

Hate group reform

Clauses 6 and 9 of the Bill promote the right to recognition and equality before the law by amending section 7(2) and 13(2) of the AIRA to require the Registrar to refuse an application to incorporate a body if that association is a listed terrorist organisation or prohibited hate group specified by regulations made under the Commonwealth Criminal Code. The purpose of clauses 6 and 9 is to prevent groups which have been declared as unlawful by the Commonwealth government, and whose purposes and activities are contrary to community safety, social cohesion, and the public interest, from accessing the benefits of incorporation under the AIRA. Clause 11 of the Bill also promotes the right to recognition and equality before the law by introducing section 127(2B) into the AIRA to require the Registrar to wind up an incorporated association by certificate if the Registrar certifies that the association is a prohibited hate group or a listed terrorist organisation. This clause has the same purpose as clauses 6 and 9, but applies this purpose by empowering the Registrar to remove such groups which are already accessing the benefits of incorporation under the AIRA.

By removing the ability for groups with a hateful purpose to have access to the legal and financial benefits of being registered as an incorporated association under the AIRA as well as the social licence that can be created by the decision to register a body, the Bill promotes the right by taking steps to diminish or eliminate conditions that may result in groups of people suffering disadvantage. The Bill aims to help protect groups of people with a protected attribute under section 102B of the EO Act from disadvantage by ensuring that groups with a hateful purpose cannot promote their views or discriminate against those persons by using the legal and financial benefits provided by incorporation under the AIRA.

Clauses 6 and 9 of the Bill may engage the right to recognition and equality before the law by amending sections 7 and 13 of the AIRA to require the Registrar to refuse to register a proposed association or registrable body on the grounds that it is a prohibited hate group or listed terrorist organisation, as defined by clause 4 of the Bill. Clause 11 of the Bill may also engage the right by inserting section 127(2B) into the AIRA to require the Registrar to wind up an association which is a prohibited hate group or a listed terrorist organisation. The refusal to register or the winding up of a prohibited hate group or listed terrorist organisation may engage the right because the decision of the Registrar may affect an individual's ability to practice their religious or political beliefs under a recognised collective association and therefore draw distinctions between peoples based on attributes listed in section 6 of the EO Act.

I am of the view that clauses 6, 9 and 11 of the Bill do not limit the right to recognition and equality before the law because they do not limit an individual's ability to practice their religious or political beliefs and membership of prohibited hate groups and listed terrorist organisations is unlawful under the Criminal Code. The Bill is not directed at preventing Victorians from enjoying religious practices or political belief or activity, but rather seeks to prevent groups with a hate purpose from obtaining the legal and financial benefits of incorporation under the AIRA.

Industrial relations reform

Clauses 6, 9 and 11 of the Bill may engage the right to recognition and equality before the law by amending sections 7(2) and 13(2) and inserting section 127(2B) into the AIRA to provide that the Registrar must refuse to register groups with an industrial relations purpose as incorporated associations or, if they are already registered, direct them to wind up.

By excluding associations with an industrial relations purpose from becoming, or remaining, registered under the AIRA, clauses 6, 9 and 11 may engage section 8(2) of the Charter by impacting an individual's ability to engage in industrial relations activity through membership of an industrial association. Industrial relations activity, including forming or joining an industrial association, is a protected attribute on the basis of which discrimination is prohibited by the EO Act. The effects of impacting an individual's ability to engage in industrial relations activity may be compounded where individuals with protected attributes who may face discrimination and disadvantage in the workplace seek to form an industrial relations association to further, protect or represent their industrial interests.

I am of the view that preventing associations with an industrial relations purpose from incorporating under the AIRA does not constitute a limit on the right under section 8 of the Charter. Clauses 6, 9 and 11 do not prevent individuals from forming and joining organisations with an industrial relations purpose under another legislative framework. The purpose of these clauses is to ensure that groups with an industrial relations purpose seek registration under a legal structure more appropriate for those purposes, rather than under the AIRA, which provides a general framework for not-for-profit community associations to seek incorporation. Associations with a primary purpose of industrial relations can register and be incorporated under the FWRO Act. Registration under the FWRO Act confers a range of statutory rights, such as bargaining on behalf of an association's members and initiating protected industrial actions. Incorporation under the AIRA does not confer similar rights and this creates a risk that individuals joining associations incorporated under the AIRA may mistakenly believe that in doing so they avail themselves of full industrial relations protections.

Clause 13 of the Bill engages and may limit section 8(3) by amending section 222(1)(d) of the AIRA to provide that regulations may prescribe an association or class of associations with an industrial relations purpose that may be incorporated under the AIRA. The purpose of clause 13 is to ensure that the application of the Bill is appropriately confined and does not capture associations outside of the intended scope of the Bill. However, the application of clause 13 may allow for certain groups with industrial relations purposes to use incorporation under the AIRA to further, protect or represent their industrial interests while other groups are excluded. I do not consider that clause 13 constitutes a limitation on the right to recognition and equality under section 8(3). This provision does not itself impose differential treatment but instead creates a mechanism for specifying classes of associations in a manner that will be subject to parliamentary oversight.

Clauses 4 and 11 of the Bill engages and may limit section 8(3) by providing for a category of association (a 'transferring association') that is not required to be wound up despite having an industrial relations purpose. Clause 4 amends section 3 of the AIRA to provide that an incorporated association that applied to be registered under the FWRO Act prior to 1 July 2026 is a transferring association, while clause 11 amends section 127 to provide that the Registrar is not required to wind up such associations, despite them having an industrial relations purpose. Specifying a retrospective date for the operation of the transferring association provisions preferences members of associations with an industrial relations purpose who have already commenced transferring to the FWRO Act scheme.

However, clause 12 of the Bill will introduce new section 128A into the AIRA which provides that if an associations' application to register under the FWRO Act is refused, the Registrar will be required to issue it with a fresh show cause notice under section 128 of the AIRA. This will mean that the association will have a period of two months within which to lodge an application to alter its rules. This period will enable the association to comply with the alteration of rules requirements set out in section 50 of the AIRA. The effect of the clauses of the Bill will mitigate any potential discriminatory distinction between persons based on the attribute of their industrial activity.

In the circumstance, I consider that any limitation is small as it likely to disadvantage a small number of associations seeking to apply to the FWRO Act scheme and for a limited period of time while their application is being determined.

Public interest test reform

Clauses 6 and 9 of the Bill promotes the right to recognition and equality before the law by amending sections 7(3) and 13(3) of the AIRA to allow the Registrar to refuse to incorporate a body if reasons exist that mean it is in the public interest to refuse incorporation. In considering the public interest, the Registrar must consider the purposes and conduct of the body and the effect or likely effect of the purposes or conduct on the public, including whether the effect or likely effect on any person or group of persons is because of a protected attribute as defined under section 102B of the EO Act. Clause 11 of the Bill also promotes the right to recognition and equality before the law by introducing section 127(2A) into the AIRA to require the Registrar to consider as part of the public interest test to justify the winding up of an incorporated association the purposes and conduct of the body and the effect or likely effect of the purposes or conduct on the public, including whether the effect or likely effect on any persons and groups of persons is because of a protected attribute as defined under section 102B of the EO Act.

The purpose of these provisions is to protect groups of people with a protected attribute under section 102B of the EO Act from disadvantage by ensuring that groups with a hateful purpose cannot promote their views or seek to discriminate against those persons by using the advantages provided by incorporation under the AIRA. By allowing the Registrar to remove registration of associations in the public interest and requiring the Registrar to consider the effect of the conduct and purpose of the association on people with protected attributes listed in the EO Act, the Bill restricts the ability for groups with a hateful purpose to have access to the legal and financial benefits of being registered as an incorporated association under the AIRA, or the social licence that can be created by the decision to register a body. Accordingly, I consider that the Bill promotes the right to recognition and equality before the law by taking steps to diminish or eliminate conditions that may result in groups of people suffering disadvantage.

Clauses 6 and 9 of the Bill may also engage the right to recognition and equality before the law by amending sections 7 and 13 of the AIRA to provide that the Registrar may refuse to register or wind up an association if circumstances exist which, in the public interest, justify that decision. The Registrar is required, when forming that opinion, to have regard to the association's purposes and conduct and the effect or likely effect that the purpose or conduct would have on the public, including whether the effect or likely effect on a person or group of persons is because of a protected attribute listed in section 102B of the EO Act. Clause 11 of the Bill may also engage the right to recognition and equality before the law by amending section 127 of the AIRA to require the Registrar to consider as part of the public interest test in making a decision to wind up an association the purposes and conduct of the association and the effect or likely effect of the purpose or conduct on the public, including whether the effect or likely effect on a person or group of persons is because of a protected attribute as defined in section 102B of the EO Act.

The refusal to register or the winding up of an association on the grounds of the public interest may engage the right because the decision of the Registrar may affect an individual's ability to practice their religious or political beliefs under a recognised collective association and therefore draw distinctions between peoples based on attributes listed in section 6 of the EO Act. I am of the view that clauses 6, 9 and 11 do not limit the right to recognition and equality before the law because they do not limit an individual's ability to practice their religious or political beliefs. The purpose of the Bill is not directed at preventing Victorians from enjoying religious practices or political belief or activity. Rather, it seeks to prevent groups whose purposes and activities may cause serious harm to the public from obtaining the legal and financial benefits of incorporation under the AIRA.

Accordingly, I consider that these clauses under the Bill are compatible with the right to recognition and equality before the law under section 8 of the Charter.

Reputation (section 13)

Section 13 of the Charter provides that a person has a right not to have their reputation unlawfully attacked.

Clauses 6 and 9 of the Bill may engage the right of persons not to have their reputation unlawfully attacked by amending sections 7 and 13 of the AIRA to require the Registrar to refuse to register a proposed association or registrable body on the grounds that it is a prohibited hate group or listed terrorist organisation, as defined by clause 4 of the Bill. Clause 11 may also engage cultural rights by amending section 127 of the AIRA to require the Registrar to wind up an association which is a hate group or a terrorist organisation.

Clauses 6, 9 and 11 of the Bill may also engage the right of persons not to have their reputation unlawfully attacked by amending sections 7, 13 and 127 of the Bill to provide that the Registrar may refuse to register or wind up an association if circumstances exist which, in the public interest, justify that decision. The Registrar is required, when forming that opinion, to have regard to the association's purposes and conduct and the effect or likely effect the purpose or conduct on the public, including whether the effect or likely effect on a person or group of persons is because of a protected attribute as defined in section 102B of the EO Act.

By excluding from registration under the AIRA an association that is a listed terrorist organisation or prohibited hate group, or an association whose incorporation is considered by the Registrar not to be in the public interest, the Bill may engage the right to reputation of individual members of those associations. Individuals publicly tied to an association in these circumstances may be subject to public condemnation, causing adverse impacts to their personal and professional life, such as a loss of employment or exclusion from social settings.

However, the choice to identify and tie oneself to an association is made by the individual. Further, given the range of conduct that is already prohibited by the various offence provisions in the Code that prohibit directing, supporting, or being a member of a prohibited hate group. Also, the Bill does not alter the existing operation of the AIRA, which sets out which information about associations is publicly available. Individuals applying as members of an association that do not meet the conditions for registration are not identified publicly, as a decision to refuse registration is not published. Similarly, while the AIRA provides for a public

register of incorporated associations, individual members of those associations are not identified publicly. The Bill also does not allow for a person's reputation to be attacked in a way that is unlawful.

As there is no public identification of any individual belonging to a group not permitted to incorporate under the AIRA, I consider that the Bill does not limit any person's right not to have their reputation unlawfully attacked.

Freedom of expression (section 15)

Section 15 of the Charter provides that every person has the right to freedom of expression, including the freedom to hold an opinion without interference and seek, receive and impart information and ideas of all kinds through a variety of mediums. The right may be subject to lawful restrictions reasonably necessary to respect the rights and reputation of other persons, or for the protection of national security, public order, public health or public morality (section 15(3) of the Charter).

Clauses 4, 6 and 9 of the Bill may engage the right of persons to freedom of expression by amending sections 7 and 13 of the AIRA to require the Registrar to refuse to register a proposed association or registrable body with an industrial relations purpose, as defined by clause 4 of the Bill. Clause 11 may also engage the right of persons to freedom of expression by amending section 127 of the AIRA to require the Registrar to wind up an association which has an industrial relations purpose.

Under the AIRA, persons are currently able to form an incorporated association for the purpose of seeking, receiving and imparting information and ideas relating to a wide range of lawful purposes, including industrial relations. Incorporation allows the members of the association to pool and deploy property for the purposes of communicating ideas and information. For example, an incorporated association can enter into contracts, lease property, or open a bank account, with limited financial liability to individual members. Where the Bill has the effect of preventing specified associations from incorporating under the AIRA, it has the practical effect of the lessening these groups' ability to communicate ideas and therefore may engage members' right to freedom of expression.

The right to freedom of expression may be further engaged where a group with an industrial relations purpose is refused registration or directed to wind up and is unable to access incorporation through an alternative framework. This outcome is likely to occur where an association (or registrable body) is captured by the broad definition of 'industrial relations purpose' inserted by clause 4 of the Bill, but this is not the group's sole or dominant purpose. Such groups may be ineligible to register under the FWRO Act (for example, if they have fewer than 50 members), or to register under the Corporations Act if they are excluded on the basis of being a trade union. While such groups may continue to operate as informal groups or unincorporated associations, they would be unable to access the benefits of incorporation, and this may affect members' ability to impart ideas and information, and thus their right to freedom of expression.

Under the Charter, the right to freedom of expression may be subject to lawful restrictions, which may be assessed according to the considerations provided in section 15(3) and the proportionality test set out in section 7(2). With reference to section 15(3), it is not clear that the limitation on this right is reasonably necessary to respect the rights and reputation of other persons, or to protect national security, public order, public health or public morality. However, with reference to section 7(2), the nature and extent of the limitation on the right to freedom of expression is reasonable, as affected individuals can continue to impart information without incorporating or can seek membership of an organisation incorporated under another framework (such as the FWRO Act).

Therefore, while the Bill may impose some limits on the right to freedom of expression, I consider that these limitations are reasonable in accordance with section 7(2) of the Charter.

Accordingly, I consider that these provisions under the Bill are compatible with the right to freedom of expression under section 15 of the Charter.

Peaceful assembly and freedom of association (section 16)

Section 16(2) of the Charter provides that every person has the right to freedom of association with others, including the right to form and join trade unions.

Industrial relations reform

Clauses 4, 6 and 9 of the Bill may engage, and in some circumstances limit, the right to freedom of association, including the right to form and join trade unions, of individual members of associations. Clause 4 amends section 3 of the AIRA to introduce a broad definition of an 'industrial relations purpose', which is then used in amendments made by clauses 6 and 9 to sections 7(2) and 13(2) of the AIRA to require the Registrar to refuse registration where an association or registrable body has an industrial relations purpose. Clause 11 may also engage this right by amending section 127 of the AIRA to require the Registrar to wind up an association that has an industrial relations purpose, except in certain circumstances.

Although corporations do not themselves hold rights under the Charter, these provisions may limit the way in which natural persons choose to associate for collective purposes. While the Bill does not prevent natural persons from associating with one another, forming or joining unions, or collectively pursuing industrial relations or other lawful activities, it does limit the ability to do so as an incorporated entity. Incorporation provides a range of benefits to individual members of an association, including limiting their financial and legal liability for activities undertaken by the association. The Bill removes access to incorporation under the AIRA, which is a general framework for not-for-profit community associations. Given this, the AIRA typically has lower registration fees, broader eligibility criteria and less onerous regulatory oversight than alternative frameworks.

These reforms may limit individuals' rights to freedom of association where an affected association is unable to access incorporation under another framework. While groups seeking to operate as trade unions may seek registration under the FWRO Act, some may not meet the strict eligibility requirements under that framework. Additionally, groups may be ineligible for other regulatory frameworks; for example, trade unions are ineligible to register under the Corporations Act 2001 (Cth). Consequently, the amendments made to exclude associations with an industrial relations purpose from the AIRA may result in affected groups being unable to incorporate. While individuals remain free to associate privately or through an unincorporated body, they will be subject to greater individual liability and may be unable to take actions as a body, such as legal action in courts.

The limitation of individuals' rights to freedom of association is more likely where associations are captured by the broad definition of an 'industrial relations purpose' inserted by Clause 4 of the Bill. This definition may capture organisations where an industrial relations purpose is not the sole or dominant purpose, but rather one among other purposes. Where such associations are refused registration or directed to wind up, they may be ineligible or not suitable for registration under the FWRO Act or Corporations Act 2001, and therefore prevented from pursuing their purposes as an incorporated body. This also risks limiting individuals' rights to freedom of association in relation to purposes outside those targeted by the reforms, if those purposes are related to an industrial relations purpose.

The engagement of the right to freedom of association may in the future be ameliorated by the regulation-making power introduced by clause 13 of the Bill. The Bill provides for regulations to be made to prescribe associations or classes of association (or registrable body) with an industrial relations purpose that may register under the Act. However, as there is no obligation or requirement to make such regulations and this regulation-making power has not yet been used, it is not yet possible to assess how such regulations may affect any limitation of individual rights under the Charter.

I am of the view that the proposed limitation is reasonable because it does not prevent collective activity and ensures that individuals seeking to associate for an industrial relations purpose can have their activity regulated under the legislative framework designed for that purpose. However, there is some question of whether the limitation is justified in the circumstance that an association prevented from registration under the AIRA is not eligible or appropriate to incorporate under an alternative framework. In that circumstance, individual members' freedom of association will be limited to the extent that they cannot undertake actions that are limited to incorporated bodies. Affected individuals will still have the option to associate informally or join an existing incorporated body with a similar purpose.

Accordingly, I consider that these provisions under the Bill are compatible with the right to freedom of association under section 16 of the Charter.

Cultural rights (section 19)

Section 19 of the Charter protects the cultural rights of all persons with a particular cultural, religious, racial or linguistic background, and acknowledges that Aboriginal persons hold distinct cultural rights that should be protected.

Hate group reform

Clauses 6 and 9 of the Bill may engage cultural rights by amending sections 7 and 13 of the AIRA to require the Registrar to refuse to register a proposed association or registrable body on the grounds that it is a prohibited hate group or listed terrorist organisation, as defined by clause 4 of the Bill. Clause 11 may also engage cultural rights by amending section 127 of the AIRA to require the Registrar to wind up an association which is a hate group or a terrorist organisation.

I am of the view that clauses 6, 9 and 11 do not limit the cultural rights of individual members of prohibited hate groups and listed terrorist organisations as membership of these groups is unlawful under the Criminal Code. To the extent that these clauses affect the ability of members of other associations with a hate purpose to practise or promote their culture, language or religious beliefs, they engage, but do not limit, the cultural rights of those members. This is because the purpose of these clauses is not to prevent Victorians from

enjoying cultural life, but to prevent groups with a hate purpose from obtaining the legal and financial benefits of incorporation under the AIRA.

Clauses 6 and 9 of the Bill promotes the broader cultural rights of the Victorian community, including the distinct cultural rights of Aboriginal persons under section 19(2) of the Charter by amending section 7(2) and 13(2) of the AIRA to require the Registrar to refuse an application to incorporate a body if that association is registered as a listed terrorist organisation or prohibited hate group under the Commonwealth Criminal Code.

Clause 11 of the Bill also promotes broad cultural rights, including the distinct cultural rights of Aboriginal persons under section 19(2) of the Charter, by introducing section 127(2B) into the AIRA to require the Registrar to wind up an incorporated association by certificate if the Registrar certifies that the association is a prohibited hate group or a listed terrorist organisation.

Groups with a hate purpose give rise to a range of risks to community safety as they may engage in physical violence or other hate crimes, or cause psychological harm or fear, inhibiting expression of a person's culture. Preventing such groups from receiving the benefits of incorporation under the AIRA, such as limited personal liability for individual members, is likely to support a safer and more inclusive environment in which cultural practices and traditions may be enjoyed free from hatred. This may be particularly significant for First Peoples, and for people from multicultural and multifait communities, whose ability to feel safe to enjoy and maintain their culture and traditions may be adversely affected by the actions of groups with a hate purpose.

Public interest test reforms

Clauses 6, 9 of the Bill may also engage cultural rights by amending sections 7 and 13 of the AIRA to provide that the Registrar may refuse to register an association if circumstances exist which, in the public interest, justify that decision. Clause 11 of the Bill may also engage cultural rights by amending section 127 of the AIRA to require the Registrar to consider, when forming an opinion that it is in the public interest to wind up an incorporated association, to have regard to the effect or likely effect that the association's purposes and conduct would have on the public, including a person or group of persons because of a protected attribute as defined in section 102B of the EO Act.

I am of the view that clauses 6, 9 and 11 do not limit the cultural rights of individual members of organisations who are refused registration under the AIRA or wound up in the public interest. To the extent that these clauses affect the ability of members of associations to practise or promote their culture, language or religious beliefs, they engage, but do not limit, the cultural rights of those members. This is because these clauses are directed not at preventing Victorians from enjoying cultural life, but at preventing groups whose purposes and activities may cause serious harm to the public from obtaining the legal and financial benefits of incorporation under the AIRA.

Clauses 6 and 9 of the Bill promote cultural rights, including the distinct cultural rights of Aboriginal persons, by amending sections 7(3) and 13(3) of the AIRA to allow the Registrar to refuse to incorporate a body if reasons exist that mean it is in the public interest to refuse incorporation. Clauses 6 and 9 of the Bill insert sections 7(3A) and 13(3A) into the AIRA to require the Registrar to consider, as part of determining the public interest, the effect or likely effect of the purposes and conduct of the association on the public, including their effect on any person or groups of persons because of a protected attribute as defined in section 102B of the EO Act. Clause 11 of the Bill also promotes cultural rights, including the distinct cultural rights of Aboriginal persons, by inserting section 127(2A) into the AIRA to require the Registrar to consider, as part of determining the public interest test for the decision to wind up an incorporated association, the effect or likely effect of the purposes and conduct of the association on the public, including their effect on any person or groups of persons because of a protected attribute as defined in section 102B of the EO Act.

I consider that the public interest test reforms promote cultural rights, including the distinct cultural rights of Aboriginal persons, because the prevention of groups with a hateful purpose from receiving the benefits of incorporation under the AIRA, such as limited personal liability for individual members, is likely to support a safer and more inclusive environment in which cultural practices and traditions may be enjoyed free from hatred. This may be particularly significant for First Peoples, and for people from multicultural and multifait communities, whose ability to feel safe to enjoy and maintain their culture and traditions may be adversely affected by the actions of groups with a hateful purpose.

Accordingly, I consider that these provisions under the Bill are compatible with cultural rights under section 19 of the Charter.

Conclusion

For these reasons, in my opinion, the provisions of the Bill are compatible with the rights contained in the Charter.

The Hon Tim Richardson MP

Minister for Local Government

Minister for Consumer Affairs

Minister for Renters

Statement of treaty compatibility

Tim RICHARDSON (Mordialloc – Minister for Local Government, Minister for Consumer Affairs, Minister for Renters) (11:17): Under the Statewide Treaty Act 2025, I table a statement of treaty compatibility:

1. In accordance with section 66 of the *Statewide Treaty Act 2025*, I table a statement of Treaty compatibility for the Associations Incorporation Reform Amendment Bill 2026.
2. In my opinion, the Bill is compatible with the matters set out in section 66(3)(d) of the *Statewide Treaty Act 2025*. I base my opinion on the reasons outlined in this statement.

Overview of the Bill

3. The purpose of the Bill is to:
 - 3.1. prevent groups with industrial relations purposes from registering as incorporated associations under the Associations Incorporation Reform Act 2012 (AIRA) or, if they are already registered, remove them from the register through winding up;
 - 3.2. prevent prohibited hate groups or specified terrorist organisations from registering as incorporated associations under the AIRA or, if they are already registered, remove them from the register through winding up;
 - 3.3. provide powers to the Registrar to refuse registration or wind up an association if it is against the public interest for the applicant or the association to be incorporated. In making these decisions, the Registrar of Incorporated Associations (the Registrar) must have regard to the effect or likely effect of an association's purpose or conduct on the public, including on any person or group of persons because of a protected attribute as defined in the Equal Opportunity Act 2010 (the EO Act); and
 - 3.4. enable the Registrar to request additional information about an association's proposed purposes or activities, to inform any decision relating to incorporation.

Consultation with the First Peoples' Assembly of Gellung Warl

4. The First Peoples' Assembly was not given an opportunity to advise on and did not make representations on the Bill, based on my understanding that it is unlikely to have a significant impact on First Peoples or Statewide Treaty.

Compatibility of the Bill with each of the objects in section 66(3)(d) of the *Statewide Treaty Act 2025*

5. I have considered whether the Bill is compatible with the objects at section 66(3)(d) of the Statewide Treaty Act 2025:
 - 5.1. advancing the inherent rights and self-determination of First Peoples; and
 - 5.2. addressing the unacceptable disadvantage inflicted on First Peoples by the historic wrongs and ongoing injustices of colonisation; and
 - 5.3. ensuring the equal enjoyment of human rights and fundamental freedoms by First Peoples.
6. In my opinion the Bill does not affect any of the objects specified in section 66(3)(d)(i)–(ii) of the Statewide Treaty Act 2025 and is therefore compatible with each of those objects.
7. In my opinion the Bill may promote the equal enjoyment of human rights and fundamental freedoms by First Peoples as specified in section 66(3)(d)(iii) of the Statewide Treaty Act 2025.
8. First Peoples are at higher risk of being targeted by hate groups. This may limit First Peoples' rights to enjoy their human rights without discrimination including First Peoples' distinct cultural rights. It is expected that the Bill will promote social cohesion and increase protections for First Peoples by removing the legal framework that can assist hate groups to target First Peoples and affect their ability to equally enjoy human rights and fundamental freedoms. The measures relating to hate groups are

therefore likely to positively affect the object at section 66(3)(d)(iii) of the Statewide Treaty Act 2025, by promoting the equal enjoyment of human rights and fundamental freedoms by First Peoples.

Conclusion

9. Accordingly, in my opinion, for the reasons stated above, the Bill is compatible with each of the objects in section 66(3)(d)(i)–(iii) of the Statewide Treaty Act 2025.

The Hon Tim Richardson MP

Minister for Local Government

Minister for Consumer Affairs

Minister for Renters

Second reading

Tim RICHARDSON (Mordialloc – Minister for Local Government, Minister for Consumer Affairs, Minister for Renters) (11:17): I move:

That this bill be now read a second time.

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

Incorporated speech as follows:

This Bill will strengthen the framework governing not-for-profit associations operating in Victoria by amending the *Associations Incorporation Reform Act 2012* (AIRA). Specifically, it ensures that the benefits and legitimacy of incorporation are restricted to genuine, lawful community organisations, while explicitly preventing associations with industrial relations, terrorism and hate-motivated purposes from incorporating, or remaining incorporated, under that Act.

The AIRA establishes a robust scheme for incorporating associations with lawful not-for-profit purposes. Currently, the framework supports around 45,000 associations across the state, providing essential governance and financial accountability safeguards to these associations. The scheme is administered by the Registrar of Incorporated Associations (the Registrar).

Incorporation under the AIRA provides significant legal and practical benefits. These include:

- limited legal liability for members and volunteers
- a clear, structured governance framework under the Model Rules or customised Rules
- the ability to enter into contracts and hold property, and
- the ability to undertake lawful fundraising arrangements.

Registration (or incorporation) offers legitimacy to a group, delivering a flexible framework that caters to a diverse range of community endeavours, from local sport clubs, cultural groups to charitable networks and neighbourhood services.

The AIRA is intended to support associations with appropriate community purposes. Groups whose purpose or activities undermine our democratic values, foster social division, or pose public safety risks should not be afforded the statutory protections conferred by incorporation.

Further, other associations pursue objectives that, while lawful and important, are better suited to specialised regulatory frameworks, such as laws that govern industrial relations.

This Bill will establish a clear, more effective statutory scheme to identify and exclude associations whose objectives are either fundamentally incompatible with the objectives of the AIRA, or those that should be governed by another specialised regulatory scheme.

The Bill will prevent terrorist organisations and hate groups from registering, or remaining registered, as incorporated associations

Across Australia, governments are taking action to address increasing reports of vilification, hate crimes, and extremist violence. The Bill forms part of Victoria's broader commitment to social cohesion by ensuring Victorian incorporated associations law cannot be used to shield or legitimise groups that foster vilification or endanger the public.

Earlier this year, the Criminal Code Act 1995 (Cth) was amended to provide for organisations to be listed as prohibited hate groups, supplementing existing powers in respect to terrorist organisations. A declaration of an organisation as a specified terrorist organisation or a prohibited hate group is the outcome of a rigorous process by which the Minister for Home Affairs forms the opinion that the organisation engages in, prepares,

plans, assists, or advocates for a terrorist act or conduct constituting a hate crime, and that listing the organisation is reasonably necessary to protect the community from harm.

The Bill requires the Registrar to refuse an application for registration or direct an incorporated association to wind up its operations where it has been listed as a prohibited hate group or listed terrorist organisation under Commonwealth laws.

In addition, the Bill strengthens and clarifies the Registrar's discretionary powers. The Registrar will be empowered to refuse registration if doing so is in the public interest. This is consistent with the Registrar's existing power to direct an association to wind up on public interest grounds. In exercising these discretionary powers, the Registrar must consider the effect or likely effect of the association's purposes and conduct on the public, including whether the effect or likely effect on a person or group of persons is because of a protected attribute under section 102B of the *Equal Opportunity Act 2010* (EO Act).

These measures ensure that the groups operating contrary to the public interest cannot use incorporation under the AIRA to advance harmful agendas, thereby maintaining public confidence in the operation of that Act and the broader not-for-profit sector.

Clarifying jurisdiction boundaries for industrial relations bodies

In Victoria, workplace relations are generally governed under the Fair Work Act 2009 (Cth) and the Fair Work (Registered Organisations) Act 2009 (Cth) (FWRO Act). Registration as a trade union under the Commonwealth framework provides organisations with statutory rights to represent their members' industrial relations interests, and ensures they are subject to the regulatory oversight of the Fair Work Commission.

In contrast, state incorporation under the AIRA does not, and cannot, confer these federal industrial rights. Currently, certain entities incorporated under the AIRA pursue an industrial relations purpose without holding registration under the FWRO Act. This creates regulatory risk: individuals joining these state incorporated bodies may mistakenly believe they are accessing full statutory industrial protections and genuine lawful representation in workplace disputes.

To address this risk, the Bill introduces a clear statutory delineation between genuine industry relations organisations with rights under Commonwealth laws to represent members in industrial matters, and state level not-for-profit community associations.

The Bill achieves this by introducing a definition of "industrial relations purpose", meaning an association or registrable body with a purpose of furthering, protecting or representing the industrial relations interests of its members. The Registrar will be required to refuse to register new associations or registrable bodies and issue a certificate to wind up an existing incorporated association under the Act if:

- they have an industrial relations purpose;
- if they are the type of association that the Registrar is satisfied may apply for registration under the FWRO; and
- they are not an exempt association.

In addition, if an association has an active application for registration under the FWRO Act made before 1 July 2026, the Registrar will not take any action pending the outcome of the application.

Recognising that certain community or professional entities may risk being captured under a broad definition of 'industrial relations purpose', even if they are unable to register under the FWRO Act and are not primarily formed to pursue those objectives, the Bill introduces a regulation-making power to exempt associations with an industrial relations purpose from refusal of registration or mandatory winding up. These regulations are intended to protect entities that might otherwise fall within scope, including social or cultural groups affiliated with trade unions (such as union choirs), or professional associations established primarily for educational or social networking purposes that incidentally engage in member support.

Decisions by the Registrar to refuse an application to register as an incorporated association will continue to be reviewable by the Victorian Civil and Administrative Tribunal (VCAT). However, decisions by the Registrar to refuse to register a registrable body with an industrial relations purpose will instead be reviewable by the Supreme Court, which is the appropriate jurisdiction for complex issues regarding incorporated bodies. In addition, decisions to wind up an incorporated association will continue to be reviewable by the Supreme Court.

Importantly, under the AIRA, the Registrar may only direct an incorporated association to wind up its operations after requesting the association to show cause why it should not be wound up. This process enables legitimate associations, for example organisations with a mix of industrial relations and other social or charitable purposes, to modify their purpose and activities to ensure they do not come within scope of associations excluded from the AIRA.

These reforms will encourage associations with industrial relations purposes into more appropriate alternative frameworks and avoid confusion for their members.

The Bill will empower the Registrar to assess eligibility for registration

To support the effective administration of the reforms, the Bill will empower the Registrar to request information about an applicant or an incorporated association's purposes and conduct.

If the Registrar requests this information as part of an application to register and it is not provided within 14 days, the Registrar will be permitted to refuse that application.

Together, the reforms in this Bill will protect the integrity of the regulatory framework for incorporated associations by ensuring that the protections and benefits of incorporation are extended only to associations with appropriate purposes.

I commend the Bill to the House.

Cindy McLEISH (Eildon) (11:18): I move:

That this debate be adjourned.

Motion agreed to and debate adjourned.

Ordered that debate be adjourned for two weeks. Debate adjourned until Wednesday 26 August.

Justice Legislation Amendment (Family Violence, Coercive Control, Good Character, Risk Assessment and Other Matters) Bill 2026

Statement of charter compatibility

Sonya KILKENNY (Carrum – Attorney-General, Minister for Planning, Minister for Prevention of Family Violence) (11:19): Under the Charter of Human Rights and Responsibilities Act 2006, I table a statement of compatibility:

Opening paragraphs

In accordance with section 28 of the *Charter of Human Rights and Responsibilities Act 2006*, (the Charter), I make this Statement of Compatibility with respect to the Justice Legislation Amendment (Family Violence, Coercive Control, Good Character, Risk Assessment and Other Matters) Bill 2026 (the Bill).

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

Overview

The Bill contains a package of reforms designed to improve justice system responses to sexual and family violence, including strengthening accountability for perpetrators and improving court processes to minimise further harm to victim-survivors.

The Bill amends the:

- *Crimes Act 1958* (Crimes Act) to introduce an offence of coercive control
- *Sentencing Act 1991* (Sentencing Act) and *Youth Justice Act 2024* (YJ Act) to abolish the concept of good character (including its use as a mitigating factor) at sentencing
- *Family Violence Protection Act 2008* (FVPA), *Criminal Procedure Act 2009* (CPA) and *Personal Safety Intervention Orders Act 2010* (PSIOA) to:
 - enable a court to extend or vary a family violence intervention order (FVIO) on its own motion when sentencing an adult respondent for family violence offending
 - require police to indicate if there is an FVIO or recognised interstate domestic violence order in place when filing related family violence charges, and to indicate if an extension or variation application will be made
 - establish a default length of 12 months in addition to the total effective sentence when an FVIO is being extended if the respondent is serving a term of imprisonment for related family violence offending
 - provide considerations courts must take into account when determining an FVIO extension application

- ensure earlier intervention and protection for vulnerable children and young people by enabling personal safety intervention orders (PSIOs) to be ordered against adults engaging in grooming behaviours
- clarify that electronic signatures can be used for documents required to be signed in relation to FVIOs and PSIOs
- clarify information-sharing obligations under the Family Violence Information Sharing Scheme (FVISS) and streamline reporting obligations under the Multi-Agency Risk Assessment and Management (MARAM) Framework
- *Infringements Act 2006*, *Fines Reform Act 2014* and *Road Safety Act 1986* to include court fines in the work and development permit (WDP) scheme and include speeding camera fines in the family violence scheme (FVS) where the victim-survivor was not the driver, and
- *Equal Opportunity Act 2010* (EO Act) to insert a new attribute of ‘subjection to family violence’ that would prohibit discrimination in areas of public life against a person who has been or is being subjected to family violence.

Human Rights Issues

For the following reasons, I am satisfied that the Bill is compatible with the Charter and, to the extent that any rights are limited, those limitations are reasonable and justified.

Introducing an offence of coercive control

The Bill seeks to protect and promote the rights of victim-survivors of family violence by amending the Crimes Act to introduce a new offence of coercive control. The offence will apply where an accused person engages in a course of conduct towards a current or former intimate partner intending that course of conduct to coerce or control them in circumstances where the accused ought to have understood that the course of conduct will probably cause harm to the other person.

Right to life (section 9), right to protection from torture and cruel, inhuman or degrading treatment (section 10) and right to liberty and security of person (section 21)

Section 9 of the Charter provides that every person has the right to life and the right to not be arbitrarily deprived of life, which recognises that public authorities have a duty to safeguard lives. Section 10 of the Charter provides that a person must not be subjected to torture or treated in a cruel, inhuman or degrading way, which recognises the duty of public authorities to take reasonable steps to prevent, protect against, and respond to abuse, including in the private sphere. Section 21(1) of the Charter provides that every person has the right to liberty and security, which recognises that public authorities must take reasonable steps to protect people from interference with their personal integrity.

Introducing an offence of coercive control promotes each of these rights. In circumstances of family violence, coercive control is a particularly serious form of offending and is often a precursor and risk factor for homicides in the context of intimate partner violence. The conduct captured by the offence includes physical, sexual, economic, emotional or psychological abuse and conduct that, in any other way, coerces or controls a victim, and which causes them to feel fear for their safety or wellbeing. This includes conduct that can be fatal or cause serious injuries and conduct that is not physical in nature but is nonetheless cruel, inhuman or degrading. The definition of ‘emotional and psychological abuse’ in the offence expressly includes conduct that torments or degrades a person.

While some of the conduct captured by the new offence is already criminalised, creating a new offence will criminally denounce coercive control conduct that is cumulatively harmful and dangerous. It will assist police, early intervention services and justice agencies to better identify, monitor and respond to instances of coercive control.

Right to freedom of movement (section 12) and right to privacy (section 13)

Section 12 of the Charter provides that a person is entitled to move freely within Victoria, to choose where to live in Victoria, and to freely enter and leave Victoria. Section 13(a) provides that a person has the right not have his or her privacy, family, home or correspondence unlawfully or arbitrarily interfered with.

The new coercive control offence promotes the right to freedom of movement and the right to privacy as the broad nature of prohibited conduct captured by the offence will ensure that the criminal law deters and punishes behaviour that interferes with a victim’s privacy, family, home or correspondence. For example, the offence captures unreasonably monitoring a person’s movements or activities, or use of social media, unreasonably disclosing certain personal information such as health information, and restricting or interfering with a person’s access to housing or other support services. This promotes victims’ privacy, individuality and identity as well as their ability to not have their actions or movements limited.

Protection of families and children (section 17)

Section 17(1) of the Charter recognises the family as the fundamental group unit of society and entitles it to protection by society and the State. Section 17(2) recognises that every child has the right, without discrimination, to such protection as is in their best interests and is needed by them by reason of being a child.

The coercive control offence promotes the protection of families and children by strengthening protections for intimate partners who are victims of family violence. By introducing a new coercive control offence, people will be able to report coercive and controlling behaviours to police which can result in an investigation and prosecution of an accused person, and if successful, a criminal conviction including an imprisonment order. It will also generally deter and denounce coercive control and strengthen perpetrator accountability by capturing forms of intimate partner violence which may otherwise go unchecked or unprosecuted, offering more protection for the family unit.

The Bill also promotes the best interests of the child by limiting the application of this offence to adult accused persons (18 years or older). Limiting the offence to adults recognises the complexities of children who use family violence. These children are often victims themselves and adopt the use of violence as a learned behaviour. This limitation protects children from being criminalised given their age, maturity and likelihood of being a victim of misidentification. It is also consistent with Victorian Youth Justice principles around age-appropriate responses, diversion and minimising unnecessary contact with the criminal justice system.

Right to a fair hearing (section 24)

Section 24(1) of the Charter provides that a person charged with a criminal offence or a party to a civil proceeding has a right to have the charge or proceeding decided by a competent, independent and impartial court or tribunal after a fair and public hearing.

While the rights of an accused person under section 24(1) are engaged by the new offence, they are not limited as nothing in the new offence restricts an accused's right to have the charge or proceeding heard by an impartial criminal court. The accused will also have a right to a fair hearing, encompassing fundamental principles of procedural fairness, such as the reasonable opportunity to be informed of the prosecution case, and to respond and present the defence case accordingly.

Consistent with other recent offence reform, the new offence also promotes the right to a fair hearing by setting out the offence using a clear structure and simple, modern language. This makes the offence easier to read and understand. All elements of the offence that must be proven are set out and a defence is also clearly stated. Terms and definitions are consistent with existing terms and definitions where possible, as is the structure of the offence. This approach improves access to the law by making it easier to understand how the law applies.

Rights in criminal proceedings (section 25)

Section 25(1) of the Charter provides that a person charged with a criminal offence has the right to be presumed innocent until proved guilty according to law.

This right is engaged, as the reasonableness defence available for the offence places an evidential burden of proof on the accused. To raise the defence, an accused person must point to evidence that the course of conduct was reasonable in the context of the relationship as a whole. The prosecution must then prove beyond reasonable doubt that the accused's conduct was not reasonable. This defence does not limit the right to be presumed innocent as the legal burden remains on the prosecution.

Abolishing the concept of good character (including its use as a mitigating factor) at sentencing

The Bill amends the Sentencing Act and YJ Act to:

- abolish the concept of 'good character' (including its use as a mitigating factor) at sentencing
- ensure that child offenders, as well as adults, may not rely on a lack of prior convictions to mitigate sentence when it facilitated their offending in child sexual offence cases (the 'special rule'), and
- require those providing written references for an offender to be aware of the offence or offences for which the offender may be sentenced.

The reforms to abolish 'good character' at sentencing are intended to prevent offenders from benefitting from a concept that the New South Wales Sentencing Council found to be vague, speculative and subjective, and as such an inappropriate reason to reduce sentence. The reforms are intended to reduce harmful effects on victim-survivors, including the distress, re-traumatisation and harm minimisation they can experience when offenders' good character is considered a mitigating factor at sentencing. The New South Wales Sentencing Council also heard concerns from some victim-survivors that the prospect of hearing an offender described as having 'good character' during sentencing may discourage offence disclosure.

It is anticipated that the reforms may lead to minor increases in sentence lengths, but that any increase would be modest and within the existing penalty range of the offence at the time it was committed.

Expanding the special rule to apply to children who commit child sexual offences will ensure that the same restrictions apply to both adults and children. The amendment reflects that children can obtain positions of trust in the community because of a lack of prior convictions (for example, as sporting coaches or workplace supervisors) and then use those positions to facilitate committing child sexual offences. However, this expansion is likely to have limited practical application given the small cohort of children who commit child sexual offences, coupled with the requirement to prove that a lack of priors facilitated the offending.

Right to recognition and equality before the law (section 8)

Section 8(3) of the Charter provides that every person is equal before the law and is entitled to the equal protection of the law without discrimination. The first limb of section 8(3) is directed to the enforcement and administration of laws. It requires that public authorities, courts and tribunals treat all people equally when applying the law, and do not apply the law in a discriminatory or arbitrary way, or in a manner that has no objective justification.

The Bill promotes this right by abolishing the concept of good character (including its use as a mitigating factor) at sentencing. Currently, relying on 'good character' at sentencing contributes to differential treatment in the sentencing process as the concept is vague and subjective, and courts assess 'good character' inconsistently. Further, relying on 'good character' at sentencing engages in a form of moral and social accounting which can entrench systems of privilege, as not all offenders have equal access to evidence that can support a finding of 'good character' at sentencing. Removing this vague, subjective consideration from the sentencing process will help to ensure that courts only consider evidence about an offender's circumstances and characteristics when it is relevant to other sentencing considerations.

Protection of families and children (section 17), rights of children in the criminal process (section 23) and rights in criminal proceedings (section 25)

Section 17(2) of the Charter provides that every child has the right, without discrimination, to such protection as is in their best interests and is needed by them by reason of being a child. Section 23(3) of the Charter provides that a child who has been convicted of an offence must be treated in a way that is appropriate for their age. Section 25(3) of the Charter provides that a child charged with a criminal offence has the right to a procedure that takes account of their age and the desirability of promoting the child's rehabilitation.

By abolishing the concept of good character at sentencing, the Bill will remove a mitigatory factor in the sentencing process, including for children. Expanding the special rule to apply to children will also prevent a small number of children from relying on a lack of prior convictions as a mitigating factor, when that lack assisted them to commit a child sexual offence.

These changes may result in marginally increased sentence lengths for child offenders, engaging rights under sections 17(2), 23(3) and 25(3) of the Charter. However, courts will still be able to consider information or material about a child offender's circumstances and background and evidence regarding a child's individual characteristics, vulnerabilities and strengths where this information is relevant to other sentencing considerations, including where provided to courts in written references. The reforms will also not impact YJ Act sentencing principles, including specific sentencing principles for Aboriginal children, or the requirement to prioritise rehabilitation and the positive development of children. For these reasons, I consider that although the rights in sections 17(2), 23(3) and 25(3) are engaged by the good character reforms, they are not limited.

Right to protection from retrospective criminal laws (section 27)

Section 27(2) of the Charter provides that a person must not have a penalty imposed on them that is greater than the penalty that applied to the offence when it was committed.

The Bill's reforms to abolish the concept of good character (including its use as a mitigating factor) at sentencing will apply to the sentencing of offenders who have been found guilty of an offence on or after commencement, regardless of when the offence being sentenced was committed, and may result in marginally increased sentence lengths. However, the reforms do not limit section 27(2) of the Charter, as the Bill does not change the maximum penalty that applies to any offence.

For the reasons set out above, I consider that the good character reforms in this Bill do not limit any Charter rights. However, to the extent that any limitation may be perceived, then I consider it would be reasonably and demonstrably justified, noting that:

- good character is not an appropriate reason to mitigate a sentence given it is based on a vague and subjective concept that cannot predict risks of re-offending or prospects of rehabilitation, and using and referring to good character in mitigation of sentence is harmful and may be re-traumatising for victims

- these concerns about the use of good character to mitigate a sentence apply equally to both adults and children, and
- courts will not be prevented from considering information about a person's circumstances or characteristics if it applies to another relevant sentencing consideration.

Improvements to family violence intervention orders to better protect victim-survivors

Intervention orders are an important mechanism to protect victim-survivors and hold perpetrators of family violence to account. The primary purpose of the reforms to existing FVIO extension and variation processes in Parts 2–3 of the Bill is to enable courts to act more efficiently to reduce the risk of further harm, minimise the trauma caused to victim-survivors by having to attend multiple court proceedings, and promote more consistent and victim-survivor centred decision-making in respect of family violence risk.

Right to life (section 9), protection from torture and cruel, inhuman or degrading treatment (section 10), protection of families and children (section 17) and right to liberty and security of person (section 21)

The amendments in Parts 2–3 of the Bill promote these rights by enabling courts to more swiftly respond to a clear risk of further family violence by strengthening or extending an FVIO on their own motion when sentencing a family violence offender; introducing a default extension length where a family violence offender receives a custodial sentence to ensure protections remain in place during the post-release period of heightened risk; and requiring courts to consider the views of victim-survivors, including their self-assessed risk, when determining an application to extend an FVIO. These reforms will ensure protections are more responsive to the risk posed to families and children by family violence and reduce the trauma associated with having to return to court to seek stronger conditions or longer orders.

Right to freedom of movement (section 12) and association (section 16), privacy (section 13), property (section 20), and liberty and security (section 21)

The proposed reforms limit certain rights protected under the Charter insofar as they create new processes under which a court may extend the duration of an FVIO or strengthen its conditions to further restrict the respondent's conduct to reduce the risk of further family violence.

In particular, the reforms engage the right to freedom of movement insofar as the conditions of an FVIO may restrict the respondent's movement by prohibiting them from entering or residing in a certain property or from going within a specified distance of the protected person or their workplace. The conditions of an FVIO may also engage the right to freedom of association by restricting who the respondent can associate with and prohibiting contact with protected persons.

FVIO conditions can also restrict a respondent's relationships with family members and ability to enter their home, which engages the right of a person to not have their privacy and the privacy of their family and home unlawfully or arbitrarily interfered with, property rights and the right to liberty and security.

The limitation of these rights is necessary to achieve the purpose of protecting victim-survivors from an identified risk of harm, and proportionate insofar as these restrictions can only be imposed where a court is satisfied on the balance of probabilities that they are necessary to protect a person's safety. In particular, the exercise of the own motion power and the determination of an appropriate period by which to extend an FVIO ultimately remain at the court's discretion. As such, any interferences with these rights are not unlawful or arbitrary insofar as they are authorised by legislation, subject to judicial oversight, and responsive to an identified risk of family violence.

Right to a fair hearing (section 24)

The Bill may also engage the respondent's right to a fair hearing by empowering a court to extend or vary an FVIO on its own motion when sentencing the respondent for related family violence offending. This right entitles a person facing criminal charges or a party to a civil proceeding to a reasonable opportunity to be heard in those proceedings, including a fair chance to call witnesses or present evidence.

The own motion power reform is designed to recognise the link between criminal offending and an escalation of family violence risk, and to enable courts to respond effectively without requiring victim-survivors to attend further hearings or provide additional evidence. Accordingly, the own motion power will be enlivened by a finding of guilt in a criminal proceeding, and can only be exercised on the basis of evidence admitted during the criminal hearing or for the purposes of sentencing, taking into account the views of an adult protected person or a child who is the victim or sole protected person on the FVIO. Unlike the hearing of an application to extend or vary an FVIO under the FVPA, parties will not have an opportunity to test evidence when the own motion power is exercised.

