



Hansard

LEGISLATIVE ASSEMBLY

60th Parliament

Wednesday 22 March 2023

Office-holders of the Legislative Assembly

60th Parliament

Speaker

Maree Edwards

Deputy Speaker

Matt Fregon

Acting Speakers

Juliana Addison, Christine Couzens, Jordan Crugnale, Paul Edbrooke, Wayne Farnham, Bronwyn Halfpenny, Paul Hamer, Michaela Settle, Meng Heang Tak and Jackson Taylor

Leader of the Parliamentary Labor Party and Premier

Jacinta Allan

Deputy Leader of the Parliamentary Labor Party and Deputy Premier

Ben Carroll

Leader of the Parliamentary Liberal Party and Leader of the Opposition

John Pesutto

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

David Southwick

Leader of the Nationals

Peter Walsh

Deputy Leader of the Nationals

Emma Kealy

Leader of the House

Mary-Anne Thomas

Manager of Opposition Business

James Newbury

**Members of the Legislative Assembly
60th Parliament**

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

¹ ALP until 5 August 2023

² Resigned 27 September 2023

³ Resigned 7 July 2023

⁴ Elected 3 October 2023

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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The SPEAKER (Maree Edwards) took the chair at 9:32 am, read the prayer and made an acknowledgement of country.

*Documents***Parliamentary departments***Reports 2021–22*

Matt FREGON (Ashwood) (09:33): I table, by leave, the 2021–22 reports of the Department of the Legislative Assembly and the Department of Parliamentary Services.

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

Auditor General – Fair Presentation of Service Delivery Performance 2022 – Ordered to be published

Members of Parliament (Standards) Act 1978:

Register of Interests – Return submitted by a member of the Legislative Assembly – Primary return
20 March 2023 – Ordered to be published

Register of Interests – Returns submitted by members of the Legislative Assembly – Ordinary
returns 28 February 2023 (two volumes) – Ordered to be published

Subordinate Legislation Act 1994 – Documents under s 15 in relation to Statutory Rule 17

Trust for Nature (Victoria) – Report 2021–22

Water Efficiency Labelling and Standards Act 2005:

2020 Independent Review of the Water Efficiency Labelling and Standards Scheme and
Intergovernmental Agreement

Water Efficiency Labelling and Standards scheme – Report 2021–22.

*Motions***Select committee**

Michael O'BRIEN (Malvern) (09:35): I desire to move, by leave:

That:

- (1) a select committee of five members be appointed to inquire into, take public evidence as required, report, and make recommendations, by 28 November 2023, on –
 - (a) matters referred to in the letter, dated 15 December 2022, from the Commissioner of the Independent Broad-based Anti-corruption Commission (IBAC), the Hon. Robert Redlich AM KC, to the President of the Legislative Council and the Speaker of the Legislative Assembly, including but not limited to –
 - (i) appropriate protocols and procedures to ensure the independence of performance audits of integrity agencies by the Integrity and Oversight Committee (IOC) and safeguards to prevent potential improper interference by committee members;
 - (ii) the adequacy of the legislative framework for integrity agency performance audits under the Independent Broad-based Anti-corruption Commission Act 2011 and the Victorian Inspectorate Act 2011;
 - (iii) protocols for the handling of correspondence and reports passing between integrity agencies and the IOC;
 - (iv) whether it is appropriate for the IOC or an independent performance auditor to seek access to information relating to current IBAC operations;
 - (v) whether procedural fairness should be afforded to integrity agencies by the IOC;
 - (vi) the structure, composition and operation of the IOC;

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- (b) the adequacy of IBAC's funding and its effect on IBAC's capacity to discharge its functions relating to serious police misconduct and public sector corruption;
 - (c) the appropriateness of provisions in IBAC's legislation that limit the ability of IBAC to undertake public examinations;
 - (d) options for improving arrangements for the oversight of IBAC's operations by Parliament, the determination of IBAC's budget and IBAC's legislative charter;
- (2) the committee will consist of two members from the government nominated by the Leader of the House in the Assembly, two members from the opposition nominated by the Leader of the Opposition in the Assembly, and one member from among the remaining members in the Assembly as agreed to by these members;
 - (3) the members will be appointed by lodgement of the names with the Speaker no later than 4 pm two business days after the Assembly agrees to this resolution;
 - (4) the first meeting of the committee must be held no later than 4 pm on the eighth business day after the Assembly agrees to this resolution;
 - (5) the committee may proceed to the despatch of business notwithstanding that all members have not been appointed and notwithstanding any vacancy;
 - (6) three members of the committee will constitute a quorum of the committee;
 - (7) the chair of the committee will be a non-government member and the deputy chair will be a government member, and in the absence of any such nominations for the deputy chair, the position may be filled by another member of the committee;
 - (8) the committee will advertise its terms of reference and call for submissions and all such submissions received by the committee will be treated as public documents unless the committee orders otherwise;
 - (9) the committee may commission persons to investigate and report to the committee on any aspects of the inquiry;
 - (10) the committee may commission persons to provide advice, including legal advice, to the committee on any aspects of the inquiry;
 - (11) the presentation of a report or interim report of the committee will not be deemed to terminate the committee's appointment, powers or functions; and
 - (12) the foregoing provisions of this resolution, so far as they are inconsistent with the standing orders and sessional orders or practices of the Assembly, will have effect notwithstanding anything contained in the standing or sessional orders or practices of the Assembly.

Leave refused.

Michael O'BRIEN: I give notice of the motion I have just read.

Joint select committee

Brad ROWSWELL (Sandringham) (09:38): I desire to move, by leave, notice of motion 12 standing in my name and relating to the establishment of a dedicated parliamentary inquiry into systemic sexual abuse of children within Victorian government schools:

That:

- (1) A joint select committee be appointed to inquire into, consider and report to the Parliament by 30 November 2023 on the systemic sexual abuse of children in Victorian government schools, including:
 - (a) the practices, policies and protocols in Victorian government schools for responding to allegations of sexual abuse of children, including measures put in place to respond to concerns about sexual abuse in those schools;
 - (b) a proposal on how the government should provide an appropriate institutional response to the matters considered.
- (2) In undertaking the inquiry, the committee should not encroach upon the responsibilities of investigatory agencies or the courts in relation to particular cases, nor prejudice the conduct or outcome of investigations or court proceedings.
- (3) Such committee to consist of four members from the Legislative Assembly nominated by the Leader of the House and the Manager of Opposition Business and three members from the Legislative Council nominated by the Leader of the Government in the Legislative Council and the Leader of the Opposition

in the Legislative Council; and that the overall composition of the committee should be not more than three government members, three opposition members, and one cross-bench member.

- (4) The members to be appointed by lodgement of the names with the Speaker and President no later than 24 March 2023.
- (5) A message be sent to the Legislative Council requesting their agreement.

Leave refused.

Members statements

Werribee Bowls Club

Tim PALLAS (Werribee – Treasurer, Minister for Industrial Relations, Minister for Trade and Investment) (09:39): I rise to acknowledge to the house the centennial celebrations of the Werribee Bowls Club. It was an honour to join the celebrations late last year and learn of the contributions and achievements of past players throughout the club's history. The Werribee Bowls Club was established in 1922 in an area that is known as Chirnside Park. It is named for the Chirnside family, who were prominent settlers in the area and once owned Werribee Park Mansion and the Manor homestead. Their social activities along the Werribee River involved croquet. Those croquet pitches were then used for lawn bowls and then became the Werribee Bowls Club. The club's history was documented by the formation of a committee. Much time was spent gathering past records and photos, resulting in the production of a beautiful 232-page book preserving the story and journey of the club's past 100 years. Recognition for this work particularly goes to Reg Hassett, Lesley Robinson, Colin and Denise Thompson and their fellow committee members with the support of past president George Cairns and current president Henry Barlow. Congratulations to all involved in the creation of the historical document and for the enjoyable celebrations of the club's centenary. The club is thriving today and provides many social and sporting activities for its members and is well placed for celebrations in the next 100 years.

Bring Back DJ Dave

David SOUTHWICK (Caulfield) (09:40): Colleagues, we all had different careers prior to politics, and one of my careers as many of you may know was as a former DJ – that is right. Well, after a number of encouragements from Zeddy Lawrence and Zionism Victoria we are bringing back the decks. We are out again to raise money for Ukrainian refugees. I know we are going to have a lot of fun, and in Pink's words we are going to get the party started and get the opportunity to bring out the *YMCA*, the *Nutbush* and the *Bus Stop* – all the classic hits. But it is about raising money for Ukrainian refugees, and on 26 April we are asking all colleagues, all members of Parliament, to dig into their pockets to raise the funds. We are up to \$8000 and we need to get to \$10,000 to do it. You can all come along. You can all have some fun, and I invite you to do that on 26 April.

The stars are aligning, because on Sunday I caught up with DJ Ari at In One Voice festival. He is a teenager, he is just starting his career and he tried to help me get back to learning a few things to bring back the old tricks. But then, you would not believe it, only on Monday I turned up at the WIZO fashion parade and there was Robert Huggins, the guy that trained me, still doing it. It just shows that there is a career after politics, and he also gave me a few tips. So get on board and support our important cause to raise money for Ukrainian refugees.

Greek Elderly Citizens Club of Moonee Valley

Danny PEARSON (Essendon – Minister for Government Services, Assistant Treasurer, Minister for WorkSafe and the TAC, Minister for Consumer Affairs) (09:42): I acknowledge the Moonee Valley Greek club. I want to pay particular acknowledgement to president Stefanos Kotsakostas and his wife Angela. This club started back on 14 October 1996 with about 50 members, and at its peak it got to 160 members. However, unfortunately due to declining numbers the club recently closed on 13 February this year. Steve was the president of the club for that entire 27 years. Steve and Angela, thank you for your service to our community. You have just been sensational.

Krystyna Campbell-Pretty

Danny PEARSON (Essendon – Minister for Government Services, Assistant Treasurer, Minister for WorkSafe and the TAC, Minister for Consumer Affairs) (09:42): I want to acknowledge the great work of Krystyna Campbell-Pretty. Krystyna is an amazing woman, and she has been the lead and driving force for the fact that we have got so much fashion activity at the NGV. I want to remind members that *Alexander McQueen: Mind, Mythos, Muse* closes on 16 April. This has been a fantastic exhibition. It is bringing people to the NGV, the people's gallery, who would never have gone to the gallery in the past. It is important to recognise that fashion is part of our creative industries and it has got a place at the NGV. Krystyna has been an incredibly generous philanthropist. She has made a huge contribution to our state. She is one of those people who just flies beneath the radar, does what is right and is broadening and expanding our horizons. We are so grateful for the partnership that Krystyna has with the NGV, the people's gallery, as well as Tony Ellwood, who is the finest art gallery director in the nation and one of the top 50 in the world. So do yourselves a favour – go and see Alexander McQueen.

Friends of Gallipoli

Emma KEALY (Lowan) (09:43): It was my pleasure to join the Friends of Gallipoli last week to plant lone pines at Maroona Primary School, Dunkeld Consolidated School, Hamilton (Gray Street) Primary School and Branxholme Wallacedale Community School. This is of course a fabulous initiative of the Friends of Gallipoli, which is about not just commemorating what happened in the First World War, the Great War, but also recognising the great friendship that has developed with Turkey since then. I would like to acknowledge John Basarin and Kelvin Thomson, who joined me in the tree plantings, and thank the Friends of Gallipoli for their great work commemorating the friendship with Turkey and what happened at Gallipoli during the First World War.

Lowan electorate roads

Emma KEALY (Lowan) (09:44): In this upcoming budget I am hoping there is a very large commitment to repair roads right across the west of the state. In particular I would like to see funding for Petschels Lane in Hamilton, a local road that the council simply do not have the funds to fix, where there is now a 450-millimetre drop-off which is going into the road, which is so dangerous with heavy vehicles travelling along that road; the Birchip-Rainbow Road, which carries gypsum trucks; the Glenelg Highway between Casterton and Coleraine and east of Glenthompson; the Hamilton Highway between Hamilton and Branxholme and Hamilton and Cavendish; and of course the Rainbow speed limit reduction with flashing lights on Taverner Street near the primary school. The entire Western Highway needs a rebuild. We need to get the duplication of the highway back up and running and not stalled. Let us see – (*Time expired*)

Newbury Primary School

Ros SPENCE (Kalkallo – Minister for Prevention of Family Violence, Minister for Community Sport, Minister for Suburban Development) (09:45): I would like to take this opportunity to congratulate the many students at Newbury Primary School who have recently taken on a leadership role at their school. Earlier this month I had the opportunity to present student leaders with their badges, and it was fantastic to see so many young people in our community taking on leadership responsibilities in addition to their important curricular activities. I am confident that they will excel in their new roles as leaders in their school throughout the year. With around 1250 students at the school, there certainly were a lot of students to present badges to, with student empowerment leaders, house community leaders, student digital innovators and the school sustainability squad accounting for around 80 student leaders overall. This is the first time since 2019 that students were able to have a presentation ceremony in front of the whole school assembly, which was a very exciting occasion for all involved, and it was terrific to see so many families come and enjoy this special day. Thank you to principal Michelle Nunn for the invitation to participate in this event. Newbury Primary is a really terrific school in my electorate that I was thrilled to open in 2017, and in this short time it has established itself as a really highly valued school in our growing community. Again, congratulations

to all those students who have stepped up to take on a new leadership role at Newbury Primary. I am sure you will do a terrific job, and thank you so much for inviting me to share in this really special presentation day with you.

Weed control

Cindy McLEISH (Eildon) (09:46): Following the recent rains, blackberries have run rampant, taking hold on many roadsides, native forests, parks and gardens. While landholders conduct regular spraying, not enough is being done by government agencies, and this needs to change. Holly is causing considerable grief, particularly around the walking trails of Maroondah Reservoir Park, which I walked recently. It is spreading rapidly, invading bushland and preventing native flora from taking hold. In some places trees are a couple of metres high. Several years ago Parks Victoria worked to tackle this issue, and I am requesting that they again undertake works to remove this stubborn weed before it becomes too difficult.

Tolmie Sports Day

Cindy McLEISH (Eildon) (09:47): Tolmie is a small country community with a great heart. Around 120 volunteers organised and ran the 136th annual Tolmie Sports Day. Volunteers set up and packed up tables, chairs, marquees, temporary fencing and other equipment. They worked the ticket booths, prepared food, sold raffle tickets, ran the gumboot-tossing competition and equestrian competitions, worked as parking attendants and ran the bar. The new Tolmie pavilion looked great and was central to many activities. In typical Tolmie style it was the locals who went over and above to get the pavilion off the ground. Matt Adams, Dieter Buchholz and Barry McDonald, with a helping hand from local tradesmen and many more locals, led the way to design and build the new pavilion. This will be an asset for the community in years to come. Val Kirley has been to an impressive 79 Tolmie Sports Days. She did not compete in the equestrian this year but donated sashes and trophies.

Learn Local Awards

Nina TAYLOR (Albert Park) (09:48): In late February I had the great privilege of attending my first official event as Parliamentary Secretary for Training and Skills, representing Minister Tierney at the Learn Local Awards. Since 2006 the Adult, Community and Further Education Board has presented awards in recognition of Victoria's Learn Local network. Through the awards we also acknowledge the sector's many contributions and celebrate the success of Learn Local learners, practitioners and providers across Victoria. I had the pleasure of announcing three awards at the ceremony and would like to take a moment to reflect on the individual contributions of these recipients in the chamber today: firstly, to Joneen Rattray, for her work with The Basin Community House; to Danielle Hren, for her work with the Sunraysia Mallee Ethnic Communities Council; and to Felimon Asel, for his work with Prace. Here in Victoria we pride ourselves on our nation-leading funding in training, skills and higher education – investments that make us the Education State. These awards demonstrate the power of education and training to change lives, no matter your age or background, and to give people the skills they need for a better future. I want to also make a particular note of Maria Peters, retiring chairperson of the ACFE Board, who has been instrumental in advocating for the adult education sector.

Galilee Regional Catholic Primary School

Nina TAYLOR (Albert Park) (09:49): I would also like to speak on my recent visit to Galilee Regional Catholic Primary School for the opening of their new multipurpose hall and performing arts facility. It looks fantastic. It was funded through a joint capital project with the Andrews Labor government. We contributed \$5 million, and together with the school – oh my goodness, amazing.

Seymour Alternative Farming Expo

Annabelle CLEELAND (Euroa) (09:49): I rise today ahead of the Seymour expo, taking place from 31 March to 2 April at Kings Park. Seymour has been incredibly resilient over the past six months. The October floods had a significant impact on the community, so it is inspiring to see the

town open its gates to tourism again. The location of Kings Park was underwater in October. Everyone involved has done a sensational job getting the precinct back open and up and running. I will be manning my marquee and having a helping hand from the members for Shepparton, Murray Plains and Ovens Valley as well as the federal member for Nicholls, so it is a lovely opportunity to come and say hi to us and have a chat or a vent.

The expo is the biggest weekend of the year for the community. After last year's devastating floods the town cannot wait to welcome everyone back for what I know will be a bumper expo. Even if it is just a day trip, get to Seymour, grab a coffee at one of the amazing cafes, browse the main streets, spend some time at the expo and finish the day with a meal or drink in town.

Benalla Airshow

Annabelle CLEELAND (Euroa) (09:50): The expo follows the Benalla Airshow over the weekend, which attracted thousands of attendees to the region. It was amazing to see the community handle a large-scale event with such ease. I look forward to supporting my electorate and growing the region to be a tourist destination.

Tarneit Plains primary school

Luba GRIGOROVITCH (Kororoit) (09:50): This week I was joined by the Minister for Education in my electorate of Kororoit to announce that this government has acquired land in Truganina to build yet another new school, and I have got to say the community is rapt about it. For the interim it is going to be known as the Tarneit Plains primary school. This is the latest land acquisition and represents yet another investment in our kids in Melbourne's west, making sure that our students and all Victorian students have access to better schools and resources. The Andrews Labor government has built more new schools over the past five years than any other state in Australia. We are now one step closer to building the Tarneit Plains primary school thanks to this announcement. We have listened to local families, and that is why this school is part of the Andrews Labor government's commitment to deliver 100 new schools by 2026. The Andrews Labor government is investing record funding in our schools to ensure that we can deliver modern and cutting-edge educational infrastructure so that every child has access to great schools and quality education that matters to them and is close to where they live. That is what the Andrews Labor government is doing. They are doing this for all Victorians.

Vinnies Kitchen

Sam GROTH (Nepean) (09:52): I was proud to join members of Vinnies Kitchen, Rosebud, at their recent AGM, and today I want to recognise the integral work they do in our community. Throughout Victoria's countless COVID lockdowns Vinnies Kitchen continued their great work, providing takeaway meals to those in my community who need regular support putting food on the table. Six days a week, 45 weeks of the year, Vinnies Kitchen is committed to providing meals, coffee and other food supplies to those in need. Vinnies Kitchen over the last year has seen considerable demand for their important services, providing up to 34 food hampers every week, including 10 hampers to families at Rosebud Primary School. Homelessness and underprivilege are a growing issue on the peninsula, and I want to thank organisations like Vinnies Kitchen and their volunteers, particularly president Anne-Maree Townsend, secretary Lin Moran-Woods, treasurer Christine Faulkner, community liaison directors Lyndell Flegg and Joan Sapwell, food coordinator Michael Scotts and committee members Liz Lowther and Lawrence Pascoe.

Dromana Secondary College

Sam GROTH (Nepean) (09:53): The other important way we strengthen our communities is by encouraging our future young leaders across our community. I was pleased to join Dromana college recently for their student leadership day and speak to students about my journey through sport, media and now politics. This is a great initiative to help foster the leadership talents and potential of our

young emerging voices on the peninsula, and I was glad to see just how engaged our youth on the peninsula are in the future of our community, state and nation.

Eltham festival

Vicki WARD (Eltham) (09:53): Congratulations to Eltham Rotary for the wonderful Eltham festival. We have had to wait three years to celebrate this annual festival because of the COVID pandemic and the November rains last year. Our community looks forward to this terrific festival with a huge amount of excitement, and no-one was disappointed this year. Thousands upon thousands of people flocked to Alistair Knox Park over the two days of the festival, with many enjoying the fireworks on Saturday night. We saw market stalls, wonderful food and wine, an array of musical talent from bands to buskers, carnival rides and awesome community organisations sharing their work with locals. My sincere thanks go to the Rotary Club of Eltham, who worked tirelessly to make this event a success, and to all community partners who support this festival and make it such a memorable event. I thank Nillumbik council for their financial support of this festival and look forward to more funding in the future.

Pauline Toner prize

Vicki WARD (Eltham) (09:54): Last week I had the pleasure of again hosting the annual Pauline Toner prize in celebration of young women in my community and International Women's Day. This prize is named after the first female minister in the Parliament of Victoria, a trailblazing woman from my community, and I am pleased to now see her portrait hanging in Queen's Hall. The Pauline Toner prize celebrates our future female leaders, recognising the achievements of young women who have shown leadership in promoting social justice and gender equality and preserving our natural environment. I congratulate Scarlett Harrison, Isobel Vertigan, Lois Pokun and Evey Hunter on their nominations, and I thank them for all they have done for our community. Congratulations to Martina Charalambous, who received the Pauline Toner prize this year for the leadership, passion and determination she has shown when fighting for social justice in our community, making sure everyone regardless of race, gender or ethnicity is included both at school and in her out-of-school activities.

Climate change

Gabrielle DE VIETRI (Richmond) (09:55): This week saw the IPCC deliver a final warning that the window is closing on preventing catastrophic climate destruction. In my electorate over 83 per cent of carbon emissions come from electricity and gas in residential, industrial and commercial buildings. Concerned about the lack of action at a state level, in 2020 an alliance of 24 councils across Victoria, led by Yarra and Merri-bek councils, developed and submitted a planning scheme amendment for zero-carbon building developments. This coalition across a broad political spectrum, known as the Council Alliance for a Sustainable Built Environment, came together under a shared understanding that the current planning requirements do not reflect the urgency needed to tackle climate change. It was years in the making, and the alliance submitted their proposal to this state government on 21 July 2022. Eight months later the document still sits on the minister's desk awaiting approval. In light of the IPCC report this week, it is critical we do everything to urgently bring down carbon emissions to avoid catastrophic climate change. Furthermore, in a cost-of-living crisis, zero-carbon buildings make sense, socially, environmentally and economically. I urge the Minister for Planning to approve this planning scheme amendment as a matter of urgency.

Power saving bonus

Martha HAYLETT (Ripon) (09:56): I want to take this opportunity to let my constituents know that from this Friday 24 March all Victorian households with an electricity bill will be to access a new round of the \$250 power saving bonus, including those that have received payments from rounds in the past. All they will need to do is visit the Labor government's bill-busting Victorian Energy Compare website, where people can quickly and easily find the best energy offers for their home. For those without internet access across Ripon, they can call 1800 000 832 or visit their closest

neighbourhood house with a copy of a recent electricity bill for assistance. Not only will households benefit from the \$250 bonus but those who find a better deal will on average save a whopping \$330. That is more money back in people's pockets. I sound like a saleswoman, but it only sounds too good to be true.

A member interjected.

Martha HAYLETT: Exactly. If people have not claimed the current round of the \$250 bonus already, they can apply right up until midnight tomorrow, 23 March, and they can apply again from this Friday to get \$500 in total. All it takes is 5 to 10 minutes and a copy of a recent electricity bill. Since the current round of the \$250 power saving bonus launched on 1 July this year, more than 1.7 million households have received the nation-leading cost-of-living support. My office is available to help locals with applications and questions. Residents can contact me on 5461 1255 or via email at martha.haylett@parliament.vic.gov.au.

Rowville football and cricket clubs

Kim WELLS (Rowville) (09:58): The Rowville football and cricket clubs are for many of my constituents centre points of our local Rowville community. Last year the footy club continued to compete in the premier league and remains the only club in Knox that plays in this division. While the club and players continue to provide a sense of pride for the Rowville community, the clubrooms have become an embarrassment and are unworkable. The rise in popularity of women's football within the club has highlighted the urgent need for upgrades for the change rooms. Currently they only have one set of change rooms, which forces the clubs into the ridiculous situation of having to manage who gets changed and when. Unlike many footy clubs and cricket clubs that play at similar levels the Rowville Football Club cannot rely on poker machines to fund refurbishments. So when will the Andrews Labor government finally back this great club and deliver on funding infrastructure upgrades that are so desperately needed?

Bacchus Marsh Little Athletics

Steve McGHIE (Melton) (09:59): It was a very busy weekend out in Melton electorate, and I had the pleasure of meeting with many of my constituents out and about in the community. Firstly, the Bacchus Marsh Little Athletics centre was buzzing with families out on the track and field early on Saturday morning. I congratulate all the participants and new record holders on their achievements over the weekend. There are certainly some future Olympic stars down at Bacchus Marsh Little Athletics, with many of the athletes setting their sights on the 2026 Commonwealth Games, a great aspiration to work towards. I also want to congratulate Maria Downes, the committee and parents for all their efforts organising Little Athletics.

Melton electorate multicultural communities

Steve McGHIE (Melton) (09:59): Last weekend's multicultural events were kicked off with the Melton council's Harmony Day. Harmony Day showcases Melton at its best, embracing many cultural traditions, celebrations and customs. Melton is stronger as a community because of its diversity, and I am so grateful to be able to attend so many celebrations such as this in my position. I was also lucky enough to attend the multicultural gala with my wife Janet on Saturday night at Jeff's Shed. To see all the different cultures celebrated and welcomed into our Victorian community is special, and I look forward to future events such as this.

Last Sunday I had the pleasure of attending the Shree Swaminarayan temple in Rockbank. This organisation have been instrumental in uplifting all communities in our region, and I thank them for their engagement with Victoria's growing culturally diverse population. This week I look forward to getting back out there with the Melton community to pop into Botanica Springs with kindergarten bags and head to the Kerala Muslim Cultural Centre Ramadan iftar event on Sunday night. Also on Sunday I will be attending the Rehmat Sandhu Foundation Easter egg hunt at Hannah Watts Park. Melton is one of the state's fastest growing diverse cultures, and I am incredibly proud to represent it.

Charlie Howkins and Jack Brownlee

Juliana ADDISON (Wendouree) (10:00): Yesterday marked five years since the devastating trench collapse in Delacombe that killed Charlie Howkins and Jack Brownlee. There are not enough words to thank Jack's parents Janine and Dave Brownlee and Charlie's wife Lana Cormie for their extraordinary courage, determination and advocacy, which resulted in the introduction of Victoria's landmark workplace manslaughter laws. All workplace deaths are preventable, and what happened on that tragic day five years ago in Delacombe was the result of unsafe working conditions. Our workplace manslaughter laws will save lives, and we are all indebted to Janine, Dave and Lana as well as the Victorian Trades Hall Council, Ballarat Trades Hall, the mighty union movement and former Attorney-General Jill Hennessy and her ministerial office for making these laws a reality. Every worker deserves to come home alive.

Ballarat Keralites Foundation of Australia

Juliana ADDISON (Wendouree) (10:01): Congratulations to the Ballarat Keralites Foundation of Australia for their Taste of India fundraiser on Sunday night as part of Harmony Fest. More than 500 meals were cooked, with all funds raised being donated to the Ballarat soup bus to support people experiencing homelessness in our community. I was honoured to attend the event with my dear friend the member for Ripon and my family. We thoroughly enjoyed the delicious cuisine on offer, including chicken biryani, lamb rogan josh and paneer butter masala. Thank you to everyone who worked all day preparing our meal. At the event I was overwhelmed with a feeling of gratitude: gratitude for the kindness and the great work of the Ballarat Keralite community, gratitude for the compassion and care of the soup bus volunteers and gratitude for my community.

Mount Duneed Regional Primary School

Darren CHEESEMAN (South Barwon) (10:02): A group of constituents from my electorate of South Barwon recently approached me about their primary school, the Mount Duneed Regional Primary School. This particular primary school is right on the very edge of the Mount Duneed community. This is of course a very, very quickly growing community. These parents, along with their children that attend this school, have approached the City of Greater Geelong on numerous occasions to see constructed a pathway for their children to be able to safely move from the Mount Duneed community to this particular school. The City of Greater Geelong has on a number of occasions now declined to take up the opportunity to fund this safe pathway, and therefore this community, with the support of my office, have launched a petition calling on the City of Greater Geelong to construct this pathway. I am inviting all residents of the Mount Duneed estate to go online and to fill in this petition calling on the City of Greater Geelong to construct this path so that these children have the opportunity to safely move from their estate through to school each and every day. This is great for lifestyle and it is great for safety.

Lara electorate schools

Ella GEORGE (Lara) (10:04): One of the highlights of being a local MP is visiting schools and kindergartens in the Lara electorate. I recently had the pleasure of visiting Lara Lake Community Pre-school to meet with their staff and a group of three-year-olds. We had a great discussion about the centre and how the Andrews Labor government's free kinder program is benefiting local families. We had some fun cracking open kinder kits, which were filled with books and games to help kids continue with play-based learning at home. Thanks to Linda, Deb, Angela and the team of educators at Lara Lake Community Pre-school for all the work that you do with our littlest Victorians.

Another highlight was visiting staff and students at Herne Hill Primary School. Herne Hill Primary is a small school with a big heart. They put the voices of their students at the forefront of everything they do, including selecting the school's values, which were voted on by students last year. It was great to see Herne Hill's stunning new synthetic oval and running track, which was completed late last year thanks to a grant from the Andrews Labor government. The students are loving the new oval and

putting it to good use with school sports competitions and lunchtime games. Thanks to principal Shane Ezard and assistant principal Karla Gilbert along with superstar school leaders Beth and Ollie for the wonderful tour of their school. Local schools and kinders are important places for our youngest Victorians to learn, grow and thrive, and I am so proud to be a member of a government committed to investing in education.

Aviation industry

Anthony CIANFLONE (Pascoe Vale) (10:05): I rise to stand with the Transport Workers Union on the need to improve safety across our skies and on our roads. On 8 March Rivet workers who refuel planes primarily for Qantas took 24 hours of protected industrial action following three years without having received a pay rise. As Rivet's major client, accounting for 60 per cent of their work, Qantas has the ability through its labour providers to ensure workers refuelling its planes are receiving fair pay and good conditions. Despite Qantas reporting a \$1 billion half-year profit, however, the wages and safety conditions of refuelling workers have simply not kept pace. It is well and truly time for the federal government to establish a safe and secure skies commission to address these issues into the future.

Pascoe Vale electorate road safety

Anthony CIANFLONE (Pascoe Vale) (10:06): Along with advocating for safer skies, the Transport Workers Union has also been proudly, for a long time, advocating for road safety. In this context I was deeply concerned to see Bell Street and Sydney Road in my electorate identified by the *Age* on 13 March as two of Melbourne's most hazardous roads for commuters. I was further saddened to learn of an elderly pedestrian's death recently at the Hope Street and Melville Road intersection in Brunswick West. The people of my electorate, including young families, older residents and the over 4000 transport workers who reside locally, are entitled to a safer commuter experience. That is why I look forward to serving on the Parliament's Economy and Infrastructure Committee's inquiry into the impact of road behaviours on vulnerable road users, including pedestrians, cyclists, motorcycle riders and mobility device users. I will be encouraging residents from my electorate, including transport workers, to make a submission to this inquiry, and I will always advocate for these issues.

LGBTIQA+ support

John MULLAHY (Glen Waverley) (10:06): I rise to condemn the actions of a small number of individuals who came out to protest our trans community. Our LGBTIQA+ Victorians, including our trans community, are some of the most vulnerable members of our society. They face injustice every day in suicide rates, in homelessness and in abuse. These are members of our community, and they should be treated with respect. Members of our trans community have faced discrimination, harassment and violence merely for being who they are. This is not good enough, and it should never be the case.

So to our trans and wider LGBTIQA+ Victorians I say: we stand with you, we accept you, we embrace you and we love you. And as a proud ally I stand with you, not just today, not just after these sorts of events happen, but every day and always, and I am sorry if we do not say that enough. The hate of a very small number in our community should not take away from the love the vast majority of our community has for you. What happened on Saturday should never have happened. Hate has no place in our society. We also note these injustices are happening every day, which no person should ever have to face. It does not matter who you are – know that we accept you for who you are. No matter what you identify as, you will always have a valued place here in Victoria.

Narre Warren North electorate multicultural communities

Belinda WILSON (Narre Warren North) (10:08): I am honoured today to speak about Harmony Week, a week full of culture and diversity, which has been very well celebrated in my electorate. I had the pleasure on Friday evening of attending the Bakhtar Woman of the Year awards. On Saturday night I had the great pleasure of being with many of my colleagues at the Victorian multicultural gala, which was very well attended and very well celebrated by many groups and organisations throughout

Victoria. Also the week earlier I attended the Victorian Association for Students from Afghanistan's extremely beautiful and big celebration gala, held just outside my electorate in the beautiful electorate of Dandenong.

Multiculturalism is alive and well in Victoria. I am so proud to represent the people of Narre Warren North, who celebrate their cultural diversity every single day of the year.

Statements on parliamentary committee reports

Integrity and Oversight Committee

The Independent Performance Audits of the Independent Broad-based Anti-corruption Commission and the Victorian Inspectorate

Roma BRITNELL (South-West Coast) (10:09): I rise to speak on *The Independent Performance Audits of the Independent Broad-based Anti-corruption Commission and the Victorian Inspectorate*, a report of the Integrity and Oversight Committee that was presented to the 60th Parliament of Victoria. The document contains both majority and minority reports, which I will speak to. The Integrity and Oversight Committee is one of the Parliament's most important committees, but the committee, as highlighted in this report, was unable to do the job which was required, to do an assessment of IBAC within the four-year time frame. The report demonstrates that a critical assessment of IBAC was unable to occur due to the composition of the committee. The committee is responsible for monitoring and reviewing the performance of IBAC, the Independent Broad-based Anti-corruption Commission; the Victorian Inspectorate; the Victorian Ombudsman; and the Office of the Victorian Information Commissioner. But the committee could not do its job because of the composition. Basically there was a majority of government members on the committee and a government member as chair – so government overseeing its own work. The report highlighted this. The majority report concentrated on the fact that Callida Consulting was a group appointed by the committee to try and do the assessment that was required, but they spent most of their time trying to understand what they were permitted to access because the secrecy that they encountered was too onerous to do their work.

What we saw as a result of that late last year was that Robert Redlich, the former commissioner of IBAC, appointed by the Andrews Labor government themselves, went on radio and made some damning statements about the audit process. Mr Redlich stated that he had concerns about the Andrews Labor government's lack of action to ensure that the Integrity and Oversight Committee was transparent and able to do its job impartially. Basically, he brought up that the composition of the committee made it a farce. Mr Redlich was concerned that the Integrity and Oversight Committee had been compromised as well, and to be clear the head of the anti-corruption agency was concerned that important parliamentary committee dealings with integrity had been compromised. To be really clear, Mr Redlich was concerned about the integrity and conduct of the Andrews Labor government. Mr Redlich was so concerned that not only did he raise this issue publicly on radio but he also wrote to the Speaker of the house and the President of the chamber next door. Now, that letter was dated 15 December 2022. That is actually over three months ago. That should have been enough for the Andrews Labor government to act. Today we hear that a deal has been done –

Will Fowles: On a point of order, Deputy Speaker, the holding of the book containing the report does not automatically make the speech about the report. This has drifted miles away from the contents of that report, and I would ask you, Chair, to bring the member back to the committee report.

Roma BRITNELL: On the point of order, Deputy Speaker, it quite clearly states in these 396 pages that the process to be able to do the assessment was flawed and that it could not be done effectively, and that is very much what the almost 396 pages actually talk about. And I have read it. Have you?

The DEPUTY SPEAKER: Through the Chair, please, member. The member to continue. There is no point of order.

Roma BRITNELL: Yes, I will continue. We have had really damning and concerning statements brought up by a very eminent person. But that person was not enough for the government to act, and we then saw another eminent person come out and speak about the importance of integrity. To be very clear, this was a former judge of the Victorian Court of Appeal, the Honourable Mr Stephen Charles KC, and he actually said that the people of Victoria should be having their doubts that the Andrews Labor government is concerned about integrity.

But today we have seen a deal done. After working so hard as Liberals to get rid of the secrecy and have integrity prevail, we can see that today we have got a result, and it is all down to the Liberals, and thanks for the – *(Time expired)*

Integrity and Oversight Committee

Performance of the Victorian Integrity Agencies 2020/21: Focus on Witness Welfare

Nina TAYLOR (Albert Park) (10:14): I refer to the Integrity and Oversight Committee's – IOC – *Performance of the Victorian Integrity Agencies 2020/21: Focus on Witness Welfare* report, noting that the IOC is responsible for monitoring and reviewing the performance of the duties and functions of four of Victoria's leading integrity agencies: the Independent Broad-based Anti-corruption Commission – IBAC, the Office of the Victorian Information Commissioner, the Victorian Inspectorate and the Victorian Ombudsman. The reason why I am speaking to those elements is that they are vital elements but also noting the delicacy and the nuance and the rigour that are involved in the culmination of these audits, which are vital certainly for the community at large and for respecting the integrity of our Parliament. I should say that the report reviews the performance of the agencies during 2020–21, focusing on their management of the welfare of witnesses and others involved in their investigations, noting that on the one hand, yes, being a witness is, I imagine, an extremely difficult role to play. I mean, we must pay respect to that. It certainly takes courage but also integrity, and there are other pressures on their part to be able to fulfil their role, which is indeed vital to the culmination of reports which can be effective and objectively assess the work of various agencies that we expect to undertake critical work on behalf of the Parliament and for the betterment of all Victorians.

I would at this point also like to thank the Victorian integrity agencies for their participation in the hearings, cooperation throughout the review and important contributions to the Victorian integrity system during 2020 and 2021, because it is very easy to get buried in politicisation of various elements of this, but at the end of the day when you extract it and you come to the core of these processes we note that there is very important work that is undertaken with the purpose of making sure that these agencies function optimally. That is why at the beginning of my discussion I was focusing on the performance of the duties and functions of Victoria's four leading integrity agencies, so that as a Parliament, without meaning to patronise, we are honouring the fundamental purpose that underpins the culmination of this work and the purpose for which we have these committees and reports is delivered – ultimately to review what has worked and what maybe can be reviewed into the future.

I very much would like to commend all those who have participated in what has culminated in this particular report. I would express my appreciation for the work of the member for Sandringham, a former member for Northern Victoria, the former member for Ringwood, the member for Bayswater, the member for Eltham, the member for Rowville, obviously the respective chairs, because we note, again, the delicacy, the nuance and the respect also for, as I was saying from the outset, the witnesses, who had to show a serious element of courage and fortitude to be able to endure – and I say this broadly, because in any situation, whether it is a court of law or otherwise, it is incumbent upon them to adhere to very stringent processes that require rigour. I would like to, on that note, pay respect to all of those who have contributed to this report.

I think it does highlight just how important it is to ensure that each of those roles is respected but that they also are able to deliver a quality report that helps us to appropriately assess, as a Parliament and into the future, what we are doing well and what we can do differently. I absolutely can see that this report has delivered on that outcome. It is very measured, and I note that all those involved – well, I

should speak for those on the government side; I cannot speak more broadly, but I would like to pay respect to all those who have contributed – have approached the report in good faith and have worked extremely hard to make sure that it delivers on the original aims for which it was intended and ultimately to the betterment of all Victorians.

Integrity and Oversight Committee

The Independent Performance Audits of the Independent Broad-based Anti-corruption Commission and the Victorian Inspectorate

Martin CAMERON (Morwell) (10:19): I rise also to talk on the Integrity and Oversight Committee and on *The Independent Performance Audits of the Independent Broad-based Anti-corruption Commission and the Victorian Inspectorate*. It is a very complex report. I know the member for South-West Coast stated that there are 396 pages to go through. One point I did notice when reading was from the chair's foreword to the report – and I would like to thank the committee for all their work on this report. One little piece of it states:

As such, the Committee expresses disappointment that IBAC and the ...

Victorian Inspectorate

did not provide the information required in order for the independent auditor to conduct the performance audits to the fullest extent possible.

You would wonder why that would be. As a new member who has come into Parliament you would think that a committee that is overseeing what the IBAC is doing would be able to ask the questions and be provided with answers. So that was a little bit disappointing.

In preparation for the next independent performance audits of IBAC and the VI, the Committee endorses the independent auditor's recommendation that the auditor's information-gathering powers provided under legislation are clarified ...

I think we need that. They need to be able to ask questions, as I said, and they need to be able to get answers. Also, there is a minority report at the back of the report. I do thank the member for Sandringham and the member for Rowville, who actually did the report. In their minority report, section 4, 'Directing the auditor', it says:

On Thursday 6 October 2022, the Chair of the Subcommittee issued an email to the auditor instructing them to act in a particular way ...

...

This email from the Chair of the Subcommittee demonstrates the level of direct engagement and assistance – one may even assert 'interference' – in order to arrive at the final reports. It also further demonstrates Callida's inability to undertake the performance audit themselves.