The information that courts can consider for the purposes of exercising the own motion power is purposefully limited to avoid creating delays in protections for victim-survivors and to mitigate any risk to the integrity of the criminal proceeding. However, in accordance with the principle of procedural fairness, the court will be

required to have regard to all the circumstances of the case and provide the respondent with an opportunity to be heard in respect of any extension or variation being contemplated by the court. The limitation on the respondent's ability to challenge evidence is not arbitrary or absolute insofar as the exercise of the own motion power will remain entirely at the court's discretion. That is, the court need not exercise the power if it considers a substantive application hearing would be more appropriate. As such, any constraints on procedural rights are balanced against the need to promote the rights of families and children, and reasonably necessary to ensure courts can respond expeditiously to a clear risk of family violence.

The parties may appeal under the FVPA a decision made by the Magistrates' Court but cannot appeal any appellate decision or a decision of the County Court or Supreme Court to extend or vary an FVIO on its own motion. While there is no general right to an appeal, alternative avenues of review, including judicial review, remain available, and the Bill does not limit appeals from the County Court or Supreme Court on the basis of jurisdictional error. The Bill also does not provide an appellate court, when hearing an appeal against the related criminal offending or sentence, with any power in relation to an FVIO. This may result in circumstances where a respondent is acquitted of the related family violence offence that enabled the sentencing court to exercise the own motion power under new section 125E but the FVIO, as varied or extended, remains in place.

Both parties may apply to vary or revoke an FVIO that has been extended or varied on the court's own motion under the existing civil framework in the FVPA. When making such an application, parties are not required to demonstrate a change in circumstances if the County Court or Supreme Court exercised the own motion power in the first instance. The respondent must seek leave from the court to apply for an FVIO to be varied or revoked to protect victim-survivors from vexatious applications which may be used to perpetrate systems abuse. However, the Bill removes this requirement in circumstances where the FVIO was extended or varied under new section 125E but the related criminal conviction or sentence was changed on appeal, given the appellate court will not be able to make any further changes to the FVIO.

Any limitation on the right to a fair hearing is balanced with the importance of protecting families and children from repeated exposure to the stress and trauma of a protracted appeals process and multiple court proceedings.

In my view, to the extent that any right is limited by the changes to FVIO extension and variation processes, the limitation is reasonable and justified under section 7(2) of the Charter.

Better protecting children and families from 'grooming' behaviours

The amendments to the PSIOA in Part 7 of the Bill will provide greater safety for children under the age of 16 by including grooming as a 'prohibited behaviour' under that Act, enabling courts to disrupt predatory behaviour before it escalates to sexual offending and better hold perpetrators to account.

Protection of families and children (section 17) and right to liberty and security of person (section 21)

Perpetrators of sexual offences against children may purposely establish relationships with children, parents, carers or other family members to create situations in which abuse can take place. The Bill recognises the importance of protecting children and their families from this exploitative and harmful conduct by defining grooming as a 'prohibited behaviour' alongside similarly serious behaviours, such as assault and harassment. This empowers courts to make a PSIO before a sexual offence is committed, thereby promoting the rights of the child and the family unit to protection and the right to liberty and security of person.

Rights to freedom of movement (section 12), privacy (section 13), freedom of association (section 16) and property (section 20)

Expanding the circumstances in which a court can impose a PSIO will limit certain rights protected under the Charter. As discussed above, the conditions of an intervention order may engage the rights to freedom of movement, privacy, freedom of association and property by restricting who the respondent can contact or associate with, and where they can reside or travel.

Any limitations on these rights imposed by the Bill are reasonable and justified insofar as they are balanced against the importance of protecting families and children, and necessary to achieve the purpose of effectively responding to and disrupting grooming behaviour. The imposition of a PSIO with conditions that restrict these rights can only occur where a court is satisfied that they are necessary to protect a person from grooming, subject to judicial discretion and in accordance with established legal rules and procedures.

Recognising the validity of electronic signatures

Part 4 of the Bill amends the FVPA and PSIOA to make it clear that if a signature is required by or under one of these Acts, that signature can be done by electronic means.

Right to recognition and equality before the law (section 8)

Section 8 of the Charter provides that every person is equal before the law and is entitled to the equal protection of the law without discrimination.

The electronic signature reforms will promote this right by ensuring that Victorians living in regional or remote communities, and those limited by mobility challenges, have equal access to legal services and participation in legal proceedings. The reforms also help to make FVIO and PSIO proceedings less disruptive to the lives of victims by allowing them to sign documents without attending court or a police station.

The reforms will also promote the right to equal protection of the law by making clear that the consent of any other party is not required, preventing perpetrators from using a consent requirement to frustrate proceedings.

In circumstances where an electronic signature is not preferred by the person signing, the existing means of physically signing a printed document remains available.

Clarifying the responsibilities of ‘information sharing entities’ under the FVISSRight to privacy and reputation (section 13)

The Bill includes amendments to the FVISS in Part 5A of the FVPA. The scheme provides that prescribed ‘information sharing entities’ are enabled or required to share information about persons believed to be either at risk of perpetrating, or being subjected to, family violence and those linked to such persons.

The scheme deliberately prioritises the safety of people experiencing family violence over the privacy of people using family violence. The Statement of Compatibility for Part 5A noted that appropriate safeguards are provided and that information sharing under the scheme is neither unlawful nor arbitrary.

The amendments in the Bill will clarify the operation of existing provisions but will not alter the scope of the scheme as it currently operates. Accordingly, I am satisfied that these amendments do not impose any further limitation on the right to privacy and reputation.

Right to protection of families and children (section 17)

The MARAM Framework and FVISS exist to protect the safety of families and children and to identify and manage risks to that safety. By providing further clarity on the operation of the scheme, the Bill promotes the rights outlined in section 17 of the Charter.

Expanding the family violence scheme to include fines issued for excessive speed infringements detected by camera where the victim-survivor was not the driverRight to protection of families and children (section 17)

The amendments to expand the family violence scheme for infringements fines to include excessive speed infringements where the family violence victim-survivor was not the driver promotes the right to protection of families in section 17(1) of the Charter. The change means that family violence victim-survivors can access the scheme to ensure they are not held liable for excessive speed infringements where family violence has substantially contributed to them being unable to nominate the offender or reject a nomination. Limiting the expansion to excessive speed infringements where the family violence victim-survivor was not the driver of the vehicle ensures that road safety is not compromised.

Prohibiting discrimination on the basis of a person’s subjection to family violenceRecognition and equality before the law (section 8), protection of families and children (section 17), taking part in public life (section 18), and rights in criminal proceedings (section 25)

The inclusion of subjection to family violence as an attribute in the EO Act will promote the rights in sections 8, 17, 18 and 25 of the Charter, specifically for Victorians that have been or are being subjected to family violence.

The amendments will promote the right of recognition and equality before the law, as outlined in section 8 of the Charter. This right is central to anti-discrimination reforms. Under section 8(2), every person has the right to enjoy their human rights without discrimination. The amendments will prohibit discrimination on the basis of a person’s subjection to family violence in areas of public life, including employment, education, provision of goods and services, disposal of land, accommodation, clubs, sport and local government, which directly links to a person’s right to take part in public life, as enshrined in section 18 of the Charter.

Similarly, the reforms will promote equality before the law and a person’s entitlement to equal protection of the law without discrimination, and equal and effective protection against discrimination, as set out in section 8(3) of the Charter. The amendments will add subjection to family violence as an additional attribute protected from discrimination under the EO Act and will provide victims of family violence with equivalent protections to persons that are discriminated against on the basis of other attributes, such as age, disability, race, religious belief or activity, or sex.

I note that the amendments will also promote substantive equality for family violence victim-survivors through the operation of section 8(4) of the Charter, which enables targeted measures and initiatives to support them without those measures constituting discrimination.

The Charter defines ‘discrimination’ by reference to the definition in the EO Act where the discrimination is on the basis of an attribute set out in section 6 of that Act. The Bill amends section 6 of the EO Act to include subjection to family violence as an attribute, which has the effect of expanding the application of the definition of discrimination under the Charter. This will also impact non-discrimination provisions in sections 17(2), 18, and 25(2) of the Charter.

Section 17(2) of the Charter provides that every child has the right, without discrimination, to such protection as is in their best interests and is needed by them by reason of being a child. This right recognises the vulnerability of children. The amendments include a definition of ‘family violence’, which has the same meaning as defined in section 5 of the *Family Violence Protection Act 2008*. For the purposes of the new attribute, this would include a child that hears or witnesses, or is otherwise exposed to the effects of family violence. The reforms will therefore directly strengthen protections against discrimination for children.

Section 18 of the Charter protects the right to take part in public life without discrimination, including the right to vote, be elected at State and local government elections, and to have access, on general terms of equality, to the Victorian public service and public office. The amendments are likely to promote these rights by protecting family violence victim-survivors from discrimination and supporting their equal participation in the areas of public life under Part 4 of the EO Act.

Section 25(2) of the Charter sets out the minimum guarantees to which a person charged with a criminal offence is entitled, without discrimination. As noted above, the Charter defines ‘discrimination’ by reference to the meaning in the EO Act. The reforms will add a new attribute, which in effect expands the scope of the protections against discrimination in both the EO Act and the Charter. This would, in practice, extend the minimum guarantees for a person charged with a criminal offence to include protection against discrimination on the basis of their subjection to family violence.

The EO Act contains exceptions and exemptions to discrimination prohibited under the Act, including exceptions generally and specific to different areas of public life. The Bill does not amend the exception and exemption provisions in the EO Act, however it does have the effect of expanding the scope of exceptions that already apply to all attributes. This would permit discrimination on the basis of a person’s subjection to family violence in some circumstances, for example, employment in relation to domestic or personal services in the employer’s home under section 24 of the EO Act.

The Charter limitations of the exception and exemption provisions are addressed in the Statement of Compatibility to the EO Act. In my view, for the same reasons therein, any further limitations arising from adding a new attribute are reasonable and justified under section 7(2) of the Charter.

For the above reasons, I am satisfied that the Bill is compatible with the Charter.

Sonya Kilkenny

Attorney General

Minister for Planning

Minister for Prevention of Family Violence

Statement of treaty compatibility

Sonya KILKENNY (Carrum – Attorney-General, Minister for Planning, Minister for Prevention of Family Violence) (11:19): Under the Statewide Treaty Act 2025, I table a statement of treaty compatibility:

1. In my opinion, the Justice Legislation Amendment (Family Violence, Coercive Control, Good Character, Risk Assessment and Other Matters) Bill 2026 (the Bill) is compatible with the matters set out in section 66(3)(d) of the *Statewide Treaty Act 2025* (Treaty Act). I base my opinion on the reasons outlined in this statement.

Overview of the Bill

2. The Bill introduces a package of legislative reforms that are intended to improve legal and justice system responses to family and sexual violence and prioritise the safety of victim-survivors. In particular, the Bill will:

- 2.1 amend the *Crimes Act 1958* to introduce an offence of coercive control

- 2.2 amend the *Sentencing Act 1991* and *Youth Justice Act 2024* (YJ Act) to abolish the concept of ‘good character’ at sentencing (including its use as a mitigating factor) for all offences, and all offenders
- 2.3 amend the *Family Violence Protection Act 2008* (FVPA) to:
 - a. introduce an own motion power for sentencing courts hearing criminal proceedings to extend or vary a family violence intervention order (FVIO)
 - b. introduce a police application process that requires police to indicate whether there is a current FVIO on the charge sheet and if an extension or variation application will be made
 - c. provide considerations for the court when it is determining an application to extend an FVIO and introduce a default length of extension when the respondent is serving a term of imprisonment
 - d. clarify that electronic signatures are permissible for documents required to be signed under the FVPA
 - e. promote timely responses to information sharing requests under the Family Violence Information Sharing Scheme (FVISS), to more effectively manage family violence risk, and to clarify the purposes for which information can be shared
 - f. introduce a new approach to Family Violence Multi-Agency Risk Assessment and Management (MARAM) Framework annual reporting processes focused on more efficient, meaningful and transparent reporting
- 2.4 amend the *Personal Safety Intervention Orders Act 2010* (PSIOA) to expand the definition of ‘prohibited behaviour’ to include grooming, and to clarify that electronic signatures are permissible for documents required to be signed under the PSIOA
- 2.5 amend the *Infringements Act 2006*, *Fines Reform Act 2014*, and *Road Safety Act 1986* to:
 - a. expand work and development permit scheme (WDPS) to include court fines, and
 - b. expand the family violence scheme (FVS) to include fines issued for excessive speed infringements detected by camera where the victim-survivor was not the driver, and
- 2.6 amend the *Equal Opportunity Act 2010* (EO Act) to insert a new attribute of ‘subjection to family violence’ that would prohibit discrimination against a person in areas of public life on the basis of that person having been or being subjected to family violence.

Consultation with the First Peoples’ Assembly of Gellung Warl

3. The First Peoples’ Assembly of Gellung Warl (Assembly) was provided with information regarding the Bill and an opportunity to advise on the Bill in June 2026. In July 2026, the Assembly accepted a briefing on the Bill in which information was provided on the Bill and its impacts on First Peoples. I note that, respecting Cabinet processes, the Bill itself was not provided during this briefing. Following this briefing the Assembly provided a representation as follows:
 - 3.1 The First Peoples’ Assembly was not provided with a copy of the Bill. The Assembly understands that extensive feedback was provided by First Peoples experts and organisations to the State and that several substantive concerns have not been addressed. The Assembly expects ongoing engagement with First Peoples experts and organisations throughout the implementation of the reforms, including consideration of any further legislative or policy changes and appropriate safeguarding mechanisms.
4. I note that the Assembly was notified of the EO Act reforms separately and provided with information on the Bill in July 2026.
5. I note that, as highlighted through engagement with First Peoples experts and organisations, the Bill may have a disproportionate impact on First Peoples. As detailed in the compatibility assessment below, these concerns have been considered and the Bill has been adapted to include some measures and safeguards in response to these concerns. However, I acknowledge that not all aspects of the Bill align with the concerns raised regarding its potential impacts on First Peoples. I note that the State will continue to work with First Peoples in the implementation of these reforms, and any related policy changes.

Compatibility of the Bill with each of the objects in section 66(3)(d) of the *Statewide Treaty Act 2025*

6. I have considered whether the Bill is compatible with the objects at section 66(3)(d) of the Treaty Act:
 - 6.1. advancing the inherent rights and self-determination of First Peoples

6.2. addressing the unacceptable disadvantage inflicted on First Peoples by the historic wrongs and ongoing injustices of colonisation, and

6.3. ensuring the equal enjoyment of human rights and fundamental freedoms by First Peoples.

Introduction of an offence of coercive control

7. I note that the coercive control offence introduced by this Bill does not apply specifically to First Peoples, as it creates an offence that applies equally to any adult. However, it may, in its practical effects, engage the objects at section 66(3)(d) of the Treaty Act in light of the significant overrepresentation of Aboriginal people in the criminal justice system.

Advancing the inherent rights and self-determination of First Peoples

8. I acknowledge that the exercise of the right to self-determination will necessarily be limited by the criminal justice system, given the loss of liberty inherent in aspects of policing, court processes and the conditions of custody. However, particular consideration has been given to whether this offence further affects the right to self-determination.
9. While the government seeks to enable self-determination rights in the justice system where possible, for example through the operation of Koori Courts and by supporting Aboriginal programs and access to culture in prisons settings, the nature of criminal offences (when individuals are charged, prosecuted and sentenced) and broader policing, judicial and custodial systems are not self-determined. As the Bill only introduces an additional offence within these broader system settings, these amendments do not affect the self-determination of First Peoples.
10. To the extent that the offence introduced by this Bill may lead to increased overrepresentation of Aboriginal people in the criminal justice system and in custody, this may affect some inherent rights of First Peoples as outlined in the United Nations Declaration into the Rights of Indigenous Peoples (UNDRIP).
11. The offence of coercive control introduced by this Bill may indirectly limit the right to culture (article 11) noting the significant disruption that imprisonment presents to access to Country (see also articles 25 and 26) and places of spiritual significance, cultural practices and cultural connections, including kinship networks. Increased contact with the criminal justice system and/or a term of imprisonment may also limit the right to improvement of economic and social conditions (article 5) and the right to the enjoyment of the highest attainable standard of physical and mental health (article 24).
12. However, with regard to the above considerations, in my opinion the introduction of the offence of coercive control is nevertheless compatible with the object of advancing the inherent rights of First Peoples due to the importance of preventing this offending conduct and the nature of the impacts on this Treaty object, as detailed in the proportionality assessment below.

Addressing unacceptable disadvantage inflicted on First Peoples

13. To the extent that the offence of coercive control introduced by this Bill may lead to increased contact with the justice system and incarceration of First Peoples, it may compound the unacceptable disadvantage inflicted on First Peoples by the historic wrongs and ongoing injustices of colonisation.
14. The Yoorrook Justice Commission's *Yoorrook for Justice* report notes the significant overrepresentation of First Peoples in the justice system and the subsequent impacts on First Peoples including:
- 14.1. the disproportionate rate at which Aboriginal women are victim-survivors of family violence
- 14.2. the frequent misidentification of Aboriginal women as the predominant aggressor by police, which places them at greater risk of further violence and criminalisation, while leading to a profound sense of distrust in the police and legal system, and
- 14.3. the significant disruptions to family and the community when people face increased contact with the criminal justice system and/or are imprisoned.
15. Misidentification can occur in a range of circumstances, including where the victim-survivor's presentation and characteristics are misinterpreted, or they use retaliatory force to protect themselves or another person from family violence. Certain groups of people are more at risk of being misidentified, including First Peoples, and particularly women.
16. The Yoorrook Justice Commission's *Truth be Told* report noted that Aboriginal women are more likely to experience family violence than non-Aboriginal women and yet, Aboriginal women in Victoria are also the fastest growing prison demographic. The report noted that First Peoples are over-policed as people who use violence, but simultaneously under-supported by police as affected family members in need of protection.

17. Regarding the overrepresentation of First Peoples in prison, *Yoorrook for Justice* also notes that 'removing them from their community can have devastating effects on their personal and social wellbeing, with many families experiencing ongoing trauma and grief as a result'. Disproportionate rates of imprisonment compound the unacceptable disadvantage of First Peoples which can have profound, far-reaching and intergenerational impacts.
18. The report also found that the overrepresentation of First Peoples in the criminal justice system was in part driven by a 'pattern of systemically racist policing' noting that while this 'does not characterise the whole of policing in Victoria, it is widespread and ingrained'. In this context, I note that the introduction of this offence creates a further risk of over policing and criminalisation of First Peoples, both as a result of misidentification of the primary aggressor, as well as in the general application of the offence. In particular, given the complexity and long-term nature of investigating and demonstrating behaviours regarding this offence, I note that there is a risk of First Peoples being subject to sustained contact with police as victim-survivors, broader family members and those accused of the offence. I acknowledge that even where this does not result in conviction, this contact with the criminal justice system can result in harmful social, economic and health effects.
19. I note that the proposed maximum penalty of 10 years' imprisonment for the new coercive control offence, may lead to more custodial sentences both generally and specifically for First Peoples due to their overrepresentation in the criminal justice system. While courts will continue to have the full range of options for sentencing offenders, including non-custodial options, I acknowledge that this Bill does not address, and may compound, the unacceptable disadvantage inflicted on First Peoples by the historic wrongs and ongoing injustices of colonisation given the profound impacts of overrepresentation of First Peoples in the justice system and imprisonment.
20. However, with regard to the above considerations, in my opinion the Bill is nevertheless compatible with the object of addressing the unacceptable disadvantage inflicted on First Peoples by the historic wrongs and ongoing injustices of colonisation due to the importance of preventing this offending conduct and the nature of the impacts on this Treaty object, as detailed in the proportionality assessment below.

Ensuring the equal enjoyment of human rights and fundamental freedoms by First Peoples

21. While the Bill applies to any adult who engages in coercive control of an intimate partner, I acknowledge that the Bill may, in its practical effects, limit the equal enjoyment of human rights and fundamental freedoms of First Peoples. I consider that the Bill may engage human rights, including the rights to liberty (section 21, *Charter of Human Rights and Responsibilities Act 2006* (the Charter)), freedom of movement (section 12), right to privacy (section 13(a)), the rights to practice religion and enjoy cultural rights (sections 14(1)(b) and 19), freedom of expression (section 15(2)), right to peaceful assembly and freedom of association (section 16) the protection of families and children (section 16) and the right to property (section 20). As noted above, the Bill may also engage First Peoples' inherent rights, particularly the rights to culture, country, improvement of economic and social conditions and enjoyment of the highest attainable standard of physical and mental health.
22. To the extent that First Peoples are overrepresented in the criminal justice system and may therefore be overrepresented in those charged with the new offence of coercive control, First Peoples' equal enjoyment of these rights may be limited. These limitations may occur as a result of increased contact with police, being remanded and/or a possible sentence of imprisonment, which requires the deprivation of liberty and the exercise of powers held by officers in charge of custodial facilities. The family unit may also be affected when an intimate partner is investigated for this offence and/or made subject to an imprisonment order. This is a particularly acute and sensitive issue in the context of this offence, where the imprisonment is a result of family violence. In circumstances where First Peoples are subject to disproportionate criminalisation and detention, this may limit the equal enjoyment of human rights and fundamental freedoms by First Peoples.
23. However, with regard to the above considerations, in my opinion the Bill is nevertheless compatible with the object of ensuring the equal enjoyment of human rights and fundamental freedoms by First Peoples due to the importance of preventing this offending conduct and the nature of the impacts on this Treaty object, as detailed in the proportionality assessment below.

Proportionality assessment

24. While the new offence may limit the achievement of the objects in section 66(3)(d)(i)–(iii) of the Treaty Act as outlined above, in my opinion it is not incompatible with them having regard to the following matters:
- 24.1. the new offence applies to any adult who engages in coercive control of an intimate partner, not specifically or only First Peoples
- 24.2. the new offence denounces and criminally recognises behaviours that extend to a pattern of ongoing, continuous abuse used by a person to control and coerce an intimate partner, which can have a significant impact on victim-survivors and the community, including First Peoples women and children. Whilst the offence may lead to more custodial sentences, the maximum penalty of 10 years' imprisonment is appropriate given the insidious and damaging impact of coercive control
- 24.3. the scope of the new offence is limited to the extent that it only applies to adults, who must intend to coerce or control an intimate partner by engaging in the conduct, and does not apply to other relationships. This limits the risk of misidentification of the primary aggressor, which disproportionately impacts First Peoples victim-survivors, and limits the risk of increased criminalisation and incarceration of First Peoples more broadly, while addressing the key context in which coercive control occurs – in intimate partner relationships. Further, the courts will retain discretion to sentence offenders according to their relevant culpability, including imposing non-custodial sentences if appropriate
- 24.4. to the extent that misidentification of the primary aggressor is disproportionately experienced by First Peoples women, the Bill includes important safeguards to minimise the risks of misidentification, including a defence that the course of conduct alleged to constitute coercive control was reasonable in the context of the relationship as a whole. This defence can be raised by the misidentified person where relevant and allows for consideration of the broader context in which the alleged offending occurred
- 24.5. the elements of the offence also incorporate protections against misidentification including the requirements that an accused engaged in relevant conduct, that this conduct must be part of a course of conduct (that is, conduct that is protracted or occurs on more than one occasion), the course of conduct must show a continuity of purpose towards the victim and both intentional fault and objective fault elements – that the accused intends to coerce or control the victim by engaging in the course of conduct and ought to understand, in the particular circumstances, that the course of conduct will probably cause harm, and
- 24.6. noting the complexity of this offence and the need for carefully considered implementation and monitoring, the offence will be supported by a statutory review requirement and longer commencement timeframes for implementation, which will allow for training for key workforces, broad-based awareness building and targeted education campaigns, and structured and resourced pathways to support services, including culturally appropriate support services for First Peoples.
25. For the reasons set out above, in my opinion the introduction of the offence of coercive control is compatible with the objects specified in section 66(3)(d)(i) to (iii) of the Treaty Act.

Abolishing the concept of 'good character' (including its use as a mitigating factor) at sentencing for all offences and introducing procedural requirements for written references

26. I note that the 'good character' reforms in the Bill do not in their terms include any provisions that apply specifically to First Peoples, as they abolish the concept of good character (including its use as a mitigating factor) at sentencing for all adults and children.
27. However, these reforms may, in their practical effects, engage with the objects at section 66(3)(d)(i)–(iii) of the Treaty Act in light of the overrepresentation of First Peoples in the criminal justice system. For example, I note that First Peoples represent less than 2 per cent of the Victorian population but in 2025 made up 14 per cent of alleged offenders proceeded against by police via arrest or summons as a result of alleged offender incidents.
28. The reforms abolish the concept of good character at sentencing for all offences, so that it can no longer be relied on as a reason that may reduce a sentence. There is therefore a risk the reform could lead to increased rates and/or lengths of custodial sentences for both children and adults, which has a risk of further increasing First Peoples' overrepresentation in custody.

Advancing the inherent rights and self-determination of First Peoples

29. I acknowledge that the exercise of the right to self-determination will necessarily be limited by the criminal justice system, for the same reasons detailed above regarding the introduction of the offence of

coercive control. However, the good character reforms do not, in their terms or in their practical effects, further affect First Peoples' self-determination.

30. To the extent that abolishing the concept of good character (including its use as a mitigating factor) at sentencing may lead to increased overrepresentation of First Peoples in the criminal justice system and in custody, this may impact some inherent rights of First Peoples as outlined in UNDRIP.
31. The good character reforms may, in practice, limit the right to culture (article 11) noting the significant disruption that imprisonment presents to access to Country (see also articles 25 and 26) and places of spiritual significance, cultural practices and cultural connections, including kinship networks. A term of imprisonment may also limit the right to improvement of economic and social conditions (article 5) and the right to the enjoyment of the highest attainable standard of physical and mental health (article 24).
32. However, with regard to the above considerations, in my opinion these reforms are nevertheless compatible with the object of advancing the inherent rights of First Peoples due to the importance of removing the concept of good character (including its use as a mitigating sentencing factor) at sentencing and the nature of the impacts on this Treaty object, as detailed in the proportionality assessment below.

Addressing unacceptable disadvantage inflicted on First Peoples and ensuring the equal enjoyment of human rights and fundamental freedoms by First Peoples

33. To the extent that abolishing the concept of good character (including its use as a mitigating factor) at sentencing may lead to increased custodial sentences for First Peoples, the reforms may also compound the unacceptable disadvantage inflicted on First Peoples by the historic wrongs and ongoing injustices of colonisation and limit the equal enjoyment of human rights and fundamental freedoms of First Peoples.
34. The Charter rights likely to be engaged include the rights to liberty (section 21), freedom of movement (section 12), right to privacy (section 13(a)), the rights to practice religion and enjoy cultural rights (sections 14(1)(b) and 19), freedom of expression (section 15(2)), right to peaceful assembly and freedom of association (section 16), right to protection of families and children (section 17) and the right to property (section 20). These rights may be limited due to a possible increase in custodial sentences, which requires the deprivation of liberty.
35. The *Yoorrook for Justice* report considered the significant impact of First Peoples' over-representation in the justice system, including the disruptions to family and the community when people are imprisoned. The report notes that '[r]emoving them from their community can have devastating effects on their personal and social wellbeing, with many families experiencing ongoing trauma and grief as a result'.
36. The *Yoorrook for Justice* report also notes that First Peoples are estimated to be at least two to five times more likely to experience violence than non-Aboriginal people. As outlined above, good character is not an appropriate reason to mitigate a sentence given it is based on a vague and subjective concept that cannot predict risks of re-offending or prospects of rehabilitation, and using and referring to good character in mitigation of sentence is harmful and may be re-traumatising for victim-survivors.
37. However, with regard to the above considerations, in my opinion these reforms are nevertheless compatible with the objects of addressing the unacceptable disadvantage inflicted on First Peoples by the historic wrongs and ongoing injustices of colonisation and ensuring the equal enjoyment of human rights and fundamental freedoms by First Peoples due to the importance of removing the concept of good character (including its use as a mitigating sentencing factor) at sentencing and the nature of the impacts on these Treaty objects, as detailed in the proportionality assessment below.

Proportionality assessment

38. For the reasons set out above, these reforms may limit the achievement of the objects in section 66(3)(d)(i)–(iii) of the Treaty Act. However, in my opinion, the reforms are a proportionate means of achieving the policy purposes of helping ensure fairer sentencing outcomes and improving victims' experience of the justice system, and are therefore compatible with those objects, noting:
 - 38.1. the good character reforms universally apply to any person who is sentenced for an offence, not specifically or only to First Peoples
 - 38.2. good character is not an appropriate reason to mitigate a sentence given it is based on a vague and subjective concept that cannot predict risks of re-offending or prospects of rehabilitation. It may perpetuate inequality and systemic disadvantage as there is unequal access to the benefits of good character as a mitigating factor given it can be more readily available to certain groups (who have social status and means) than others, including First Peoples. In addition, using and referring to

good character in mitigation of sentence is harmful and may be re-traumatising for victims, particularly as First Peoples are disproportionately represented as victim-survivors

38.3. courts will not be prevented from considering an individual's lack of prior convictions and information about their circumstances and characteristics if it relates to another sentencing consideration. For example, this could include information relating to an individual's connection to community, culture or Country where such information helps a court assess prospects of rehabilitation or risk of reoffending. When sentencing children, this includes the YJ Act sentencing principles and the requirement to prioritise the rehabilitation and positive development of children, as well as the specific sentencing principles for Aboriginal children

38.4. the reforms will also introduce procedural requirements for written references to ensure that courts receive appropriate information about an offender that is relevant to a sentencing consideration, and

38.5. delayed commencement of the reforms will allow stakeholders to conduct training and update practice guides as appropriate to implement the reforms effectively and without unintended impacts on First Peoples, victim-survivors, offenders, the judiciary and legal practitioners.

39. For the reasons set out above, in my opinion the good character reforms in the Bill are compatible with the objects specified in section 66(3)(d)(i) to (iii) of the Treaty Act.

Family violence and personal safety reforms

40. I note that the family violence and personal safety reforms introduced by this Bill do not in their terms include any provisions that apply specifically to First Peoples, nor is it expected that most aspects of these reforms will, in practice, affect the objects at section 66(3)(d)(i) to (iii) of the Treaty Act.

41. However, it is expected that the new power for criminal courts hearing a criminal proceeding to extend or vary an FVIO on their own motion, without requiring an application to be filed or requiring a separate proceeding (own motion power), may engage with the objects in sections 66(3)(d)(i) to (iii) of the Treaty Act, as detailed below.

Advancing the inherent rights and self-determination of First Peoples

42. To the extent that the own motion power may have an impact on First Peoples right to autonomy and self-government, this may impact some inherent rights, including the right to self-determination, as outlined in the UNDRIP.

43. The Bill may, in practice, limit the right to decision-making and consent (articles 18 and 19), noting the own motion power allows a court hearing a criminal proceeding to extend or vary an FVIO on their own motion. This may also have a limiting effect on the right to improvement of social conditions (article 21) and the right to culture (article 11), given that matters relating to family and intimate relationships involving First Peoples may be more appropriately addressed through First Peoples laws, customs and community-led responses.

44. However, I note that the own motion power can only be exercised with consent of the protected person and may also be exercised by Koori Courts hearing a related family violence offence, which may offer a more culturally sensitive way for FVIO extensions or variations to be considered.

45. With regard to the above considerations, in my opinion these reforms are nevertheless compatible with the object of advancing the inherent rights of First Peoples due to the importance of preventing family violence and protecting victim-survivors, as detailed in the proportionality assessment below.

Addressing unacceptable disadvantage inflicted on First Peoples

46. To the extent that the own motion power reform may exacerbate the risk of First Peoples being misidentified as the predominant aggressor in family violence cases, there is a risk that this may compound the unacceptable disadvantage inflicted on First Peoples by the historic wrongs and ongoing injustices of colonisation. Accordingly, the risks of misidentification discussed above in the section on the introduction of the coercive control offence are also relevant to these reforms.

47. For First Peoples who have been misidentified, the own motion power could further reinforce and prolong the consequences of that misidentification, which can disrupt family and community connections and create barriers to employment, housing and cultural participation.

48. However, with regard to the above considerations, in my opinion these reforms are nevertheless compatible with the object of addressing the unacceptable disadvantage inflicted on First Peoples by the historic wrongs and ongoing injustices of colonisation due to the importance of preventing and protecting against family violence and the nature of the impacts on this Treaty object, as detailed in the proportionality assessment below.

Ensuring the equal enjoyment of human rights and fundamental freedoms by First Peoples

49. While the Bill applies to all those experiencing family violence, I acknowledge that the Bill may limit the equal enjoyment of human rights and fundamental freedoms of First Peoples, due to the risks associated with misidentification described above and how this may lead to criminalisation. I consider that the Bill may, in its practical effects, engage human rights, including Charter rights to a fair hearing (section 24) and the right to be presumed innocent until proven guilty (section 25). As noted above, the Bill may also engage First Peoples' inherent rights, particularly the rights to decision-making and consent.
50. These rights may be limited because First Peoples who have been misidentified as the predominant aggressor may experience increased police involvement and criminal charges for alleged FVIO breaches, all in circumstances where the original allegations of family violence have not been properly examined. This can weaken the practical effect of being presumed innocent and undermine the right to a fair hearing. It may also be a contributing factor to the overrepresentation of First Peoples in the criminal justice system, both due to misidentification and due to the overall effects of extensions and variations of FVIOs through the own motion power.
51. In addition, if the own motion power is exercised with First Peoples respondents, this may also have a direct impact on Charter rights such as freedom of movement (section 12) and freedom of association (section 16). For example, the own motion power could vary the FVIO to include conditions that restrict a respondent from contacting or being within a certain distance of the protected person. These restrictions would directly impact the respondents' ability to move freely around the State and associate with certain people.
52. However, with regard to the above considerations, in my opinion these reforms are nevertheless compatible with the object of ensuring the equal enjoyment of human rights and fundamental freedoms by First Peoples due to the importance of preventing and protecting against family violence, including First Peoples victim-survivors, and the nature of the impacts on this Treaty object, as detailed in the proportionality assessment below.

Proportionality assessment

53. While the own motion power may limit the achievement of the objects in section 66(3)(d)(i) to (iii) of the Treaty Act as outlined above, in my opinion the limitations are proportionate and therefore compatible with these objects. In particular, I note that:
 - 53.1. the Bill universally applies to those experiencing family violence where the own motion power may be available
 - 53.2. there is a significant public interest in preventing family violence and protecting victim-survivors from further family violence, particularly noting the disproportionate rates of family violence experienced by First Peoples victim-survivors
 - 53.3. the Bill complements the reforms in the *Justice Legislation Amendment (Family Violence, Stalking and Other Matters) Act 2026*, which will commence no later than 10 November 2026, and will require police and courts to consider misidentification factors when considering whether to issue a family violence safety notice, or when making an interim or final FVIO. Although misidentification that pre-dates these reforms may persist, the reforms will reduce the risk of misidentification in the making of new orders, thereby reducing the risk of misidentification in the own motion power context
 - 53.4. the Bill includes important safeguards such as requiring a court to hear the views of a protected person before exercising the own motion power, which is intended to minimise any potential negative impacts on victim-survivors
 - 53.5. the Bill similarly requires that the respondent has had the opportunity to be heard in respect of an extension or variation. This may provide an opportunity for the court to assess whether misidentification is a relevant issue and whether it may be inappropriate to exercise the own motion power, and
 - 53.6. the Bill does not replace the existing civil application pathways to extend, vary or revoke an FVIO available to parties under the FVPA.
54. For the reasons set out above, in my opinion the own motion power under the family violence and personal safety reforms, and the reforms more broadly, are compatible with the objects specified in section 66(3)(d) of the Treaty Act.

Family Violence Information Sharing Scheme (FVISS) and Family Violence Multi-Agency Risk Assessment and Management (MARAM) Framework reforms

55. I note that the amendments to the FVPA seek to clarify the existing responsibilities of prescribed organisations to share information and streamline reporting requirements. Amendments seeking to promote timely response to information sharing requests allow sufficient flexibility to ensure that Family Violence Specialist Aboriginal Community Controlled Organisations, which may receive a higher volume of such requests, can define ‘timely’ in a way which best promotes the needs of their service users and organisations.
56. In light of the above, in my opinion, the MARAM and FVISS reforms in this Bill do not in their terms deal with First Peoples, nor is it expected that any aspects of the Bill will, in practice, have a differential effect on First Peoples.
57. Accordingly, in my opinion, the MARAM and FVISS reforms in this Bill do not affect the objects specified in section 66(3)(d)(i)–(iii) of the Treaty Act and are therefore compatible with each of those objects.

Fines and infringements reforms

58. I note that the reforms to the fines systems outlined in the Bill do not in their terms include any provisions which apply specifically to First Peoples. However, in their practical effects, in my opinion the reforms are likely to promote the objects at section 66(3)(d)(i) to (iii) of the Treaty Act.
59. In considering the compatibility of these reforms with section 66(3)(d) of the Treaty Act, I have considered the effects of the fines system on First Peoples. Although data specific to Victoria is not available, in its 2018 report *Pathways to Justice*, the Australian Law Reform Commission (ALRC) found that Aboriginal and Torres Strait Islander people were over-represented as fine recipients, less likely to pay a fine on time and, as a result, more likely to be subject to enforcement measures (ALRC Report 133, 2018), 387.
60. There is a lack of data to quantify the unequal impact of the Victorian fines system on First Peoples, but it is known that the system has the potential to impact adversely on people experiencing vulnerability and disadvantage. This is particularly relevant to First Peoples, noting the unacceptable disadvantage inflicted on First Peoples due to the historic wrongs and ongoing injustices of colonisation. As a result, it is reasonable to conclude that the fines system may have a disproportionate impact on First Peoples.
61. To address the potential disproportionate effects of the fines system on First Peoples in progressing any fines-related reforms, the government has regard to the importance of appropriate remedial and social justice mechanisms within the fines system. This requires a continuing focus on protecting and enhancing these measures to ensure the fines system is fair and flexible, so that people who cannot or should not pay due to a specified kind of vulnerability or disadvantage, are effectively diverted away from the criminal justice system or have options other than payment to expiate their fines.

Advancing the inherent rights and self-determination of First Peoples

62. The reforms do not expressly advance the inherent rights and self-determination of First Peoples, as the Bill applies to all people who are fine recipients. However, the Bill is likely to support this object by broadening access to the Work and Development Permit Scheme (WDPS), which provides eligible individuals with a non-financial way to address their fine debt thereby reducing the risk of non-payment and enforcement measures.
63. There are 27 Aboriginal Community Controlled Organisations delivering culturally appropriate activities to First Peoples who are fine recipients under the WDPS. This supports the inherent rights of First Peoples as outlined in the UNDRIP, particularly rights to self-determination (article 3), allowing Aboriginal Community Controlled Organisations to deliver the WDPS in ways that are tailored to local First Peoples’ communities and needs, and rights to culture (articles 11 and 12) and Country (articles 25 and 26), where WDPS activities include relevant cultural and on Country activities.

Addressing unacceptable disadvantage inflicted on First Peoples and ensuring the equal enjoyment of human rights and fundamental freedoms by First Peoples

64. I note that the reforms to expand the family violence scheme (FVS) for infringement fines to include some excessive speed infringements, and the amendments to expand the WDPS to include court fines are likely to promote the objects in section 66(3)(d)(ii) and (iii) of the Treaty Act to the extent that First Peoples may be more likely to access these schemes as a result of historic wrongs and ongoing injustice and are therefore more likely to benefit from the broadening of access to the schemes.

65. The following Charter rights may also be enlivened and supported by these reforms:
- 65.1. rights to freedom of movement (section 12) and to liberty and security of person (section 21(1)) – the broadening of access to the WDPS and FVS is likely to reduce the non-payment of fines by recipients who will now be eligible for the schemes, thereby reducing the risk of enforcement actions for unpaid fines, including the seizure of assets, and driver licence and vehicle registration sanctions, and
 - 65.2. right to protection of families and children (section 17(1)) – expanding the FVS may reduce the impact of family violence on families who are victim-survivors, and support their capacity to subsist, as fines not previously eligible for the scheme may be withdrawn, and demerit points reversed under the expanded provisions.
66. The amendment to clarify that the Director, Fines Victoria's power to deregister infringement fines does not apply to infringement offences that take effect as a deemed conviction will not (directly or indirectly) engage any of the objects in section 66(3)(d)(i)–(iii) of the Treaty Act because: the amendment is minor in nature in the context of the legislative scheme for fines; it is a clarification only to reflect that the deregistration power has never been used for deemed conviction infringements because the use of the power is problematic in the context of offences that take effect as a deemed conviction; and there are other pathways available for people experiencing vulnerability and disadvantage (including First Peoples) to deal with their fines.
67. Accordingly, in my opinion, the fines-related reforms in this Bill are compatible with the objects specified in section 66(3)(d)(i) to (iii) of the Treaty Act.

Adding family violence as protected attribute under the EO Act

68. I note that the reforms to the EO Act introduced by this Bill do not in their terms include any provisions that apply specifically to First Peoples. However, in their practical effects, in my opinion the reforms are likely to promote the objects at section 66(3)(d)(i) to (iii) of the Treaty Act, noting the disproportionate impact of family violence on First Peoples. For example, I note that First Peoples represent less than two per cent of the Victorian population but in 2024–25 made up over six per cent of victim-survivors with Family Violence Intervention Orders. I further note that 60 per cent of First Peoples women in Australia have experienced physical or sexual violence by an intimate partner since age 15.

Advancing the inherent rights and self-determination of First Peoples

69. I note that the reforms may indirectly affect the object at section 66(3)(d)(i) of the Treaty Act by advancing the inherent rights of First Peoples. Providing protection from discrimination for people subjected to family violence is expected to support the inherent rights of First Peoples as outlined in the UNDRIP, particularly the right to equality and freedom from discrimination (article 2) and subsequently the rights to the improvement of economic and social conditions (article 21), education (article 14) and the enjoyment of the highest attainable standard of physical and mental health (article 24) by providing protection from discrimination based on family violence impacting employment, access to education and healthcare and economic opportunities.
70. Therefore, in my opinion, these reforms are compatible with advancing the inherent rights of First Peoples.

Addressing unacceptable disadvantage inflicted on First Peoples

71. I note that the reforms may affect the object at section 66(3)(d)(ii) of the Treaty Act by addressing the unacceptable disadvantage inflicted on First Peoples by the historic wrongs and ongoing injustices of colonisation.
72. The amendments to the EO Act would prohibit discrimination based on a person's subjection to family violence, providing protections and avenues for redress for First Peoples who, as noted above, are disproportionately impacted by family violence. Noting that addressing discrimination can support First Peoples' employment, economic, health and education opportunities and work to counter the historic and ongoing disadvantage inflicted by colonisation.
73. Therefore, in my view, the reforms to the EO Act are compatible with the object in section 66(3)(d)(ii) of the Treaty Act.

Ensuring the equal enjoyment of human rights and fundamental freedoms by First Peoples

74. Noting that family violence has a disproportionate impact on vulnerable communities, particularly First Peoples women, in my view, the reforms are likely, in their practical effect, to have a positive effect on First Peoples and support their equal enjoyment of human rights and fundamental freedoms. The reforms will prohibit discrimination on the basis that a person, including First Peoples, has been or is being subjected to family violence in an area of public life, such as employment, education or housing.

75. In addition to the UNDRIP rights detailed above this may promote First Peoples' human rights, including Victorian Charter rights to the protection of families and children (section 17), taking part in public life (section 18) and peaceful assembly and freedom of association (section 16). As these reforms will provide a beneficial legal protection, against discrimination experienced by First Peoples in these areas of public life, they are expected to promote their enjoyment of these rights by preventing a form of discrimination that arises against First Peoples because of their disproportionate experience of family violence.
76. I note that the EO Act contains exceptions and exemptions that permit discrimination on the basis of an attribute protected under the Act, in some circumstances. This would also apply to the new attribute in the Bill. Provisions of the EO Act that would permit discrimination on the basis of a person's subjection to family violence may disproportionately impact First Peoples, given their overrepresentation as victims of family violence.
77. However, without the Bill, victims of family violence are not protected from discrimination under the EO Act. The limited relevant exceptions and exemptions apply to all attributes protected under the EO Act and were considered by reference to Charter rights when the EO Act was passed in 2010.
78. Some exceptions may also operate to protect and provide tailored services to specific groups. For example, one exception under the EO Act would allow providers to deliver targeted family violence welfare services, such as emergency accommodation for women and/or First Peoples, and limit eligibility of that service to support the welfare and special needs of specific people or groups that are protected under the EO Act. The Bill would extend these recognised attributes to include victims of family violence.
79. Noting that the Bill overall increases protections for victims of family violence, including overrepresented First Peoples, in my opinion it is compatible with the object of ensuring the equal enjoyment of human rights and fundamental freedoms by First Peoples.

Conclusion

80. For the reasons set out above, in my opinion the Bill is compatible with the objects specified in section 66(3)(d)(i) to (iii) of the *Statewide Treaty Act 2025*.

Sonya Kilkenny

Attorney General

Minister for Planning

Minister for Prevention of Family Violence

Second reading

Sonya KILKENNY (Carrum – Attorney-General, Minister for Planning, Minister for Prevention of Family Violence) (11:20): I move:

That this bill be now read a second time.

I would like to acknowledge all of the women and children whose lives have been taken by family violence.

I would like to also recognise that nobody bears the brunt of this epidemic at the same rate or intensity as First Nations women and children.

Across Victoria and indeed Australia, family violence is the number one law and order issue that is destroying lives, harming children across generations and destabilising homes, communities and our broader society.

This government has done more than any other government in history to better protect women and children and hold perpetrators to account.

But the work is never done.

Today, we take a further step.

This bill is about listening and responding to the voices of victim-survivors.

It contains a number of significant reforms to prioritise victim-survivor safety, improve the efficiency of justice processes and ensure perpetrators of all forms of interpersonal violence can be held to account.

Before I get into further detail about the bill, I would like to highlight the advocacy of those whose lives have been impacted by family and sexual violence and whose voices have contributed to the reforms in this bill.

Some of you are here today.

It is an incredible thing to go through the trauma you have been through and transform that experience into advocacy and change.

I am honoured to be standing here today on your behalf – because make no mistake, this bill would not be possible without you.

So thank you.

Now to the bill and its reforms.

Coercive control

Coercive control is an insidious form of abuse used, usually by a man, to intimidate, humiliate, surveil, gaslight or isolate another person, usually a female intimate partner, and strip them of their sense of autonomy and self-worth so as to have control over them.

We know the devastating impacts this can have – increasing the risk of victims becoming homeless, suicidal, having poor health outcomes, sliding into poverty and committing offences themselves.

And, heartbreakingly, in some cases, it can be fatal.

While I acknowledge this is a complex area for law, it is unthinkable today that this kind of harm is not criminal.

Currently, there is no criminal justice response available for victim-survivors of coercive control unless there is a family violence intervention order (FVIO) in place or a physical criminal offence has taken place, like assault or a sexual offence.

Victim-survivors deserve to feel seen and heard and to know that the system can work to make them feel safe and protected.

Considerable work has gone into developing this offence, and I want to acknowledge the many complexities raised by stakeholders throughout the process. Thank you for your collaboration to ensure we do this well.

While it has not been possible to reconcile all views, the offence balances and addresses concerns where possible.

We will continue to work with stakeholders to ensure family violence services, police, courts and the legal profession are adequately supported to implement the offence and are engaged in the implementation process.

While the bill focuses on coercive control within intimate partner relationships, we know that coercive and controlling behaviours happen in other relationships too and this should be taken seriously.

Relationships and behaviour that fall outside the scope of this offence may continue to be dealt with by existing civil and criminal interventions, including FVIOs, breaches of those orders and other criminal offences.

The new offence will increase awareness of the harms caused by coercive control in all relationships. Importantly, the statutory review will specifically consider whether the scope of the offence should be expanded to capture coercive control in other relationships.

I know that misidentification of the predominant aggressor in family violence offending is a significant issue and has been a concern for stakeholders during the development of this offence.

The offence has been carefully crafted to minimise this risk, but for this offence to work, it is critical that justice agencies, from police to the courts, are provided training and support to fully understand the dynamics of coercive control.

The delayed commencement of approximately 18 months will allow for education and training for these workforces, to minimise the risks of misidentification.

The statutory review of the offence will also provide an opportunity to ensure the offence is operating as intended and to consider whether changes are required to further reduce the risk of misidentification.

Good character

Now, to ‘good character’ reform.

The bill will abolish the concept of good character, including its use as a mitigating factor, at sentencing for all offences.

Currently, victim-survivors are having to sit in court and hear that the person who harmed them is a person of ‘good character’. This can compound the trauma and diminish their experience.

The concept of ‘good character’, on its own, is generally only about someone’s reputation, community standing or their past ‘good deeds’. This is not an accurate way to predict an offender’s prospects of rehabilitation or risk of reoffending.

These reforms seek to enable courts to continue to take into account relevant information at sentencing, while ensuring they no longer receive or consider vague, subjective opinions about an offender’s supposed moral worth as a person of ‘good character’.

Courts will still be able to consider information about an offender’s circumstances and characteristics, such as social background and employment history, including in written references, where that information is relevant to the remaining sentencing considerations, such as prospects of rehabilitation and risk of reoffending.

Equal Opportunity Act reform

This bill is amending the Equal Opportunity Act 2010 to add a new attribute of ‘subjection to family violence’.

This will make it unlawful to discriminate against someone because they have experienced, or are experiencing, family violence.