So there are a few questions here that not only those on our side of Parliament ask but also people out in the community, because one of the first things that I get asked when I am in my electorate is about corruption in the government: what is being done, why aren't the reports tabled and why does it take so long? It is very disappointing in that respect. For me, as a new person coming into the Parliament, from the start it was really about the checks and balances that I personally had to do. I had to try and list all of my interests before I came into the Parliament so they could be tabled and reported on. It was very disappointing that when I came in and sat down the first week of Parliament was taken up by ministers on the other side being asked questions and not giving answers about their interests and holdings that they are making decisions on in their ministerial positions.

It was very easy for me because it was black and white. I had to declare all these interests. So for someone to be able to say that they do not know what is going on and that it was an oversight makes it very difficult for me as a new member and also the general public who are watching us. You wonder why their interest in politics is waning. As I said, I thank the Integrity and Oversight Committee for their report.

Integrity and Oversight Committee

Performance of the Victorian Integrity Agencies 2020/21: Focus on Witness Welfare

Steve McGHIE (Melton) (10:24): I rise to contribute to the Integrity and Oversight Committee report *Performance of the Victorian Integrity Agencies 2020/21: Focus on Witness Welfare*. I should say at the outset that I was the initial chair of the IOC in the 59th Parliament. I think I was the chair for about 18 months until I moved on to another role. I have got to say that the committee I worked with worked well together and was a cross-section of the representation in our Parliament.

Witness welfare is a very important issue and had been raised previously. In my previous life as secretary of the ambulance union I had members that had to present before IBAC, and I know the distress that they went through as witnesses – and not as hostile witnesses but as witnesses to support investigations. I know the effects that those procedures had on them – the stress levels, the doubt of their involvement in whatever was being investigated at the time. So I can totally understand why witness welfare was an issue that needed to be investigated and reviewed by the committee.

I am pleased to say that obviously the committee is responsible for monitoring and reviewing the performances of the duties and functions of our four integrity agencies, and that is IBAC, the Independent Broad-based Anti-corruption Commission, of course the Office of the Victorian Information Commissioner, the Victorian Inspectorate and the Victorian Ombudsman. It reviewed the performance of these agencies through 2020 and 2021, focusing on their management of the welfare of witnesses. Obviously, there had been some previous incidents involving witnesses and the welfare of some of those and some other concerns in regard to their health and welfare as an outcome of their involvement in investigations.

This report made around about 16 recommendations across three of the agencies. I think there were seven recommendations towards IBAC, three recommendations towards the Victorian Inspectorate and six recommendations made towards the Victorian Ombudsman. I am pleased to say that all of the agencies have been very positive about the recommendations and have I believe committed to implementing those recommendations and to improving some of their practices, procedures and policies in regard to the handling of witnesses and the witness welfare issues that arose through this investigation.

I should make reference to the secretariat. These committees do not work well without the great support of the secretariat, and I know in my time as the chair I could not thank the secretariat enough. Their work was incredible. I have got to acknowledge Sean Coley, the committee manager; Dr Stephen James, senior research officer; Tom Hvala, research officer; Holly Brennan, complaints and research assistant; Maria Marasco, committee administrative officer; and Bernadette Pendergast, committee administrative officer. As I say, they work tirelessly to assist the committee members – certainly they did to assist me as the committee chair – and I know their work has been ongoing and this report comes out of their tireless work and their fantastic professionalism. I cannot extend my thanks to them enough.

I want to extend my compliments to the committee, and the ongoing committee since I left, on the work that has been done. Witness welfare is important. It is important that the agencies have taken these recommendations in a positive manner and tried to implement the outcomes of this report. This is a really good report, and I commend the report to the house.

Integrity and Oversight Committee

Performance of the Victorian Integrity Agencies 2020/21: Focus on Witness Welfare

Sam HIBBINS (Pahran) (10:28): I rise to speak on the report *Performance of the Victorian Integrity Agencies 2020/21: Focus on Witness Welfare*. This is a report that was referenced in the extraordinary letter that we are now all in receipt of or have all seen written to the Parliament by the former chair of IBAC Robert Redlich. Within this letter he raised a number of serious concerns around

this particular report, particularly about the committee seeking information into current IBAC operations and the lack of procedural fairness offered to IBAC, in particular the cutting of the feed at the public hearing. There are also a number of other issues raised within that letter itself, particularly concerning the audit that the committee undertook into IBAC. Obviously, it is its job to undertake such audits, but the concern is around just exactly what the committee was seeking and trying to achieve within that audit itself.

At the heart of this letter and the concerns raised by the former chair is the government domination of the Integrity and Oversight Committee – essentially concerns that the government used its majority on this committee to attack or undermine the work of IBAC. Now, this is an issue – the government domination of not just this committee but other committees, important oversight committees – that the Greens have raised consistently, and in fact we moved a private members bill very early on in this Parliament to ensure non-government chairs for important oversight committees. It is not appropriate for key oversight committees to be government dominated. It gives rise to conflicts of interest. It gives rise to real or perceived government interference. This issue did give rise to the recent motion moved by the opposition in the upper house to have a select committee look into these matters that were raised in the letter by the former chair, and I think it was certainly a worthwhile reference and a worthwhile motion. What has transpired is that through discussions and negotiations with government the Greens have secured no government majority on that committee. That is gone, and there will be a non-government chair. That is a really important outcome, and that is what everyone, I hope – the Greens, the upper house crossbench and I would think the opposition too – is looking for: an outcome. I think what we are –

Cindy McLeish: We work hard.

Sam HIBBINS: That is good to know. Look, we are all looking for an outcome here, and I think this will be a significant improvement in terms of integrity in this state and the oversight of IBAC. It is important to note that the committee still will be empowered to look at matters arising, certainly matters that arose in the letter and the motion. That is a matter for the committee itself. I will mention in a previous Parliament, the 58th Parliament, I was on the IBAC committee, the previous iteration of the Integrity and Oversight Committee. It had a non-government chair, it was non-government dominated and it worked well.

I want to put on the record and acknowledge the member for Brunswick, our integrity portfolio holder, as well as our leader Samantha Ratnam in the other place, for the work that they have done in achieving this outcome. It is a really important outcome for integrity and oversight in this state. That committee undertakes really critical work not just looking into matters that may arise, such as have done recently, but also looking into the effectiveness of IBAC, the funding of IBAC, the legislative regime and what powers IBAC may need to do their job properly and to make sure that we have got a much more effective integrity regime in this state.

Integrity and Oversight Committee

Performance of the Victorian Integrity Agencies 2020/21: Focus on Witness Welfare

Mathew HILAKARI (Point Cook) (10:33): I rise to speak on the committee report from the Integrity and Oversight Committee *Performance of the Victorian Integrity Agencies 2020/21: Focus on Witness Welfare*. The IOC, as we know, is responsible for reviewing and monitoring the performance of our integrity agencies in Victoria, all four of them: the IBAC, the Office of the Victorian Information Commissioner, the Victorian Inspectorate and the Victorian Ombudsman. I am so pleased to make my contribution after the member for Albert Park but particularly the member for Melton, who was a previous chair of this committee in the 59th Parliament. Of course, as a new member of this Parliament I am so pleased with the secretarial support that I have received on the Public Accounts and Estimates Committee. It is such an important role that they play in making sure that members are up to date, well briefed and prepared to provide reports like this to the Parliament. I would like to thank Sean Coley, the committee manager; Dr Stephen James, the senior research

officer; Tom Hvala, the research officer; Holly Brennan, the complaints and research assistant; Maria Marasco, committee administrative officer; and Bernadette Pendergast, committee administrative officer. Each of these has made sure that this committee report does justice to the work that the committee does day in and day out to ensure that we have the appropriate oversights that we need.

There were a series of recommendations that were contained in the report, and I was pleased to hear the member for Melton discuss the support of the integrity agencies in taking up these recommendations and running with them. This is an important role that the committee has played and they were important recommendations. I thank you for my being able to make a contribution on this important matter.

Business of the house

Notices of motion

Mary-Anne THOMAS (Macedon – Leader of the House, Minister for Health, Minister for Health Infrastructure, Minister for Medical Research) (10:35): I advise that the government does not wish to proceed with notice of motion 1, government business, today and ask that it remain on the notice paper.

Bills

Disability and Social Services Regulation Amendment Bill 2023

Statement of compatibility

Ros SPENCE (Kalkallo – Minister for Prevention of Family Violence, Minister for Community Sport, Minister for Suburban Development) (10:36): In accordance with the Charter of Human Rights and Responsibilities Act 2006 I table a statement of compatibility in relation to the Disability and Social Services Regulation Amendment Bill 2023.

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 Disability Amendment and Social Services Regulation Amendment Bill 2023 (the **Bill**).

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

Overview of the Bill

The main purpose of the Bill is to amend the *Disability Act 2006* in relation to the Secretary's functions, the sharing of information about persons with a disability and persons subject to restrictive practices and supervised treatment orders (**STOs**), residential services, use of restrictive practices, the compulsory treatment of persons with a disability, and other related matters.

The Bill also amends the *Residential Tenancies Act 1997*, in relation to Specialist Disability Accommodation (**SDA**) enrolled dwellings, the *Disability Service Safeguards Act 2018* (**DSS Act**) in relation to registration requirements, and the *Social Services Regulation Act 2021* in relation to the Worker and Carer Exclusion Scheme, powers of entry, and other minor and technical amendments.

Relevant human rights

The Bill engages the following human rights under the Charter: equality (section 8); protection against torture or cruel, inhuman or degrading treatment (section 10); freedom of movement (section 12); privacy and the home (section 13(a)); freedom of expression (section 15); protection of children (section 17(2)); property (section 20); liberty and security of the person (section 21); humane treatment when deprived of liberty (section 22); and fair hearing (section 24(1)).

The content of each right is summarised below. My analysis of the relevant clauses of the Bill follows.

Equality

Section 8(2) of the Charter provides that every person has the right to enjoy their human rights without discrimination. This aspect of the right prohibits discrimination against a person with respect to their enjoyment of other substantive human rights.

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. This component of the right ensures that laws and policies are applied equally and do not have a discriminatory effect.

'Discrimination' under the Charter has the same meaning as in the *Equal Opportunity Act 2010*. Direct discrimination occurs when a person treats, or proposes to treat, a person with an attribute listed in section 6 of the *Equal Opportunity Act 2010* 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.

Protection from torture and cruel, inhuman or degrading treatment

Sections 10(a)–(b) of the Charter provide that a person must not be subjected to torture or treated or punished in a cruel, inhuman or degrading way. The right is concerned with the physical and mental integrity of individuals, and their inherent dignity as human beings.

Cruel or inhuman treatment or punishment includes acts which do not constitute torture, but which nevertheless possess a minimum level of severity. Degrading treatment or punishment captures acts of an even less severe nature, but which inflict a level of humiliation or debasement upon a person. Whether conduct meets the necessary threshold will depend upon all the circumstances, including the duration and manner of the treatment, its physical or mental effects upon the affected person, and that person's age, sex and state of health.

Section 10(c) of the Charter provides that a person has the right not to be subjected to medical experimentation or treatment without their full, free and informed consent. This right protects an individual's personal autonomy and bodily integrity, and the freedom to choose whether or not to receive medical treatment.

Freedom of movement

Section 12 of the Charter provides that every person lawfully within Victoria has the right to move freely within Victoria, to enter and leave Victoria, and to choose where to live in Victoria. The right extends, generally, to movement without impediment throughout the State, and a right of access to places and services used by members of the public, subject to compliance with regulations legitimately made in the public interest. The right is directed at restrictions that fall short of physical detention (restrictions amounting to physical detention fall within the right to liberty, protected under section 21 of the Charter).

Privacy and the home

Section 13(a) of the Charter provides that a person has the right not to have their privacy, family, home or correspondence unlawfully or arbitrarily interfered with. The scope of the privacy interest includes protection for one's bodily integrity. An interference will be lawful if it is permitted by a law which is precise and appropriately circumscribed. It will be arbitrary only if it is capricious, unpredictable, unjust or unreasonable, in the sense of extending beyond what is reasonably necessary to achieve the statutory purpose.

Freedom of expression

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 the right 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.

Protection of children

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 special vulnerability of children. The scope of the right is informed by article 3 of the United Nations *Convention on the Rights of the Child*, which requires that in all actions concerning children, the best interests of the child, shall be a primary consideration.

Property

Section 20 of the Charter provides that a person must not be deprived of their property other than in accordance with law. The right will not be limited where the law (whether legislation or the common law) authorising the deprivation of property is clear and precise, accessible to the public, and does not operate arbitrarily.

Liberty and security of the person

Section 21 of the Charter provides that every person has the right to liberty and security, including the right not to be subject to arbitrary arrest or detention. This right is concerned with the physical detention of an individual, not mere restrictions on freedom of movement. What constitutes detention or deprivation of liberty will depend on all the facts of the case, including the type, duration, effects and manner of implementation of the measures concerned. A person's liberty may legitimately be constrained only in circumstances where the relevant arrest or detention is lawful and not arbitrary.

Humane treatment when deprived of liberty

Section 22(1) of the Charter provides that all persons deprived of liberty must be treated with humanity and with respect for the inherent dignity of the human person. The right recognises the particular vulnerability of persons in detention, and applies to persons detained both in the criminal justice system and non-punitive or protective forms of detention such as the compulsory detention of persons with a mental illness. The right reflects the principle that detained persons should not be subjected to hardship or constraint other than that which results from the deprivation of their liberty.

Fair hearing

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 term ‘civil proceeding’ in section 24(1) has been interpreted as encompassing proceedings that are determinative of private rights and interests in a broad sense, including some administrative proceedings.

Analysis of relevant clauses***Use of restrictive practices***

The Bill amends a number of provisions in the *Disability Act 2006* relating to the authorisation of, or prohibition upon, the use of ‘restrictive practices’, which is defined as ‘any practice or intervention that has the effect of restricting the rights or freedom of movement of a person with a disability, an NDIS participant or a DSOA client’ (section 3, as amended by clause 4).

Most relevantly, clause 47 of the Bill replaces Parts 6B and 7 of the *Disability Act 2006* with a new, consolidated Part 7, which sets out parameters for the use of restrictive practices in relation to, and protects the rights of, persons (other than those covered under Division 6 of Part 8) with a disability who receive disability services, are NDIS participants (including those subject to treatment plans in certain circumstances), or are Disability Support for Older Australians clients. Clauses 68–76 amend provisions in Division 6 of Part 8 of the *Disability Act 2006*. The purpose of Division 6 of Part 8 is to protect the rights of persons who may be subject to restrictive practices in the context of the implementation of treatment plans by disability service providers and registered NDIS providers (section 201A, as amended by clause 68).

The principal purpose of these amendments is to ensure that both disability service providers *and* registered NDIS providers must comply with similar rules and protections in relation to the use of restrictive practices.

Insofar as the amendments authorise the use of practices which may interfere with bodily integrity, constitute medical treatment without consent, and deprive persons of their freedom of movement or their liberty, they may engage the Charter rights to protection from torture and cruel, inhuman, or degrading treatment (section 10), freedom of movement (section 12), privacy (section 13(a)), liberty (section 21), and humane treatment when deprived of liberty (section 22). In addition, because restrictive practices may only be used in relation to persons with a disability (which is a protected attribute under the *Equal Opportunity Act 2010*), and may therefore be considered to treat those persons unfavourably because of that attribute, the Charter right to equality (section 8) may be engaged. However, for the reasons detailed below, it is my opinion that any limitation upon these rights is reasonable and justified in accordance with section 7(2) of the Charter.

Privacy and liberty

The restrictive practice amendments do not, in my view, limit the rights to privacy and liberty, because any interference with these rights will be lawful and non-arbitrary.

Any interference with a person’s Charter right to privacy (particularly, bodily integrity) and to liberty will be lawful as the relevant clauses are precise, accessible and appropriately circumscribed.

Furthermore, an authorised use of a restrictive practice is reasonably necessary to achieve important purposes, including to prevent a person from harming themselves or others, and is therefore not arbitrary. The Bill and the *Disability Act 2006* contain many layers of oversight that ensure any interference with a person’s privacy or liberty is appropriately confined. For example, the Senior Practitioner (a clinician appointed pursuant to section 23 of the *Disability Act 2006*) and Authorised Program Officers are empowered to perform review and monitoring functions with respect to the use of restrictive practices (e.g., new sections 134–135, 137 and 146, inserted by clause 47, new section 201H inserted by clause 75, and existing section 27). New section 144 (inserted by clause 47) provides a right to apply to VCAT for review of certain regulated restrictive practice decisions. And it is an offence for a disability service provider or registered NDIS provider to use a regulated restrictive practice other than as authorised under the *Disability Act 2006* (new section 149, inserted by clause 47, and section 201G, replaced by clause 74).

Protection against cruel, inhuman or degrading treatment and right to humane treatment

I do not consider that the restrictive practice amendments limit the Charter protection against torture or cruel, inhuman or degrading treatment, nor the right to humane treatment when deprived of liberty. Rather, many of the amendments seek to *promote* the humane treatment and dignity of persons who may be subject to restrictive practices. For instance, under new section 136(1)(b) (inserted by clause 47), an Authorised Program Officer may only authorise the use and form of a proposed regulated restrictive practice which is the least restrictive option in the circumstances and which is not applied for longer than the period of time that is necessary to prevent the person from causing physical harm. These parameters are consistent with the guiding principles set out in section 5 of the *Disability Act 2006* and with the *United Nations Convention on the Rights of Persons with Disabilities*.

Freedom of movement and equality

The restrictive practice amendments authorise limitations on freedom of movement and, to the extent the amendments constitute discrimination on the basis of disability, the right to equality. However, in my view, any such limitation is reasonable and justified.

As discussed above, restrictive practices serve an important purpose, and the Bill includes a number of safeguards to ensure that the practices are tailored to individual circumstances, including that they are used in a way that least restricts a person's rights. While I acknowledge that the use of restrictive practices represents a significant interference with a person's freedom of movement, the harm-prevention objective of these practices promotes the Charter right to life (section 9) of the person who is subject to the practice, and of other persons who may be at risk of harm.

Restrictive practice protections do not apply to security conditions applying to all residents of a residential treatment facility

Clause 68(5) of the Bill replaces section 201A(4) and inserts section 201A(5) into the *Disability Act 2006*. New section 201A(5) relevantly provides that a disability service provider is not required to comply with sections 201B to 201E (as amended by the Bill) in applying a security condition if the Secretary has approved the security condition under new section 159A (inserted by clause 51). Under new section 159A, a security condition that is a restrictive practice and which will apply to all of the residents of the residential treatment facility *must* be approved by the Secretary. Approval may be granted if the purpose of the security condition is for the supervision of residents or the security of the residential treatment facility. The Secretary must consult the Senior Practitioner before making a decision under new section 159A. The exemption in new section 201A(5) will only be engaged to the extent that a particular security condition falls within the definition of a 'restrictive practice' (discussed above) to which the provisions in Division 6 of Part 8 would otherwise apply.

Clause 68(5) may engage the Charter rights to protection from cruel, inhuman, or degrading treatment (section 10), privacy (section 13(a)), and humane treatment when deprived of liberty (section 22), because it could result in the application of restrictive practices on all residents of a residential treatment facility, without the protections afforded in sections 201B to 201E (e.g., an assessment of whether the use and form of a regulated restrictive practice is the option which is the least restrictive of the person as is possible in the circumstances – section 201D(b)).

However, for the reasons set out below, I consider that the rights to privacy and liberty, and the protection against cruel, inhuman or degrading treatment, are not limited. To the extent that freedom of movement and the right to humane treatment may be limited, any such limit is reasonable and justified in accordance with section 7(2) of the Charter.

Privacy and liberty

Clause 68(5) does not, in my view, limit the rights to privacy or liberty, because any interference with these rights will be lawful and non-arbitrary.

Any interference with a person's Charter right to privacy (particularly, bodily integrity) and to liberty will be lawful, as the amendment to section 201A(5) of the *Disability Act 2006* is precise, accessible and appropriately circumscribed.

Furthermore, the non-application of certain provisions in Division 6 of Part 8 with respect to security conditions is not arbitrary because it is reasonably necessary to achieve the important purpose of safeguarding the security of a residential treatment facility and its residents (who are required to reside in the facility in accordance with one of the orders listed in section 152(2) of the *Disability Act 2006*, as amended). In particular, it is not feasible to conduct an individualised assessment of certain security conditions (e.g., a perimeter fence) which apply to a facility as a whole. However, the role of the Secretary (in consultation with the Senior Practitioner) in new section 159A (inserted by clause 51) ensures that the exemption from sections 201B to 201E is appropriately confined to security conditions which serve the purpose outlined above. Last, the exemption does not apply to

sections 201F (as amended by clause 72), which relates to reporting requirements for the use of regulated restrictive practices, or new section 201H (inserted by clause 75), which provides that the Senior Practitioner may issue guidelines and give directions in relation to restrictive practices.

Section 152 of the *Disability Act 2006* (as amended) further constrains any impact upon a person's rights to privacy and liberty. In making a decision to admit a person to a residential treatment facility, the Secretary must be satisfied that the criteria in section 152(1) are met, including that all less restrictive options have been tried or considered and are not suitable. This assessment would include consideration of any security conditions (that are also restrictive practices) applicable to the relevant residential treatment facility. Moreover, under new section 152(5) (inserted by clause 111), the Secretary must not allow a person to continue to reside at a residential treatment facility if the Secretary is not satisfied the conditions in subsection (1) continue to be met. This ensures that any new security conditions (that are also restrictive practices) which are made in respect of a residential treatment facility *after* a person is admitted will be relevant to the person's continued ability to reside there.

Protection against cruel, inhuman or degrading treatment

I do not consider that clause 68(5) limits the Charter protection against cruel, inhuman or degrading treatment as the exemption in amended section 201A(5) will only be engaged in circumstances where security conditions are imposed for the purposes of security of a residential treatment facility or the supervision of its residents (not to impose harm or humiliation upon residents) and are approved by the Secretary following consultation with the Senior Practitioner. Therefore, these conditions would not constitute cruel, inhuman or degrading treatment.

Freedom of movement and right to humane treatment

Insofar as clause 68(5) may result in the imposition of security conditions which are also restrictive practices upon all residents in a residential treatment facility, without regard to the individual circumstances of those residents (e.g., whether a less restrictive option is available), it may be considered to limit residents' freedom of movement and right to humane treatment when deprived of liberty. In my opinion, however, any such limit is reasonable and justified in accordance with section 7(2) of the Charter.

New section 201A(5) of the *Disability Act 2006* serves important purposes, including promoting the security of residential treatment facilities. This supports the right to life of residents, protected under section 9 of the Charter. I do not consider there are any less restrictive means reasonably available to achieve these purposes, as a security condition genuinely imposed for the security of an entire facility (e.g., a perimeter fence) cannot be subject to individualised assessment and modification. In addition, as discussed above, the scope of the exemption from sections 201B to 201E is reasonably tailored to the objectives, and the oversight role of the Secretary (in consultation with the Senior Practitioner) serves an important rights-protective function.

Use and disclosure of information

In 2019, most of Victoria's quality and safeguarding functions for services within the scope of the *Disability Act 2006* were transitioned to the National Disability Insurance Scheme Quality and Safeguards Commission. The Bill makes a number of further amendments to the information sharing regime in the *Disability Act 2006* to ensure consistency in, and the appropriateness of, information sharing relating to disability services and use of restrictive practices, and to bring the regime into line with other legislation. The amendments are designed, amongst other things, to facilitate the provision of collaborative supports to complex clients and to support the ability of regulatory agencies to exercise their powers to reduce risks to persons with a disability.

Most relevantly, clause 103 repeals subsections 39(2)–(9) of the *Disability Act 2006*, which regulate the disclosure, use and transfer of information relating to the provision of disability services to a person under the Act. In place of the repealed provisions, clause 105 of the Bill inserts Part 8A into the *Disability Act 2006*, which sets out a new regime for the use and disclosure of 'protected information' (defined in new section 202AA). Part 8A will apply to any information collected before the date on which the Bill comes into operation (new section 261, inserted by clause 107).

In addition, clause 26 of the Bill, which amends sections 49(1) and 49(2), and replaces section 49(3) of the *Disability Act 2006*, empowers the Secretary, in making a decision on a request for access to disability services, to require the person who made the request or the person in respect of whom the request was made to provide more information, or to require the person in respect of whom the request was made to undergo a formal assessment. Similarly, new section 50 (inserted by clause 27 of the Bill) empowers the Secretary, in making a decision whether or not a person has a disability, to request any relevant information (including personal information and health information) from any person or body.

Some of these amendments may engage the Charter rights to privacy (section 13(a)) and freedom of expression (section 15). However, for the reasons set out below, I do not consider there to be any limitation on these rights.

Privacy

A number of sections inserted into the *Disability Act 2006* by clause 105 authorise the disclosure of protected information to certain persons (e.g., new section 202AB(2)) in specified circumstances (e.g., new section 202AB(3)). New section 49(3)(a), inserted by clause 26, provides that the Secretary may require a person who requests disability services, or the person in respect of whom the request was made, to provide more information. New section 50(4), inserted by clause 27, provides that a person or body that receives a request for information from the Secretary under subsection (2) is authorised to give the information to the Secretary. To the extent that information captured by clauses 26, 27 and 105 may include personal information (e.g., of persons receiving services under the *Disability Act 2006*), these clauses authorise interferences with the Charter right to privacy. However, the right to privacy is not limited because any such interference will be lawful (the authorising provisions are precise and accessible) and non-arbitrary.

In particular, disclosures permitted under new Part 8A are reasonably necessary to achieve important purposes, including developing or maintaining and improving information systems under section 39 of the *Disability Act 2006* (new section 202AB(3)(a)(i)), or lessening or preventing a serious threat to a person's life, health, safety or wellbeing (new section 202AB(3)(e)(i)). Similarly, disclosure of relevant information to the Secretary under new sections 49(3) or 50(4) (inserted by clauses 26 and 27, respectively) is necessary to enable the Secretary to make a decision regarding whether a person should have access to disability services (in the case of section 49) or whether a person has a disability for purposes of accessing disability services (in the case of section 50), and to minimise the number of assessments a person must undergo in order for these decisions to be made.

I am satisfied there are ample safeguards to ensure that any use or disclosure of a person's personal information pursuant to clauses 26, 27 or 105 will be confined to what is reasonably necessary to achieve these important purposes. For example, disclosure to many of the persons listed in new section 202AB(2) (inserted by clause 105) is expressly qualified by the phrase 'to the extent it is necessary' (or similar). Furthermore, new section 50(3) (inserted by clause 27) requires the Secretary to obtain consent from one of three relevant persons before requesting personal information or health information about a person under subsection (2).

In addition, to the extent disclosure is permitted to certain persons with protective and oversight functions under the *Disability Act 2006*, including the Senior Practitioner (new section 202AB(4)(a)) and the Public Advocate (new section 202AB(4)(c)), the amendments *support* the human rights of persons receiving disability services under the Act.

Freedom of expression

Clause 105 inserts a number of new sections (e.g., new section 202AB) which have the effect of prohibiting 'relevant persons' (as defined in new section 202AA) from disclosing protected information except where the disclosure is made in the performance of a function or exercise of a power, or is required or permitted, under the *Disability Act 2006* or another Act.

While this prohibition interferes with freedom of expression under section 15 of the Charter, it does not limit that right because it constitutes a lawful restriction reasonably necessary to respect the rights (e.g., the right to privacy) of persons to whom the information relates (section 15(3)(a) of the Charter).

Community visitors

Clause 36 inserts new section 129(1C) into the *Disability Act 2006*, which provides that a community visitor may visit any premises approved by the Minister under new section 129AA (inserted by clause 35) with or without any previous notice at the times and periods that the community visitor thinks fit. Under new section 129(5A) (inserted by clause 36), the Minister may also direct a community visitor to visit a Minister approved premises at the times the Minister directs. Clause 38 inserts new section 131B which provides that any resident or a person acting on their behalf of a Minister approved premises may request that the disability service provider or the registered NDIS provider arrange for the resident to be seen by a community visitor.

New section 30B (inserted by clause 24) lists the functions of a community visitor when visiting Minister approved premises, including to inquire into: the appropriateness and standard of the premises for the accommodation of Minister approved premises residents; any case of suspected abuse or neglect of a Minister approved premises resident; and the use of restrictive practices and compulsory treatment. New section 130(4) (inserted by clause 37) sets out the powers of a community visitor when visiting a Minister approved premises, including to: inspect any part of the premises where the person with a disability, NDIS participant or Disability Support for Older Australians client is living; see those persons in order to make enquiries as to the provision of services to those persons; and inspect any document relating to any such person that is not a medical record and any documents required to be kept under the *Residential Tenancies Act 1997* and other specified legislation. Finally, the community visitor may also inspect any medical record relating to persons with a

disability, NDIS participants, or Disability Support for Older Australians clients with their consent or the consent of their guardian.

In addition, new section 3B (inserted by clause 5) provides that a registered NDIS provider that is providing supervised treatment to persons in accommodation approved by the Senior Practitioner under new section 187 (inserted by clause 56) is taken to be a disability service provider, the accommodation is taken to be a residential service, and the person receiving supervised treatment is taken to be a resident, for purposes of Division 7 of Part 6 of the *Disability Act 2006*. As a result, community visitors are newly empowered to visit these types of accommodation, and to perform the functions and exercise the powers set out in section 130 of the *Disability Act 2006* (as amended).

Clauses 5, 24, 36, 37 and 38 may engage the right of persons who reside in Minister approved premises or a deemed residential service not to have their privacy or home unlawfully or arbitrarily interfered with, under section 13(a) of the Charter. However, I do not consider that the right is limited, because any such interference will be lawful (the new community visitor provisions are accessible and precise) and non-arbitrary.

More specifically, the ability of community visitors to attend a Minister approved premises or a deemed residential service without notice and at times the visitor thinks fit, and to conduct the functions set out in new section 30B and existing section 130 of the *Disability Act 2006*, is consistent with the functions and powers of community visitors in relation to other types of supported accommodation for persons living with a disability, and is reasonably necessary to achieve the important protective and oversight functions served by community visitors. A requirement to provide advance notice of a visit may deprive a community visitor of the ability to observe the true conditions of the relevant accommodation or premises. In this way, clauses 5, 24, 36, 37 and 38 support the Charter rights of residents who may be subject to restrictive practices or compulsory treatment (e.g., the right to humane treatment when deprived of liberty).

In addition, a number of safeguards are in place to ensure that any interference with a person's privacy is appropriately confined. For instance, new section 130(4) (inserted by clause 37) and existing section 130(1)(e) provide that a community visitor may only inspect medical records with the consent of the person to whom they relate (or that person's guardian). Clause 39 inserts new section 132(2A) which requires a disability service provider or registered NDIS provider, who is present when a community visitor visits a Minister approved premises, to keep a record of the visit, or face a penalty of 5 penalty units. Clause 25 amends section 34(1) of the *Disability Act 2006* to require community visitors who visit Minister approved premises in a particular region to submit a twice-yearly report to the Community Visitors Board on visits conducted in that region. These amendments ensure that most community visits are recorded and reported on, providing a further level of oversight for the privacy of residents.

Reporting and notification requirements

The Bill makes a number of amendments to the *Disability Act 2006* (e.g., clauses 30, 47 and 60) and to the *Residential Tenancies Act 1997* (e.g., clauses 230–232) in relation to mandatory reporting and notification requirements. To the extent that these requirements might involve the sharing of personal information of persons with disabilities, they engage the right to privacy. However, the right is not limited because any interference with privacy will be lawful (the provisions are precise and accessible) and non-arbitrary.

Specifically, each of the above-noted amendments authorise reporting or notification where reasonably necessary to achieve an important purpose. For example, clause 60 inserts new sections 194A and 194B into the *Disability Act 2006*, which include requirements to notify the Senior Practitioner of non-compliance with a condition of an STO by a disability service provider, registered NDIS provider, or the person who is subject to the STO. These requirements are reasonably necessary to achieve the important purpose of facilitating the exercise of the Senior Practitioner's statutory oversight functions (e.g., under sections 24 and 195 of the *Disability Act 2006*).

In addition, other provisions of the amended Acts ensure that the scope of any personal information disclosed will be confined to the relevant purpose. For instance, clause 30 inserts new section 58(1)(k) into the *Disability Act 2006*, which requires a disability service provider providing residential services to report any suspected breach of a direction or an order requiring a person with a disability to live at the residential service to the responsible authority (defined in new section 58(5)). Existing section 58(4) further constrains this duty, however, by requiring a disability service provider to have regard to the need to ensure there is a reasonable balance between the rights of residents and the safety of all the residents in the residential service. Moreover, disability service providers who are public authorities within the meaning of the Charter are also subject to the obligation in section 38 to act compatibly with human rights.

Similarly, in relation to amendments to the *Residential Tenancies Act 1997* inserted by clauses 230–231 of the Bill, which require SDA providers to notify the Director of Consumer Affairs Victoria of certain events (e.g., details of a notice of temporary relocation or notice to vacate), section 498M of the *Residential Tenancies Act 1997* (as amended by clause 172) imposes duties on SDA providers to take reasonable

measures to ensure SDA residents are treated with due regard to their entitlement to privacy and not to unreasonably interfere with an SDA resident's right to privacy.

Amendments relating to the Disability Services Board

The Bill amends the *Disability Act 2006* to remove references to the Disability Services Board, an entity that is no longer required due to the transition to the NDIS of disability service providers and the resulting significant reduction in the number of people accessing State-funded disability services and the reduction in the functions of the Disability Services Commissioner that the Board was established to support. Specifically, clause 17 repeals section 16(1)(i),(j) and (m)(i) of the *Disability Act 2006*, removing the Disability Services Commissioner's functions in respect of the Board, including the Commissioner's ability to seek advice from the Board and to initiate inquiries into matters referred to it by the Board. Clause 18 repeals Division 4 of Part 3 of the *Disability Act 2006*, which established the Board.

The abolition of the Board could engage the right to equality under section 8(3) of the Charter, for persons living with disability. This is because the State has a positive duty to protect persons from discrimination on the basis of disability, and the removal of a body that was designed to support the oversight of the Victorian disability services sector, including relevant complaints processes, and to represent the interests of, and advocate for, adults and children with a disability, might result in an erosion of protections against disability-based discrimination.

However, I consider that the removal of the Board would not in fact limit the right to equality under section 8(3) of the Charter, as the amendments do not propose to treat persons with a disability unfavourably, and are not likely to have the effect of unreasonably disadvantaging those persons, so as to constitute direct or indirect discrimination. Specifically, there will be no reduction in safeguards for persons living with disability who continue to receive State-funded disability services, as the Disability Services Commissioner remains able to oversee the provision of disability services in Victoria, to resolve complaints, and to protect the rights of people with disability, including with respect to discrimination.

Power of disability service provider to enter a resident's room without notice

Clause 32 of the Bill inserts section 60(2)(ca) into Division 1 of Part 5 of the *Disability Act 2006*, which provides an additional reason for a disability service provider to enter the room of a resident of a residential service without notice: namely, when the disability service provider suspects on reasonable grounds that there has been a breach of a condition of an order that the resident is subject to that requires them to reside at the residential service.

While most residential services and accommodation that were previously covered by the *Disability Act 2006* have now transitioned to the NDIS, specialist forensic disability accommodation, residential treatment facilities and some short-term accommodation where support or transitional accommodation is provided are still within the scope of the *Disability Act 2006*. Properties approved for the provision of supervised treatment under new section 187 (inserted by clause 56) will also fall under the application of the new section 60(2)(ca). Residents of specialist forensic disability accommodation will generally be subject to civil or criminal orders, such as STOs or bail conditions, requiring them to reside at that residential service.

Allowing disability service providers to enter a resident's room without notice engages the right to privacy under section 13(a) of the Charter, and in the case of residents who are under criminal orders (such as a residential treatment order or custodial supervision order) or STOs that compel them to remain in the residential service, the right to humane treatment when deprived of liberty under section 22 of the Charter. For the reasons set out below, I am of the view that neither right is limited by clause 32 of the Bill.

Privacy

Section 13(a) of the Charter stipulates that a person has the right not to have their privacy and home (amongst other things) unlawfully or arbitrarily interfered with. Entry into a resident's room without notice would engage both of these aspects of the privacy right, because 'privacy' includes a person's physical and psychological integrity, and a resident's room within a residential service is clearly encompassed by the concept of 'home'.

However, the right to privacy will only be limited if the interference is 'unlawful' or 'arbitrary'. Entry to a resident's room without notice would occur pursuant to new section 60(2)(ca) of the *Disability Act 2006*, which is a precise and accessible provision that includes an appropriately stringent 'reasonable grounds' threshold. I consider this to be a reasonable and proportionate measure to achieve the important purpose of ensuring that conditions of the relevant orders are being complied with, which in turn fulfils the purpose of maintaining the safety and welfare of staff and residents in residential services. I am therefore satisfied that entry into a resident's room without notice pursuant to the new provision would not be unlawful or arbitrary.

Accordingly, I am of the view that the right to privacy is not limited by clause 32 of the Bill.

Humane treatment when deprived of liberty

An order compelling a person to reside in a residential service (such as an STO), particularly one that compels them to receive compulsory treatment, would likely be considered to constitute a deprivation of liberty that triggers a requirement for humane treatment and respect for inherent human dignity under section 22 of the Charter. However, I am of the view that entry into a person's room without notice on suspicion (based on reasonable grounds) that the person has breached a condition of the order reflects an interference with rights that could reasonably be expected to result from the deprivation of liberty in this context. Further, the measure is proportionate to the important purpose of enforcing the conditions of the relevant order to which the person is subject, and therefore ensuring the safety of staff and residents in residential services.

I do not therefore consider the right to humane treatment while deprived of liberty to be limited by clause 32 of the Bill.

Termination of residency

Clause 33 of the Bill inserts new section 61A into the *Disability Act 2006* which sets out the circumstances in which a person's residency in a residential service may be terminated, namely, where: the person's residency period has expired and has not been extended; the person is no longer subject to a direction or civil or criminal order requiring them to reside at the residential service and suitable alternative premises are available for them to move to; the person has moved to another premises; the person has been directed or ordered to move to an alternative residence for at least three months and there is no agreement between the person and the Secretary for the residency of the person to continue in the residential service; the disability service provider gives the person written notice that the residency of the person will end on a specified date; or the person and the disability service provider agree, in writing, that the residency will end.

The termination of a person's residency in a residential service engages the Charter rights to equality (section 8), to not have one's home unlawfully or arbitrarily interfered with (section 13(a)), and to property (section 20).

Equality

Clause 33 engages the right to equality under section 8(3) of the Charter, insofar as new section 61A of the *Disability Act 2006* may adversely affect persons living with a disability whose residency in a residential service is terminated.

However, I am of the view that the termination of residency provision does not constitute direct discrimination as it does not permit unfavourable treatment *because of* a disability; rather, it may result in unfavourable treatment (i.e., termination of residency) because of one of the above-specified reasons, such as the expiration of the residency agreement or abandonment by the resident of the residential service. I am also of the view that the provision does not constitute indirect discrimination because it does not impose an unreasonable requirement, condition or practice that would disadvantage a person with a disability. Termination of residency can only occur for one of the legitimate reasons set out in new section 61A and is a proportionate measure to ensure residents do not refuse to move after the expiration of the period of residency specified in their residential statement or once they are no longer subject to an applicable direction or order. Clause 33 also ensures that residential service resources are being properly utilised and that persons who require them are able to be given access in a timely manner. In addition, the requirement in new section 61A(2) for a disability service provider to comply with any guidelines issued by the Secretary with regard to termination of residency, and to notify the Secretary at least 30 days before terminating the residency of a person under subsection (1)(d) or (e), serve an important protective function for the rights of residential service residents..

Accordingly, I am of the view that the right to equality would not in fact be limited as clause 33 does not directly or indirectly discriminate against persons on the basis of disability.

Privacy and the home

As discussed above, a person's room or accommodation in a residential service would fall within the concept of 'home' under section 13(a) of the Charter. While termination of a person's residency in a residential service would constitute an interference with this right, I am satisfied that it is not unlawful or arbitrary and would therefore fall within the internal qualification contained in section 13(a). The interference with the home would occur pursuant to new section 61A of the *Disability Act 2006* for one of the reasons outlined therein; this is a provision which is precise and accessible, and is a reasonable and proportionate measure to achieve the aim of ensuring that residential service resources are properly used, allocated and accessible to persons who need them.

Accordingly, I am satisfied that the right to the home is not limited by clause 33 of the Bill.

Property

Section 59 of the *Disability Act 2006* sets out various duties of residents analogous to those that would arise in a residential tenancy, such as an obligation to pay specified charges and to contribute to the cost of repair of any damage. Therefore, to the extent these obligations might be considered to give rise to a

property interest, such that termination of residency would deprive a resident of that interest, the Charter right to property (section 20) may be engaged.

I am satisfied, however, that a termination of residency pursuant to new section 61A of the *Disability Act 2006* (which is precise and accessible) would not constitute an unlawful deprivation of property. The right to property under section 20 of the Charter is therefore not limited by clause 33.