This new protection will apply to areas of public life, including employment, education, the provision of goods and services, disposal of land, accommodation, clubs, sport and local government.

No victim-survivor should lose a promotion, be performance managed or be denied a rental because they needed to attend court, relocate for safety or access support.

Victim-survivors will be able to challenge discrimination based on this new attribute by dispute resolution at the Victorian Equal Opportunity and Human Rights Commission or by applying to the Victorian Civil and Administrative Tribunal for civil redress, including compensation.

There will also be a positive duty on organisations, such as employers and accommodation and service providers, to take proactive, reasonable and proportionate steps to eliminate discrimination based on the new attribute. The commission has powers to investigate contraventions of this duty.

Family violence and personal safety reforms

The bill also contains a number of reforms to deliver more victim-centric processes for extending or varying an FVIO and better protect children and families from predatory behaviour under the personal safety intervention order (PSIO) system.

Currently, victim-survivors are often required to attend court multiple times to seek protection from their perpetrator, forcing them to relive their experiences of violence and subjecting them to further trauma, even when there is proven criminal family violence offending.

Victims should not have to feel like they have to fight so hard for protection.

Reforms in this bill will allow a criminal court, on its 'own motion' and with the consent of the victim-survivor, to extend or vary an FVIO when sentencing a perpetrator for relevant family violence offences.

To encourage earlier consideration of whether stronger protections are needed, the bill will require police to indicate if there is an FVIO in place and if an application to extend or vary that order will be made when filing a charge sheet for a related family violence offence.

The bill will also ensure courts more consistently prioritise consideration of victim-survivor views when extending an FVIO and encourage longer extensions when a perpetrator is serving a term of imprisonment for a related family violence offence, to avoid victim-survivors needing to return to court multiple times.

Fines and infringements reforms

This bill will strengthen supports for fine recipients experiencing vulnerability and disadvantage.

The family violence scheme will be expanded to include excessive speeding fines so that victim-survivors can access relief in these circumstances.

The work and development permit scheme will be also expanded to apply to court fines, where it is currently only available to infringement fines.

Electronic signatures

The bill clarifies that electronic signatures can be used for FVIO and personal safety intervention order documents.

This change will help to make proceedings less disruptive to the lives of victims by confirming they can sign documents without having to attend court or a police station.

Grooming

The bill will strengthen protections for children and families by enabling PSIOs to be made against adults engaging in 'grooming' behaviours.

Grooming is a predatory behaviour undertaken to facilitate child sexual abuse. It is insidious, deeply traumatic and deserves to be captured by the PSIO framework.

This will enable the conduct to be disrupted before it escalates to sexual offending.

Multi-agency risk assessment and management framework (MARAM)

Finally, the MARAM framework and the family violence information-sharing scheme are flagship reforms implemented by this government following the Royal Commission into Family Violence.

This bill includes reforms to support more effective, sustainable, and fit-for-purpose risk management and information sharing.

Together, these amendments will support prescribed organisations to better meet their legislative obligations and strengthen how professionals assess, manage and share information about family violence risk to keep victim-survivors safe and hold people who use violence accountable.

Section 85 of the Constitution Act 1975

It is my intention to make a statement under section 85(5) of the Constitution Act 1975 setting out the reasons for altering or varying that section. It is the intention of clause 8 of the bill to alter or vary section 85 of the Constitution Act.

Clause 8 inserts new sections 125S, 125T and 125U into the Family Violence Protection Act 2008. New section 125S provides there is no appeal against an own-motion order made by the County Court or the Supreme Court. New section 125T provides that an appeal against an own-motion order made by the Magistrates' Court must not be started or continued if the final order was extended or varied since the Magistrates' Court made the order that is subject of the appeal.

New section 125U provides there is no appeal against a decision of the County Court following an appeal against an own-motion order made by the Magistrates' Court. These new sections will limit the Supreme Court's ability to hear an appeal in certain circumstances and therefore engage section 85 of the Constitution Act. Clause 10 inserts new subsection (3) after section 208(2) of the Family Violence Protection Act to make clear that it is the intention of new sections 125S, 125T and 125U to alter or vary section 85 of the Constitution Act.

The right to appeal an own-motion power variation or extension is limited to ensure that victim-survivors are prevented from having to attend court on numerous occasions. This risks further traumatising the protected person, which would undermine the purpose of promoting and protecting the safety of victims of family violence. These limitations are also consistent with existing limitations in sections 114 and 120 of the Family Violence Protection Act. Parties can still seek to vary, extend or revoke an FVIO under existing provisions in the Family Violence Protection Act, if they so choose.

I commend the bill to the house.

Cindy McLEISH (Eildon) (11:33): I move:

That the debate be now adjourned.

Motion agreed to and debate adjourned.

Ordered that debate be adjourned for two weeks. Debate adjourned until Wednesday 26 August.

Workplace Legislation Amendment (Accident Compensation and Other Matters) Bill 2026

Statement of charter compatibility

Steve DIMOPOULOS (Oakleigh – Minister for WorkSafe and the TAC, Minister for Sport, Minister for Equality) (11:35): Under the Charter of Human Rights and Responsibilities Act 2006, I table a statement of compatibility:

In accordance with section 28 of the *Charter of Human Rights and Responsibilities Act 2006* (the Charter), I make this Statement of Compatibility with respect to the **Workplace Legislation Amendment (Accident Compensation and Other Matters) Bill 2026** (the Bill).

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

Overview of the Bill

The Bill makes various amendments to the *Workplace Injury Rehabilitation and Compensation Act 2013* (WIRC Act), the *Accident Compensation Act 1985* (AC Act), the *Transport Accident Act 1986* (TA Act), the

Occupational Health and Safety Act 2004 (OHS Act) and the *Occupational Health and Safety Amendment (Dangerous Goods) Act 2026* (OHS (DG) Act) to:

- expand the forms of security self-insurers and non-WorkCover employers under the WIRC Act may use to fulfill their financial guarantee requirements;
- enhance the ability of Health and Safety Representatives (HSRs) and Authorised Representatives of Registered Employee Organisations (ARREOs) to identify and resolve occupational health and safety (OHS) issues;
- safeguard against conduct that undermines the effectiveness and integrity of the OHS representation framework;
- make administrative improvements to the OHS representation framework;
- enable the OHS Act amendments to survive the later commencement of the OHS (DG) Act and ensure amendments made to the same sections are not in conflict;
- clarify that the Transport Accident Commission (TAC) and WorkSafe Victoria (WorkSafe) are not liable to fund accommodation costs associated with specialist disability accommodation (SDA);
- align approval of the terms and conditions of the Chair of WorkSafe Board with that of the Board Directors; and
- clarify how Medical Panels fees are set.

Human Rights Issues

The following rights are relevant to the Bill:

- the right to recognition and equality before the law (section 8);
- the right to privacy and reputation (section 13);
- the right to freedom of expression (section 15); and
- the right to property (section 20).

For the reasons detailed below, I am satisfied that the Bill is compatible with the Charter and, if any of the abovementioned rights are limited, those limitations are reasonable and demonstrably justified having regard to the factors within section 7(2) of the Charter.

Right to recognition and equality before the law – section 8

Section 8(1) of the Charter provides that every person has the right to recognition as a person before the law. Section 8(2) of the Charter provides that every person has the right to enjoy their human rights without discrimination. Section 8(3) of the Charter provides that every person is entitled to equal protection of the law without discrimination and has the right to equal and effective protection against discrimination. The purpose of the right in section 8(3) is to ensure that all laws and policies are applied equally, and do not discriminate against a person or class of persons.

‘Discrimination’ under the Charter is defined by reference to the definition in the *Equal Opportunity Act 2010* and refers to discrimination based on an attribute in section 6 of that Act, which includes age, race, sex, disability and parental status amongst many others. Direct discrimination occurs where a person treats, or proposes to treat, a person with an attribute unfavourably because of that attribute. Indirect discrimination occurs where a person imposes a requirement, condition or practice that has, or is likely to have, the effect of disadvantaging persons with a protected attribute, but only where that requirement, condition or practice is not reasonable.

Ensuring the TAC is not liable to fund the accommodation costs associated with SDA

The TAC is a public-funded, no-fault compensation scheme designed to provide lifetime care for thousands of Victorians. To ensure the transport accident compensation scheme’s viability and prioritisation of funds for specialised treatments, the long-standing legislative intention underpinning the scheme is to fund accident-related treatment, disability services and loss of earning benefits, and not overall living expenses. Ordinary daily living costs, including accommodation-related costs, are generally excluded as they are needs common to all members of the public and would be incurred regardless of the accident.

Changes the *Disability and Social Services Regulation Amendment Act 2023* (DSSRA Act) made to the definition of supported accommodation in the TA Act, to include SDA dwellings, unintentionally expanded this definition and could potentially result in the TAC being deemed liable to fund accommodation and other expenses related to SDA dwellings, in circumstances inconsistent with the long-held legislative intention.

Part 4 of the Bill proposes amendments to the TA Act, primarily to the definition of ‘supported accommodation’, that would return the transport accident compensation scheme to its previous statutory

position. These amendments clarify that the TAC is not liable to compensate a person, whether or not they have the protected attribute of disability, for the accommodation component of SDA costs. As a preliminary point, it is arguable as to whether the winding back of a beneficial entitlement is capable of constituting a 'disadvantage' to enliven discrimination. If the concept of disadvantage is interpreted broadly to encompass the loss of a statutory entitlement to compensation on the basis of disability, I am satisfied that any limitation on the right is reasonable and justified in the circumstances.

It is anticipated that the cohort of affected persons, identified to be a small cohort currently in SDA, will not be materially impacted by this amendment, which reinstates the previous operation of the TA Act. All identified claimants are joint participants in the National Disability Insurance Scheme (NDIS) and their costs are currently funded by the National Disability Insurance Agency (NDIA). No claims have been made to the TAC pursuant to the expanded definition of 'supported accommodation' nor has additional funding been provided by the TAC.

Additionally, the proposed amendments to the TA Act in Part 4 of the Bill have been appropriately tailored to remedy this statutory misalignment with the legislative intention of the scheme, while preserving the additional protections and safeguards that residents in both state-funded and NDIS disability accommodation gained as a result of the major reforms effected by the DSSRA Act.

I am satisfied that the amendments are compatible with the right to recognition and equality.

Ensuring WorkSafe is not liable to fund the accommodation costs associated with SDA

WorkSafe administers Victoria's statutory, compulsory, no-fault workers' compensation scheme. The scheme has two core purposes: preventing workplace injuries and illnesses and supporting workers who experience work-related injury or illness through compensation, treatment, rehabilitation and return-to-work support.

To support the sustainability of the workers' compensation scheme, the long standing legislative intent of the scheme is to fund reasonable and necessary treatment, rehabilitation, income support and other benefits arising from a work-related injury or illness. Consistent with this, WorkSafe does not generally cover ordinary living expenses, including accommodation and other day-to-day costs, as these are expenses a person would ordinarily incur regardless of a workplace injury or illness.

Changes the DSSRA Act made to the definition of supported accommodation in the AC Act and WIRC Act, which extended the definition to include SDA dwellings, could potentially result in WorkSafe being deemed liable to fund accommodation and other expenses related to SDA dwellings, in circumstances inconsistent with the long-held legislative intention.

As with the amendments to the TA Act, Division 2 of Part 2 and Part 3 of the Bill propose amendments to the WIRC Act and AC Act respectively, primarily to the definition of 'supported accommodation'. The amendments return the WorkCover scheme to the previous statutory position, removing any potential obligation on WorkSafe to compensate a person for the accommodation component of their SDA costs. As a preliminary point, it is arguable as to whether the winding back of a potentially beneficial entitlement is capable of constituting a 'disadvantage' to enliven discrimination. If the concept of disadvantage is interpreted broadly to encompass the loss of a statutory entitlement to compensation on the basis of disability, I am satisfied that the amendment is reasonable and justified in the circumstances.

WorkSafe's analysis indicates that the cohort of affected persons, identified to be a very small number of injured workers currently residing in SDA, will not be impacted by these amendments, which reinstates the previous operation of the WIRC Act and the AC Act.

All identified claimants are joint participants in the NDIS and their costs are currently funded by the NDIA. No claims have been made to WorkSafe pursuant to the expanded definition of 'supported accommodation' nor has additional funding been provided by WorkSafe.

Additionally, these amendments have been appropriately tailored to remedy this statutory misalignment with the legislative intention of the workers' compensation scheme, while preserving the additional protections and safeguards that residents in both state-funded and NDIS disability accommodation gained as a result of the major reforms effected by the DSSRA Act.

I am satisfied that the amendments are compatible with the right to recognition and equality.

The right to privacy and reputation (section 13)

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

Interferences with privacy will be lawful if it is permitted by a law which is precise and appropriately circumscribed, and will not be ‘arbitrary’ if it is not capricious, unpredictable, unjust or unreasonable in the particular circumstances, in the sense of being disproportionate to the legitimate aim sought.

Enhancing the ability of HSRs and ARREOs to identify and resolve OHS issues

Currently, ARREOs have the power to inspect ‘any plant, substance or other thing’ at the place during an entry to enquire into a suspected contravention. Employers also have obligations to provide HSRs access to OHS information.

Part 5 of the Bill amends section 58(1) of the OHS Act to provide that HSRs can access information and make copies of documents relevant to a suspected contravention. It also amends section 89 of the OHS Act to make an equivalent provision for ARREOs.

Providing HSRs and ARREOs with the right to copy documents will increase their capacity to identify OHS risks and participate in discussions with employers and WorkSafe to resolve OHS issues. However, there is a risk that copies of documents could be disclosed to parties that have no direct interest in an OHS issue – for example, publishing documents that disclose sensitive or private information about individuals or information that could harm a person’s reputation.

The power for HSRs and ARREOs to make copies of documents, and any subsequent use of those copies, will not displace existing privacy, secrecy or confidentiality provisions under other laws. Such provisions apply unless expressly displaced and the Bill does not expressly displace those laws. WorkSafe will also develop non-legislative guidance about the secure storage, handling and disposal of copied documents after an investigation has been completed. These measures further support the protection of privacy.

Part 5 of the Bill also includes additional safeguards against the misuse of information, including a prohibition on HSRs from intentionally using or disclosing information from an employer or employee for a purpose not reasonably connected with their statutory powers, and a prohibition on HSRs and ARREOs publishing online information obtained through the exercise of their powers under Parts 7 and 8 of the OHS Act.

These amendments build on existing provisions in the OHS Act. Currently, it is an offence for ARREOs to use or disclose information not reasonably connected with the exercise of their powers, and HSRs may be disqualified if they use information obtained from employers with intent to harm them. HSRs can also be subject to disciplinary action, as an employee.

In my view, HSRs and ARREOs having greater access to information and the ability to make copies of documents will support improved OHS outcomes in Victorian workplaces. The legislative safeguards in place to prevent that information being shared for purposes not connected to the exercise of their powers will limit the interference on a person’s right to privacy under the Charter.

Therefore, I consider that the amendments are proportionate and appropriately justified such that they are compatible with the right to privacy and reputation in section 13 of the Charter.

Safeguarding against conduct that undermines the effectiveness and integrity of the OHS representation framework

Part 5 of the Bill amends section 56(1) of the OHS Act to provide that an HSR may be disqualified for intentionally using or disclosing information obtained from an employer, or photographs, measurements, sketches or recordings, for a purpose not reasonably connected with the exercise of a power under Part 7 of the OHS Act. It also provides that an HSR may be disqualified for contravening new section 58A, which expressly prohibits an HSR from publishing online information obtained through the exercise of powers under Part 7 of the OHS Act. For the purposes of this prohibition, publishing online includes broadcasting on the internet or by other electronic communication, including on social media.

Part 5 of the Bill also imposes an equivalent prohibition on ARREOs publishing online information obtained through the exercise of powers under Part 8 of the OHS Act. It additionally provides that it is an offence for an ARREO to contravene the prohibition or to intentionally use or disclose copies of documents obtained through the exercise of statutory powers, as well as photographs, measurements, sketches and recordings, for a purpose not reasonably connected with the exercise of powers under Part 8 of the OHS Act.

The recording and information-gathering powers conferred on HSRs and ARREOs are intended to support the raising, investigation and resolution of occupational health and safety concerns, including by enabling possible contraventions to be reported to WorkSafe and discussed with employers. Those powers are not intended to facilitate the broader public dissemination of workplace information, including sensitive or identifying material, to persons with no direct connection to the OHS matter.

Although online publication of photographs, recordings or other material might in some cases draw attention to occupational health and safety risks, the Bill recognises that any such benefit is outweighed by the risk of serious and potentially irreversible harm to privacy and reputation arising from unauthorised online

disclosure. Material obtained in the exercise of statutory powers may contain personal and other sensitive information. Once published online, that material may be difficult or impossible to remove and may be further disseminated beyond the control of the person who first published it.

The amendments are also appropriately confined. They do not prevent HSRs or ARREOs from obtaining information, making recordings, or raising health and safety concerns through lawful channels connected with the exercise of their statutory functions. Rather, they clarify that information and material obtained under Parts 7 and 8 of the OHS Act must only be used for purposes reasonably connected with those functions, and not for unrelated publication or disclosure to the public. In this way, the amendments support the proper operation of the OHS representation framework while preserving the integrity of investigations and informal workplace resolution processes.

Part 5 of the Bill amends the OHS Act to introduce new criminal offences prohibiting coercion in relation to matters under Part 7 and Part 8 of the OHS Act. This supports the integrity of the statutory framework by reducing the risk that HSRs and ARREOs are pressured or intimidated into improper or unlawful conduct, including conduct that may adversely affect the rights or reputations of others.

For these reasons, any limitation on the right to privacy and reputation is reasonable and justified in accordance with section 7(2) of the Charter. I am therefore satisfied that the amendments are compatible with the right to privacy and reputation in section 13 of the Charter.

The right to freedom of expression (section 15)

Section 15 of the Charter protects the right of every person to hold opinions without interference and the right to freedom of expression. This includes the freedom to seek, receive and impart information and ideas, whether within or outside Victoria and through any medium of communication. The right is not absolute and carries special duties and responsibilities. The right may therefore be subject to lawful restrictions that are reasonably necessary to respect the rights and reputation of other persons or for the protection of national security, public order, public health or public morality.

Safeguarding against conduct that undermines the effectiveness and integrity of the OHS representation framework

Part 5 of the Bill limits the right to freedom of expression by restricting the online publication, use and disclosure by HSRs and ARREOs of information and other material obtained through the exercise of statutory powers under Parts 7 and 8 of the OHS Act. For the reasons set out above in relation to section 13, these amendments pursue the legitimate purpose of protecting privacy and reputation and preserving the integrity of the OHS representation framework.

This limitation is targeted and proportionate. It does not prevent HSRs or ARREOs from raising health and safety concerns, consulting with employers or workers, or referring matters to WorkSafe. Rather, it ensures that information obtained through statutory powers is used only for purposes reasonably connected with the exercise of those powers, and not for unrelated online publication or disclosure.

Further, material obtained through the exercise of statutory powers may include sensitive personal, workplace or commercial information. Unauthorised online publication may cause substantial harm to privacy and reputation and may undermine confidence in the proper use of OHS powers. Although publication may in some circumstances draw attention to safety concerns, the Bill recognises that this potential benefit does not outweigh the risks of misuse, broader dissemination and harm to affected persons. Less restrictive means would not adequately address those risks, particularly given the ease and permanence of online publication and the availability of alternative lawful avenues for raising and pursuing OHS concerns.

Accordingly, to the extent that the amendments limit the right to freedom of expression, that limitation is compatible with section 15 of the Charter because it is lawful and reasonably necessary to respect the rights and reputation of others, including the rights protected by section 13 of the Charter.

I am therefore satisfied that the Bill is therefore compatible with the right to freedom of expression in section 15 of the Charter.

The right to property (s 20)

Section 20 of the Charter provides that a person must not be deprived of their property other than in accordance with the law. This right requires that powers that authorise the deprivation of property conferred by legislation or common law, are confined and structured rather than unclear, and are accessible to the public. Existing authority also points to laws that arbitrarily permit or require a deprivation of property as limiting the property right under the Charter. While the Charter does not define 'property', it is understood to be interpreted liberally and beneficially to encompass economic interests.

It is arguable whether liability for compensation (including a legal right to bring an action) constitutes property under the Charter. However, I note that the Victorian Government has previously adopted the view in Parliament that an accrued right to bring a claim would constitute property under the Charter.

The effect of the amendments proposed in Division 2 of Part 2 and Parts 3 and 4 are to remove any liability on the TAC and WorkSafe to fund the accommodation costs associated with SDA under the TA Act, the AC Act, and the WIRC Act. Accordingly, it would appear open that the removal of a right to statutory compensation in part, such as accommodation costs in SDA, constitutes an economic interest that should be considered a property right under section 20 of the Charter, notwithstanding that such a right was previously excluded by legislation.

As to whether a person is deprived of property, I note that while the proposed amendment removes the TAC's and WorkSafe's potential liability to fund accommodation costs for their claimants in SDA, in practice these costs are currently being funded by the NDIA, and claimants themselves will not be out of pocket, deprived of funding or facing a loss of accommodation. I accept that, even if in practice these costs will be funded by another entity, the removal of the TAC's and WorkSafe's potential liability for those costs under the TA Act, AC Act and WIRC Act respectively, particularly in circumstances where those costs may have already been accrued, is likely to constitute a deprivation of property.

However, in my view, any deprivation of property will occur in accordance with law and not be arbitrary. The amendments to the TA Act, AC Act and WIRC Act are aimed at achieving a legitimate and important objective, namely restoring the transport accident compensation and the workers' compensation schemes to their long-standing legislative purposes. In particular, the amendments would support the TAC and WorkSafe in administering those schemes as effectively, efficiently and economically as possible. Neither scheme is intended to operate as an all-encompassing welfare provider.

Integral to this objective is the principle that the TAC and WorkSafe should not be liable to pay for accommodation or general living costs that a claimant would have incurred regardless of whether they had experienced a transport accident or workplace injury or illness. Maintaining this principle is fundamental to the sustainability of both schemes and to the appropriate allocation of a limited pool of compensation to transport accident and workplace-related injuries and illnesses. To give effect to this principle, clear boundaries are needed to ensure that scheme funds are not used to subsidise general living expenses unrelated to a transport accident or workplace injury or illness, and which fall outside the purposes of the schemes. Such costs are more appropriately met through other parts of the social support system, including Centrelink or the NDIS, rather than by the TAC in its role as a statutory motor vehicle accident insurer, or WorkSafe in its role as a workplace injury insurer. Additionally, the TAC and WorkSafe already provide significant financial support to claimants, through income benefits and common law pecuniary loss damages payments, that may be applied towards daily living expenses, including accommodation costs. Funding accommodation in addition to these forms of support may result in claimants being compensated twice for the same or substantially similar expenses.

As the transport accident compensation scheme is self-funded through the transport accident charge component of vehicle registration fees, it is in the public interest that the transport accident charge paid by vehicle owners to fund the scheme remains affordable. Similarly, the workers' compensation scheme is funded through employer premiums, and it is in the public interest that those premiums remain affordable. If employer premiums were to become unaffordable, this could adversely affect the financial sustainability and competitiveness of businesses.

In terms of the retrospective effect of these amendments, although I accept a theoretical limit on the right would arise in circumstances where an existing entitlement to compensation that has already accrued is removed – in these circumstances these amendments will not have a material effect on existing claimants, which constitute a small cohort of persons. Neither the TAC nor WorkSafe have received any claims to fund SDA costs for claimants with these costs currently funded by the NDIA.

I am satisfied that the amendments are compatible with the right to property.

Steve Dimopoulos MP

Minister for WorkSafe and the TAC

Minister for Sport

Minister for Equality

Statement of treaty compatibility

Steve DIMOPOULOS (Oakleigh – Minister for WorkSafe and the TAC, Minister for Sport, Minister for Equality) (11:35): Under the Statewide Treaty Act 2025, I table a statement of treaty compatibility:

1. In accordance with section 66 of the *Statewide Treaty Act 2025*, I table a statement of Treaty compatibility for the Workplace Legislation Amendment (Accident Compensation and Other Matters Bill 2026 (the Bill)).
2. In my opinion, the Bill is compatible with the matters set out in section 66(3)(d) of the *Statewide Treaty Act 2025*. I base my opinion on the reasons outlined in this statement.

Overview of the Bill

3. The Bill makes various amendments to the *Workplace Injury Rehabilitation and Compensation Act 2013*, the *Accident Compensation Act 1985*, the *Occupational Health and Safety Act 2004*, the *Occupational Health and Safety Amendment (Dangerous Goods) Act 2026* (OHS (DG) Act) and the *Transport Accident Act 1986* to:
 - (a) expand the forms of security self-insurers and non-WorkCover employers under the *Workplace Injury Rehabilitation and Compensation Act 2013* may use to fulfill their financial guarantee requirements;
 - (b) enhance the ability of Health and Safety Representatives (HSRs) and Authorised Representatives of Registered Employee Organisations (ARREOs) to identify and resolve occupational health and safety (OHS) issues;
 - (c) safeguard against conduct that undermines the effectiveness and integrity of the OHS representation framework;
 - (d) make administrative improvements to the OHS representation framework;
 - (e) enable the OHS Act amendments to survive the later commencement of the OHS (DG) Act and ensure amendments made to the same sections are not in conflict;
 - (f) clarify that the Transport Accident Commission (TAC) and WorkSafe Victoria (WorkSafe) are not liable to fund the accommodation costs associated with specialist disability accommodation;
 - (g) align approval of the terms and conditions of the Chair of the WorkSafe Board with that of Directors of WorkSafe; and
 - (h) clarify how Medical Panels fees are set.

Consultation with the First Peoples' Assembly of Gellung Warl

4. Based on my understanding that the Bill is unlikely to have a significant effect on First Peoples or Statewide Treaty, the First Peoples' Assembly of Gellung Warl was not given the opportunity to advise on, and did not make representations on, the Bill.

Compatibility of the Bill with each of the objects in section 66(3)(d) of the Statewide Treaty Act 2025

5. I have considered whether the Bill is compatible with the objects at section 66(3)(d) of the *Statewide Treaty Act 2025*:
 - a. advancing the inherent rights and self-determination of First Peoples; and
 - b. addressing the unacceptable disadvantage inflicted on First Peoples by the historic wrongs and ongoing injustices of colonisation; and
 - c. ensuring the equal enjoyment of human rights and fundamental freedoms by First Peoples.
6. In my opinion, the Bill does not in its terms deal with First Peoples, nor is it expected that any aspects of the Bill will, in practice, have a differential effect on First Peoples.

Conclusion

7. Accordingly, in my opinion, for the reasons stated above, the Bill is compatible with each of the objects in section 66(3)(d)(i)–(iii) of the *Statewide Treaty Act 2025*.

Steve Dimopoulos MP

Minister for WorkSafe and the TAC

Minister for Sport

Minister for Equality

Second reading

Steve DIMOPOULOS (Oakleigh – Minister for WorkSafe and the TAC, Minister for Sport, Minister for Equality) (11:35): I move:

That this bill be now read a second time.

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

Incorporated speech as follows:

The Bill makes several amendments to the *Workplace Injury Rehabilitation and Compensation Act 2013* to improve the effectiveness, efficiency and equity of Victoria's workers' compensation scheme, and to improve the experience of injured workers.

The Bill will reduce regulatory burden, and the cost of the financial guarantee requirements, for employers that self-insure workers' compensation claims and non-WorkCover employers in Victoria.

The Bill also makes several amendments to the *Occupational Health and Safety Act 2004* to streamline and modernise health and safety representative and authorised representative powers as well as address coercion and misuse of information. This will deliver immediate health and safety improvements for workers, reduce red-tape and complement efforts of the Victorian Government to combat misconduct in the construction sector.

These changes deliver on the Victorian Government's commitment to enhancing Victoria's reputation as a business-friendly jurisdiction, while simultaneously ensuring that Victoria is one of the safest places in the world to work.

The Bill's amendments to the OHS Act will commence upon proclamation, with a default commencement date of 10 September 2027 if not proclaimed earlier. The Bill therefore also requires consequential amendments to the *Occupational Health and Safety Amendment (Dangerous Goods) Act 2026*, which commences in April 2028. These amendments are administrative in nature to update structure and will not impact the operation of the *Occupational Health and Safety Amendment (Dangerous Goods) Act 2026*.

The Bill also includes amendments to the *Transport Accident Act 1986*, the *Accident Compensation Act 1985* and the *Workplace Injury Rehabilitation and Compensation Act 2013* to avoid the potential for unintended interpretations of the TAC's and WorkSafe's legislation that may result in the TAC and WorkSafe being required to fully fund specialist disability accommodation.

The Bill also includes some amendments to improve administrative efficiency.

I will now address the key amendments in more detail.

Surety bonds as an alternative option to fulfil self-insurers' and non-WorkCover employers' financial guarantee requirements

Self-insurers under the *Workplace Injury Rehabilitation and Compensation Act 2013* are currently required to obtain a bank guarantee to ensure their claims obligations can be met if they experience financial difficulty or insolvency. This is designed to avoid self-insurers being subsidised by scheme-insured employers.

Further, when an employer ceases to be a self-insurer, and their workers' compensation assets and liabilities are transferred to the WorkCover scheme, or an employer moves from the Victorian WorkCover scheme to the Commonwealth workers' compensation scheme, Comcare, the employer must provide a bank guarantee. This requirement mitigates the risk to WorkSafe if the transferred assets are insufficient to meet the associated liabilities.

The Bill amends the *Workplace Injury Rehabilitation and Compensation Act 2013* to enable surety bonds to be accepted to meet a self-insurer's and non-WorkCover employer's financial guarantee requirements, in addition to the existing option of a bank guarantee.

In the context of self-insurers and non-WorkCover employers, surety bonds are a legally binding agreement under which the provider guarantees that the self-insurer (or non-WorkCover employer) will fulfil their obligations to WorkSafe. If the self-insurer (or non-WorkCover employer) defaults, the provider will compensate WorkSafe and recover costs from the self-insurer (or non-WorkCover employer).

Key advantages of surety bonds relative to bank guarantees include:

- creating additional liquidity for self-insurers and non-WorkCover employers which can be deployed for business growth purposes; and
- being more cost and time effective for self-insurers and non-WorkCover employers.

To reduce the risk associated with surety bonds, the Bill requires that the surety bond issuers are regulated by the Australian Prudential Regulation Authority and meet any further requirements, including credit rating requirements, set out in a new Ministerial Direction.

Independent Review of Employee Representatives

In August 2025, the Government commissioned Mr Eugene White, a respected barrister, to conduct an independent review into the powers and supports for employee representatives, under the *Occupational Health and Safety Act 2004*. Over the course of the Independent Review, the Independent Reviewer held over 30 meetings and received over 60 written submissions to help inform his findings.

Employer and employee representatives, as well as people with lived experience, individuals and government departments and agencies, all contributed to the Independent Review.

The Independent Review made 17 recommendations to improve the effectiveness of the employee representative frameworks. This Bill acquits four of them in full and three of them in part. The Government will consider the remaining recommendations once further policy analysis, consultation and an assessment of the regulatory impact have been conducted.

Enhancing the ability of health and safety representatives and authorised representatives to identify and resolve occupational health and safety issues

The Bill amends the *Occupational Health and Safety Act 2004* to enable health and safety representatives and authorised representatives to inspect and make copies of documents that are relevant to a suspected contravention. This will strengthen their ability to participate meaningfully in discussions with employers and WorkSafe and will better equip them to identify risks and support the timely resolution of occupational health and safety issues.

These amendments do not disturb the operation of existing privacy, secrecy or confidentiality provisions under other laws. Those provisions will continue to apply unless expressly displaced, and the Bill contains no such express displacement.

The Bill also removes an unnecessary inefficiency in the existing process. Currently, an authorised representative is limited to investigating the suspected contravention that they provided notice of prior to entering a workplace. Under the Bill, if a further suspected contravention is identified during the visit, the authorised representative may investigate that matter as well, provided a new Notice of Suspected Contravention is issued.

This change prioritises dealing with occupational health and safety issues sooner and removes an unnecessary administrative step for both authorised representatives and employers.

Safeguarding against conduct that undermines the effectiveness and integrity of the OHS representation framework

The Bill amends the *Occupational Health and Safety Act 2004* to prevent the misuse of health and safety representative and authorised representative powers and to prohibit coercion in relation to matters arising under Parts 7 and 8 of that Act.

The Bill makes several amendments to clarify that information, photographs and recordings obtained by health and safety representatives and authorised representatives must not be used for purposes not reasonably connected with the exercise of their statutory functions.

The Bill amends the *Occupational Health and Safety Act 2004* to provide that a health and safety representative may be disqualified for intentionally using, disclosing or providing material that has been obtained to another person for a purpose not reasonably connected with the exercise of a statutory power.

The Bill also amends the *Occupational Health and Safety Act 2004* to expressly prohibit health and safety representatives and authorised representatives from publishing online information obtained through the exercise of their statutory powers, including the live streaming and online publication of photographs and recordings. A contravention of this prohibition by a health and safety representative constitutes grounds for disqualification, while a contravention by an authorised representative is a criminal offence.

These amendments clarify the scope of existing powers relating to the use and dissemination of information. They make clear that the inappropriate use or disclosure of information obtained for occupational health and safety purposes is unacceptable. In doing so, they protect privacy, safeguard sensitive information, and support the integrity of the occupational health and safety representation framework.

The Bill further amends the *Occupational Health and Safety Act 2004* to introduce a new offence of coercion in relation to matters under Parts 7 and 8. This will extend protections to participants in the occupational health and safety representation framework and strengthen WorkSafe's ability to address unlawful conduct. It will

also expressly prohibit coercion in relation to the nomination and election of health and safety representatives, helping to prevent interference and maintain confidence in the integrity of elections.

Administrative improvements to the OHS representation framework

The Bill makes administrative improvements to the occupational health and safety representation framework to support more consistent and effective outcomes.

Currently, WorkSafe inspectors can make binding determinations for single-employer designated work group negotiations but can only provide advice and guidance in relation to multi-employer designated work groups. The Bill amends the *Occupational Health and Safety Act 2004* to enable WorkSafe inspectors to make binding determinations in relation to multi-employer designated work groups as well.

This will ensure that employees working at sites involving multiple employers or businesses, such as building sites, have the same access to binding determinations as other employees. It will support the prompt and effective resolution of occupational health and safety matters.

The Bill also amends the *Occupational Health and Safety Act 2004* to require health and safety representatives to issue Provisional Improvement Notices in a WorkSafe-approved format. This will help ensure that all parties are provided with the information necessary to support a timely and appropriate health and safety response. The amendment will also support the digitisation of the Provisional Improvement Notice process.

Clarifying that the Transport Accident Commission (TAC) is not liable to fund specialist disability accommodation (SDA)

The Bill also amends the *Transport Accident Act 1986* to address an issue in the legislative drafting from 2024.

In 2024, this Government introduced reforms to strengthen tenancy rights and protections for people living in specialist disability accommodation. A key change was moving group homes regulated under the *Disability Act 2006* into a broader definition of “SDA dwelling” in the *Residential Tenancies Act 1997*. This ensured residents in disability accommodation funded by both the State and the National Disability Insurance Scheme receive consistent tenancy protections. As part of this reform, references to group homes in other Victorian legislation were replaced with “SDA dwelling”.

This resulted in the definition of supported accommodation in the *Transport Accident Act 1986* being amended to include “SDA dwellings”. However, this was not a like for like substitution and was not consistent with the policy intent of the legislative change.

Under the *Transport Accident Act 1986*, the TAC generally does not pay for accommodation, as these costs are part of daily living expenses, and would be incurred regardless of a transport accident. TAC’s severely injured clients, such as those requiring supported accommodation, are typically eligible to receive compensation for loss of earnings that they may use to fund these daily living expenses.

However, for people that cannot return home after an accident, the TAC funds supported accommodation for up to 18 months after hospital discharge. Traditionally, supported accommodation meant homes where accommodation and care costs are bundled together in a single fee. After 18 months, the TAC may continue to fund supported accommodation, but TAC clients are required to pay a daily living contribution which reflects the cost of daily living expenses.

By including “SDA dwellings”, the definition of supported accommodation unintentionally includes NDIS-funded housing. Unlike traditional supported accommodation, these dwellings have clearly identifiable accommodation costs that the TAC is generally unable to fund. For this reason, they were previously, and appropriately, excluded from the definition of supported accommodation.

To correct this drafting oversight, the Bill will remove the reference to “SDA dwelling” from the definition of supported accommodation, to avoid ambiguity regarding TAC’s liability to fund accommodation. These amendments will not affect any of TAC clients and are primarily designed to avoid the definition being interpreted in an unintended manner.

The Bill also makes a technical amendment to clarify that TAC clients are only required to commence paying a daily living contribution after 18 months of being discharged from hospital. This reflects operational practice and improves the drafting of the *Transport Accident Act 1986*.

Clarifying that WorkSafe is not liable to fund specialist disability accommodation (SDA)

Similar to the amendment to the *Transport Accident Act 1986*, the Bill will also amend the *Workplace Injury Rehabilitation and Compensation Act 2013* and the *Accident Compensation Act 1985* to address the same drafting issue. This addresses amendments made to both Acts in 2024 which unintentionally expanded the

definition of supported accommodation in those Acts and created ambiguity regarding the WorkCover scheme's liability to fund accommodation costs associated with SDA dwellings.

Under the *Workplace Injury Rehabilitation and Compensation Act 2013* and the *Accident Compensation Act 1985*, similar to TAC, WorkSafe does not generally pay for accommodation, as these are ordinary living costs that would be incurred regardless of injury.

However, like TAC, WorkSafe may fund supported accommodation for up to 18 months after hospital discharge, and in some cases beyond that where hospital services continue to be required.

By including "SDA dwelling", which includes "SDA-enrolled dwelling", the amended definition of supported accommodation was unintentionally expanded to include NDIS-funded housing. This change was not consistent with the intent of the reforms or WorkSafe's longstanding position regarding the funding of accommodation costs. Unlike traditional supported accommodation, SDA dwellings have clearly identifiable accommodation costs that, like TAC, WorkSafe is generally unable to fund. For this reason, they were previously, and appropriately, excluded from the definition of supported accommodation.

Accordingly, the Bill will remove the reference to "SDA dwelling" from the definition of supported accommodation in the *Workplace Injury Rehabilitation and Compensation Act 2013* and the *Accident Compensation Act 1985*, to restore the previous statutory position and avoid unintended liability.

Improving administrative arrangements for WorkSafe

Lastly, the Bill also makes amendments to improve the administration of the Victorian workers' compensation scheme and its operational effectiveness.

The Bill amends the *Workplace Injury Rehabilitation and Compensation Act 2013* to provide that the terms and conditions of the WorkSafe Board Chair, including remuneration, are set by the Minister, and that the WorkSafe Board Chairperson may resign by writing to the responsible Minister rather than to the Governor in Council. These amendments will improve and align the appointment, resignation and remuneration arrangements for the WorkSafe Board Chairperson with those of the WorkSafe Board Directors.

The Bill amends the *Workplace Injury Rehabilitation and Compensation Act 2013* to provide that the fees and costs payable to members of Medical Panels for Victorian workers' compensation referrals are set by the responsible Minister and gazetted. This amendment will align this process with equivalent arrangements under the *Wrongs Act 1958* and reduce administrative burden.

I commend the Bill to the house.

Cindy McLEISH (Eildon) (11:36): I move:

That the debate be adjourned.

Motion agreed to and debate adjourned.

Ordered that debate be adjourned for two weeks. Debate adjourned until Wednesday 26 August.

Energy and Resources Legislation Amendment (VEET Strategic Review and Other Matters) Bill 2026

Second reading

Debate resumed on motion of Lily D'Ambrosio:

That this bill be now read a second time.

And Matthew Guy's amendment:

That all the words after 'That' be omitted and replaced with the words 'this house refuses to read this bill a second time until the government releases the strategic review of the Victorian energy upgrades scheme undertaken by the Department of Energy, Environment and Climate Action.'

Martin CAMERON (Morwell) (11:36): When I was talking about this last night, I think the chamber was riveted as I moved on to part 6, clauses 141 to 145, which is talking about the rehabilitation of the Yallourn mine. As I was saying last night, the rehabilitation of the mine is front and centre in the Latrobe Valley. As you are very well aware, we do have the coal-fired power stations there, and this is another part, and hopefully not a forgotten part, of how we have to rehabilitate these mines into the future. With the Hazelwood mine at the moment, works are being done and progressing. It is something that the community are looking at front and centre, because they are going to be left

with an asset after the rehabilitation. For the actual owners of the mine, who are doing the rehabilitation, their works are progressing along, but they are now waiting on the environment effects statement to come back so they know what the scope of the works will be. It has been a very, very long process with the EES. It has been stalled and bumped down the road a little bit, but it is meant to be coming back, hopefully, later this year or early next year.

There is an importance to the EES moving forward for the rehabilitation of the mine not only so that the works will be done in a proper and sound way, because this is the blueprint of rehabilitation of other mines into the future, but also because it is worthy to note, about the workforce that is currently taking out these works at the Hazelwood mine, that the works have to stop and slow down as we wait for the EES. The people of my community in the Latrobe Valley and the mine owners themselves are speaking with me and asking me to relay that this process with the EES that we all know needs to happen needs to keep progressing. We cannot have it stall, because it will be making the mine rehabilitation slow, but it is also important to note that, for the workforce that are currently onsite, their jobs are in the balance as they try and juggle having to slow before the EES comes back and they can continue on with the work. The energy and resources legislation is wideranging, and I would just like the other side of the house to make sure, as we all do, that the EES progresses swiftly.

John MULLAHY (Glen Waverley) (11:39): I rise in support of the Energy and Resources Legislation Amendment (VEET Strategic Review and Other Matters) Bill 2026. At its heart the bill is about making the energy transition work for ordinary Victorians. It is about ensuring that a family replacing an old gas heater, a renter trying to make their home more comfortable or a small business investing in efficient equipment can share the benefits of this change. It is about lower bills, safer and more efficient homes and workplaces and good, skilled jobs. The Victorian energy upgrades (VEU) program has already made an enormous contribution. Since it began in 2009, it has helped more than 2.4 million households and 180,000 businesses become more energy efficient while avoiding more than 96 million tonnes of carbon emissions. In 2025 alone, more than 147,000 households and 13,000 businesses received discounted products and services and more than 340,000 upgrades were delivered, including a record number of discounted heating and cooling installations.

Those figures are impressive, but behind every figure is a practical improvement: a home that is warmer in winter and cooler in summer, a power bill that is easier to manage, a business that can invest its savings back into its workers, and less pressure on the energy system for everybody. This program was established for the energy system of 2009. Victoria's energy system, our technology and the needs of consumers have changed substantially since then. The next stage requires more complex upgrades and mass electrification, flexible demand and a program capable of keeping pace with new technology. That is why the strategic review was necessary and why this bill matters. I want to acknowledge the outstanding work of the former Minister for Energy and Resources, the member for Mill Park. Her leadership helped turn Victoria from a state left exposed by privatisation and policy neglect into a national leader in renewable energy, energy efficiency and climate action. She championed the revival of the SEC, drove nation-leading renewable energy targets, and consistently understood that climate policy must also be industry policy, jobs policy and cost-of-living policy. This bill builds on that formidable legacy.

I also want to acknowledge the ongoing advocacy of the Electrical Trades Union, and, most importantly, the electricians and electrical workers doing the work every day. They are installing the heat pumps, upgrading switchboards, connecting renewable generation and storage, maintaining our networks and making homes and workplaces ready for an all-electric future. They are not standing on the sidelines of the transition; they are building it with their own hands. The ETU has rightly insisted that this transition must be safe, properly regulated and delivered by skilled, licensed workers. That advocacy matters. Electrification cannot be a race to the bottom. Public confidence depends on quality installations, strong standards and workers who have the training and qualifications to do the job safely. This bill reflects that principle by enabling appropriate limits on who may carry out highly specialised or sensitive activities, as well as training and competency requirements for participants.

The central reform in this bill is to expand and modernise the purpose of the Victorian Energy Efficiency Target Act 2007, which will become the Victorian Energy Upgrades Target Act. Greenhouse gas abatement remains central, but the program will also recognise the broader environmental, economic and social benefits that come from the efficient and effective use of energy. That is an important change because the present framework is too narrow. Some technologies do not produce an immediate, easily measured reduction at the point of installation but are essential to electrification and emissions reduction over time. Electrification enabling technologies and flexible demand technologies should not be excluded merely because the law has failed to keep pace with the energy system. This bill will allow certificates to represent benefits beyond direct emissions reductions. It will also enable targeted measures, including stronger incentives for particular technologies or support of cohorts who face barriers to participation. Low-income households and renters should not be locked out because they lack the capital and the control over their property or the ability to navigate a complex scheme. The transition must reach people who need lower bills most, not only those who can afford to move first.

The bill also creates a more flexible process for adding new upgrade activities through activities orders. At present, bringing a new activity to the program can require a cumbersome regulatory process. Technology will not wait for legislation to catch up. A more responsive mechanism means proven innovations can reach households and businesses sooner while still being subject to the proper standards and oversight.

Importantly, customers remain at the centre of the program. The bill extends and clarifies the role of the Essential Services Commission as regulator and administrator. It clarifies the responsibilities of accredited persons, including where contractors undertake the work, and it allows accreditation for longer periods so that the effort can shift from repetitive administration to ongoing compliance. It also enables an external dispute resolution provider and requirements for participants in specified activities to belong to the independent complaints body. That balance is right, with less unnecessary red tape for honest and compliant operators but stronger accountability where consumer safety and confidence are at stake. A discount is not a benefit if the work is unsafe, the information is misleading or the consumer has nowhere effective to turn when something goes wrong.

The bill also introduces sensible tools to protect the stability and integrity of the certificate market. Where actual activity diverges exceptionally from the assumptions used to set targets, the minister will have a mechanism to adjust the target by instrument. Relevant entities will also be able to carry forward up to 10 per cent of their certificate liability into the following year, and that liability is deferred, not forgiven. This measured flexibility helps avoid unnecessary volatility while preserving the annual target and supporting the continued delivery of upgrades on the ground.

These reforms matter for industry as well as for households. A stable and responsive VEU program provides a pipeline of work, clearer investment signals and greater confidence for businesses training apprentices, employing electricians and investing in the equipment and skills Victoria needs. The energy transition should create secure, skilled and well-paid work, and it should recognise the people whose expertise makes the transition possible.

This bill also strengthens broader energy consumer protection. It confirms the pricing orders under the Electricity Industry Act 2000 and Gas Industry Act 2001, it can regulate tariffs beyond standing offers, without unintended consequences for the Victorian default offer, it creates a power to regulate or prohibit specified fees and charges and it improves consistency and visibility for exempt gas sellers, including embedded networks. These are practical powers, because energy is an essential service. Families should not be trapped by unfair fees, opaque charges or monopoly arrangements simply because they live in an apartment building, retirement village or caravan park. Government has the responsibility to set the rules in the public interest and to ensure energy companies treat their customers fairly.

Finally, the bill makes targeted and time-sensitive amendments concerning rehabilitation of the Hazelwood mine. The current mining licence expires on 10 September 2026. The amendments ensure that existing licence-based controls continue for rehabilitation purposes until the declared mine rehabilitation plan becomes the principal regulatory instrument. They also preserve the ability to increase rehabilitation bonds if the work is incomplete after the licence expires. That continuity is essential; the end of mining is not the end of the responsibility. The community must be protected from public safety, environmental and financial risks, and the operator must remain accountable for rehabilitation. There can be no regulatory gap and no shifting of private liabilities onto the Victorian public.

Those opposite like to keep talking about extending Yallourn. In the last year it was offline for more than 30 per cent of the time across its four units. It is simply too old and too unreliable, and that is why we need to make sure that we have these rules in place to make sure that we have the energy in place for Victorians.

We believe government should help people participate in change. We believe lower emissions and lower bills can go together. We believe the transition must be safe, fair and built on secure, skilled employment, and we believe that the workers delivering it deserve a voice on how it is done. This bill equips a proven program for its next chapter. It widens access, supports innovation, strengthens consumer protections, provides certainty for industry and keeps responsibility where it belongs. It honours the policy leadership of the member for Mill Park and the practical leadership of the ETU, electricians and electrical workers across Victoria. This is how we make the energy transition real: upgrade by upgrade, household by household, business by business and job by job. I commend the bill to the house.

Ellen SANDELL (Melbourne) (11:49): I too rise to speak on this energy legislation. This is the final piece of legislation that was introduced by the member for Mill Park, as others have mentioned, before announcing her resignation and leaving this portfolio. Before I speak to the bill, I would briefly like to take this opportunity to congratulate the member for Mill Park Lily D'Ambrosio for her exceptional run as Australia's longest-serving energy and climate minister. The former minister was appointed to these portfolios, energy and climate, back in 2014, and people might remember 2014 was back when former Prime Minister Tony Abbott repealed Australia's carbon price, creating a policy vacuum that lasted more than a decade. We still really do not have much energy and climate leadership at a federal level, even under the Albanese Labor government, unless you count the several dozen new coal and gas mines, the refusal to tax gas exports or a slight tweak to Abbott's safeguard mechanism. The reason I am saying this is because there was such a huge gap in climate policy in this country for 10 years.

Danny Pearson interjected.

Ellen SANDELL: Acting Speaker, I have endured quite targeted and personal abuse by the member for Essendon over the whole 12 years I have been in this chamber, and I think it is about time it is called out and held to account. What I am trying to do is congratulate the member for Mill Park because, really, for her entire career as a minister, states and territories have had to go it alone when it comes to the climate crisis, and in spite of the policy vacuum at a federal level, the minister achieved some really incredible things. We want to congratulate her for the really incredible progress that we saw here in Victoria. Things like having a renewable energy target at a state level – when I first came into this place, people said it could not be done. We advocated for it, and the minister showed that it could be done. Also, she introduced targets for storage and targets for offshore wind power, which we hope are able to be implemented, and a huge expansion of renewables across Victoria.

We have seen Victoria move from a state that is highly reliant on coal – it still is, but we now have a plan for moving away from coal towards renewable energy. We have seen work towards a just transition for coal workers. We have seen the setting up of the State Electricity Commission, bringing that back. We have seen the beginning of the phase-out of expensive, polluting gas products. Victoria

is the state that is most reliant on gas, particularly in our homes and also in industry and manufacturing, so that is a huge achievement, that move towards getting off gas. We have seen a ban on onshore fracking. There are many more things that she achieved, but the thing that everyone talks about is that she actually really knew her portfolio and really cared about her portfolio and was in it for a very long time and developed this incredible expertise.

2014, when the minister became minister, was also the first year that I entered Parliament. Over 12 years of course there have been times when I wished Labor had gone further on climate or when I wished that different decisions were made, particularly on things like gas drilling. But it has been a privilege to work also many times with the minister and with her staff and her office. There were many times when we worked very closely together to push for important reforms, and we achieved a lot of progress over this time.

The minister leaves behind a very honourable legacy for Victoria, and on behalf of myself but also on behalf of all of my Greens colleagues we wish her the very best for her life after Parliament. I have passed on those congratulations and best wishes personally as well. I wish the new minister, Minister Symes in the other place, all the best. There is a lot more, obviously, still to do in Victoria as we face huge threats from climate change that all of us will feel, and I hope that the new minister is able to build on the legacy of the member for Mill Park.

Now I would like to make some comments about the Energy and Resources Legislation Amendment (VEET Strategic Review and Other Matters) Bill 2026. The Greens will be supporting this bill, which will implement recommendations from the 2024 review into the Victorian energy upgrades scheme and make some improvements to the plan for rehabilitating the Hazelwood mine. There are a few technical questions that have come to us from stakeholders. We will be seeking to clarify those and ask them in the committee stage in the upper house, as we do not get a chance to do that at the third-reading stage here in the lower house. Particularly, there are a bunch of questions on behalf of the Energy Savings Industry Association. I am not going to go through all of those questions here because they are quite long and technical, but we will send those to the minister's office ahead of talking about them in committee so that we hopefully are able to get some of those answers.

Specifically, we are really glad to see the government updating the Victorian energy upgrades legal framework to recognise those energy upgrades that come with a range of environmental, economic and social benefits, not just benefits to directly reduce emissions. We know that the VEU has been a pretty effective mechanism to help with the cost of upgrading people's homes to more energy-efficient products, things like electric hot water, electric space heaters, induction cooktops. I have an induction cooktop. I highly recommend you get your gas replaced with induction if you can. It is just brilliant, and brilliant for your kids' health, brilliant for your gas bills, but also so fast and just an amazing way to cook.

I actually recently visited the very first hotpot restaurant that is all-electric in Australia, which is in my electorate. It is just behind the Queen Vic market, an incredible hotpot restaurant, with some incredible leadership by a local guy who wanted to prove that you can actually do hotpot electric. A lot of people were very sceptical at the time. They said, 'No way, you can't do it without gas. Impossible to do it without gas. You need that' – I think they call it a fire flavour in the hotpot. But he said, 'No, I think we can do it.' They invested a huge amount in solar and in batteries, and they were able to go all electric. He said that he did a test with some chefs he brought in to test the difference between electric hotpot and gas hotpot, and they could not tell the difference. It was just as good. I highly recommend you get down there and check out all-electric hotpot just behind the Queen Vic market in my electorate.

Window glazing and things like that have also been involved in the VEU scheme. One thing that I am really proud of is advocating for ceiling insulation to be involved in the scheme, and we worked closely with the minister's office during some negotiations to ensure that there was funding and regulatory changes to put ceiling insulation into the scheme. We know it is one of the most effective and cheapest

ways to bring down emissions and bring down energy bills. We look forward to seeing other forms of insulation, like wall insulation, included as there is more evidence about how that is working.

But we know that there is more to do. We know that we need to bring down the price of energy and bring down our emissions for all Victorians. We know that our vulnerable and low-income Victorians often still find it quite hard to access these kinds of upgrades. There is still a gap in what you get from the VEU and what you have to pay to include upgrades. We also know there is a big information gap. Even me trying to get our hot water changed from gas, there is just so much information. You do not know who to trust. You do not know which information to trust about what products you should use in your specific circumstance. There is still a bit of work to do.

We are hoping that the government will use its new powers that are in this bill to lock in some targeted rebates for vulnerable cohorts as soon as possible, because we know also that there is a very real threat that a future coalition or coalition–One Nation government will dismantle the VEU entirely, even though it has been highly successful at bringing down bills. In a reasonable world you would think that a Liberal or One Nation government would not want to repeal something that brings down emissions and brings down bills. That should be unthinkable, but sadly I would not put it past the Liberals and Nationals and One Nation to rip up VEU if it helps their coal and gas donors, who no doubt are in their ear.

The coalition has already announced, unfortunately, that it would stop critical renewables projects being rolled out across Victoria, which would be an absolute disaster for our energy system and a disaster for our climate. Climate is one of those issues that affects all of us, but it particularly affects regional Victorians. I would hope that anyone seeking to represent regional Victoria would see the existential threat that climate change presents and implement some policies that will actually bring down our emissions and help us avoid those threats.

We also know that, despite the good work of programs like the Victorian energy upgrades program, the Labor government is still in many aspects trying to have it both ways when it comes to climate change. We saw the former Premier Jacinta Allan give in to gas donors and pledge to fast-track new gas projects in Victoria, including in our oceans, including right near the Twelve Apostles. We also saw the previous Labor Premier backflip on plans to phase out gas cooktops and gas-fired space heaters, which really needs to be the next phase of getting us off gas. Unfortunately, we have also heard that the new Premier is considering winding back targets for offshore wind, which was a legacy of the former minister, the member for Mill Park. I very much hope that her legacy is honoured and that our targets for offshore wind are not rolled back, because this is, again, the next phase of our energy transition that needs to be implemented in Victoria. All of this rolling back of climate action and all of this investment in gas, investment in fossil fuels and more drilling in Victoria really just shows the power that the fossil fuel lobby still has in this state and still has in this country. The fossil fuel lobby has a financial incentive to delay the transition to cheap, clean renewables. The power that coal and gas companies have over governments in this country prevents good programs, even programs like the VEU, which we are discussing today, ever reaching their full potential.

I just want to talk a little bit about the propaganda coming from the fossil fuel industry right now, because it is extreme and it is deeply, deeply concerning. We talk a lot about misinformation in this place and the danger to democracy of misinformation. The misinformation and the propaganda coming out of the fossil fuel lobby is some of the worst that we have seen, and it is increasing, and it is deeply disturbing. The fossil fuel lobby spends literally tens of millions of dollars lying to Australians and lying to Victorians. We saw it with their rebranding of ‘clean coal’ a decade ago, which governments seemed to take up with gusto, and now we are seeing the gas industry use the terms ‘renewable gas’ or ‘clean gas’. But this is a furphy; it is a complete lie. In fact the fossil fuel lobby, the gas lobby, even sponsored – that is, bribed – *MasterChef Australia* back in 2024, two years ago, to spruik this renewable gas con. They prevented *MasterChef*, through their sponsorship, from moving to induction cooktops, even though we know how great they are for health and how much they reduce emissions. *MasterChef* in the UK, in Italy, in Singapore and in other countries have already

switched to cheaper, cleaner induction electric cooktops, but in Australia somehow we are still so recalcitrant that *MasterChef* let the gas industry bribe and sponsor them to stick with gas to have that cultural influence over the people who are viewing *MasterChef*. I think that is absolutely deplorable.

The fossil fuel industry, let us remember, invest in this kind of propaganda because they are terrified that the community is waking up to how damaging this product is, how bad it is for our health, how bad it is for our climate and how bad it is for our kids. The gas industry is terrified of governments making laws to restrict their extraordinary profits. But let us call it what it is: it is selfish. It is unconscionable to sell out our kids' future, which is literally what the gas companies are doing, so that their executives and shareholders can make a quick buck. I actually do not know how they sleep at night, to be honest with you.

Talking about our kids' future, fossil fuel companies are now going to such extraordinary measures with their propaganda that they are coming after our kids. They are coming after our kids in their schools, in their child cares, in their sports clubs and in museums. Right now in fact there are more than 260 programs across Australia sponsored by the coal and gas industry in these institutions that are supposed to be for our kids' education. In one activity sponsored by Woodside kids get to use bread and Vegemite and sprinkles to model offshore oil and gas drilling. They find the best spots in the sandwich to drill for oil, aka Vegemite. This is ridiculous. I have got a consent form here that parents received for their kids to participate in model oil and gas drilling in their classrooms sponsored by Woodside. These programs are run by Woodside. They are run by BP. They are run by other fossil fuel lobby groups and corporations. I think it should actually be a crime for any corporation to buy this level of influence in our schools, let alone fossil fuel companies, whose whole business model is putting our children's future at risk by fuelling the climate crisis. Of course none of these programs or resources mention the fact that fossil fuels are cooking the planet and causing climate change, which is killing people and will kill our kids and their future. Instead they tell kids that solar power is unreliable, which is not true, and that coal gives us cheap, reliable power – also not true. They are literally selling lies to our children that will destroy their future.

I do not know how this is legal, and yet it is right out of big tobacco's playbook. We have seen this before. This is exactly what big tobacco did, and look how that turned out. We look back on that and say that that was immoral, that that was unconscionable. Well, this is immoral; this is unconscionable. To get kids when they are young and when they are in an educational setting where they are supposed to trust the information that they are being given and then teach them that something that is incredibly dangerous is actually fun and normal – I mean, this should be illegal. Yet governments are letting this happen in our schools.

Last year we in the Greens asked the former education minister, who is now the Labor Premier of Victoria, to ban this kind of fossil fuel advertising and sponsorship in our public schools in Victoria. All we got was a non-answer saying, 'We'll ensure that educational policies consider climate change where relevant.' Well, this is highly relevant. Having Woodside, BP and other fossil fuel companies going into our schools to teach kids about how great oil and gas drilling is, completely devoid of any mention of the fact that it causes climate change, is relevant. Why is this allowed? I actually think the lack of courage from our government on this is pathetic. If Labor cannot even stop fossil fuel companies going into our schools and indoctrinating our kids, what hope do we have that Labor is going to be serious about tackling the climate crisis?

I think a very small thing that the new Premier could do in Victoria is ban the influence that fossil fuel companies have over our kids' education, and then let us take the step to ban the influence that they have over our democracy and ban donations from fossil fuel companies and make sure that they are not allowed into these halls of power to sell their lies.

Paul HAMER (Box Hill – Minister for Roads and Road Safety) (12:07): I move:

That the debate be now adjourned.

Motion agreed to and debate adjourned.

Ordered that debate be adjourned until later this day.

Multicultural Victoria Amendment Bill 2026

Second reading

Debate resumed on motion of Sonya Kilkenny:

That this bill be now read a second time.

Matthew GUY (Bulleen) (12:07): I am glad to see some people are excited to hear my next 30 minutes. I am excited too to give it to you. I am sure you will enjoy it.

Members interjecting.

Matthew GUY: I am being interjected against by my own side. I rise to speak on the Multicultural Victoria Amendment Bill 2026. I do so as a former minister for multicultural affairs and someone who is a very strong supporter of multicultural policy and multiculturalism as a way of life for us here in Victoria. I was multicultural affairs minister following on from Nick Kotsiras, who was a fabulous minister and is a great bloke. He was the member for Bulleen before me, a great trailblazer for Greek Australians. He really was, having been elected to this Parliament and serving here for many years, becoming minister for multicultural affairs and energy at one stage. But I took inspiration from another famous, well-known Australian of Greek heritage from my side of politics, Petro Georgiou. When Petro Georgiou worked in the Fraser government, he was instrumental in the establishment of the SBS. The SBS was a product of the Fraser government and a very proud one from this side of the chamber to see how SBS began and what it certainly represented when it did begin. It was the forerunner to many other radio stations – apart from when it was originally Channel 0/28 and you had to dial it in in Melbourne and Sydney, and then it became Channel 0 and then obviously rebranded to SBS through the mid 1980s. That was a product of the Fraser government. I took a lot of inspiration from Petro Georgiou. I remember catching up with Petro a number of times before his passing and having conversations about multicultural policy, about the inspirations behind it and about what the Fraser government had done to get SBS off the ground.

It was not always easy, and it was not always, from either side of the political spectrum, supported. But certainly back in the 1970s the Fraser government believed in this style of media contact with many Australians as the country changed from what had traditionally been, post British settlement, a migratory pattern which was obviously predominantly from the British Isles. It was clearly changing post war, with migration not just from continental Europe but also coming in at that stage from, to a limited extent, South Asia but certainly East Asia. The country was certainly changing, and it needed a media outlet to match. That was part of the federal commitment around recognising where multiculturalism was going and where the country was going in terms of multicultural policy, and I thought it was important to mention it at the start of this discussion, when we are looking at multiculturalism and the Multicultural Victoria Amendment Bill, given that I think SBS has had such a profound impact on multicultural policy to date.

Victoria and indeed Australia obviously, and we would all say this, no doubt, in these speeches, is a product of multiculturalism, whether it is from the Indigenous Australians, who have been here for tens of thousands of years, and then the migratory patterns that have happened in this state. But it is easy to forget how multicultural our country was even 150 years ago – and I know people do not often remember this – not just in Victoria but certainly the country. We were a place where one in six people was ethnically Chinese during the gold rush, and it was like that for many years. Indeed if you go through Ararat in central Victoria today you will see that history, which is very strong, and it is

hundreds of years old. A fellow I knew quite well, again, before his passing, was a Melbourne city councillor called Wellington Lee. He used to run a pharmacy just down on the corner of, I think it would be, Exhibition and Little Collins. He was a Melbourne city councillor – quite a character – for many, many years, and his family had been in Australia for many, many decades. They were ethnically Chinese and came out in the gold rush. I think they were in Bendigo, from memory, and then obviously had settled through Melbourne, as part of that rich product of multiculturalism that has been in this country for a very, very many years.

I think I have said in this chamber before that the Ghan railway train, which runs nowadays from Adelaide to Darwin but was originally from Adelaide to Alice Springs, was named after the Afghans. Well, it was named after the people who built the overland telegraph and, at the time, most of the Anglo-Australians did not know who these people were who were praying up in the town of Marree in a different way. They of course were Islamic, so they were termed Afghans. They then termed the train the Afghan Express. I think they came from everywhere but Afghanistan, but the name stuck. But what it tells you is that the country was very multicultural, even many decades ago.

We have a rich history, and I think it is important to acknowledge that at the start of this debate, because in Victoria in 1983 I think it was the Cain government that launched the Ethnic Affairs Commission, which became the Victorian Multicultural Commission. The Ethnic Affairs Commission, when it was launched, was a trailblazer in this country, with Gary Sheppard as the inaugural chair in 1983, George Papadopoulos was then followed by Franco Schiavone. Trang Thomas, who I knew well in the 1990s under the Kennett government, was a very powerful and inspirational chair of what had then morphed into the Victorian Multicultural Commission, the VMC – from I think 1993 to 1997 Trang Thomas was there. A very good personal friend of mine Stefan Romaniw was the chair from 1997 to, from memory, 2001. George Lekakis followed Stefan, and then there was Chin Tan, Ross Alatsas, Helen Kapalos and Viv Nguyen.

What we have seen is an organisation – and I remember from when I was the minister – that other state governments wanted to emulate. They wanted to emulate it because it had a structure and independence and a role which was seen as the best in Australia. This had spanned a number of governments: the Cain, the Kirner, the Kennett, the Bracks, the Brumby, the Baillieu and the Napthine governments. It had spanned a number of governments. I remember seeing the multicultural affairs minister from New South Wales, who came down to see me – and of course I have forgotten who it was; it will probably come to me later in the debate – and they wanted emulate what we had done in Victoria because it had been so successful.

One of the points I always felt about the VMC more than anything else was that it was independent and it operated independently, and I see that in some ways being returned to in this bill, which I should have said at the start that we do not oppose. We have amendments, but we do not oppose the substance of the bill. The independence of the VMC was what set it apart from other organisations around the country. It was allowed to set policy. It was allowed to set its own agenda. It had a board which was appointed, and everyone on that board was aware of the roles, the responsibilities and the weight of responsibility they had as part of the VMC board. In times, as you get in settler countries like Australia, of difficult issues with certain communities, you had the board, which would step in and act as a mediating force – a guiding force. Stefan Romaniw was very, very good at this. Even when he was off that board he would still do the same and he would still assist where he could. I know Hakan Akyol, who worked in the department there, was also very instrumental in doing that kind of work behind the scenes. This is what made the VMC so successful. But it also was able to look at its own direction when it came to what was important in funding and what should be supported, whether it was festivals or whether it was support for places of worship. The VMC, I think, was an exceptionally good body, and it set the standard for what I believed in multicultural affairs policy was important for us to achieve.

I am going to be a little political, of course – no doubt many might not like it – but that started to wane. That did start to wane about 10 years ago when the VMC and its structure became more and more overtly politicised. I said this, I think, in this chamber at the time: ‘We are undermining the best system

in Australia.’ It was one that was actually established by a Labor government. We were undermining it. It had been improved by so many governments as time went on. Why were we allowing this politicisation of what had been such a good organisation to continue to occur, whether the minister was now directing the grants program and people were literally going to lobby the minister and the minister’s staff as opposed to going through the VMC, whether we started to see circumstances where the VMC was conducting events without opposition MPs, or whether you had the complete politicisation – and I will come to this – of multicultural events, which had totally undermined what had been built up over a long period of time? And yes, we have come to a stage today where literally the VMC has had to be abolished and started again.

Now we have got a new body, Multicultural Victoria, and they have to enshrine things such as independence in it. I would say you should not have to enshrine that, because multiculturalism should be part of our state’s policy agenda. If it does not work, then nothing will work for any of us – our society will fail. It is so important that we have people from all parts of the world who live in this country, for better or worse. Some people do not like it and some people do like it, but that is what our country is, and therefore it is important not to take overseas fights and make them Australian fights, egging that on and politicising this and politicising the body that is meant to intervene to calm these issues down. It is so important that we do not do that. I saw, as a supporter of multicultural policy, the undermining of what had been a good structure – an independent structure, an honourable structure – where people had put their heart and soul, as chairs and commissioners, into this organisation which was being eaten away. I was distressed by it, and I think, as I said, I mentioned that a number of times in this chamber at the time.

I did say before and I mention again that there was some politicisation of some of the events that the VMC would run. The big one was of course the Premier’s multicultural gala dinner. It was only in the last three or four years that this really started to occur, where you would have these events where government members are offered tables to invite people. These are taxpayer-funded events. These are not Liberal Party or Labor Party or Greens or National Party events. These are events which are there to unite Victorians. We have a bigger sense of purpose in this place, which I think a lot of people sometimes forget. We are here to represent the state. It is not to pick and choose or to divide by ethnic policy or to say ‘You’re this’ and ‘You’re that’. We can get into that if you like, because I have certainly got a list and I can get into that as well. At the end of the day those events – particularly the Premier’s multicultural gala dinner – were ones where the Premier, who was the technical host, and the Leader of the Opposition would come along with other members of Parliament. Usually the minister and the shadow minister and other representatives from other parties would be asked to come along. It was about showcasing so much of our state in multicultural policy that united us as Victorians, whatever community they were from. You could say, ‘I don’t get along with this community,’ but all of that was forgotten on the night. People had a great time, and it was so important.

But what we saw was those events becoming rawly and nakedly political and the speeches becoming divisive. The speeches were focusing on politics, and they were never that; they were never intended to be. They certainly were not that under the Bracks government. They were not that under the Baillieu government. They certainly were not that under the Kennett government. They were events which brought Victorians together as Victorians. I say it again: under previous Labor governments it was not that either. The multicultural gala dinner cost \$438,000, and effectively the last one became a rally for the government and government MPs. This, as I said, I found distressing.

Members interjecting.

Matthew GUY: It is true, because I have been to more of them than you, and I know what they look like, and I can tell you that one was. I thought that was a quite an unfortunate politicisation of an area of government policy that should be above politics.

The Premier’s Diwali state reception was similar. Here is an important event to a growing community in our society, the South Asian community, and it should have been one which was so important to

celebrate for the Indian community. One just has to look at the pictures that were issued on social media, particularly by the then Premier, on the night, and they will get very clearly an understanding of what it was. It was a rally for one side of politics – a sales pitch – and the speeches on the night prove it. I found it difficult to understand. We had the government MPs making, on that night, election promises: ‘We’re going to do this, and we’re going to do this, and only this government will do this,’ which was completely out of kilter with what those events should have been.

Wayne Farnham interjected.

Matthew GUY: It was in bad taste, as the member for Narracan said. That is exactly what it was.

Belinda Wilson interjected.

Matthew GUY: If we want to go down that path, we can mention to the chamber that this is what happens when governments get ahead of themselves with these promises. The Gandhi statue that was promised two premiers ago has not appeared. The Indian aged care facility for \$11 million, which was promised, never has appeared. The park out in I think Tarneit that was promised never appeared. The half-a-dozen temple promises that were made through Blackburn, Lyndhurst and Clyde were never fulfilled. If we want to go through all of those, we can. We can go through all of those, but at the end of the day it should have been above this, and this bill should have been above it.

The fact we have had to get today a new multicultural amendment bill to restructure the VMC because the government nakedly politicised a body which was never politicised by the government’s predecessors, Labor or coalition, says it all. The fact we are here to do this, to have to clean up literally their own mess, says it all. The fact is that we have had in the last three years people sitting on the Victorian Multicultural Commission who have been either retweeting or issuing tweets which are totally and utterly divisive to sections of our community. I said at the start and I say again that the VMC was there to unite Victorians. It was there as the body to intervene if there were problems between communities. What we had was one individual in particular – I have mentioned him a number of times in this chamber; I do not intend to mention him again – who was issuing tweets against what he can say are overseas conflicts. It has a direct correlation to Australia if you are sitting on the multicultural commission as a commissioner and you are filing off names and abuse to a community when you are meant to be there in Victoria as one of the unifying figures between a community and another community. The government’s response at the time was simply to say, ‘The matter is being investigated.’ What was the outcome of that investigation? Was he stood down? No, he was not. Was he disciplined? Apparently not. Did the minister have anything to say following the one comment in the newspaper? No, never followed up. The then Premier had nothing to say on it either, which was stunning because, as I said from the start, this whole body is about uniting Victorians.

I looked at the *Making Multicultural Victoria: 40 Years of the Victorian Multicultural Commission, 1983–2023* document yesterday. I looked at it with great interest and went through it with great interest. The then minister – I am not sure if she was the minister; there have been so many changes – in the report made all the right sounds and said all the right things, but at the end of the day we have people sitting on that commission who should not be there, because they are not interested in unifying our state and making comments about unifying our state.

The bill does abolish the VMC and replace it with a new body called Multicultural Victoria, and that is made up of a multicultural coordinator general and two deputy multicultural coordinators general, one of whom I understand must reside or have previously resided in rural or regional Victoria. That in itself is something we do not oppose. But what we have a shock about is that the government have already sought to advertise for this position. The bill has not even passed the Parliament. This position is already being advertised with a view to appoint this position just before an election. Forgive the cynic in me. I am getting older and I am getting more cynical. My kids are getting to teenage years, so they backchat more. I am a little more cynical than I probably was about five or 10 years ago, but I just cannot work it out. If you really were sincere about getting the best for multicultural policy and

multiculturalism in Victoria, wouldn't you actually say, 'Look, we're going to do this right. We'll send the bill through the Parliament. We've got the VMC and we've got an acting chair in there, who is managing for now,' which they are, and they seem to be going fine, managing as they do, 'and we will get to this after we've had the Lekakis review. We'll get into this when it is the sensible time to do so when the bill has been through the Parliament and has gone through royal assent, and off we go.' No, we are advertising. One can only say that that is just an attempt by the government to make an appointment and fulfil a position with someone who I suspect will simply be of a certain brand of politics as opposed to –

Members interjecting.

Matthew GUY: Make a liar of me, if you like. I will wait and see. We will come back in a couple of weeks time and make a liar of me. But I suspect, given it is being advertised now, that is what you would have to expect anyone on this side of the chamber would obviously think, given what we have just seen at the Premier's gala dinner, the Diwali dinner and others, which were good ideas and good dinners, which have been blatantly politicised with political speeches at them. This is the party, I might add, that preferenced the Australian Greens, and we have seen what they have done in this chamber and the references they have made to the Jewish community.

Lauren Kathage: What about you and One Nation?

Matthew GUY: I was hoping you would ask that, because I have the preference cards from the 2022 election. I noted in the upper house on the preference wheel that the Labor Party –

Members interjecting.

Matthew GUY: Oh, now we are changing the guidelines. You change the debate because you do not want to hear the answer. I have not even said it yet. I noticed that the Labor Party on that preference wheel had One Nation higher than the Liberals, yet apparently there is this secret deal that is all going to be exposed by the following speakers. I will be interested to hear of this deal and how awful it was. The Labor Party will say how awful it apparently is to preference One Nation. We are going to see this. I will be Nostradamus: the following speakers from the government will be making a lot of comment about how awful it is to preference the One Nation party, yet I noticed that on the preference wheel at the 2022 election and, I believe, in 2018 as well, the Australian Labor Party on their preference wheel in some regions had the One Nation party higher than the coalition. I just wanted to put a little bit of consistency and honesty into this argument.

Belinda Wilson: You can't win government without One Nation.

Matthew GUY: You probably cannot be there without the Greens. Through you, Acting Speaker, I will pick up the member's interjection. You have got to be careful what you throw. If you are going to throw something, you have got to make sure it does not come back like a boomerang at you, because some things do.

I simply say, in conclusion, that this bill is one we do not oppose. I have got a reasoned amendment, which I will now formally move in my name, and that is in relation to – I am being looked at by the clerks. Let us just pause that for now. I will just continue speaking, and you can indicate to me at the end if there is one. If there is not, I will do it later, or someone else will. But what I will say is this bill is one that in my view probably should not have had to come to this because we should have had the VMC operating like it always was, which was as a strong independent body which lasted from the Cain government – and it was a good idea of the Cain government – to the Napthine government. Surely – and I said this last night in a contribution on consistency of policy – it tells you that it was a good idea of a government back in 1983 that it has managed to last 30-plus years. That tells you that that government had a good idea and that the state recognised that. Multiple governments believed in consistency of policy and consistency of approach and improved that policy position as time went on, so I think credit to them at that time. But it is a shame that we have had to now come in to repair the

mess that the government created themselves around the VMC and create a new body to literally enshrine independence because they could not manage to do that themselves when every other government for the last 35 years before them had managed to do that.

Paul HAMER (Box Hill – Minister for Roads and Road Safety) (12:32): I rise today to support the Multicultural Victoria Amendment Bill 2026. I will start by reassuring you, Acting Speaker Walters, that I will not be talking about preference deals in my contribution, but I want to firstly acknowledge your capacity as Parliamentary Secretary for Multicultural Affairs, which is a role in which you served with distinction for a number of years. I know what a diverse community you have in your own seat and how much of a role you have taken on with now successive ministers. It is a very important, critical role in our multicultural state, and we have leaders such as you and of course the new minister and the former minister to lead from the front on our multicultural community.

This bill is about ensuring that the way that the government engages with Victoria's multicultural and multifaith communities reflects the reality of the state we live in today. It establishes Multicultural Victoria, bringing together community engagement, policy development and grants administration into a single entity with a goal of strengthening the voice of multicultural communities in government decision-making. I want to talk a little bit about my own electorate of Box Hill, one of the most diverse electorates in Victoria. Every day I see the success of multiculturalism. It is not an abstract policy concept but a lived reality. You can see it in the streets, you can see it in the family-run businesses across the electorate and you can see it in our places of worship, our community organisations, our sporting clubs and of course our schools. You can see it in the remarkable stories of migration, resilience and opportunity that have helped shape our community. One of the great privileges of being a member, as other members will no doubt attest, is being able to welcome people from all corners of the world into our world and into our community, particularly through citizenship ceremonies but also through all other walks of life.

Over the last eight years as a member I have joined countless Lunar New Year celebrations with Chinese community organisations. I have celebrated Diwali with our Indian community, Orthodox Easter with our Greek community and Nowruz, the Persian New Year, with our Iranian community, to name just a few. I have visited migrant-owned businesses that started with little more than a dream and a willingness to work hard, and I have listened to newly arrived migrants building new lives. Thanks to my wonderful multilingual staff, my electorate office has been able to assist hundreds of migrant community members not only to better navigate government services but to connect with their local community and build their capacity to participate and contribute and feel a stronger sense of belonging in the place that they call home. Over and over I hear the same message: people want to contribute. They want to be part of this country, they want to belong and they want their voices to be heard. This is exactly what this bill seeks to strengthen.

As I have said, our multicultural communities are amongst the greatest strengths of our electorate and electorates across Victoria. Our Chinese community has helped transform Box Hill into one of Melbourne's most vibrant commercial and cultural centres. The success of Box Hill's multicultural business precinct reflects the entrepreneurship, the determination and the hard work of thousands of local families. Throughout the year I am honoured to join my local community in celebrating the most important traditional festivals of the community from Chinese New Year to the dragon boat festival, mid-autumn festival and many more. A shout-out to all of our wonderful community organisations. There are far too many to mention, but the big ones that organise events every year without fail are organisations such as the Asian Business Association of Whitehorse, the Melbourne Taiwanese Chamber of Commerce and the Chinese Health Foundation of Australia. They create business opportunities and connections, preserve and celebrate cultural traditions, support people when they need it most and strengthen the social cohesion that makes our community such a great place to live. Just last weekend I had the honour of representing our new Premier Ben Carroll at the Asian Business Association of Whitehorse award gala dinner. It was a wonderful celebration of businesses not just across the Box Hill electorate and across Whitehorse but across the broader Victorian community.

Over 600 people were at that event, and it was a full, multicultural celebration not just for the Chinese community but for people from all of our very diverse cultures throughout Victoria. It was a wonderful evening, and I want to give my thanks and pay tribute to president Bihong Wang and vice-president Richard Shi for organising a wonderful event.

Our Indian and South Asian communities continue to grow and are making important contributions in community service, education, health care, technology and small business. I just want to pick up a point that the lead speaker of the opposition raised about the Sikh gurdwara in Blackburn, an absolutely wonderful establishment in our electorate. They have actually been working on and delivering the extension and upgrade of that building that was funded by this Labor government. Every day of the year they provide free meals to individuals. You do not have to be Sikh to turn up and have a meal at the gurdwara; they are providing it as a community service every single day of the year, with huge numbers of volunteers coming in every day to serve food for those in need.

Our Greek community have a wonderful and proud history in Box Hill and are still in the same premises and church that they have been in for 50 or 60 years. We know that Greek Australians have helped shape so many parts of our community but particularly in Box Hill and the greater Box Hill area. The Iranian community is a newer community in the Box Hill area, but it is again a really valued part of Box Hill's multicultural story. They have been through some very difficult times this year, and I want to thank and give a shout-out to the Australian-Iranian Society of Victoria and all the other many community groups that represent the Iranian community for their dedication and getting through this very difficult time that has happened over the last six to 12 months. I want to put on the record my support for the community: know that I will always be there for you with your community. Of course there are many other representatives from almost every other community. We had the census last night, and I am sure the updated census figures will just remind everyone how important and how valuable our multicultural communities and how diverse each and every one of our communities are.

Before I finish, in the couple of minutes I have left I do want to obviously reflect on my own heritage. I have spoken numerous times in this place about my Jewish heritage and the value and the importance that Jewish Australians have placed in being part of a multicultural society and multicultural community here in Australia. The heritage of the Jewish community in Australia runs long and deep. In Melbourne, for example, the building itself of the congregation that I belong to is celebrating its 150th anniversary next year. The broader congregation is 20 years older than that. These roots go back to the very establishment of European settlement in Melbourne, and they are links here to the present day that continue that multicultural connection, proving that you can be both a proud Jew or proud Iranian or proud Chinese person and also be a proud Australian, and a very proud Australian.

All these communities came to Australia because Australia gave them hope, and that experience has shaped my beliefs about the kind of society that we should strive to be. We are strongest when we reject division. We are strongest when we recognise that diversity is not a threat but an asset. That is why Victoria's multicultural success story deserves to be protected and strengthened, and that is why I strongly support this bill to the house.

Kim O'KEEFFE (Shepparton) (12:42): I rise to speak on the Multicultural Victoria Amendment Bill 2026. This is a really important bill before the house. This bill proposes to replace the existing Victorian Multicultural Commission with a new body, Multicultural Victoria, and follows recommendations from Victoria's multicultural review led by George Legakis, which delivered 41 recommendations to reform state policies and social cohesion.

The Shepparton district is proudly one of the most culturally diverse regional communities in Australia and stands as a shining example of how people from different cultures, backgrounds and faiths can come together to build a strong, cohesive and successful community. Shepparton and the region's success story has been built on migration. For decades people from diverse backgrounds have come to our region seeking opportunity, contributing their skills, establishing businesses, enriching our culture and helping to build the thriving, successful region we are proud of today.

I grew up with people from different cultures, many of whom are my closest friends today. Our street growing up was made up of migrants from Italy, people from Greece and Albanians. I have had the joy of meeting so many wonderful people during my lifetime from many different cultures, also across my community, and I get to share so many amazing events and experiences. I also get to support them wherever I can. I am proud to also be the Shadow Assistant Minister for Regional Multicultural Affairs. People from more than 70 nationalities and language groups call Shepparton and the region home, bringing with them rich traditions, languages, faiths, skills and experiences that have helped shape the community we know and love today. Our diversity is our strength, and our future is brighter because of it.

Our multicultural communities are not only contributors to our economy but leaders, volunteers, educators, health workers, business owners, sporting champions and community advocates. They give generously of their time and their talents, helping create a welcoming and inclusive community for everyone. I am proud of the way our community embraces and celebrates our many cultures and our cultural diversity. We see this diversity celebrated in many ways through cultural festivals, food, music, dance and community events that bring people together and foster understanding and respect. These occasions remind us that while our backgrounds may be different, our shared values of family, community and hard work unite us. One of the best examples is Converge on the Goulburn, where hundreds of people come together to join the many cultures on our lake who proudly share their traditions, food, music and performances with the whole community. It is a wonderful reflection of the united and welcoming community we are proud to be part of.

It is also amazing to have people like Azem, who I have spoken about before in this place. Azem came from Macedonia over 30 years ago, and he wants to give back to the country that has given him so much. He supports the homeless and the most vulnerable people in our community with meals through his cafe. He provides a shower and a toilet at the back and tents, blankets or whatever is needed. He is loved and strongly supported by the community so he can do the great work that he does for all. I am so grateful to have so many representatives in the multicultural community who do care very deeply for their communities and the place that they call home.

Cammy, who is of Indian descent, is a local business owner and a community leader. Cammy has become such a local community champion, advocating for increased bus services, crime prevention in the Shepparton CBD and supporting many events and sporting events that bring hundreds of people to our region. He is so proud to run a business and raise his family in Shepparton, and he has a strong message across the multicultural community that we all belong.

It is important that people from all backgrounds have access to the support they need, feel connected to their communities and experience a genuine sense of belonging. This bill must be meaningful and ensure that multicultural communities are supported, understood and included, not disadvantaged or left behind in any way. When we meaningfully engage with communities, we are better able to learn from our successes and challenges to continuously improve. When we work together, we are better able to stand up for respect, unity and belonging.

The bill aims to create a stronger, more coordinated and less fragmented approach to multicultural affairs, creating stronger leadership, greater community input, better government accountability, improved language services and a whole-of-government approach to supporting Victoria's multicultural and multifaith communities. The bill amends the Multicultural Victoria Act 2011 to abolish the Victorian Multicultural Commission and replace it with a new body called Multicultural Victoria, made up of a multicultural coordinator general and two deputy multicultural coordinators, one of whom must reside, or have previously resided, in rural or regional Victoria. It will abolish existing regional advisory councils and replace them with a ministerially established multicultural community advisory group, which will have five to nine members, at least one aged 18 to 24, plus new Multicultural Victoria established regional engagement groups covering the whole state.

One of the key responsibilities of the multicultural coordinator general will be to lead systematic and wideranging consultation to hear directly from our multicultural communities about their experiences, priorities and needs and report on these to the government. Multicultural Victoria will also have a legislated obligation to report back to those it has engaged with, to explain what action it has taken in respect of the matters raised and to ensure that the engagement has impact. The multicultural coordinator general will have new powers to drive change for multicultural and multifaith communities across government, including strengthened powers in relation to whole-of-government planning and accountability. New annual reporting requirements will require publication of a yearly state of Multicultural Victoria report. The report will reflect community feedback, measure progress across government and identify gaps and areas needing improvement.

I would like to acknowledge the outstanding work of organisations such as the Ethnic Council of Shepparton and District, community leaders, multicultural associations, faith groups and volunteers who work tirelessly to support settlement, inclusion and community connection. Their efforts help ensure people feel welcomed, valued and able to participate fully in community life. I have a very close friendship with the CEO of the Shepparton ethnic council, Sam Atukorala, and I have seen firsthand how the multicultural community has been supported by his dedicated, compassionate and supportive leadership. I have worked very closely with Sam over many years supporting our multicultural communities, and we have worked closely during the most challenging times of crisis, including the pandemic and the 2022 floods. We saw firsthand the disconnection that can occur when language is a barrier and the difficulty of communication that can lead to confusion, distress and risk of harm. Evidence presented to the parliamentary inquiry into the 2022 flood event in Victoria, along with reports from multicultural organisations, found many people struggled to access timely information in their preferred language, were unfamiliar with emergency systems or faced difficulties understanding what support was available. During the pandemic there were so many challenges – ensuring all people were able to access the information, help and support they needed was difficult.

With the few minutes I have remaining I just want to also talk about a young boy who works in my office. I have Safa employed in my office as a casual, and Safa is my youth community engagement officer and youth adviser. Safa is from Afghanistan and has been in Australia for only three years and lives with his mother and three sisters. He could not speak English when he arrived in this country, and it is incredible how far he has come. Safa attended the Shepparton English Language Centre for six months before going into mainstream school. He is in year 12 and wants to be a doctor. He is a shining example of someone who has come from a different country and background, has immersed himself in the community, has become a well-known and respected youth community leader and is embracing the opportunities afforded to him and his family. Safa has been a guest speaker, sharing his story at many events and on many occasions, and was also asked to speak at this year's Anzac dawn service. I am proud of what Safa is achieving. He is leading the way for others. I am proud to have him on my team, and I cannot wait to see what he achieves. Safa also led the way for a youth forum held back in March this year. We had 36 young leaders attend that forum from very many multicultural and diverse backgrounds. It was so important to hear their voices and to hear the challenges that they are experiencing as young people. In this place we have a duty to make sure that young people are able to contribute to the many conversations that impact on their communities and impact on them.

It is a really important time for us to think about the challenges faced by multicultural communities. At no point in time is there any way that we should accept any form of discrimination. We must stand shoulder to shoulder in communities, and my community is a really shining example that does that. I am so grateful to have a community that does stand up, that does speak up and that also champions the many cultures that we stand with within our communities. I am really grateful to feel that our community is accepting, and I hope that our community shines a shining example of what can be. Yes, we have some challenges – no community is perfect – but what I see is people leading by example. I see the younger people leading by example, standing up for what they believe, standing up to discrimination, calling it out. I am really proud to have someone like Safa in my office, who shows

opportunity and possibilities in sharing his story and culture. That should never change. It is sharing that culture in the country that you live in and embracing the future together.

Gary MAAS (Narre Warren South) (12:52): It gives me great pleasure to rise today to speak to the Multicultural Victoria Amendment Bill 2026 and to do so representing my community of Narre Warren South, which is one of the most multicultural areas in the state. I have had the great pleasure of representing my community for the last eight years and all of the fantastic, wonderful diversity that comes with it. I know the importance of the institutions and the frameworks that support our multicultural communities, and I know that having those supports and those frameworks in place is absolutely essential. But it is also personal to them. As someone who, like many of us here, has their own story of migration to this magnificent state, with my family making the journey from Sri Lanka to Australia for a better life, it is also personal to me. It is important that we have these frameworks in place. It is important that we have these institutions that better support new Australians, new Victorians into our community. The institutions that I speak to have been formed through decades of trust which has been built between government and indeed the Parliament and our communities. The work helps ensure that decisions which are made are made with the input of the people – by the people, if you like – and those who are most impacted by them as well.

But this is coming at a time when we know that the world is going through great change, and that is having an effect locally as well. We have the rise of extremist parties, and it is really significant at this time to speak about this government's continued commitment to a diverse and inclusive state, one where all people feel very safe to express who they are, what they believe in, who they belong to, what they want to be and indeed who they want to be. Through this bill the Carroll Labor government is strengthening the way that it works with Victoria's multicultural and indeed multifaith communities.

It is hard not to speak to Pauline Hanson and One Nation, but they have already threatened to abolish multicultural organisations and the departments that support those organisations for so many Victorians who rely on these institutions. They have already said that they will destroy those, and that members of that party may one day be sitting in this house putting those extremist views forward in this place is something that I am certainly really afraid of, because quite frankly you simply do not defend social cohesion by dismantling the institutions that help sustain it, that make Victoria the democracy that it is. Our state Labor government will not allow that to happen, and that is why we are progressing this bill to ensure the security of our multicultural institutions and to protect them indeed from a Liberal–One Nation coalition.

The bill itself goes to ensuring more voices are represented and heard right across our state. It delivers on recommendations that were made in Victoria's multicultural review, which was led by George Lekakis and an expert advisory group, as commissioned by our government back in 2024. The review was in response to global conflicts, the cost-of-living pressures and the ongoing impacts of the COVID-19 pandemic, which were impacting all Victorians but placing a real strain on multicultural communities across the state. After hearing from hundreds of people and peak bodies about the needs of multicultural Victorians, the review found that those needs of this group have changed and therefore the institutions and the frameworks too should change. So the review called for measures to better respond and reinforce unity and inclusion, and that is what this bill has delivered upon.

It would be remiss of me not to speak to the Victorian Multicultural Commission and the department of multicultural affairs. We all know that the VMC has made an incredible contribution, and I would like to thank all of those commissioners who I personally have had the chance to work with, and of course Viv Nguyen AM, who has just finished her tenure. I think everyone in this place would agree that she has just been absolutely terrific as VMC chairperson. But the change that is being proposed will help ensure that multicultural communities can be confident that their concerns are heard at the very, very highest levels of government. This needs to be the case because in Victoria we come from over 300 different ancestries, we speak more than 290 languages and we practise almost 200 faiths. The City of Casey, where Narre Warren South sits, is home to 160 different languages which are spoken at home and more than 100 different faiths which are practised. But multiculturalism is not

just about the demographics, the numbers or the statistics; it is the mutual understanding and respect for equality and the opportunities that our state can provide to either people who are escaping crisis through upheaval or war in their own country or those who simply make the journey here for peace of mind and for a better life.

Australia, and Victoria indeed, is the home of the fair go. We have not subscribed to a class system or wealth hierarchy or monarchy that defines who has access and opportunities. Our country is built on treating people fairly with that notion of the fair go, and we cannot let others destroy these institutions and gut their funding. I commend this bill to the house, and I do so because I am afraid that in future there will be a move to remove the protections and support for our multicultural and multifaith communities. With this bill I hope that our multicultural communities know that we are giving them the confidence and the permission to say to others that they cannot be chastised just because they are new Australians to this place. This cannot be allowed to happen, and that is why I commend this bill to the house.

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

Business interrupted under standing orders.

Questions without notice and ministers statements

Minister for Planning

David SOUTHWICK (Caulfield) (14:02): My question is to the Minister for Planning. The Minister of Planning has admitted she failed to comply with the ministerial code of conduct when making a planning decision that exempted her investment property in Hampton from rezoning. Has the minister sought advice from her department as to whether she has become unjustly enriched because of her own conflicted decree?

Sonya KILKENNY (Carrum – Attorney-General, Minister for Planning, Minister for Prevention of Family Violence) (14:03): I reject the premise of this question entirely. I will always take responsibility for an administrative oversight, and I have done that. I have taken responsibility for that.

James Newbury: On a point of order, Speaker, the minister is required to be factual. The minister has admitted it was her mistake, not her staff – her mistake.

The SPEAKER: That is not a point of order.

Sonya KILKENNY: As I said, I will always accept responsibility for an administrative oversight, and I have done that. What I will not accept is lectures on integrity by those opposite. If we want to talk about integrity, let us remember the member for Bulleen.

Members interjecting.

The SPEAKER: Order! Members will be removed from the chamber without warning. There is too much interjecting across the chamber.

James Newbury: On a point of order, Speaker: relevance.

Anthony Carbines: On the point of order, Speaker, it is well within order for the minister to compare and contrast on matters of integrity in this place.

The SPEAKER: The Minister for Planning to come back to the question.

Sonya KILKENNY: The member for Bulleen, overnight with the stroke of a pen, rezoned –

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

The SPEAKER: The minister to come back to the question.

Sonya KILKENNY: We are talking about integrity in this place. I was referring to the member for Bulleen and –

David Southwick: On a point of order, Speaker, on relevance, this is about the minister's dodgy deals, and I ask the minister to come back to the question.

The SPEAKER: Member for Caulfield, that is not the correct way to raise a point of order. The Minister for Planning to come back to the question.

Sonya KILKENNY: I would caution the member for Caulfield. If he wants to make those types of allegations, take them outside. Member for Caulfield, take them outside. I will not be lectured on integrity by those opposite: our associate professor, others who have worked in Canberra, the member for Bulleen, who overnight rezoned land and who benefited –

Members interjecting.

The SPEAKER: The Minister for Rural and Regional Development can leave the chamber for half an hour.

Minister for Rural and Regional Development withdrew from chamber.

James Newbury: On a point of order, Speaker, you have asked the minister three times now to come back to the question, and the minister has defied you now three times.

The SPEAKER: What is your point of order?

James Newbury: I renew, for the fourth time, the same point of order.

The SPEAKER: I have ruled on the point of order. The minister will come back to the question. If the minister cannot come back to the question, the minister needs to sit down.

Sonya KILKENNY: I will not stand here and accept these accusations and allegations in this place because people are too afraid to make those allegations outside. I will not be lectured on integrity in here. Let us be clear about what this is. This is a political smear. This is mudslinging by those opposite, in particular the member for Brighton, the member for Caulfield –

David Southwick: On a point of order again, Speaker, on a number of occasions we have raised the relevance question here. I would ask the minister to come back to answering the question. Did the minister get an uplift? Did the minister seek advice from her department? It is very, very simple.

The SPEAKER: Has the minister concluded her answer?

Sonya KILKENNY: As I was saying, this is mudslinging by those opposite, the member for Brighton and the member for Caulfield – bananas in pyjamas, B1 and B2, right here.

James Newbury: On a point of order, Speaker, the minister is required to be factual, and she has put out –

Members interjecting.

The SPEAKER: What is your point of order?

James Newbury: I cannot hear.

The SPEAKER: Member for Brighton, if you are waiting for silence in this house, then you will be waiting for a very long time.

James Newbury: I am entitled to be heard.

Members interjecting.

The SPEAKER: Order! Members will come to order. This is ridiculous. Members on both sides will come to order.

James Newbury: Speaker, the minister put out a statement admitting to this behaviour.

The SPEAKER: That is not a point of order, member for Brighton.

Sonya KILKENNY: This is manufactured, faux outrage because they have no housing policy to defend – none at all. Their only housing policy is to block homes for young Victorians. That is all this is. On this side of the house we will continue to work hard every day giving young Victorians an opportunity to find, to buy or rent, a house in the places that they want to live, while those opposite will continue to manufacture outrage, to mudsling in this place and to block more homes for Victorians.

David SOUTHWICK (Caulfield) (14:10): The minister said in her inaugural speech:

... I understand the rule of law, the value of democracy and the need for public institutions to uphold the highest standards of integrity, discipline, accountability and transparency ...

not dodgy deals. In addition to breaking the ministerial code, hasn't the minister failed her own test?

Colin Brooks: On a point of order, Speaker, the member's question contains a reflection on another member, and it should be ruled out of order.

James Newbury: On the point of order, Speaker, the question did not contain any reflection. Perhaps the Treasurer took it that way, but it certainly did not.

The SPEAKER: I do not uphold the point of order.

Sonya KILKENNY (Carrum – Attorney-General, Minister for Planning, Minister for Prevention of Family Violence) (14:11): I stand by what I said in my inaugural speech. Integrity is everything. We are seeing now with this government that integrity is not negotiable; it is not optional. I will stand by my integrity every single day against those opposite.