Non-application of Residential Tenancies Act 1997 for accommodation approved by Senior Practitioner

Clause 56 of the Bill replaces sections 185 to 191 of the *Disability Act 2006*. New section 187(5) provides that the *Residential Tenancies Act 1997* does not apply in respect of accommodation that has been approved by the Senior Practitioner as being suitable for persons to reside in for the purposes of receiving supervised treatment by a disability service provider or a registered NDIS provider. Clause 237 makes a corresponding change to section 3(1) of the *Residential Tenancies Act 1997*.

Given persons with a disability who receive supervised treatment at accommodation approved for this purpose will not be able to avail themselves of the protections provided by the *Residential Tenancies Act 1997*, the Charter rights to equality (section 8(3)) and to the home (section 13(a)) are engaged, but for the reasons set out below, are not limited.

Equality

I am satisfied that clauses 56 and 237 do not limit the right to equality as they do not directly or indirectly discriminate against persons with a disability. The amended provisions do not treat persons with a disability unfavourably because of their disability, but rather excludes certain accommodation at which they might be receiving supervised treatment from the application of the *Residential Tenancies Act 1997*. Therefore, clauses 56 and 237 do not result in direct discrimination. Further, the exclusion of the application of the *Residential Tenancies Act 1997* is not an unreasonable imposition that would disadvantage persons with a disability; it is a reasonable and proportionate measure to ensure that accommodation approved for supervised treatment is subject to legislation (namely, Division 1 of Part 5 of the *Disability Act 2006*) that is better tailored to the distinct needs of such accommodation. The definition of ‘residential service’ in section 3(1) of the *Disability Act 2006* (as amended by clause 4(3)) includes accommodation provided by disability service providers, and new section 3B (inserted by clause 5) will include accommodation provided by registered NDIS providers, that is approved by the Senior Practitioner for the provision of supervised treatment under new section 187(1), such that Division 1 of Part 5 will apply to provide alternative protections for residents of approved accommodation.

Home

Clauses 56 and 237 may engage the right to the home in section 13(a) of the Charter because the disapplication of the *Residential Tenancies Act 1997* to the relevant supervised treatment accommodation removes various protections under that Act (e.g., the duty of a rental provider, in section 67, to ensure a tenant has quiet enjoyment of the premises).

However, any interference with a person’s home is effected by a provision which is accessible and precise, and is proportionate to the purpose of providing a tailored framework (namely, Division 1 of Part 5 of the *Disability Act 2006*) for accommodation approved for supervised treatment that protects the rights of residents. As such, I am satisfied that any interference with the right to the home would not be arbitrary or unlawful. The right is therefore not limited.

Supervised treatment orders

Clause 56 of the Bill replaces sections 185 to 191 of the *Disability Act 2006*, with new sections 191A to 191C. New section 191 sets out the process pursuant to which an Authorised Program Officer for a primary service provider may apply to VCAT for an STO in respect of a person who: has an intellectual disability; is living in a type of accommodation listed in section 191(1)(b); has an approved treatment plan; and meets the criteria in new section 193(1A) (inserted by clause 58).

An STO authorises detention and treatment of a person without their consent. Insofar as that treatment interferes with the person’s bodily integrity and limits their physical liberty, clauses 56 and 58 may engage the Charter rights to protection from medical treatment without consent (section 10(c)), freedom of movement (section 12), privacy (section 13(a)), liberty (section 21), and humane treatment when deprived of liberty (section 22). In addition, since clauses 56 and 58 may be considered to discriminate against persons on the basis of disability, they may engage the Charter right to equality (section 8).

However, for the reasons detailed below, it is my opinion that there is no limit on the Charter rights to privacy and liberty, and that any limitation upon other Charter rights is reasonable and justified in accordance with section 7(2).

Privacy and liberty

Any interference with a person's privacy or liberty resulting from an STO is not, in my opinion, a limit upon these Charter rights, because it will be lawful (the amendments to the *Disability Act 2006* made by clauses 56 and 58 are precise and accessible) and non-arbitrary.

In particular, VCAT may only make an STO if satisfied that all of the conditions in new section 193(1A) of the *Disability Act 2006* (inserted by clause 58) are met. Each of the conditions is premised on the existence of a significant risk of serious harm to another person. Therefore, STOs may only be made where reasonably necessary to achieve the purpose of reducing the risk of, or preventing serious harm to another person. This supports the right to life, protected under section 9 of the Charter.

Indeed, I consider that clauses 56 and 58 *strengthen* protections for the human rights of persons with respect to whom an STO application may be made. For instance, new section 191A(1)(b) requires an application for an STO to include any risk assessment reviewed by the Senior Practitioner; this was not previously required. Furthermore, new section 191C(2) provides that a person in respect of whom an STO application is made is a party to the VCAT proceeding (enhancing their right to a fair hearing, protected in section 24(1) of the Charter), and new section 191C(3) provides that the Senior Practitioner must (on application) be joined to the proceeding.

Equality, protection from medical treatment without consent, freedom of movement, and humane treatment when deprived of liberty

To the extent clauses 56 and 58 limit the Charter rights to equality, protection from medical treatment without consent, freedom of movement, or humane treatment when deprived of liberty, any such limit is, for the following reasons, reasonable and justified under section 7(2) of the Charter.

The availability of an STO serves pressing and substantial objectives, including to reduce the risk of, or prevent serious harm to other persons (as discussed above) and to provide services in accordance with a treatment plan which will be of benefit to the person subject to the STO (new section 193(1A)(c) of the *Disability Act 2006*).

I acknowledge that an STO may constitute a profound interference with the dignity and bodily integrity of the person to whom it relates. However, as reflected in the criteria in new section 193(1A) of the *Disability Act 2006*, an STO is only available where there is a significant risk of serious harm to another person that cannot be substantially reduced through less restrictive means. I am satisfied that the protections in new sections 191, 191A to 191C, and 193(1A), including the protective role of the Senior Practitioner, ensure the least-restrictive interference with the Charter rights of persons who may be subject to an STO.

Fair Hearing

Clause 58 inserts new section 193(2B), which provides that VCAT, in deciding whether to make an STO, may consider any relevant information including the treatment plan, risk assessment, assessment report, and any relevant information obtained in an earlier proceeding relating to the person in respect of whom the STO is proposed to be made. This provision is relevant to the right to fair hearing, which, depending upon the circumstances, generally requires a respondent to a proceeding to have the particulars of an application against them disclosed.

This provision is intended to clarify the existing powers and processes of VCAT. For example, section 98 of the *Victorian Civil and Administrative Tribunal Act 1998* (VCAT Act) provides that VCAT is not bound by the rules of evidence and may admit into evidence the contents of any document, including any material put before VCAT at a previous proceeding, if VCAT considers it desirable to do so.

Section 98(1)(a) of the VCAT Act further provides that VCAT is bound by the rules of natural justice, while section 97 provides that VCAT must act fairly and according to the substantial merits of the case in all proceedings. Additionally, VCAT is obliged under the Charter to give effect to relevant Charter rights in conducting its hearings, including the right to a fair hearing. Accordingly, any material that would be considered by VCAT in an STO application (assuming such material is not otherwise privileged) would need to be disclosed to the parties to the proceeding. This would include the person to whom the proposed STO would apply, and they would be given the opportunity to consider and respond to that material.

In my view these amendments would strengthen human rights protections for persons in respect of whom an STO application may be made, as they would help ensure that the STO application process is transparent, that all parties have an opportunity to consider and respond to all relevant information, and that VCAT has the best available information before it upon which to determine an STO application.

Apprehension of person subject to supervised treatment order or detained in residential treatment facility who is absent without leave

Clause 66 of the Bill replaces section 201(1) and amends section 201(2) of the *Disability Act 2006*. The amendments empower a police officer, the person in charge of the disability service provider providing

disability services, the person in charge of the registered NDIS provider providing daily independent living supports at the accommodation, or an authorised person who is employed or engaged by, or is providing disability services or services under the NDIS at the accommodation for or on behalf of, the disability service provider or registered NDIS provider, to apprehend a person who is subject to an STO who is absent without approval from the accommodation that the person is required to reside in. The apprehension may only be made for the purpose of returning the person to their accommodation. Similarly, clause 121 of the Bill replaces section 160(b) of the *Disability Act 2006* to expand the list of persons who are empowered to apprehend a resident detained in a residential treatment facility who is absent without leave for the purpose of returning the resident to the facility.

These clauses authorise an interference with a person's Charter rights to freedom of movement (section 12), privacy (section 13(a)), and liberty (section 21).

However, in my opinion, the rights to privacy and liberty are not limited because any interference authorised by sections 201 or 160 (as amended) will be lawful (as those provisions are clear and accessible) and non-arbitrary. In particular, the power to apprehend a person who is absent without leave is reasonably necessary to achieve the purposes of enforcing the order pursuant to which the person is required to reside in the accommodation or residential treatment facility, and returning the person to the relevant accommodation or facility. Furthermore, the lists of persons in sections 201 and 160 who are authorised to apprehend a person who is absent without leave are strictly confined.

To the extent the clauses authorise limits on a person's freedom of movement, any such limitation is in my view reasonable and justified, with regard to the important purpose of ensuring the relevant orders are upheld. I do not consider there is any less restrictive means of achieving this objective. The *Disability Act 2006* provides a mechanism for some persons detained in accommodation under the Act to obtain an authorised leave of absence (e.g., ss 156–157, as amended by clauses 117–118).

Admission to residential treatment facility

Clause 111 of the Bill amends section 152 of the *Disability Act 2006*, which sets out the process for a person with an intellectual disability to be admitted to a residential treatment facility. Clauses 112 and 113 of the Bill insert new sections 152A and 152B (respectively) into the *Disability Act 2006*. New section 152A requires the Secretary or forensic disability service provider to give a person admitted to a residential treatment facility relevant written information to the person, including about the services to be provided to that person, the conditions that will apply to their admission under any order or direction under the Act, a copy of their treatment plan, any security conditions that will apply at the residential treatment facility, and their legal rights and entitlements, including for review of their treatment plan. New section 152B empowers the Secretary to extend a person's admission to a residential treatment facility for further periods (not exceeding 12 months) if certain conditions are met.

Clauses 111 and 113 authorise an interference with a person's Charter rights to freedom of movement (section 12), privacy (section 13(a)), and liberty (section 21). In addition, to the extent that these clauses authorise interference with the rights of persons who have a disability, they engage the Charter right to equality (section 8). For the reasons set out below, however, the rights to privacy and liberty are not limited, and any limitation on freedom of movement or equality is reasonable and justified.

Privacy and liberty

In my opinion, the rights to privacy and liberty are not limited because any interference authorised by sections 152 or 152B (as amended), provisions that are precise and accessible, will be lawful and non-arbitrary.

A person may only be admitted to a residential treatment facility where the criteria in section 152(1) (as amended) are satisfied, including that: the person presents a serious risk of violence to another person; all less restrictive options have been tried or considered and are not suitable; the treatment is suitable for the person having regard to the person's willingness to engage in and benefit from the treatment; the person is able to engage in the therapeutic environment at the residential treatment facility; and admission of the person to the treatment facility is appropriate having regard to the level of vulnerability of the person, any risks the person presents to other residents of the treatment facility and the compatibility of the person with the other residents of the residential treatment facility. These criteria ensure that a person's rights to privacy and liberty will only be interfered with to the extent reasonably necessary to achieve important purposes, including protecting others from harm and ensuring there is therapeutic benefit for the person in that environment.

In addition, I consider that clause 111 strengthens the rights protections for a person who may be admitted to a residential treatment facility. For example, new subsection 152(1A) requires the person to undergo a clinical assessment before a decision to admit is made, while new subsection 152(1B) requires the Secretary to consult with, and to consider the advice (if any) of, the Senior Practitioner in relation to the suitability of the treatment to be provided to the person at the residential treatment facility. And new subsection 152(5) provides that,

subject to new subsections 152(6)–(7), if the Secretary is not satisfied the conditions in section 152(1) continue to be met or that the person is no longer subject to an order listed in section 152(2), the Secretary must not allow a person to continue to reside at a residential treatment facility.

Freedom of movement and equality

To the extent clauses 111 and 113 of the Bill limit the Charter rights to freedom of movement and equality, I consider such limitations to be reasonable and justified in accordance with section 7(2) of the Charter.

The power of the Secretary to admit a person to a residential treatment facility, or to extend their admission, serves important purposes, including to protect other persons from a serious risk of violence, which supports the Charter right to life (section 9). In addition, the amendments seek to protect the dignity and autonomy of persons who may be admitted to a residential treatment facility, including by seeking to ensure that those persons are willing to both engage in their treatment (amended section 152(1)(d)) and to engage with the therapeutic environment at the residential treatment facility (new section 152(1)(e)), and by requiring those persons to be provided with information about their treatment and their rights (new section 152A).

I acknowledge that the decision to admit a person to a residential treatment facility reflects a potentially significant interference with their freedom of movement and right to equality. As discussed above, however, a decision to admit a person can only be made where there are no less-restrictive alternatives reasonably available to achieve the harm-prevention objective. New section 152(5) ensures that, subject to subsections 152(6)–(7), the duration of any limitation on rights is restricted to the period required to achieve this purpose. Moreover, pursuant to section 151(4) (as amended by clause 110) and new section 152B (inserted by clause 113), a person can only be admitted to a residential treatment facility for a period not exceeding 5 years, with further extensions of 12 months where specified criteria are satisfied, including that there is therapeutic benefit for the person.

Information provided to Disability Worker Registration Board of Victoria

Clauses 132, 137 and 139 of the Bill amend the DSS Act to require the provision of certain information, including an applicant's criminal history or NDIS clearance (if the applicant has one), to the Disability Worker Registration Board of Victoria. In addition, clause 138 inserts new section 252(h) into the DSS Act to clarify the record-keeping obligations of the Board in relation to information about a disability worker's NDIS clearance. To the extent this information may include personal information, these clauses may interfere with a person's right to privacy under section 13(a) of the Charter. However, any interference with the privacy interests of applicants is minimal, as persons seeking to participate in a regulated industry hold a diminished expectation of privacy in information obtained by the regulator for that purpose.

There is, in any case, no limit on the Charter right to privacy as any interference with privacy is lawful (the amended provisions of the DSS Act are clear and accessible) and non-arbitrary. The amended provisions of the DSS Act are reasonably necessary to facilitate the Board's ability to determine registration applications, including to assess whether applicants are fit and proper persons to be registered as disability workers. The Board exercises a protective function, given the vulnerability of persons with whom such workers will engage. The amendments serve the important purpose of enhancing efficiency and reducing duplication, by enabling the Board to consider an NDIS clearance (where available) in lieu of a criminal history check.

Amendments to other Acts relating to SDA dwellings and accommodation approved by the Senior Practitioner

A number of clauses of the Bill amend other Acts to expand the application of certain provisions to include accommodation approved by the Senior Practitioner under new section 187 (inserted by clause 56) and SDA dwellings. 'SDA dwelling' is defined in new section 498BA of the *Residential Tenancies Act 1997* (inserted by clause 143) to mean an SDA enrolled dwelling or other permanent dwelling that provides long-term accommodation where daily independent living support is provided to one or more residents with a disability funded by a specified entity or program (excluding the types of dwelling set out in subsection (2)). These amendments ensure that appropriate legal regimes apply to all properties where persons with disabilities are receiving State-funded or Commonwealth-funded disability support.

By way of example, clauses 234 and 256 amend section 17 of the *Guardianship and Administration Act 2019* to permit the Public Advocate to exercise their powers of inspection in relation to an accommodation approved by the Senior Practitioner, a short-term accommodation dwelling, or an SDA dwelling. Similarly, clauses 236 and 259 amend the definition of 'health facility' in the *Medical Treatment Planning and Decisions Act 2016* to include accommodation approved by the Senior Practitioner, a short-term accommodation dwelling, and an SDA dwelling, such that relevant protection in that Act (such as the advance care directive requirements in section 98) apply to persons in those dwellings. Clauses 251 and 263 amend the definition of 'detained person' in the *Victorian Inspectorate Act 2011* to include persons detained in accommodation approved by the Senior Practitioner and SDA dwellings, such that relevant protections in the

Act (e.g., the ability of detained persons to complain to the Victorian Inspectorate under section 92A) apply to those persons.

Some of these clauses may result in the application of provisions of the amended Acts, which may engage Charter rights such as the right to privacy (section 13(a)) and freedom of expression (section 15), to SDA dwellings and/or accommodation approved by the Senior Practitioner. However, in my view, none of the amending clauses create new or greater human rights issues, but simply expand the field of application of existing provisions. In addition, many of the relevant provisions have previously been the subject of statements of compatibility, and were found to be compatible with the Charter (see, e.g., statements of compatibility for the Disability (National Disability Insurance Scheme Transition) Amendment Bill 2019 and for the Guardianship and Administration Bill 2018). I am therefore satisfied that these clauses are compatible with the Charter.

Amendments to Social Services Regulation Act relating to the Worker and Carer Exclusion Scheme (WCES)

Clause 240 of the Bill inserts new sections 100A and 100B into the *Social Services Regulation Act 2021 (SSR Act)*. New section 100A, which requires all reasonable steps to be taken to mitigate any negative effect that an interview or hearing may have on an adult or child WCES service user or a person with the characteristics of a WCES service user. New section 100B introduces additional safeguards specifically in relation to children who are WCES service users or persons with the characteristics of a WCES service user. These additional safeguards are aimed at protecting and promoting the welfare of children who are being interviewed.

Proposed Social Services Regulations will prescribe the services in scope of the WCES. It is intended to prescribe certain out of home care services as in scope of the WCES, such as foster care services and residential out of home care services. A WCES service user will include children in out of home care, as well as some care leavers who may be aged 18 years or over.

I note that these amendments do not extend the Regulator's coercive powers in relation to adult and child WCES service users. Rather, the new sections provide safeguards for such persons where they participate in an interview or attend a hearing.

Protection of children

The Regulator's existing investigation powers as they apply in relation to children engages the right of every child, without discrimination, to such protection as is in their best interests and is needed by them by reason of being a child. To the extent that participation in a Panel hearing or interview may adversely affect a child's welfare, and consequently the right under section 17(2) of the Charter, it is important to bear in mind that the exclusion scheme and the power to conduct WCES investigations is protective of the interests of children.

Further, the new provisions introduce safeguards to mitigate any adverse impacts on children that may arise from the exercise of these powers. In addition to the overall requirement at new section 100A that applies to the Regulator, a Panel, an authorised officer or an independent investigator to take all reasonable steps to mitigate any negative effect an interview or a hearing may have on either an adult or child WCES service user or person with the characteristics of a WCES service user, new section 100B provides for engaging a person with appropriate qualifications, training or experience in interviewing child victims of abuse to conduct interviews on behalf of the aforementioned bodies. There is also an obligation to consider whether the child's primary family carer should be present, and for interviewers to consider and take all reasonable steps to mitigate any negative effect that the interview may have on the child.

Therefore, I am satisfied that these amendments will promote children's right to protection in the Charter.

Amendments to the Social Services Regulation Act relating to the powers of entry without consent

Clause 242 of the Bill substitutes section 113(2) and inserts section 113(2A) into the SSR Act. Substituted section 113(2) sets out requirements for the power of entry into bedrooms in residential premises. In most cases, entry into bedrooms is only permissible with consent, as is presently the case in current section 113. However, there is also a new power authorising entry without consent or a warrant into a bedroom of a service user in residential premises occupied by a provider of a supported residential service or a prescribed residential disability service in specified circumstances.

Right to privacy

The new entry power interferes with the right to privacy, as authorised officers and independent investigators may enter, in limited circumstances, a resident's bedroom without consent. As a person has an increased expectation of privacy in relation to their bedroom, this has the potential to be a significant interference. In my view, this power is precisely prescribed, aimed at achieving a legitimate objective and equipped with sufficient safeguards to ensure it is not arbitrary.

As a starting point, an authorised officer or an independent investigator must first take all reasonable steps to obtain the consent of the service user before entering. If consent is unable to be obtained, entry may only be effected if the authorised officer or independent investigator considers the entry reasonably necessary for the purposes of monitoring compliance with a provision of the Act, or investigating a possible contravention of the Act, having regard to the considerations set out in new section 113(2A). These include whether entry to the bedroom is necessary to eliminate or reduce an immediate risk of harm to a service user, whether the purpose of the entry may be achieved by a less intrusive means and any other reasonably appropriate matter.

These legislative safeguards will be further strengthened by operating procedures developed by the Regulator which would require an authorised officer to record any use of this entry power when a resident is present and has not given their consent. These decisions may then be reviewed by the Regulator to ensure they are being exercised properly.

This amendment intends to protect residents by balancing their rights with the need to ensure they are not being improperly influenced by proprietors to prevent an inspection, and the need to ensure residents are receiving appropriate care. These service users are often vulnerable and entry to their rooms is required to ensure a provider is complying with requirements aimed at ensuring the service user's safety.

Taking into account the above safeguards and the important purpose served by the provisions, I consider that to the extent that the powers authorise interference with privacy rights, that interference will be lawful and non-arbitrary, and compatible with the Charter.

The Hon. Ros Spence MP
Minister for Prevention of Family Violence
Minister for Community Sport
Minister for Suburban Development

Second reading

Ros SPENCE (Kalkallo – Minister for Prevention of Family Violence, Minister for Community Sport, Minister for Suburban Development) (10:37): 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 reintroduces substantively the same reforms proposed in the Disability Amendment Bill 2022 consistent with the Government's ongoing commitment to better support Victorians with disability. There are a few minor and technical amendments for clarification, as well as additional reforms to support the functions of the new Social Services Regulator when it comes into operation in 2024.

There are more than 1.1 million people with disability living in Victoria. This Disability and Social Services Regulation Amendment Bill 2023 makes important and critical amendments to enhance services, safeguards, rights and protections for people with disability; address National Disability Insurance Scheme (NDIS) implementation issues and address unintended regulatory burdens and operational difficulties. This Government is committed to promoting and protecting the rights of people with disability in Victoria, and these reforms deliver on the government's promise to introduce legislation to better support persons with disability in our community. These amendments will improve the delivery of state funded disability services by ensuring that there are better legislative protections and supports.

The *Disability Act 2006* is being reviewed in stages. The first stage occurred in 2019, in advance of the commencement of the NDIS. Technical amendments were made to reflect the changes in roles and responsibilities of the Commonwealth and Victorian Governments in relation to the funding, delivery and regulation of services, as well as the interface between the residual state disability and mainstream service systems.

This Bill forms part of stage two of the Disability Act Review and will amend the Disability Act to: promote rights for persons residing in residential services and those subject to compulsory treatment and restrictive practices; align and reduce duplication of requirements for the use and authorisation of restrictive practices by registered NDIS and disability service providers; improve processes and practices relating to supervised treatment orders; provide a clear legislative authority to disclose protected identifiable information and clarify the functions and responsibilities of the Secretary to the Department of Families, Fairness and Housing.

This Bill will also amend the *Residential Tenancies Act 1997* to address gaps in residential rights and protections for people living in specialist disability accommodation and the *Disability Service Safeguards Act 2018* so that an NDIS worker clearance is accepted in lieu of a criminal history check. The amendments in

this Bill align and respond to a key area of focus by the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with a Disability to ensure appropriate safeguards are in place for people with disability.

As part of this government's commitment to better support Victorians with disability, a new nation first legislative framework is being developed to establish a contemporary and proactive disability inclusion scheme to support the vision of a barrier free Victoria for all people with a disability. The Disability Inclusion Bill exposure draft was released for public comment in September 2022 and forms part of the stage two reforms. I am grateful to all the people who participated in the public consultation process and provided feedback on the exposure draft. The Government will be carefully considering this feedback as we progress work on proposed disability inclusion legislative reforms.

Our aim is to ensure Victoria has a contemporary and modern legislative architecture to strengthen and complement the ambitious reform agenda endorsed in *Inclusive Victoria: State disability plan 2022–2026*. The state disability plan outlines the government's approach to driving change towards a fairer community that supports every Victorian to fully participate in all areas of life.

The Disability and Social Services Regulation Amendment Bill, now before the house, addresses a number of policy and legal issues that will improve services, rights, protections and safeguards for people with disability.

Functions of the Secretary

Amendments are being made to the Disability Act to clarify the role, responsibilities and powers of the Secretary to the Department of Families, Fairness and Housing. The Bill provides that the Secretary is only responsible for services that the Secretary funds. When the *Social Services Regulation Act 2021* commences, the majority of providers registered as a disability service provider will not be providing services funded by the Secretary. These amendments will reduce any overlap of legislative responsibility and ensure there is clarity regarding the Secretary's responsibilities. The Bill amends the Disability Act to confirm that decisions about disability and access to services are made by the Secretary only in relation to disability services funded by the Secretary. It also clarifies that the Secretary can acquire, hold or dispose of land for the purposes of being a specialist disability accommodation provider. Amendments are also being made to enable the Secretary to dispose or deal with land with or without consideration in certain circumstances.

Information sharing

The Disability Act contains information sharing arrangements that are outdated and there is a lack of express power authorising the disclosure of identifiable information so that people can carry out their functions under the Act. Protected information that identifies the person to whom it relates can only be disclosed by people specified in the Bill and for a specified purpose such as to obtain legal advice or to prevent or lessen a serious threat to a person's life, health, safety or wellbeing. A person can be found guilty of an offence if there is an unauthorised disclosure. The amendments will ensure that important and critical information can be shared.

Residential services

The Disability Act contains rights for residents of residential services whose accommodation is exempt from the Residential Tenancies Act. The Bill amends the Disability Act to clarify the services being provided; the rights, duties and requirements residents may be subject to within the service and the roles and responsibilities of service providers delivering residential and treatment services.

Restrictive practices

In 2019, amendments were made to restrictive practices to facilitate transition to the NDIS. Further amendments are required to remove uncertainty about the application of existing Parts and Divisions in the Act; better align requirements and responsibilities for NDIS and state funded disability providers and ensure there is consistency and accountability in the use of restrictive practices. The Bill will explicitly provide that the existing offence that relates to use of unauthorised restrictive practices for disability service providers also applies to registered NDIS providers and that registered NDIS providers must meet the requirements for authorisation of restrictive practices in the Disability Act for people accessing services funded through the Commonwealth Disability Support for Older Australian's program. It will also expand the role of the Senior Practitioner to include promoting the reduction and elimination of the use of restrictive practices by registered NDIS providers and disability service providers to the greatest extent possible and additional powers to provide directions to providers about appointment of Authorised Program Officers.

Compulsory treatment

Residential treatment facilities

The Bill makes a number of important changes that will have an impact on compulsory treatment provided to persons with an intellectual disability that are residing in residential treatment facilities. The Bill will clarify that the statutory admission criteria will apply where there has been a re-admission or a new criminal justice

or civil order imposed; strengthen the clinical admission criteria; and include an overall residential timeframe for admission to a residential treatment facility and enable extension where it is therapeutically beneficial for a person. The Bill will also ensure treatment plans are appropriately explained and provided in an accessible format and will include specific legislative obligations regarding the provision of information on admission. Changes are also being made to enable prescribed forensic disability service providers, in addition to the Secretary, to operate residential treatment facilities to support service integration and innovation opportunities in the future.

Supervised treatment orders

Amendments are being made to supervised treatment orders to ensure responsibilities and obligations under the Disability Act are streamlined, there are strengthened approval processes and there is clearer information for persons subject to supervised treatment orders. The Bill specifies that a registered NDIS provider is now guilty of an offence if they detain a person other than in accordance with Part 8 of the Act. It also clarifies requirements in relation to treatment plans which include ensuring the treatment plan is clearly explained and provided in an accessible format; all service providers delivering services are disability service providers and registered NDIS providers and they are identified in the treatment plan, and a treatment plan being used by registered NDIS providers meets the NDIS requirements for a behaviour support plan. The Senior Practitioner will also have the power to approve properties as being suitable to provide supervised treatment for persons with an intellectual disability.

The Bill also clarifies what information must be included in a certificate provided by the Senior Practitioner during an application for a supervised treatment order; who is a party to a proceeding; that an application does not need to be made to confirm expiry of an order, and that the Victorian Civil and Administrative Tribunal can consider prior risk related material. These amendments will help ensure that the STO application process is transparent, and that VCAT has the best available information before it upon which to determine an STO application. It will also help ensure that all parties will have an understanding of the information that may be used as evidence so that they can review and respond to it appropriately.

Dissolution of the Disability Services Board and community visitors

The Bill makes some other miscellaneous amendments which will result in the dissolution of the Disability Services Board and expansion of the properties that community visitors can visit. As the majority of disability services have transitioned to the NDIS, the scope and role of the Disability Services Commissioner and Board has been significantly reduced and the Board is no longer required. As such, the proposal in the Disability and Social Services Regulation Amendment Bill to remove the Disability Services Board will not lead to a reduction in safeguards for people. The Bill also allows the Minister to declare new types of accommodation at which persons receive disability services, NDIS services or services under the Commonwealth's 'Disability Support for Older Australians Program' to be subject to the community visitors program. This will enhance safeguards and protections for people with disability. Properties approved by the Senior Practitioner as suitable to provide suitable treatment will also be subject to the community visitors program.

Amendments to the Residential Tenancies Act

The Bill also removes barriers for residents of group homes provided by disability service providers from receiving rights under the Residential Tenancies Act. This Bill amends the Residential Tenancies Act to ensure residents in group homes meet the definitions in that Act and residential rights and protections are afforded. The Bill will provide for transition of existing group homes to specialist disability accommodation residency arrangements under Part 12 of the Residential Tenancies Act and repeal group home provisions from the Disability Act. This was the original objective of previous amendments made to the Residential Tenancies Act which had not been realised in full due to unanticipated impediments for persons to access specialist disability accommodation provided under the NDIS.

Amendments are also being made to the definitions in the Residential Tenancies Act to ensure residents in specialist disability accommodation and NDIS and state funded long term disability accommodation are afforded residential rights and protections under the Residential Tenancies Act. The amendments will also provide protections for persons with a disability living in these types of accommodation under a residential rental agreement, whether written or implied, prior to commencement of this Bill, who may not have previously qualified for a specialist disability accommodation residential agreement. Their rental provider must, within 6 months of commencement, give them the choice of entering into a specialist disability accommodation residential agreement instead, along with a copy of the specialist disability accommodation agreement information statement.

Amendments to the Disability Service Safeguards Act

The Bill makes minor amendments to the *Disability Service Safeguards Act 2018*. The amendments will allow the Disability Worker Registration Board of Victoria to accept a NDIS clearance in lieu of a criminal

history check when disability workers voluntarily seek to register. The screening checks for NDIS registered disability workers are currently duplicative and the amendments will reduce red tape for disability workers seeking registration. The Bill also strengthens information sharing provisions between the Board and the NDIS worker screening unit to enable the Board to obtain information about changes or cancellations of the NDIS clearance. A variation to the amendments from the lapsed Disability Amendment Bill 2022 has been made to enable the Board to confirm the NDIS clearance electronically and not be required to obtain a physical copy of a clearance certificate.

The amendments do not affect the principles or intent of the Disability Service Safeguards Act. The amendments are expected to encourage more disability workers to register and thereby accelerate efforts to professionalise the disability workforce, improve the quality of services delivered and increase choice and control for people with a disability.

Amendments to the Social Services Regulation Act 2021

A new regulatory scheme for social services will take effect from 1 July 2024. The scheme strengthens protections for some of our most vulnerable Victorians – those accessing social services.

The proposed amendments in this Bill will ensure the regulatory framework operates efficiently and effectively and will enhance the Regulator's ability to keep service users safe by improving its ability to monitor compliance in certain accommodation settings.

The amendments will enable an Authorised Officer to enter the bedrooms of those who live in supported residential services and disability residential services without consent or a warrant. This amendment is necessary to ensure that a provider is complying with requirements aimed at ensuring the service user's safety, providing greater protections for residents in these services. Importantly, this is subject to a number of safeguards, including that the authorised officer believes it is reasonably necessary for the purposes of monitoring compliance with a provision of the Act or investigating a possible contravention of the Social Services Regulation Act, and that there is no less intrusive way to achieve the purpose of the inspection. In addition to these safeguards, the Regulator will develop operating procedures requiring an Authorised Officer to record any use of the power to enter when a resident is present and has not given their consent. These decisions may then be reviewed by the Regulator to ensure they are being made properly.

The provisions will balance the rights of residents to privacy, dignity and respect with their right to access safe services and to live in a safe premises.

Safeguards are also proposed to minimise any harm that may be caused in relation to interviews or hearings with those in out of home care, who are mostly children, under the Worker or Carer Exclusion Scheme. Similar provisions exist for the reportable conduct scheme and the child safe standards scheme.

Consequential, minor and technical amendments are also proposed to ensure the new regulatory scheme operates as intended.

Conclusion

The Government is committed to ensuring disability legislation is contemporary and fit-for-purpose. This Bill will bring about critical reforms that will improve the delivery of disability services and enhance safeguards for Victorians with disability. Wide stakeholder consultation has occurred in relation to these legislative amendments. I would like to thank everyone who has contributed to the development of this Bill, in particular those individuals and organisations who provided submissions to our Disability Act Review consultation paper last year, members of the Disability Act Review Advisory Group and the Victorian Disability Advisory Council. These contributions have played an important role in ensuring the Bill has been informed and enriched by the experiences of people with disability in our community. The Government is looking forward to continuing reforms that promote disability equality and inclusion and enhance the quality and effectiveness of our services.

I commend the Bill to the house.

Cindy McLEISH (Eildon) (10:37): 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 5 April.

Water Legislation Amendment Bill 2023

Statement of compatibility

Mary-Anne THOMAS (Macedon – Leader of the House, Minister for Health, Minister for Health Infrastructure, Minister for Medical Research) (10:38): In accordance with the Charter of Human Rights and Responsibilities Act 2006 I table a statement of compatibility in relation to the Water Legislation Amendment Bill 2023.

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 Water Legislation Amendment Bill 2023 (the **Bill**).

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

Overview of the Bill

Clause 3 of the Bill amends section 2 of the *Water and Catchment Legislation Amendment Act 2021* (Amendment Act) to change the commencement date of any provision in the Amendment Act that has not commenced before 1 July 2023, from 1 July 2023 to 1 July 2024.

The other clauses in Part 2 of the Bill amend certain provisions in Parts 2 and 3 of the Amendment Act that have not yet come into effect. Upon commencement, these provisions in the Amendment Act will amend the *Water Act 1989* (Water Act) to improve the regulation of the places, rates and times at which water can be taken by persons holding water rights in declared water systems, amongst other amendments.

Part 3 of the Bill amends Part 17 of the Water Act to provide additional savings and transitional provisions required as a consequence of the Amendment Act.

Human rights issues

The amendments made by the Bill engage the Charter rights to privacy (section 13) and to property (section 20).

Right to privacy

Section 13(a) of the Charter provides that a person has the right not to have their privacy, family, home or correspondence unlawfully or arbitrarily interfered with. An interference with privacy will be lawful if it is permitted by a law which is precise and appropriately circumscribed and will not be arbitrary provided it is reasonable in the circumstances and just and appropriate to the end sought.

Part 5A of the Water Act provides for there to be a water register (Register), where records and information about water-related rights, entitlements, licences and approvals (statutory approvals), and the name and address of persons who hold a statutory approval, are recorded. The Register also enables the monitoring of, and reporting in relation to, water resource use and the water market. One of the Minister's functions is to create, or enable the creation of, reports derived from information in the Register, which may be made available to the public subject to certain restrictions.

The name and address of each person holding a water right or a statutory approval under the Water Act is required to be recorded in the Register for several reasons. The rights and statutory approvals can be exchanged between people in the water market, subject to the Minister's approval of each transaction in accordance with certain statutory criteria. The record in the Register is evidence of each person's right to transfer the statutory approval to another person. Enforcement of each person's compliance with the conditions and other limits on any statutory approval they hold also requires there be record of the name and address of every person who holds each approval.

Section 26 of the Amendment Act inserts sections 84VB and 84VC(1) and (2) into the Water Act to specify what information and records the Minister must record in the Register about certain water rights and about general and particular place of take approvals.

Clause 6 of the Bill divides section 26 of the Amendment Act into two sections, 26 and 26A of the Amendment Act. Clause 6 enables components of old section 26 to commence on separate days and changes the order in which the new sections will come into effect, so that section 84VB may be inserted into the Water Act before section 84VC is inserted. Clause 6 does not affect the extent to which sections 84VB and 84VC(1) and (2) engage the right to privacy as these sections are, in effect, the same as they are under old section 26 of the Amendment Act.

Clause 6 also amends new section 84VC of the Water Act (under new section 26A of the Amendment Act) by inserting new section 84VC(3), which will specify what information and records the Minister must record in the Register about external place of take approvals. The types of information that must be recorded are the

same types of information that must be recorded for similar, particular place of take approvals under section 84VC(2) of the Water Act, including the name and address of the approval holder.

The information and records about external place of take approvals to be recorded in the Register will be subject to the power of the Minister to include approval holders' names (but not their addresses) in a report of the Minister under proposed section 84EA(2) of the Water Act (to be inserted by section 23 of the Amendment Act). The name and address of approval holders will also be available to any person applying to search the Register under proposed section 84X of the Water Act (to be substituted by section 30 of the Amendment Act). In this respect, the Bill will interfere with the Charter right to privacy.

However, any interference will be precise and appropriately circumscribed. The collection of the name and address of a holder of an external place of take approval is necessary to support changes to, and exchanges of, an external place of take approvals, to protect the interests of each person holding such an approval and to enforce compliance with water laws. Public availability of this information is also circumscribed. The Water Act already enables an individual to apply to a Register recording body under section 84Y, or subsequently to VCAT under section 84Z of the Water Act, to have their personal information suppressed in certain circumstances. Further, regulations may be made under proposed section 84X of the Water Act to specify what records and information cannot be included in a ministerial report or cannot be accessed by search of the Register, which provides additional safeguards against arbitrary interference with privacy in relation to the collection and publication of information regarding holders of external place of take approvals. These measures to protect the right to privacy (discussed in the Statement of Compatibility for the Amendment Act) are not altered by this Bill.

Any interference with privacy by clause 6 of the Bill will therefore be lawful and not arbitrary. In my view, the right to privacy will not be limited by the amendments made by the Bill, and I therefore consider that the Bill will be compatible with the Charter right to privacy.

Right to property

Section 20 provides that a person must not be deprived of their property other than in accordance with law. Any power which authorises the deprivation of property must be conferred by a law, confined and structured, formulated precisely, and accessible to the public to allow people to regulate their own conduct.

Automatic cancellation of a general or particular place of take approval

Part 3 of the Amendment Act inserts proposed Part 4AA in the Water Act to regulate the place, rates and times at which water can be taken from a declared water system. It provides that the Minister may give approvals of the places at which persons can take relevant water allocations ('general place of take approval') under new section 64FC of the Water Act, and to persons to take their relevant water allocations from their approved place ('particular place of take approval') under new section 64FZJ of the Water Act.

Section 64FE of the Water Act will specify the circumstances in which a general place of take approval will cease to be in force, which are intended to be if the grounds on which a person may apply for a general place of take approval no longer exist and there is no notional rationing rate fixed to the approval or the rate is zero. Section 64FZL of the Water Act will specify the circumstances in which a particular place of take approval will cease to be in force.

In relation to any automatic cancellation of a general place of take approvals, insofar as existing approvals could be characterised as 'property' under the Charter, cancelling approvals may constitute a deprivation of property.

Clause 7 of the Bill will amend section 64FE(1)(c)(i) of the Water Act so that a general place of take approval will cease to be in force if the holder meets both criteria specified in paragraphs (A) and (B) of section 64FE(1)(c)(i), rather than only either paragraph (A) or (B) (in addition to criteria under section 64FE(1)(c)(ii), that there is no notional rationing rate fixed to the approval or the rate is zero). The effect of clause 7 of the Bill will be to narrow the circumstances in which a general place of take approval will automatically cease to be in force.

Clause 10 of the Bill will amend section 32 of the Amendment Act to substitute a new section 64FZL into the Water Act. New section 64FZL(a) will be, in effect, the same as old section 64FZL(a) so it will not engage the Charter right to property. New section 64FZL(b) will provide that a particular place of take approval for a class of relevant water allocations will cease to be in force if two criteria (rather than a single criterion) are met: if the holder no longer holds the right to receive any future water allocations in the class to which the approval relates and no longer holds any relevant water allocation under that right. Clause 10 will narrow the circumstances in which a particular place of take approval will automatically cease to be in force under proposed section 64FZL(b).

I consider that, because clauses 7 and 10 of the Bill will narrow the circumstances in which the general and particular place of take approvals will automatically cease to be in force, they will not unreasonably limit the Charter right to property.

External place of take approvals

Sections 40 and 41 of the Amendment Act will repeal sections 33AH and 33AI of the Water Act, which regulate the taking of water under a water allocation from a place that is outside the associated water system for the water share under which the allocation is made.

Clause 13 of the Bill will amend section 32 of the Amendment Act to insert a new Division 5 into proposed Part 4AA of the Water Act to provide for the regulation and approval of taking a relevant water allocation from a place that is not in a declared water system or is not in Victoria. New section 64FZV of the Water Act (to be inserted by clause 13) will specify the circumstances in which an external place of take approval will cease to be in force.