Ministers statements: government achievements

Ben CARROLL (Niddrie – Premier) (14:12): The job of a government is simple: to make life better for working people, and that is exactly what our Labor government is doing. It means investing in education, health and a world-class public transport system and a new school close to home, a nurse on call, a brand new hospital, boom gates gone, cheaper public transport, free kinder, free breakfast and free dental. Victorians filled out their census last night and were asked, 'Where were you five years ago?' For those opposite it is the exact same place they are today. On our side it is 90 level crossings removed, 100 new schools, free kinder, free breakfast, free TAFE, getting on and building the nation and getting on and making sure every child can fulfil their dreams. They are in the same spot they were five years ago; even worse, they are now negotiating with One Nation. The Leader of the Opposition on radio today again would not rule out supply. We know on our side we will always build a better tomorrow through health and through education. For them it is the same: it is always promising a better yesterday. We are the party that gets on and builds. We know they are the party that will cut \$40 billion and will hurt working people. We will always fight for working people.

Minister for Planning

James NEWBURY (Brighton) (14:13): My question is to the Premier. The Minister for Planning has admitted she failed to comply with the ministerial code of conduct when making a planning decision affecting development near her investment property in Hampton. How can the Premier claim integrity is no longer optional while the Minister for Planning remains in her job?

Ben CARROLL (Niddrie – Premier) (14:14): The minister has given her explanation and her answer. This minister is getting on and building homes, not blocking them.

James NEWBURY (Brighton) (14:14): Isn't it the case that the Premier's claim that integrity is no longer optional was nothing more than a cynical ruse, given a minister can admit to breaching the ministerial code of conduct and face no consequences under his leadership?

Ben CARROLL (Niddrie – Premier) (14:14): I reject the premise of the question. Three words on integrity: the Lobster Cave.

Ministers statements: education system

Gabrielle WILLIAMS (Dandenong – Minister for Education, Minister for Skills and Training, Minister for First Peoples, Minister for Women and Gender Equality) (14:15): Victoria is the Education State, and that is because on this side of the house we are investing in more teachers, better infrastructure and nation-leading reforms to strengthen learning in classrooms across Victoria. We know that investing in education is an investment in our state's future, which is why we have grown expenditure in government schools by 31 per cent, more than any other state or territory. We have opened 121 new schools across the state, and we have upgraded more than 2400 schools across this state. By putting explicit teaching in every classroom and by teaching phonics in the early years, we have made best practice common practice. Last week, with Victoria topping the nation in NAPLAN test results yet again, we saw the impact that these investments are having on our students' futures.

But the Carroll Labor government's commitment to education does not just stop in the school classroom. We are continuing to build a strong TAFE network after those opposites tried to tear it down in their four years. We have upgraded 45 TAFE campuses across the state, and we are building two more. Earlier this year we enshrined the free TAFE guarantee into legislation. More than 245,000 students have already benefited from Labor's free TAFE program, saving them more than \$816 million in tuition fees. Let us not forget the Liberals sacked thousands of teachers, including more than 2000 TAFE teachers. They shut hundreds of schools and 22 TAFE campuses, and they ripped a billion dollars from TAFEs across this state. And with a promise of \$40 billion in cuts, they plan to do it all again. Only Labor invests in education. Only Labor invests in Victoria's future.

Construction industry

Danny O'BRIEN (Gippsland South) (14:17): My question is to the Premier. \$15 billion of taxpayer money was siphoned off the Big Build and into the pockets of bikies and criminals while the Premier sat around the cabinet table. Will he guarantee that a royal commission into the Big Build corruption will hold public meetings before the election on 28 November?

Ben CARROLL (Niddrie – Premier) (14:17): I thank the member for his question. The royal commission will get on and do their job. I will not be doing any interference.

Danny O'BRIEN (Gippsland South) (14:18): Will the Premier guarantee that Daniel Andrews, Mick Gatto, the member for Bendigo East and John Setka will be required to give evidence publicly before the election?

Ben CARROLL (Niddrie – Premier) (14:18): This is a very serious matter and a very serious body of work. The member knows these are matters for an independent royal commissioner.

Ministers statements: economy

Melissa HORNE (Williamstown – Minister for Ports and Freight, Minister for Jobs, Minister for Industry and Advanced Manufacturing, Minister for Defence Industry) (14:19): On this side of the house we are in the business of growing jobs. Those on the other side talk down the economy, but the Carroll Labor government is getting people into work and the economy is growing. Over the last three years Victoria has had the largest job growth of any state, and we have the largest manufacturing workforce in the country. Jobs and economic growth do not just happen by accident. We have the nation's largest manufacturing workforce because we back it in. On this side of the house we believe that government can and should be involved in growing jobs. We are growing jobs through the

\$150 million Victorian Investment Fund, which supports manufacturers to grow their Victorian footprint and employ more workers. Fifty million dollars of this goes to supporting regional businesses to generate investment and create new jobs. We know that government has a role in making sure that businesses have the support they need to grow and to adapt. That is why we are supporting industry through the digital jobs program and skills solutions partnerships. These programs provide free training to upskill workers to take advantage of innovation and adopt new technology.

Unfortunately, the Leader of the Opposition does not believe that governments can create jobs. She said it herself in her inaugural speech: 'It is business that creates jobs, not government.' This narrow thinking is dangerous to working Victorians and to businesses. It shows that the Leader of the Opposition does not understand how important it is for governments to support industry and grow jobs.

Bridget Vallence: On a point of order, Speaker, the minister is required to be factual, and the fact is that with 5.1 per cent unemployment, unemployment is the highest in the country in Victoria under their watch.

The SPEAKER: There is no point of order.

Melissa HORNE: The opposition's promised cuts mean support for businesses will go and mean that frontline workers will be sacked.

Bridget Vallence: Speaker, I renew my point of order. The minister needs to be factual. Youth unemployment is 11.3 per cent under Labor's watch.

The SPEAKER: That is not a point of order.

Melissa HORNE: It really sums up the difference between a Carroll Labor government that is invested in growing jobs and the wannabe Edward Scissorhands on the other side.

Privatisation policy

Gabrielle DE VIETRI (Richmond) (14:21): My question is to the Premier. Leaked cabinet documents show that the Premier previously supported bringing private investment into Melbourne Water, but the Premier now says that he will not privatise Melbourne Water. We know that the Labor government has become crafty with its definition of 'privatisation' over the years. Joint ventures, public-private partnerships, leasing the Port of Melbourne and a 40-year lease of public housing land to private developers are still forms of privatisation but under different names. So my question is: will the Premier rule out every form of privatisation or monetisation of Melbourne Water to private interests?

Ben CARROLL (Niddrie – Premier) (14:22): There will be no privatisation of water assets.

Gabrielle DE VIETRI (Richmond) (14:22): I thank the Premier for his answer and his commitment to not privatising Melbourne Water in any way, but this Labor government has run a privatisation program that is more infamous than Jeff Kennett's: VicRoads, the Port of Melbourne, the land titles office, public housing – the list goes on and on. Labor's go-to budget bandaid is to flog off public assets at every single opportunity. Will the Premier unequivocally rule out privatising any more of Victoria's assets, including our public housing estates?

Ben CARROLL (Niddrie – Premier) (14:23): I answered the supplementary in the primary question. There will be no privatisation of water assets.

Ellen Sandell: On a point of order, Speaker, answers are required to be relevant to the question. The supplementary actually was not about Melbourne Water, it was about other assets.

Anthony Carbines: On the point of order, Speaker, the Premier answered the question – it was much the same question – twice with the same answer. It was emphatic.

Gabrielle de Vietri: On the point of order, Speaker, the question was not about Melbourne Water, it was about all public assets, including public housing.

The SPEAKER: The Premier can answer the question relating to the primary question, and the Premier was relevant.

Ministers statements: rental reform

Tim RICHARDSON (Mordialloc – Minister for Local Government, Minister for Consumer Affairs, Minister for Renters) (14:24): It is an honour to serve as the Minister for Renters in the Carroll Labor government, which is fighting for the people of Victoria and the more than 2 million who are renting their homes. Victorians who are renting their homes know that this Labor government has their back. With more than 155 rental reforms delivered since 2018, we are taking action, rather than the ‘green from envy’ party up there, who are more about blocking housing. The three-day-a-week renters over there who only come in every now and then are more about Instagram reels and TikToks than outcomes. We have made it illegal to increase rents more than once a year. We have banned no-fault evictions to make sure that no-one is kicked out of their home for no good reason. We have established Rental Dispute Resolution Victoria, a free, faster alternative to VCAT for renters dealing with bond disputes, rent increases and repairs. And we have set minimum energy efficiency standards and safety measures to make sure rental homes are affordable and Victorians are more at ease. That is just a handful of those reforms.

The people in Victoria who are renting know the pit that they feel in their stomach when they fear they will not get their bond back or when they are told they might be kicked out of the home they have loved and cherished for no good reason. They know that this Labor Carroll government has their back every step of the way. While we are doing more for renters, there could not be a greater contrast, especially for those struggling with the terrible orange One Nation tenant who just will not stop living rent-free in the Leader of the Opposition’s head and the minds of those opposite. We might not have a Nationals Party soon, as we know. They will be looking for some rent in a different state, I think. We know what they will do – the contrast. What did the shadow minister say? ‘Rent reforms have gone too far.’ What does that mean? They will strip back rental reforms. They will leave 2 million Victorian renters on their own. It is only a Carroll Labor government that has their back.

Rail Projects Victoria

Jess WILSON (Kew – Leader of the Opposition) (14:26): My question is to the Treasurer. The Premier has said he will respect every taxpayer dollar. If that is the case, why has Rail Projects Victoria spent almost \$1.6 million hiring and maintaining pot plants for its offices?

Colin BROOKS (Bundoora – Treasurer, Minister for Industrial Relations) (14:27): Thank you very much for the honour of answering this question. I have been waiting over a thousand days for a question in this place, and it has taken a promotion to Treasurer to get the question. The first thing I would say is that there have been many questions asked from that side of the house where you need to fact-check what they are saying. So I will not take as a fact the assertion that has been put, but I will not reject the premise, because I need to check that. What I will say is that this side of the house will always invest in transport, in schools, in education –

Members interjecting.

The SPEAKER: I am on my feet. The member for Berwick and the member for Warrandyte will leave the chamber for an hour and a half.

Members for Berwick and Warrandyte withdrew from chamber.

The SPEAKER: I ask the attendants to remove the props from the chamber.

Members interjecting.

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

Member for Wendouree withdrew from chamber.

James Newbury: On a point of order, Speaker, if it assists the Treasurer, I am happy to provide the contract note to the Treasurer.

The SPEAKER: That is not a point of order, member for Brighton.

Colin BROOKS: The pot plants have left the chamber.

Members interjecting.

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

Member for Rowville withdrew from chamber.

Colin BROOKS: I am going to resist the temptation on that one. The Carroll Labor government will respect every taxpayer's dollar. What we will not do is rip \$40 billion out of the services that Victorians expect. We will not rip \$40 billion out of schools, out of TAFE, out of hospitals, out of child protection –

James Newbury: On a point of order, Speaker, the Treasurer is debating the question.

The SPEAKER: The Treasurer to come back to the question. The Treasurer has concluded his answer. On a supplementary question, Leader of the Opposition, and I hope you have no pot plants under your shirt.

Jess WILSON (Kew – Leader of the Opposition) (14:30): I do not. The contract was also for Rail Projects Victoria's Sunshine office. Treasurer, how many police could be put on the beat in Sunshine for \$1.6 million?

Members interjecting.

The SPEAKER: The member for Euroa is warned.

Colin BROOKS (Bundoora – Treasurer, Minister for Industrial Relations) (14:30): As I said in my earlier answer, the Carroll Labor government will invest in police, not like those opposite, who cut police.

Ministers statements: economy

Colin BROOKS (Bundoora – Treasurer, Minister for Industrial Relations) (14:30): Over the last 12 years Victoria's economy has grown faster than any other state and is now 28.7 per cent larger than it was in 2014–15. More than 893,000 new jobs have been created since November 2014, including around 675,000 jobs since the peak of the pandemic, the highest increase of any state or territory. Business investment has grown by 66 per cent over the last decade, and it has been the strongest growth in the nation. It is up over 14 per cent in the year to March. We are also the only government on the east coast of Australia to deliver a budget surplus this year whilst our fiscal outlook is unchanged by credit ratings.

But a strong economy and a strong fiscal position are not about government, they are about people. The Carroll Labor government will always invest in the services that Victorians rely on: hospitals, schools, police and growing jobs. But there are others who will work with One Nation to cut \$40 billion from these very services. The scale of these cuts is enormous. These cuts will hurt every Victorian family. They will impact every street in every suburb and town of our state. Schools will be impacted by this \$40 billion worth of cuts. Kindergartens will be impacted by this \$40 billion worth of cuts. TAFE will be impacted by this \$40 billion worth of cuts. Child protection will be impacted by this \$40 billion worth of cuts. Hospitals will be impacted by this \$40 billion worth of cuts. Make no mistake, the Liberal and One Nation cuts will hurt Victorian families and cause pain in every community.

Constituency questions

Evelyn electorate

Bridget VALLENCE (Evelyn) (14:33): (1748) Under the Carroll Labor government debt is soaring to a shameful record of \$200 billion, and under Labor's state budget Labor is taxing Victorians \$50 billion more in a cost-of-living crisis, with taxation increasing 5.1 per cent every year because of the Treasurer's gross financial mismanagement. Land tax bills have quadrupled, with Victorians being forced to pay \$7.7 billion in land tax, which is hurting home owners and renters. Labor have even stated they will keep charging the COVID debt levy until 2033. My question to the Treasurer is: why is Labor hurting home owners and renters with the COVID debt levy and skyrocketing land tax? Only our Liberal team has a plan in government to lower taxes and reverse Labor's 2023 land tax hikes by raising the land tax threshold back to \$300,000, saving over 270,000 Victorians up to \$975 per year and making housing more affordable.

Pascoe Vale electorate

Anthony CIANFLONE (Pascoe Vale) (14:34): (1749) My constituency question is for the Minister for Community Sport. How is the Victorian Labor government supporting local community grassroots sporting clubs across Merri-bek, including via the Merlynston Tennis Club? On 20 November 2025 I had the privilege to host representatives from the iconic Merlynston Tennis Club here at Parliament for the Australian Open showcase. It was a pleasure to welcome Ron Morton, the president; Antonio De Fanis, the head coach; Lucas Arnold, a 13-year-old player; and Max Arnold, an 11-year-old junior player for a wonderful afternoon, where they got to serve it up with the Minister for Sport, Minister Dimopoulos; John Fitzgerald OAM, the former world number one; Jelena Dokic, the former world number four; and Craig Tiley, the long-time Australian Open director. The Merlynston Tennis Club was established in 1946 and has successfully provided senior, junior, social and community pathways for locals to get fit, healthy and active for over 80 years now. Following an extensive renovation and upgrade, which was opened last year, the club's membership has now doubled, with 13 night teams, seven junior teams and new Saturday afternoon teams. Their coaching program has gone from 40 to around 160 adults and children. Despite this growth, the club proudly continues to remain a family-oriented club. I would welcome the minister's advice on other opportunities for Victorian government support.

Prahran electorate

Rachel WESTAWAY (Prahran) (14:35): (1750) My constituency question is for the Minister for Housing, Building and Precincts. Residents at 150 Inkerman Street, St Kilda, and 25 and 27 King Street, Prahran, are being asked to relocate as part of the government's high-rise redevelopment program. Many of these residents are elderly and have lived in the community for many years and have built their lives around local services and support networks. Understandably, they do not want to move. They deserve certainty, they deserve clarity and they absolutely deserve respect. The government says residents may return to their neighbourhoods subject to ongoing eligibility, needs and the sustainability of new homes. Significant questions remain about whether demolition was necessary. On what basis was the decision made to demolish the properties rather than retain them, and what consideration was given to renovation and refurbishment as an alternative?

Laverton electorate

Sarah CONNOLLY (Laverton) (14:36): (1751) My question is for the Minister for Public Transport. In just a couple of weeks more train services are coming to our train lines in Melbourne's west as we deliver on our share of the big switch resulting from the Metro Tunnel, unlocking extra capacity for services across our rail network. From 23 August services on the Werribee line as well as Laverton services will benefit from more than 180 additional weekly services. That means more services in peak hours, so if you are catching a train from Williams Landing or Aircraft or Laverton in my electorate, you will be able to catch the train so much sooner. Of course the Werribee line is not

the only line in my electorate to benefit from these changes. The Wyndham Vale line is also finally going to get more peak services exclusive to it in addition to the high-capacity V/Line trains that we funded in the budget, boosting capacity on these services by 50 per cent. So my question for the minister is this: how will these timetable upgrades benefit communities in my electorate of Laverton who use the Wyndham Vale and Werribee lines?

Lowan electorate

Emma KEALY (Lowan) (14:37): (1752) My constituency matter is to the Minister for Roads and Road Safety, and the information I seek is: when will the roads in western Victoria and in my electorate of Lowan be made safe? We have seen over the past week the disastrous impacts of Labor's ongoing cuts to the road asset maintenance budget. It does not matter which corner of my electorate you are in or, quite frankly, which corner of the state of Victoria you in; the roads are, quite frankly, dangerous. The additional rain that we have had is quite welcome relief to many farmers out there who are looking for the last drink of the season and to top up our waterways, particularly east of the Grampians, but we also have challenges where it has shown the vulnerabilities in our road surfaces. Those small cracks and small potholes have let water underneath, and they have severely broken up. The crumbling edges mean that we have got more water coming in, and those edges are now mini cliffs hanging off the edge of the road. It is a dangerous scenario. So I ask the minister: when will these roads be made safe?

Lara electorate

Ella GEORGE (Lara) (14:38): (1753) My question is for the Minister for Consumer Affairs. How are the government's rental reforms addressing the challenges that local renters in the Lara electorate face? According to ABS statistics, across the Lara electorate approximately 20 to 22 per cent of homes are rented, but this percentage increases dramatically when you look at specific suburbs such as Corio, at 37 per cent, or across Norlane and North Shore, which is around 49 per cent. I speak to many residents across the community who are renting and who have suffered pressure and increased stress due to concerns about their rentals. These vary from increasing pressure of rising rent to instability, rental shortages and maintenance concerns. What is evident in these discussions is the vulnerability that many residents feel and how grateful they are that the government is making rent fairer and safer for them and their families. Victoria is leading the nation on renters rights, and I look forward to hearing from the minister.

Richmond electorate

Gabrielle DE VIETRI (Richmond) (14:39): (1754) My question is to the Minister for Public Transport. In 2025, in negotiation with the government, the Greens secured \$150 million over the next decade for new active transport projects that would encourage people to walk, cycle, scoot and roll. I am talking about protected bike lanes, extended footpaths and accessible access to train stations. We desperately need better infrastructure to make getting around our city healthier and safer and more accessible. But instead of ensuring that councils can invest in their communities as soon as possible, the state Labor government is dragging its feet. Funding was signed off in the last budget, but so far the government have ignored requests from multiple local councils to begin the process to actually access this funding, which is in breach of their commitment under the act. Will the minister follow through on the commitment and make sure our communities can access this active transport funding before the election?

Broadmeadows electorate

Kathleen MATTHEWS-WARD (Broadmeadows) (14:40): (1755) My question is for the Minister for Public Transport. I ask: what is the expected completion date of the Upfield shared path extension? I have been advocating for the connection of the Upfield shared path to the ring-road bike paths for over 20 years. We have seen significant progress over this time. When I worked for the former member for Pascoe Vale Christine Campbell, we were able to get the path extended to Merlynston, as well as a signalised crossing on Bell Street. I continued my advocacy during my time

on council, and next we got the extension to Box Forest Road, as well as lighting along the path. The section from Box Forest Road to the ring-road, which I call the John Englart path, is nearly completed. This missing link will also connect with the Box Forest Road path and the Merri Creek and Moonee Ponds Creek paths, something I have been very much looking forward to since Joe and I used to tow our kids in a bike trailer when they were too little to ride their bikes on our Sunday rides. I know members of the community are also very excited. I am hoping we will be able to have a community celebration soon. I thank local advocates for their support of this project.

Nepean electorate

Anthony MARSH (Nepean) (14:41): (1756) My question is for the Minister for Planning. The minister's department claims that Mornington Peninsula is 1700 homes short of their housing target despite the shire finding sufficient capacity within existing townships. We know of a proposal involving multiple landholders of more than 2000 homes, just above the claimed shortfall, on green wedge land outside the urban growth boundary between Mornington and Mount Martha, with registered interests already secured over multiple properties. The proponents, represented by a Labor-connected lobbyist, acknowledged existing policy prevents development beyond the town boundary but argued Labor's housing targets mean those boundaries will be reconsidered. Curiously, the minister's department's new modelling suddenly identified that green wedge land around Mornington and Mount Martha is highly accessible for housing. Will the minister categorically rule out rezoning green wedge land or expanding the urban growth boundary anywhere on the Mornington Peninsula to meet the minister's new housing targets and the 1700 homes shortfall the minister's department now claims is needed?

Tarneit electorate

Dylan WIGHT (Tarneit) (14:42): (1757) My question is to the Minister for Public Transport. With a new station, new timetables and nine-carriage trains coming to the west, how much will capacity for passengers on the Tarneit and Wyndham Vale line increase by? There are a lot of exciting transport projects happening in Tarneit. On 13 September this year the brand new West Tarneit station will be opening, which will support 689 services, increase passenger capacity and decrease pressure on the line. From 23 August new timetables for parts of the rail network will deliver 415 additional weekly services and new connections. The Wyndham Vale line will also now have 10 extra dedicated trains with this new timetable. But we are not finished there: larger nine-car VLocity trains will run to Wyndham Vale each week during am and pm peak hours. This will increase capacity by 50 per cent and create space for more than 12,000 extra passengers. I am delighted that our community will soon have more access to the transport infrastructure it needs, and I am proud to be part of a government focused on investing in these projects in the west.

Rulings from the Chair

Constituency questions

The SPEAKER (14:43): I have reviewed the constituency questions from yesterday. The member for Point Cook asked the minister to provide an update and then rephrased to ask the minister to provide information. Both of these requests were for an action from the minister, which is not permitted. I therefore rule the member's question out of order. The member for Morwell asked the Premier for an action, which he rephrased as a question, but his question was to ask when the Premier would admit to a proposition, which is seeking an opinion. *Rulings from the Chair* states that questions should not seek an opinion. Therefore I rule the member's question out of order.

Bridget Vallence: Speaker, I have a point of order in relation to unanswered questions, one of which is now 15 months overdue, to the Treasurer, on Labor's incorrect land tax bills to my constituents.

The SPEAKER: Please just state the question and who it is to.

Bridget Vallence: The questions that are overdue and unanswered by the Treasurer are questions on notice 2421, 3237, 3238, 3239, 3240, 3241, 3242, 3256 and 3340. Questions on notice that are overdue and unanswered by the now Minister for Economic Development are 3408, 3412 and 3413. Questions on notice that are overdue to the Minister for Finance are 3420, 3422, 3423, 3427, 3430, 3431, 3435, 3436, 3439, 3502, 3503, 3504 and 3505. A question on notice overdue to the Minister for Skills and Training is 3453. Questions on notice overdue to the Minister for Jobs are 3484, 3485, 3486, 3487, 3488, 3489 and 3510. A question that is overdue to the Minister for Education is question on notice 3210. A question overdue to the Minister for Health is question on notice 3317. Questions overdue to the Minister for Planning are questions on notice 3282, 3283 and 3284. A question overdue to the Premier is question on notice 3316. I have raised these points of order a number of times. I would appreciate responses for my constituents. I will pass these to the clerks.

Gabrielle de Vietri: On a point of order, Speaker, I have 11 unanswered questions which I would like to draw your attention to: numbers 3387, 3388, 3389, 3390, 3392, 3393, 3394, 3417 and 3418, and adjournment matters 1715 and 1695.

Emma Kealy: On a point of order, Speaker, I also have unanswered questions beyond the timeframe. I refer to questions 3369, 3368, 3367, 1679, 1598 and 1591.

Bills

Multicultural Victoria Amendment Bill 2026

Second reading

Debate resumed.

David SOUTHWICK (Caulfield) (14:47): It is a pleasure to rise and speak on the Multicultural Victoria Amendment Bill 2026. Can I say from the outset that multiculturalism in this state is one of those important ingredients. It is what I have called on many occasions the secret sauce in Victoria. Those that come here and share their faiths, their traditions, their cultures and their backgrounds really enhance the great state that we have. For many, many years, multiculturalism has been a bipartisan thing where all sides of Parliament have tried to work and champion faith, champion inclusion and champion people's cultures and backgrounds – up until recently. In 2015 things changed, when the government tried to politicise multiculturalism, taking away the independence it had and putting it into the Premier's office. We saw it become just a grants machine. It was an opportunity for Labor Party members of Parliament to attend dinners, functions and events, and exclude Liberal Party members of Parliament from attending those events.

Mary-Anne Thomas interjected.

David SOUTHWICK: The member for Macedon can interject as much as the member likes, but it was the member for Macedon and many others that would be invited to these events, whereas the opposition were not afforded the same opportunity. I am more than happy to share examples of that, as we have been asked to do by those opposite. To give examples: the Premier's multicultural dinner, which was a taxpayer-funded event costing \$438,000 – at this particular dinner, the opposition had only a few people attend, whereas a significant number of Labor members and ministers were there. The Premier's Diwali state reception, another taxpayer-funded multicultural celebration – dozens of Labor MPs again attended, and again, the coalition received a couple of invitations. The opposition was not even afforded the opportunity to address attendees, which had been a longstanding tradition but did not happen on this particular occasion. More recently, the Shrove Tuesday reception for diverse Christian communities – a number of Labor MPs attended, while the opposition received no invitations. At the Premier's Lunar New Year celebration, Victoria's only Vietnamese MP Trung Luu was not invited to attend alongside other Vietnamese community members.

There was one event, though, which the Liberals were invited to, and that was at the Asian Business Association of Whitehorse, a very important event that happened just recently. The Leader of the

Opposition was there, and the Prime Minister was there. The Premier was invited, but the Premier was off at Neil Diamond. So it is pretty clear in terms of where his priorities sit: there was a very important event for the Asian Business Association of Whitehorse, and the Premier prioritised a concert. We love Neil Diamond, we love the arts and we love events, but at the end of the day we see a Premier whose priorities certainly are not focused on supporting multicultural communities, as indicated by the Prime Minister being there and the Leader of the Opposition being there. Where was the Premier? Absolutely MIA.

Can I also just thank, at the outset with all of this, Avraham Bensky from Yesodei HaTorah. Avraham has been interning in my office today. He is a year 10 student who has prepared some information for us today in this contribution. Particularly for our Jewish community, who have experienced a whole lot of antisemitism and hate since 7 October 2023, it certainly has been a different world and a different Victoria since then. Can I say to many members in this chamber that have certainly reached out and been very supportive: thank you to you. But can I also say that there has been a lack of action, particularly with the likes of the Victorian Multicultural Commission and particularly with specific commissioners, when there should have been more effort made and more leadership, but there has been a complete failure. I would suggest that a lot of the review to where we are today is largely because of the weak response from the Victorian Multicultural Commission when it comes to dealing with antisemitism in this state.

I want to share with you some of the scenarios. The former Victorian multicultural commissioner Mohamed Mohideen published antisemitic material on social media, including resharing material depicting Jewish people as the devil with horns. Melbourne advocate Menachem Vorchheimer raised this matter directly with the then multicultural affairs minister Ingrid Stitt and received no response – zero response. This is the highest minister in the state dealing with multicultural affairs. When you have got somebody within an affected community that has been targeted by those actually in senior positions on a commission meant to be all about inclusion, respect and ensuring support for the most vulnerable and targeted communities, where was the minister – nowhere to be seen. Where was one of the commissioners – re-sharing antisemitic hate. Because the government did nothing, Menachem Vorchheimer was forced to bring proceedings under the Racial and Religious Tolerance Act 2001. The matter was resolved at VCAT compulsory conference in December 2025, with the commission agreeing to amend its charter, which only became available recently. The commission did not admit liability. The story is not just about the post but about a government that had a direct complaint about antisemitic conduct from one of its own appointees and did nothing until a private citizen was forced to go to the tribunal to get action. A minister who does not respond to a serious complaint about antisemitism is not a minister taking antisemitism seriously.

We have just seen a royal commission, which we are going through at the moment, and this goes to the absolute core of it. When you are in power, when you are in leadership, when you are in key positions, you would expect the minister to act. The charter change is welcome in terms of what we have here, but it should never have taken a litigation to get here. This is a failure of process, not a solution to it. It sits alongside the Multicultural Victoria Amendment Bill, which grew out of the Lekakis review commissioned after the community tensions, including antisemitism, yet the framing of the bill has scrubbed any reference to what I am talking about here today – zero reference. But when it was finally raised, when questions were raised by the *Herald Sun* and by other media outlets about this, when I raised this with the minister, when we raised this with the commission, we got a review. When we asked for Mohamed Mohideen to be sacked, the response was, ‘We’ve got the Lekakis review. The Lekakis review will ensure that we fix these.’ Well, where is the information about that in any of the bill reports that talks about antisemitism, that talks about part of the key reasons why we are here today? You cannot shove it under the carpet. You have got to be able to see it, hear it and tackle it. That is why we have the issues of antisemitism in our state, because this government wants to shove it under the carpet like nothing ever happened. Well, it did happen. You had a commissioner appointed by the government that said horrific hateful things, and it has just been scrubbed as if it did not happen. Well, it did happen, and I am here today to put that on the record, to say that it happened

under this government – Andrews, Allan, Carroll, whoever was in leadership. They have allowed this hate to transpire.

This pattern is not an isolated incident. The government acts on antisemitism only when it is forced to and avoids saying the word. It took a VCAT complaint, not ministerial oversight, to force the charter amendment. Why didn't the minister respond? Why hasn't the government done anything about actually naming the issues that we have here today? This is a frequent occurrence. This has happened time and time again. It is a government that is reactive, a government that has not dealt with protests on the streets, not registered protests, not brought in move-on laws and not ensured that communities, no matter who they are and where they come from, can be safe on the streets in Victoria. There has got to be a rule for everybody, and there is not in this government. We can change things. I welcome the change.

I finally say: why is the government advertising appointments for commissioners before we have even discussed this bill? There are \$400,000 or \$500,000 jobs with four-year appointments now. This should be taken to the election. This shows how dodgy this government is. They want to appoint commissioners, before the bill has even gone through, on a four-year appointment. It just shows how disgraceful and how dodgy this government is. You change the leader – Allan to Carroll – you get the same. You get the same dodgy practices. They want to appoint people on \$400,000 jobs on four-year appointments before the legislation has come through, four months out before an election. What a disgrace. They are a disgraceful government that should hang their heads in shame.

Ella GEORGE (Lara) (14:57): I am really proud to rise and make a contribution on the Multicultural Victoria Amendment Bill 2026 and prouder still of what it will mean for the multicultural community in the Lara electorate. I would like to begin by thanking our new Minister for Multicultural Affairs and also the previous Minister for Multicultural Affairs and their teams for all of the hard work that has gone into this legislation but also the broader reform work that has come out of the Lekakis review. The Multicultural Victoria Amendment Bill 2026 delivers key reforms that follow from Victoria's multicultural review, led by George Lekakis. It will establish Multicultural Victoria, which will be a new statutory body that will absorb the role of the current Victorian Multicultural Commission. It will also have new responsibilities, including developing safety plans for communities affected by serious and distressing events. It will enable implementation of language services reform, which includes enabling critical areas of government work to be assigned to LanguageLoop, the Victorian interpreting and translation service. Commencing from October this year, Multicultural Victoria will be led by a new multicultural coordinator general, who will be supported by two deputies and an advisory council.

Multicultural Victoria will be a fresh start, equipping us with the ability to offer better support and empower our local communities throughout Victoria. It will improve how government listens to and connects with communities on the ground, reinforcing our government's commitment to stand with our local multicultural communities. The multicultural review was announced in December 2024, and what a long way we have come since. Published in September 2025, the review listened to more than 600 Victorians across 50 consultations and received almost 160 written submissions, hearing about how we can strengthen and support our multicultural and multifaith communities. I had the honour of attending one such consultation led by George Lekakis in Geelong. We had the consultation at Cultura, which is an incredible organisation in Geelong supporting thousands of people from multicultural communities. I am really pleased to say that the voices of the Geelong community were very much reflected in the findings of the review.

It is no great surprise that the review found that multiculturalism is one of our state's greatest strengths. We all know that we benefit from the cultural, social and economic contributions of our multicultural communities, and the report confirmed this. However, the review also found that, unfortunately, there are challenges which are putting strain on our communities. I know that when I am speaking with and meeting with members of my community, I hear that many people are struggling with the way they are sometimes treated. The report also found that communities are feeling under attack, with more

incidents of Islamophobia, antisemitism, racism and hate crimes. The review called for measures to reinforce unity, inclusion and a refreshed whole-of-government approach to multicultural affairs. It made 41 recommendations, and I am really proud that as a government we have committed to a range of actions following the report, including establishing Multicultural Victoria, developing a multicultural strategy, introducing a social cohesion values commitment, investing in multicultural organisations and multicultural museums, recognising essential services for multicultural communities and considering the multicultural impact of government policies. On this side of the house we understand that by supporting and uplifting our multicultural and multifaith communities they can become champions of unity and cohesion.

In the community that I represent we have a strong and rich multicultural story and one that we are very proud of. Our community has benefited from the rich and diverse presence of people from many different parts of the world. Geelong's north includes suburbs such as Bell Park, Corio, Norlane, North Shore and North Geelong, which have long been among the most culturally diverse areas within the Geelong region. While the municipal average is 17 per cent, suburbs such as Bell Park have overseas-born resident rates reaching over 30 per cent. Norlane and North Shore record the highest proportion of non-Christian religious affiliations at 11 per cent, followed closely by Corio and Bell Park. While in the 1950s and the 1960s our multicultural community was traditionally made up of a mix of postwar European migration, such as Italian, Croatian and Dutch communities, this has changed, and now we see many communities that have come from across the Middle East, Africa and South Asia.

While the types of communities in Geelong continue to grow and change, what has not changed is the incredible support that has been available. Cultura, which was previously known as Diversitat, has been a steady and strong pillar within the Geelong community supporting multicultural families since 1957. The Cultura Northern Community Hub officially opened in Norlane in February 2011, built on the historic postwar migrant hostel site then known as the Norlane Hostel. During the 1950s and 60s thousands of European migrants temporarily lived in huts while working in industries for companies such as Ford, Shell and International Harvester. First known as the Geelong Migrant Resource Centre, then known as Diversitat and now known as Cultura, it has been the largest multicultural support network and voice for over 70 years, and today that support continues.

Cultura offers community programs and practical support for multicultural communities, and I am so proud to be a member of this Labor government, which continues to back the work that Cultura does and provides multiple different funding opportunities to them to ensure that they are supported to deliver this vital work in our community. What Cultura also offers is a collaboration of community groups that can offer guidance and support to each other. In June we had a special occasion: Cultura marked the celebration of the 50th affiliated community group, the Geelong Tamil Sanggam. This is a wonderful new community group to our region which aims to support international students and newly arrived families while helping preserve and celebrate Tamil culture. It is one of the many incredible community groups in our community that offer practical support, including language classes, social events and assisting new arrivals to settle in.

Our multicultural communities arrived in Geelong at different times and from different places, from every corner of the world. They speak different languages and they carry different traditions, but the one thing they all have in common is that they share one story: a story of courage, of hope, of belonging here in Geelong and of contributing to our community. There is no better opportunity to see the community groups all coming together than the famous Pako Festa. If you have not been to Pako Festa, I strongly encourage you to make the trip down to Geelong next year and visit Australia's largest street festival. It is a phenomenal event. Thousands of people converge on Pakington Street for an amazing day. Pako Festa is supported by this Labor government, and it celebrates and highlights the extraordinary contribution of individuals, cultural groups and multicultural communities in Geelong. It is a full day of energetic cultural performances, the famous street parade, bright displays of cultural dress, music and sensational food stalls from all around the world.

But there are many displays of cultural celebration that happen in my community and all of our communities across Victoria. Each year I look forward to attending the North Geelong Secondary College Multicultural Festival and Northern Bay College's Harmony Day. They are both incredible days which welcome the whole community and truly embody the values of each of these schools in celebrating their diversity. Just last week, along with the member for Geelong, I was honoured to join the Islamic Society of Geelong as they gathered to celebrate a community day. It was a wonderful day, full of many smiling faces from across all different cultures. There was music, dance and incredible food. The Islamic Society of Geelong did a great job putting together an event for our whole community, and I am glad that our government was able to support them with a grant through our multicultural festivals and events program. This grants program has supported many other community events across the Lara electorate, and if I was going to name them all I would be here all day, but I would like to mention a few of the recent successful applicants: the Geelong Nepalese Association, Club Italia Geelong, the Chinese Association of Geelong, the Greater Geelong Malayalee Association, Nepali Pathashala Geelong, Vietnamese People of Geelong, the Geelong Malayalee Association and Filipino Young Professionals Geelong – amazing community organisations that work so hard to support their communities and deliver beautiful events that everyone in our region can attend and enjoy and celebrate with them to learn a little more about one another's culture.

Our government backs our multicultural communities with so many other supports – programs such as the multicultural capacity building program, the multicultural infrastructure and security program and the multicultural seniors support program. I know these are important programs that residents across my community have benefited from greatly. We invest in these programs because on this side of the house we value our multicultural communities and the rich diversity they bring to our state. We value it, and we celebrate it.

I am so proud of this legislation. I am so proud of the reform work that is being done in the multicultural portfolio. I am really proud of our government's investment in multicultural communities right around Victoria. I commend this bill to the house, and I wish it a speedy passage.

Chris CREWTER (Mornington) (15:07): I rise to speak on the Multicultural Victoria Amendment Bill 2026. The bill would restructure the state's multicultural policy programs and engagement with multicultural and multifaith communities. From 1 October 2026 the Victorian Multicultural Commission, an institution that in different forms has worked for more than four decades at the grassroots level and communicated community needs to government, would be abolished. Its functions and those of the multicultural affairs portfolio within the Department of Premier and Cabinet would be brought together in a new statutory entity, Multicultural Victoria. It would comprise a multicultural coordinator general and two deputies, supported by a ministerially appointed multicultural community advisory group of between five and nine members. This more centralised model creates opportunities, but it also raises concerns for me as the Shadow Assistant Minister for Multicultural and Multifaith Affairs. The change could provide a more coordinated whole-of-government response to concerns raised by communities. Combining community engagement, policy development, grants and program delivery may reduce duplication and create a clearer pathway from consultation to better policy, funding and services. The bill responds to the 2025 Victorian multicultural review led by George Lekakis AO and an expert advisory group. The review engaged more than 600 Victorians and identified confusion about roles, duplication, diminished influence and weaknesses in strategic planning and accountability.

The bill contains welcome accountability measures. Departments would prepare and publish multicultural action and inclusion plans. The coordinator general could require revisions and information and meet with departmental heads. An annual state of multicultural Victoria report would be tabled in Parliament. Multicultural Victoria would also have to report back after consultation and explain what action it took. These provisions could turn consultation from a listening exercise into measurable accountability. The bill recognises the importance of interpreting and translating services, gives Multicultural Victoria a role in community safety planning following adverse local or global

events and places impartiality obligations on its leadership, staff and advisory group. The government has also said existing programs, funding agreements and events will carry over. These are positive elements, so the coalition does not oppose the bill's second reading.

However, a new organisational chart will not by itself rebuild trust or guarantee a stronger community voice. Impartiality on paper is not the same as institutional independence in practice. The minister recommends the three senior appointments, may recommend their removal, appoints and may remove advisory group members and retains a power to direct Multicultural Victoria. Transparent, merit-based appointments, appropriate security of tenure and public accountability are therefore critical. The coalition is also concerned that recruitment began before the bill was introduced. Although no appointment will be made unless the legislation passes, appointments of up to four years could be made shortly before the November election and continue through the next Parliament. We are therefore moving an amendment, as moved earlier, so that any coordinator general or deputy appointed before the 30 January 2027 finishes on that date, allowing the government elected in November to determine the permanent appointment process.

In addition, proposed section 16 would permit the coordinator general to use staff from departments and public entities, but it guarantees neither a dedicated workforce nor an adequate operating budget. If Multicultural Victoria is to research, consult, report, coordinate government, administer grants and support community safety, Parliament should know what resources will be provided. The machinery of government is being restructured, but the bill does not guarantee additional funding for organisations delivering support on the ground. The advisory group would also include one youth representative aged 18 to 24, but otherwise the minister need only have regard to the desirability of diversity. We were assured that the existing multifaith advisory group would continue. That is welcome, but it is not actually protected by the bill. Faith is not incidental to many Victorians of multicultural backgrounds. We support meaningful multifaith representation, including at least two advisory group members from different faith backgrounds, without giving any particular faith or culture a privileged statutory position.

The requirement for a regional deputy may also be met by someone who previously lived in regional Victoria. The bill also requires only one or more regional engagement groups collectively covering the state. A meaningful current regional connection and genuine local engagement would be stronger. The new body should make formal use of established regional and metropolitan ethnic community councils rather than recreating those relationships from the centre. We also support access to qualified professional interpreters. However, the bill would allow the minister to declare public bodies that generally could not use another provider unless VITS LanguageLoop first declined. The government must show that VITS can meet demand, including low-volume languages and new and emerging communities, without delay or loss of specialist expertise. There should also be an explicit assurance that qualified human interpreters, not artificial intelligence, will be used in high-stakes health, legal and community safety settings.

Further, the bill preserves Ombudsman oversight but creates no clear, dedicated and culturally appropriate complaints or review pathway. Communities should not have to work out whether a concern belongs with the minister, a department, the public sector standards system or the Ombudsman. The bill's impartiality obligations should also be reflected in transparent rules for grants, programs and taxpayer-funded community events. The coalition also supports recognition of the unique status of Victoria's First Peoples, who are the original custodians of this land and hold a status distinct from multiculturalism. Our proposed amendment would retain acknowledgement of First Peoples' right to self-determination. What we question, though, is making the advancement of Statewide Treaty making an objective of a body established principally for multicultural and multifaith affairs. Treaty has its own statutory framework and First Peoples-led institutions. Our amendment is about institutional responsibility and legislative focus, not opposition to recognition or self-determination.

On a final note, I want to bring this debate back to the practical implications of the bill locally. In my electorate and across the wider Mornington Peninsula we are fortunate to have many organisations

and volunteers who do the hard work of keeping people supported and connected across diverse cultural, linguistic and generational backgrounds. The 2021 census – soon to be updated, of course – recorded 1724 people in the Mornington Peninsula identifying as Aboriginal and/or Torres Strait Islander. Willum Warrain in this space is one example of an invaluable culturally safe gathering place providing and supporting connection, identity and wellbeing within the local Aboriginal community. For many years the Peninsula Ethnic Seniors Council has also brought together senior members and groups reflecting Italian, Greek, Croatian, Dutch, Polish, Vietnamese, Chinese, Russian, Filipino, Sri Lankan, South American and other communities. Its practical work demonstrates why established local networks must have a meaningful pathway into the new statewide structure. And there are many other like organisations. As a proud host of the Chatty Cafe Scheme in my office each month, I also truly appreciate the importance of combating social exclusion. I have cared for a long time about providing space where people of different ages and cultural backgrounds feel welcome. This goes for my own family too. My wife Grace came to Australia from South Korea aged three and became an Australian citizen a few years later. Our children have Korean heritage through Grace and, through me, heritage from England, Ireland, Wales, Scotland, India and Portugal. This is typical of so many Australians of many different backgrounds.

I also want to acknowledge Elise, doing volunteering and work experience with me in the chamber today, whose research and drafting helped shape this contribution. I first met Elise when, as a grade 6 student at Mount Eliza North Primary School, she visited federal Parliament House with them in 2016. My speech that day must have been at least half inspiring, because she then recently approached me, now as a third-year arts and law student, to volunteer and undertake work experience. Elise's own story also reflects our diversity. She has Indonesian, French-Mauritian and British heritage and has lived in the United States, South Africa, Indonesia, Rwanda, Kenya and Australia.

I also lastly note the current debate over 'multicultural' and 'monocultural'. Both words can mean different things to different people. In my view, we should speak more about a shared and common culture. We should retain the enormous benefits of our diverse backgrounds and cultures while ensuring we are not isolated and separated from one another. We should continually take the best from around the world to develop and enhance our shared common culture, as we will succeed in Victoria and Australia when diverse and different traditions are respected while Victorians also build a shared civic culture, common responsibilities and a sense of belonging.

In conclusion, this reform will be judged not by a name on an office door but by whether an older Victorian can obtain health care in a language they understand, whether a newly arrived community is heard, whether faith communities have a meaningful voice and whether regional organisations can reach decision-makers. We do not oppose this bill, and we ask the government to support our amendments.

Iwan WALTERS (Greenvale) (15:17): I am very pleased to contribute today to the debate on the Multicultural Victoria Amendment Bill 2026, a bill that I have been very pleased and proud to have been involved with really since its earliest phase of gestation as the Parliamentary Secretary for Multicultural and Multifaith Victoria. This legislation represents I think really the biggest change in a generation to the legislative framework that underpins our multicultural and faith entities in the form of the Victorian Multicultural Commission, which will be superseded, I hope, as a consequence of this legislation by Multicultural Victoria. I want to thank at the outset the work of the VMC, its executive, and particularly the recent commissioner, Viv Nguyen, with whom I have worked closely, for their representation of Victoria's diverse communities, for their passion, for their leadership and for genuinely caring about diversity and cohesion and the things that unify us in this state.

I also want to thank the previous minister, Minister Stitt, who I believe was still minister when the bill was initially tabled. She and her team have done a power of work to bring this bill to this place. I was reflecting last night in ticking the census, as I suspect everyone in this house did, just what that means and what that reflects about our country, about our state, ticking the box, as I did, that emphasised that I was not born here but also then thinking through what my ancestry was and being very well aware

that my ticking of a number of different boxes was replicated by so many of my constituents in Greenvale. I talked about this in my first speech: I represent a community where well over 80 per cent of people profess a faith, where a very significant proportion had parents born overseas and where I suspect close to a majority were themselves born overseas. The census indeed will bear the truth of that out.

What all of this means is that we are a truly diverse community. It does not mean we are a separatist community or a community of separate communities; we are a community where diversity of language, of history, of tradition and of ethnic and cultural background is celebrated and underpinned by shared values. I will talk more about those later in my contribution: the kinds of shared values we celebrate at citizenship ceremonies, the shared values of our institutions – our political institutions and our democratic institutions – and our freedoms to express that faith, to express that language and to celebrate that history. There is no dichotomy between multiculturalism and a cohesive Australian identity or cohesive Victorian identity. I think that needs to be called out, particularly in the context of spurious claims about monoculturalism.

I also want to acknowledge some of the previous speakers. The Shadow Minister for Public Transport, who is at the table, and the Minister for Roads and Road Safety I think gave really interesting and worthwhile contributions. I disagree, for what it is worth, with the member for Bulleen's characterisation of why we got to this place with the need for this bill, but he made some very compelling points about the history of multiculturalism in this state, reflecting that the Chinese community, for example, has played a very significant part in our community for well over 170 years. There are markers of that wherever you look: the areas where I formerly taught and worked, like Stawell, Ararat and Ballarat, have significant Chinese cemeteries which are a fascinating insight into what our state looked like 170 years ago. It is reflected as well at the Museum of Chinese Australian History just down the road. I was struck, as others may have been, by reading an excellent article by Andrew Wu in the *Age* yesterday talking about the history of Chinese involvement in Australian Rules football, which is perhaps underappreciated. I think it speaks to the way in which waves of migration have come to this country, come to this state and embedded themselves in the things which we define intuitively and implicitly as quintessentially Australian.

There is no dichotomy between those who have come from overseas and those who are Australian. There is not, there should not and there must not be a tension between people's background identity and their pride as Australians and Victorians. The intention of the bill is to support and celebrate that and ensure that all aspects of government have a responsibility for that so Multicultural Victoria as an entity and the multicultural coordinator general and their team can be empowered to work across government to support the Premier in both developing and implementing a multicultural strategy in this state.

It is important that we do refresh the legislative framework for our multicultural settings. The member for Bulleen and the member for Box Hill spoke about some of the challenges that we have encountered in Victoria as a consequence of international conflicts of deep hurt that manifests within communities, playing out as conflict locally. My work as a local representative, as a member of this government and as a member of this Parliament has been to support communities locally, to seek to build bridges and to seek to overcome division. But I think our frameworks have been tested. The feedback that I have heard in supporting the minister and the Premier in a lot of community consultations subsequent to the Lekakis review is that communities, irrespective of where they have come from and irrespective of their faith, want better opportunities to work together. They want better intercultural forums and interfaith forums, and that is what Multicultural Victoria will be empowered to do: to build those bridges to ensure that conflicts from other parts of the world which cause acute hurt and pain to so many people in our state – I am acutely conscious of that – do not undermine the cohesive community that generations of people and indeed generations of the VMC and its precursors have built in this state. I think that should be a bipartisan endeavour. I hope that the words of the shadow minister at the table are correct in that there will not be opposition to this bill, but I do note that there has been some

equivocation about the role of the multicultural coordinator general in that some have sought to politicise that appointment. I hope that does not transcend support for the bill itself.

I want to briefly talk about what this means for my own electorate of Greenvale. It is a community where so many people have come from overseas, often as a consequence of war and conflict and not of their own choosing. They have come to our country and they have built new homes because of persecution on account of those aspects of identity that the census asked us all about yesterday: where they come from, where their families come from, what their faith is. They have not been able to practice and express those freely in other parts of the world, yet in Australia they can and in Victoria they can and they must be able to. The people who have made their home in my community and I suspect in yours as well, Acting Speaker O'Keeffe, are so proud of where they have come from. They are so proud of their history. yet I have never met people more proud to be Australian. Citizenship ceremonies are a fantastic exemplification of that. Barbecues hosted by the Assyrian, the Chaldean, the Turkish and the Lebanese communities on Australia Day are another powerful exemplification of that. The diversity that is present in my community is writ large across Victoria more broadly, but it is important that government policy settings also support that.

I do want to talk a little bit about the contentious debate that seems to have sprung up around the very essence of multiculturalism. I want to assert really strongly that multiculturalism and national unity are not opposites. Victoria and our country more broadly demonstrate conclusively that people can maintain different cultures, languages, religions and traditions while belonging to one nation, as it were – one cohesive nation. It is an irony, I think – and a tragic one – that a political party has sought to appropriate that language and to suggest that it is a representation of one nation, when it clearly has no idea what that nation actually looks like. They have no idea what our suburbs look like. They have no idea what the compositions of our churches, our mosques and our temples look like. They have no idea about the pride that people in those settings of community have in their country and in our state. To see that being sought to be undermined by a particular political party is, I think, absolutely abhorrent and indeed tragic and just so incredibly ignorant about what makes our country special. The pride that people from diverse backgrounds have in our country and in our state – I share that with them as a migrant to this country. My family came here from the other side of the world to build a new life and a better home. It has given us so many opportunities, many, many times over. It is a special country because of the things that it allows us all to celebrate: our faith, our history, our language and our culture. Diversity is not an exception to Australian life; it is part of Australian life.

As I say at citizenship ceremonies, shared values provide the foundation for diversity. A collective belief in our democratic institutions is so important. Respect for the rule of law and for the freedoms I talked about – freedom of faith, freedom of opportunity and freedom to express that identity – is paramount, as indeed is mutual respect between people from different ethnic, cultural and religious backgrounds. That is why I support the bill on the table, because I think Multicultural Victoria and the institutional framework that it will build will strengthen those opportunities for exchange and for mutual respect to be built. This bill will ensure that this is sustained for the long term.

Gabrielle DE VIETRI (Richmond) (15:27): I welcome the opportunity to contribute to this debate on the Multicultural Victoria Amendment Bill 2026. Multiculturalism in Victoria has been embedded at all levels of government. Previously, the policy framework has been geared towards achieving genuine social cohesion and lower levels of conflict and tension. However, we have seen this landscape changing in recent times and not for the better. One in three of us uses a language other than English at home, and nearly half of Victorians were born overseas or have a parent who was. Victoria is a melting pot of people who speak different languages, practise different faiths, come from different cultures and carry different histories and traditions, and that all adds value and richness and colour to this state. Migrants and multicultural communities are our neighbours, our families, our friends and our co-workers. They are us. I have nothing but respect for the deep histories of the people who have found themselves living on this unceded Aboriginal land, often through complex and sometimes traumatic pathways.

My own journey weaves the history of British convicts and Lutheran colonists. My grandfather was a persecuted Jew from Odessa, and my grandmother fled deeply Catholic Italy with a child out of wedlock to find herself in 1960s regional Victoria, where Italians like my dad were the target of discrimination that, luckily, my generation no longer faces. We all bring stories and histories. Twenty-nine per cent of the community in my electorate, across suburbs like Collingwood, Fitzroy and Richmond, was born overseas. We are all the richer for the waves of migration that have brought people to live and work here, including from Vietnam, the Horn of Africa, China, Ireland, Italy and India. You make our community the special place that it is. Together, we are all part of making Victoria home.

The bill before us comes at yet another challenging time – a time when we are seeing a fracturing of our community and of social, cultural and faith cohesion. The social fabric of multiculturalism is being torn apart by bad-faith actors, far-right extremists and political figures like One Nation's Pauline Hanson, who scapegoat migrants for political point-scoring. We are seeing growing wealth inequality and a cost-of-living crisis that is putting enormous pressure on people across our communities. Housing is increasingly unaffordable. The cost of groceries and bills continues to rise, while multinational corporations and billionaires are making record profits. The far right tells us to blame our neighbours – those who have come from other countries, those who might have a different accent or a different skin colour to us – for making life more difficult. But what One Nation do not tell you is that they are backed by the same corporations and billionaires who are making record profit off people's pain. Billionaires like Gina Rinehart fund One Nation to peddle their racist rhetoric. They blame migrants for a system that is failing people to distract from the fact that governments have let big corporations and billionaires make housing unaffordable, wages stagnate and simply existing more expensive.

There has never been a more important time for governments to step in and support our multicultural communities, but as far right extremism grows we are seeing a disturbing rise in racist attacks against multicultural communities. This has not come out of nowhere. One Nation and rising racism have filled a void left by Labor and the Liberals' failure to listen to people and take action on the housing and cost-of-living crises. For decades Labor and Liberal governments have exacerbated material inequality by privatising our public corporations and our essential services and by failing to invest in the things that Victorians need. Governments have the power to reverse this, to address the needs of the people who are struggling and to make sure that everyone has what they need to lead a decent life. We can build, not demolish, public housing. We can introduce rent controls to make renting affordable. We can bring down housing bills by investing in renewable energy and moving away from dirty, polluting, expensive coal and gas. We can stop the supermarkets from price gouging. We can make public transport and dental care free. We can fully fund our public schools and early childhood education. Because the Greens are not funded –

Mathew Hilakari: On a point of order, Acting Speaker, this may be a wideranging bill, but I do not know if it goes to supermarket pricing, so maybe we could bring the member back to the point.

The ACTING SPEAKER (Kim O'Keefe): Could the member please come back to the bill.

Gabrielle DE VIETRI: Our multicultural communities are struggling with the cost of living because the supermarkets are price-gouging us at every single turn. Because the Greens are not backed by the billionaires and the big corporations that line the pockets of Labor, the Liberals and One Nation, we can stand up to their powerful interests, we can make them pay their fair share and we can make life better for everyone else. When underinvestment reduces people's quality of life, it becomes easier for One Nation, the Liberals and Labor to allow people to blame multicultural communities for the housing crisis, for pressure on public services and for problems created by governments and powerful corporations. The Greens reject this, and we call it for what it is: racism. It is in this context that this bill is before us today.

The Victorian multicultural review led by George Lekakis AO considered whether Victoria's multicultural settings, institutions and frameworks were fit for purpose and how they could be strengthened. The answer from this report is clear. The multicultural community for too long has been left to languish and defend itself without consistent and meaningful government support. George Lekakis and the multicultural experts advisory group undertook an extensive effort to listen to communities, to understand the challenges facing Victoria's multicultural framework and to identify where it needs to be strengthened and protected. The review made 41 recommendations, and this bill delivers on some of those recommendations but certainly not all. Once again this government fails to really bring forth meaningful change for multicultural communities.

The review challenged how our political institutions interact with our culturally diverse communities. All too often governments take a top-down approach with multicultural communities. Governments and government agencies would do well to work with communities, to listen and to be prepared to acknowledge that communities may actually know best what is good for them, rather than telling them what is best for them. The Greens acknowledge that this bill is a step in the right direction, but it only addresses some of the review's recommendations that require legislative change and it simply does not go far enough.

This bill also brings together the functions of two separate bodies: the Victorian Multicultural Commission and the departmental functions of the multicultural and multifaith Victoria portfolio. In particular it does not deliver on the review's recommendation to appoint a standalone minister for multicultural affairs or that the portfolio remain within the Department of Premier and Cabinet, with ongoing oversight from the Premier. Multicultural affairs should be treated as a matter of priority and not siloed. If this truly is a whole-of-government responsibility, then every minister and every department should consider how its decisions impact multicultural communities. Strong leadership from the Premier and a dedicated minister would give multicultural affairs the authority and the accountability needed to drive change across the government.

This bill also establishes a new statutory entity, Multicultural Victoria, led by an independent voice, the multicultural coordinator general, supported by two deputies, including one from regional Victoria. The Greens welcome the bill's creation of a multicultural community advisory group to advise the new authority and its commitment to youth representation and diversity. However, the bill does not adopt the review's preferred method of relying on existing regional and metropolitan ethnic community councils and their networks, instead using regional engagement groups. It also introduces whole-of-government multicultural planning and reporting through a statutory authority, including a multicultural strategy and departmental multicultural action and inclusion plans. The bill also requires certain public sector entities to acquire interpreting and translating services from VITS LanguageLoop.

While this bill does make some important steps towards strengthening multicultural governance, the Greens will continue to advocate for a full implementation of the review's recommendations and for a multicultural framework that genuinely listens to and works with communities.

Meng Heang TAK (Clarinda) (15:37): I am proud to rise today and contribute in support of the Multicultural Victoria Amendment Bill 2026. I am very proud to be part of a government that recognises that whoever you are and wherever you come from, whatever language you speak and whatever you believe in, you deserve to be safe in our state, free of hate. I am very proud of that. Our diversity is one of our greatest strengths here in Victoria. We come from hundreds of different backgrounds and from all walks of life, and I would like to join the member for Greenvale in talking about the waves of migration to our state a little bit later in my contribution, because I know I am part of that story. I remember my own citizenship ceremony back in the late 1990s; it was a very proud day for me. I am very grateful to have become a citizen of this great country and this great state. It is a country that values democracy, human rights, diversity and freedom, a country that values fairness and equality. Our country and our state in particular are one of the world's greatest multicultural success stories. We treasure and celebrate our diversity.

I would like to go on, but I just would like to pause for one second to also acknowledge my predecessor Hong Lim, who fought so hard for our multicultural community. I cannot imagine back in 1996, when he was first elected to this place as the first ever MP from an Asian background to be elected to represent Labor's most diverse multicultural community – and remember, back in 1996 it was not far from the abolition of the White Australia policy – him making his pathway to Parliament from being an overseas student under the Colombo Plan. Not long after he arrived in Australia, Cambodia was under attack by communism, and he could not reconnect or connect with his family back home for a long, long time, so I would like to commend him on that front.

In fact our diversity is essential to the success and vibrancy of our state, and today with this bill we have another opportunity to reflect on the amazing contributions and the amazing stories of the many different Victorians and communities and to celebrate our diversity, which makes each of us unique and makes us one community. These are not just significant contributions in terms of culture, tradition, dance and food but vital everyday contributions to the community in business, academia, industry, skills and the like. We are so lucky that Victoria is such a vibrant and wonderful place, and we are so thankful for all of these contributions and experiences which enrich our state.

But as we have heard, not everybody in the broader political debate at the moment feels the same. Not everyone is thankful for those contributions and that experience. On our side of the house we stand proudly with our multicultural community. We value, support and celebrate each and every single Victorian, and we do not pick and choose. We will never stand with someone who does not see the value and the beauty in these contributions and experiences which make our state what it is. Our commitment to multicultural Victoria continues here today with this bill, an important bill that will amend the Multicultural Victoria Act 2011 to deliver on the recommendations made in Victoria's multicultural review, led by George Lekakis AO and the expert advisory group, and our commitment made in the government's public response to the review. Furthermore, the bill will enable implementation of cabinet-endorsed language service reform, which includes assisting critical areas of government works with LanguageLoop. I must say it was fortunate that I served one term as board director and had George Lekakis actually chair VITS LanguageLoop from 2014 to 2018 in that space.

In December 2024 the Premier and the Minister for Multicultural Affairs announced a suite of measures to address increasing challenges to social cohesion and to strengthen community harmony. These included a commitment to delivering a targeted review to examine Victorian multicultural policy, institutions and personnel. The review was led by George Lekakis AO, along with an expert advisory group. I also know that George Lekakis did a fantastic job, knowing him through the multicultural community in the south-east but most importantly from when he was chair of VITS LanguageLoop and I was fortunate to be part of that institution. It provided over 150 peak body and community groups 57 consultation sessions, providing an opportunity to examine how multicultural institutions, settings and policies are operating and recommending ways in which the government can enhance its support of Victoria's multicultural and multifaith community. I was privileged and lucky to take part in that consultation process in the south-east.

There were 41 recommendations made, and we have before us here an initial suite of actions, which, as we have heard, include establishing a new statutory entity, Multicultural Victoria, a leadership and advisory group and of course rigorous whole-of-government strategic planning and reporting for multicultural and multifaith outcomes, embedding community safety planning following adverse local and international events with multicultural and multifaith communities and recognising language services as an essential service. I would like to focus on that last point, which is very close to my heart. As a former interpreter when I was at uni and an SBS broadcaster in Cambodia in Khmer language programming for 10 years, I know the essential value of language services. Whether we are talking about efficiency in terms of the operation of our schools, hospitals, aged care facilities or court systems, interpreters are vital in this space. With our ever-evolving cultural diversity, interpreters are vital, and I commend the government for previous funding commitments for interpreters to meet the increasing demand in my electorate and across the state, for these changes that we have before us here today and

also for the newly emerging communities, such as the Burmese community, that have so many dialects that we might not even have found a proper professional interpreter. But things go on.

I am very proud to be part of a government that commits to putting more resources toward our language schools. My three kids are actually at Saturday language school, and I can tell you it is the biggest investment that we have at Westall Secondary that kids from migrant backgrounds, refugees and also those who are second generation can attend the language school because we want to keep our cultures close to our hearts.

I would like to conclude my remarks here. I am so very passionate about representing the elderly members of our community, the older residents of the south-east that have made countless contributions to our state that enrich cultural identity and history. In later life, everyone should live with dignity and comfort, and families should also have peace of mind that their loved ones receive proper, appropriate care.

I just would like to conclude by saying that back in 1996, when I first arrived here and landed at Westall English Language Centre, I did not know much about the service delivery provided to people with migrant and refugee backgrounds, and I know that the member for Point Cook also knows very well the Westall Enterprise Migrant Hostel, which welcomed people with refugee and migrant backgrounds, in my case, in the 1970s. We saw a wave of migrations from South-East Asia, from Vietnam and also from Cambodia, people who have now made and continue to make significant contributions to our community, representing not only the voice of the many voices of Victoria but the all-important voice that we cannot pick and choose. I would like to conclude by saying that it is exciting, this bill, and I commend the minister for bringing this bill forward. I commend those on this side of the house for proudly standing with our multicultural community. We do not pick and choose, and we will never stand with someone who does not see the value and contributions of our multicultural community, which make our state what it is. I commend Multicultural Victoria, and I commend the bill to the house.

Nicole WERNER (Warrandyte) (15:46): I rise to speak on the Multicultural Victoria Amendment Bill 2026. The bill abolishes the Victorian Multicultural Commission, the VMC, and replaces it with a new independent body, Multicultural Victoria, led by a coordinator general. As has been stated on this side of the house, we will not be opposing this bill but will be moving amendments, reasonable amendments, and I will go through those details in a moment. To the bill at hand, we will not be opposing it, because it does vindicate a position on this side of the house that we have held for years, because it was a Liberal and Nationals government that set up the Multicultural Commission as an independent statutory authority.

Just recently I met again with the Centre for Multicultural Youth in my role as the Shadow Minister for Youth and spoke with Carmel Guerra there, who is the CEO, who spoke of her support for this bill and for this change, noting that it does go back to the old model of what it used to be and noting that this is a good change. There is widespread support for this bill. In fact it was Daniel Andrews, the then Premier, who took away the independence in 2015 when he pulled the commission into the Department of Premier and Cabinet. Here we are, 11 years later, with Labor legislating its way back to where it started. That is the issue that I will raise in a moment when I get to the many things that I want to say, because there is a lot to say not just about this bill but about multiculturalism in our state more broadly. The issue here is what the Labor government has done in politicising multicultural communities and in politicising even the structure of the Victorian Multicultural Commission and bringing it into the Department of Premier and Cabinet.

Multiculturalism is important to me. It is important to my community. In fact in my community, in the seat of Warrandyte, roughly one-fifth of the electorate comes from Chinese ancestry, me included. So being such a multicultural seat, particularly in areas like Doncaster East, Donvale and Ringwood North, this is something that is so important to my community now. Again, I have said it many times

before, but I note that I am the first Asian Australian woman elected to the Victorian Parliament in the Legislative Assembly. This is something of such value to me and something I am prepared to fight for.

Apart from that group in my seat, there are also a large number of Iranians in my electorate. In fact it is the electorate of Bulleen that has the highest number of Iranians in any electorate across Australia, and then it is the electorate of Warrandyte that actually boasts the second largest population of Iranians in Australia in their electorate. There is a proud Iranian community in both of our electorates. When I think about multiculturalism in practice, I think about this community. I think about a community defined by resilience, work ethic and a deep belief in freedom – Iranian Australians who run local small businesses at a remarkable rate because they believe in providing for their families and building something of their own. Many of them were doctors, engineers and lawyers back in Iran, and they walked away from those qualifications simply so their children could grow up free. They came here for safety, yet sadly, too many have not found it.

Iranian Australians in my electorate have raised with me the fact that they have faced intimidation, threats and harassment linked to the very regime they fled. In Doncaster East a local family restaurant of an Iranian family, my good friend Shaz, was vandalised. Flags were torn down and the windows smashed. That same night her father's car was attacked and he was told to go back to his own country all because this family dared to speak against the ayatollah's regime. Shaz said afterwards that she did not come to Australia to live in fear again. Yet for much of last year many in the Iranian diaspora have felt that fear. That fear does not belong here, it does not belong in Victoria and it does not belong in my community. The Liberals and Nationals stand with the Iranian community. We stand with those who speak out against the regime, and we say clearly to anyone who would intimidate them on our own soil that they have picked the wrong country and the wrong community. It will not stand here in Victoria. That is why I was proud to gather a group of Iranian community leaders to meet with the opposition leader Jess Wilson when she recently visited my electorate of Warrandyte to hear directly from the community and community leaders as to the issues that are plaguing the community and the racism and intimidation that they are facing.

Another multicultural community that is so significant to our state is the Vietnamese community, which is hurting over the tragic death of Van Viet Truong. This man was a hero, a good Samaritan who came to the aid of someone else in his community and paid for it with his life. I felt personally very impacted when I read the story of the tragic death of Van Viet Truong, when I read that he was a migrant to this country, in fact a refugee to this country, and the fact that he is a father of two and that he has a grandson that he has left behind. I thought of, honestly, my own father. I thought of my own father as a migrant to this country and of the Asian community at large that have often reached out to me and said, 'Nicole, we feel like you are our voice in this place, that when we see you, we feel seen, that there is someone that actually represents us from within our own community, the Asian Australian community here.' This is the thing about Asian Australians: they came here for a better life. They are often quiet achievers. They do not speak out; they do not make a fuss. They are small business owners, traders, self-starters and hard workers, and they give back to our community. The Vietnamese community have reached out to me, and I have been speaking to them. In the words of a refugee:

We survived hardship and displacement. We came from a country where speaking up could carry consequences. Our priority was survival, to build a safe life for our families, to work hard, to keep our heads down and to be grateful for the opportunity we had been given.

She said in her own words that speaking out sometimes would carry consequences, so often in the Asian Australian community, when hardship, challenges, racism and these things come, they do not always speak out. They do not always feel like they have the right to. I cannot tell you how many Asian Australians have reached out to me over the course of my three years in Parliament to say, 'Can you please speak out for our community? Can you please be our voice? Can you please be one of us that speaks out for us?' It weighs heavy on me that they feel like I, as one of them, am one of the sole voices that represent them and see them and understand their lived experience. That is why I am speaking out today, because this man, who is a hero, a good Samaritan who came to the aid of someone

else in his community, paid for it with his life, yet three of the four alleged offenders were put out on bail again because of this weak justice system thanks to this useless Labor government. I can read to you the words of a Vietnamese refugee herself. She says:

My name is Yen, and I am writing to share the concerns I have for my community – as someone of Vietnamese heritage, as a migrant, but most importantly, as an Australian.

My family was incredibly fortunate to come to Australia in 1996.

... Australia was a dream.

I was a refugee baby, born in Hong Kong after my parents fled Vietnam because they feared for our safety under the communist regime.

She goes on to say:

... Australia did give us a second chance.

We came to a country that we believed stood for ... diversity, fairness, justice and protection.

And it does not feel like this anymore. She says:

Families are frightened.

And communities are asking a very simple question:

Where is the accountability?

The recent case involving Mr Van Viet Truong has particularly affected the Vietnamese community –

who she speaks on behalf of –

and many others across Victoria.

...

His death has left many people asking a deeply concerning question ...

What do we do when someone needs help? She says:

I am asking our elected representatives to listen.

Listen to the fear.

Listen to the frustration.

Listen to the people who feel the system is no longer working effectively enough to keep their communities safe.

...

... we need governments that listen when ordinary Australians say that they are concerned.

I am asking you to take these concerns into Parliament and give a voice to ... our community who may not know how to advocate for themselves.

I say this loudly and clearly today: whilst we on this side are in this house, we will always stand up for the quiet Australian. We will always stand up for migrant communities. We will always stand up for multicultural Victoria. We will always stand up and speak our truth. We will always stand up, and while the racesplaining goes on over there, I stand here as a woman of lived experience to say that we are on the side of multicultural communities. Say what you want, Labor. Say what you say to my face. Call us racist one more time, I dare you. I will not stand for it. We will not tolerate the racism from Labor or the politicisation of multiculturalism from Labor. We will not stand for it. I stand on the side and we stand on the side of multiculturalism in this place.

Luba GRIGOROVITCH (Kororoit – Minister for Youth, Minister for Carers and Volunteers)
(15:57): I move:

That the debate be now adjourned.

Motion agreed to and debate adjourned.

Ordered that debate be adjourned until later this day.

Safe Patient Care (Nurse to Patient and Midwife to Patient Ratios) Amendment Bill 2026*Second reading***Debate resumed on motion of Melissa Horne:**

That this bill be now read a second time.

Emma KEALY (Lowan) (15:57): Acting Speaker O’Keeffe, it is wonderful to see you in the chair again. Thank you very much for your service to the Parliament. It has been outstanding service, member for Shepparton, and it is wonderful to see you challenge yourself and become an Acting Speaker over this period. Congratulations. You have served your community well, and I know you will continue to do so beyond your time in this place.

I rise today to speak on the Safe Patient Care (Nurse to Patient and Midwife to Patient Ratios) Amendment Bill 2026. While this will be adjourned off in a couple of minutes for the grievance debate, I would like to take this opportunity to thank and acknowledge all of the health workers within our health system. It is an incredibly challenging role. People are time-poor, having to make decisions. They are spreading themselves thin, but at every single opportunity our healthcare workers and all the other workers within the health system are doing their utmost to make sure that people are receiving the highest quality of care, that their outcome is positive and that they are comfortable. They go home at night knowing that they have made a difference in their community.

Having worked within the health sector in my career before I entered Parliament, I certainly have seen firsthand some of the really challenging situations that healthcare workers are faced with each and every day, whether it is around clinical reasons and medical reasons and having to make difficult decisions, whether it is about caring for a loved one or whether it is putting themselves and their safety on the line, particularly with workplace violence escalating in our hospitals. I acknowledge the work of our fine healthcare workers, and I do thank them for each and every minute that they spend looking after people in the public hospital system, in the private system and also in volunteer roles. Often that continues beyond employment and they turn into the family carers as well. It is an outstanding contribution that our health workers give to the community, and I do commend them for that.

Business interrupted under sessional orders.*Grievance debate*

The DEPUTY SPEAKER: The question is:

That grievances be noted.

Operation Richmond

Brad BATTIN (Berwick) (16:01): A report came across my desk the other day, and it was the first time I had sat down to have a really good read of it. When I was reading it, if I did not know the title, I would have thought it was simply a DNA plan of the Victorian Labor Party. That is what it was: it described everything that is wrong with the Labor Party here in Victoria. But it was not a DNA result; it was Operation Richmond, an IBAC report into the behaviours of what this government see as okay – things that they think are all right to do whilst in office in government. It is a key sign of where the arrogance began, and now Victorians are paying the price. I will go through some of the quotes that are in there, which I think are very interesting reading. I think it starts off actually quite well:

... IBAC found serious and concerning conduct by senior public officers, including ministers, members of Parliament and public servants ...

IBAC found that senior members of government acted contrary to established policies, procedures, codes of conduct and conventions in negotiating a deal with the Secretary of the United Firefighters Union, Mr Peter Marshall ...

We can go back to when this was happening at the time and we were asking questions of the then Premier Daniel Andrews – specific questions about what he was doing with that secretary. It was

interesting because he never once would actually mention that secretary's name – not once did he mention that name. The report goes on to say:

The matters investigated in Operation Richmond may have occurred some time ago, but the corruption risks and vulnerabilities highlighted – improper influence, failures in ministerial conduct, failures by senior public servants to act impartially and the politicisation of appointment processes for public sector boards – are serious and persist –

let us get this right; it is not finished –

in Victoria's public sector.

This is a government that think they can do what they want when they want. What Operation Richmond highlights is the need for the government to take decisive action, and we know that since then no action has been taken at all. Even in the overview when it comes to what happened with Operation Richmond there are some things in relation to the negotiations with the CFA EBA:

... the Premier authorised the Special Minister of State, Mr Gavin Jennings, to commence negotiations directly with the UFU without the knowledge or involvement of the CFA or other parties (the 'undisclosed negotiations').

And who was it who was put in a position to do that, Deputy Speaker? I reckon you would probably know, and I know, because it is a very, very good friend of the current Premier:

Mr Tony Bates, a Deputy Secretary at DPC, was enlisted to assist. Private meetings were held with the UFU in rented meeting spaces and a hotel.

Now, I do not go and organise meetings that are private and okay in a hotel unless, maybe, we are hiding something – unless we are trying to get away with something.

In a lawfully intercepted telephone call on 22 March 2019, Mr Marshall gave an account of the origin of the EBA to a ministerial advisor: 'this agreement was negotiated with fuckin' Jennings in a back room. It was endorsed by fuckin' Andrews and Cabinet'.

That language is in the report. That is the stuff that is here –

Members interjecting.

The DEPUTY SPEAKER: Order! I think I can pre-empt the point of order. I appreciate the language may be in the document you are referring to, but it is still unparliamentary, and repeating it is not in order.

Brad BATTIN: Thank you very much, Deputy Speaker. I will repeat it as many times as it is in the IBAC report, because I am quoting from a document and this document is about the way that this Labor government have treated the Victorian community. IBAC found that the actions of the Premier, Minister Jennings and Mr Bates over this period were contrary to government policy, procedures and convention and their respective codes of conduct. And what action did we see? What action have we seen from Mr Bates organising these meetings? We saw him promoted to the position of Secretary of the Department of Education by none other than the current Premier here in Victoria. The report says:

... Mr Marshall was resistant to any material changes to the terms of the CFA EBA –

during these discussions –

that he had shaken hands on with Minister Jennings. Mr Marshall insisted that his deal be honoured under threat of further industrial action or public disclosure of the undisclosed negotiations ...

You have to ask: why would the government be fearful of the undisclosed negotiations getting out unless of course it was corrupt? That is the reason this operation originally began. It has not even got all of the details in here. It misses some of the phone calls that were happening between an MFB CEO and the minister at the time, who was the Minister for Emergency Services. It misses some of the

conversations that were had, particularly with Lisa Neville, who was in the cabinet at the time. The report says:

In May 2016, during the conciliation for the CFA EBA at the FWC, Minister Jennings and Mr Bates continued to mislead their colleagues at the CFA and IRV by failing to divulge undisclosed negotiations and the deal ... with Mr Marshall.

The sad part about this is there is one person that does not have the opportunity to defend themselves on this now. In June 2016 Minister Garrett resigned, prompted by her refusal to sign an EBA which she considered unacceptable. Mr James Merlino became the new Minister for Emergency Services, and let us be honest, he was just a lapdog to the Premier. He became the emergency services minister when the CFA board refused the proposed EBA, citing legal and operational barriers. We know how quick Labor are to say that they do not get involved in the operational decisions of the police or the fire services or emergencies. But on this one, Minister Merlino dismissed the board for saying that. After a further review of the EBA by a newly constituted CFA board, the CFA board approved the EBA in August 2016 – another group of people that should hang their heads in shame. They were appointed for one reason only. It was not on behalf of the volunteer firefighters across Victoria, and it was not on behalf of safety here in Victoria; it was on behalf of Peter Marshall, who got his way yet again and continues to today.

Negotiators for the MFB EBA, according to the MFB CEO's evidence to IBAC, had similar concerns about the terms proposed in their EBA. Ultimately, to resolve the dispute, the government appointed new members to the MFB board who understood the government's preferred position on the MFB EBA and reassured board members that the consequences of implementing the MFB EBA could be managed through a side agreement. So this is after we have gone through the proposal and the board says they do not want it. The new board came on and said they still did not want it. They said, 'Don't stress, Peter Marshall. We know that you've obviously got something over us. We'll continue, and what we'll do is we'll put a little side deal in so you can get what you want.' At the end of the day, we are not talking about community safety, we are talking about the union getting whatever they want.

Then came the establishment of Fire Rescue Victoria. During these negotiations, IBAC found that Mr Marshall sought to shore up a crossbench member's support for the Firefighters' Presumptive Rights Compensation and Fire Services Legislation Amendment (Reform) Bill 2019 by employing the MP's relative in the days prior to the vote on the bill in the Legislative Council in June 2019. In a lawfully intercepted phone call, yet again, on 7 June 2019, Mr Marshall discussed the employment offer, telling a friend:

... [the MP] is 100 per cent behind us ... just to make sure we just employed ...

How is that not corrupt? How is it not corrupt to ring up a member of Parliament and promise, 'I will employ someone from your office in exchange for a vote.' It is just like a brown paper bag, but effectively they have used a staff member to do it through. It is 100 per cent corruption, and if IBAC cannot see that is corruption, that is another problem. But for a member of Parliament to trade off employment within the union to get through a decision, that is corruption – 100 per cent no-holds-barred corruption – and that is what this government has continuously got away with for so long.

Finally, during this period, IBAC also found evidence that MFB board member Mr Greg Sword shared confidential information with Mr Marshall in 2019 in breach of his professional obligations, and again from this, no-one seemed to be responsible for anything. Again, we have got another report highlighting corruption in Labor and highlighting corruption in the people they employ, and yet no-one seems to get any penalties from it. You would have to ask why. Why is it that we continue to have these problems here in this state where corruption is highlighted? This corruption that began back in 2015 and 2016 has led through to what we are seeing today with over \$15 billion on our Big Build sites through corruption going to the CFMEU.

‘Corruption risks and recommendations for reform’ – some of the things in here even go further:

Mr Marshall was able to extract concessions from the government under the threat of industrial action and negative media coverage and public exposure of the undisclosed deal ...

IBAC also identified instances of ministers behaving contrary to government policy, procedures and conventions, which undermined the government’s regulatory coverage and facilitated Mr Marshall’s influence over the government ...

We have also heard the Premier come out now talking about the fact that integrity is not negotiable under his government, yet he has had plenty of time to read this report now, and I note – I have followed the media pretty closely since the new Premier has been here – not once has he suggested that Mr Bates is getting the flick. Not once has he suggested that Mr Bates will be held accountable for his actions very specifically outlined in this document. No, I think one of two things will happen: Mr Bates will come back and they will try and forget it, or he will get a golden handshake and they will give him a little reference and they will try and push him off somewhere – a good character reference. I think there is a minister on that side that is pretty good at writing some references for people that do not deserve them.

The report goes on with the corruption risks:

Operation Richmond also highlighted how public servants can undermine the effective and ethical public administration when they do not act as impartial advisors and implementers of government policy. This was most starkly demonstrated in the involvement of Mr Eccles and Mr Bates in the undisclosed negotiations ...

where they actually went out and did not even consult with the cabinet minister. I think that is the part that those on that side need to really have a good, long, hard look at. A minister in their own government was willing to resign. I will put it on record, and I have said it about Jane Garrett before: I have so much respect for Jane Garrett for what she did during Operation Richmond and during the investigations. This is a person who I think has done more than anyone in this place when it comes to integrity by stepping down and standing up for the volunteers that she was put in place to protect. I think right now the Labor Party have a very clear pathway to ensure that they can respect and honour Jane Garrett’s name, and the best way to do that is to act on what has happened within this report with Operation Richmond to ensure that this cannot happen again by changing the legislation and making sure that we do not see the outcomes that we have seen where boards get sacked if they do not agree with you or if you are trying to do the right thing. I spoke to some of those board members, and all they wanted to do was the right thing. Each and every time it came to them they were highlighting the cost of how it was going to impact them and of where they had to spend extra money on some of the most ridiculous claims that you have seen in EBAs, in the side deals. Where was the money coming from? The government, as we found out today, did not have money trees. What they were going to do was cut the funding available for fire trucks, for equipment and stations and for volunteers across the state. And it happened. Fire stations across the state simply do not have what they need.

There is one other section which I said did not really get touched on too much, the appointment of the fire rescue commissioner. We actually had the MFB CEO here at the time, who I am going to say was one of the best CEOs and chiefs the MFB ever had. He went back to England. But when he got here, to that role of MFB CEO/chief, it was on the proviso, with a five-year contract, that he would take over Fire Rescue Victoria. But Lisa Neville went behind his back with Peter Marshall, and they worked to ensure that he would not get that role. He relocated to this country with his family to ensure that our services would get better, and he was treated like crap by Labor, and he will never forgive them for what happened. Nor should he, because no person should ever be treated like that. Anyone who has come across here to deliver the best for our fire services should be respected, and he was not. I have spoken to him in the past, and I can guarantee you there is so much missing from this report that they chose not to put into the report and into the public domain that should be there. As I said at the start, this report is simply a DNA brief of the Victorian Labor Party and corruption here in Victoria, and we must stop it.

Opposition and One Nation policy

Chris COUZENS (Geelong) (16:16): I grieve for the Victorian community if we ever see a One Nation–Liberal–Nationals coalition in control of our state budget. This is about cuts. They have got no solutions. Their aim is to just cut \$40 billion out of the budget, which would have a profound effect on the state of Victoria. What I do want to start with is their commitment to tear up treaty in the first 100 days – an absolutely shameful announcement. It was one of the first announcements they made under the new leader, and they did that via the media. They did not even have the courtesy to talk to the First Peoples' Assembly to say, 'We are no longer going to support you. We're going to tear up treaty in the first 100 days.' The First Peoples' Assembly read that in the media. That is an absolute disgrace.

What we have seen over the last 10 years is the building of trust with First Peoples. We have gone through a series of legislative changes and the commitment to treaty that those opposite pulled out of without any explanation at the time, after the outcome of the Voice referendum. Again, they did not speak to First Peoples; they just announced it in the media. For the entirety of the time that we were talking about treaty and changing legislation, they were pretending to support that. For them to then turn around and pull the pin after probably six years of bipartisan agreement on treaty – it was so difficult for the First Peoples' Assembly to actually understand why that happened and to not have a conversation with them about why that was pulled as a bipartisan agreement. The hard work that happened over those 10 years built up that trust with First Peoples. It built up an understanding to change things for their community, to close the gap and to have self-determination at the forefront of treaty, and they could not understand why those opposite pulled that agreement in the first place.

I think that shines a light on the commitment, or the non-commitment, that those opposite have had to treaty in this state. I have to say, every other state in this country is looking at us – particularly First Nations people – and saying, 'We want what you've got in Victoria, because we know it's going to work.' We now have Gellung Warl, who have been elected by First Nations people in this state. They are working on treaty right now as we speak, with the expectation that it will continue. But with those opposite saying that they will tear it up in the first 100 days, what does that say to our First Nations community here in Victoria? How do you think they are feeling about the uncertainty of all those years of work that may be ripped out from them.

It is absolutely shameful the way the opposition have treated First People in this state, and they should be held accountable for that. I know that when I move around this state as the Parliamentary Secretary for First Peoples, in my own community people are really concerned about what they have announced: that they will tear up treaty. Even people on their own side of politics think it is a bad idea. But they have promised to go ahead with it, and I think Victorians will look at that and make decisions around who they vote for later this year. I feel very sad for First Peoples in this state right now because they are facing such uncertainty around what is happening. But I will say as well that they are such a strong community that for over 200 years have put up with this sort of behaviour, so they will continue on. They will continue to fight for treaty and continue to fight for the best for their people, but I do think it is going to be quite devastating if that treaty does not continue into next year.

When those were opposite were last in government what we saw was the decimation of education, health and so many different things in our communities. I know in my community of Geelong what we saw was TAFE on its knees; our Gordon TAFE was about to close. We know, unfortunately, there were TAFEs across this state that did not survive a Liberal–National government. What can we imagine from a One Nation–Liberal–National coalition? What do you think they are going to do? It is probably going to be far worse. We have had to rebuild TAFE over the almost 12 years that we have been in government. It has taken years to rebuild what they destroyed in four years. Our schools were shut down. Our schools were sold off to private developers. In Geelong there were two schools that were sold off in our community that we really need right now as our population grows. We now have to look at where we build new schools, which we would not have to do if they had not been sold off. Our health system was decimated. Our hospital was hanging. There was a promise by those opposite

that they would build a new hospital in Geelong, and they reneged on that commitment. They gave it to the private hospital and gave them the beds there. The public system was available at Geelong Hospital, but it was not available at the private hospital that they gave all the funding to. That was really devastating to many in our community, because they wanted that hospital in that community, and those opposite reneged on that.

These are the sorts of things that our community faced during a Liberal–National government, and if they happen to get the privilege of winning an election later this year as a One Nation–Liberal–National coalition, it is going to be far worse. What do we think is going to happen with multiculturalism in our state? Victoria has a beautiful multicultural community. In my community of Geelong it is fantastic, and we know what a great community that is. One Nation's policies are shocking when it comes to multicultural communities. They are shocking when it comes to Aboriginal communities. They are not deserving as far as they are concerned. What does that lot opposite joining forces with One Nation actually mean for our communities? When I talk to my community in Geelong, they are really concerned about what that might bring. They are saying to me, 'We don't want the likes of a One Nation–Liberal–National government controlling these sorts of things. It's going to be so damaging to our community.' That is what people are telling me. They are not saying they support what the opposition are planning to do. These are detrimental policies that they are putting out. The \$40 billion that they will cut from our budget will have such a significant impact on our communities.

What have we done as a government? Coming out of COVID, we set the COVID budget plan, and that has been working. We are now in surplus, there is no doubt of that. What would have happened if we had said, 'We're not supporting our communities; we're not investing any more money into infrastructure or health or education,' just like those opposite are saying they are going to do, and we had not propped up small business during COVID? There were some terrible things that could have happened. But we did not. We balanced that budget to make sure that our communities still had their jobs, still had their housing and still had food on the table. They were so grateful for that, because COVID was a time that none of us had ever experienced, and we were putting funding in to make sure that people were looked after.

If those opposite took that funding out, what would happen to those families and communities? They would be decimated. Our homelessness situation would be far worse than what it is now.

Members interjecting.

Chris COUZENS: Yes, it would be the end of free TAFE. There are all sorts of things that we are now looking down the barrel of losing if we have a One Nation–Liberal–National coalition here in this state. We cannot afford to do that.

Members interjecting.

Chris COUZENS: You are right; it is horrible to think about. As I said, when I am moving around my community, they actually love free TAFE, because what it is doing is giving people opportunities they have never had before to be able to get an education and to have a pathway into a well-paid job. That is a big thing for my community in Geelong. What happens to that? If they are going to rip out \$40 billion in the budget, that is going to impact on hospitals. It is going to impact on education, on TAFE and on our schools.

Just four years in government, back from 2010 to 2014, really decimated our education in Geelong and our health services. People need to remember what happened in that time. A lot of people do, and a lot of people are talking about their fears of what might happen at the next election. It is really important that people understand what we are facing if there is \$40 billion cut out of the budget: it would make a significant difference in how people would be able to live their lives in the way they are now.

We have put funding into cost of living to ensure that people have the supports that they need, whether it is the 20 per cent rego rebate, whether it is the kids glasses, the school camps or the uniforms. All of those things that we have put in place over quite a long period of time now – what happens to them when that \$40 billion gets taken out of our budget? How are those things going to happen? Well, they will not. They will be lost to everyone in Victoria, there is no doubt of that.

I think the other area of concern for me is the cuts to our public service. These are teachers, health professionals and people that we need working in our communities. They are child protection workers. These are critical roles that we have in our communities that we cannot afford to lose. In Geelong, for example, the proposal is going to take out about 1500 workers. That is huge for a community like Geelong. Other regions are facing similar impacts. What does that mean in terms of services? Those frontline workers that we rely on, our teachers, our health professionals – what happens then if we do not have them there? Back in 2010 to 2014, I know what happened then: public servants were being sacked left, right and centre, and they were coming to me saying there was virtually no-one left in their department, including in education. There was hardly anyone left in the Department of Education. People remember these things. They are really concerned about what the One Nation–Liberal–National coalition will do to the state of Victoria. So I grieve for our community. I think it is going to be a really difficult and challenging time as we move into the election period. But I have every faith in the Victorian people. I have every faith that they will not buy into hate and division, which we constantly see in our community. They want a harmonious community. They want their kids brought up in a community that cares, not a community that continues to attack multicultural communities, the Aboriginal community and the LGBTQIA+ community.

Government integrity

Jade BENHAM (Mildura) (16:31): I rise today to grieve for the state of integrity in Victoria, and for those on the other side who do not know how it is spelled: I-N-T-E-G-R-I-T-Y. Integrity: it seems that some have lost the ability to understand the spelling and/or the meaning of the word. Labor wants Victorians to believe that changing the name on the Premier's door changes the character of the government, and it does not. Different leader, same culture and the same consequences for Victorians. Operation Richmond, as the member for Berwick spoke about earlier, exposes a little bit of the culture that I am talking about. The Big Build is an example of how much that culture has cost, and regional roads are just one of the examples of who pays the price, and that is: Victorians pay the price for the lack of integrity in this Labor government every single day. Integrity is not a slogan that is unveiled at the new Premier's first press conference. It is not a reshuffled cabinet or a new photo on the government website. Integrity is about honesty and transparency, even when telling the truth might be politically inconvenient, when your political allies are implicated and when that accountability and integrity might cost you something. Labor has changed its leader and declared itself renewed. But Victorians did not elect a new Premier or a new government. They got a new salesman for the same damaged product – different Premier, same Labor government. Or, as the Leader of the Nationals has quoted several times: different jockey, same buggered horse. That is true.

I want to examine those three exhibits in the case against this government's integrity. Operation Richmond – we have waited a long, long time for this – corruption and intimidation surrounding the Big Build and the disgraceful condition of Victoria's roads. That is, like I said, just one of the many examples of who pays the price. They might all look like they are separate failures, but they all begin with the same political instinct, and that is to protect Labor first and deal with the public later. Labor have not cleaned their house; they have just changed the name on the letterbox.

Operation Richmond investigated the allegations concerning negotiations between the government and the United Firefighters Union. And yes, okay, IBAC did not ultimately find criminal corruption – I tell you what, it is the definition of 'corruption' according to this government that is the problem – but it did report serious integrity failures that led to recommendations for stronger ministerial standards. Obviously, if the government has not received the certificate saying that it is not corruption

and it is not criminal corruption, then surely the bar for good governance is extraordinarily low. It is mind-boggling.

The government does not receive a good character reference simply because the conduct falls just short of a criminal threshold. What IBAC exposed was a system where access mattered, relationships mattered and transparency in government did not matter; it came second. It was all about relationships – to make sure that Peter Marshall got exactly what he wanted. Now the Premier describes that conduct all of a sudden, after all of this time, as ‘intolerable’. But where was that intolerance when it required a bit of courage, rather than standing by nodding heads at a press conference? Where was the outrage when speaking up might have damaged his prospects inside the Labor Party? Where was the demand for reform before the report became politically impossible to ignore? I am not saying that the Premier conceived every grubby arrangement exposed by Operation Richmond, but I am saying that he chose to remain a loyal and increasingly senior custodian of the government responsible for them. He took the promotions, he defended the record, he sat around the cabinet table and now he is asking Victorians to believe that he has arrived from somewhere else to clean it up – please. The Premier’s road to Damascus appears to have run straight through a leadership ballot. He has discovered zero tolerance, all of a sudden, for Labor misconduct at precisely the moment tolerance became politically inconvenient. The new Premier says the old conduct was intolerable, but apparently it was tolerable enough to build a ministerial career beneath it.

Operation Richmond may not have found criminal corruption, and I will state that. But ‘not criminal’ is an extraordinarily low ethical ambition for a government, I am sure everyone here can agree. Operation Richmond has not been an isolated lapse; extraordinary lengths were sought to cover it up. It revealed an operating system, and the Big Build has been running on this operating system in exactly the same way. The independent evidence from Geoffrey Watson identified fraud, bribery, collusion and undue influence as risks throughout major project procurement and construction. And where is the \$15 billion? That is what Victorians are asking every single day: where is the \$15 billion? Imagine what we could have done with that \$15 billion. Imagine the police, the teachers and the hospitals that have gone without, the critically underfunded hospitals and the patients waiting for health care and the roads that have been – we used to say ‘Jacintegrating before our eyes’, member for Morwell – falling apart. Imagine: we could have roads like runways with that \$15 billion.

The connection here with the new Premier on Big Build sites is that his responsibility was for WorkSafe and the TAC from December 2024, combined with his longstanding cabinet position. He was not a visitor passing through Spring Street; he was the Deputy Premier, he was responsible for WorkSafe and he was part of a government overseeing one of the largest infrastructure programs and the largest corruption scandal this state has ever seen. If safety processes were being weaponised on taxpayer-funded sites, that was not someone else’s portfolio problem. If intimidation was infecting public projects, that was not an issue for a future royal commission, which at the time Labor were not going to call; it demanded action from the responsible government at the time and the responsible minister, and as the WorkSafe minister the now Premier was that responsible minister. On the very first day of course the Premier announced a royal commission at a press conference but has yet to do much about it. That does not absolve the government; it has indicted it, if anything. If a royal commission is necessary today, why was it not a determined action yesterday, three weeks ago or four weeks ago? Why all of a sudden now? You know why: because of the polls. We know that. The Premier has said that. It is only necessary now because the corruption scandal in this state has become politically damaging.

The now Premier understands that the only way to fix the polls and to potentially save – I think it is beyond repair – his position is to call a royal commission. It obviously had not started when Ben Carroll became Premier; it is only his own political need to be seen to be responding to it. Ministers cannot claim collective credit for every ribbon cut on the Big Build and then demand individual immunity when questions are asked about what happened behind the scenes. You cannot own every opening ceremony when you put on a hard hat and a high-vis and disown every single warning sign.

There were warning signs and red flags everywhere. Labor treated every Big Build ribbon as a collective achievement and every Big Build scandal as somebody else's responsibility. The Premier is not an outsider cleaning up Labor's mess; he is a senior member of a government that helped create it. And a royal commission announced after the political damage is done is not leadership; it is an invoice for years of inaction.

Let me get to roads in the last 5 minutes or so I have got left. People in Mildura may never enter a Big Build site, thankfully, or negotiate with a union boss, but they experience this government's priorities every time their tyres hit a crumbling regional road or pothole, crumbling shoulder or gashes right up the middle of the road. The now Premier was Minister for Roads and Road Safety in what years?

Danny O'Brien: 2020 to 2023.

Jade BENHAM: There you go, for three years. So the Premier cannot pretend the condition of our roads is something that was delivered to him in a sealed envelope on his first morning as Premier. He was the roads minister. They are not potholes that he has inherited; they are part of the record that, again, he has helped create.

Danny O'Brien interjected.

Jade BENHAM: I am getting to that. I have got figures in front of me. The Auditor-General recorded an accumulated impairment of \$1.24 billion for roads and bridges on 30 June 2024. The Auditor-General also said an earlier audit identified an increasing maintenance backlog and declining service levels. And at the Public Accounts and Estimates Committee the government confirmed only 31 per cent of its claimed \$1.04 billion of roads allocation was for planned pavement treatment. Its own regional patching measure was questioned after falling from over half a million square metres to 95,000. You can do the math on that.

Danny O'Brien: I have done it.

Jade BENHAM: Okay, good. Another lower target was also discussed. I did ask the department secretary at the time about the claims for pothole compensation. At the time there were around 200 claims, I think, and the total then of claims that were successful was 13. That was in November last year at budget updates, and today we have got 15, so another two have been approved. That is the cost that regional Victorians in particular and Victorians everywhere pay for the lack of integrity in this government.

I will keep going on roads. I have got an audience, so why not? I have repeatedly reported the Cocamba road. Let us talk about the Robinvale-Sea Lake Road at Cocamba.

A member: I was hoping you'd bring this up.

Jade BENHAM: I thought you might, because everyone knows where Cocamba is. It is between Sea Lake and Robinvale.

Danny O'Brien: I have been there with you.

Jade BENHAM: Yes, you have. This road opened up. It is a main thoroughfare, obviously, from Robinvale, which is one of the hubs of irrigated horticulture in our region, and it leads to the Calder Highway. It opened up, and I was told it was because of floods. It is a long way from the river; there is no flooding. I tell you what, if we are going to continue to blame water on roads for the potholes and the gashes, you know what you need to do: actually allow the water to drain off the roads, maintain the vegetation on the side of the roads and create the ability for that water to run off so it does not sit in those potholes. And once they are fixed, two days later they open up again, because this is what we are dealing with every single day. It is infuriating. I will ask the member for Berwick, who has driven an EV. They do not carry spare tyres, do they?

Brad Battin: No.

Jade BENHAM: I laugh when I see these people lined up on the side of the road not knowing how to change a tyre, but apparently electric vehicles do not carry tyres. It is a class I am willing to teach at Parliament here. If anyone needs to know how to change a tyre, I am happy to teach that class.