Insofar as external place of take approvals can be characterised as ‘property’ under the Charter, automatic cancellation of these approvals may constitute a deprivation of property. However, the automatic cancellation of an external place of take approval may only occur in very narrow circumstances: if the holder of an approval (that is not for a class of relevant water allocations) no longer holds the relevant water allocation (section 64FZV(a)); or if the holder of an approval for a class of relevant water allocations no longer holds the right to receive any future water allocations in the class to which the approval relates and no longer holds any relevant water allocation under that right (section 64FZV(b)). In either of these circumstances, the rights to water to which the approval relates will have been exhausted, so the approval will no longer be of any value to the holder. I therefore consider that, to the extent that any deprivation of property occurs as a result of the cancellation of any external place of take approvals, the Charter right to property will not be unreasonably limited by clause 13 of the Bill.

Clause 20 of the Bill provides savings and transition provisions for certain approvals given under old section 33AI of the Water Act, to take a water allocation from a place that is not in a declared water system or is outside Victoria, into external place of take approvals under new Division 5 of proposed Part 4AA of the Water Act.

To the extent that an approval under section 33AI of the Water Act could be characterised as ‘property’ under the Charter, clause 20 of the Bill engages the right to property. Clause 20 preserves these property rights so it does not unreasonably limit any property rights.

I therefore consider that the Bill will be compatible with the Charter right to property.

For the reasons set out in this Statement, in my opinion, the Bill is compatible with the human rights as set out in the Charter.

Hon Mary-Anne Thomas MP
Minister for Health
Minister for Health Infrastructure
Minister for Medical Research

Second reading

Mary-Anne THOMAS (Macedon – Leader of the House, Minister for Health, Minister for Health Infrastructure, Minister for Medical Research) (10:38): 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:

In 2021, the Victorian Government passed the *Water and Catchment Legislation Amendment Act 2021*, which introduces a new framework to regulate the place, rate and time of taking water. This allows for better management of the system which delivers water to rural water users, and so protects existing rights and waterways.

This Bill clarifies some sections of the 2021 Amendment Act to ensure it’s in line with the intent of that Act and so that the reforms can be smoothly implemented. It will continue to protect the existing rights of Victorian water users, provide more flexibility for them to manage their own delivery risks and improve powers to manage delivery shortfalls.

Delivery shortfalls occur when river operators can’t deliver water to water users – including to irrigators and the environment – where and when they want to take it. This may occur when there is increased daily demand during a heatwave and the long distance from the dams means water can’t be delivered in time. Climate change is expected to increase the frequency of hot days and the length of warm spells, so peaks in daily demand are likely to continue to increase.

Although such shortfalls have been rare, the risk of shortfall occurring in the River Murray is real and increasing. The Victorian Government is preparing now to make delivery rights clear and consistent should these risks also emerge in other Victorian declared water systems in the future.

The 2021 Amendment Act provides a stronger framework for managing these water delivery challenges and streamlines the existing overly complex provisions that relate to where water is taken from a declared water system.

The consultation on new rules developed under the framework coincided with the emergency flooding event in late 2022. The ongoing impact of floods, including on the 2023 crop harvest, has created challenges for meaningful engagement with water users on these important rules.

This Amendment Bill will delay the introduction of the new framework for up to 12 months, to provide more time for water users, many of whom have been recently impacted by floods, to understand and adjust to these changes. It will move the default commencement date from 1 July 2023 to 1 July 2024, and allow for an earlier introduction of the framework once proper consultation is complete.

I commend the Bill to the house.

Cindy McLEISH (Eildon) (10:39): I move:

That this debate also be adjourned.

Motion agreed to and debate adjourned.

Ordered that debate be adjourned for two weeks. Debate adjourned until Wednesday 5 April.

Health Legislation Amendment (Information Sharing) Bill 2023

Council's amendments

Message from Council relating to amendments further considered.

Debate resumed on motion of Steve Dimopoulos:

That these amendments be agreed to.

Council's amendments:

1. Clause 4, page 4, after line 26 insert –
 “**Privacy Management Framework** means the Privacy Management Framework established under section 134ZT;”.
2. Clause 4, page 14, line 17, omit “1982.” and insert “1982.”.
3. Clause 4, page 14, after line 17 insert –

“Division 6 – Privacy Management Framework

134ZT Minister must establish Privacy Management Framework

- (1) The Minister, by order published in the Government Gazette, must establish a Privacy Management Framework for the Electronic Patient Health Information Sharing System as soon as practicable after the day on which this Part comes into operation.
- (2) In establishing the Privacy Management Framework, the Minister must consult with the following persons and bodies in relation to whether certain health information or classes of health information should require additional levels of protection under the Privacy Management Framework –
 - (a) relevant groups and organisations that represent the interests of patients, carers or health care workers;
 - (b) any relevant public sector body within the meaning of the **Public Administration Act 2004**;
 - (c) participating health services.
- (3) The Privacy Management Framework must –
 - (a) specify categories of health information that are sensitive in nature and include a process to safeguard that information; and

- (b) include a process to safeguard the identity of patients who may be at risk of harm, including patients who identify as being at risk of family violence; and
 - (c) include a process to facilitate patients accessing reports that specify who has accessed their health information through the Electronic Patient Health Information Sharing System; and
 - (d) include a process for regular audits and compliance checks of the Electronic Patient Health Information Sharing System.
- (4) The Privacy Management Framework takes effect on –
- (a) the day on which it is published in the Government Gazette; or
 - (b) a later day as specified in the order.

Note

Section 41A of the **Interpretation of Legislation Act 1984** provides that the power to make an instrument includes the power to repeal, revoke, rescind, amend, alter or vary the instrument in the exercise of that power.

134ZU Compliance with Privacy Management Framework

Any person who is authorised or permitted under this Part to access the Electronic Patient Health Information Sharing System must comply with the Privacy Management Framework to the extent reasonably practicable.

Division 7 – Independent review of this Part**134ZV Independent review by expert panel**

- (1) The Minister must cause an independent review of the operation of this Part, including the Privacy Management Framework, to be conducted by an expert panel after the second anniversary of the day on which this Part comes into operation.
- (2) The independent review must examine and make recommendations in relation to the following –
 - (a) whether health information is sufficiently protected;
 - (b) which health services should be participating health services for the purposes of this Part;
 - (c) the misuse of specified patient health information;
 - (d) the costs of compliance and the administrative burden imposed on participating health services by this Part;
 - (e) whether the Electronic Patient Health Information Sharing System is operating as intended.
- (3) The independent review may examine and make recommendations in relation to the following –
 - (a) current issues and trends relating to health information systems;
 - (b) data management;
 - (c) information technology security;
 - (d) patient privacy;
 - (e) any other relevant matter.
- (4) The independent review must be completed no later than the third anniversary of the day on which this Part comes into operation.
- (5) The Minister must cause a copy of a report of the independent review to be laid before each House of Parliament no later than 3 sitting days after the day on which the final report of the independent review is given to the Minister.
- (6) The Minister must consider any recommendations made by the independent review, including any recommendations to amend this Act, and within 18 months of receiving the final report –
 - (a) implement the recommendations made by the independent review; or
 - (b) advise Parliament why the recommendations have not been implemented.

134ZW Appointment of expert panel

- (1) For the purposes of section 134ZV, the Minister must appoint 3 persons to form the expert panel.
- (2) The Minister must ensure that each person appointed to the expert panel has experience in one or more of the following –
 - (a) human rights and privacy matters;
 - (b) legal and regulatory compliance;
 - (c) health information systems;
 - (d) clinical care;
 - (e) health care quality and patient safety;
 - (f) consumer or patient advocacy.
- (3) The Minister must not appoint a person to the expert panel if the person is –
 - (a) a current employee or executive officer of a registered political party within the meaning of the **Electoral Act 2002**; or
 - (b) a current or former member of Parliament.’.”.

David SOUTHWICK (Caulfield) (10:39): As I began my contribution yesterday, the Health Legislation Amendment (Information Sharing) Bill 2023, in terms of what the bill specifically is trying to do, using technology, using information to ensure that we have patient records being made available for better care, in principle, is something that I think is very, very important. In my initial contribution to this bill I spoke very personally about a situation that happened with my late mother, where by not having information, by not having that information available, unfortunately she passed.

If the opportunity had been there, then I wonder if we would have potentially had a different set of circumstances. So for me information is very, very important, and if I had that opportunity in terms of me, my family, my late parents, then absolutely there would be no doubt that I would want that information to be made available to the health professionals, no question. But the amendment that we put forward was to ensure that there was an opt-out, and the opt-out component was key because it gave the ability at the end of the day to the patient to determine their own choice in terms of patient care, in terms of what they want in terms of information being made available. Every single time – especially when we are talking about health – we need to ensure that the individual, the patient, is put first, and the wishes of that individual always should be paramount and should be absolutely key to any decision that is being made.

I know that we heard the member for Mordialloc, who was effectively attacking and mentioning my contribution, using all kinds of things about scaremongering, fearmongering. It is none of that, it is about patient choice. That is what it is about, that is what our amendment was about. The member for Lowan very well articulated that point; the member in the other house Georgie Crozier, our Shadow Minister for Health, articulated that point. It is really important to stick with the facts here and have the opt-out option. And the Law Institute of Victoria – that is their argument, that is their case, and it is very fair and reasonable for the law institute to have that position, because we saw a data breach only as recently as yesterday in a report on the Canberra Health Services breach of privacy, where members of staff sent records to their union:

In an all-staff email ... chief executive Dave Peffer said the records had been sent by a small number of staff to multiple people within one of its industrial partners.

He said the whole mental health clinical records of 13 patients had been ‘deliberately’ emailed to individuals outside the organisation over a period of years.

CEO David Peffer described it as a ‘serious breach ... extending back some time’. And here we have an ACT Labor-Greens coalition mental health minister saying:

But we do have policies and procedures about what to do when a breach like this happens, and it has been referred to the police who are conducting an investigation.

The breach was referred to the Australian Health Practitioner Regulation Agency. So here we have a situation where there are protocols that are set up, but nonetheless there is a breach. We have these situations, in this case it was to a union, and it does undermine all of those individuals, particularly when you have got personal and confidential information – this is in relation to mental health and the Royal Commission into Victoria’s Mental Health System. It is very, very serious when this information goes off to a union. So they are the issues, they are the concerns that we have.

Now, if you sign up to something, that is fine. In my case, in my own set of personal circumstances, I would sign up to something knowing the consequences, and I would live with those consequences. That is not to say that I would want data breaches and not to say that I would not want every single element of privacy being put in place wherever possible – we want all of that. But at the end of the day it is my choice, it is patient choice, and that is all we are asking for. If people are not happy for their information to be shared, they should be able to have the opportunity not to do so, and that is why specifically we suggested an amendment about the opt-out, and that is why we have issues with the bill where it stands – not because of what it is trying to do, but unfortunately because of what it is not trying to do. It is what is being left out of the bill that could make it better.

When we talk about bills in this chamber, we always talk about making things better, improving the system. We have got to improve our health system. It is appalling that we had fax machines to send out information when it came to contact tracing in Victoria. We have been so behind in terms of data records and data information and using good systems to be able to ensure we get the best patient care, and I do not think there would be anyone in this chamber that would not want that; I think every single Victorian would want the best patient care and the best records and the best information available. That is not what we are arguing. So when the member for Mordialloc stands up here and he says, ‘The Liberals are scaremongering and fearmongering’ – we are not doing that. We are trying to work together to get the best outcome, and the best outcome is to ensure that if those patients want to be able to opt out, they should be able to opt out. If they have concerns, they should be able to.

We will be talking shortly about the drug-injecting-room legislation, and there are a lot of people that have used the drug-injecting room that I am sure would not want their information shared, that I am sure would not want to sign up to the system, that would want the option to opt out. We should give them that right. We should give them that opportunity. Why on earth is the government on one hand bringing in legislation to so-called ‘protect’ drug users but on the other hand happy for that information to be shared, to not give them the opportunity to opt out, to not give them the opportunity for privacy? There are a number of circumstances – when it comes to family violence, when it comes to drug and alcohol use – in all of these agencies to give the opportunity to the individual to have that right to opt out, and that is all we are asking for. It is very simple. It is a fair amendment that we have proposed and the government has rejected.

I also note, because the government again in their contributions were talking about how wonderful it is and criticising the contributions that we made when the bill was originally before the house in the lower house and saying that we should reflect on our contributions – well, again I would say to the member for Mordialloc and others in this chamber: the reason why it is back here now is because the government did not get it right in the first place. The government took it from the lower house to the upper house. We are now debating this bill because there are amendments, because we, the Greens and others showed the flaws in the bill in the first place. If there were not flaws, if there were not privacy issues, we would not be debating this bill right now. The bill would have gone from the lower house to the upper house, and it would be done. We now have amendments put by the government. The reason why they have been put by the government is because the Greens, the Liberals and Nationals and the independents all had issues with the bill.

It was a bill that was poorly drafted, that did not have privacy protections in place. So now we have got something that is better but is not quite there. That is the issue and that is the flaw that we are dealing with, and the government needs to admit that. It is no use the government turning around and giving us a whack and saying, ‘You should reflect on your initial contributions that you made when it

was before the house last time.’ It would not be here if they had gotten it right. They did not get it right. They went quick to the punch. They went out there and poorly drafted a bill without having proper privacy protections. We are back talking about it now because the government jumped the gun, and that is the problem. We see it time and time again when the government jump the gun on legislation and do not get it right, and who suffers – Victorians suffer. We have got to always get this right, and when you are talking about patients, when you are talking about health, you must get it right. There is this opportunity when you have got the opposition willing to work together with the government to get it better; that is what we are striving to do. This is not a political situation. This is trying to improve the situation in our health care for all Victorians. That is why the opt-out position is an important position for all Victorians – to give patient choice. That is why we suggested the amendments, and that is why the amendments should be supported.

Motion agreed to.

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

Drugs, Poisons and Controlled Substances Amendment (Medically Supervised Injecting Centre) Bill 2023

Second reading

Debate resumed on motion of Gabrielle Williams:

That this bill be now read a second time.

Emma KEALY (Lowan) (10:50): I rise today to speak on the Drugs, Poisons and Controlled Substances Amendment (Medically Supervised Injecting Centre) Bill 2023. Much has been said about the medically supervised injecting room (MSIR) in North Richmond attached to the North Richmond Community Health centre. There is no doubt that much, much more needs to be done when it comes to supporting people facing drug and alcohol addiction in the state of Victoria. For too long people with substance addictions have been ignored. I think government has turned its eyes away from some of these critical issues, and unfortunately what we are seeing with the injecting room today is a continuance of the issues around damage to the amenity of the local area; the impact that that is having on the local community, with some of the highest densities of public housing in the state of Victoria; and of course the impact on the young schoolchildren that attend Richmond West Primary School.

I am hearing calls across the table from the Minister for Health that it is wrong that there has not been a focus on people with alcohol and other drug addiction issues in recent years. I would like to bring to the attention of the house the \$40 million cut to the AOD sector in last year’s budget. This was at a time when the sector was absolutely struggling to keep up with the rampant demand on AOD support services and treatment services on the back of the COVID lockdowns and restrictions, which had a significant impact on the mental health of all Victorians. It is well documented that because people had not been able to access mental health supports, so many people turned to alcohol and other drugs in order to self-medicate. We have the situation now where we have many people who are attending the injecting room who also have serious mental health issues. It is something that was highlighted in the executive summary of the Ryan report, which has been published. It is something that must not be ignored. We need to see a serious investment to support this sector and to support all Victorians, particularly people who are attending the injecting room, who are some of the most vulnerable people in our community.

At the last election the Liberals and Nationals had a very positive suite of policies that we took to the election that was about providing more treatment services. I was very pleased to read in the executive summary of the Ryan report that there is support to introduce a hydromorphone therapy program in Victoria. This is a policy that the Liberals and Nationals took to the last election. It is the gold-standard drug treatment to assist people who have a heroin addiction when other programs such as methadone are not successful. I believe strongly that that should be a priority for this current government. While

they have said they will accept all recommendations aside from some minor elements of the Ryan review, I do urge them to move very, very promptly and take on the policy of the Liberals and Nationals around a hydromorphone program but also take the word of the John Ryan review and the independent panel who supported that and of course the drug and alcohol sector, who have been tireless advocates for an extension of treatment programs to be available in Victoria.

The other policy that was quite substantial and would make an enormous difference to the people of Victoria seeking support for alcohol and other drug addictions was to expand the number of AOD withdrawal and rehabilitation beds across the state of Victoria. We made a fabulous commitment around that to build six sites across the state which would cover off on withdrawal services as well as residential rehabilitation services, and all of the sites that were proposed by the Liberals and Nationals addressed sites where there had been acknowledged significantly low access to drug and alcohol support services as found by the Productivity Commission. That included a facility in Warrnambool. They have been fabulous advocates for so many years. They have worked so hard to try and attract funding for that area. I certainly will continue to support it and stand with my very close colleague the member for South-West Coast, who has been a fierce advocate for that investment by the state government. I urge for that funding to be included in this year's state budget.

The facility in Mildura, which we know the government said they would do, is strung up with some issues at the moment, including ensuring that the local Indigenous groups have a say over where the proposed site will be. I think that that is very, very important in terms of inclusiveness to make sure that people of Aboriginal descent have a linkage to being on country and that they are able to access treatment on country. That can make a substantial difference when it comes to a commitment to entering into drug and alcohol treatment.

We also committed to a facility in Shepparton, an all-ages facility in the Latrobe Valley, another facility in Frankston, where we know there have been serious drug and alcohol issues for a long period of time, and a standalone 30-bed withdrawal facility or 30 withdrawal beds in Melbourne, because that is where we know that there is a substantial bottleneck. You have to undergo detox or withdrawal services before you can enter into residential rehab. Until we address that shortage it is going to be very difficult to give people the support that they need in getting through withdrawal so they are actually eligible to go into residential rehab. I still stand by that. It is basically the same policy that we took to the 2018 election. We have not seen any investment in expanding our AOD beds and making sure there are more beds available at a time when demand has never been higher, and so again I urge the Andrews Labor government to ensure they put AOD first and ensure that these families and individuals who are facing addiction issues can access the treatment they need when they need it, because waitlists of up to a year simply perpetuate the cycle. It is not feasible for people to be able to just go cold turkey and not get any support in between. It is not fair, it is not right and it is not what we expect in the state of Victoria.

In relation to the legislation, I will note that we had a bill briefing last Wednesday. There were a number of questions taken on notice, and we have not received a response to those as yet. I urge the minister and her office to provide a response to those questions as soon as possible, because they are questions that have been raised by the sector. This is something that is not about politics at this point; there are questions that are arising from people who want to know more about it. There are people who will have to work underneath this legislation, and so it is very important we have those responses sooner rather than later. I realise I cannot speak to them today; however, they are responses that will be raised in the Legislative Council when the legislation moves to that stage of debate.

There are a number of elements of this legislation which we have concerns about. My concerns relate to some of the language that is utilised within the legislation. I also have concerns that recommendations outlined in the Ryan review, which we have been told provide the foundation for the amendments that we are debating today, have not been transferred at all across to the legislation. Further, in some ways the legislation does not reflect the recommendations of the Ryan review.

Given the Ryan review, as we have been told, is the foundation for the amendments that have been put forward in this legislation, I think this is very important, for a sense of transparency for the public and particularly for the drug and alcohol sector, that we have access to the entirety of the John Ryan report. I know that there is a much, much bigger report that has been submitted to the government. I understand it may not have been submitted as this has been provided, as a report specifically to be made public, but every other review that we have had of the injecting room is hundreds of pages long, with a lot of evidence included, which helps to inform the drug and alcohol sector on how they can best advocate but also how they can best service the people that they provide support and treatment to. I do again urge the government to release the full John Ryan report and all the information that has been submitted to the government, including the additional research papers which have been undertaken to inform John Ryan's and the independent panel's work. I know that there has also been a security report undertaken by Tony Zalewski that has not been made public. There is a significant amount of work that has been undertaken by the CERE, the Centre for Evaluation and Research Evidence. Again, in my view, coming from a health background, we should be having evidence-based policy and evidence-based practice. That is why I believe that information should be made public. I think in terms of providing transparency to the local North Richmond community, it is very, very important that that full report is published sooner rather than later.

The biggest issue which was reiterated through the Ryan review was around the failure of the government to be able to deliver upon the objectives that were outlined in the trial of the North Richmond injecting room. We note that there were six objectives in the legislation. They have not been amended in the version of the bill put before us today; however, when we look down the list it is difficult to say that any of the objectives have been met in an evidence-based way. In particular there is of course objective 2, which is about providing a gateway to health and social services for people who inject drugs. It was highlighted throughout the Ryan report that this has not been done. There are a number of recommendations in relation to that, particularly in relation to the lack of support for treatment on site and rehabilitation on site but also in relation to not having support services for mental health, which I think is very important.

It also referred to reduction of ambulance attendances and emergency department presentations attributed to overdose. What has not been mentioned in the John Ryan report, which I think is a deficiency but perhaps is included in the full report, is the impact of COVID and particularly international border closures on supply of heroin to Australia. So the lack of flights and the lack of boats coming in and out reduced the ability for heroin to be illegally imported into the country. As a result, supply was much lower, usage of the injecting rooms was lower and overdoses were lower. The significance of that impact cannot be understated. The fact that it was not mentioned as a key point in the Ryan review is a deficiency of the report; however, without seeing the full report I cannot reflect on the other work. It is disappointing that we have not had access to that, but it is not surprising from this government, unfortunately.

The Ryan report also found the government have failed to reduce the number of discarded needles and syringes in the neighbouring public places. In fact this review has found that the number of needles found in the streets around the North Richmond region has increased two- to threefold. Before the injecting room was built, we were told that it was like a war zone around the North Richmond injecting room, with 6000 discarded needles on the streets of North Richmond every month. This Ryan report actually finds that 12,000 to 18,000 needles are being discarded every month. It makes up 80 per cent of the total needles collected by the City of Yarra now. In terms of reaching that recommendation, the injecting room in its current model has been an abject failure.

The government have failed to improve the neighbourhood amenity for residents and local businesses. This is something that was found in the Ryan report, but it was also highlighted in the Hamilton review which was handed down a couple of years ago in 2020. It was highlighted then that work should be undertaken to deal with the amenity issues sooner rather later; however, again we see another report which says the amenity is deteriorating in the North Richmond area. It backs up the views of

businesspeople, people who are parents of the kids at the school and people who live in that local North Richmond area. They know that the amenity has decreased so much since the opening of the injecting room. The drug trade has moved south. It has moved from Victoria Street to the community health precinct surrounding the injecting room and primary school, and it has not been dealt with effectively. Given that there are still significant issues and they are getting worse – they were issues that were highlighted before the injecting room was opened, they were issues that were raised after the Hamilton review and they are now issues that were raised and have substantially increased since the Ryan review and were included in the Ryan review – I think that there are good grounds to extend a trial to get the model right before it is made permanent.

The other aspect which is very important and was highlighted in the Ryan review in their findings is around the impact on the amenity in relation to local community members and particularly to school-age children. That is in relation to goal 4, which is on page 15 of the 24-page report that was undertaken over many years and cost a huge amount of money to be informed. It is very upsetting for me to read these quotes, because I have school-age children and I would not be happy if this was happening next door to my children's school. That is something that we are hearing from so many parents, and they have spoken out and they have not been heard. We always have to listen to the Victorian community, whether we like what they are saying or not. We have to have a level of empathy with them, and to be honest, the North Richmond community are extraordinarily patient and tolerant.

There are more proponents of injecting rooms as a whole than there are people who actually oppose the injecting room. I think the number of people who oppose the injecting room has diminished significantly. But I do urge the government to get the location right. This model can work. It will not work next to a primary school, and until that is dealt with there are always going to be issues that plague this. It is not fair on the families who live in the area, it is not fair on the drug users and it is not fair on the AOD support workers who have to deal with some of the issues around the injecting room as well. I urge the government to align the Victorian legislation with the New South Wales legislation, which specifically refers to injecting rooms not being in near proximity to schools, to childcare centres and to community centres. This is why I will be moving a reasoned amendment, and I ask that to be circulated, please. I move:

That all the words after 'That' be omitted and replaced with the words 'this bill be withdrawn and redrafted to prevent a medically supervised injecting centre from operating in near proximity to schools, childcare centres and community centres'.

This can be done very promptly. I am not seeking in any way, shape or form to interrupt the licensing of the injecting room. However, I do believe that no injecting room should be built right next door to a school. This is something that comes through in the Ryan report quite clearly, and I think that it was deficient of the government to not include examination of the location within the scope of the Ryan review. Location is very important in terms of the success of an injecting room, and that is not just around where the hotspot is for drug use – and as I said, the Ryan report actually finds that that drug hive has actually moved further south to surround the injecting room – but also around making sure that we get the location right in terms of the impacts on the wider community.

I am certainly not prepared to have children exposed to drug dealing and to drug-induced psychotic events. There have been needlestick injuries on school grounds. There are needlestick injuries on the way to school. I have spoken about the number of needles in the street. There have been horrific things, like somebody who had been using drugs who was on school grounds with a machete, and the school had to go into lockdown. We have had dead bodies in the green area next door to the school and the injecting room. There have been dead bodies in cars. There are drug deals, there is public injecting and there are public sex acts. I am not prepared to have children in Victoria exposed to that. That is a very high cost to pay. While I think the state can make this model work, the government's stubborn refusal to even reconsider the location is not just disappointing but actually creating some critical harms to those children for the longer term. It is very disappointing, and that is why we are putting forward the amendment today. It is not just me that is saying that. There are people who are vehement supporters

of the injecting room from the AOD sector who absolutely say the government have let the AOD sector down by refusing to look at the location. There are other locations which are readily available. It does not have to be next door to a primary school. So why not reconsider and simply move it?

There are of course other issues around that, and one was highlighted which I think is so interesting, because it is something that we do not usually hear about in terms of the safety of people who are drug users in the local area. I refer to a quote on page 17 of the Ryan review:

“It doesn’t make you feel safe as you’re walking down Lennox Street to the room,” client Jerry, 52, told the MARC researchers. “Also, there’s people trying to rip you off ... or rob you. As I say, you’ve just got have your wits about you all the time.”

If you have got people who are within the drug-using community who are refusing to use the injecting room because they are concerned about the way that people are congregating in the area – that they are dealing drugs, that they are stealing, that there is violence at play – then this is not just about one group of people. It is not just about the schoolkids. It is not just about the local businesses. It is not about the people who live in the public housing. It is not about people who live in the other streets neighbouring the injecting room. It is about an environment where even the people who this support service is supposed to be providing assistance to do not feel safe to enter the building. It is extremely concerning that that is the case, and there is no doubt that this is not what we see in New South Wales. As I said, the legislation that we have in Victoria is not representative of the legislation that we have in New South Wales. New South Wales specifically prohibits an injecting room being located next door to a school, next door to a childcare centre or next door to a community centre. Until that is dealt with, I find it very difficult to understand how the injecting room will ever be successful.

There are other elements of the legislation which are of concern to the Liberals and Nationals. Since the opening of the room in North Richmond we have had a considerable increase in drug-related and antisocial activity on the grounds of Richmond West Primary School in the immediate vicinity that has not been addressed. The number of needles in the City of Yarra has increased. Both the Ryan review and the Hamilton review have now identified the deterioration of the amenity of the MSIR precinct since its opening; however, that simply has still not been addressed. There is concern that this government relied on the Ryan review to inform the legislation and only consulted with North Richmond Community Health and the Department of Health legal team beyond the Ryan review. The AOD sector itself was not consulted, and it holds concerns that Labor’s revised MSIR model will again fail as experts in the field are being excluded from the design process. While the Ryan review was used as the primary reference to inform this bill, we still have not seen the full report.

In relation to the recommendations that the Ryan review makes, there are a number of elements which I stated earlier which I do not believe show that the legislation has gone far enough. Specifically, section 55E of the principal act regarding internal management protocols could have been expanded to include specific recommendations of the Ryan review, including expanding health care access at the MSIR to ensure clients receive the treatment, care and support they need, including developing a system to follow up and monitor referrals; addressing complex trauma-induced mental health issues within a harm reduction framework; offering holistic gender-specific services such as safe spaces for women and referral pathways that acknowledge their higher levels of trauma, complex needs and vulnerability; and engaging with Aboriginal-controlled health organisations to ensure strong linkages with specialist services that are culturally safe for people from the Aboriginal and Torres Strait Islander communities. Further, there are elements within the legislation which are not fully met in the amendment we are debating today. Specifically, recommendation 9 of the Ryan review states that the Minister for Mental Health:

Commissions periodic independent reviews of the North Richmond facility at least every three years, with a report to be submitted to the Minister and released publicly.

I note that this legislation specifies a review every five years, and while there is a commencement date which is legislated, there is no end date. I feel like perhaps the government is putting into legislation

what we have seen with the Lay report into the second injecting room in Melbourne's CBD. We know that report has been started. In fact it was started back in May three years ago, so it was a long way back, in 2020. It was supposed to be handed down by the end of 2020, and yet we still have not seen what Lay has recommended. There has been no information for the public, and this is of great concern to the drug and alcohol centre, who want to get confirmation. Is this something the government is still going to do? Are they going to go ahead with it? At the same time, the business community wants to know: where are you going to put it? Where are you ruling in places? Where are you ruling them out?

The Premier confirmed that the government have already purchased a building. It is like the worst kept secret in the state that the government have purchased the Yooralla building on Flinders Street, right next door to Degraives Street. I have been down there on many, many occasions not just to have a lovely coffee and a bit of brunch on a weekend at that beautiful, iconic cafe precinct, as many Victorians do and many international travellers do, but also to inspect the building, which fundamentally fails the public safety aspect which is included in the principal act. Looking at the model of injecting rooms, you come in one door and you exit out of the other. Under the structure of that building, you would have to enter from Flinders Street or exit on Flinders Street and enter from the back lane which comes off Degraives Street. For those not familiar with Degraives Street, it is filled with cafe chairs and tables. There are just so many people walking through that area. It is like a little part of Paris really in Melbourne. To either have people who have drugs on them who are very keen to inject those drugs coming in that back laneway off Degraives Street or have someone who has just injected – and we know that the injecting room is not just about heroin, it is also about ice. It is utilised for that. People can be very obviously erratic. Their behaviour can be inconsistent with what you would expect in an area that is packed with chairs, tables and people having brunch, and it could pose quite a significant public safety risk not just for the people who are in that area but also of course for the drug users themselves.

The other element which has not been appropriately included in this legislation is recommendation 10, which ensures the community is provided with reports on progress against the recommendations of the current and previous reviews. This again has not been legislated, and I think that it is a deficiency that there is not more transparency around the injecting room and how it is achieving its goals. Again, it is something that was highlighted in the Hamilton review, that there should be a lot more transparency around the information that is provided to Victorians, as well as the local community. It is something that has been reiterated in the Ryan review, and it is something that I strongly believe in. We have got the objectives of the bill, which the Ryan review has specifically reported against. We need to make sure that those reporting requirements are pulled back to three years. But in my view, given we have got those objectives set down in legislation, there is no reason that they should not be reported on an annual basis, as we expect for other publicly funded health organisations across the state. We need to make sure we get the model right. We cannot expect that anything we do is right the first time and that we must never go back to that ever again. I think that there are critical failures with the design of this model that should be addressed. There are even simple changes within the legislation which are not consistent with the Ryan review recommendations, one of which is as straightforward as changing the name – which could have been enabled through the bill that we are debating today – of the MSIR to the overdose management and recovery service. There are many opportunities to improve the way that people who are in the midst of drug and alcohol addiction can be supported. We are not seeing the full opportunities realised in Victoria.

I will never support drug-injecting rooms next door to a primary school or next door to a childcare centre. At the moment it is also next to a maternal and child health centre. I have spoken to so many people. I have received so many emails, dozens of emails, and I have not had the opportunity to refer to all of those and put them into parliamentary debate. There are critical issues when you have an injecting room next to a primary school. I am not happy that in Victoria we are content with having primary school age children coming home with needlestick injuries and having to be tested every few months for hepatitis until they are clear. I am not happy with children having to walk past people who are dealing drugs or involved in sexual acts to get money for drugs or to secure drugs. These are things

that all the reports say have escalated since the injecting room has actually moved to that location. There is a solution to this. It is very, very straightforward. The government have the answers. They have got the full Ryan report. They have got the Lay report. They know where better sites are. Please, put your mind to it. Listen to the AOD sector. Listen to the North Richmond community. Listen to people in the business community. Listen to health services. Put children first and move this injecting room away from a primary school.

Steve McGHIE (Melton) (11:20): I rise to contribute to the Drugs, Poisons and Controlled Substances Amendment (Medically Supervised Injecting Centre) Bill 2023. The first thing I want to do is to acknowledge the minister for putting this bill forward and her staff for their contribution. I thank them for that. Obviously the objectives of the bill are to establish the North Richmond medically supervised injecting room as a permanent service in its current location and also to remove limitations to the MSIR models of care and improve service delivery, efficiency, responsiveness, governance and continuity.

My contribution will be about going back in history. When I was the secretary of the ambulance union back in 2017 when this model was proposed, I represented 3500 to 4000 ambulance members who, on a day-by-day basis, responded to drug overdoses, in particular in the North Richmond area. We were totally supportive of the trial of this supervised injecting room. I know the members I had at the time were totally supportive of it. The lead-up to that was there were 54 deaths in the streets that schoolchildren walked past. To suggest that it is in a bad location because it is near a school is complete nonsense, because they were walking over dead bodies. They were walking over unconscious people with needles in their arms. They were in the gutters, they were in cars, they were in laneways, they were in houses, they were on the footpath, and to suggest that it is worse now because it is beside a school is complete nonsense.

Emma Kealy: On a point of order, Acting Speaker, the member for Melton is misleading the house. He is referring to the Ryan report. I am happy to make this report available to the house, which clearly states that the issues around amenity in the local area have escalated since the injecting room opened.

The ACTING SPEAKER (Jordan Crugnale): Member for Melton, do you want to speak on the point of order?

Steve McGHIE: No, I just want to continue.

The ACTING SPEAKER (Jordan Crugnale): That is not a point of order; it is a point in the debate.

Steve McGHIE: Thank you, Acting Speaker. Anyway, we will move on. History shows that paramedics were totally supportive of it because of 54 dead bodies in the street. Unless people were walking around with their eyes shut, they were there. You had to step over them. That is not happening today because that injecting room is beside a school. It is not happening. That does not mean to say you get rid of all overdoses in the street. You will never do that, no matter how many rooms you have. But to suggest that it is worse now for students is not accurate. It is not accurate –

Emma Kealy: On a point of order, Acting Speaker, the member for Melton is reflecting upon the Ryan report, which was used as the basis to form this legislation. He is reflecting on it by saying that it is not true. Therefore I again ask that I make the report available to the house so that the full information is available to the member for Melton and he understands that actually there has been a massive impact on the local area after the injecting room was opened –

The ACTING SPEAKER (Jordan Crugnale): As I ruled earlier, it is a point of debate not a point of order.

Steve McGHIE: Thank you, Acting Speaker. Anyway, we will move on from where I started. I will come back to the issue about the school later.

As people probably know, I was a paramedic for 15 years and I did attend drug overdoses. The member for Footscray is here, and I will say that in my history in the western suburbs, where I practised for most of my career – and there were drug overdoses in every suburb, not just North Richmond – we had an injecting room in Footscray but it was not supervised. It was called the tenpin bowling alley at Footscray. I remember a specific case that I attended, which was a 30-year-old woman who had injected herself in the toilets in the tenpin bowling alley at Footscray, but unfortunately she did not come out of that cubicle alive. If she had had a supervised injecting room available for her, she would probably still be here today. I can still see that woman in the back of my mind. It stays with you for the rest of your life as a paramedic. We attended to many people in that tenpin bowling alley. It is gone now, so they have obviously moved on from there. I know there are some still around Footscray, but they are not doing it in the tenpin bowling alley.

Let me tell you, paramedics respond to these incidents every day, and in North Richmond there was such a high incidence that that is why this room is there. You can talk to the local paramedics in the Richmond area and they will say to you that they are not responding to dead bodies on the street like they used to because of this supervised injecting room. In fact I happened to have a conversation with Danny Hill last week, the secretary of the Victorian Ambulance Union. Danny set me an email and said he was prepared to be quoted, so I will quote him:

The Richmond supervised injecting facility has successfully managed over 6000 overdoses. Without the centre, that would have been 6000 overdoses that happened on the street, each requiring at least one, most likely two ambulance resources to be dispatched, and spending at least an hour trying to revive the patient, much longer if the patient requires transport to hospital, clean up and restock of equipment. In resource hours that are saved by the centre, we are almost talking about an additional fully staffed, 24 hour ambulance station in Richmond that is available to respond to people in the Richmond community. Even if you ignore the outcomes to patients, ignore the reduction in needlestick injuries and assaults on paramedics in Richmond and ignore the long term effects on the health system in caring for people who suffer acquired brain injuries as a result of hypoxia, from an ambulance resourcing perspective, the centre stacks up.

Danny Hill represents 6000 paramedics across the state of Victoria, and he knows that the centre stacks up and so do his members.

I do not know if anyone in this room has been to a drug overdose before, but I will describe it to you. You get a call-out, you go to an overdose. Someone is unconscious on the ground. We do not know how long they have been down unless someone there has witnessed it. They may still have the needle in their arm. What happens first is that their breathing reduces or stops, so they go into respiratory arrest. If they are down long enough, their heart stops. That is when they go into full cardiac arrest. In my early days as a paramedic we did not have Narcan to be able to inject that patient. MICA paramedics did, so we had to get MICA paramedics out to administer Narcan. Fortunately, later on in the 1990s general duties paramedics got Narcan and they could provide it intramuscularly. Then there was an intranasal spray created, and now they can administer it through IV. But when you administered Narcan to a drug overdose, that person on the street generally would get up and say, 'P off, I'm going. I'm not going to hospital. See you later.' Or if you did take them to hospital, guess what – they would say to the staff, 'P off, I'm out of here.' So they generally abscond.

This supervised injecting room provides additional health support for these people, and there have been over 3000 referrals for these people to get other health support. They do not create a relationship when they meet paramedics. They do not create a relationship when they are taken to hospital. They just want to be out of there and go back to what they were doing prior, and that is going to get another hit; that is what happens. But this supervised injecting room provides for additional services for them, and again, it can only happen if we can get those people off the street into this room, not lying unconscious on the footpath, not dying on the footpath where all of a sudden people do not see them. I do not know how they do not see them; 54 of them were dead on the footpath, so someone must have seen them.

I should say while have got a few seconds to go that I want to commend the staff that work at the centre and applaud their efforts. I also want to commend the paramedics that respond, the nurses,

doctors, the allied health people and everyone that is involved in saving lives. This supervised injecting room saves lives, and it has proven that. And I am a fan of having more of them, because if they save lives in Richmond, they must save lives elsewhere. The primary role of this injecting room is to save lives, and that is what all of us in this Parliament should be about – supporting and saving lives, keeping people alive and trying to get them to kick their habit. This is a fantastic bill, and I commend the bill to the house.

David SOUTHWICK (Caulfield) (11:30): I rise to support the reasoned amendment moved by the member for Lowan:

That all the words after ‘That’ be omitted and replaced with the words ‘this bill be withdrawn and redrafted to prevent a medically supervised injecting centre from operating in near proximity to schools, childcare centres and community centres’.

What we have seen already in this debate is that the government is trying to attack the opposition’s very fair and reasonable position when we are talking about where this drug-injecting centre has been located. We have been very, very consistent right from the beginning in airing our concerns about having a drug-injecting centre located right next to a school.

If you look at it, this drug-injecting centre had a soft opening at the beginning of July 2018, and it was established at 26 Lennox Street, Richmond. Now, at the time there was a lot of discussion about the location even then, and a lot of concerns were raised by residents and by families and parents about the location. There was a temporary facility while the new facility was being done. At that time I took the opportunity to do one or two things. Firstly, I went to Sydney to see the drug-injecting room in Kings Cross. I think at the time I was Shadow Minister for Police. I had a briefing with those that ran the drug-injecting room in Sydney. It was fantastic, I have got to say, because I saw what they did in Kings Cross with the drug-injecting centre, which was located in a high-traffic area, in an area where you had a lot of drug use but you also had night-life – and it was certainly not located next to a school.

One of the things that was really, really important as part of that was that the bill that was drafted as part of the drug-injecting centre in Sydney was drafted as a health bill and also with police, so police worked hand in glove with health. So there was safety at the forefront of all of this – safety for users and safety for those that lived around the centre. I spoke to those medical professionals who actually worked in the centre, and they said that whenever they felt unsafe or users felt unsafe, police were there within a minute. They were able to ensure that safety was paramount in the whole situation.