Just to wrap up in the last less than a minute that I have, again, Operation Richmond has told us how this government behaves when powerful political relationships are involved, the Big Build tells us what happens when oversight and accountability are treated as obstacles and our roads tell us who pays when money, attention and basic competence are swallowed by that culture. If the Premier wants to start his premiership without accepting responsibility for the past – integrity does not work that way. So if it matters, start accepting responsibility, start accepting accountability and be transparent with Victorians, because Victorians are sick of paying the price.

Opposition performance

Eden FOSTER (Mulgrave) (16:46): I rise during this grievance debate to address an issue of profound concern to my constituents in Mulgrave, to the people of Melbourne's south-east and to every community across the state of Victoria. My grievance is with the reckless and destructive economic plan put forward by the Liberal and National opposition, backed by their ideological partners in One Nation. The opposition has announced a plan to tear \$40 billion out of the Victorian budget. Let us call this for what it is: the Liberals have no solutions, they just have cuts. You simply cannot make \$40 billion in cuts without cutting hospitals, schools and essential frontline services. Destroying our public services like this will collapse frontline services, reduce jobs and shrink our state's economy. That is not responsible fiscal policy; it is ruthless and reckless.

Members interjecting.

Eden FOSTER: Clearly I am hitting a nerve when there is noise on that side of the chamber.

Members interjecting.

The DEPUTY SPEAKER: Narre Warren North, Berwick – warned.

Eden FOSTER: Part of their plan involves slashing one in seven public service jobs across 46 government departments and agencies.

Belinda Wilson interjected.

The DEPUTY SPEAKER: The member for Narre Warren North can leave the chamber for 10 minutes.

Member for Narre Warren North withdrew from chamber.

Eden FOSTER: That includes the Department of Families, Fairness and Housing, who carry out critical child protection work, and the Department of Transport and Planning and the Department of Education, who run our precious schools. They have plans to cut health workers, disability support workers and child protection workers, and we all know they will not stop there. Nothing and no-one is off the table.

As someone who has worked for years as a psychologist, working directly in the alcohol and other drug sector in Greater Dandenong, and inside our school system, supporting young people and their families, I know what sector support means on the ground. I saw my co-workers at Centrelink lose their livelihoods in 2013 after Tony Abbott won the federal election that year. Even as the lines grew longer, the Liberals continued to rip through one government service after another, destroying families and households in the process. These are not nameless bureaucratic positions to be erased from a spreadsheet. These are frontline workers and their families, and they are healthcare professionals and support networks that keep our community together. I do not want to see families in my electorate devastated when they realise their child's teacher has been sacked or their school is closed, or when their local hospital has had wards closed and nurses let go. And I speak from personal experience in

the 1990s, when my mum had a number of health issues, going through the Alfred Hospital, as an example, and seeing the wards dark and empty and gloomy. That was as a result of the Kennett era. There were schools that were closing down because of the Kennett era. That led to some of my friends being without a school and having to move schools and make new friendships. These things have consequences – big, big consequences.

The philosophy driving these cuts was laid bare by the member for Kew herself when she admitted:

Current spending is simply not sustainable ... That means we're going to have to make cuts when it comes to our health services. Schools aren't going to be built or even fixed.

A member interjected.

Eden FOSTER: That is true. Are they going to bring guns into health services that they did not consult with? You raise a very good point there – through you, Chair. Cuts to hospitals, cuts to schools and cuts to frontline services all have consequences. In her first speech to this Parliament the member for Kew claimed, 'It is business that creates jobs, not government,' but government funds our nurses, our teachers, our paramedics, our police, our fire and our child protection workers. It also provides the conditions for business to function in the form of education and training for workers and the amazing work that Victoria Police does to keep our community safe. Those are real jobs delivering real, essential services that will be destroyed under a Liberal coalition plan. Independent economists have made it clear that the full economic plan of those opposite would require radical cuts, because they simply cannot make up their \$40 billion promise without cutting even further.

Let me take a closer look at what this ideological obsession with cuts means for those in my electorate of Mulgrave. When you reduce healthcare funding, you do not magically reduce illness. You simply delay treatment until a patient presents to an emergency department in acute crisis. My constituents rely directly on our healthcare system in the south-east. They rely on Monash Medical Centre, Dandenong Hospital and the Victorian Heart Hospital, along with the Monash community health centre in Springvale. When conservative governments strip away early intervention and allied health funding, they do not save money; they shift the burden onto what becomes overworked emergency departments and under-resourced community health hubs.

When they were last in government, those opposite proved exactly where their priorities lie. They cut over a billion dollars from health, went to war with our hardworking nurses and paramedics and failed to deliver hundreds of promised hospital beds. Think about that failure. Across four whole years in office they managed to open just two alcohol and other drugs beds across the entire state of Victoria. In my former work in AOD services, I saw how catastrophic that lack of capacity was for local families in the south-east seeking help. They defunded 25 community mental health providers, shut down the state's only 24-hour mental health advice hotline and actively voted against the mental health levy. That is their record. They left vulnerable Victorians completely stranded when they needed support the most. The Liberal Party would rather line the pockets of the biggest businesses in this state, making for those who make a massive profit a tax cut, than ensure that our young people have the life-saving mental health care that they need and deserve. This is completely out of touch with what communities want from our government.

Let us take a look at the public education sector. Education is the greatest equaliser we have in a fair multicultural community like mine of Mulgrave. It gives every child, regardless of whether they grow up in Springvale, Noble Park or Mulgrave itself, the opportunity to realise their full potential. Yet under the previous Liberal administration education was treated as nothing more than a line item to be trimmed. They ripped more than a billion dollars out of TAFE, closed 22 campuses, sacked over 3000 skilled staff and brought our vocational education sector to the brink of collapse. They cut more than a billion dollars directly from our public schools. They slashed the education maintenance allowance, a vital lifeline for low-income families in our multicultural communities trying to afford basics like uniforms, textbooks and school excursions. They cut speech pathologists, student psychologists and social workers – the very specialists who support children in our local state schools

with developmental delays, complex learning needs or mental health challenges. We all know the consequences of cutting such important allied health supports for young people. To make matters worse, they even went so far as cutting Fresh Fruit Friday in primary schools. Nothing was too small or too essential to escape their chopping block. Now they tell us they want to do it all over again, but on an unprecedented \$40 billion scale. Under their logic, local projects like the \$6 million overhaul of facilities at Mulgrave Primary School or upgrades at Wellington Secondary College that have occurred in my electorate simply would not happen under their leadership. Their cuts strike at the core safety and security of our communities. During their last tenure they cut \$130 million from Victoria Police and slashed \$66 million from our fire services.

On public transport, public infrastructure spending was gutted by more than 66 per cent. They ripped \$70 million out of V/Line, planned sweeping staff cuts and failed to deliver a single regional rail project. Today they promise to cancel the Suburban Rail Loop. Let us speak plainly about what cancelling the SRL means for the Mulgrave electorate. It means cancelling a game-changing rail connection for our community at Monash, throwing 24,000 Victorian workers out of a job, denying 7000 families a home, stranding suburban commuters in gridlock traffic and leaving Melbourne's south-east behind while our population grows. That also includes your electorate, Deputy Speaker. Residents in the east will be deprived of such an important rail network for growing communities.

Now let us look at energy and housing. The opposition have stated clearly that the SEC is gone if they win. We know Jeff Kennett sold off the SEC in the 1990s, driving up costs for everyday households. Labor brought the SEC back to power our state with renewable energy. The Liberals want to abolish it again, pause the renewable energy transition and hand power back to foreign-owned energy corporations, guaranteeing higher electricity bills for working families across my electorate of Mulgrave. In housing, they have guaranteed to rip up activity centre planning reforms. That means cutting over 300,000 planned new homes, pushing the dream of home ownership further out of reach for young people in Springvale and Noble Park and forcing up rent prices across the state. Our reforms have made Melbourne the most affordable capital city for young renters and homebuyers, yet the Liberals are determined to unwind that progress. The business community in my electorate have made it incredibly clear that they support the activity centre designations, they support the additional investment that this will create in my community and they support us enabling more young people to live close to family. And what is the Liberal alternative? More sprawl further out, with no mention of new schools, no new hospitals and no new rail lines or any alternatives to attract investment in lower socio-economic status communities like mine.

Who knows what else the Liberals will go after. Last election they wanted to privatise sewerage networks. Maybe this time they will sell off V/Line. All we know is that the Liberals will gut and sell the state if they get into power this November. Now we see them locking arms with One Nation, because cuts are in their shared political DNA. One Nation's policy agenda calls for \$90 billion in annual federal budget cuts. They want to abolish the Therapeutic Goods Administration and review \$3 billion worth of life-saving medicines approved on the pharmaceutical benefits scheme. They want to review federal health and education, wind back the NDIS for people with disability, abolish climate change programs and slash funding for multicultural initiatives – initiatives that support local social enterprises, diverse community groups and migrant families across the Mulgrave electorate. This will affect our nation. These are federal policies. Who knows what they would do to our hospitals, our schools or our public transport across our state.

The Liberals and Nationals are more than happy to go along with One Nation's plans. In fact I am sure that some of those opposite – some of them are smirking at me right now – wish they could openly call for this level of cuts in our state. That is because, in the end, all conservative parties sing from the same hymn book: cuts to public services, pain to communities like mine that need the support that the state can offer, and generosity to the biggest corporations in the country. The smirk on the member for Narracan's face is putting me off, but I will continue. It is a very contagious smirk. I will continue.

My electorate is home to an immense range of different cultures, faiths and languages. When we talk about Australian multiculturalism, we are talking about communities like mine, where people have come here seeking a better life and opportunity for themselves and their family, often fleeing violence and war. By working with One Nation, the Liberal Party is showing its true colours, saying that communities like mine do not belong in this state or this country. They are saying that the Vietnamese or Cambodian migrants who fled civil war should not have come here. They are saying to our more recent Burmese and Rohingya refugees that they should have stayed in Myanmar. When One Nation talks about monoculturalism, I want to hear those opposite counter that. I want to hear them fight for multicultural communities, and I have not heard that.

Government performance

John PESUTTO (Hawthorn) (17:01): This afternoon I rise to grieve for the state in which this Carroll Labor government will leave Victoria at the expiration of its 12th year in office. Victorians would have every right to ask: what were the last 12 years all for? This government will, at the expiration of its 12 years, have left a state where trust in government, trust in institutions and trust in the statements of a Premier and ministers has been totally trashed and where our prosperity and our performance as a state have left us well behind the pack when compared with states and territories around the country. It is the case that Victoria and Victorians are worse off for this government. I will go through those issues as I address the house this afternoon.

Whether it is the rotten Big Build, which has been the principal source of financial haemorrhaging which has led to that explosion in debt – and debt is not just some remote number. This debt, which has been racked up by this Labor government under this premier, Premier Carroll, and his predecessors, will see nearly \$1 in every \$10 go simply to bondholders around the world. Money wasted – and wasted, I should add, because in large measure this government did not oversee, as it was responsible for overseeing, nearly \$200 billion of new and existing projects, which were riddled with corruption at the hands of the CFMEU and those who were complicit with the CFMEU. The truth is – and Victorians will know this – the cost of living has gone up under this government, and our standard of living is going down under this government.

Let us just look at what is happening on the interest rate front. I want to focus on interest rates because this state's performance – among other states but principally this state – has driven increases in interest rates. We know that because agencies like the Reserve Bank of Australia and the IMF have spoken about the impact of subnational debt in Australia adding pressure to inflation, which has translated into higher interest rates which millions of Victorians, and even more Australians, are having to contend with. Although we saw the Reserve Bank yesterday hold the official cash rate at 4.35 per cent, it has warned that more interest rate rises could be coming if we cannot tame inflation, which is something this government, given the corruption that has occurred on major projects and its generally woeful performance, is helping to fuel. Interest rates are having an enormous impact on Victorians, and this government could and should have done something about it, and it has not.

On employment, this state is performing worse than anywhere else in the country: 5.1 per cent. The *Statement on Monetary Policy* yesterday that the RBA released does not make for happy reading because the RBA, amongst other economists, is pointing to increases in unemployment in the months and year ahead. What does that mean for Victoria, whose unemployment rate went from 4.9 to 5.1, seven percentage points above the national average? If unemployment in this country is going to go up, which many economists and the Reserve Bank of Australia are forecasting, one wonders how many more Victorians and how many more Victorian households are going to suffer through increasing joblessness in this state. This government has nothing to say on that. It has nothing to say about how it will fuel economic growth in the future. It is only worried about its own safety and security as a government, and it is doing nothing on that front.

On housing, the picture is as pessimistic. Housing approvals were down. We were the only jurisdiction in the ABS's last publication of data that went backwards on approvals and on completions.

Nick Staikos interjected.

John PESUTTO: Nearly 2 per cent, I say to the minister at the table. We went backwards nearly 2 per cent while everybody else went forward on housing approvals. On housing completions Victoria is performing worse than it has in the last decade. So much for achieving housing completions of 80,000 a year. It is not going to get there. We will be lucky if we get to 55,000, and that number is going down because sentiment, not only among homebuyers but among builders and developers, is crashing, not just because of this government but because of its counterpart in Canberra, which seems to have the same DNA as this government.

This government has left this state strangled with regulation to the point where people do not want to do business here. I was speaking to a banking leader just this week, who said that they are noticing on their books many employers in Victoria looking to relocate, and that is a consistent theme throughout. After 12 years that is only part of the very pessimistic canvas this government will leave the Victorian people.

This government thought that it could address it by changing the leader. Although I was not the best student in religious education classes, I do remember Jeremiah 13:23: can a leopard change its spots? Can someone so accustomed to doing wrong then do right? Well, I say changing the leader from the member for Bendigo East to the member for Niddrie will change nothing. This new Premier was there at every major decision, and this new Premier talks a big game on integrity and being different to Mr Andrews and Ms Allan. Well, he may be right, but I fear he may be worse, because someone who pretends to hold to a higher standard, given their involvement in the past, often proves to be worse than the people they replace.

If the Premier is really faithful to the comments he has imparted in recent weeks since ascending to the top job, well then, let us go through the facts. The Premier says he wants to on the one hand continue with Suburban Rail Loop East and at the same time expedite airport rail. Okay. The first thing this Premier can do is be up-front and consistent with the words he speaks, take the Victorian people into his confidence and release the updated costings for the Suburban Rail Loop. Do that today, Premier. If he is really faithful to the words he has spoken, will he share the advice he says he is seeking on either cancelling or deferring the SRL? If you defer the SRL, what are the costs of deferring? We know there would certainly be costs of cancelling. What are the costs of deferring it? Is he really pretending – this is the Premier – to the Victorian people that he is now doing both? He is going to proceed with SRL and proceed with airport rail, having been delayed in 2023 until the early 2030s. How is he going to do that with a straight face?

The Premier says he wants to do things differently, but he has not released the identity of the royal commissioner or the royal commissioners he intends to appoint to the royal commission. How hard is it to release terms of reference to a royal commission that ought to be all encompassing? You almost do not need terms of reference for such a royal commission. We all know what the problem is – just get on with it. But he is delaying because he knows and we know that every day that passes is one day less that this government has to have an operating royal commission. I doubt it will get very far before the writs are issued and we enter into caretaker.

A third example: if this Premier says he wants to watch the pennies and do it better than his predecessors, then why doesn't he come out and say what he intends to do about the government's fiscal strategy? On employment, step 1: unemployment is deteriorating at 5.1 per cent, and it may well go higher, as the Reserve Bank and others are forecasting. What is his plan for that? Operating cash surpluses: what does he say about improving those and including the fiscal cash deficit, which is what the then Treasurer Ms Symes from the other place told PAEC a few weeks ago they would include? What is he going to do about net debt as a proportion of gross state product? Is he going to maintain the fiction, like his predecessor did, that the growth numbers stack up when everybody here and around the world are pointing to a deterioration in growth outcomes over the next year and beyond? We will be lucky if we have a 1.5 in front of that number. Is he going to be honest, as he says he will, with the

Victorian people and tell us the true proportion of state debt to GSP? If he is going to say these things, he ought to be up-front. But as I said when I quoted Jeremiah earlier, I do not think anything is going to change, and I will tell you why, ultimately: because corruption and the propensity to enable it, turn a blind eye to it and pretend it does not occur are in the DNA of this government.

This government, even before it took office, was exhibiting that propensity. Red shirts, you might recall, actually was born of the 2014 campaign. And the one thing that I regret about the Ombudsman's report and the other reports is they actually did not nail the real issue. Yes, as bad as it was – the government and those candidates misused public funds for political campaigning purposes – there was something deeper and more rotten going on. There were members of Parliament who certified documents to this Parliament about working hours by staff who they knew were campaigning in other seats, and they never answered for it – that was the real and deeper controversy in red shirts.

Operation Daintree: another case of government largesse and, I would argue, corruption, where money was just handed out to a union that had no capacity or capability internally to run the training programs for which it received more than \$2 million. Daintree was another stain on this government's record. You had the Ombudsman report on the politicisation of the public service – that lies at the heart of just about everything that has gone wrong in this government. You had Operation Richmond, which the member for Berwick spoke about at length and I will not rehash at any great length other than to say that it only touched the tip of the iceberg, in my view, about the rotten nature of this government.

You then had the Victorian Auditor-General's Office report – remember that – into the Commonwealth Games. The now Premier sat around the cabinet table and secretly increased the envelope for the Commonwealth Games in April 2023 from 2.6 to \$3.6 billion – and they told no-one. Three months later, they would come out and famously cancel the Comm Games. The Auditor-General has also spoken about this government – I am not using the Auditor-General's words; I do not want to put words into the auditor's mouth – and has delivered at least two reports saying unequivocally that we can no longer rely on the budget papers of this government. It said that when you look at the costings for major projects in Victoria, budget paper 4 is no longer a reliable guide to government spending. What does that tell you about integrity under this government?

The new Premier pretends he is an agent of change. Well, I say to the Victorian people: the new Premier Ben Carroll is a double agent if that is the case. He is pretending to be an agent of change but represents everything that has gone wrong in this government. So I say to the Victorian people: are we better off after 12 years? Certainly not. What we are left with is a government that has been trashed by the Labor Party. It is a government whose institutions and standards, whether they are of accounting, in the case of proper budgeting and provisioning for services, or whether they are in the management and oversight of major projects, have completely been discredited.

This government, with this Premier in charge, has made itself an object of shame around the country. Does anyone look at Victoria under this government anymore as a benchmark, or is it a stain? I fear for the Victorian people, and I grieve for them this afternoon about the behaviour of this government, whether it was as described in red shirts, as described in Daintree, as described in the Auditor-General's Commonwealth Games report, as described in the Auditor-General's major projects performance report or as described in the Ombudsman's report into politicisation. Wherever you look, this government deserves to lose the next election. Under Jess Wilson, the Liberals and the Nationals, I say to the Victorian people, are ready to fix our state, not just the budget and our economy, and to restore the confidence and faith of the Victorian people in a government that works and is honest, accountable and transparent.

The SPEAKER: I remind members about calling people by their correct titles.

Opposition performance

Alison MARCHANT (Bellarine) (17:16): I rise to speak on this grievance debate. I suppose, with an election coming up in only a few months, what has been weighing on my mind is what kind of

Victoria we would have under a very different government – a government from the opposition and, with that, a government that would only be able to govern with One Nation. I think today in the grievance debate I will not be grieving for a political party; no, I actually will be grieving for the Victorian people, who could end up with a government that would dismantle everything that we have built in this state.

I think about what is at risk here. When I look around my own community in the Bellarine, I get to see the things that we have invested in – the things that we have chosen to invest in and not walk away from – because we know the privilege and the responsibility of being in government and having not to waste a moment in doing the things that the Victorian people need us to do. Although I have only been in this position for a term, the Labor member before me, Lisa Neville, was certainly a huge and hard worker for the Bellarine electorate. I think I have continued to do that work for the Bellarine, because when I drive around the Bellarine I get to see the CFA stations we have, the new schools that have been built and the upgrades of classrooms.

I see that the Geelong hospital and the Geelong healthcare system have had the biggest health investment we have ever made in the region. The women and children's hospital is being constructed and being fitted out at the moment, and that is going to absolutely change the way health care is delivered in our region. We have also opened up a dedicated children's emergency department. Families tell me all the time what it means to take a sick child into emergency and to have a safe and family-friendly area dedicated to them and services, doctors and treatment rooms where children feel a lot safer and a lot more comfortable to get the care that they need. It has absolutely changed the way that our region has health care.

I have seen surf lifesaving clubs upgraded. We are supporting our volunteers, our emergency services. Soon we will have a new St Leonards Pier, which will start to be built – an absolutely incredible project for that community. We are building an indoor aquatic centre right now. Drysdale have got a new sporting precinct at stage 2, and you can only do stage 2 when stage 1 has been completed. There are new soccer pitches and soccer room clubs for that community. At Collendina there are safety upgrades for their footy oval and a new pavilion. Wallington Reserve is having upgrades to its pavilion to ensure that it is disability-compliant but accessible for everyone. They run wonderful programs there with Bellarine Bears Baseball and the Wallington Cricket Club, inviting children with all abilities – children who would not normally be able to be part of a sporting club. It may be autism; it may be that they have physical disabilities. They now can have access to sport but also in a club environment and a pavilion that will make them feel as comfortable as they need to. Those things make a difference in my community. These things matter. It is more than lines in a budget; it is more than items in a report. It is actually about people, and that is what this government has continued to do. I grieve for what it might look like under an opposition government, because so much that we have built will be undone with the stroke of a pen. We have people who turn up every day to make our communities great, and I worry that they will not be supported.

When the opposition go to talk about the things that they may do, the question remains: what are they going to cut to do that? We know that they have said that they will need to cut to make budget decisions, but what does that mean? Does that mean that someone waits longer for hospital care? Does that mean that a child does not get a kinder place? I worry because eventually that reaches the frontline services and it reaches deep into the heart of the community. When you live in a regional community like the Bellarine, they are just not numbers but actually real people. They are people that are doing jobs and people who are building our communities. I think there is a difference, and our Premier has talked about this – that the dollar that he spends will be respected. I really believe that there is a difference between finding efficiencies and just simply cutting your way out of a problem.

It is easy to cut. It is absolutely easy to cut. What is harder to do is govern and build, and what we have been able to build over the last decade is a system and reforms that actually have made a huge difference to this community. We need to continue to go forward. What is at risk, and what I would grieve for, is a Victoria that would look very different. We have seen this before. It is not new for the

Liberals to talk about cuts. When they were last in government they cut health, TAFE funding was cut – 22 campuses were closed and staff lost their jobs – school funding was cut and regional rail projects were not built. Nothing happened. The economy stopped. The state stopped. It was not until a Labor government came in to say that government has the privilege and the responsibility to get on with it that we started to actually do things and deliver things. We are absolutely committed to that.

I suppose, in talking about that contrast between what the opposition may offer and our government and what we have delivered, it is really about why I am here as well. I think there is a fundamental difference between us and the opposition. For us, there is absolutely a set of values behind this – the values of having a fair go, aspiration, that we support our businesses and that people look after each other when they need a hand up. We use that privilege of government and responsibility to make our communities better than we found them. That is why we are all here. We also believe that no matter where you come from, no matter your background, no matter your postcode, no matter what you are born into, you have the opportunity to thrive.

People do not choose to become sick. People do not choose to have the barriers that they do. Some people work incredibly hard and some people just need a hand up, and I believe that is where government needs a role. It is not for government to do everything for people, and it is not to tell people how to live their lives, but it is a role of government to be there when they need it. I think that is that fundamental difference. What happens, for example, if you lose your job? What happens if you do become sick? I believe the answer should never be ‘You’re on your own’ or ‘You should be able to afford health care’, like in the American system where you have to pay when you go to the emergency department. We certainly, on this side, do not believe in that type of government. We believe we can build, we believe we support our communities and we believe that we can make reforms to create opportunity but also to make sure that those people that otherwise would be left behind are not forgotten.

I also believe that when government acts, it should be acting with absolute purpose. We have reformed in so many areas in this state, and I will just touch on a few. If you have a think about what you can make better or how you could give a child the best start in life, well, you give them opportunity in free kinder. You reform three- and four-year-old kinder so they can have a great opportunity and families can have the opportunity if they want to go back to work as well. It is opening doors for families and supporting families so that children get their best start in life. How can we make education more accessible? What is the purpose of investing in our education and making sure our students and young people have opportunities? Well, you build TAFEs, you build tech schools, you create reforms like the VCE vocational major, an absolute game changer for young people who may not want to go to university or would like to do a trade or not even have a HECS debt and go into workplaces and start an apprenticeship and get a job after they leave school. The VM has absolutely transformed. Now, what do they do? Do they cut it? Do they support something like that? It is things that we have done that are building upon building blocks that we have built, and I really grieve for communities that would face those types of cuts.

How do you make health care more accessible? What is the purpose of investing in health? Making life easier for people to access health care. We have done the virtual women’s health clinics – absolutely game changing. The virtual emergency department – absolutely world leading. The fact that I can be at home if I have got a sick child, if it is not life threatening but I am really not sure what to do, and I can call the virtual emergency department and have a video call with a doctor – absolutely incredible. Chemist Care Now – I can go to my chemist to get support without going to a GP for certain conditions. And urgent care clinics – we know that the federal government have picked them up around the country.

How do we make housing more attainable? Housing has been a huge reform that we have undertaken more recently. You know how you reform? You build. You do not block, you build. You actually go and build housing, you make sure that your communities are wonderful places to live, you invest in police and you invest in strengthening our laws. How do you create opportunities in regional Victoria?

Well, you support tourism, particularly in the Bellarine. We support tourism operators, and we support businesses that encourage more tourists to stay. You do workers accommodation to ensure that workers can now be in areas that were struggling with mainly seasonal industries. That is the role of government. How do you make it a bit fairer for people who are doing it tough? You have rego rebates, you cap the regional V/Line fares, you do half-price public transport and you do free youth Myki cards for youth to have free transport. These are the things you do to make life easier for Victorians. These are the things, as I mentioned, that we are doing and are continuing to build upon.

With the time left I want to talk a little bit about representation. I am really proud to be a fierce advocate for the Bellarine. I suppose I could say I do not take no very well as an answer, and I like to advocate for the community on their behalf, and if the answer is no at the first instance, well, then I go back and think about other ways that we can maybe get things done. But it is something that I think people are thinking about: 'Who's going to fight for me? Who's going to represent me? Who's going to actually have my back? Who's going to be able to invest in my family to make my life that bit easier?' And absolutely our government has shown that we do that. We understand, we listen to our communities and we absolutely fight for them as well. This is all under risk.

When I hear about \$40 billion in cuts, I think Victorians are entitled to ask where those cuts are going to go and where those cuts are going to come from. At some point choices will have to be made, and those choices affect people. As a former teacher, certainly education is one that particularly concerns me, and I want to make sure that children get the support that they need. One of the biggest reforms that I certainly advocated for and certainly am really pleased this government put in place was phonics in early years. Explicit teaching changes the way that young people now will build foundations in their literacy to go on and build a love for learning. Really, it is a love of learning so they can have this success and build upon that. I have spoken in this place about my son, who has dyslexia. He missed out on that, and we will have to do that when he is in the older classes. But it is going to absolutely transform families, how their children are supported in those younger years. I know we have made some reforms around testing as well so teachers can have the best tools to test their students and understand the things that they need in those younger years.

As I conclude, I am really proud to be in a state that deeply supports our multicultural community. We are a state that is open and inclusive, and we can be optimistic. We do not use fear and we do not use division to solve complex problems. I would absolutely grieve for a state under the opposition, and I really think that people doing it tough need Labor governments.

Government integrity

Wayne FARNHAM (Narracan) (17:31): I am pleased to rise today on the grievance debate, because I do grieve for the state of Victoria. The fact of the matter is that this state has lost integrity. Let us talk about integrity. Let us talk about it and what it means. It is a very, very clear statement: being honest, having strong moral rules and doing what is right when no-one is watching. That is integrity. Now let us compare that statement to what we have seen from this government.

I am going to start with the Premier himself. I am going to start with the very first two words of this statement: being honest. Being honest is very, very important, and the Premier has proven straight off the bat that he is not honest. He could stand at a press conference and look someone in the eye and say to them, 'I'm happy to be the deputy, I'm happy in my portfolio space; you have my full support.' And then within two weeks the now Premier knifed the former Premier, the member for Bendigo East, in the back. That lacks integrity because he was never being honest. That is the truth.

Let us have a look at another statement he made on that same day:

I've got a young daughter at home, and I couldn't be more proud to make sure she grows up knowing that I supported Jacinta Allan ...

or the member for Bendigo East in this chamber. That was never an honest statement. That in itself lacks integrity, pure and simple. You cannot deny it. You cannot put a spin on it. They are there in

black and white, the words from the man that now sits in that chair. There is no integrity with the new Premier. We are talking about a Premier who has been at this cabinet table for the best part of a decade. He is trying very, very hard to separate himself. He came out and said, 'I am not Daniel Andrews, I am not Jacinta Allan.' But he was happy to sit at that cabinet table for a decade and be complicit in every decision that came out of that cabinet room. That tells me that the new Premier lacks integrity, because now we see he has got more backflips than a circus clown. Not only does he lack integrity, if his true conviction and his stand now is what it is, then he also lacked courage in that cabinet room.

The coalition have been very strong from the start on the \$15 billion in corruption. We called for a royal commission, and we were the first to call for a royal commission. But the now Premier came out and said at the time, 'We don't need a royal commission. It takes too long and it's too expensive.' He repeated that claim time and time again, but when the polls started going south, when the approvals started going south, all of a sudden he has a change of heart. And he stated why he stabbed the former Premier in the back: it was because of the polls. That was the reason. It was not about his integrity, because he has none, and that is the problem. That is the problem and Victorians know it. But now he has come out and backflipped and said, 'We have to have a royal commission.' That is a big, big backflip from the commentary for the previous six months. That is a massive backflip. So where does he stand? He does not stand on his convictions, I can tell you that, because his actions prove that.

So now we are having a royal commission, but here is the problem, and again, I come back to integrity: I do not think he is being honest. I do not think this royal commission will get up before the end of this term. I think he is saying what he needs to say so Victorians think he might be different. But he is no different. He was Daniel Andrews's apprentice, and he was the right-hand man to the former Premier, the member for Bendigo East. He sat right in that chair and was there for every decision, every day. He has no integrity, he is not honest and he lacks courage. He has stabbed the former Premier in the back – and that is what he has done – only because he was worried about the polls, and by extension, worried about his own seat. This was not for Victoria, this was for self-preservation. That is the worst motivation for any member of Parliament to have, because your number one priority should be your community, not yourself, and this is where this man is selfish, lacks integrity and lacks honesty. That is what he is, and he will not change his spots. He will do anything he needs to do. He was there when the \$15 billion claim came out, he was there when decisions were made and he would have been involved in the conversations, or he would have heard the conversations, about the corruption in the construction industry in this state. And if he did not, he was either one of two things: deaf or incompetent, because those drums were loud. They were loud. Everyone knew it. Everyone on that side of the chamber knew it, and they denied it. They tried to bury it like it never happened.

The problem with this government is that it lacked integrity from the start. Back in 2014 – again, being honest – there was the red shirts scandal, and the member for Hawthorn touched on this earlier. We saw through that campaign that they illegally used staff to go out and campaign and then denied it ever happened. This comes back to integrity, and the second part of the statement is about doing what is right when no-one is watching. This is the problem with this government: when nobody is watching, they will try and cover up and make it a secret. Red shirts is a very good example. They claimed they did nothing wrong. They claimed there was nothing to see. The member for Hawthorn stated earlier that there were MPs that signed off on time sheets, knowing full well that those electoral officers were out there campaigning. An MP signed off on those time sheets. That is not being honest. Then when it finally came out and the figure came out, they said, 'We'll pay it back, but we did nothing wrong.' That is not being honest. That lacks integrity, as do the statements that side make about us over here and how we are going to govern when we do win in November this year.

I will tell you what the first cut that will be made will be. I am being honest: the first cut that will be made will be by the Victorian public to the amount of MPs on that side of the chamber. That is the first cut that is going to be made, and it will not be made by the coalition; it will be made by the Victorian public to the amount of MPs on that side of the chamber.

Members interjecting.

Wayne FARNHAM: I can take up your interjections all day long – I am more than happy to – but that is what is going to happen, and that is being honest. The Labor members will be the first thing the Victorian public cut, because they have had enough. They have had enough of the lack of integrity. That is why it will happen – that is exactly why it will happen. This government, from 2014 right through to now, has been caught out time and time again. It cannot even be honest with the Victorian public about the Suburban Rail Loop. This is funny – I think it is still TBC in the budget; I am not quite sure. The former minister is at the table – maybe he can correct me, and I would be happy to be corrected.

Members interjecting.

Wayne FARNHAM: It is still TBC in the budget. But they cannot be honest. They are saying that in 2020 this project was priced at \$34.5 billion, but it is still on time and on budget six years later.

A member: It is. Okay, it's true.

Wayne FARNHAM: Yes, I am sure it is. Then why can't we get a budget figure for it? If that is the case, why isn't it in the budget at that price? They have not been transparent with the contracts that have been signed or the escape clauses. We have a Premier now that said this was going to be the biggest and best thing to happen to Victoria, but now he is really thinking of pulling the rug out from under it. How many construction jobs will that lose when they do that? This new Premier, because he has no conviction, will flip and flop to suit himself. He will flip and flop to get the polls up, but I do not think that is going to happen. How many thousands of jobs will that lose? He is not an honest man.

I actually had more respect for the former Premier, the member for Bendigo East. I had more respect for her because she stood for what she believed all the time. I did not agree with her – my goodness, I did not agree with her probably 95 per cent of the time – but I had respect for her. I have no respect for this new Premier because he will just change with the direction of the wind. That is how he is built, and that is what Victorians are going to see. That is the problem. It is ingrained in the DNA of this party. It is ingrained in the DNA and their honesty.

Let us talk about the Commonwealth Games – a nice little \$600 million hit to the state of Victoria. We were told at the last election this would be the best thing for regional Victoria, but that was an empty promise just to win seats. That is all it was – it was an empty promise. Logistically, they could never deliver these games in regional Victoria. You cannot deliver games from Morwell to Bendigo and make sure it will work. It was never going to happen. It was always a furphy, and it cost us \$600 million to cancel that. But what was even worse than that, if the cancellation was not bad enough, was the total dishonesty about the price of what the games were expected to cost. I can remember the then Premier Daniel Andrews standing up there with a little bit of paper this big, going, 'Look, it's going to cost \$7 billion. That's why we have to cancel.' I remember yelling out, interjecting, 'Show me the quotes.' He never had a quote. That figure I believe in the Public Accounts and Estimates Committee was proved to be overinflated. Even with the cancellation of the games, they could not be honest. This is what Victorians have woken up to. Victorians are not stupid; they are smart people. They have seen the spin and the deception time and time again. Now they are turning on this government because they know there is a better option. They know there is a better option than what is over there now, and that will be proven in November this year.

People are saying to me it does not matter now who leads that side. It will not matter. It will not change their mind come the election, because they have had enough. The greatest deception that happened in my community was the West Gippsland hospital. Be honest. 'We'll start it in 2024. We'll open it by 2029.' There are still cows in the paddock today. Remember even back to the 2022 election when the then Premier Andrews stood up and said, 'We can have it all. We can have the infrastructure, you can have the hospitals. It's all going to happen.' Well, it has proven again to not be honest, and there is a lack of integrity. And that is the problem: they do not know integrity. It does not matter how many leaders sit over that side of the chamber. They can change the new Premier for another one if they

want to, and it is not going to make any difference come this election. It is not going to make any difference, because not only has my community woken up to what they are about but Victoria has woken up to what this government is about. They lack integrity. It is the first two words of that statement, two simple words that that side struggle with: being honest – being honest with Victorians and being honest with your constituents. Come 28 November, the lack of integrity is why this mob will not be there.

Opposition performance

Matt FREGON (Ashwood) (17:46): I think we can sum up a lot of today with the George Costanza line that has been used before in this house, that it is not a fabrication – I have changed the word – if you believe it. I have no doubt that members believe what they are saying, because all members are expected to be factual at all times. I think this is my first grievance debate this term. It was about four years ago when I did my last one. It is funny, I was thinking about it today. It is serendipity, because I remember standing over there about four years ago doing a grievance debate, grieving for my parents, especially my father, who was a lifelong Liberal voter, and feeling sorry for him.

A member interjected.

Matt FREGON: He was a smart man, you are right, but not everyone gets everything right. I remember standing there and talking about grieving, which is not really grieving, let us be honest. It is a silly name for the thing; it might as well just be called a whinge-fest afternoon. I was standing there, and I said the word ‘guys’ here, and the former member for Kew picked me up on that on behalf of the ladies in the chamber and thought I was being disrespectful. It is just me; you are stuck with it. I just call everyone ‘guys’. It is just a thing. I apologise if it is offensive. Anyway, I thought today, when I was thinking about that, because I had a grievance –

A member interjected.

Matt FREGON: Am I going well? I thought, the last time we heard from the member for Kew, he was talking about pot plants. Remember that? The pot plants – the COVID inquiry was very important. I am not suggesting we should not be careful with money that is spent in departments and organisations – this is very important stuff – but I do find the fascination with pot plants a bit weird. Why not desks? Why not lights? Why not anything else that is in a normal office that anyone pays for? It just seems a bit odd that we come back four years later and nothing has changed. I think it was our Premier who said today, when talking about the census last night, ‘Five years ago, same thing’, and five years ago I can also remember members on the other side counting us all out on this side, and we are still here.

Wayne Farnham interjected.

Matt FREGON: You never know, member for Narracan, you may be right. I would not usually discuss conversations held outside the chamber here, but as I have said before, earlier we had a little chat, and I do not think you will mind –

Wayne Farnham: On a point of order, Speaker, I would just like to draw your attention to the state of the house.

Quorum formed.

Matt FREGON: I love an audience, so I appreciate everyone coming in for me. You do not have to worry, member for Narracan. All I was going to comment on was the statement I made to you, rather than the other way around, this morning that it is a little bit like Schrödinger’s politicians in here at the moment. We are all alive and dead at the same time, because you guys think we are dead, we think we are alive and vice versa, and it is a bit of a mess. But that is what it was like four years ago, and yet here we are. I think when we move through the next three months there are going to be a lot of people thinking about futures and a lot of people thinking about measuring some curtains, but we

might want to wait till the people decide. We will see how that goes, because what we know is at the end of November the people will make a choice, and whatever choice that is, that will be the right choice that they make. We are here to serve the people that we represent for as long as they wish us to be here – the old *Starship Troopers* line ‘until you’re dead or I find someone better’.

But I know that people will be concerned when the figures start coming out about the cuts that are potentially at play if those opposite find their way to the Treasury benches. We will forget about One Nation for a moment, but I will come back to that. Obviously we think there is a commitment of about \$40 billion of cuts. It is fair to say that people on the other side say that is not right – okay, fine. So how much is it? How much are the cuts? There has been a commitment to cutting revenue, and there have been commitments for spending. The member for Narracan just talked about one of the things they have committed to spending on. So where does it come from? At some point in the next three months those opposite are going to actually have to say, ‘This is what it’s going to look like,’ because people will start to pay attention to what they are actually saying, and it does not add up.

I will give you an example. They have said they will cut public service workers. They have said that on retirement or whatever they are not going to replace them. Let us believe that for a moment. I heard members earlier when this was talked about saying that the Silver review put forward other redundancies. Yes, that is correct – that is obviously common knowledge. But whatever they are committing to is extra; it is more. Think about some of the programs that the back office people in departments enable in our state. We all know that last time the opposition were on this side of the house they famously cut Fresh Fruit Friday, which cost very little, but amongst the cuts they made at that time that was done. That was their decision; it happened. Since our government has come in we have had the free breakfast program, which has done millions of breakfasts. That is organised by people behind the scenes working with Foodbank and working with others to make sure those breakfasts arrive at the schools for kids. If the back office staff retire, leave, move, whatever, and are not replaced, those programs will over the course of time be less likely to be performed, unless you outsource them maybe, but that is not going to save you money either. I could spend another 15 minutes on outsourcing. It is one possibility that they see it just slowly die off, if not in a hurry. The Smile Squad in schools – dental programs for schools – is another program that, for kids who may not otherwise see a dentist early in their life, can be a game changer for their whole life because of their oral health. Again, it is organised by back office staff that need to do the work to get the trucks and the dentists and other people in the schools.

The free Glasses for Kids program in schools – I have been wearing glasses since I was about four. We could afford it, I had an optometrist, we had glasses, but there are a lot of families who, through no fault of their own, either cannot afford the glasses and the optometry or may not know that their kids have an issue. I put it to you that a program like this is crucial to the children who it benefits for the rest of their life, because if we pick up one child, for instance, in a school and that child gets glasses in order to see the board – the whiteboard, the smartboard, the TV or whatever it is these days. If that child can then see the board, do the work and learn properly, that child has got a future like any other child who does not have a sight issue. If that child does not get those glasses that year and maybe it takes another year or two, three, four or five, their learning is stunted. It is not really a surprise; it is logical. All of these programs – they are just three examples in our schools – are probably not what you would call core education, but they are crucial to the education of Victorian children and therefore the families who have those children.

Again, I will not say ‘grieve’, but I worry about whether the potential – or, as the member for Narracan said, certain – government from the other side have thought this through, because if you are not going to borrow and you are going to cut the revenue, you have got to cut spending. That is not cutting the spending of other things that have been borrowed. That is cutting the ongoing spending that is in the budget. The budget at the moment is at an operating surplus. Debt is increasing for capital programs. We can have an ideological, philosophical and economic argument about the benefits and pros and cons of that, but that is the reality. Presuming that you are going to stop borrowing for the capital

program, you have still got a finite amount of revenue that you are then reducing. If you are going to spend more on hospitals or other things, maybe you borrow for that. That would be a choice for the government, whoever the government is. There is going to be a cost somewhere, and it is going to affect Victorians in the change. Every time we hear a commitment from the opposition on what they are going to spend on or what they are going to cut in taxes and revenues, at some point Victorians need to know how this all adds up, because in my mind it does not.

The member for Hawthorn was referring to the Auditor-General. He has his opinions about the budget, but the budget is there every year. I do not know if there are any commitments from the other side to completely rewrite book 4. I am not sure what they have promised there. Again, if you are going to say you do not like the way the budget is, what are you promising to do? These are the things that will have to be said.

One of the advantages of being on the government side is that it is open and clear what we are doing and what we are not doing, and I think we are the first ones to say that no matter where we are we can always do better. I remember four years ago. I think everyone was counting me out then too, by the way, until I Steven Bradbury-ed my way through it – and do not undersell Steven Bradbury. The guy made it to the final, and he is an Australian hero.

A member interjected.

Matt FREGON: I will take the interjection. Just to be clear, I am not comparing myself to the Australian hero that is Steven Bradbury. That would be very unfair on him. But I am seriously concerned about the prospect, and I have not even got to One Nation. If I was cheeky enough, I would ask for an extension of time, but the rules are pretty clear, so that is not going to happen. But people are concerned about what is coming if that is what is coming.

Question agreed to.

Bills

Safe Patient Care (Nurse to Patient and Midwife to Patient Ratios) Amendment Bill 2026

Second reading

Debate resumed.

Emma KEALY (Lowan) (18:01): I continue on the Safe Patient Care (Nurse to Patient and Midwife to Patient Ratios) Amendment Bill 2026. This is a very important piece of legislation because the aspiration, what the government is setting out to achieve, is a good thing and is important. We need to ensure that people who enter Victoria's public health system receive the support and care that they need and deserve. In health care there is a very important driver to better patient outcomes, and that is the right care at the right place at the right time. This is never more emphasised than when you live in rural and regional Victoria, where access to health services is much more difficult. My colleague and electoral neighbour the member for South-West Coast can attest to this. The challenges that we face in south-west Victoria and western Victoria are a different perspective than what residents of Melbourne have to face when it comes to attending a health service and getting an appropriate level of care. This is not a reflection on the healthcare workers themselves. What unfortunately happens as a result is when you look at the health outcomes in our electorates in rural and regional Victoria, we are on top of the worst indicators. We have a shorter lifespan, we have a higher rate of mortality five years after diagnosis of cancer and we have higher rates of heart disease and of lung disease. Skin cancer is another – we have higher rates of that. Something that I am certainly noticing – and this is just an observation rather than being evidence based – is that the number of men diagnosed with prostate cancer in my electorate is exceptionally high.

I will take prostate cancer as an example. The challenge for men who are diagnosed with prostate cancer in my electorate of Lowan, particularly around the Wimmera region, at this point in time is that

Richard McMullin has retired. He was the urologist who serviced from Ballarat right through to the border. He is a very good human. I know Richard well. He was the urologist in charge of my father's prostate cancer. He retired a little while ago, and I would like to acknowledge and thank him for his service to health care. He certainly had a huge impact on so many men and women facing urological issues. I do appreciate the contribution that he made to supporting health care in rural Victoria, because not every specialist is willing to do that, and some do not do it as well as Richard did. So thank you, Richard. But upon his retirement that position has not been filled, and I have had a number of local men come to me in situations where they simply cannot find a urologist within the Grampians Health network that will take on their care.

We have some members of our local community who, rather than travelling to Horsham for care or travelling to Ballarat for care, are actually having to go to Melbourne for care. In this scenario this is of course a long distance. My electorate is a long way away. Horsham itself is about a 4-hour drive. I had a case of somebody who was in Rainbow who had to drive to a urologist in Melbourne – that is getting to over a 5-hour drive. It is not just the cost to do that – there is the Victorian patient travel assistance scheme, which provides a small contribution to cover fuel costs to get to an appointment in Melbourne. Our patients have to travel on pothole-riddled roads, and as we know in rural and regional Victoria our roads are falling apart. I have a resident at Lake Bolac who had to travel to cancer care in Ballarat. In that journey she did seven tyres and fractured five rims. This is the additional cost of accessing care when you live in rural and regional Victoria.

There are not connections that are there when it comes to the public transport system. We still do not have access to a public train system in all of the Lowan electorate. It is 20 per cent of the state, but there is no train service. It is outrageous, and it should be instated. There is the demand for it; there is the need to do it. When you see that we have got free travel in Melbourne on trains and trams, on public transport, our people miss out because they do not have access to those services. It is the inequality that we see under a Labor government. There is so much focus on things that happen in Melbourne, but some of the people who have the worst health outcomes are missing out. They are paying more and getting less under a city-centric Labor government. It is very frustrating for people who live in regional Victoria to feel like they do not count and they do not matter under Labor. We need to ensure that we have access to this care, so while I understand this bill is about nurse-to-patient ratios, there are so many levels to better access to care and better quality of care that are beyond nurse-to-patient ratios.

I was very proud to stand with the Leader of the Liberal Party Jess Wilson and the Leader of the National Party Danny O'Brien at Hamilton Base Hospital recently. I had the member for Gippsland East and the Leader of the National Party, and we were able to announce that the Liberals and Nationals in government would contribute \$45 million to finally upgrade the emergency department and intensive care unit at Hamilton hospital. This was so warmly welcomed by the hardworking staff in the emergency department and the wider Hamilton community and across the entirety of the Western District, because that emergency department is falling apart. It is outrageous that our healthcare workers have had to put up with those conditions for such a long period of time. I am so proud to have committed to that at the last election, that \$70 million. We have now upped it. We are doing more. We are going to invest \$45 million, and I cannot wait to see that happen, because I know that that is the way the Nationals will deliver better health care for local people in regional Victoria. It is time for a fresh start. We need to make sure we get our fair share to regional Victoria, and investing in Hamilton hospital is exactly how the Nationals are going to achieve that.

We know that the commitments within this legislation around nurse-to-patient ratios are important, but there are concerns that have been flagged by the sector in relation to how this will look in practice. While it sounds important – and it absolutely is important – we need to ensure that there is not just a ratio, we need to ensure that we have got positions filled, we need to ensure that we have got enough workforce trained and ready to fill those positions, and we need to make sure we have a workforce that can fill positions in areas where it is traditionally more difficult to attract and retain staff, which

are in rural areas of Victoria. This is often the big challenge when it comes to Labor. It is all very well and good to put in an enterprise bargaining agreement or in legislation a requirement for a greater level of staffing within our health services, but you can only deliver that with the same level of services if the government also provides the funding to that health service so they can pay these staff and so they can pay the nurses at the right level commensurate with their experience and their skills and qualifications. This is what we do not get through this legislation.

There were questions put through the bill briefing, which we have not received a response to yet, about what additional funding will be provided to the public hospitals to ensure that they can deliver on this legislated requirement to increase nurse-to-patient ratios. This is the key question, because we need to make sure the funding is there, otherwise hospital boards and CEOs will be in the incredibly difficult position of working out how they can fund a legislated requirement to increase the ratio of nurses to the number of patients that they have. The only way they can achieve that is by shutting and reducing services. Basically you cannot do anything else within the healthcare system. They have been cut to the bone. There are what are called efficiency savings. Every first of July, the new financial year, the hospitals get their new budget to understand what they are going to have to fund their health services over the coming 12 months. But if there is an efficiency saving – which there always is – it means that CEOs and boards have to make the decisions: how do we fund the EBA increases that are coming through? How do we ensure that we continue to actually serve our community by delivering the health services that people in our community need? And how do we make ends meet? It is about hospitals doing more with less, but it comes to a point where there is only one decision to make, and they have to shut services. This is an exceptionally difficult decision to make, but it is one that is put in place because they have a legislated requirement or an EBA which they have to meet and they are not given the funding by the Labor government to be able to deliver on that. It is a very simple economic proposition which just does not stack up.