I contrast that with the way this government has tried to run this whole situation in terms of the drug-injecting room. The difference here is that the government have not tried to work with police at all. In fact the Police Association Victoria and Wayne Gatt have been on record many, many times raising safety concerns and saying that actually it is quite the contrast that they have kept police away. Now, you look at two examples. Ours was not the first drug-injecting centre. You would think that the government would have said, ‘Great. Let’s go and see what’s worked in Kings Cross. Let’s see what’s worked in Sydney, and let’s have one here.’ The government did none of that. In fact when I went and spoke at the drug-injecting centre in Kings Cross, they said, ‘We’d love to work with the government more. We’d love to share our information. We’d love to share our experiences.’

I just think there has been a fundamental flaw, where safety has not been put first. When I talk about safety, I talk about safety for everyone: for the users, for the residents, for the businesses and most importantly for the kids at that school. That is what we talk about. It is appalling that after years and after so many cases of people that have raised concerns, the government just say, ‘That’s okay. Let’s ignore that, and let’s just press on.’ There has been lots of commentary. I have been down there on many, many occasions and I have spoken to residents and families, and we have seen situations. I absolutely think we need to do whatever we can for those that have been caught up in drug and alcohol abuse, and we should be supporting them at every possible opportunity. I talk to families that have loved ones, children, that are caught up in drugs, and we have got to do everything to help them get

off drugs. We have got to support those kids and those families, so I do support that. But I do not think we are doing enough, and I do think we could do a lot more.

I do recall, after initially going to the drug-injecting centre in Kings Cross, that I also went down for a viewing of the drug-injecting centre in Richmond. There was a viewing for members of Parliament. It was very, very early in the morning, and we had an opportunity to see the drug-injecting centre and what they were providing. This was very, very early on in the trial. I cannot remember who was with me at the time, but I do recall that we arrived there about 40 minutes early. We were coming from somewhere, and we arrived about 40 minutes early. At the time we came we literally saw those people that were employed by the centre running around and collecting all of these needles. They did not know who I was – I was dressed casually – and they did not know who we were. I said, ‘What are you doing?’ and they said, ‘We’re collecting these needles. We’ve got some very important people that are coming to the drug-injecting centre. We want to make sure that it’s presentable.’ What they were trying to do was – near a school, where you had all of these needles and you had all of this stuff that was just dumped there – for show, for members of Parliament, tidy it up and make it look good. This is about more than show. This is safety 24/7, not just every time you raise it. This is the kind of situation where safety has to be paramount for everybody.

I know the member for Lowan and I have had correspondence from constituents and locals from Richmond. There is one from Sharon, a local, that says:

My main issue is with location. Next to a primary school. If there is no risk to the children’s safety what was the justification to fortress the grounds, fencing that blocks the view in or out, the heavy-duty cameras, the likes you see at stadiums, the security guards, and the teaching of emergency behaviours when an addict gets on the grounds? These security measures apply to the school. These same children need to walk to and from school, with no safety measures in place. They play in the parks with no safety measures in place.

So you have got a fortress. You have effectively put these kids in a prison and put the security all around them, but they have got to get to the school and from the school. We saw in a report in December last year that kids literally walked past a dead body on the way to school. We have seen the situation. These kids are not being led by cavalcade into the grounds and then out. The kids have to go through this every single day. The families need to go through this every single day. As this person said:

We are not against the room, we support the room, but it can save lives in another location other than next to a school and a maternal health clinic. It seems that anyone against the location is the enemy but I don’t understand why we can’t work together to come up with solutions to the problems instead of saying everything is wonderful.

That is the key. We support helping drug users in every possible way. The member for Lowan had a very, very good policy that looked at putting all kinds of support next to health facilities to be able to support those drug users, to help them get off drugs and to help the families, with rehabilitation clinics and beds. I took part in an inquiry into ice and methamphetamine use, a parliamentary inquiry, one of the first of its kind. The harm that drugs do to the individual, to their family and to all those people around them is horrible. There is nothing worse; it tears lives apart. If there is anything we have got to do, it is to help people get off drugs. That should be our focus. We should be supporting those people that have been caught up and attack the pushers who attract those who are targeted. There was certainly around Richmond a honeypot for those people that were pushing drugs – we saw that. I saw them standing and sitting outside the school, pushing drugs in the way of those people going into the drug-injecting room.

Very simply, it is the wrong location. Let us get support for those drug users. Let us help them and their families in every possible way but let us get the location right. Let us listen to what Victorians have said. That is why this is the wrong bill, and I support the member for Lowan’s amendment that she has put before the house.

Michaela SETTLE (Eureka) (11:40): This is an incredibly important bill, and as my wonderful friend and colleague the member for Melton so succinctly put it, this bill is about saving lives. I am very pleased to stand and speak on the Drugs, Poisons and Controlled Substances Amendment

(Medically Supervised Injecting Centre) Bill 2023. Like many people in our community, I have been touched by the impacts of drug addiction. I have seen family and friends battle with addiction. It is an incredibly complex area that anyone working or close to people in this area understands. It is a complex and difficult journey.

Dealing with addiction in the community requires helping people that have got some really complex comorbidities, be it mental health or those sorts of things, and getting them to navigate a system of support – it can be health, psychological or legal systems. And then the next layer again, which is really what this bill is about, is around governments coming to address addiction and the complexity that is faced in balancing those needs of users and so forth with the expectations of the broader community. This government is keenly aware of that need to work with the local community, and I would like to highlight for those opposite that over \$14 million has been spent on place-based solutions around the location, improving security and amenity for people there. So that tension is something that we are keenly aware of.

Obviously supervised injecting rooms are not the silver bullet. They are not going to cure drug addiction, and we on this side are aware of the many, many facets in these complex issues. But one of the things that really is important to understand around the injecting room, and it was a point that was very well made by the member for Melton, is that what these rooms do is they not only support someone in an overdose situation and save lives but also offer an opportunity to reach out, to do some outreach work and to really work with people. I believe there have been over 3200 referrals to other health and social services – and that is incredibly important, because that is where we are making change, where we can really support these people. So as well as the absolutely vital life-saving element to these injecting rooms there is also that greater and longer term purpose.

The trial obviously began under the Andrews Labor government in 2017. I was really delighted when this trial began. Like the member for Caulfield – well, I certainly lived in New South Wales for many years and remember the safe injecting room there. It has been there for a long, long time. I think last year it celebrated its 21st anniversary of saving lives. The trial was commenced, and of course the reason we are here today is to now make that a permanent fixture.

There have been a couple of really solid reviews done – two independent reviews. There was a review done in 2020, and then in 2022 there was the Ryan review. Now, the Ryan review as a panel held over 102 local consultations, so there was certainly a very big effort made to go and talk with the local community about their experiences. The most fundamental thing to come out of that review was the necessity of making this a permanent fixture. There were also another couple of things that came out of it, and the key change in this bill is the ability to transfer or reissue a licence – the medically supervised injecting centre licence – the ability to extend the licence and the ability for a service to have clinical nursing oversight as an alternative to supervision by a medical professional.

The reports were very, very clear about the life-saving impacts of this centre. Since opening in 2018 they have safely now managed 6750 overdoses and saved 63 lives, and I think we would all do well to remember the very moving words of the member for Melton about what it is to be at the coalface and what it is to face someone who is overdosing. Like him, I would like to extend my absolute thanks to all of the staff that are there. But, as I say, we have to think about those 3200 referrals, which mean that people are getting help for their addiction.

The opposition are putting forward a reasoned amendment and seem to be very fixated on the location of this. It is interesting because the location was selected because that is where the need is. There was a study done, and it was published in the *Medical Journal of Australia*, which was actually about the Sydney centre, but it talked about the importance of locating it near usage and high-traffic areas. Indeed that is what has been done. It might suit those on the other side to put it somewhere altogether different, but that is where drug trafficking has gone on and in the past, as we know, that is where people have lost their lives. The other thing about where it is placed is that it is close to the community health centre.

We need people to go and get the broad spectrum of help that they need, not just the injecting room, so it is placed very carefully to be accessible for users to use the services of the community health centre.

Those on the other side choose to make a very emotive argument around schools and children. I am a mother. Of course the protection of my children is incredibly important to me as well, but I would rather that my children did not have to walk over dead bodies to get to school. I think this area was selected for a very particular reason. It is also very important for those on the other side to understand that the enrolments at that school have been completely stable throughout, so parents appreciate the work that has been done – the \$14 million that has been spent – to make place-based solutions. They understand that in the context of that school it is now a safer place because of the safe injecting room. I noticed that their lead speaker, the member for Lowan, said this is not political, but yet again those on the other side want to make it political with these kinds of scare campaigns about where it is placed – next to children.

It is absolutely outrageous that they will kick some of the more vulnerable people in our community just to score points. We have put the injecting room where it is because that is where the need has been. Those communities know more than anyone that they were faced with an epidemic of overdoses and lives lost on their street. As usual those on the other side will just make political gain and use this kind of fear campaign around it. In the 3½ years before the service opened there were 818 ambulance attendances, and there has been a 55 per cent reduction. As a mother, I would be glad to know that there has been that reduction and there has not been that requirement to attend people on the street in the open near those schoolkids. There seems to be on the other side a fairly selective idea of exposure. People are going into those centres, getting help and they are not overdosing on the street in front of children. There are over 120 of these services across the world, the first opening in Switzerland in the 1980s. As I mentioned, the Sydney one opened in 1999, and it was really in response to the 1990s heroin epidemic. There was a recent drug report, and I think unfortunately heroin remains in fairly high use in Victoria, so it is incredibly important that we address it through the safe injecting rooms.

I obviously commend this bill to the house, but I really would just like to leave everybody with that figure – 63 lives. Those 63 people that were saved were someone's brother, someone's sister, someone's friend. Those on the other side can get as emotional as they like about children, but let us think about those 63 lives that were saved and the people that are still with their families and friends.

Cindy McLEISH (Eildon) (11:50): I too rise to make a contribution to the Drugs, Poisons and Controlled Substances Amendment (Medically Supervised Injecting Centre) Bill 2023, and I note that in addition to the bill our lead speaker, Shadow Minister for Mental Health the member for Lowan, has put forward an amendment, in fact a reasoned amendment. I do not know how many people on the government benches have actually visited the centre in North Richmond, but I have. I spent a bit of time there about four years ago, and what I saw was quite eye opening. Certainly there were people ducking in and out and doing their injecting: some people well dressed, others clearly just ducking down from work, others that had long-term addiction problems. But I saw women with prams from the towers, going to playgroup or going to the maternal and child centre. These had to walk past the centre. They are residential towers, where people are living. I saw the school right next door. I also saw the community health centre as part of that, which on one hand was good for the users, for the addicts, who could access some services. But at the same time we had families, people with small children and, as I said, mothers with prams having to go there.

There has been a lot of talk about the amenity. It was only a few weeks ago that I happened to be in Victoria Street, Richmond, and I was horrified at the changes in that street, how almost derelict it looked, with shops closed, graffiti and blinds down. It is not the vibrant centre where everybody used to go because it was renowned for the Vietnamese food; it has really fallen away. That whole area has suffered as a result. But what I do know is that the location is not in the right place, and this is at the heart of the reasoned amendment put forward by the member for Lowan:

That ... 'this bill be withdrawn and redrafted to prevent a ... centre from operating in near proximity to schools, childcare centres and community centres'.

I will bring the house's attention to the fact that there is no other injecting room in the world next to a primary school. New South Wales legislation directly recognises that an injecting room must have regard to the visibility of the premises, public safety and the proximity of the premises to schools, childcare centres and community centres. This is absolutely important.

The changes that we are bringing to take this centre beyond a trial to be permanent really come on the back of a couple of reviews. The most recent is the Ryan review. John Ryan did a review with findings and recommendations. That was published not so long ago, 21 February 2023. I notice that of that only 25 pages, the summary and recommendations, have been released, and certainly that is not in full. The government have relied primarily on this review to inform the legislation, and they have consulted with North Richmond Community Health, the Department of Health legal team, and that is pretty well – very limited consultation. The alcohol and other drug sector were not consulted, and they hold concerns that the revised model will again fail, as experts in the field are being excluded from the process.

As I have mentioned, the Ryan review, as you can see from that little bit, the 25 pages, does talk about new approaches being needed. This is one of the recommendations: 'New approaches are needed to improve local amenity'. I certainly refer the members that have spoken on the other side to that, because I think the member for Melton kind of disputed that. But this is what is in the Ryan review. This is not me saying it. This is one of the recommendations in the Ryan review, and I am very happy to actually read it out in full if the member wants to improve his knowledge, because I think he did not have regard to what has been put out there. We have heard that there is \$14 million for improving the security with place-based solutions – clearly. This was put out in February 2023. That is a month ago, and the Ryan review is saying that new approaches are needed to improve local amenity.

Not only that, we have also had an earlier review from Professor Margaret Hamilton. Margaret Hamilton has worked in the field for a very long time and is quite renowned and respected. We have got her 10-page executive summary and recommendations from a full report of 378 pages. I question if her report, which can be summarised in those 10 pages, was actually 378 pages. We have got 25 pages released of the Ryan review; I wonder if that report is actually 400 or 500 pages that we do not get to see. It has not been released, and I do not think that is good enough.

The Hamilton review, which was published in June 2020, says that by the end of 2019 this is one of the things that had not worked: the amenity had not improved. She identified that by the end of 2019. It pops up again in the Ryan review as well. What had not changed was that the local people reported that there had been no change in their experience of seeing discarded injecting equipment. I think these are things that we really need to think about. It is quite interesting to see that the number of needles in the City of Yarra increased from 600 discarded needles a month in the street prior to the injecting room opening to between 1200 and 1800 a month since it has opened. That is pretty telling in itself. There are a lot more people heading to that area. The police refer to where people are going as a honey pot.

There has been a lot of talk about the primary school and the residents, and it is very difficult because a lot of parents say the school has been gagged and they are being told not to speak up. They cannot say much. The parents were saying a little bit but were also very worried, and certainly there has been a considerable increase in drug-related antisocial activity on the grounds of the primary school and in the immediate vicinity. Many of the more serious issues have been reported in the mainstream media, and these are quite disturbing – sex acts, a person wielding a machete, drug injecting, drug dealing, needlestick injuries and, as we have heard, not so long ago there was a dead body in the grounds and on public view as children walked to school. The member for Melton seemed to be really quite flippant about this, just saying that is okay because at least they are not walking over many, many more, which is what it was like in the first place.

Members interjecting.

Cindy McLEISH: If you were listening to what he said, that is pretty well what he said.

We have also got some concerns with the legislation itself. There are a couple of issues. The new bill will provide that more than one medically supervised injecting centre licence may be issued but no more than one such can be in force at a time, and a lot of the bill is actually around the transitional arrangements. So it sounds to me as though they are looking at the current arrangement with North Richmond Community Health maybe coming to an end, and there is a lot of work about the transitional arrangements going to a different arrangement. You have to have processes in place to allow that transfer of the arrangements, but at the same time you cannot have two licences operating, so it tells me that there is something moving on that we are not 100 per cent sure about.

Another element is that there is no 'fit and proper' test for a licensee to meet, which means that anybody can be appointed as a licensee, including those convicted of drug-related offences. This can be simply tightened up, and I think it should be tightened up. Everyone would expect that a person that is given the licence is fit and proper, but there is no guarantee. Sometimes people may have done something that has gone under the radar and it becomes apparent a bit later on, so I would expect that the government should be looking quite closely at that and to tighten it, because it can be done quite simply in the other place.

It is proposed that the recommissioning of the centre will occur over the coming year, with the new operator to be appointed by tender, and they expect a consortium of community health providers, hospital and alcohol and other drug providers. Now, we asked in the bill briefing about the hospitals that may not be involved in this and, lo and behold, they had not even spoken to the hospitals about this. So they have got their idea and their model, but they actually have not done the homework and the background, and I think that is not good enough.

I totally support the reasoned amendment put forward by the member for Lowan, because the location, as we have seen, is not working out. There are so many issues, and I think the government need to have a good look at that. If they do transition to someone else, it needs to be in a different location.

Tim RICHARDSON (Mordialloc) (12:00): It is great to speak on the Drugs, Poisons and Controlled Substances Amendment (Medically Supervised Injecting Centre) Bill 2023. The member for Eildon cracked the code on what this really is about. We saw these consistently in our community – fear campaigns – and the reasoned amendment goes to the heart of that. It goes to the lack of understanding of how drug use is impacting community and the mental health and wellbeing impacts on so many. You cannot just put a reasoned amendment through here that says that you can exclude the impacts of drug use on individuals from communities. I mean, are they seriously suggesting that we just put people out in the desert who have drug and alcohol impacts or out in industrial estates? What an extraordinary thing this reasoned amendment puts forward in saying that we should exclude people from their communities who are impacted by the impacts of substance abuse.

Members interjecting.

Tim RICHARDSON: What we also saw in 2018 – and I want to detail this, because the member for Gippsland South may want to actually address the horrid campaign techniques that were used in 2018, the sickening approach of the coalition in my community – was that they handed out DLs saying there are going to be safe injecting rooms all through the City of Kingston. They wore T-shirts saying 'They're coming to your community'. That was the level of behaviour and impact. So it was not really about caring for those lives that we saved, it was more about political opportunism and how they could get mileage in the community on political opportunism.

Danny O'Brien: Northcote by-election, anyone? Do you want to talk about that for political opportunism?

Tim RICHARDSON: That is what is put forward. The member for Gippsland South can berate and he can carry on as well, because I think deep down he knows that the inconsistency in what is

being put forward in this reasoned amendment is extraordinary. It says that drug use is not in our communities and that the millions that are impacted across Australia are some out-there problem. The member for Eildon's comments were really telling when she talked about visiting the medical injecting room – really telling.

Danny O'Brien interjected.

Tim RICHARDSON: And maybe the member for Gippsland South may want to listen up, rather than ranting and raving.

The SPEAKER: Order! Member for Gippsland South, you will get your turn.

Tim RICHARDSON: You sound a bit deranged. Just hang on, because we are 2 minutes in, and you might get a bit of a lesson here if you listen up.

Why on earth does the member for Eildon make a differentiation between those that are well dressed coming into a medically supervised injecting room and those that look like they have long-term drug use? What on earth do you mean by that? What on earth does the member for Eildon mean by 'well-dressed people'? If you are going to a medically supervised injecting room, you do have long-term drug issues and challenges. You are accessing services. What do we say – that the medically supervised injecting room has induced demand that suddenly a drug problem has presented? The reason it was put here was because of the impacts on residents, the lives that were lost and the hundreds and hundreds of ambulance admissions. I mean, how does that go for amenities when you see the sirens whirl and you know that someone is in a life-or-death situation and they are seconds away from whether they live or die? How is that good for your amenity when you are walking through one of the wonderful streets in North Richmond or Richmond and you look around and you go 'We've lost another Victorian to an overdose'? How is that good for amenity? How is that good for policy?

Then I hear the member for Lowan and others talk about needing to deal with the challenges and the wraparound support. Well, we are doing that. We are doing that by following these recommendations. We are doing that by establishing permanently a medically supervised injecting facility in North Richmond to make sure that we save lives. The 63 funerals that were avoided, the 63 families, communities and lives – I mean, those opposite wilfully suggest that we should accept as a Parliament the toll of those lives lost over the right thing to do, saving lives and outcomes. That is what the reasoned amendment does.

Danny O'Brien: That's not what the reasoned amendment says.

Tim RICHARDSON: It pushes it off for months, if not years. Goodness me, the member for Gippsland South says 'common sense'. If we used common sense as a radar for the Nationals, we would be in the dark ages of policy. We would see nothing change in our state if we used the 'commonsense' approach of the Nationals to anything in policy. This saves lives and outcomes.

Danny O'Brien: On a point of order, Deputy Speaker, the member for Mordialloc is straying from the debate. He is also misquoting me. I asked him to actually look at the reasoned amendment. I did not talk about common sense. I said, 'It's not what it says.' The member is actually misleading the house.

The DEPUTY SPEAKER: That is not a point of order.

Tim RICHARDSON: They get a bit sensitive when you call out some of the ridiculous notions put forward by those opposite – just the absolutely ridiculous notions.

Danny O'Brien interjected.

Tim RICHARDSON: Well, I have read the reasoned amendment that says that it should not be anywhere near community facilities. To the member for Gippsland South, I know that there are a few issues going on in the coalition, but you do not have to scream and rant and rave. You can make your contribution. If you want to stand up on the bill, have a crack yourself and detail to our communities

why you are willing to allow 63 more lives to be lost and hundreds of ambulance admissions into the future. That is the stuff that you will not detail.

The SPEAKER: Through the Chair, member for Mordialloc.

Tim RICHARDSON: That is the stuff that the member for Gippsland South and others will not account for. It is not in any of their speeches. It does not talk about the time delay and the lives that will be lost as a result. Not one of them in their contribution will talk about the ‘but for’ – the ‘but for us not acting’ and the lives that will be lost. How many days are enough? How many lives are enough before we see the amenity that you are talking about, which is a clear recommendation and is clearly going to be part of the recommendations that are taken and addressed as a part of a whole package of reform?

This is not easy policy, and this is why it was so hard to get to this point. We see the speculation about a second safe injecting room and all the negative hysteria and fear campaigning that the coalition is lining up on this, because it has never been about those outcomes. The member for Lowan can put that on the record in *Hansard*, but maybe the member for Lowan is a shining light and the sole voice of a range of coalition voices that have gone down a dark road of fear campaigning and demonisation of people that experience substance abuse. That is the opportunity cost for anyone that bothers to speak on this bill among those opposite. How long do we wait? How many more ambulance admissions in our communities? How much more wraparound support?

I take up the member for Lowan about a couple of things regarding wraparound support. From the Royal Commission into Victoria’s Mental Health System that we have all had such a great interest in, recommendation 35 and recommendation 36 go to the heart of support for people who are experiencing the impacts of drug use. As to the wraparound support that is needed, those services are in the medically supervised injecting room experience – referral services, mental health and wellbeing support and care. You do not get that if you have injected heroin on the streets of North Richmond with no wraparound support or care. No-one is there to say, ‘Is there support here or have you considered this service? How can we support you holistically as a person and support your mental health and wellbeing?’ It might be unemployment circumstances or housing; it might be family crisis that people are experiencing that has seen them on a pathway. You do not get that by sitting on the street or in the local park and overdosing with no-one around and no-one there to care for you. You get that support if you are in the medically supervised injecting room in North Richmond.

That is the big element of this bill and the recommendations that have been put forward that are being worked through by the government. The member for Eildon puts up the report about amenity, but then the very first elements of the recommendations say this is the right spot. You cannot be selective in which recommendations you want to take out of the report. You cannot say, ‘Oh, I am going to pinpoint some recommendations because they suit my political narrative of undermining this bill, bringing fear into the community and demonising people experiencing mental ill health and drug addiction issues.’ You cannot take that amenity argument when on the same report, emblazoned as clear as day, it says: this is the right location for the medically supervised injecting room. That is the cheap nature of politics. That is the no context, cheap and nasty low-road politics that we see. It is cheap. It is easy politics to do the fear campaign rather than fronting up and doing the right thing. That is the challenge for those opposite.

We will do the right thing by Victorians because lives are at stake. We will do the right thing because our ambulance and emergency departments are already under an immense amount of pressure. We do not want to add to their load by opposing such important landmark reform policy in Victoria. These things have been around for decades, as we have heard. There are examples in Switzerland and New South Wales as well that have led to better outcomes, and I remember speaking on the first bill as it came forward and how important this will be in the future.

I am really proud of this reform. It is policy that the former member for Richmond proudly championed. He was a wonderful advocate for his community and someone who made a wonderful

contribution not only to his community but to all Victorians as he passionately fought for this policy. We have put this forward because it is the right thing to do. We will have those learnings into the future to make sure that we are supporting residents, and we will have those interactions to make sure that amenities are protected as well. But there is no protection of amenities when you are losing Victorians in your streets – when the car that comes around is not the school drop-off and pick-up but is the coroner’s van that is picking up the next person that has been lost or is lights and sirens. That is no amenity. That is poor outcome and poor policy, and we are here to change it.

Danny O’BRIEN (Gippsland South) (12:10): I am pleased to say a few words on this legislation, and it is very difficult legislation. I would actually like to compliment the member for Melton for some of his commentary, particularly as one of the few of us in here that actually speak with experience of overdoses and treating people as a paramedic, and I will come back to him. For the benefit of the member for Mordialloc, I would like to just re-read the key parts of the member for Lowan’s reasoned amendment. It is that:

... this bill be withdrawn and redrafted to prevent a medically supervised injecting centre from operating in near proximity to schools, childcare centres and community centres.

The member for Mordialloc came out with a load of rubbish about how the opposition does not care about drug addicts, does not care about deaths on the streets and wants to put people out in the desert and leave them to themselves and then had the cheek and the absolute gall to suggest that we are playing politics on this.

Tim Richardson interjected.

Danny O’BRIEN: Have a read of the reasoned amendment, member for Mordialloc. Have a read of it and have a think about whether it is reasonable or not. As a former Parliamentary Secretary for Schools I would have thought he might be standing up and saying, ‘I agree that the medically supervised injecting centre’s a good idea; let’s just not have it next to a primary school.’ I would have thought that might be what you were saying. It is extraordinary that the member for Mordialloc has gotten up and tried to attack the opposition for being political about it and then failed to actually understand what the reasoned amendment by the member for Lowan actually does.

I want to come back to the member for Melton, because as I said, I have a lot of respect for his expertise and experiences on this.

Tim Richardson: You won’t listen to him.

Danny O’BRIEN: Well, I will listen to him. I will go to the point. I will agree to disagree with the member for Melton, but he made the point that he actually supports the idea that there should be more of these. We then had the member for Mordialloc complaining that the opposition at some time in the past were saying that there might be more medically supervised injecting rooms. This is the logical fallacy. Absolutely, we on this side understand the need to address drug addiction and to address people dying on the streets – and again I will come later to what we did at the election – but to suggest that this is the be-all and end-all and the only solution is just wrong. It is wrong on the basis that yes, there’s a problem in North Richmond, so we are going to put an injecting centre there. Well, what about the bowling alley that the member for Melton talked about? Why isn’t there one in Footscray? Why isn’t there one in Mildura? Why isn’t there one in Latrobe Valley? I mean, it becomes this absolutist argument, and then I think we actually get into problems. There is a logical inconsistency in the argument that this is the only solution and we must have it here at North Richmond because it saves lives when there are people dying elsewhere.

Indeed the Victorian Alcohol and Drug Association highlighted the statistics to us recently in terms of overdoses across the state. In terms of metro Melbourne, they have not changed in recent years. They have not dropped dramatically as a result of the medically supervised injecting room. These are the fatal drug overdoses overall in the last couple of years in metro Melbourne. Starting in, say, 2016, there were 373; in 2017, 388; in 2018, 393; in 2019, 383; in 2020, even during the lockdowns, 396;

and in 2021, 399. That is overall, it is not just heroin. That is the overdose death rate, and these are tragic circumstances. But to suggest that putting the effort, the money, the time and the resources put into one facility in North Richmond is the only and best solution I think is wrong, and that is what I want to go to.

The member for Mordialloc will say, ‘Well, what’s your solution?’ Well, we had an election, and we took our solution to that election. It was actually quite comprehensive, but at its core was the commitment to establish Australia’s first hydromorphone treatment program, a supervised injectable opioid treatment, or SIOT, program, at a major hospital. It is one of the things that is being done around the world to help people who are addicted to illegal drugs, to stop the deaths and to get them off and out of that cycle of addiction.

We committed to opening 180 withdrawal and residential rehabilitation beds across six sites, including in the Latrobe Valley in my neck of the woods, Mildura, Warrnambool, Shepparton, Frankston and Melbourne as well, because that is a significant issue. When you talk to families about the issues that they are struggling with with children with a drug addiction – when I say ‘children’, they are adult children in the main – the issue is the inability to get treatment, the inability to get someone in to actually deal with their addiction and get them off the drugs in the first place. That is something that we want to address. We think we could be doing much more to address that, to save those lives, to get people off drugs and to get them out of the cycle of addiction.

I do want to be critical of the government when it comes to the issue that is at the heart of the member for Lowan’s reasoned amendment, and that is the amenity. One of the goals of the medically supervised injecting room trial was to improve neighbourhood amenity for nearby residents and local businesses. We have got the Ryan report – we have got an excerpt or a summary from the Ryan report because the government has not provided the full report. I note, before the member for Mordialloc jumps in again, that the government promised to improve the amenity with the trial. It promised to improve the amenity of the local area before the Hamilton report came out and then again afterwards, and it has promised to do it again since. Yet still we have got from the Ryan report itself, from the government’s own report, that that amenity is not being improved in the nearby area. That is a difficulty. There are quotes in that Ryan report from local residents:

It’s not a positive experience going to maternal and child health when people are having loud arguments outside. Other mums have been intimidated, people trying to touch their baby, so don’t go back. The entrance is right next to the room ...

the room being the drug-injecting room. Another local resident said:

I walk my daughter to school, witness fights, brazen drug deals, drug use, drug-affected people.

I am not suggesting for a minute that was not happening before the drug-injecting room was established. Of course it was. That is one of the reasons it was established, and it happens elsewhere. But the government set a goal of trying to address that and it is failing in that respect.

That brings me to the idea of a second drug-injecting room in the CBD of Melbourne. We know the government bought the old Yooralla building. We know there has been an ongoing debate about a new room being set up right opposite Flinders Street station, next to Degraes Street. I am, for my sins, a member of the Public Accounts and Estimates Committee, and the member for Mordialloc will remember this: in December 2020 I asked the then health minister when the Lay report was going to be released and he said, ‘Before Christmas’. Often we do make the mistake of not asking the question which Christmas, but I did in fact on that day. I asked the former Minister for Health: ‘Do you mean by the 2020 Christmas?’ He said, ‘Yes, hopefully.’ Here we are now in March 2023 and the government still has not released the Lay report. I do not know what is going on, but I am sure there are political concerns in there as well.

It comes to the point that I raised earlier: the Premier has given us one excuse that there are changing patterns of drug use. It is moving around. It gets to the point that I made earlier about the logical

inconsistency of saying, ‘Well, if we put a centre here, it is going to fix everything because the problem is the problem moves around.’ I do not know that this is the right approach. Indeed the Premier’s own justification for not releasing the Lay report and for saying that the issue continues to move around is reason enough to move the North Richmond injecting centre, which is still right next to a primary school. That has seen huge impacts on the local community. We have had reports in the media, and anyone who goes down and visits can see it: sex acts, a person wielding a machete, drug injecting, drug dealing, needlestick injuries and even a dead body, unfortunately, on the MSIR ground in public view of the children as they walk to school.

Steve McGhie interjected.

Danny O’BRIEN: The member for Melton is right. Of course we had that before. But why would you create the honey pot, the focus of it right next to a primary school? That is the thing that is wrong about this legislation, and that is why I support the member for Lowan’s reasoned amendment.

Nina TAYLOR (Albert Park) (12:20): I rise to speak on this incredibly important subject matter, and I do feel some of those opposite have been recreating history a little bit. I know that we would all love addiction to just evaporate. We would all love it to just go away – magic, gone. But unfortunately, it is very much part of our world, and therefore we are confronting it head-on; we are not glossing over it in any way, shape or form. Hence the outcome and recommendations of the Ryan review are being so very seriously taken on board by our government – that is the purpose of having the review. And there is a subsequent review being built into the legislation as well, because we care so deeply about the outcomes for the Richmond community and for all those persons who unfortunately suffer under a particular addiction.

I also took offence to the member for Eildon making commentary about the different clothing of those entering the facility and the inferences that one is supposed to draw from that. I actually do not know what she was suggesting, but it did not land well, because there is an inherent judgement of and a differentiation between persons according to how they are dressed, assessing their state in terms of their levels of addiction or otherwise or their status in the community – I do not know. But I think that gives something to the tenor and perhaps to the attitudes of those opposite when it comes to addressing what is an incredibly sad aspect, one of the most vulnerable aspects, of human nature. That is falling to usually – I was going to say ‘customarily’, but I should be a little careful; I am not a psychologist.

I have visited the facility, I have been there – I cannot remember the exact date, but I did have a tour through the facility – and one of the things that really stood out to me was the ability of that facility to connect people at perhaps some of their most vulnerable points in life to support services. Out of that, it was also giving them opportunities to find work and other things, because there were people who had dental problems which were otherwise not being attended to, and we all know that when you are fronting up for a job, if you do not have teeth or you have a lot of dental issues and challenges – I am just giving the example of what these services can assist with – you are very much diminishing your chances of getting a job. So that stood out to me when I did the tour of the facility – the broad array of incredibly important services addressing not only the addiction but also the ability of people to reform their lives in so many aspects and perhaps have a possibility of future employment and other opportunities that they so richly deserve. So we could take the judgement out of the debate, because that certainly was put into the debate with reference to clothing. I do think that was extraordinarily distasteful, and I do not think it lent anything to the tenor of the debate.

I also thought it was a cheap shot to have a go at the member for Melton, suggesting he was somehow flippant. I found that to be a very heartfelt reflection on his time as an ambulance worker, and particularly reflecting on – and this is a really critical point – even one death that stood out to him. I am sure there are many other memories that he would have accumulated over his experience as an ambulance worker, and many ambulance workers also experience incredible challenges that we can only imagine. But he was reflecting on one. This is why I think there is a tendency with the tenor of the debate led by those opposite to not take heed of the significance of not only 6000 safely managed

overdoses but saving 63 lives. Each and every one of those lives matters. They matter to us on this side of the government, and that is why we are so serious and concerted about getting the best possible outcomes for those who unfortunately are vulnerable or have serious addictions and may not have the shelter of necessarily – but who knows. I am not here to assess who presents at the facility. It is all about, at the end of the day, treating what is a disease. Addiction is a disease, and we wish we could just magick it away but unfortunately we cannot. It is incredibly complex and it is incredibly difficult and incredibly emotional.

Another thing that I did want to reflect on, because I think the member for Lowan may have said something about failure or otherwise of this facility and I was just looking at some of the statistics, is that in the 3.5 years before the service opened there were 818 ambulance attendances involving naloxone administration to reverse a heroin overdose within 1 kilometre of the service compared to 459 ambulance attendances in the 3.5 years after the medically supervised injecting room opened – a 55 per cent reduction. There were also reflections on resources. If we are thinking about critical resources in our community, and I would argue that ambulance services are critical resources – we can all agree on that – a 55 per cent reduction means those services can otherwise be deployed in the community. That is certainly very, very important.

I think the member for Lowan also reflected on AOD investment. I am happy to share that in 2022–23 the Victorian government invested \$313.3 million for alcohol and other drug services, including \$1.4 million to maintain alcohol and other drug support for First Nations people in Victoria, \$6.6 million to respond to alcohol and other drug treatment demand, \$1.3 million to respond to global supply pressures for critical harm-reduction products like naloxone and \$36 million to establish a 30-bed alcohol and other drug residential treatment facility in Mildura. These investments support approximately 40,000 people per year to access alcohol and other drug treatment, care and support. I did feel there was an inference there that somehow those opposite had a preferred way of addressing AOD investment or otherwise, and I would like to perhaps allay concerns of those opposite by saying that we do – and it is ongoing – have a very significant investment in AOD, as I have just spoken to there.

With regard to the school, that has become fairly significant in the debate today, and I certainly understand why. Can I speak to that. The Department of Health is establishing a new Richmond enhanced outreach service with increased hours of operation. It will include a team of nurses, Aboriginal health workers and lived-experience workers to engage with business and community and to respond to community concerns, as well as strengthen partnerships with Victoria Police, housing estate security and so forth. The school has been – this is something that has been sadly missed by those opposite and is absolutely fundamental to this debate – a strong supporter of the medically supervised injecting centre since establishment. Working really closely with the school has and will continue to be an integral element of getting the right outcomes at this facility, and we are completely aware of that. That is why our government has worked so closely with the school. Those opposite for the last couple of hours have been talking here about ‘The school, the school! It shouldn’t happen near the school.’ I think they might have missed that a fundamental element of this whole program is working comprehensively and collaboratively with the school – as if to suggest that otherwise, prior to the safe injecting centre being established here, somehow everything was perfect, it was all working beautifully, they did not need this extraordinary number of ambulance attendances and kids were not seeing anything untoward whatsoever. Of course nobody wants children to be exposed to any of the negative outcomes of addiction, but to suggest that somehow moving the facility elsewhere would protect them from that is grossly naive and is not founded on evidence.

There was also the other suggestion – and I am happy to be corrected by the member for Lowan – that they believe in evidence-based information informing outcomes and policy. That is it. That is exactly what we have here. We have been very precise about the numbers of overdoses that have been safely managed and the number of lives saved. Each and every one matters. So to suggest this is anything other than evidence-based policy is a furphy.

Roma BRITNELL (South-West Coast) (12:30): I rise to speak on the Drugs, Poisons and Controlled Substances Amendment (Medically Supervised Injecting Centre) Bill 2023. I do so because I consider this a very important bill. This bill amends part IIA of the Drugs, Poisons and Controlled Substances Act 1981 to facilitate the transition of the North Richmond medically supervised injecting centre from a trial site to an ongoing operation. So it is with deep disappointment that I cannot support this bill, but I do support the reasoned amendment that:

... this bill be withdrawn and redrafted to prevent a medically supervised injecting centre from operating in near proximity to schools, childcare centres and community centres.

This is to align with the legislated New South Wales restrictions and include that a medically supervised injecting centre may not operate in near proximity to schools, childcare centres and community centres. Also I think we should be taking into consideration some of the recommendations that we have seen from the reports that the site should have high regard for visibility of the premises and regard for the impact on public safety. There are many other recommendations that we have seen, but what is for me most difficult is the fact that this medically supervised injecting room is right next door to a primary school.

Now, I understand anyone can be affected by addiction. It is an affliction that ignores gender and age, education and socio-economic status. Addiction is a health issue and needs to be treated as such. I know that addiction destroys lives, destroys families and destroys communities. Addiction touches most of us and cannot be addressed – and this is the critical point that I think was made very eloquently by the member for Gippsland East – with a one-size-fits-all approach. Guiding people towards recovery requires a multidisciplinary approach that works collaboratively to manage this very complex health issue. A medically supervised injecting room is one tool, but when you locate it next to a primary school, I do not see it as a solution. I have spoken at length in this chamber about my previous career as a nurse and my time spent in community health. Community health nurses work with people and their families to prevent disease, maintain health and treat underlying health problems, and walking with patients as they battle addiction is part and parcel of community nursing and something I did quite a considerable amount of.

The Liberals and Nationals acknowledge that more needs to be done to support Victorians living with alcohol and drug addiction, and we acknowledge that many Victorians want to fight addiction. This is why we took the brilliant policy to the last election that would have seen Australia's very first hydromorphone treatment program for heroin addiction rolled out here in Victoria. Now, this is an opportunity missed – a gold-standard treatment program that has been used successfully all around the world. We also committed to providing an additional 160 beds, with six new alcohol and other drug rehabilitation facilities across regional and metropolitan Victoria, including one at Warrnambool, in South-West Coast.

I find it disgraceful that there is no residential rehabilitation facility west of Geelong. Not one person from South-West Coast is able to access a residential rehabilitation facility near their home, their support networks and their treating team. We know that that is a critical factor for success, being able to seek treatment around those that support you. The people of South-West Coast have recognised that this is unacceptable, and since 2016 the community has been advocating and working to get this rectified. The community's solution is known as the Lookout, a residential rehabilitation facility on the outskirts of Warrnambool. Geoff Soma, the CEO of Western District Alcohol and Drug Centre, together with the former Warrnambool mayor Glenys Phillpott and the steering committee, with Tracy Kol, John Rantall, Sue Cassidy, Matty Stewart and Greg Best, have been the drivers of this well-supported and well-advanced cause.

The only thing holding this back is support from the Andrews Labor government. This committee from 2016 to now, 2023, have worked so hard. They have been through the planning process, as government meetings they have had with departments have advised them to do. They have been through two VCAT hearings. And yet, despite ticking all the boxes they have been instructed to tick on behalf of government to do the work, they are left begging for a health facility that is as fundamental

in this day and age as going to a plaster clinic and having your arm set when you have broken it. I call on the Premier to govern for all Victorians, as he said he would at the last election, and fund the building of the Lookout in the 2023–24 May Victorian state budget.

In October 2017 it was announced by this Andrews Labor government that a medically supervised injecting room would be trialled in Melbourne. North Richmond Community Health (NRCH) at 23 Lennox Street, Richmond, was selected as the location, and the medically supervised injecting room commenced in June 2018. Now, 23 Lennox Street Richmond is right next door to Richmond West Primary School at 25 Lennox Street. I think that, if you have not been there, demonstrates just how close they are: 23 Lennox Street, the injecting room; 25 Lennox Street, the school. This is a primary school. The mind boggles. Whoever thought that this was an appropriate place to operate a facility. North Richmond Community Health is a not-for-profit community health centre and seeks to improve ‘equity, health and wellbeing for all’ – that is the quote. I know these are very noble objectives, but is it really the right fit for a trial for an injecting room? I am not sure. In what world is it appropriate for a child wanting to see a speech pathologist to share the same waiting room as an adult waiting to use a medically supervised injecting room?

In June 2020 the Hamilton review was published, reviewing the first 18 months of operation of the medically supervised injecting room. The Hamilton review made 14 recommendations, and these included:

The Victorian Government works with local government and the community to continue to develop local safety and amenity, including formalising the role of the existing roundtable to be responsible for community engagement, community safety and coordination of relevant services ...

The licensee of any supervised injecting service be proactive in engaging and communicating with the local community and key stakeholders on issues that may potentially affect the community.

Another one is:

Harm reduction initiatives continue to be provided to those areas and people experiencing most harm, such as by expanding overdose response training and the direct provision of naloxone including through needle and syringe programs and in prisons, detoxification and rehabilitation settings ...

So from the very beginning of this trial it was apparent that safety and amenity were issues. The next review in 2020, the Ryan review, we have not seen in full form, but the summary is quite alarming. It demonstrates that the North Richmond medically supervised injecting centre is an inappropriate location, is too large and leaves many issues unaddressed. The Ryan report states:

While determining the suitability of the current location of the MSIR was not within the scope of the Review Panel, we did hear from many in the North Richmond community and other stakeholders that they held deep concerns around this issue, especially the proximity to Richmond West Primary School and the general impact on residents and other clients attending NRCH.

...

This is a lost opportunity. The MSIR’s significant potential will only be achieved under the auspices of an organisational structure that can offer a broader range of direct assistance to more people and with the critical mass to deliver services effectively and efficiently.

So it is becoming quite clear and evident the reports do not support the positioning, and that is why this reasoned amendment should be taken seriously by the government. This bill is seriously flawed. The bill must be withdrawn and urgently redrafted to address the concerns of the Richmond community and Victorians at large. Medically supervised injecting centres have no place next to a school, a childcare centre or community centres, and whilst it is next to a school the injecting room has little chance of success. It is an arrogant government that refuses to listen to the experts, who actually are in favour of the injecting room, a government that will not release the full report – probably because they do not want the community to know it is ignoring the guidance of experts – more secrecy, usual behaviour by this government.

Vicki WARD (Eltham) (12:40): Like others on this side of the chamber, I rise in support. I rise in support because I believe that it is the role of government to care for community, to care for the people in their community and do all they can to help them live the best lives that they can. I find it pretty distressing to recognise that yet again people's lives are to become a political football, that people's lives, their distresses, their vulnerabilities are to yet again be exploited at an attempt for political gain. There is a track record here that we see continually in this place, that we have seen over many, many years, where vulnerable people are used as collateral damage for political pointscoring, and it is absolutely shameful. We saw an example of this on Saturday, when it was fine for people to be demonised for their vulnerabilities. We saw a party who does not actually speak out about that demonisation until the Nazis turn up.

People who experience any addiction are vulnerable people and people who need to be supported. Their stories have to be understood, supports have to be in place and changes have to be made to see how they can be supported through their addiction, and there is a role for government in this. On this side of the chamber we do not believe in individualism, we believe in collectivism and we believe in community. We believe that there is a role for government in helping people, and that is exactly what safe injecting rooms do. They help people. They preserve lives. They keep people alive. They help people navigate their addiction when they are ready to do so, and they have the wraparound supports and services available to do just that. To demonise this cohort, to talk about the distress that a community sees, is wilful ignorance, absolutely wilful ignorance, of what safe injecting rooms achieve.

We know that lives have been saved. We have got the evidence of this. We know that there are less bodies sprawled across Richmond streets because of this. We know that children are confronted with less distressing images than they were before the safe injecting room was opened. So why then are those opposite going down this path? It is not about a public health response. It is not about what is the best outcome for people. It is not about how we save lives. It is about how we make a political football out of this, how we try to get a headline in a paper, how we help create clickbait because that is the only way we think that we will get electoral success. That is shameful. I will tell you what, Victorians also think it is shameful and that is why they have refused to elect those opposite into government in the last three elections, because divisive politics does not work. Politics of hate, of fear do not work. So I would suggest to those opposite that they stop going down this path, that they actually look at how they can help and support people rather than demonise and divide them and come up with some policies that actually resonate with people as opposed to the empty rhetoric that we get from them that does nothing but actually harm people.

Words are powerful, Deputy Speaker, as you well know. Words in this place are our bread and butter. We use words all the time. We are supposed to be using words to help people, to empower people and to represent people. Words can hurt. There has been a lot said by those opposite which is hurtful, both for those experiencing addiction as well as many other vulnerable people in our communities. And it really does seem that those opposite are prepared to go after nearly any vulnerable group in this community if they think that they can get some electoral success out of it, or if it appeases branch members out who knows where who are actually just a bunch of bigots. That is really shameful. It is really shameful when your political party has become populated by people who are more motivated by hatred and intolerance than by inclusion and trying to work through with people to make things better.

Now, there were independent reviews that began after the trial commenced in 2018, and they have shown that medically supervised injecting centres have prevented at least 63 deaths – that is 63 children of someone who are still alive. That is 63 people who are able to get services, who are able to get treatment and who are able to change their lives. I would say that 63 lives saved is pretty important. I would say 63 lives are well worth saving.

I find it really interesting that in the last election this came up again, safe injecting rooms, and there was an attempt to again make some political mileage out of it – again, to try and stir up some fear, try and divide communities and try and get success from it.

James Newbury: On a point of order, Deputy Speaker, in relation to standing orders 118 and 120, both in terms of continued reflections and objectional behaviour in relation to this member's –

The DEPUTY SPEAKER: What is the point of order?

James Newbury: Well, I have just referred to it. I would ask you to draw the member back to the question, back to the debate at hand. This speech is just diatribe, and it is repeated instances of just taking the opportunity to make cheap political attacks which are unfounded.

The DEPUTY SPEAKER: Member for Brighton, points of order are not an opportunity to debate. It has been a very wideranging debate from both sides. There is no point of order.

Vicki WARD: Thank you, Deputy Speaker. I am actually talking about the Richmond safe injecting room. The Liberal candidate for Richmond was reported on in the *Herald Sun* as follows:

... Richmond candidate Lucas Moon told residents at a community meeting ... that the Liberals would not renew the North Richmond trial.

James Newbury: On a point of order, Deputy Speaker, I have referred you to standing orders 118 and 120. The member is referring to matters that are far outside the scope of this debate, and I would ask you to reconsider your ruling.

Ben Carroll: On the point of order, Deputy Speaker, the member for Eltham has been very clear, and the member for Brighton has only just arrived in the chamber. The member for Eltham is well within her parameters to talk about different policy positions on the supervised injecting room, and that is what she is putting succinctly.

The DEPUTY SPEAKER: On the point of order, on 118 in regard to imputations and personal reflections, the content that is being said is a matter for debate, and there is no point of order. On your other number, 120, 'Objection to words', again it is a matter for debate. There is no point of order.

Vicki WARD: Thank you, Deputy Speaker. While those opposite might try and bring down my clock so that they cannot hear the words that I am saying, I will persist, because the *Herald Sun* recorded Lucas Moon as saying:

'There will be no injecting room in North Richmond under the Liberal government, we're very clear about that,' he said.

Now, based on what evidence? Based on what? How are you going to decide to move something, and where are you going to move it to? Based on what research? Based on what care? Based on which lives you want to save or which lives you have decided are not worth saving? I think it is quite astonishing that those opposite want to continue to make political mileage out of this. Now:

Victorian Alcohol and Drug Association (VAADA) executive officer Sam Biondo said he was concerned by the coalition's move to close the North Richmond injecting room saying there was a 'critical need' for any facility to be near where a user population was located.

He said:

It's very concerning as we don't want to be put into a situation where a large number of people's lives are put at stake and greater harm.

Where people's lives are put at stake – and this appears to be in the interests of politics, what those opposite are willing to achieve, and it is shameful.

James Newbury: On a point of order, Deputy Speaker, standing order 118 clearly states that it is improper to imply improper motives on members of the Assembly. That is exactly what this member is doing. It is outrageous. Talking about people's lives and making implications about members of this place and their motives being improper is a breach of the standing orders, and I would ask you again to draw the member back to the question.

The DEPUTY SPEAKER: I have already ruled on this. The member's time has expired. There was no point of order.

Josh BULL (Sunbury) (12:50): I am very pleased to have the opportunity this afternoon to contribute to debate on the Drugs, Poisons and Controlled Substances Amendment (Medically Supervised Injecting Centre) Bill 2023. We are of course a government that follows science and a government that listens to the experts when it comes to people's health. We have seen that through the global pandemic. We have seen that through the course of what has been a significant and monumentally challenging period for this state when it comes to health. At each and every opportunity when this government has had the chance, we have always worked with experts, have always followed science and have made sure that we are listening to those people that have significant experience backed up by research and backed up by evidence and have ensured that our policies and our decisions have been taken – particularly through, as I mentioned, an incredibly tough period through the pandemic – for the health care of people right across our state. We are a government that proudly works with our medical professionals, our scientists and all of those people right across the industry who do an incredible job in supporting local communities. This bill is about saving lives. It is about ensuring that a medical approach is taken to the harm caused by drugs, and it is about supporting those who need it most: some of the most vulnerable in our community. As I alluded to earlier, it is about evidence, about science and about supporting our community.

We know of course that in late 2017 the government announced the first trial of a medically supervised injecting room in the state's history. It was a bold, brave action which put safety first, a medical approach to addressing the decades of harm caused by drugs within the City of Yarra. The establishment of the trial followed what was a growing concern within the community about the number of related deaths. Two parliamentary inquiries were held, with findings that an injecting room would reduce the risk of death and heroin overdose. That was backed up by a significant amount of research and significant amount of work that was done to inform the decision that was taken by the government.

When it comes to health, when it comes to education, when it comes to transport and when it comes to our significant and bold reforms right across all of our portfolios, this government will not take a backward step in standing up for those people within our community who are at their most vulnerable. Those people need a health approach rather than a law and order approach for this matter. We are a government that time and time again throughout our first two terms and now into our third have taken the hard decisions when and where they needed to be taken, and this bill is yet another example of those decisions.

We know that since opening in June 2018 the facility has safely managed more than 6750 overdoses and saved 63 lives. I have listened to a number of contributions that have been made across the chamber this afternoon and listened closely to the terrific member for Melton's contribution. This is a person with significant experience, lived experience, within the ambulance service. The member for Melton has that experience. He brings that experience to the chamber and he brings that knowledge, and to listen to his contribution is to step back and understand those challenges and that lived experience of a paramedic dealing with the matters that are before the house this afternoon and of course contained in the bill. It was a significant and important contribution from the member for Melton that I think goes to the nub, the critical importance, of why this bill before the house this afternoon is so important and why the government is bringing the bill through the chamber and making sure that we have got an opportunity to support those people within our community that are at their most vulnerable but also ensuring that we are taking a health approach to what is a very complex matter.

I mentioned the June 2018 facility opening – 6750 overdoses and those 63 lives saved that I mentioned earlier. There have also been more than 3200 referrals to health and social services, including GPs, oral health, housing, drug treatment and bloodborne virus testing and treatment. One of the most significant recommendations the Ryan review made was to keep the service ongoing. It is why we have introduced this amendment, to ensure that the key changes within the bill are making the North Richmond facility an ongoing service and granting the ability to transfer or reissue a licence to another

provider, the ability to extend the licence and the ability for the service to have clinical nursing oversight as an alternative to supervision by a medical professional – making sure that all of those provisions are contained within the legislation to make sure that at the very heart of this piece of legislation is the protection of people within our community, the protection of Victorians.

As I said earlier, whether it comes to the health of our community or whether it comes to education, to transport or to the environment, this government will always stand for ensuring that we are working with experts. We are listening to and working closely with those who make recommendations and who do the work. We do not fly blind and we are not led by some unusual ideology. We actually listened to people, such as the member for Melton and a whole range of others that have participated in two inquiries and have made submissions to government, to ensure that this bill is responsive to the needs of the community. I have heard other members on this side of the house speak about ensuring that we are a practical government and a government that deals with the challenges that are facing us and confronting us.

Of course we know and understand that this matter is a highly complex matter. This is a matter that goes to some very difficult challenges within our community, but I am sure all members of the government and I know and understand that through the work of the trial and through the work of all of the research, all of the evidence and all of the work that has been done by the experts in the field, this is a bill that is fundamentally important to saving lives. The evidence is clear. Other members of the Parliament and other members on this side of the house in their contributions have mentioned many of those statistics, but the numbers are just numbers. What we know and understand is that one life lost to drugs within our state is one too many. We know and understand that, and we are ensuring that there is a health response and ensuring that the experts are working with those that are facing some incredibly difficult challenges as they go about their daily lives – whatever the drivers might be.

I am sure that all members of the house know and understand that these are complex problems, but you do not address and look into these complex problems and help people turn their lives around with either a heavy-handed, law-and-order-style approach or a broad ideology that does not go to the heart of actually fixing the problem. That is why this trial was implemented. That is why the trial that has been occurring needed to happen, and it is why it is critically important for this bill to be before the house this afternoon: to make sure that we are working with the local community, working with healthcare professionals and working with those people who do an outstanding job.

While I have the opportunity I do want to thank and acknowledge the incredible team of healthcare workers that each and every day work with the local community, work with people that are facing incredibly difficult challenges and work with those that we know need support at what is very often the lowest point in their life. I have perhaps spent a bit of time talking about the member for Melton's contribution, because it was a fantastic contribution, but to listen to that contribution and to understand why this bill is so important goes to the heart of what this government is all about: ensuring that we are always supporting the lives of our community. I commend the bill to the house.

Sitting suspended 1:00 pm until 2:01 pm.

Business interrupted under sessional orders.

Questions without notice and ministers statements

Government integrity

John PESUTTO (Hawthorn – Leader of the Opposition) (14:01): My question is to the Premier. It is now 13 days since the former IBAC Commissioner Robert Redlich's letter was made public and presented to you in this place. Has the Premier now, 13 days later, read or been briefed on Mr Redlich's claims of corruption?

Daniel ANDREWS (Mulgrave – Premier) (14:02): I thank the Leader of the Opposition for his question. He has done a calculation – 13 days. Been doing a bit of counting lately, haven't we? Yes –

13, unlucky for some, it would seem. Let us hope you have got your counting right for next Monday. Well, I hope you have got your counting right for next Monday, because we are very happy with you. Long may you reign, long may you sit in that –

John Pesutto: On a point of order, Speaker, on relevance. The Premier's own office is facing corruption allegations. Your own office is facing corruption allegations!

The SPEAKER: Order! The Leader of the Opposition knows that that is not the way to raise a point of order.

John Pesutto: Thank you for your advice, Speaker. On the point of order, just on relevance: the question was very clear about whether the Premier had been briefed on or had read the letter from Robert Redlich containing serious allegations of corruption against his own office, his own government, his own MPs. Has he read or been briefed on the letter containing corruption allegations?

The SPEAKER: Order! A point of order is not an opportunity to repeat the question. The Premier will come back to answering the question.

Daniel ANDREWS: The question was an opportunity for the Leader of the Opposition to demonstrate that he can apparently count. That was the only observation I was making. You write the questions; you stand up and read them out. The correspondence referred to was not addressed to me. The correspondence referred to was marked 'sensitive', so I am told. The former head of that integrity agency or any integrity agency does not need the Leader of the Opposition, let alone the Premier of the day, to inform him on how to make a complaint to an integrity body.

John Pesutto interjected.

Daniel ANDREWS: One can only hope he is more impressive in his party room – seriously. One can only hope.

Danny Pearson interjected.

The SPEAKER: Order! The Assistant Treasurer is warned.

James Newbury: On a point of order, Speaker, on relevance, integrity in Victoria is a very important issue. It is not a joke, and on relevance –

Members interjecting.

The SPEAKER: Order! Is there a point of order?

James Newbury: On relevance I would ask you to bring the Premier back to the question. It is a serious question, it is an important question, and I would ask you to bring the Premier, as you have already, back to the question for a second time.

The SPEAKER: Order! I ask the Premier to come back to the question.

Daniel ANDREWS: The correspondence is not addressed to me. It is, I am told, marked 'sensitive'. I am not in the business of reading correspondence that is not addressed to me. What is more, the former head –

Members interjecting.

Daniel ANDREWS: I can see how you might be interested in how former heads are referred to – you might be a former head very, very soon.

On the issue of making referrals and allegations, I reject the premise of the question where the Leader of the Opposition is essentially making his own allegations. They are not necessarily allegations that have been made by anyone else – not necessarily made by anyone else – and in terms of making complaints, in terms of referring matters, I would have thought that a former head of an integrity

agency knows only too well how to make referrals of that nature, and indeed might well be obliged to make such referrals, given his obligations when he was the head of that agency. He neither needs the Leader of the Opposition nor the Premier of the day to tell him how to make a complaint.

John PESUTTO (Hawthorn – Leader of the Opposition) (14:06): Will the Premier instruct Labor members in the other place to cooperate with any inquiry into the corruption allegations against the Andrews government, including corruption allegations against the Premier’s own office?

Daniel ANDREWS (Mulgrave – Premier) (14:07): I make two points. Firstly, people should cooperate with any process that legitimately –

Members interjecting.

The SPEAKER: Order!

Daniel ANDREWS: Well, how is instructing your colleagues going for you, mate? I would not be lecturing anybody on issuing instructions to colleagues. I do not know that the Leader of the Opposition has thought this question through.

Members interjecting.

The SPEAKER: Order! When a question is asked, I would like to hear the answer in silence.

James Newbury: On a point of order, Speaker, I ask you to ask the Premier at the very least to show courtesy in the way he refers to other members of the chamber.

The SPEAKER: That is not a point of order.

Daniel ANDREWS: Thank you for that stunning interjection, yes. The point I was making is that parliamentary committees have powers under acts of Parliament. Parliamentary committees have custom and practice under long-standing traditions and the forms of this house and the other chamber and the joint committees, jointly. The notion of directing people just shows a galloping ignorance on the part of a pretender, nothing but a pretender.

John Pesutto: On a point of order, Speaker, I would just like to offer the Premier a copy of the Robert Redlich letter again. If he would like to read it, it is there.

Members interjecting.

The SPEAKER: That is not a point of order. The Leader of the Opposition knows that is not a point of order.

Ministers statements: jobs creation

Daniel ANDREWS (Mulgrave – Premier) (14:08): I am delighted to rise to update all Victorians on the progress that we have made right across the Victorian economy to create hundreds of thousands of new jobs. Back towards the end of 2020, we committed to create 400,000 new jobs by 2025, in what was described at the time as an ambitious target, where only through hard work would we be able to meet that target on the specified time line. Instead, we have met that ambitious target fully two years ahead of schedule. Just last month 62,000 Victorians found work, boosting the total number of jobs created since September 2020 to more than 420,000 – that is 420,000 Victorians with the dignity of work, the ability to provide for themselves and their families. And indeed, so many of those people are doing work on behalf of every single Victorian, working on Big Build projects, working on so many different elements of our reform agenda, our positive and optimistic plans so resoundingly endorsed by the Victorian community at the end of last year.

To give you an example, whether it is North East Link, 110 level crossing removals, the Suburban Rail Loop or, to give a more granular example, the 7000 jobs that can be directly attributed to the Metro Tunnel project, all of these projects in the city, in the suburbs, in the regions and in the smallest of country towns are all about making sure that we have a stronger state, a fairer state, a state where

more people are in work than ever before. We are focused on the jobs of Victorians. We are not so much focused on our own jobs. We are focused on the job we have been given, and that is to make sure that we deliver for every single Victorian.

James Newbury: On a point of order, Speaker, I would ask you to refer to standing order 109. I would ask you to bring the Premier back to the question. I mean, it is a Dorothy Dixier. The least he can do is refer to the question at hand.

A member: No, it's not!

James Newbury: It is a Dorothy Dixier.

The SPEAKER: There is no point of order.

Daniel ANDREWS: As I was saying, we are about making the economy bigger, not smaller. We are about more projects, not cancelling projects. We are not about one job, we are about every job.

Government integrity

Michael O'BRIEN (Malvern) (14:11): My question is to the Premier. The former commissioner of IBAC, the Honourable Robert Redlich KC, wrote to Parliament last year alleging that IBAC's independent auditors had been directed by Labor government MPs to:

... find dirt on IBAC and data that is not ... publicly available.

However, the Labor government has now blocked attempts to establish an inquiry into these deeply concerning allegations. Why is the government so concerned to stop the truth coming out about the undermining of Victoria's anti-corruption watchdog?

Daniel ANDREWS (Mulgrave – Premier) (14:12): I am not entirely sure that the member for Malvern is accurately describing events as they have transpired. The Legislative Council and what it does or does not establish is a matter for the Legislative Council, and attributing motives to members of the Legislative Council is, as I am sure the member for Brighton would be only too happy to jump up and remind us, unparliamentary.

Michael O'Brien: On a point of order, Speaker, answers must be factual, succinct, direct and relevant. This morning –

The SPEAKER: Order! That is the point of order.

Michael O'Brien: This morning in this chamber the government refused me leave for a motion to establish a select inquiry.

Members interjecting.

The SPEAKER: Order! The member for South Barwon is warned. The Premier was being relevant to the question.

Daniel ANDREWS: The member for Brighton is keeping a roll now, apparently.

Members interjecting.

The SPEAKER: Order! Premier, through the Chair.

Members interjecting.

Daniel ANDREWS: Oh, I simply yield! What a stunning attack. I simply yield. You have got me. You have got me wounded, forever wounded. Thanks very much, member for Brighton – or whoever it was that –

Members interjecting.

The SPEAKER: Order! I would like to hear the Premier's answer in silence without interjections. People will be removed without warning.

Daniel ANDREWS: The member for Malvern is attributing motives to members of Parliament and is describing all manner of affairs, and I do not believe his descriptions are either fair or accurate. The way to best evidence is not so much an opinion or a review. Have a look at the budget papers, member for Malvern. The funding for IBAC has increased under our government. The powers of IBAC have been broadened under our government. Are those actions consistent with the way you have structured your question? No, they are not. You hardly increase the powers and budget of an agency if you are not supportive of its work.

Michael O'Brien: On a point of order, Speaker, I ask you to bring the Premier back to the question, which is about the specific allegations regarding the undermining of IBAC by Labor government MPs in relation to the Auditor-General – allegations contained in the letter which I make available to the Parliament since the Premier still seems not to have been able to find time in his busy schedule to read it 13 days later.

The SPEAKER: The Premier was relevant to the question that was asked, and the member for Malvern knows not to extrapolate on points of order. Be succinct.

Daniel ANDREWS: As I will again make the point to the member for Malvern, as I did to the Leader of the Opposition, that is not correspondence addressed to me. It is a matter that was actioned during the 59th Parliament, not the 60th Parliament. It is a matter for the Presiding Officers at best, and I think I have dealt with your question and all of the false inferences and imputations contained within it.

Michael O'BRIEN (Malvern) (14:15): Other than changes to the composition of Parliament's Integrity and Oversight Committee has the government offered any other inducement to any other party to vote against the establishment of a select committee into allegations raised by the Honourable Robert Redlich KC?

Daniel ANDREWS (Mulgrave – Premier) (14:16): Firstly, if a head then or a former head now of an integrity body wanted to make any such allegations, they may well be obliged to do so under the law of this state, and they would certainly be capable of making such claims, complaints and allegations. They would not need the help of my honourable friend over here to achieve that. On the principal issue of the question, the composition of the Integrity and Oversight Committee will return to the way it was structured between 2014 and 2018, and that is all that has been determined.

Ministers statements: jobs creation

Tim PALLAS (Werribee – Treasurer, Minister for Industrial Relations, Minister for Trade and Investment) (14:17): The Andrews Labor government has succeeded in delivering our jobs plan target more than two years ahead of schedule. Back in December 2020 the former member for Ripon trumpeted that Victorians needed a plan to get people back to work and back in business. Amusingly our \$44 billion jobs plan was less than a month old at the time. Since November 2020, by investing in public infrastructure, incentives like regional payroll tax cuts and a jobs-focused economic agenda, we have overseen over 422,000 new jobs across the state, meeting the government's target of 400,000 new jobs by 2025 with over two years to spare. That is more than any other state over this time frame in both raw numbers and in percentage terms.

In terms of economic growth our jobs plan has hit the mark again with 5.7 per cent growth in GSP per capita in the last financial year, the highest in the nation and three times faster than New South Wales. Compare this jobs bonanza to the record of those opposite who created around about 120,000 jobs in the four years that they were in government. That is less than 30,000 jobs a year. If they kept it up at that rate, it would take over 13 years to create 420,000 jobs. Lumbering old Jupiter would have made a lap around the sun in that time. I noted that the member for Kew observed in her inaugural speech

that it is business not governments that create jobs. Well, she was partly right – Liberal governments clearly do not create jobs. They are far too busy trying to hold on to their own. Hitting our jobs target more than two years ahead of schedule proves that the Andrews Labor government does exactly that.

Member conduct

Jess WILSON (Kew) (14:19): My question is to the Assistant Treasurer. On 21 February this year the Assistant Treasurer advised this house that the awarding of the banking and financial services tender ‘was an independent process undertaken by senior bureaucrats within the Department of Treasury and Finance’. Does the Assistant Treasurer still stand by that statement?

Danny PEARSON (Essendon – Minister for Government Services, Assistant Treasurer, Minister for WorkSafe and the TAC, Minister for Consumer Affairs) (14:19): Again, I have previously answered this question, and I refer the member to my previous response.

Jess WILSON (Kew) (14:19): Under information revealed through an FOI, the Assistant Treasurer and his office exchanged more than 1100 emails with the senior bureaucrat who managed the banking tender. How can the Assistant Treasurer claim that was an independent process and free from conflicts when he and his office exchanged more than 1100 emails with the bureaucrat managing the tender and the contract process?

Danny PEARSON (Essendon – Minister for Government Services, Assistant Treasurer, Minister for WorkSafe and the TAC, Minister for Consumer Affairs) (14:20): Again, I just refer the member to my previous answers on these questions.

Ministers statements: sick pay guarantee

Ben CARROLL (Niddrie – Minister for Industry and Innovation, Minister for Manufacturing Sovereignty, Minister for Employment, Minister for Public Transport) (14:21): I also rise to speak about 13 – 13 March. Labour Day is a very important day for this side of the house, when we celebrate 8 hours work, 8 hours recreation and 8 hours – you know what it is, until the ding-dong comes for you, mate; it is just going to be up before you know – 8 hours rest. For those opposite, we know who is going to be put to rest pretty soon.

James Newbury: On a point of order, Speaker, on relevance. As much as it pains me to interrupt that attempt at humour, I would ask you to bring the minister back to the question.

Members interjecting.

The SPEAKER: Order! The minister will address his comments through the Chair.

Ben CARROLL: I will start from the beginning. March 13 is a very important day on this side of the house: 8 hours work, rest and recreation, because we know right back in 1856 what that meant for the people that were working on Melbourne University – the stonemasons – when they did that march. That labour reform is here today. It was on another Labour Day that the Andrews Labor government, this Premier, announced the sick pay guarantee scheme.

I would not be talking about insecure work if I were you, Leader of the Opposition.

The SPEAKER: Order! Through the Chair.

Ben CARROLL: Now, the sick pay guarantee scheme is not designed for politicians. It is designed for cleaners, security guards, our most vulnerable workers, but we are always open to expanding it if we need to, and we have made that very clear. It is very important giving casual and contract workers permanency, because we know, as the pandemic showed, when you go to work sick it is not good for the economy, not good for the community and not good for you. This is a groundbreaking reform that has been nation-leading by the Andrews Labor government, and we are calling on others to follow suit, including the Commonwealth government. What did the other side have to say about this?

The *Age*, of all days not 13 March but 14:

State opposition –

Members interjecting.

The SPEAKER: Order!

Ben CARROLL: I think he thinks it's *Hey Hey It's Saturday*. Remember Dickie Knee?

Members interjecting.

The SPEAKER: Order! The Deputy Premier and the Leader of the Opposition will stop trading barbs across the table, and I remind you that members are to be referred to by their correct titles. The minister to be heard in silence.

Ben CARROLL: It says:

Victorian deputy Liberal leader David Southwick said –

John Pesutto: On a point of order, Speaker, the minister knows that question time is not an opportunity to attack the opposition.

The SPEAKER: Is the minister coming back to his statement?

Ben CARROLL: When asked if they would scrap the sick pay guarantee scheme, the Deputy Leader of the Opposition said he would.

Economic policy

Brad ROWSWELL (Sandringham) (14:25): My question is to the Treasurer. Can the Treasurer confirm that each and every day this year Victorian taxpayers are forking out \$10.6 million in interest payments to service the Andrews government's record debt?

Members interjecting.

The SPEAKER: Order! Order! I would ask members at the table to cease interjecting.

Tim PALLAS (Werribee – Treasurer, Minister for Industrial Relations, Minister for Trade and Investment) (14:25): I thank the member for his question, and I congratulate him on his new glasses. They look very accountant-like, I might say. Might I say that whilst the member is part of an opposition that did not find voice to express concern about a former federal government that managed to increase our national debt to \$1 trillion, or \$40,000 per head of the population of this nation, they seem to have pulled out the glasses and found the outrage that they are going to puff themselves up to.

Well, Victoria's interest costs as a share of total revenue average 6.5 per cent over the next four years, well below levels that we saw in the early 1990s when those opposite last occupied government benches. Victoria's net debt is dwarfed by the Commonwealth's net debt. And of course our investment has been in Victorians, our investment has been in growth and our investment has demonstrated the value of growing an economy to ensure the debt becomes increasingly manageable.

Members interjecting.

The SPEAKER: Order! The member for Berwick can leave the chamber for 1 hour.

Member for Berwick withdrew from chamber.

Tim PALLAS: It is a strategy that is working. It is a strategy that is leading the nation in growth. It is a strategy that is putting Victorians back to work in numbers stronger than any other state in the nation. That strategy has demonstrated its worth because we put the people of Victoria and their household budgets back into the priority that they deserve. As a government, we rate their concerns, and we have used our balance sheet to look after the interests of Victorians, to ensure that they get the support and the assistance of a government that, effectively, is concerned about making sure that they get through one of

the most testing economic times that has confronted this nation. We make no apology for investing in Victorians. We make no apology for prioritising their wellbeing above the wellbeing of our budget. We will manage our budget responsibly, but we will always put the interests of Victorians first.

Brad ROWSWELL (Sandringham) (14:28): By 2025 Victorian taxpayers will be paying \$20.4 million each day to service the Andrews government's record debt.

A member: How do you know that?

The SPEAKER: Order! Order!

Brad ROWSWELL: Mate, I got it from your papers. If you do not know –

The SPEAKER: The member for Sandringham will ask his question in silence.

Brad ROWSWELL: Given the Treasurer yesterday refused to rule out making GPs pay more taxes than they have previously, will the Treasurer guarantee that Victorians will not face tax increases to pay the interest on Labor's record debt?

Tim PALLAS (Werribee – Treasurer, Minister for Industrial Relations, Minister for Trade and Investment) (14:29): Goodness me, I feel like I have been egregiously verbally by the member. Let me assure the member that he will know all about what our plans are to responsibly manage the budget of this state at the time that we produce the budget. But can I assure him that our priority will be the wellbeing of Victorians, making sure that, essentially, we continue to manage the budget in a responsible way. Of course I do note that the current Premier of New South Wales has recently indicated that that state is dealing with close to \$200 billion worth of debt.

Daniel Andrews: What did he say?

Tim PALLAS: He said it would be challenging. He said it would be challenging of course. But why is that? It is because we have come through challenging times; together as a nation, we have come through them. Those opposite like to decontextualise the problems that the people of Victoria have suffered. Let me assure him, we will constantly put their interests ahead of short-term budgetary issues.

Ministers statements: creative industries sector

Steve DIMOPOULOS (Oakleigh – Minister for Tourism, Sport and Major Events, Minister for Creative Industries) (14:30): I rise today to highlight the value of the creative industries to the Victorian economy. Most of us here will regard some part of the creative industries with great affection, whether it be film, architecture or design. I know for a fact that some of us have worked in the creative industries. The member for Narre Warren South even had some tracks played on Triple J, I am told. It is fair to say most people in this place and indeed beyond its walls are aware of how sectors like the visual arts, theatre and festivals enrich our lives and enable our society to reflect on itself, imagine a better future and have a good time and enjoy ourselves.

But there is another story, one less told but no less compelling, and one our government has known and acted on since 2014. Creative industries is very much an economic portfolio. In fact at this point one in 11 Victorians work in the creative industries. That is over 319,000 Victorians and rising. In the 2021–22 financial year, when total Victorian employment rose by 2.5 per cent, the creative industries workforce rose by 2.9 per cent – greater than the average. There are over 45,000 creative sector businesses in Victoria, responsible for \$35 billion of value-add to the economy. This includes the digital games industry, said to be worth around \$300 billion by next year globally. Victoria is well placed to capitalise on this growth. Victoria leads Australia in the digital games sector, having the lion's share of the workforce and the businesses right here. Victoria's position is no accident. It is a direct result of the Andrews Labor government having a creative strategy and investing in the creative industries. I note that in their four years in power there was not one piece of policy on the arts, culture or creative industries – not one. I pay tribute on the other hand to my predecessors Martin Foley and Danny Pearson. Under this government the creative industries workforce will be bolder and bolder.

Small business support

Cindy McLEISH (Eildon) (14:32): My question is to the Minister for Small Business. With news from the Victorian Essential Services Commission last week that Victoria's small businesses face a 33.2 per cent electricity price increase, adding \$1738 to a standard small business energy bill, what assistance will the government provide to help Victorian small businesses with their soaring energy bills?

Natalie SULEYMAN (St Albans – Minister for Veterans, Minister for Small Business, Minister for Youth) (14:33): Thank you very much for the question. There are a number of matters that relate to the responsibilities of the Minister for Energy and Resources, but I am very happy to take the opportunity to talk about what the Andrews Labor government will be doing to support small businesses. Of course we are committed to supporting small businesses to grow and prosper, including by managing gas and electricity prices. We have the Victorian renewable energy target, which is expected to lower electricity prices, reducing costs for medium-sized businesses by over \$3000 a year.

Now, of course, our investment – we will go to the question. Let me say that the Solar for Business program provides up to \$8500 off the up-front costs for solar system installation. That is a cost saving of over \$47 million for small businesses across Victoria. The energy upgrades program gives businesses access to discounted energy efficiency products and services, and I know it has been very popular across the small businesses across Victoria. That is again a saving of over \$3700 a year. The Andrews Labor government will continue to support and deliver the best outcomes, and that includes savings on electricity and cost-saving measures for small businesses across Victoria.

Cindy McLEISH (Eildon) (14:35): I hope those small businesses are not in areas of flood recovery, because they are still waiting to be paid. Last week the Premier ruled out financial support to help small businesses with rising energy costs, stating:

... we simply do not have the capacity to be providing corporate payments ...

Do you support the Premier's position that Victorian small businesses do not deserve that sort of support?

Natalie SULEYMAN (St Albans – Minister for Veterans, Minister for Small Business, Minister for Youth) (14:35): Thank you for that question, and let me say I will not be lectured by the other side when it comes to small businesses. Small businesses in this state are still paying the price today when it comes to the other side's party decision to privatise the Victorian electricity system. That is fact, absolutely.

Cindy McLeish: On a point of order, Speaker, on relevance, the minister needs to check her details. It was Joan Kirner that instigated the sale of the SEC.

Members interjecting.

The SPEAKER: That is not a point of order.

Ministers statements: vocational education and training

Natalie HUTCHINS (Sydenham – Minister for Education, Minister for Women) (14:36): I rise to update the house on this government's generational change to our senior secondary schooling with the introduction of One VCE across our school system. As the Minister for Education I am very proud to see this reform come into place to recognise and value differences in our students and to give them pathways to better futures. As of day one, term one this year, students have more educational choices and a better quality curriculum to access better workplace experiences while they are still at school.

Just recently I had the honour of visiting Box Hill secondary college with the Premier and the member for Box Hill to see some of these subjects in action. This year all secondary schools are delivering One VCE, but there are 25 secondary schools just like Box Hill that are delivering high-quality vocational training through the new Victorian Pathways Certificate that once were not doing that. They did not have those options there. Every day in Victoria we are now offering vocational options to young people through this government's rollout of the One VCE. We will continue to prepare our students to step

into the demand jobs that we know are there and continue to deliver new and exciting subjects like the new clean energy subject as well as the 10,000 work experience places that we will be rolling out next year. This government has an ambitious plan for Victoria, and the vocational major is a major part of that, delivering in early childhood, delivering in health, delivering in engineering and delivering in agriculture. The One VCE is a game changer, ensuring every student can get the skills they need to get the jobs that they want.

Constituency questions

South-West Coast electorate

Roma BRITNELL (South-West Coast) (14:39): (90) My constituency question is to the Minister for Housing, and the information I seek is details of South-West Coast's public housing maintenance backlog and the steps that are being taken to employ local tradespersons to complete the maintenance. I am alarmed at the number of frustrated public housing residents contacting my office to raise their concerns about delayed maintenance of their homes and the limited communication they receive from the Department of Families, Fairness and Housing advising them when the tradespeople will be coming. It is not acceptable for public housing residents to have to wait two years for mould to be removed or heaters repaired. It is not acceptable for a public housing resident to have to wait months for a leaking tap to be fixed. It is not acceptable for a Geelong-based tradesperson to be servicing public housing properties in Portland and to be dispatched only when a week full of work is scheduled, with no notice provided to the resident – and if the resident is not home when the tradesperson arrives they miss out until the next scheduled visit. This is the reality for people in public housing from a non-caring government – a government that says one thing and then does another.

Pascoe Vale electorate

Anthony CIANFLONE (Pascoe Vale) (14:40): (91) My constituency question is for the Treasurer. Can the Treasurer provide an update on the investments the Andrews Labor government has been making towards revitalising central Coburg and the Sydney Road and Upfield corridors? Coburg is a proud, hardworking and culturally diverse suburb that has always punched above its weight. Together with our strong sense of community pride, Sydney Road has long remained the cultural heartbeat of Melbourne's northern suburbs. However, strategically located at the epicentre of Melbourne's northern suburbs, ongoing opportunities exist for Coburg to be revitalised and become a future jobs hub for the region. I am proud of the commitments, leadership and drive Labor has been providing towards revitalising central Coburg through the removal of four level crossings, the construction of two world-class stations at Moreland and Coburg, \$21 million to build a new Coburg Special Developmental School, \$17 million for a new science and tech hub at Coburg High, \$6 million for Coburg City Oval to support the mighty Coburg Lions' blockbuster VFL games, planning for a mental health hub and investing in Merri Health, protecting the Merri Creek, building the community battery in Coburg and identifying Merri-bek LGA as a big social housing build site. I welcome the Treasurer visiting the electorate.

Ovens Valley electorate

Tim McCURDY (Ovens Valley) (14:41): (92) My question is to the Minister for Consumer Affairs. Mr and Mrs Soutar are residents of Bundalong and have a property next door to them that is short-stay accommodation on both Airbnb and Stayz. Since mid-December last year – a mere three months – there have been over 220 holiday-makers temporarily staying next door. This residence holds 22 people, but plain and simple this property is party central for bucks weekends, hens weekends and various other party celebrations. The local police at Yarrowonga have been called frequently, and there is absolutely no way of a normal life for other residents on the street in this very small township. When will you act and get statewide regulations to control all short-stay tenants and make landlords more accountable so that the permanent residents have peace and quiet? Permanent residents deserve better.

Wendouree electorate

Juliana ADDISON (Wendouree) (14:42): (93) My constituency question is for the Minister for Equality. What support is the government providing our trans community? I believe Ballarat is home to the most vibrant LGBTQIA+ community in Victoria. I am proud to stand with the whole community, but in particular I express my unwavering support for the trans and gender-diverse members of my community who have been deeply impacted by the actions of those who seek to be hurtful and exclude them. In Ballarat we are welcoming and supportive, with trans and gender-diverse people playing an important role in our community. To our trans and gender-diverse young people: we see you and support you, and we have great organisations to enable you to shine and thrive. Thank you to Tiny Pride, the Y Ballarat, Trans and Gender Diverse Clothes Swap Shop, Speak, A Place at the Table, Rainbow Ballarat Coffee, LanceTV, Frolic Festival, Headspace, Ballarat Community Health, Child and Family Services Ballarat and Youth Affairs Council Victoria. You all do such a great job supporting our trans community. I stand with you every day.

Kew electorate

Jess WILSON (Kew) (14:43): (94) My question is for the Minister for Transport and Infrastructure. Will the minister commit to reviewing the accessibility of stops along the 48 and 109 tram lines? The 48 and 109 trams connect the people of Balwyn, Balwyn North, Surrey Hills, Mont Albert, Kew East and Kew with the CBD; however, on the 48 tram route there is only one superstop between the Yarra River in Richmond and the tram's terminus in North Balwyn. Similarly, on the 109 tram route there are no superstops between Mont Albert and Richmond. This is a serious deficiency in our public transport network, particularly when viewed in contrast to sections of both the 48 and 109 tram routes in Richmond, which see several superstops along a comparatively short stretch. The redevelopment of the new Kew rec centre, a facility designed for seniors right through to very young children, presents an ideal opportunity for the installation of a superstop. Kew Junction and Balwyn shopping centres are also strategic locations to construct accessible tram stops. I ask the minister to commit to reviewing both the 48 and 109 tram routes with a view to the construction of more superstops.