It is a challenge for every health service how they deliver on that, because they take their role in the community very, very seriously. They understand that health care and hospitals particularly are some of the key employers in our rural and regional towns and cities. They know that the people who are in those senior positions in health in hospitals are often also taking on leadership positions within the local community. They are taking on positions within the local football or netball club, they are on school council, they are leading in volunteer roles. Many are naturally leaders and decision-makers, and so they give back to their community in so many different ways, so if we do not support particularly our rural health services to have that stream of people in senior positions, in leadership roles, who have got additional skills they can bring not just to their employment but also to the community, we are going to have a decline in our rural communities. There is also the flow-on effect of what it means for our rural communities if there are not senior decision-making positions in health services in the smallest communities in our state. If we do not have that economic driver of senior positions in health care in regional Victoria and rural Victoria, we take away so much of the support and donations financially from supporting our small businesses in regional Victoria – the donations to our clubs and schools and all of those things that make our regional communities so vibrant. It is not just the volunteering; it is the financial donations as well. This is what makes people who live and work in rural and regional Victoria so special: they give so much more than just turning up, and we should be supporting them and our rural and regional communities at every single opportunity.

In regard to some of the detail around this bill, as I said, there are a number of changes to the schedules or the hospital levels, where a number of hospitals are upgraded or reclassified – that is outlined in the legislation. But I would like to point out some changes relevant to my electorate of Lowan, whereby Grampians Health Ballarat Base Hospital has been classified as a level 1 hospital; Grampians Health Wimmera Base Hospital, the Horsham campus and Natimuk and Dimboola as well are level 2 hospitals; and the Willaura campus of the Ararat hospital, which is just out of my electorate and which East Grampians Health Service certainly has responsibility for, has also been reclassified. It is a fabulous health service in the beautiful community of Willaura and has one of the most outstanding and generous hospital auxiliaries I think in all of the state. They do an incredible job there with

fundraising activities in particular, but also they volunteer an enormous amount of time to support their residents and patients at Willaura hospital. Ararat hospital has been classified as level 3. I would also like to note that there has been a reorganisation of category 3 emergency departments. That category 3 has been replaced to include Hamilton Base Hospital, that fabulous hospital that I worked at about 20-odd years ago. It seems like a long time ago. When you look back and you see some of the people at Hamilton hospital – and we can share memories about how fabulous the muffins were on Thursday in the tuckshop that we would go in and look out for – we know that there are some good memories there. It is probably reflective of the culture within our health services: it is a community. People go through the stresses, some of the trauma that they see and the experiences, and they form extraordinarily close relationships that last a lifetime.

I would like to now just go through some of the concerns in my final elements of this contribution. Just as in the previous ratio-amending legislation, it is unclear if the allocated funding will be sufficient to meet the higher cost of employing more casual agency nurses if hospitals are unable to recruit permanent staff. This is the hidden cost of a rapid transition to an increased level of staffing. It is not talking down the increased level of staffing, it is just saying that if we do not have enough workforce to permanently fill these roles, there is an additional cost if agency nurses or locums are used to fill those vacancies – and there is a massive cost around that. It does also have a flow-on effect not just financially but within the culture of a ward. If you shift from stable employees, where people are embedded in the community and they have been working together for a long time – those wards tend to work in a more positive way and are, I think, probably culturally a more positive environment – once it gets to a tipping point, where there are a large number of agency nurses coming through, where they might only work one weekend and then they do not come back again and you have this constant churn and shift, there is a fracturing of what happens within the relationships within that health service. So there is a two-fold cost, as I will refer to it, in terms of these rapid shifts to an increased level of staffing.

Given the significant financial pressures throughout Victoria's health system, the new nursing ratios could lead to further budget constraints elsewhere, such as in planned surgery and emergency department capacity. This is of great concern to Victorians, because we know these are already areas where there are bottlenecks in the state of Victoria. We know that waitlists for planned surgery have blown out for a long time now, and the Labor government are not getting on top of those, which has a consequential impact on people being unwell and presenting to emergency departments. Then on the other aspect, we are seeing hospital ramping and patients having extraordinarily long stays in emergency departments not just for physiological reasons but also presenting with mental illness, and that is very, very problematic. An emergency department is not where anybody who is facing a mental crisis should be waiting for not just over eight hours but sometimes for 24, 36, 48 hours and up to 72 hours. It is not a safe environment for them and can cause an incredible amount of trauma; it is just not appropriate care for that to happen. But we are seeing these wait times in emergency departments continue to extend out more than what the government's own target times are for these KPIs.

As I referenced earlier, department staff were asked in the bill briefing if all hospitals are meeting the current ratios, which commenced in full on 1 July 2026. This question was taken on notice, and at the time of the writing of this bill report, it had not been responded to, so it would be fabulous if we could get that information to the Shadow Minister for Health before this bill is debated in the other place.

Both the second-reading speech and the Australian Nursing and Midwifery Federation's feedback refer to the new ratios as providing opportunities for graduate nurses. This comes at the same time that hundreds of graduate nurses missed out on a place in the public system this year, with an expected increase in the number graduating in 2026. There may even be more graduates unable to secure a position. This is something that is quite perplexing to me, that we are actually undertaking an enhanced level of training and we are getting these graduate nurses coming through, but there is not a job available at the end of that training. This is something that is very frustrating and has an impact on

graduate nurses as well – they feel like they are not valued. They put all this work in, they were told that there would be a job at the end of it, and then they go to apply and there is nothing there.

We have seen a very similar pathway with paramedics, where a program was established to train up paramedics, and then they go and apply for a position. There are so many that were unable to secure a position, even though we have got so many problems within Ambulance Victoria and we are seeing positions going unfilled for extended periods of time. In my electorate of Lowan, in the northern area, in the Wimmera area, we have not had a MICA paramedic from Ballarat to the border for the last month or longer. In fact there are four positions that have gone unfilled permanently for a number of years now. They have never been advertised. There is no attempt to fill these positions. Of course when positions are not filled, they do not need any money. There are all the budget announcements: ‘You’re going to get funding. We’re going to fund these positions.’ But then they are never filled, so the money never goes out the door and access to care deteriorates and gets worse. That is what I am very much focused on.

Let us look at the outcomes. What are the outcomes to make sure we are supporting a healthy workforce and a workforce that feels valued and important and that they are recognised for the skills, experience and qualifications that they have, versus people who feel like, ‘I’m the only person left out of a team of four. How do I work in this environment when I’m continually being asked to do more overtime, to work additional weekends, when I am spending more and more time away from my family, when so much more is being asked of me because I haven’t got the people around me to fill these positions?’ This needs to be addressed. It is a critical problem because there are people who are not able to access MICA services in my area, because we do not have anyone filling the roles. This is putting so much pressure on our local paramedics. It is not fair to do that, and it must be addressed.

The Australian College of Nursing also raised concerns around this legislation that additional funding may be needed to meet the higher cost of employing more casual agency nurses. Legislative ratios combined with workforce shortages increase reliance on agency nurses, which can impact hospital budgets and also affect continuity of care. The Australian College of Critical Care Nurses also provided feedback. They too support the bill’s intent to strengthen intensive care services but raised concerns about whether there is a sufficiently skilled critical care nursing workforce to meet the new staffing requirements – so a commitment that we will have these positions available. But how do we fill them? Because we have not got enough critical care nurses trained up to deliver those services, and they have not got enough experience to deliver those services. Let us be clear: critical care nurses are amazing. They have so many skills that are vital, particularly in rural and regional hospitals, where the more skills you can have on deck, the more flexibility you have in the type of care you can provide and the types of patients that you can treat. It takes so much pressure off the entirety of the healthcare system. We absolutely need to see more critical care nurses trained up and embedded into the workforce, but there needs to be a commitment. How do you train that workforce to be available to fill these roles? The ACCCN highlights the importance of workforce capability for safe ICU care, not just numbers of nursing staff. They warn that expanding staffing numbers without expanding the pool of suitably trained critical care nurses could lead to shortages of experienced staff and difficulty filling senior ICU positions, and that would be an unintended consequence. We do not want to put more pressure on our senior, most experienced clinicians because they are not well supported enough.

There is one other matter that I would like to raise, in relation to some of the challenges that we have seen over the past probably eight years where it has been rolled out – that is, the merging of multiple health services into one single health service. I would like to particularly point out the merger of a number of hospitals in the Wimmera to form Grampians Health. Before this was announced there were certainly grave concerns flagged by community members. I even recall Bill Ower, who was walking up and down the main street of Horsham with a sandwich board on. If you look at what was on that sandwich board, he highlighted then exactly what is happening now. In Horsham we have had a terrible hit to culture among our fabulous healthcare staff. I would like to acknowledge them, because I know they are doing their best in a really difficult environment, but they feel like decision-making

has been taken away from them and centralised to Ballarat. Senior roles have been removed and shifted to Ballarat, which let us face it, is 2½ hours away from Horsham. When there is a shortage of specialists – Dr McMullin retired, and we have got a shortage of urologists – they are not sent to Horsham. Instead the patients are sent to Melbourne. There is a diminished availability of access to services. There have been extended periods where dental services have not been available. The social worker very early on was removed from Edenhope hospital. The dental services have been completely closed at Edenhope hospital. We see so many services that were being provided under the older model, which may have been more for the department to manage because there were more CEOs to manage, and not all CEOs are straightforward and easy to work with. Some challenge the department and want to do things differently and fight for their local people and deliver the services that their community needs. But there are local people that are missing out on access to health services, and this has not changed since this merger took place.

This merger is far too big. Ballarat should not be within the Grampians Health network – it should not take control of the hospital – which goes right through to the border of South Australia. It is not fair for anybody with an exceptionally high prostate-specific antigen to see a GP in Edenhope and be told, ‘I’m sorry, there is no urologist we can refer you to within the Grampians Health network. If you are having trouble sleeping, take some magnesium.’ That is disgraceful health care. That is not what should be delivered and it is not caring at all. We need to make sure our public health system is there for everybody in our community in Victoria, no matter where we live. I would urge the government – I know there are only perhaps a few months left – to reconsider and review Grampians Health. As I said, the staff are amazing. They are doing absolutely the best they possibly can. But Ballarat hospital, a major hospital with its own funding issues, its own bed block issues, its own emergency department issues and its own culture issues, should be standalone and do what it is good at. Their core business is not managing small rural health services, and it is people in my electorate of Lowan who are paying the price for that decision. I urge an urgent review of that because it is unacceptable for our people to miss out simply for an experiment that has not worked. If there are mergers that might happen that might bring in efficiencies, this is not one of them. It has cost more and our local people are getting less.

I would like to, just in my final minute and a half, go back to one of the key and core foundational things of our health system, and the member for South-West Coast just mentioned it. Hospitals are far more than just hospitals and somewhere you get treatment. They are more than somewhere you turn up in an emergency department or where you go and have a baby or visit a loved one and they provide support and care as you age and get older and are faced with a diagnosis which is difficult to deal with in the short-term – perhaps terminal – and you require palliative care. What is important about our hospital system is the care that you receive. Health care cannot be delivered without fabulous healthcare staff. It is the staff that provide the care. It is not the system, it is not the bricks and mortar and it is not the government of the day; it is the people who work within the healthcare system that provide that care. And so as I opened, I would like to acknowledge everybody who contributes to health care in this state. It is from the nurses to the doctors to the allied health professionals. It is the cleaners, it is the people who work in the kitchen, the people who work in accounts, anyone who answers the phone and the people who are responsible for the quality system, the occupational health and safety system. It is the people who are looking at doing things differently and providing a healthcare system that wraps around the patient rather than works in silos. I thank every healthcare worker for their contribution to Victoria’s health system. You deserve the support in every possible way to make sure you can do your jobs well and at the highest possible quality.

Tim RICHARDSON (Mordialloc – Minister for Local Government, Minister for Consumer Affairs, Minister for Renters) (18:29): It is a pleasure to rise and speak on the Safe Patient Care (Nurse to Patient and Midwife to Patient Ratios) Amendment Bill 2026, a really important reform that has been led by this Labor government, a Carroll Labor government that is putting working people first in everything it does. You can tell those shadow ministers who put in the effort and work, and I will acknowledge that the shadow minister does a heap, and without notes. She has a long history in health

in rural and regional areas. While I might not agree with everything the shadow minister might put forward, she gave the level of depth and engagement that this bill is entitled to and deserves, so I acknowledge that significant contribution.

It is critically important that we support the healthcare workers that support Victorians in their time of need. Whether it is in maternal circumstances, where kids are going through and being born, all the way through to end-of-life care, it is health workers, it is nurses and it is our allied health services that are there each and every day. It is this Labor government that put nurse-to-patient ratios into law, enshrined them into law, to ensure that we support health workers into the future. Those opposite in a different time in government were very hostile to our healthcare workers. We remember the approach of the minister at the time in the other place David Davis and his approach to healthcare workers and how they approached paramedics, nurses and even the former Premier's family in a show of disrespect to health workers who were just simply asking for better pay and conditions. Just recently they had a 28 per cent pay rise under this Labor government, valuing the work they do and respecting the work they do. They know that Labor governments invest in health care in every corner of our state, and this bill goes directly to that.

\$109 million will be invested to uplift the classifications of 26 hospitals, including 17 in rural and regional Victoria. This means better care in our communities. This means that they must roster more nurses for the same number of patients, improving staffing and patient care. It was an announcement that was made by the former Premier and the former Minister for Health, and it was a significant moment for our communities and our state to see another additional investment in some 253 full-time equivalent nursing positions in our world-class healthcare system. Each and every budget we have seen increases in health investment, and we have seen increases in the support for the people that care for their fellow Victorians.

I am most happy and satisfied to see that the Victorian Heart Hospital, the only one in the nation, has also been uplifted. As Parliamentary Secretary for Health Infrastructure and as a south-eastern suburbs MP, I have had the chance to join Stephen Nicholls on a number of occasions and see the incredible work that is done by the Victorian Heart Hospital – the thousands of people that get that cardiac care and support, the incredible specialists, the surgeons, the clinicians and the allied health workers there. I have been joined by about a dozen colleagues over that time who have seen firsthand that the best of care, not just in Australia but internationally, happens right out in Clayton. The helipad on top as well means that someone can get that critical care after heart failure right away and be flown straight in to that important critical care. Health services like that and the list of health services across our communities in rural and regional Victoria and suburban areas and in the city are so important to the work that we are doing as a government to put health first.

It gives us the greatest of anxiety in government, as a Labor government, to think of the words that were uttered by the Leader of the Opposition only in 2024 as the Shadow Minister for Finance. When they say the quiet bit out loud, when they say that they will have to cut health and education, we absolutely believe them. The Shadow Minister for Finance, now the Leader of the Opposition, said that they would have no other option than to cut health and education. What are the first things those opposite go after when given the opportunity? They cut back on nurses and they cut back on teachers. So we have the greatest anxiety that under a Liberal–One Nation coalition, with a plan to cut \$40 billion out of health and education, we would see nurse-to-patient ratios taken out and stripped back. That would lead to unsafe health outcomes, it would lead to poorer patient outcomes and it would be a degradation of the work that has been done over a decade to build up our health services further and provide the best class of care. Victorians cannot afford to go backwards, and they cannot afford a One Nation–Liberal coalition that would take \$40 billion out of health and education. We just cannot see it.

I just think of all the work that was done – and I have had the opportunity to serve my community since 2014 – with the debate at the time around nurse-to-patient ratios. Those opposite were talking about whether it was going to happen and their opposition to our investment in health care and these

critical outcomes. Then putting it into law and seeing celebration in this chamber, there was recognition that, as important as it was for the workers, it meant lives would be saved, because it means the gold standard of one-to-one nurse-to-patient ratios in intensive care units. It means improved staffing ratios in resuscitation cubicles and morning shifts in line with afternoon and night shifts in emergency departments. It means maternity services are safer, with a one-to-four midwife-to-patient ratio in postnatal and antenatal wards on night shifts, down from one to six, and in higher-dependency and coronary care units the introduction of an in-care nurse overnight. That builds on the legacy of nurse-to-patient ratios. That leads to safer outcomes, and that saves lives. It is not just a spreadsheet number on a cash surplus that is put forward. That is not any part of the plan that we see put forward, whereas the striving of those opposite to chase down a cash surplus will mean no additional investment in capital infrastructure in our state. It is an impossibility.

But at least I will give credit to those opposite. They do not deny that that is the case. When confronted with that in a point of debate or when asked about it in the media, I give them credit that they do not deny that that is actually the plan. So Victorians will have a clear understanding that nurse-to-patient ratios going forward into the future are a choice. Do we want to see more investment in our nurses? Do we want to see the protection of nurse-to-patient ratios, which have protected lives and improved patient outcomes and care? When your child's temperature is at 41 and you are wondering what is going on, or you do not know whether you are going to call an ambulance, front up to the emergency department or go to the urgent care clinic – those things exist at safer standards today because Labor governments have invested in health care. Those things are at risk with cuts to healthcare workers – cuts at the level of \$40 billion into the future. That puts patient care at risk. We will fight that as a Labor government every single day up until the election, because that is what is at stake coming into this election: cuts to health and cuts to education, or investments like this, an additional \$109 million to strengthen nurse-to-patient ratios across our state and uplift some 26 hospitals as well.

I am really proud to see some of the investments that we are making in health across our state. We see significant investments with the support for Peninsula University Hospital, such a regional facility, with a helipad as well. There is some \$1.1 billion of investment there, with more beds, an expanded emergency department, a great paediatric ward, a great mental health facility and better support for oncology. I literally came up Boundary Road today, Clayton Road, and saw the Monash Medical Centre coming out of the ground. The investment there that has been made is substantial. That is a \$550 million-plus investment by this Labor government. Just the other day I was going into the Deputy Premier's electorate, where the Dandenong Hospital expansion will be substantial.

So we give a shout-out to all those nurses and those midwives. There are 17,000 more of them because this Labor government has invested in health care, and they now have a job that did not exist a decade ago. That is the investment that Labor governments make. We are all about putting patients first, supporting working families and taking a new direction under this Carroll Labor government. When it comes to investing in health and when it comes to supporting our nurses, nurse-to-patient ratios will be on the ballot, and it will be a choice between cuts or investment in health.

Rachel WESTAWAY (Pahran) (18:39): I rise this evening to speak on the Safe Patient Care (Nurse to Patient and Midwife to Patient Ratios) Amendment Bill 2026. Let me be clear at the outset: the Liberals and Nationals will not oppose this bill. We support its intent, but there are so many things that we think need to be considered. First of all, we support its intent because it is about safe care for patients and more support for our nurses and midwives. That has been our position on every ratio amendment since the original act in 2015. Safe staffing is not a partisan idea. When there are enough nurses and midwives on the floor, patients are safer and care is absolutely better. This bill implements the government's hospital classification review, which used each health service's own data to weigh workload capacity and patient complexity and then reclassified hospitals to match. In total, 26 hospitals moved to a new classification, and 17 of them are in regional and rural Victoria. Those are absolutely welcome commitments, and I acknowledge them.

Let me start with my own community, though. The Alfred on Commercial Road, in the seat of Prahran, is a major hospital for the people of the seat of Prahran, and it serves patients right across the state, as we all know. It is one of the only two adult major trauma centres in Victoria. It runs one of the busiest emergency departments across the state, and it operates the largest intensive care unit in the country. My constituents rely on it every single day. The Alfred is already a level 1 hospital, and it is not one of the hospitals reclassified in this bill. But that does not make this bill irrelevant to the seat of Prahran, and I will explain to you why it is actually far from it.

When regional and metropolitan hospitals are properly staffed, fewer patients need to be sent to centres like the Alfred, and the pressure on those centres then eases. It is logical: a better-staffed system everywhere is a safer system for my community. So I welcome the intent of the bill, and I welcome what it means for nurses and midwives across the state. I particularly welcome the changes to emergency department categories in schedule 3 that the bill refers to. Departments like those at Echuca, Wangaratta, the Eye and Ear, Sale, Swan Hill, the Royal Women's, West Gippsland and Wonthaggi are all reclassified, and that is the right thing to do. It recognises the acuity these departments now deal with and the staffing they genuinely need. That recognition is overdue, and it is absolutely welcome. But recognising the need for staff is one thing; finding those staff is absolutely another thing. A reclassified emergency department now has to find nurses to meet its new ratio. So, I put a simple question to the government: where are those staff actually going to come from? This is not an abstract worry. The evidence on the emergency department floor is absolutely confronting.

In its 2025 *Breaking Point* report, the Australasian College for Emergency Medicine found that 91 per cent of ED directors had seen a violent incident in the previous week and that in 79 per cent of cases that violence was physical. The College of Emergency Nursing Australasia has highlighted the connection between the system pressures and violence in emergency departments, and its president, Associate Professor Kelli Innes, says that these are not isolated incidents. They are, in her words, symptoms of a system under strain. When patients wait longer and staff are stretched, the risk of violence rises further. The data bears this out. Across the country, assaults that put healthcare workers in hospitals have more than doubled in a decade. In Victoria, even after recent gains, only about 68 per cent of ambulance patients are handed over within the 40-minute target, well short of the 90 per cent goal. Barely half of ED patients are through the department within four hours. These are not conditions that help us attract and keep experienced nurses; they put them under enormous pressure.

That brings me to a specific gap in this bill: it demands more specialist nurses in our emergency departments and intensive care units but it does nothing to fund the training that produces them. This is a key issue of mine. An emergency department relies on two skills every hour of every day: acute triage and confident resuscitation. Neither is learned by osmosis. Triage must be performed by a specially trained and experienced nurse working to the national standard, the emergency triage education kit. Yet the Department of Health does not fund that triage training, and it does not fund resuscitation or advanced life support courses either. A nurse who wants postgraduate emergency qualifications faces course fees of up to – listen to this – \$14,000. Very often they pay that themselves and study in their own time. There are a few state scholarships, but they are capped below the cost of the course. It is rationed by individual health services, and it does not fund short courses like triage or resuscitation at all. And too often this training comes straight out of a nurse's own back pocket. You cannot legislate for a specialist workforce and then ask nurses to pay for their own training in that specialisation. It is absolutely ridiculous. This matters because the evidence that better training means better outcomes is absolutely overwhelming. A landmark study, published in the *Lancet* in 2014 –

The ACTING SPEAKER (Wayne Farnham): Member for Prahran, I ask you to talk through the Chair, please.

Rachel WESTAWAY: This matters because the evidence that better training means absolutely better outcomes is overwhelming. That landmark study was published in 2014 across 300 hospitals, and it found that every 10 per cent rise in degree-qualified nurses cuts the risk of a patient dying within 30 days by 7 per cent. Formal triage training sharply improves the accuracy of triage decisions and

better triage saves lives for the most time-critical patients, and isn't that what we are all about? Advanced life support training improves a patient's chances of survival from a cardiac arrest, and better trained nurses save lives. That is not an opinion; it is absolutely evidenced in everything that we read. When nurses have to fund their own training or go without it, it is the patients who bear the cost. This bill recognises the acuity, but it must now fund the workforce that goes with it.

The same logic applies in intensive care. The Australian College of Critical Care Nurses sets a clear standard: at least half of the nurses giving direct care in ICU should hold a postgraduate critical care qualification, and ideally three-quarters should have that. That is the difference between a number on a roster and a safe intensive care unit. The college supports this bill, but it gives a warning that adding staffing numbers without more trained critical care nurses simply leaves senior posts empty and spreads experienced staff far too thin. It takes years to develop an expert critical care and emergency department nurse; a ratio on paper does not.

Here is the hardest part to reconcile. At the very moment this bill increases demand for nurses, more than 2000 graduate nurses and midwives are set to miss out on public places in 2026. The government made it free to study nursing, but, you know what, they cannot get jobs. Enrolments rose, but the graduate jobs did not follow. We are turning away the very people we need to staff these ratios, and it is the graduates in regional and rural Victoria, exactly where 17 of these reclassified hospitals sit, who will feel it the most. None of this is a reason to oppose this bill, however, and we do not, but it is every reason to press the government when this bill reaches the Legislative Council. My colleagues will do just that. They will ask whether \$109.7 million is really enough or whether hospitals will be forced to backfill with costly agency nurses at the expense of planned surgery. They will ask what workforce planning is underway so that the right nurses and the right skill mix are in place when these changes start, and they will ask how well the system is meeting the current ratios.

A Wilson Liberals and Nationals government will always stand behind frontline workers – the nurses, the midwives who care for us and those that care for us at our most vulnerable times. The coalition supports safe patient care and we support this bill, but we will hold the government to account, we absolutely will, because what is promised on paper must be delivered at the bedside for those nurses and midwives.

Pauline RICHARDS (Cranbourne) (18:49): I am so very pleased to have the opportunity to speak on this absolutely extraordinary piece of legislation, the Safe Patient Care (Nurse to Patient and Midwife to Patient Ratios) Amendment Bill 2026, and I do so proudly because this is a bill that speaks to Labor values, it speaks to Labor history, it speaks to Labor action and this is a Labor story. I am delighted to hear that the Liberal Party are not opposing this legislation, and I look forward to its passage. There are discussions in the other place about any questions they have and any amendments that they seek to make, but I am delighted to hear that this time at least it looks like this will have an appropriate passage through the Legislative Assembly.

This bill amends the Safe Patient Care (Nurse to Patient and Midwife to Patient Ratios) Act 2015 to update the hospital categories in schedules 1 and 3. In 2015 I was working in the previous Minister for Health's office when this legislation was first in its genesis, and I am going to take the opportunity to reflect on the history of this bill and what it was like to have a gallery full of members of the Australian Nursing and Midwifery Federation (ANMF) – members of our important union – here, who celebrated at the time the passage of a piece of Labor legislation that speaks, as I said, to Labor values. In the time since the legislation was introduced in 2015 it has been updated over time. Of course Victoria has changed: hospitals have grown, communities have grown and patients presenting to our hospitals today have more complex needs than they had when these categories were first drawn up. So this bill has a legislative framework that looks to our community's reality.

I am going to, on indulgence, take a moment, though, to congratulate the new Minister for Health and say how delighted I am that Ms Stitt is taking over what is an incredibly important piece of government infrastructure policy work, and having the combination of health and mental health together I think

speaks to this government's priorities. So congratulations to Ms Stitt in the other place. I am very pleased to have been appointed her parliamentary secretary and am very much looking forward to working on what is I think one of the most, or the most, important areas of policy reform – no offence to the other important policy wonks who are here with us now. I would also like to acknowledge the work that was undertaken by Ms Shing to bring this legislation here, and of course the member for Macedon, who is going to be able to look back on the time she spent as the Minister for Health and reflect on the important changes that she undertook. While I am at it, I am going to acknowledge as well the previous member for Albert Park Mr Foley for the work that he did, especially during very difficult times.

Of course, in this particular instance I am going to reflect on the previous member for Altona, who did initially navigate the first tranche of nurse-to-patient ratios. As I said, I was working in the then Minister for Health's office at the time when the safe patient act was first introduced, and I can say that in this chamber it was not a piece of legislation that was introduced with the full-throated support that I anticipate will be experienced now. The Honourable Jill Hennessy worked shoulder to shoulder with the secretary of the ANMF at the time, Lisa Fitzpatrick, on navigating the best outcome for our health care. Now we have an amazing leader in Maddy Harradence, who is now the secretary of the ANMF, and as always, I am in awe of this extraordinary union under the guidance of Ms Harradence. When nurses speak, our Labor government listens. This bill proposes that 26 hospitals across Victoria, 17 of them in rural and regional Victoria, will be recategorised to a higher level. This is not a technicality; this means that more nurses will be rostered on.

This bill is personal for me in other ways as well. I have a family of nurses that I often reflect on. My brother, my sister, my cousin, my dearly departed mother-in-law, my niece and my aunty are all nurses. We had the census last night, and I always ask the members of my family who are still nurses, even if they have a tendency to push a pen and spend more time with their laptops and computers these days, 'So what do you call yourself? What job do you have?' I am advised by my beloved brother that he still considers himself a nurse. Even though he spends more time in front of a keyboard and more time with a pen in his hand, he keeps his registration up to date. Nurses identify as nurses, and I am very grateful to the extraordinary nursing and midwifery workforce that I have in my family.

Again, this bill did not come from nowhere; it is the product of a genuine hospital classification review. It was developed in close and ongoing consultation with the ANMF, the Victorian Healthcare Association and other healthcare service leaders. This is evidence-based reform, and it is reform that is built by the people who do the work. What a contrast to those opposite. I was surprised to hear the member for Prahran spruiking the policy proposal that was put up earlier this week, because like some others here in this chamber, I did end up watching a little bit of the media review and the media reporting of the alternative Minister for Health Ms Crozier from the other place as she outlined the consultation that was undertaken before announcing their grand policy package this week. It was really interesting to reflect on the consultation that was undertaken. How many of the hospitals that were impacted by the Liberal Party's proposed legislation were consulted? Some of the hospital management were consulted. How many exactly? One. But it is okay because the member for Berwick was consulted. I am not sure if the member for Berwick has a deep understanding of the work that is undertaken in our hospital settings, but certainly in the pressure cooker environment of a press conference the member for Berwick was cited as the person with the expertise in what should happen in an emergency healthcare setting.

This bill does not stand alone; it sits within a track record of Labor standing up for nurses, midwives and the patients who depend on them. I am going to take a moment to reflect on the other reason why this legislation is personal for me, and that is because Cranbourne, Clyde North and Cranbourne East are home to the largest number of nurses in the state. I am, with your indulgence, going to take an opportunity to thank the extraordinary nurses and midwives who are employed in our healthcare settings and who live and reside in my electorate. Thank you. Your work matters. We listen to our nursing and midwifery workforce, our clinical workforce. We value nurses and midwives. Our nurses

and midwives deserve our respect, they deserve their pay rise and they deserve to have nurse-to-patient and midwife-to-patient ratios.

Cranbourne is home to one of the fastest growing communities in the state, but it is difficult for me to get up and speak about health care without reflecting on what happened last time the Liberal Party held the seat of Cranbourne. If the member for Melton were here, I would be able to reflect on his booming voice as he would remind us that last time the Liberal Party held Cranbourne they privatised the ambulance service. We know Mrs Hermans in the other place, a member for the South-East Metropolitan Region, has told many people – I understand it is on the record here – that the Cranbourne Community Hospital is not a real hospital. Well, they are a real workforce. Those who work in the Cranbourne Community Hospital tell me that they do real work every day, whether it is ophthalmology, dental, dialysis or in the mental health system. This is a real hospital, and the clinicians and the nurses who work in Cranbourne Community Hospital are real workers. Every shift, every patient gets the care they need. That is why Labor is different. We know that a One Nation–Liberal–National coalition government, if given the opportunity, will privatise the Cranbourne Community Hospital. They have said the quiet bit out loud. This is all at risk.

This bill before us acknowledges the work of our nursing and midwifery patient workforce. It acknowledges that a Labor government puts nurses and midwives – our workforce – at the centre of our legislative agenda. We know that this is the only way to make sure that people get the care they need. I commend the bill to the house.

Roma BRITNELL (South-West Coast) (18:59): We have six fabulous hospitals in South-West Coast: Port Fairy, Terang, Heywood hospital, Portland hospital, Warnambool Base Hospital and St John of God hospital. The staff at those hospitals do a fabulous job of looking after our community right across the South-West Coast. Hardworking nurses, doctors, allied health professionals, from the kitchen staff to the cleaners –

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

Business interrupted under sessional orders.

Adjournment

The DEPUTY SPEAKER: The question is:

That the house now adjourns.

State election

Nicole WERNER (Warrandyte) (19:00): (1769) My adjournment matter is for the Premier, and the action I seek is for him to match the Liberals' commitment to introducing no new taxes and finally giving Victorians the cost-of-living relief they so desperately need. We on this side of the house know that cost of living is the biggest issue right now for working families. We know that there are families struggling to make ends meet, making difficult decisions to cancel insurance or go without swimming lessons for their kids or to take on extra shifts at work just to get by. We understand that. And that is why the waste under this Labor government is so offensive. Just revealed: \$1.6 million spent on pot plants for government offices. What about the \$70,000 on installing, uninstalling and then reinstalling plaques that did not say 'the honourable' correctly, not to mention \$15 billion wasted on corruption on Big Build sites. When will the waste stop?

In contrast, the Liberals and Nationals have a plan to make life easier for Victorian families. We have a plan to help with the cost of living, and it starts and it ends with actually respecting taxpayers money. We have a plan to lower and cut taxes, whether it is cutting land tax, cutting payroll tax, scrapping the emergency services levy and other taxes to fix the budget and to bring back accountability and transparency with how Victorian taxpayer money is spent. Ours is a 10-year economic plan. It is a

long-term vision and a tangible plan to return Victoria's budget to a cash surplus by 2032, to reduce our state's debt, to drive up investments and jobs and to make life better for Victorians.

The Liberals and Nationals have always been the party of lower taxes. We have always been the party of financial responsibility, and Victorians know we are the ones that are actually on their side. While Labor keep putting their hand back into Victorians pockets, we believe that Victorians should keep more of the money that they have worked so hard to earn. We believe that it is the government's role to serve the people, not the other way around. We believe that it is the government's role to make the right decisions so that businesses can prosper, families can get ahead and so Victoria can have a fresh start.

Country Fire Authority The Basin station

Daniela DE MARTINO (Monbulk) (19:02): (1770) The Basin CFA new station is underway, and the excitement is palpable for those of us across the Dandenong Ranges that this new station will be built imminently. I had the pleasure of joining the member for Bayswater, along with the candidate for Bayswater Julie Buxton, and we went along for the sod turn. It was a wonderful occasion to see the construction commencing, but I would like to know – and I would ask the Minister for Emergency Services if he could please provide an update on – the timeframe for the completion of the build of The Basin fire station. As I say, the people of The Basin are eagerly awaiting this. It is a very exciting moment for all of us. For those of us on top of the mountain too, we know that The Basin CFA provides a crucial service, because their intervention of any fire commencing at the base of the hill protects us at the top of it too. The Basin CFA, I would like to commend them all and the captain Corey Schmutter. It was great to actually attend their awards only a few weeks ago. They do a fantastic job keeping the community safe. They answer the call. They are volunteers. They run towards the danger when the rest of us run away from it, and they truly are the very best of us. I will be grateful to receive the update in due course.

Echuca Football Netball Club

Peter WALSH (Murray Plains) (19:04): (1771) My adjournment matter is for the Minister for First Peoples. Echuca Football Netball Club is facing financial ruin, its future held to ransom by an Indigenous group apparently determined to not just ignore but ride roughshod over the wishes of its community. The \$13 million redevelopment of Campaspe shire's Victoria Park has been stalled for months following the discovery of bones. I understand that the issue has been appropriately resolved, but the determination to weaponise the cultural overlay has already added untold costs and delays to the project. With a real fear it will never be completed, this proud football netball club, celebrating its 150th anniversary this year, may well face years without a permanent home. Minister, why aren't the shire's drawn-out negotiations about overlays and financial demands with Yorta Yorta being made public and transparent? I am told that Bowden, the contractor for the build, has handed back the keys and walked away because the project has become so bogged down with delays from these overlays. Early estimates suggest the club has already lost more than 20 per cent of its 2026 revenue, and counting. No country club can be belted like that and survive for long.

The DEPUTY SPEAKER: Member for Murray Plains, could you just rephrase your question to be an action?

Peter WALSH: The action I seek from the minister is that she have the drawn-out negotiations about overlay and financial demands with Yorta Yorta be made public and transparent.

Bass Coast and Phillip Island tourism

Jordan CRUGNALE (Bass) (19:05): (1772) My adjournment matter is for the Minister for Major Events, and the action I seek is a meeting to brief him on what Bass Coast and Phillip Island have to offer and what the Carroll Labor government can do to further support my electorate of Bass in this beautiful part of the world. Phillip Island and Bass Coast have always been a creative, resilient and forward-looking community with the capability and determination to grow our visitor economy. In

recent months I have had productive discussions with the Minister for Creative Industries and Minister for Trade, Tourism and Investment about opportunities to build on our strengths – our internationally recognised nature-based tourism – and grow our arts, cultural and destination-based experiences in our region, including regional activations linked to major Victorian events and festivals. I look forward to an in-depth discussion and briefing about 2027 and beyond the MotoGP – speaking of which, get your tickets and come to see Barnesy in October. Phillip Island and Bass Coast are ready for the next chapter. We have a lot to offer.

In the not even 2 minutes that I have left, I notice we have the former minister for major tourism, events and everything else – tourism and sport and environment – at the table. I wish to thank him for his support and care and everything that he has done in my electorate and being really open. The door has always been open for me and my community, including council and all the stakeholders. Thank you, member for Oakleigh.

Boroondara planning

John PESUTTO (Hawthorn) (19:07): (1773) My adjournment matter is for the Minister for Planning, and the action I seek is for the minister to return decision-making power over proposed developments in my electorate to my local community and Boroondara's democratically elected council. Let me be absolutely clear: we all agree that Boroondara can and will play its part in housing Victoria's growing population. We support more homes and sensible development, but that growth has to be supported by the infrastructure our community needs, and local residents must have a genuine say in the decisions that affect them. Instead this government has stripped away local decision-making and handed extraordinary powers to the planning minister. Three proposals exemplify this.

At the former St Joseph's site on Durham and Kent roads in Surrey Hills, a proposal for 76 dwellings containing two buildings of four storeys has been funnelled through the government's development facilitation program. Around 70 residents recently joined me outside that site. They are concerned about traffic on narrow residential streets, parking, pedestrian safety, heritage and whether ageing drainage, sewerage and other infrastructure can cope, among other concerns. They are not opposed to housing, they are opposed to being ignored and overridden. At 50 Wattle Road, Hawthorn, residents face a six-storey, 35-dwelling development in a very narrow residential street. The government's deemed-to-comply rules mean they have no real say over their precinct. Then there is 846–858 Glenferrie Road, Hawthorn. Only months ago this government told our community that its new planning controls would allow buildings of up to 12 storeys on Glenferrie Road. Now a proposal for 16 storeys is being considered through the development facilitation program. That is 16 storeys. If the government announces 12 storeys and then entertains 16 through another process, why should anybody in Boroondara or elsewhere trust its word?

This is what happens when planning power is concentrated in Spring Street. Rules become negotiable, communities become an inconvenience, councils are bypassed and developers learn that there is always another door to knock on, provided they pay the appropriate requirements, of course. The development facilitation program increasingly looks like a mechanism for secret deals, allowing developers to circumvent ordinary local scrutiny and steamroll communities with the minister's imprimatur. Boroondara can accommodate more homes, but we cannot simply double our population without investing in roads, drainage, schools, public transport, open space and community infrastructure. We should not destroy what makes our suburbs liveable in the process. There is another way. A Wilson Liberal government, along with its Nationals coalition partner, will scrap Labor's activity centres policy. We will end the capricious use of the development facilitation program that overrides local communities. We will build more homes by working with communities, not against them.

Middle Park Library

Nina TAYLOR (Albert Park) (19:10): (1774) My adjournment is for the Minister for Local Government, and the action I seek is for the minister to come and see the newly refurbished Middle Park Library. The Victorian government has contributed \$200,000 to the refurbishment of this lovely

library through the Victorian government's Living Libraries infrastructure program. The refurbishment has transformed a truly valued community facility, creating a more accessible, flexible and contemporary library that better supports learning, literacy, digital inclusion and community connection. Key improvements include upgraded furnishings and shelving, improved lighting, enhanced accessibility, new technology, security upgrades and a range of spatial and acoustic improvements. The library serves a diverse community and provides a vital space for reading, learning, digital access and social connection for residents of all ages. I have been in the library myself and inspected how wonderful it is. Certainly the librarians were reflecting on how great the refurbishment is and how it makes their workspace so much better as well. I think it is a terrific outcome for the community, and I welcome the minister to come out and see it.

Melbourne electorate arts funding

Ellen SANDELL (Melbourne) (19:11): (1775) Tonight I raise a matter for the new Minister for Creative Industries, and I ask the minister to urgently increase funding for Melbourne's small and medium arts and cultural organisations and give them the long-term financial security they need. Ask anyone why they love living in Melbourne and near the top of the list will be our arts and culture. It is what sets our city apart from the rest of Australia and in fact the world. But right now that is under threat. Our small and medium arts organisations are having their funding cut or stripped back or handed out in very short term increments that really make it impossible to plan, let alone thrive. Without these organisations, our bigger arts institutions and our industry as a whole cannot exist, as the smaller organisations are the pipeline for growing talent and experience. We are already seeing the impact of a lack of investment. Just one example: we saw the musical *Waitress*'s run cut short in Melbourne. Think of it this way: it is impossible to imagine that the AFL would exist without all the grassroots junior and suburban footy clubs, schools and PE teachers around the country training our kids and young people and building up skills. And yet somehow we expect our arts sector to thrive without investment in small and medium organisations and without support for mandatory arts and music education in schools. It does not make sense.

Let me give you a concrete example in my electorate. Last week I met again with the CEO and the board of La Mama Theatre in Carlton. It is a much-loved small independent theatre in my electorate known as the incubator of new talent and also the place where Cate Blanchett started her career. But La Mama's future is uncertain. In the last round of Creative Victoria funding they received only two-year funding, not the usual four, and it makes planning almost impossible. Without that state investment, when they apply for federal funding in the cycle early next year they might miss out because they cannot demonstrate that matched state support, so it is a vicious cycle. Unfortunately, they are not alone. Writers Victoria, Musica Viva Australia, live music venues and the Abbotsford Convent all had funding cut back by the Labor government, and many will close without urgent funding. That also means lost jobs. One in 10 working Victorians work in the creative industries, and that is huge for our state. They are not asking for much. La Mama is asking for \$300,000 a year for just two years. It is peanuts when you consider that Labor is able to find \$400 million for the grand prix and \$500 million for greyhound racing over 10 years – industries that employ a fraction of the people of the arts sector. And if not for the jobs, it is also just time that we invested in the arts for its own sake, for the joy and the depth it brings to our lives. If that reason is not enough, Labor might consider the 300,000 Victorians who work in creative industries and who will cast their votes in November. They are not likely to prioritise Labor if Labor has not prioritised them. It is time to invest in the soul of Melbourne, our arts.

Northern Bay College

Ella GEORGE (Lara) (19:14): (1776) My adjournment matter is for the Minister for Youth. I ask the minister to visit students from Northern Bay College who have been involved with CatholicCare's justice education program. In May I welcomed these students on a tour of Parliament House. Afterwards the students developed oral presentations on local issues which they turned into mock parliamentary speeches. In June the students presented these speeches at their school, and I was

honoured to be invited to hear them present them. To say I was truly impressed by their efforts is an understatement. The 12 students who participated gave it their all, and I want to share some of their insightful and forward-thinking ideas.

Eh Tar Taw addressed online bullying, proposing a bill for schools to enforce bans on students bringing phones to schools. Nazifeh Hajimohammadyaqoub spoke on the effects of loneliness among young people and suggested free sports programs. Fereshta Husaini discussed the various impacts of youth crime and proposed support for young people through schools and community organisations. Yagana Ismail tackled youth unemployment and the challenge of gaining work experience. Moo Ku called for stricter enforcement of the recent social media ban for young people. Gay Nay Blu Paw spoke on the positive impact of sport, proposing funding for schools in low socio-economic areas to provide sports equipment and keep children engaged. Plehmah Jae also addressed youth unemployment, proposing wage subsidies and tax incentives for businesses hiring young workers. Sadia Ramazani introduced the local arson prevention bill, focusing on prevention, education and tougher action against offenders, referencing incidents like the Black Saturday bushfires. Janzeb Rohani proposed banning children under 16 from owning mobile phones to address the harmful effects of social media. Rumanzi-Uwineza-Lucky called for free university to prevent young people starting adult life in debt. Plae Reh addressed rising housing costs for young people and suggested removing stamp duty and offering low-interest home loans to help young people build their future. And a year 11 vocational major student from Northern Bay College proposed tax reductions and cost-of-living payments for low- and middle-income earners, offset by reduced government spending to avoid long-term additional costs for families. Special thanks to Janelle Hearn, Northern Bay College teacher, and Nestor Estampa from CatholicCare Victoria for supporting these students and providing opportunities like this. These impressive students are the future, and I look forward to introducing the minister to these bright young leaders.

Polwarth electorate transport accessibility

Richard RIORDAN (Polwarth) (19:16): (1777) I rise tonight to seek an action directed to the Minister for Disability in the other place. The action I seek from the minister is to immediately restore the sustainable transport funding to the people within her care that were formerly in institutional care in the state of Victoria that is now being denied to them. This funding is vital. In my community in Colac we have some six Scope homes in town, and between them there are many Victorian citizens who have spent their lives in state care that are now in the care of Scope. At the end of the month they will lose the buses that transport them to their family commitments, that take them outside their home down to the lake, that they use to go shopping on the weekends or during the week and that were used in January to evacuate them when a major evacuation call was put out because of the bushfires. The buses were there to transport them.

These residents of Scope homes have severe disabilities, and in many cases they require specialist transport harnesses and other things that are simply not available in any other transport option in Colac. For example, Colac does not have trams. Colac does not have major bus routes zigzagging all around. There is one bus route, but it is not necessarily located anywhere near the residents. We have about five taxis on a busy Saturday night, and otherwise we simply do not have specialist taxi services that can transport these people. This government decision has allowed these innocent people to fall between the cracks of state and federal argy-bargy over NDIS funding. Quite frankly, the people of Colac, the residents affected, their families, their supporters and the people that work within the Scope homes do not care whose responsibility it is.

The state of Victoria has funded buses and funded the necessary transport needs of these residents, many of whom are getting quite elderly now. Their average age is in excess of 50 or 60 years old. It is an indignity to them that they are now going to be left. Unless they are on an NDIS work program or something else, that is the only opportunity they have to leave their homes. It is simply not good enough, and it is simply not fair. This is a modern, First World country that, as was revealed today, spent \$1.6 million on pot plants in two rail offices. If we can fund that sort of largesse but we are going

to leave the most vulnerable people living in country Victoria to be trapped in their homes with no solutions for bushfire days, it is simply not good enough and it must be dealt with.

Wendouree electorate homelessness

Juliana ADDISON (Wendouree) (19:19): (1778) I rise tonight with an adjournment matter for the Minister for Housing, Building and Precincts and Minister for Homelessness, and the action that I seek is that the minister come to my electorate of Wendouree to meet with local housing and homelessness services to hear directly from the people with lived experience and see firsthand both the challenges and the innovative community responses that are making a difference across Ballarat and the Central Highlands. Last week during Homelessness Week I had the opportunity to attend a number of important events that highlighted both the scale of housing need in our region and the remarkable work being undertaken by the dedicated organisations, their workers and volunteers. We are indebted to you. I would like to give a shout-out to Monica, who I met today, one of the Australian Services Union delegates who works in housing for Salvos based in Melbourne but does work across Victoria, including in my electorate of Wendouree. Thank you to the ASU members covered by the social, community, home care and disability services award for the work that you do. We know the complexity is increasing. We know the challenges are increasing, and we just recognise the work you do.

During Homelessness Week one of the most powerful events I went to was Houses at the Lake at Lake Wendouree organised by the Central Highlands Homelessness Alliance. More than 6000 origami houses were displayed around the lake, representing the significant number of additional social homes required to meet current demand across our region. It was a striking visual reminder that housing affordability and homelessness remain pressing issues for individuals and families throughout my community. Across our region increasing housing costs, limited housing availability and growing housing insecurity continue to place enormous pressure on people seeking a safe place to call home. Families, older Victorians, young people and individuals experiencing hardship are feeling the impacts of the challenging housing market. The Houses at the Lake installation sent a clear message that we must continue to work together to raise awareness, challenge stigma and build a future where everyone has access to safe, secure, affordable housing.

I would also like to acknowledge Peplow House, who celebrated 50 years of changing lives, saving lives and being transformative in the lives of some of our most vulnerable men in Ballarat. The milestone was an opportunity to recognise the great vision and work of Gerry Baldock, who founded Peplow House in 1976, acknowledge the dedication of the staff, particularly Tristian and Navan, who work there, and to be there with CatholicCare Victoria, knowing the work that they are doing at Peplow House 50 years on is just as important as when the doors opened in 1976. I thank the Ballarat housing workers for their great work, and I look forward to welcoming the minister to Ballarat.

Responses

Steve DIMOPOULOS (Oakleigh – Minister for WorkSafe and the TAC, Minister for Sport, Minister for Equality) (19:22): I will refer on the matters raised by member for Warrandyte to the Premier in relation to cost-of-living relief, the member for Monbulk to the Minister for Emergency Services in relation to visiting the new fire station at Dandenong Ranges, the member for Murray Plains to the Minister for First Peoples in relation to negotiations with the Yorta Yorta and the wonderful member for Bass to the Minister for Major Events in relation to more support for major events in her electorate. She is a wonderful member. The member for Hawthorn raised a matter for the Minister for Planning in relation to consultation on housing developments. The member for Albert Park raised a matter for the Minister for Local Government asking for a visit to see the newly refurbished Middle Park Library. The member for Melbourne raised a matter for the Minister for Creative Industries to see increased funding for small- and medium-sized arts organisations. The member for Lara raised a matter for the Minister for Youth in relation to visiting Northern Bay College and speaking to the students there. The member for Polwarth raised a matter for the Minister for Disability in relation to funding for transport for people with disabilities, and the member for

ADJOURNMENT

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Wendouree raised a matter for the Minister for Housing, Building and Precincts and Minister for Homelessness to visit with the Wendouree community and speak to the providers there.

The DEPUTY SPEAKER: The house stands adjourned till tomorrow.

House adjourned 7:24 pm.