Kororoit electorate

Luba GRIGOROVITCH (Kororoit) (14:44): (95) My question is for the Minister for Public Transport. As more people in Melbourne's west are proudly calling Melbourne's west home, congestion from cars in these suburbs is of course growing. Although I am a huge advocate for trains, a bus network that is modern, high frequency and well connected is vital to Victoria's integrated public transport system. Public transport needs to be more accessible to give people the freedom and choice for where they want and need to go. With the future growth that is coming in my electorate, especially in the suburbs of Mount Atkinson and Rockbank, can the Minister for Public Transport please update the house on what plans the government has for bus network reform to meet the current and future needs of my constituents in Kororoit?

Prahran electorate

Sam HIBBINS (Prahran) (14:45): (96) My constituency question is to the Minister for Public Transport, and I ask: when is the government going to install a second entrance on the citybound platform at Windsor station that connects to Windsor Siding park? In the 2021–22 state budget money was allocated for planning for this entrance. Stonnington council's master plan for Windsor Siding, the vast majority of which has been completed, also has provision of works for this new station entrance. This new station entrance would shorten commuters' journey to the station, many of whom walk through Windsor Siding to access the station and would be the final piece in the council's upgrade of Windsor Siding. It does, however, require collaboration between the state government, relevant agencies and the council. Windsor station is right in the heart of Windsor so I urge the state government to work with the local council and install this important entrance.

Point Cook electorate

Mathew HILAKARI (Point Cook) (14:46): (97) My constituency question is for the Minister for Energy and Resources: would the minister please provide an update on the power saving bonus and its uptake and benefits to the people of Point Cook? The power saving bonus is a \$250 one-off payment to support Victorian households who are looking for a better deal on their energy. I say to those in the house that it is not about the \$250 one-off payment – which is a significant bonus for many people in our community – it is about finding better ongoing power deals, power deals that will cut the cost of living for families over many, many years ahead. The community that I represent is very excited about the next round of the power saving bonus, which is due to open up on the 24th of this month, just a couple of days away. So for anyone who has not got the power saving bonus already, it is time to get it right now and then get ready to get in front of your laptop or in front of your computer with an energy bill and collect the next round and get better savings on your bills.

Mornington electorate

Chris CREWITHER (Mornington) (14:47): (98) My question is to the Minister for Environment. Will the minister intervene to enable a public reserve and ephemeral wetlands at the decommissioned South East Water reservoir at 57 Kunyung Road, Mount Eliza, under Parks Victoria management? This site is still owned by the government but has been referred to the Department of Transport and Planning to consider alternative use and sale options. I ask the Minister for Environment whether they could propose to the Department of Transport and Planning that Parks Victoria gain ownership of this site and that the site then be rehabilitated and made into public wetlands and a reserve. The potential for it to be sold and rezoned for a potential housing development is creating unnecessary anxiety amongst local residents. It is imperative that we preserve such sites, as has been done with the old Frankston Reservoir and the old Devilbend Reservoir as well.

Narre Warren North electorate

Belinda WILSON (Narre Warren North) (14:48): (99) My constituency question is for the Minister for Energy and Resources: can the minister please update the house on how many households in the district of Narre Warren North have accessed the \$250 power saving bonus? The cost of living is rising, and that is an issue that my community feels the effect of every single day. I commend the government's program, which will help keep the lights on and the bills down for so many Victorians. The Andrews Labor government is committed to real solutions to tackle the cost of living like the power saving bonus, which will also help people compare energy providers and find a better deal. I would like to thank the minister and the government on behalf of the community for bringing back another round of the power saving bonus on 24 March.

Bills**Drugs, Poisons and Controlled Substances Amendment (Medically Supervised Injecting Centre) Bill 2023***Second reading***Debate resumed.**

Gabrielle DE VIETRI (Richmond) (14:49): I rise today to speak in support of the Drugs, Poisons and Controlled Substances Amendment (Medically Supervised Injecting Centre) Bill 2023. There is overwhelming evidence to show that the medically supervised injecting room saves lives and provides pathways out of drug dependence for people who use injecting drugs. It is on that basis that the Greens support this bill, which will enable the safe injecting room to continue its work into the future. Having lived in North Richmond before the centre was established I saw firsthand the growing use of drugs in public space and often removed syringes from my doorstep. The medically supervised injecting room has since been established in response to community calls for a health-based response to the growing injecting drug use, overdoses and deaths in the area. Let me say emphatically that North

Richmond Community Health has done an extraordinary job in developing and managing the centre and all of the complexity that that entails. Every time I have visited the site I have been blown away by the breadth and complexity of the service that it provides and the care, professionalism and compassion that its staff display. The medically supervised injecting room also provides critical wraparound services, including treatment for hepatitis C, long-acting opiate replacement therapy, dental care and housing, legal and employment support.

Given its incredible success in preventing overdoses it is concerning that this government now appears to be backing away from its commitment to establishing more safe injecting facilities, which will continue to see North Richmond unfairly burdened as the only supervised injecting facility in the state. Evidence shows that we need safe injecting facilities in health centres across the state, including in the CBD, in St Kilda, in Geelong and in Dandenong. In the CBD especially, drug use and overdoses show no sign of decline, and every day that we delay, more people are at risk of overdose and death. Community health providers are saying that things are as bad, if not worse, than they were before COVID. The government has bought a building for a community health service incorporating a discrete supervised injecting room, but now it is beating around the bush as to if and when that supervised injecting room will be established. This is most concerning. Studies of more than 120 safe injecting services around the world, some of which have been operating for decades now, show that they are one of the most effective tools in combating the serious harm caused by drug dependence in our communities.

Every day in Melbourne, people are risking death by injecting drugs on the streets, in parks, in laneways and in public toilets. Approximately one person a month dies after using heroin in the City of Melbourne. These deaths are unnecessary. These deaths are preventable. They are people loved and mourned by families and friends. An alliance of 120 CEOs from organisations across the health sector, unions, legal centres, social services and youth services are calling on the government for the urgent establishment of a second health centre in response to the crisis in the CBD, saying our response as a community to this health issue should be a health solution underpinned by care, support and compassion. Given the expertise on the list of signatories I can only echo their concerns and urge the government not to back away from pursuing evidence-based harm reduction in establishing more centres.

We also need to make sure that we look after the North Richmond community. They have told me that they are struggling – the residents in public and private housing and those who work in the local businesses. The government have said that they will commit to investing in the safety and amenity in North Richmond. If this government is serious about a health-led approach to drug solutions and addressing amenity issues in North Richmond, it needs to establish another centre. They need to invest in public housing and public health. They need to give our community service organisations the sustained and secure funding that they need to support vulnerable people, and we need to see a significant, sustained investment in the North Richmond precinct, with permanent community and public spaces, with streetscaping, with resident support and with investment in local business. We also need to see investment in the arts, the community and the cultural life of North Richmond. The government must make sure that safety and amenity in North Richmond are prioritised, and I ask as the member for Richmond to be part of the conversations that this government has into the future about the future of North Richmond.

Regarding the bill in front of us, the Greens do hold some concerns, including that the legislation does not follow all of the recommendations of the Ryan report regarding the need to remove barriers, expand eligibility criteria and address peer and partner injecting. The Greens look forward to constructive conversations with the government about strengthening this bill, investing in North Richmond and establishing more safe injecting rooms across the state.

Sarah CONNOLLY (Laverton) (14:55): I too rise to speak on the Drugs, Poisons and Controlled Substances Amendment (Medically Supervised Injecting Centre) Bill 2023. It is lovely to follow the member for Richmond, because I am pretty sure that Labor and this Labor government have always had the back of people in North Richmond and those constituents from Richmond under the very

mighty commitment and dedication of the former member for Richmond, the Honourable Richard Wynne, who indeed did an outstanding job as that local member.

This bill has one purpose to it, and it is to end the trial period for the North Richmond medically supervised injecting room and make it a permanent program. When I looked at this bill and the conversation that was happening, particularly in the media, around the community and in my local community, it made me reflect on two things. It made me reflect on the difficult life that a particular member of my family – which I will not go into today – had, his struggle with drugs including heroin his whole life, the terrible, terrible addiction that takes hold and the impact that that has on family. But it also made me reflect on the local conversations that I have been having with some of my fabulous sporting clubs and club committee members who talk to me about the incredibly fun time that kids have out there on the sporting fields playing soccer, playing football and playing cricket over the various seasons and the very unfortunate situation where volunteers and parents have to go and do a walk around the perimeter of these facilities to clean up needles from heroin users in particular. It is something that they have to do every time they have training and before every single game, because as everyone in this house would agree, no-one wants their children to not only see the needles or step on them but have to walk over the body of someone who has overdosed and indeed died.

This is a really important bill, and it is a really important conversation. I have been watching it unravel this morning and this afternoon, and I have to say it has been disappointing listening to those on the other side of the chamber really dredge up that fearmongering narrative around ‘What about our children? You’re encouraging our kids to do drugs. You’re exposing our children to these terrible things that are happening in our community.’ Indeed, that has been what they are saying here in this chamber today, and I see it across the media, with shock jocks typically saying, ‘Think about the children.’ This is a really difficult conversation that people in the North Richmond community have been having. The government, the service itself, the leadership of the school and the school principal have been working really closely together to try and do something about this. We know that it is working, which is exactly why we have introduced this bill into the house. In 2017 our government committed to implementing, on a trial basis, the North Richmond medically supervised injecting centre. This came from years and years and years of advocacy from residents in North Richmond. In mentioning that, I also want to highlight the advocacy of Judy Ryan, who has been fighting for this very important facility since 2016. Judy’s community advocacy has helped make this possible. Yet this facility, we know, is not the first of its kind in Australia. That has been mentioned here in this house previously today. It is not unprecedented. There has been one operating in Sydney since as early as 2001, and in fact if I recall correctly, the Bracks government attempted to follow suit and would have if that proposal had not been blocked by the other place. Nevertheless, in 2017 the Andrews Labor government made this facility a reality.

As I speak on this bill, I will acknowledge that I am not an inner-city MP, and I take a great deal of pride in that. I do not represent areas like Richmond, where this facility is located, although I do visit there, or the CBD, where indeed another one is carefully being considered. We know that this trial has been successful. The reason we know this is by the statistics, and it is really important to highlight them here today. Since 2018 the service has received nearly 350,000 visits. I had to read that a couple of times – 350,000 visits. That is a hell of a lot of people, whether they have attended once or multiple times, since 2018 that have used this service. There is obviously a need for the service. The location of the service has enabled these people to attend. Nearly 6000 overdoses have been safely managed at this facility, and at least 63 people have had their lives saved. That is 63 people that would otherwise have passed away. Of course it is not just about substance abuse. The service has also helped provide more than 112,000 people with health and social support services on site and an unprecedented 2500 people with homelessness care and successfully treated nearly 300 cases of hepatitis.

Early on in my career I worked in the criminal justice system. I worked for a firm that was a family and criminal law firm. We would go out to the prison, and I will never forget someone who sticks in my mind time and time again when I talk about the importance of giving people opportunity. I

remember going and visiting this particular man who was in prison, sitting there awaiting trial on remand. He was a sex worker. He had hepatitis C, and he was a heroin addict. He had lost all of his teeth; his gums were black. I cannot remember what happened at the sentencing of this man – and he was a particularly young man – but what I do remember thinking was that if he had been caught by one of the services that exist in our society to be a safety net for people like him, he may not have found himself in prison. I have no doubt that he would have been back there and inside for a lot longer.

This injecting facility is more than just somewhere to go and safely inject these drugs, it is somewhere to go and receive support and assistance without judgement. We know that this is working – 112,000 people are being delivered health and social support services on site. That is amazing. They are people who otherwise may not have sought assistance and may have found themselves either dead or in prison. That is why we have done this. We have done it to save lives and to change lives. After two independent reviews, including the most recent review handed down by Ken Lay, it is recommended that we make the medically supervised injecting room in North Richmond a permanent fixture, taking it off its trial basis. I am pretty sure this trial has shown that it works.

Over the past few years and definitely in the last couple of weeks we have heard a lot from folks across the community about this facility and the role that it fulfils, and a lot of the commentary has centred on the fact that the injecting room is located next door to Richmond West Primary School. Those on the other side of the chamber have been talking a lot about that today, and they have conveniently ignored the fact that the Richmond West school community is vastly in support of this site. Do you know why? Because as a school they are sick of having to clean out needles from their playgrounds because people living in that area were shooting up on the school grounds. That is exactly what they were dealing with in their backyard. Not only is this something that is changing lives and saving lives, it is also helping to clean up drugs in that area so kids can go to school, get a great education, not have to walk over needles on their way to school and not be at risk of having to see bodies on the ground of people who have overdosed or indeed died on their way to and from school. That is certainly something that I think every single parent in this chamber would agree with.

This is a really important bill. The contributions in this house from this side of the chamber, I am very pleased to say, have been very respectful. Indeed I think that folks on this side of the house really do understand the importance of this site, how the close collaboration with the school and the facility and the government has indeed changed lives and saved lives.

Jess WILSON (Kew) (15:05): I rise to support the reasoned amendment from the member for Lowan. The reasoned amendment provides:

That all the words after ‘That’ be omitted and replaced with the words ‘this bill be withdrawn and redrafted to prevent a medically supervised injecting centre from operating in near proximity to schools, childcare centres and community centres’.

I start by making it clear that Victorians struggling with drug addiction deserve our support, and we on this side of the house believe an approach from government that prioritises the health and mental health of affected individuals, their families and the wider community is absolutely paramount. That is why at the last election the coalition took a comprehensive policy to help treat drug use and break the cycle of addiction.

Our policy is to establish an Australian-first hydromorphone program that would treat serious drug addiction based on European best practice and would offer the best possible treatment to reduce crime and end the cycle of illicit drug addiction. This policy would shift Victoria’s approach to drug addiction to a true health-based model by introducing a supervised injectable opioid treatment at a major metropolitan hospital in Melbourne.

Looking at the recent Ryan review, which we have all spoken about in the house during this debate, it notes, on the issue around treatment and the issue around how to break that cycle of addiction, the importance of hydromorphone. I quote from the Ryan review:

In the context of Victoria's current under-supply of pharmacotherapy services, offering a greater diversity of effective medications such as hydromorphone may help relieve pressure on a system that struggles to meet demand. Evidence from overseas shows that hydromorphone is a safe, effective option for treating addiction among people for whom these other medications haven't been successful.

This was a really important Australian-first proposal we took to the last election focusing on how we can support those struggling with drug addiction and make sure that their health and their mental health are put first not only for them but for their families and the wider community when it comes helping to break that cycle of addiction. In addition to this, we committed to delivering 180 new alcohol and drug rehabilitation withdrawal beds at six new all-age treatment centres across regional Victoria and here in Melbourne. This was in response to growing calls from local communities, from health services and of course from alcohol and drug support providers for access to additional treatment and rehabilitation services across the entire state of Victoria.

We made this announcement in response to and as a result of what was seen as a critical shortage of alcohol and other drug treatment beds under the Andrews Labor government. What we had seen here in Victoria was that Victoria had one of the nation's worst ratios for beds for AOD treatment. That is why we took this comprehensive policy to the last election focusing on how we can help support those suffering from drug addiction and help break that cycle of drug addiction.

The amendment the member for Lowan moved today does not take away from the fact – and we have had a lot of debate around this today from those on the other side of the house – that we know those struggling with drug addiction need our support and deserve our assistance, but the injecting room at North Richmond Community Health (NRCH), and making that a permanent site, does not work in Melbourne as it does in other parts of the world, including in Sydney. In fact the framework for the drug-injecting room here in North Richmond is very different to the framework that is in place in New South Wales.

Let me just speak to that for a moment. In New South Wales the legislation directly recognises that an injecting room must have regard to the visibility of the premises, public safety and the proximity of the premises to schools, childcare centres and community centres. That is the framework that the New South Wales government has in place around the operation of safe injecting rooms. And that is the amendment that is being moved today by the member for Lowan to ensure that community safety, that children going to school, is at the forefront of our concerns when putting legislation in place. In fact this is the only injecting room in the world located next to a primary school.

We have spoken a lot around the recent Ryan review, which has informed the drafting of this bill. Unfortunately, the Ryan review has not been released in full, and we have only seen a 25-page summary of that review. But I think more critical to that review was that the suitability of the location of the injecting room was not within scope of the review panel. I do not understand how we can look at putting in place a permanent location for a safe injecting room without having a good understanding of the impact of that injecting room on the local community, on local amenities and on the safety of the local community. That surely should be at the forefront of any review of this policy. That said, the Ryan review does note, in what we have seen of the summary of the review:

While determining the suitability of the current location of the MSIR was not within the scope of the Review Panel, we did hear from many in the North Richmond community and other stakeholders that they held deep concerns around this issue, especially the proximity to Richmond West Primary School and the general impact on residents and other clients attending NRCH.

I think that is absolutely critical here. The panel has highlighted the deep concerns from the North Richmond community about the location of this safe injecting room. Indeed in the Ryan review summary that we have seen, one resident is quoted:

I walk my daughter to school, witness fights, brazen drug deals, drug use, drug-affected people.

This is unacceptable when children are going to school, and it is unacceptable that this is located next door to Richmond West Primary School. Children deserve to have a safe environment when they

attend school. Parents expect their children to be safe when they attend school, and unfortunately the location of this site next to a primary school puts that at risk. We know over time the Department of Education and Training has admitted to the Public Accounts and Estimates Committee that no risk assessment had been undertaken for the primary school, and the Department of Education and Training also admitted it had not provided any advice to the government about the location and the risk to students and teachers.

We know that there has been an increase in antisocial activity on the grounds and surrounds of Richmond West Primary School. We know that the number of needles on the streets per month has increased from around 6000 to between 12,000 to 18,000 per month. These are all of grave concern when it comes to the safety of our students in the North Richmond community and at Richmond West Primary School. We need to make sure, as the member of Lowan has put forward in this amendment, that their safety is at the forefront of everything that we are doing in this place.

Finally, I just raise a concern that has been put forward by local constituents in Kew around the 109 tram and incidents of violence and feeling unsafe because of behaviour on the 109 tram service and potential linkages to the location of the safe injecting room, and I put on record the importance of making sure that those on public transport feel safe and that the government takes the concerns into account of my local constituents. Thank you for the opportunity to speak on this today. I commend the member for Lowan's amendment to the house and ask that we always put the safety of children at the forefront of what we do.

Juliana ADDISON (Wendouree) (15:14): I too am pleased to speak in this debate today in support of the critically significant Drugs, Poisons and Controlled Substances Amendment (Medically Supervised Injecting Centre) Bill 2023. This bill will save lives. It will change outcomes. This bill will prevent deaths and it will change conversations. As a result of this bill, trajectories will be different: hearts will not be broken, the future will be different. Hope lives in this bill, and it is why I am supporting it. I support this bill for the family I know who lost their beloved dad to an overdose and for everyone who grieves a lost one to overdose. I am supporting this bill for my friend who died alone, all our friends who loved her and missed her and for everyone who wishes they had done more to support the friend who is no longer here. I am supporting this bill for those who had nowhere safe to go but now do have somewhere. I am supporting this bill because I do not want people dying on the streets. I am supporting this bill because the Victoria I want to live in and raise my family in is a compassionate and civil society, and despite our diversity and differences, we share a humanity where every person deserves to be respected, to be treated with fairness and to be valued. Importantly, everyone has the right to be seen, to be heard and to live their life with dignity, and that is what I believe is at the heart of this bill – dignity for all Victorians.

Thank you to the Minister for Mental Health and her office as well as the department, not just for their work in bringing this bill to the house but for their ongoing work on the medically supervised injecting room trial since its introduction. This is a truly life-saving operation, and my wholehearted and sincere thanks go to all involved, especially the frontline workers at the North Richmond medically supervised injecting centre, who are worthy of recognition and praise. I have spoken before in this house about the importance of harm reduction, about how it can assist workers in health care and social services, about how it recognises some of our most vulnerable Victorians, but most importantly how harm reduction saves lives. Whether in the guise of needle safety or naloxone access or prescription monitoring, this government is committed to harm reduction and to reducing the damage caused by drugs.

Addressing the blight of drug addiction in our community is an incredibly complex task, and I know supervised injection facilities are not the sole answer, but they are certainly a part of the answer. There is evidence that is only growing, from other jurisdictions but also right here in Melbourne, that they can be effective in reducing deaths and in reducing health burdens while also addressing safety concerns and providing pathways towards recovery. When we talk about this, we need to remember that it is not politics, it is people and it is people's lives. It is the lives of people here in our state who are loved by people in our state, who are a part of the community in our state. Every single life lost to

drug use is a tragedy for our state, and the temptation to judge, to moralise, to demonise must be resisted because it is not helpful and it is dangerous.

Kneejerk reactions and empty rhetoric do not make it safer for users or easier for their families and friends. Repeating and reproducing ineffectual approaches does not save lives and doing nothing is not acceptable, nor the answer. We need honesty, we need harm reduction, we need holistic and multifaceted approaches. This is what our government is committed to – saving lives and changing lives. We know this now and we have known this for a while, which is why in late 2017 the government legislated for a new medical approach to combating drug-related harm. I was not a member of this place at that time, but I am proud of every single one of the 46 MPs who voted to support it, to begin Victoria's first medically supervised injection trial. It was the right thing to do then, and it is the right thing to do now.

I would also like to acknowledge the former Minister for Mental Health Martin Foley and the former member for Richmond Richard Wynne for their compassionate leadership during the challenging times. During the trial there have been close to 6000 overdoses at the centre but no fatalities. It has involved more than 500 clients being provided with long-acting treatment for opioid dependence through the centre's clinic, and in the City of Yarra it has led to a decrease in hepatitis C notifications. It has led to a reduction in ambulance calls in the area, and I would particularly like to single out the member for Melton for his compassionate contribution. He is such a good person, and with his life experience he understands why there was a reduction in ambulance calls in the area. In the City of Yarra there has also been a reduction in overdose presentations at nearby hospitals, freeing up those beds for other Victorians who need them after an accident or an emergency.

All of these statistics should be celebrated, but the most important modelling comes from the recent Ryan report, which has been spoken about by a number of people already in their contributions, which tells us that 63 lives have been saved by this centre – 63. It is impossible to adequately convey what this means. It is impossible to understand it in the abstract or to even get close, to bring it down to just one person or to the impact and the intrinsic worth of every single individual and then consider it again 63-fold. It is very significant by any measure. I do not envy the work of Mr Ryan and his panel or of Professor Hamilton and hers beforehand, who conducted extensive research and outreach for their reviews of this trial, but I am incredibly grateful to them, because we know that there are now likely to be 63 people who did not die, because they did not have to, that more than 6000 registered clients know they will be shown support and safety rather than callous indifference and that there have been over 3000 referrals in just a two-year period to broader services, such as drug treatment, virus testing, GPs and housing. This centre is not only saving lives but changing them for the better.

This bill proposes a series of amendments to the Drugs, Poisons and Controlled Substances Act 1981, including several which will implement recommendations of the Ryan review. Most significantly, it seeks to establish the North Richmond medically supervised injecting centre as an ongoing service rather than a trial. This bill also seeks to not just request changes to wording in the act but also implement improvements stemming from what we have most recently learned from the trial being in place.

Several proposed amendments concern the licensing arrangements for the facility. It removes the current six-year trial end date and moves instead to licences requiring renewal under the purview of the secretary. It allows for more than one licence to be issued, although only one can be in force at a time, so that a new provider may take over the operation of the centre if doing so would better facilitate its aims. It also details how such transfers could be considered and facilitated, including transitional obligations to ensure the continuation of services during any changeover, and crucially it also outlines processes for licence conditions: suspension, transfer and revocation. These are essential operational clarifications which will facilitate the long-term operation of the centre.

Other amendments will allow for greater flexibility in both governance and models of care, including that the centre's directors may also be involved as supervisors and that registered nurses can also work in a supervisory capacity, as recommended by the Hamilton review. The bill also proposes

improvements to protocol management, better clarifies the centre's relationship to planning legislation and updates the act's wording to reflect the program's proposed ongoing operations.

Providing it passes this place and receives royal assent, the proposed amendments will commence by 28 June this year. This bill requires that a ministerial review begin by mid-2028, addressing the centre's aims and operations as well as recommendations for any further relevant amendments. This will be tabled in the Parliament as soon as practicable afterwards, and I look forward to speaking on it again. At the heart of this bill is our community and every single one of its people. I commend the bill to the house.

Annabelle CLEELAND (Euroa) (15:24): I rise today to speak on the Drugs, Poisons and Controlled Substances Amendment (Medically Supervised Injecting Centre) Bill 2023. The purpose of this bill is to amend the Drugs, Poisons and Controlled Substances Act 1981 to provide for the ongoing licensing of the operation of a medically supervised injecting centre. Alongside this main purpose is the ability in this bill to provide that more than one medically supervised injecting centre licence may be issued but no more than one such licence can be in force at any time.

As with many of the workings of this government, we are debating a bill that raises questions about accountability and secrecy. Under the principal act, the trial of the North Richmond injecting centre will cease at the end of this financial year. This is the second trial period of a medically supervised injecting centre. We have seen both the Hamilton review in 2020 and the Ryan review last month conducted into the current operations of the injecting centre. The full Ryan review has not yet been released by the government. Both reviews have unsurprisingly found the injecting room has not improved the amenity of the North Richmond area, and its proximity to a primary school is something that I know many people have deep concerns about. Publicly we have been informed that the Lay review has been seen by the government – well overdue – and has been sent to back to Mr Lay to do more work on in relation to drug use patterns around the city. The government refuses to release any interim report despite the alcohol and drug sector and CBD traders understandably seeking overdue information as soon as possible.

In terms of treatment for addiction, the Nationals are of the strong belief that more needs to be done. The member for Lowan put together some strong policies before the last election around mental health services and drug treatment, including important reform to establish Australia's first hydromorphone treatment program for heroin addiction and to open 180 withdrawal and residential rehabilitation beds across six sites, predominantly in regional areas, with some next door to the Euroa electorate in Shepparton. I also know she has completed extensive consultation with the alcohol and drug sector in preparation for this bill before the house. The member for Lowan will be at the Seymour expo next weekend if anyone would like to discuss her extensive consultation in more detail.

Recently the Nationals hosted the Victorian Alcohol and Drug Association (VAADA) at Parliament – the peak body for funded alcohol and other drug (AOD) services in Victoria. Their presentation was incredibly informative and devastatingly alarming. We see that right across regional Victoria the rate per 100,000 people for ambulance attendances relating to substance use is significantly higher than in Melbourne, and this is the same for hospitalisations and alcohol and other drug treatments. The national wastewater drug monitoring program showed that regional Victoria rated first nationally for ketamine and second for heroin and oxycodone. Thankfully in 2021 we saw a sharp reduction in the fatal overdose rate in regional Victoria. We have seen the number of people waiting for treatment increase dramatically, and as of 2021 Victoria had the second-lowest rate of residential rehabilitation beds in the nation.

There are some significant issues in the alcohol and drug treatment sectors that will not be alleviated by safe injecting rooms in the CBD. In regional Victoria there is continuous struggle to recruit experienced workers for what can often be a demanding but immensely rewarding job. We have large distances between treatment options, and there is no equity of access to crucial treatment across the state. VAADA has made some key recommendations to support regional communities, including the

investment of an interim sum of \$10 million to enhance services and access, implement incentives to recruit and retain a rural workforce and resource AOD agencies in disaster-affected areas, with a 20 per cent increase to existing funding levels to support increasing demand over three years.

In my electorate we have seen significant impact from the October floods. This ranges from Seymour to Heathcote and Murchison and plenty of smaller communities in-between. People in these communities certainly need an increase in mental health support. We know the correlation between poor mental health and addiction, and flood impacted towns are still doing it tough with the ongoing recovery efforts. I am sure everyone in this chamber is of the belief that we need to do more to support people battling addiction. We need new solutions to difficult problems.

While the jury is still out on safe injecting rooms in many respects, there is something that troubles me greatly about the location of the current licensed facility. Injecting rooms have proved effective in some jurisdictions, including Sydney; however, our legislative framework is different to what is seen north of the border and in a global environment. No other injecting room is located next to a primary school, and there is absolutely no need for this to be the case in Melbourne. In New South Wales legislation gives consideration to the visibility of the premises, public safety and the proximity of the site to schools, childcare centres and community centres.

The North Richmond injecting room's opening has seen a substantial increase in drug-related activity within the school's immediate area. Some of these incidents have been widely reported, including sex acts, the wielding of a machete, drug injecting and dealing, needlestick injuries and even a dead body on the medically safe injecting centre grounds, in full view of students as they came to and from school. As a parent I would be incredibly angry and disappointed if a facility like this was opened next door to where my children attended school. There is no need for this. It is for this reason that I am in support of the amendment moved by the member for Lowan to ensure that legislation aligns with that which is seen in New South Wales, ensuring the centre may not operate near schools, childcare centres and community centres. In addition to this, the amendments include criteria to measure eligibility of a licensee to be a fit and proper person, including that someone with a past drug conviction must not be deemed eligible. Importantly, provisions should be included to ensure that the review period aligns with the period of licensing and must be completed before any licence is issued or extended, that the review must include community consultation and that any review must be published in full prior to a licence being issued or renewed. These are simple measures to ensure accountability and transparency and maintain confidence in the operation of an injecting room.

I want to stress that I am certainly not opposed to greater access to alcohol and drug treatment. Like many in this chamber and the broader community, I have experienced firsthand through my family the often devastating challenges, complexities and isolation that comes with loving someone with drug addiction while navigating the fractured and grossly underfunded drug treatment system. My firm belief is that we should be doing more to implement harm minimisation strategies, and the purely punitive treatment of drug use is not fit for purpose in a modern society. In saying this we must remember that the impacts of addiction should not be felt by students and families in a place like North Richmond. An injecting room should be placed in a suitable environment. It is just common sense. It is standard practice across other jurisdictions, and I hope the government can understand the importance of supporting our amendments.

While on the topic of mental health and addiction and the budget creeping up in a couple of months, I would like to take this opportunity to talk about the incredible work of the Tomorrow Today foundation in Benalla, who continue to do extraordinary work in this space across the north of my electorate. Late last week I met with a woman who had battled addiction throughout her life and had benefited from the crucial work Tomorrow Today continue to do. They provide support to families and youth and have supported so many locals who are negotiating challenges with addiction, many of whom may be doing so while raising a family or being placed under a multitude of traumas or stressful events in their lives. Their funding expires in the middle of this year, and I hope the Treasurer will come to the table and continue to invest in this crucial local service. Mental health and addiction is complex. The model

Tomorrow Today use to support families and youth across the region is innovative and highlights the multifaceted approach that is required to improve health outcomes for people who are going through incredibly tough times. I hope the advocacy of the community to maintain Tomorrow Today's funding is acknowledged by the government and provided in this year's budget.

Paul HAMER (Box Hill) (15:33): I too rise in support of the Drugs, Poisons and Controlled Substances Amendment (Medically Supervised Injecting Centre) Bill 2023. As has been stated by previous speakers, the primary purpose of this amendment is to amend the Drugs, Poisons and Controlled Substances Act 1981 to provide for the ongoing licence of the operation of a medically supervised injecting centre, specifically in North Richmond. I know that this debate is one that is uncomfortable for many across our community. Drug addiction in all its destructive forms is distressing and confronting. It wipes out livelihoods and robs people of their future, their health, their happiness and often their basic dignity. It exposes them to a range of other adverse outcomes such as domestic violence, physical and sexual abuse, homelessness, unemployment and poverty. Families go through hell when a loved one, more so a child, suffers from an addiction, and heroin abuse is a particularly acrid type of addiction. Comparatively it is a cheap and accessible drug. It is highly addictive and consigns the user to a miserable existence of chasing a desperate habit, which many times has to be funded through criminal activity, but that is a hard reality for thousands of Victorian families.

The objective of the government and our health authorities is to save lives. It should always be based on medical research, data and evidence. That was our approach during the pandemic, when we worked tirelessly to keep Victorians out of the ICUs with the advice from the chief health officer and his team, and we must apply the same approach to save the lives of our fellow Victorians suffering from addiction – evidence, data and research.

Everyone agrees that illicit drugs are a scourge. Everyone agrees that the production and distribution of illicit substances should be punished appropriately. But jurisdictions all over the world would also acknowledge that in a complex world legal prohibition unto itself is not a solution to save lives. The data bears out that health-led policies deliver greater positive social and economic outcomes compared to traditional justice approaches alone, and if we accept that fact then we must not turn away from such solutions. We cannot allow such a serious and complex issue as heroin addiction to be pushed back down those dark alleyways and out of the light again to where people die, and the simple fact is that the medically supervised injecting room in North Richmond has saved lives.

I want to thank the member for Melton for his contribution and describing firsthand his experiences of what he saw when he was on the job as a paramedic, and as someone who did live in Richmond for quite a few years a couple of decades ago I know that around that area of North Richmond it was not all flowers and parties down Victoria Street and surrounding the housing commission in that area. Every day you could walk past and see the impacts of what had happened, sometimes the previous evening. The supervised injecting room provides a safe and controlled environment for those with heroin addiction, and critically it provides and enables access to referrals and links to other support services, including social, general health, housing, women's and Aboriginal support services, to name a few. It is important to remember that the supervised injecting room is located at the site of the North Richmond Community Health centre, which has provided for decades community health care to the most vulnerable people who live in North Richmond. It is located there for a reason, because it is next to the housing commission towers in North Richmond, and it is enabled then to provide that wraparound service.

It is clear that this service has saved lives. An independent review of the injecting room led by Professor Margaret Hamilton in June 2020 after 18 months of operation confirmed the facility had at that time saved 21 lives. It found that the service had managed 3200 overdoses across 119,000 visits. A subsequent review led by Mr John Ryan also confirmed that the injecting room had been successful in its central objective of saving lives. To date 63 lives have been saved – that is 63 Victorians who would otherwise have overdosed and no longer be with us who have been saved. The families of all of those 63 people have a loved one with them today. Six thousand overdoses have been managed

with zero resultant fatalities, and there have been over 300,000 supervised injections since the trial began. I do want to thank and give a shout-out to the staff for their amazing work at the North Richmond Community Health centre and the supervised injecting rooms, for all of the work that they have done.

I just want to also reflect a little bit about the direction that the debate has gone here. I think observers might look at it and say ‘Well, it’s really just a debate about location’, but if they look at the history of the debate it is pretty clear that the opposition has never really supported the idea of a supervised injecting room. That is quite interesting because when there was a parliamentary committee inquiry into the establishment of a supervised injecting room back in 2017, which I believe was in fact chaired by a member of the opposition at the time, the committee report supported the establishment of a trial of a supervised injecting room. But then when the legislation came in, that was voted against by the opposition. Subsequently the supervised injecting room was opened in North Richmond in 2018, and as the member for Laverton said, much credit for that work should be given to the previous member for Richmond, Richard Wynne, and his very strong advocacy for the establishment of that centre.

But in 2018 in the lead-up to the election, the opposition leader came out very strongly saying they would shut down the medically supervised injecting room should they be elected. Within a week of being elected, that was the commitment. As the member for Mordialloc has reflected, there were signs at many polling booths warning people to stop Labor’s medically supervised injecting rooms. That was the slogan that they took to the 2018 election. I think, wisely, some of the Liberal organisers out in Box Hill, given that pre-poll was located right in the heart of the Box Hill medical and health precinct, realised that that message probably was not going to be well received. They reversed the corflute and just put in a more generic anti-Labor message, but their position was clear about what they intended to do. And then we come to the 2022 election, prior to the 2022 election.

We are here today about the location. The problem with the supervised injecting room is its specific location, but if you compare it to Sydney, the Sydney location is in a strip of shops which happen to be right opposite the entrance to the Kings Cross railway station. Maybe you would say, ‘Where should that be located?’ Clearly there is an extant issue in North Richmond; maybe it should be on Victoria Street. But no, the Liberals again said that there would never be any supervised injecting room in North Richmond. For these reasons, I commend the bill to the house.

Jade BENHAM (Mildura) (15:43): Today I rise to speak about the reasoned amendment from the member for Lowan to the Drugs, Poisons and Controlled Substances Amendment (Medically Supervised Injecting Centre) Bill 2023:

That all the words after ‘That’ be omitted and replaced with the words ‘this bill be withdrawn and redrafted to prevent a medically supervised injecting centre from operating in near proximity to schools, childcare centres and community centres’.

I am a very practical person and a very commonsense person as well, and surely this makes sense to everyone. I am also a mother with primary school aged children, so I obviously have very strong feelings about how I would feel about an injecting centre next to my children’s school.

My main concern with this bill, as we have all said, is not the injecting room itself. We all know that those suffering from addiction need support. Obviously they do and more needs to be done. It is more about the location and amenity, being next to a school, rather than the service itself. As the member for Mildura too I would like to highlight what we agree on: that drugs and death from drugs are both a huge issue and have been a huge issue for a long, long time and that there will continue to be potentially preventable deaths from drugs. But it is not just a problem in the city. This is a problem right throughout regional Australia, right throughout regional Victoria and of course in my electorate in Mildura. In the past, Mildura has had the highest rate of suicide of any regional Victorian local government area and the misuse of substances has been found to be a contributor to this.

Last year, after lobbying since 2014 by the Nationals, the government committed to building an alcohol and other drugs rehabilitation and withdrawal facility in Mildura. The members of the AOD alliance are working extremely hard, and I have met with them on several occasions. They are working so, so hard and they are so passionate about the work that they are doing to bring this to fruition. There are some challenges based around location and other things. Unfortunately, we cannot just go and buy a building in Flinders Street and set up shop, nor can we provide an off-the-shelf solution for the Mildura community. But the alliance are working tirelessly to have that bespoke local solution that will yield real-life outcomes and actually save lives, save families and reduce the crime rate – all of those other benefits that come with helping those that are suffering addiction.

I have actually had an influx of really anxious and concerned residents contacting my office recently because of the crime rates. We saw the crime data come out last week. Mildura unfortunately had increased 11.2 per cent since the last data sets, and that is incredibly alarming. We all know the connection between drug addiction and crime. I have met with the local constabulary on several occasions, and we have started to formulate a plan of attack that I am hoping the government will work with us on to create, again, real-life, practical solutions on the ground that can really change the lives not just of those that are committing the crimes but of the whole community that are being affected by it. It is no surprise that crimes related to drugs are one of the biggest offences; they are both the offence and the cause. When our AOD rehab and withdrawal facility is functioning to the best of its ability in Mildura, I am confident that not only will death by suicide and overdose rates drop but so will our crime rate, which is one of the highest in the state.

Being regional and remote, accessing help and support when you are suffering from addiction so far from a medically supervised injecting centre like North Richmond is just another challenge that regional and rural Victorians need to overcome – and it is a very real challenge. It can mean leaving family and friends, and that is not just for a day or two, because it takes a day to get there and a day to get home; it can be for long, long periods of time. For most this is either impossible or completely unimaginable, and if these people do not get the help, their addiction continues and they continue on a downward spiral – and that is not what anybody wants.

I am going to share with you a story. Adam Thomson is a talented cricketer, a talented footballer, a friend to many, a brother, a son, an uncle and a very well-respected community member, and he manages a successful business in Mildura. Adam also nearly lost his life to an addiction to drugs. Along the way, self-admittedly, he was deceitful; he stole from those he cared for to feed his addiction. His family and friends luckily intervened after Adam attempted to end his life, and fortunately he was one of the lucky ones – the very lucky ones. Adam was in a position to make that 540-kilometre trip to Melbourne to admit himself into a 28-day program – 28 days away from his community, his family, his home. It cost the then 24-year-old and his family \$10,000 a week to partake in rehabilitation. Can you imagine – 10 grand a week. But you cannot put a price on a human life.

Adam told me that rehab in Mildura is so vitally important so people can stay close to home and family support while they go through their recovery. I have also been speaking to a lot of our community Aboriginal elders who tell me that the ability to be treated on country, with family close, in family units, is the only way that members of our Aboriginal community can and will be treated. Adam said it would have made things so much easier having the emotional family support around him while he went through that rehab as well. As you can imagine, 28 days while you are going through that trauma – and it is trauma – must be horrific.

Fortunately this Saturday will mark eight years that Adam has been clean from drugs, and it has been his determination and his will that have seen him beat it. Well done, Adam. You are a champagne human being for allowing me to share your story. But his recovery has been due to the fact that he was in a position to access the support to assist him in his recovery and to travel to the city to do it. Imagine the difference we could make, the lives we could save, if this rehab and withdrawal facility promised for Mildura was made a priority and we could move things along, allowing our local community to have more involvement with its development.

The length of time and the care in choosing the correct location for Mildura's AOD facility are amazing. They are really taking their time. There have been many discussions. Like I said, the alliance and the committee that are working with the building authority on this are working tirelessly, and they are so passionate about it. I believe that the same consideration should absolutely be given to medically supervised injecting rooms, now and into the future, which is why I support this reasoned amendment from the member for Lowan. It just makes sense.

As my colleagues the member for Lowan, the member for Kew and the member for Euroa have all said, those suffering from addiction obviously absolutely need our support. Absolutely they do; that is not the issue. It just needs to be in the correct location, not next to schools, childcare centres or community centres. So I am more than happy to support the member for Lowan in her reasoned amendment.

Will FOWLES (Ringwood) (15:52): Boy oh boy, we have had some cognitive dissonance from those opposite today. I want to thank the member for Mildura for her contribution and indeed for her spruiking Labor's investment in the Mildura area. That is a very, very important investment, some \$36 million to establish a 30-bed alcohol and other drugs treatment facility in Mildura. It is nice when every so often you hear investments and projects and ideas of the government quite properly acknowledged by those opposite. It is refreshing. I cannot say the same for their Liberal colleagues, though, because their Liberal colleagues – boy oh boy, have they been outrageous over the course of this debate.

I will start with the member for Kew, who, apart from exhibiting great panic about users of the 109 tram perhaps knowing people who knew people who saw people who might have had someone on the tram who may perhaps have had some distant, tangential connection to a supervised injecting centre, made a range of claims that frankly do not bear scrutiny. We have made a very, very large investment into tackling alcohol and drug abuse, an investment of \$2 billion since 2014 – \$2 billion. We have doubled the number of residential rehab beds. I think much was made of the suggestion that there was a lack of willingness by the government to make those sorts of investments. Nothing could be further from the truth. We have increased withdrawal beds to 148 and we have implemented the *Ice Action Plan* and the *Drug Rehabilitation Plan*.

The politics of this are just so fraught for the Liberals, because in 2018 they shamelessly went out to polling booths right across the state of Victoria with corflutes saying, 'Ban the Andrews government's ice and heroin drug injecting rooms'. They used doctored photos and campaigned shamelessly on the issue. It was just absolutely appalling. It was shameless, and of course they are still against it. This is all about moral panic. It has got nothing to do with saving lives, and the saving of lives is what drives this government. I have to say this is yet another example of the coalition not using evidence-based policy, of choosing to turn their backs on the science.

Whether it is on climate change –

Members interjecting.

Will FOWLES: So Waldorf and Statler are frothing at the mouth over here, but in all seriousness, if I can get a word in between the two numpties to my right, the extraordinary lack of respect for scientists runs deep and broad in the coalition. It does not matter whether it is on climate change, it does not matter whether it is on vaccines and it does not matter whether it is on safe injecting centres, the reality is this lot have no compunction at all about turning their backs on reason, data, science, research and methodology, not to mention decency. They have no compunction whatsoever about turning their backs on all of that. Instead they simply bow to the craven politics of demonising those going through the very, very worst of times.

There were also some issues raised by the member for Richmond. I appreciate that this centre is in her electorate, but I what I would say is that I used to live right near it for quite an extended period of time. There was always a community health centre in the location of the medically supervised injecting

centre (MSIC), and there has always been a drug problem in this precinct for as long as I have been an adult and have been living in or near Richmond. I was down there as well. I have called ambulances for people suffering overdoses on the streets of North Richmond. I have been there assisting with resuscitation activities. It is enormously confronting, and that was all in the pre safe injecting centre era. The safe injecting centre has saved lives. That is the reality; that is what we are here about today. It is not about demonising those who suffer from addiction. It is not about creating a sense of ‘Well, these centres shouldn’t be anywhere near people. Let’s stick them on an industrial estate, shall we, where no-one naturally is.’

I have been to the community health centre there. There has been a community health centre in that location for decades. There has been drug use in that location for decades. The reality is that only 6 per cent of people using the MSIC service in North Richmond for that purpose were there for that purpose alone. Most people were there for other purposes: because it is the community in which they live or it is the place where they habitually purchase drugs, or for social connections – a whole range of other reasons. So you simply have to put these facilities where they are most required.

The coalition have been jumping up and down about its proximity to a school. Well, is it really preferable to have unassisted drug use and overdoses next to a school or a service providing a pathway out of the misery of addiction? That is ultimately the choice that we face here, and those opposite seem once again to be bowing to the most craven instincts to seek to politicise this issue and to make it about ‘Oh, you know, it’s about safety for our kids.’ Well, what could be more unsafe for kids than having people overdosing on the street? Six thousand overdoses have been carefully managed in this facility and 63 lives have been saved. In the context of any investment those numbers are stunning and particularly in the context of an investment into an area – by that I mean a policy area – as difficult as this one.

I have the great misfortune today of having my speech cut into two portions. I will come back after the matter of public importance to talk a little bit about my great friend the former member for Richmond, Dick Wynne, and all the magnificent work he did in getting this facility up. But I do, before the MPI, want to say that we have invested \$200 million to improve safety and amenity right throughout this precinct – new playgrounds, futsal pitches, lighting, landscaping, community rooms and additional CCTV. There are many, many things that have contributed to the positive outcomes for that community that this facility has delivered and will continue to deliver, and I will say more right after this break.

The SPEAKER: Order! The time has come for me to interrupt business for the matter of public importance.

Business interrupted under sessional orders.

Matters of public importance

Public transport fares

The SPEAKER (16:01): I have accepted a statement from the member for Niddrie proposing the following matter of public importance for discussion:

That this house notes the Andrews Labor government’s public transport regional fare cap policy for regional Victorians, further noting that:

- (1) the regional fare cap for regional Victorians will be the same as the metropolitan Melbourne price;
- (2) fairer regional fares will help many Victorians with cost-of-living pressures;
- (3) fairer regional fares will encourage more Victorians to connect with family and friends by reducing the cost of travel between regional Victoria and metropolitan Melbourne;
- (4) regional tourism and businesses will benefit from the flow-on effects of cheaper travel into regional areas;
- (5) investments of nearly \$1.5 billion to build 59 new VLocity trains since 2015 are transforming our regional network and creating good quality jobs right here in Victoria;

- (6) the government has also committed to 23 new VLocity trains, securing hundreds of jobs over the next three years across the supply chain, and supporting passengers heading to the west of our state;
- (7) an extra 800 services have been added onto the V/Line network since 2014 and a further 200 weekend regional services have been committed to which will further benefit regional passengers; and
- (8) under alternative proposed policies, regional Victorians would be facing cuts to services to keep the system operational.

Ben CARROLL (Niddrie – Minister for Industry and Innovation, Minister for Manufacturing Sovereignty, Minister for Employment, Minister for Public Transport) (16:02): It is my pleasure to speak on this matter of public importance. At the outset can I say I feel very proud to be the Minister for Public Transport, and I congratulate the member for Polwarth for being here after his elevation to Shadow Minister for Public Transport, because it is a great portfolio where you literally get to change lives with transport equity and help everyday Victorians get to school, get to work, get to TAFE and get to medical appointments.

I want to give a shout-out at the outset to the wonderful staff that work at the Department of Transport and Planning and to all of the train drivers, the union representatives and the V/Line staff, because with this election pledge we made for cheaper fares for regional Victoria to match metropolitan Melbourne, often a pledge like this would take four years to implement. The Victorian government, the Andrews government, never wastes a minute, and we are doing this pledge in four months. It is incredible, and that is the work of hardworking public servants that get up every day to help people get to where they need to get to. So I am very proud as the minister that we have been able to do this.

It is really important, though, to just reflect on the last election too, on 26 November, because Victorians did place their faith in our government for a third term to continue the track record of investing in transport and to continue the track record of not wasting a minute. To think that we have done this in four months – I am very proud of that, because in many jurisdictions right around the world it would take many, many months to do it, if not years.

If you think about this government and this state and what stands out when you think about the pandemic, we were one of the few jurisdictions right around the world that continued to support public transport right throughout the pandemic. New South Wales went to Sunday trading hours for the public transport system. The public transport system in the United Kingdom literally fell into a heap and was taken over, taken back, by the government. This government, the Andrews Labor government, has supported public transport because we see it as an essential service that helps essential workers get to where they need to get to, whether they are medical professionals, health professionals, nurses, doctors, et cetera, et cetera, and we are very proud that we have been able to do that.

Only recently I was at a dinner with staff from Metro and with union representatives as well, where we acknowledged people that have worked for Metro Trains for 50 years. It was incredible. I am not talking about just one person who had worked for Metro Trains for 50 years, I am talking about many, because that is the fulfilment they get out of their role and their job by going to work every day to help people get to where they need to get to every day.

We have heard a lot in this place about cost of living over the past couple of days, but to be frank we have heard this for a lot of reasons, and understandably: interest rates are going up, grocery bills are going up, HECS debts are going up, petrol is going up. Cost of living – no-one can escape that it is a very, very important issue out in the community, and one of the best things that this government is doing is tackling that issue of cost of living through the regional fare cap. This will not only mean it is going to help people put more money in their back pocket but it will mean, Speaker, for someone in your own electorate of Bendigo, that they can literally travel from Melbourne and with the saving they get – for example, Bendigo to Melbourne can cost up to \$68.80 but is now going to only cost \$9.20; you have almost got a saving of 60 bucks in the back pocket – they can spend it at the lovely Bendigo Art Gallery, the Bendigo cafes and all of that. So it means a lot, and that could go right through Ballarat,

Geelong, right around, so what it means is every corner of this state benefits. I think that is the great part of this.

But being the government that we are, again what we have done is even make sure to get through the technicalities at the border communities. So if you are going to Deniliquin, if you are going to Albury – all of these things – 60 kilometres over the border in South Australia, 60 kilometres over the border in New South Wales, you will still qualify for the regional fare cap, because we want to make sure that it is a success and you do not get hooked up on any of those other issues. There is a New South Wales election coming at the moment, and already both sides of politics are coming out looking at different types of regional fare caps for their policies. Chris Minns himself has been down to Victoria to look at how we do transport, so there is no doubt that in Victoria when it comes to transport, when it comes to public transport, when it comes to running the system – rolling stock, our fares – we are the jurisdiction that everyone looks to for how to do things and how to improve things. We are very proud of that.

I did mention Bendigo, Speaker, because you are obviously in the chair, but Ballarat – \$45.60; to go to Shepparton, \$53.60. Can you imagine if you are doing that four or five times a week? If you are spending nearly \$70 a day going from Bendigo to Melbourne, that could be 350 bucks – that is a lot, a full car registration essentially on public transport. This policy gets rid of that unfair surcharge that has impacted regional Victorians and makes a big, big difference, so we should be very proud of that. I can see the member for Lara is in the chamber too, and I am just looking here: Geelong to Melbourne costs up to \$30 and can take about an hour – \$9.20. That is a massive saving there for the community of the member for Lara, so we should be very proud of that, and it is going to make a big, big difference.

I would also like to just talk a little bit about what it means, though, more broadly. I know the member for Melton is in the chamber too. You have got the regional fares at \$9.20. When I was with the Premier we made this pledge up in Ballarat. We have also announced that we will provide an extra 200 services on all of our regional railway lines, across them, beginning in 2024 – importantly, member for Bellarine, beginning in Geelong. That will be a really important announcement, because places like Ballarat, Geelong and Bendigo should all be having that 21st-century public transport experience. But what is so, so important is you have got to remember that to get to Bendigo, to get to Ballarat, you are actually going through electorates like the member for Melton's. This could mean a really important benefit, so as part of this pledge we are bringing on 23 VLocitys. To retire those old classic fleet trains that are costing the government anyway so much money because they need maintenance, they break down, they do not have the modern USBs, they do not have the bike racks, they do not have all the modern comforts. So you get rid of the old classic fleet, you bring in the VLocitys. They run more smoothly; they do not have breakdowns. They have got the better quietness, the air conditioning, the USBs, the bike racks.

We are forecast to bring in 23; 13 of them are envisaged to go on the Geelong and Bacchus Marsh lines, which will be really important, but on the Melton line as well there will be 10. That is really important reform that benefits all the regions, coming right through the outer suburbs to metropolitan Melbourne, so we should be very proud of that. Other services that we are looking at are Seymour, Shepparton, Traralgon, Warrnambool – we are going to have a big job recruiting train drivers. There is no doubt about that. When you think about the regions, you think about bringing this in time for not only the term 1 school holidays but also the Commonwealth Games, which is going to be a massive boon for regional Victoria. Then to think you are going to get to the Commonwealth Games for literally, whatever it be, a very small price, and obviously I will work closely with the Commonwealth Games minister on how we make public transport embedded as part of the Commonwealth Games, that we have the bus connections and the on-demand transport that we know will be so very important. I did speak about the importance of our cross-border communities. We do know that they are very important, and I am very pleased that we have been able to support them as well.

The other thing I think goes without saying, and I will not spend a lot of time on this, is that those opposite did have a policy at the election of \$2 fares. I for the past couple of days have been dealing with questions like, 'How are you going to deal with overcrowding?' I have been explaining, 'We're

at about 79 per cent currently on the V/Line network, so we have capacity. We're bringing on another 200 services next year. We're also bringing on new rolling stock, so we believe we have the ability, the capacity, to make this a really big success.' Then I say to the journalists, 'Did you have a look at what the opposition policy promise was at the last election? Half-price public transport in regional Victoria and \$2 fares in metropolitan Melbourne.' They say they are the party of financial responsibility, but as the public transport minister I know what that would have cost the state – literally millions and millions of dollars in compensation, because there is no way in the world that people would have been able to get on the train. If they got on the train, they would have been sitting on the floor. I do not know if the drivers would have been passing all stations. Can you imagine the overcrowding of \$2 fares? It is actually unheard of.

To the credit of this government, they came out with their policy – we have been working on our policy for years – and we said, 'No, we're not going to change tack. We're not going to be silly and match something that's completely financially irresponsible and will only drive public transport the wrong way.' We are very proud of this. I am very proud of what we have been able to do. I know it is smart. It is measured. It will not lead to the issues that the opposition policy would have done. It has been roundly endorsed by the Victorian community. I think I have had probably more emails on the regional fare cap than anything else since the state election – 'When's it coming in?' Indeed, the shadow minister's office has emailed me a couple of times with a few queries on it. I will not read those out today, in fairness to the shadow minister. That would not be fair to him or his office. But needless to say every corner of the state will benefit from the regional fare cap. I am very proud of it.

The Premier and I were down at Southern Cross station only yesterday, and it was great to be greeting people coming off the V/Line trains with the Premier – to be there on the platforms but, more importantly than that, to go and speak to the people that work for V/Line in the ticket booths. I spoke with Stuart, who worked in the ticket booth. He had only been with V/Line 14 years, and I said to him he was only just starting out, because most people I meet with V/Line have been there 25 years. They are multigenerational, because they just love the railways and love the customer service part of it. But V/Line staff are so, so excited about the regional fare cap. I think it has been an important election policy. As I said at the outset of my speech, to think that we are getting to do this literally within four months is a credit to everyone that works in the public transport system. It is going to be a real boon for regional economies. It is going to be a real boon for jobs, \$1.5 billion for 59 VLocitys. We promised 59; another 23 are being procured – literally billions of dollars going into rolling stock.

The VLocity trains, member for Melton, take about 21 months to manufacture. They are manufactured right here in Victoria in South Dandenong with an important maintenance facility in Ballarat. The way we do rolling stock in this state is something we should be very proud of. We know the opposition did not quite get their rolling stock agenda together when they were last in government. In fact the ACT government, as you have known me to say, had a bigger rolling stock agenda and they do not even have a train service. But that is what happens when a conservative government is in power. Yes, that is what happens. It is hard to believe, but the ACT government had a bigger rolling stock agenda than the Liberal government when they were in office, and we happen to have the biggest tram network in the world. You would think you would put an order in for a tram, at least – just one single tram – but no.

We are very proud of this policy, and to know what we are doing through rolling stock – the VLocitys, the refresh, every corner of the state benefitting – literally it is about rolling out the purple V/Line carpet to regional Victoria and making sure Victorians spend the money where they need to and invest in their local communities, because we know that cost of living is a big issue, Speaker. Your constituents would be talking to you about it. I know you have even spoken to me directly about this policy – when is it coming and when can I tell my local community about it? Well, literally bookings have opened for everyone to book their favourite seat on their favourite V/Line carriage. Booking services are open. It is coming now; it is less than 10 days away. The 31st of this month is going to be a big day. I am excited in anticipation. I am certainly looking forward to being on one of the first trains at \$9.20, an equal amount to metropolitan Melbourne. When you think about transport equity and that

everyone has the right to a seat, as Rosa Parks said so famously many, many years ago, everyone has the right to a seat on a bus no matter who you are, no matter what your wallet is and no matter your skin colour. Everyone has the right to public transport. Everyone has the right to a seat on the V/Line service and people in regional Victoria should not be unfairly charged a surcharge simply because they may go from Melbourne, or from regional Victoria to Melbourne, and pass through a certain point on the kilometres where they are given a surcharge. I thank the Victorian public for showing their faith in us delivering this policy.

Richard RIORDAN (Polwarth) (16:17): I thank the minister for his kind words at the start of his address this afternoon on my new role in public transport. It has been an interesting start to a new portfolio, because it is interesting listening to the minister and looking at the service he oversees with such rose-coloured glasses on. I am glad in his own mind he thinks he is doing a good job and the government is doing a good job, because I am happy today to address some of the issues in his matter of public importance. Yes, while there would not be a person I think in the state that will not thank a government for lowering the price of something, that is an easy win. We went to the election and we were out of the blocks very early with a great policy for regional Victoria. The minister has told us today that he had been working for four years to come up with a cheaper fare policy for regional Victoria, but it took him about 20-odd days after we announced something to come up with a similar sort of policy.

But the most important thing that the minister has not talked about – this is actually one of the great things this government has been very good at; they love to tell the community what their big-picture spend is and how much money they might be going to save them – and they do not ever want to talk about is the level and quality of service that they deliver for what they say they are spending. I will take a train ride down the line that I am familiar with, and that is the Warrnambool line. That is just one example, and of course with the level of feedback I am getting from other regional Victorians about their level of service it will be a similar type of story. The minister talks about this boom in tourism that we are going to have from the \$9.20 fares, and I would say to the minister: Minister, if you were travelling to the country because you wanted to go to a concert like A Day on the Green at Waurin Ponds or you wanted to come through to the Port Fairy Folk Festival or you are going to call by the Kana Festival in Colac or enjoy one of the many visitor experiences you might have down the South-West Coast – you might even want to go and see a sunset at the Twelve Apostles – you would probably have to think once or twice about whether you would bother taking the V/Line service, because regular commuters will attest to the fact that its reliability is ordinary at best. Our stations are rarely manned and supervised by staff to look after customer needs and wants.

For example, the train station in Colac shuts at about 4:30 in the afternoon. There are another three services that people can access, one being a bus service and the other two train services. Now, it is not uncommon for the train to be well over an hour late or longer. Any number of things, not necessarily the government's responsibility, will cause delay. But if you are an elderly person who has been dropped off by a family member or if you are a young person who Mum and Dad have dropped off and you are waiting for the train and it is June, the middle of winter, you will be left outside – no access to toilets; certainly in the case of Colac there is no public toilet within cooee of the train service; it is unavailable – and you will be left on a cold, wet, south-facing train station with very little amenity, no availability of food or water. And you know, this level of lack of service is something the government has done nothing about when it says it is wanting to make the services more attractive.

The government has also made much of the fact that we will be replacing the old diesel loco sets that have serviced the region for a long, long time – and that is a good thing, because not only do they have a massive carbon footprint, they are incredibly expensive to run and they are becoming increasingly unreliable. Our community certainly welcomed it back in the 2018 election when the coalition promised full long-distance VLocity sets, which would have catering and food services available on those train sets. I think the minister has talked of 23 new VLocity services, which will essentially see the food and water and services cut from those long-distance trains. So people getting on the train at

Warrnambool, unless they pack their esky along with all their other luggage, will find themselves without food or water, and if one of the many, many things happens that can cause delays on that journey – car accidents, animal strikes; there are any number of things that will see a train delayed for quite some time – it really raises severe health and safety concerns.

I know that there are already groups along the rail corridor beginning to raise that issue and wondering what the government is going to do about it. If you are a diabetic, if you need to have medication, if through an incidental health concern you need some water or something, what has the government got in place seeing they are now doing away with that? We are not talking about metropolitan services where people are literally 2 or 3 minutes from the next station and could exit the journey if they need to. We are talking about a journey from Warrnambool that is in excess of 3 hours, and on a bad day could be 4 or 5. These are long periods of time to leave people without essential services.

The government has also talked a lot about how this is going to be sustainable – well, the government has not really talked about it being sustainable. The community is asking: is this a sustainable rate cut to the cost of the service? Certainly the independent Parliamentary Budget Office ruled on this not so long ago and said the government's bid to the community at the election was in fact a very misguided one and a totally underfunded one, and we know that over the next 10 years Victorian taxpayers will be paying an extra \$1 billion for this service.

We know that Victoria already is the most indebted state in the whole of Australia. They are going to have to find savings to rein in the excessive and at times wasteful spending of this government, and so country Victorians will be rightly concerned about how sustainable and how long term this service cut is. If it is not, there is only one other way the government will be able to claw back money, and that will be to cut services further. As I said, if you are going to get people using the service more, the service has to get better. Price alone will not drive patronage, and if elderly people and young people are not feeling safe on the service, if they are not reliably being returned and meeting time schedules, then they are not going to use the service.

I guess a way to see the reason the average regional commuter will be concerned about where the government stands in this is just to cut to two really stark examples of this government's ability to manage this – well, three examples actually. The first example is that when we went to the 2018 election the government promised trains, new VLocitys; they then promptly cancelled them in the 2019 budget, took them out of the forward estimates. The people on the Warrnambool line, for example, the line that goes straight through the heart of Polwarth, have been delayed for quite some time, and we are still on the never-never for when the VLocitys will turn up. So there is a record of delivery on this.

We also had a quiet little scandal unfold during the election period and shortly after, with taxpayer money on managing our public transport regional infrastructure. That was around the VicTrack investment into an Eloque joint venture that VicTrack was involved in. That essentially was the department not worrying about getting toilets open on train lines or making sure that the level crossings were always well maintained or in fact that more train crossings were boom-gated and lit and made safe. No, they were trying to become entrepreneurs in new technology to look after bridges.

There was no shortage of advice coming to this government that their folly into entrepreneurial bridge management technology was foolish, not sustainable and not economic, but this government persisted in spending about \$20 million of taxpayers money on this project. They then thought, 'Well, we know better than the experts. We know better than the financiers' – a bit of an attitude that seems common in this government – and they then tried to flog this very poor performing product to the Queensland government. Surprise, surprise. Annastacia up there is a brother-in-arms to this government in terms of Labor and its wishes for the community, but they took that to them and guess what? They came back with their independent auditor and said, 'This is a ridiculous product. We'll never invest in it. We don't want it.' And lo and behold, taxpayers were not saved by good governance in Victoria but

saved by good governance in Queensland, which determined that this was yet another waste of resources and funds for the Victorian community.

The other example I will draw on is that in the eight or so years that this government has been in charge they have talked about a fast train to Geelong. Now, I put the fast train to Geelong, sadly, in a similar basket to talks of monorails and mobile networks that work extensively in regional Victoria. They are sort of fanciful government concepts. Rail experts tell me, and you have got to really think hard to imagine how the government can even continue to progress with this, Victorian taxpayers will be spending about \$4 billion. Billions now, here in Victoria, is sort of becoming pretty easy language to talk about. Everything this government talks about is \$4 billion. It is a bit like the Big Housing Build: \$5.4 billion. There is actually, on the most recent reports, \$2.5 billion spent for 74 extra houses.

Danny O'Brien: How many extra houses?

Richard RIORDAN: Seventy-four extra houses they got with that spend. Well, this is almost on par –

Members interjecting.

Richard RIORDAN: In fact I have not yet spoken to a builder who could be given \$2.7 billion and only end up with 74 houses. Most builders tell me that is actually almost an impossible task. However, this one is almost as good. This is for \$4 billion. We are going to put an extra piece of track between Geelong and Melbourne out in the outer metropolitan area, and for this very fast train to Geelong we are going to spend \$4 billion – I think it is 11 kilometres of track – and we are actually going to increase the time to Geelong by 6 minutes. That will collectively mean that in the 1880s you could get to Warrnambool nearly 15 minutes quicker on a steam train with about another 15 stations than what you will in 2023 with the Victorian state Labor government's very fast train project. I think that is actually an amazing achievement of this government, to have spent so much money for so little outcome.

As I said, I was actually quite flabbergasted that you could spend nearly \$3 billion and only get 74 houses, but to spend \$4 billion on a train line and actually go backwards in time is equally a large achievement. So I would stress to the minister that while he is trumpeting his extra commitment to rail by cutting fares, he has got a lot of work to do and this government has got a lot of work to do to actually give the productivity and the value proposition improvements to the Victorian people and particularly regional Victorians.

In conclusion, in the last couple of minutes I have got, unlike in metropolitan areas, when you go to a regional town as I said you will often arrive late at night, with early morning departures. Most country regional communities do not have extensive taxi networks, public transport networks or bus networks, and Victorians remember that this government has not reformed or updated regional bus services for more than 35 years. Take a regional area like Geelong – and I am sure Ballarat and Bendigo would be similar: they have had enormous growth over the last 35 years, and they have not been able to add to or grow those networks. For example, in Geelong, when we try and connect the various elements of public transport, we have got a ferry coming from Tasmania, we have got a ferry coming across from the Mornington Peninsula, we have got regional trains coming through from the Warrnambool direction and we have got outer towns with bus services, and there is no coordinated effort to mix them up. So if you are coming on the Queenscliff ferry, you know that ferry is going to arrive approximately 10 minutes after the bus leaves to go to Geelong, which means that if you are in a hurry or if you are wanting to plan your journey, you are not really looking at the public transport offer here in Victoria as a viable and a good way to get around unless you have got a lot of time on your hands.

One of the challenges that exists is genuine, true reform to the way we operate public transport in regional Victoria. For example, we still have a situation where we have not tried to bring transport equity. The minister talked a lot about access equity by lowering the price, but what about transport equity? What about a town like Hamilton, for example, which is a similar size to Colac and yet only has two return bus services compared to, say, the six train return services that a town like Colac would

have? Why hasn't the minister actually put some resources and effort into trying to balance out the availability of services, rather than this sort of very loose promise that does not really have a budgetary commitment behind it to lower the cost of V/Line fares?

The opposition will welcome – particularly regional MPs like me and the members for Gippsland South and Narracan – the fact that our constituents will get around more cheaply, but we are worried for them that it will come at the cost of reliability, the cost of safe services and the cost of services that will be sustainable into the future.

Michaela SETTLE (Eureka) (16:32): I am absolutely delighted to rise to speak on this matter of public importance (MPI). Indeed it is incredibly important that this house notes the Andrews Labor government public transport regional fare cap policy for regional Victorians. I am absolutely delighted. This goes to the absolute heart of everything that I care about in this place, which is around regional equity. It has been quite the thing listening to the Shadow Minister for Public Transport talk to us here about this policy when, as we all know, they went to the election first of all forgetting regional Victorians altogether, offering a \$2 fare and then remedying that later by offering a 50 per cent cut, which would see us in regional Victoria pay 20 times the amount of the city people. I have said this before, but the Liberal Party have as many people –

Members interjecting.

The SPEAKER: Order! The member for Gippsland South will come to order.

Michaela SETTLE: called David as they do regional MPs, and that is why they have so little understanding about regional Victoria. I would suggest that this gives them a great opportunity to get on a train, get out to regional Victoria and see what we are all about. I have got a particular offer for you on the other side, because this comes into effect on 31 March, and 31 March is –

Members interjecting.

The SPEAKER: Order! Member for Polwarth, you have had your turn.

Michaela SETTLE: The 31st of March is a particularly auspicious day because it is also trans visibility day, and I am really proud that in Ballarat we are going to be raising the flag in a civic ceremony for trans visibility day on the 31st. So I make an offer to all on the other side of this house to come to Ballarat and help us raise the trans visibility flag – and, guess what, you can do it for \$9. No excuses. I hope to see you all there.

This policy, as I say, really goes to the heart of what I care most about, which is around regional equity. It was an incredible day standing there with the Minister for Public Transport and the Premier in Ballarat when they announced this policy. We were surrounded by the maintenance workers from Alstom and many people that were so pleased to see this policy come into effect. The reason people like this policy so much is that it has a whole range of aspects to it. Of course it is around cost-of-living help, but it is also around regional equity and tourism.

Last week the opposition MPI was around the cost of living. They seemed at that point to be very concerned about the cost of living, so I really hope that they support this policy, which really is a major boon to the cost of living for families in regional Victoria. As the minister has already said, for people that live in Ballarat and travel to Melbourne we are talking about a saving of \$36.40 a day. That is enormous – \$182 a week. I have got some very dear friends who are delighted about those savings, but it is not just about commuters, not by a long shot. This is about families. It is about students. I am the mother of two gorgeous boys who are studying in Melbourne at Melbourne University and I do get a bit grumpy about the regional inequity. Kids in the city stay living with their parents while they are at uni. My boys have to go to Melbourne. Part of the reason they have to pay Melbourne rental rates is because they cannot afford to travel on the train, though I will say at this point it is not that they cannot afford it because I pay for their Myki tickets. So it will be a great saving for me. But I guess what I want to say here is that it is not just about commuters, it is about families and it is about students.

It is about accessing all of the things that we deserve to have access to in the regions. Ballarat has got an extraordinary healthcare service, for example, in Grampians Health, and I am delighted that people across the region can now more easily come and use that service.

I do not want to get caught up on that Ballarat–Melbourne line. There is so much more to this policy. It is about every V/Line service, it is about every bus in regional Victoria so people in the township of Meredith can now get to Ballarat and use the TAFE, the wonderful Federation University, the Grampians Health services. It is, as I say, really around an equity piece, but it also brings so much into places like Ballarat. Federation University is a wonderful university, and I am very proud of it. It has one of the highest first in family to go to university and this means that people in further afield electorates can come and use those wonderful facilities. Of course it will bring tourism to Ballarat. In my electorate I have the amazing Sovereign Hill and the Eureka Centre, and I hope to see lots of people come from across all of Victoria to enjoy those things. There is the ChillOut Festival and again I would invite those from the other side to get on a train and get to the ChillOut Festival next year and see what real inclusivity looks like. There is the Western Bulldogs playing at the Mars Stadium and the Commonwealth Games. There are so many reasons to travel.

Something that underpins most of the things that we think about on this side of the house is jobs. We care about working people. That is why we were created, and we will always put working people first. What is fantastic about this announcement is it is not only great for regional Victorians but great for manufacturing workers. Ballarat is a very, very proud train manufacturing town. We have Alstom and UGL and they continue to get work through this government. More than 250 people will be employed on the factory floor at Alstom in Dandenong and, closer to my heart, more than 100 workers across the maintenance sites in Ballarat.

The opposition are pretty quick to criticise, but it is pretty extraordinary when you look at the actual facts. We have doubled annual spending on regional rail services since we came to office in 2014 – we have doubled them. I know that the wonderful member for Ripon will have more to say on this, but many of you in this house know how I feel about the Kennett government ripping trains out of Ararat. I saw what it did to my home town and it was terrible. I can only say that I am very glad that we now have a representative for Ripon who is someone who cares about the region and not just their sneakers. They are there to look after the people of Ripon. Of course it was a Labor government that put that train back in.

As the minister did, I too would like to thank everybody that has been involved in putting this policy together. As he pointed out, this can take years and years to develop, and it is incredibly important to have this regional equity get out to the regions as soon as possible. I do thank the minister, I thank his department and I thank every person in V/Line who has worked so hard to get this done so quickly. As an aside, I was delighted to hear about the border communities in my role as Parliamentary Secretary for Regional Development, and I am delighted to be working with the cross-border commissioner. It is something that we really need to keep at the heart of all of our policies, and I am delighted that the minister for transport has made sure that those border communities were there in his mind as he was formulating this policy.

In conclusion, as someone who has lived in regional Victoria all my life, I have seen the rapid increase in services that this government has put into regional Victoria. As the member for Polwarth said, it is not just about money, it is all about services, and of course those services have increased dramatically in Ballarat and will continue to do so. From 2024 there will be 200 new services on the weekend. Shadow Minister for Public Transport at the desk, if you would like to come on up, I can promise you there will be 200 more from 2024. So is not just about money, it is about services, it is about jobs, it is about regional equity – all of the things that those of us on this side of the house care about. By contrast, the previous Liberal government built not one single solitary piece of rolling stock.

We have doubled the expenditure on regional rail. This government cares about regional Victoria and understands that we deserve equity, we deserve the same services the city folk get, and the reason this

government is so strong on that is because we have so many fantastic regional MPs. We have 18 regional MPs who stand up for all corners of this great state, and that is why we see policy like this that creates equity for regional Victorians, as opposed to those on the other side, who did not build a train and invested half as much money into rail services. We stand for regional Victoria.

Danny O'BRIEN (Gippsland South) (16:42): I am pleased to rise to speak on this MPI, given the critical role that I played in the policy that we are now debating in the government's matter of public importance. It was on 9 October that I stood with the former Leader of the Opposition and announced our \$2 fares policy for local transport, for local Metro services and for local buses in rural and regional Victoria. I knew we had hit a bit of nerve when the media release went out at 7 am, and the Minister for Transport and Infrastructure was on the radio at 8 am excoriating us in the worst possible terms for not including V/Line in our announcement. She was not to know of course that there was still a V/Line announcement to come two days later. But I know why the minister was so upset. Clearly the Labor Party had no policy on regional rail fare savings because it took three weeks – the minister at the table, the member for Niddrie, is giving me a wry smile because he knows it is a fact that the Nationals and the Liberals actually delivered this policy first and that they then had to scramble and say, 'Well what are we going to do? We can't just match it, we'll have to do something better.'

So here we are: we have now got the government once again following the Nationals when it comes to public transport policy, and they did come to the party with this policy now of \$9.20 regional fare caps, which is good for those of us that have got regional services. I am very pleased to be able to speak as the Nationals rep on this MPI, but there was a bit of competition for it. Some of my colleagues wanted to have a go. The member for Lowan in particular wanted to have a go. She said, 'Well, I just wouldn't mind a service.' As the member for Polwarth said a moment ago, places like Hamilton have two services; my colleague the member for Lowan has to go from Horsham to Ararat to get on a train, and even then she got a bus in from Melton this week. We could talk about all those areas of regional Victoria that do not get any services, and I will go to some of the –

Members interjecting.

Danny O'BRIEN: Well, we could also talk about broken commitments. I mean, I know the member for Mildura would like to talk, and I would also like to talk about South Gippsland, both of which the Labor Party promised to reopen. And what has happened – we still do not have anything. So do not talk to me about what happened back in the 1990s before half of your side were even born. You made promises to reopen lines, and you did not deliver.

Members interjecting.

The SPEAKER: Order! Member for Eureka, you have had your turn. Member for Polwarth, you have also had your turn.

Danny O'BRIEN: Thank you, Speaker. I get a bit fired up when it comes to promises about regional rail because particularly the other member for Bendigo, the member for Bendigo East, likes to always have a go at what happened in the 1990s, but she never mentions the failures of the Labor government that came along and failed to actually deliver on its commitments to reopen those lines, particularly Mildura and Leongatha. But as I said, the member for Lowan would just like something decent. They do not have much in the way of public transport there – the Overland, in trouble over the years. The member for Shepparton, I know I have asked a number of questions of ministers, including the one at the table, the Minister for Public Transport, at the Public Accounts and Estimates Committee over the years, and we discovered that despite the government announcing, I think in 2018, that there would be nine services a day to Shepparton, we did not find out until last year in PAEC that in fact those promised VLocity trains will not be delivered until 2027 – 2027! You know, it is all spin. It is all 'We're going to do these great things' but actually delivering on it is the thing.

The reason I am raising these issues is because, like the member for Polwarth said, as much as people will appreciate the cost savings in cheaper fares, I do not think in my eight and a bit years in Parliament I have ever had anyone come to me and say the fares were too expensive.

Juliana Addison: Seriously?

Danny O'BRIEN: Because what they want is an actual service that turns up on time. They want a train that comes up as a train and not as a coach, and I am looking at those over there who are saying, 'Oh my God, you've never had anyone complain about cost. We've got 4000 services a day in Ballarat, they complain about the cost all the time.' Well, when you have only got three a day, that is what people come and complain to you about. And when you are in Gippsland, there is an actual joke. There is a cartoon in Gippsland of a little kid getting a train set for Christmas, and it comes with a bonus bus, because that is what it always is in Gippsland. For the last six years in particular you have to actually check to find out. I want to catch the train to Melbourne, will it be a bus? You are actually better off saying 'I'm going to catch the bus to Melbourne, I wonder if it might be a train?' – because it just does not happen.

So much of that has been about the Level Crossing Removal Project, which is another area where the government has stuffed up Gippsland rail services, because Bendigo, Ballarat and Geelong – and it is all very easy for those over there to say – have got the regional rail link. The regional rail link, I might add, was delivered by the former member for Polwarth at a \$400 million saving and ahead of schedule compared to what was promised by those opposite. But Geelong, Ballarat and Bendigo have got a regional rail link –

The SPEAKER: Order! Member for Kororoit can I remind you that when you pass the mace, you must bow.

Danny O'BRIEN: I have lost my train of thought now, and it is of all people the Rail, Tram and Bus Union who have done it! It is a conspiracy, Speaker. It is the RTBU trying to put me off.

But we do not have a dedicated Gippsland line. I caught the train here on Monday, as I often do when there is a train running. So I caught the train here, and as is always the case we rocketed along to Pakenham and then we got to Pakenham and we got stuck behind a Metro train and naturally enough we were 20 minutes late coming into town because there is no dedicated line, and now the government has gone ahead with its sky rail through the south-eastern suburbs there is virtually no possibility that you can put in a dedicated line to Gippsland because the government did not plan for it.

I talk about delays on these things. The government announced the Regional Rail Revival project, which is a good project and I support it, and it is funded 90 per cent by the former federal coalition government – 90 per cent. So when it comes to metro trains, when it comes to level crossing removals, this government can find the money for it out of its own pocket. When it is regional stuff, we will get the feds to pay for it. Indeed the feds did pay for it. My colleague the federal member for Gippsland Darren Chester came to the party and actually said, 'Well, this is stuff that we need, so we will fund it.' But in 2017 the Labor government announced in its budget the Regional Rail Revival and the member for Bendigo East, who was the minister at the time, said on 1 May:

We've done the planning work, we've done the business case work and we're ready to go.

Member for Eastern Victoria Ms Shing said the project was shovel-ready. Well, that was 1 May 2017, and if you go to the Gippsland rail revival line upgrade website now there is an FAQ and it actually says:

When will the Gippsland Line Upgrade be complete?

It says:

Major construction of the station upgrades is complete, with station precinct works to be finished in the coming months.

There are two more sentences, and it still does not tell us when the whole project is going to be complete. So 6½ years after we got told it was shovel-ready, we still do not have anything. Why is that important? Yes, we want the upgrade – of course we want the upgrade – but we want the upgrade so that we can have some additional services, and we have still not got any commitment from this government for additional services on the Gippsland line. We have got 19 services a day from Traralgon and three to Bairnsdale, including Sale. The populations of Wellington and East Gippsland shires, for those opposite, tally up to nearly 100,000 people. There are nearly 100,000 people between those two shires.

Richard Riordan: That is nearly Ballarat.

Danny O'BRIEN: It is nearly Ballarat; thank you, member for Polwarth. That is exactly it. There is what – 24, 23 a day from Ballarat? And yet we have got three services a day, when there are trains – when they run, because of course they do not run on time. I thought, 'Well, I'll just pluck the latest figures out from the V/Line website about punctuality.' Gippsland line – that is to Traralgon – the target, 92 per cent; the delivery in February 2023, 79.6 per cent. For the Bairnsdale line, 88.4 per cent. You can go back over years and years and years and you will find that that is the same each time. The service delivery is absolutely appalling, and it is wonderful to have cheaper fares, but as I say again: no-one has ever said to me, 'God, I'd catch the train if it was cheaper.' They would catch the train if it was there, if there were more services and if it was timely, and it is not. Indeed a number of years ago the Rail Futures Institute completed the Gippsland rail needs study, and it showed that in 1990 the fastest journey from Sale was 166 minutes. In 2016 it was 163 minutes. So we have got a 3-minute improvement in nearly 30 years. To Bairnsdale there had been no change, so there had been no improvement in service times and indeed no improvement in the number of services to Sale and Bairnsdale since 1990. I was very proud to take to the election that we would bring an additional service to Sale. The government needs to listen to the community. We need cheaper fares, but we need better and more services.

Juliana ADDISON (Wendouree) (16:52): It is wonderful to follow the member for Gippsland South, although I will have more fact rather than the fiction that he was talking about in terms of our planning and in terms of our commitment to the people of Victoria, because we know –

Members interjecting.

The SPEAKER: Member for Eildon, you are not in your allocated seat.

Juliana ADDISON: We know backing the inner city with these \$2 ridiculous fares was never going to happen. You know you were not going to win. You said anything – the promises you made were absolute rubbish. This was well thought out, well-planned and timed for 2 November to get the most punch as we entered into the campaign, and it is great. I really, first and foremost, want to thank the Minister for Public Transport, the member for Niddrie, for submitting this matter of public importance. As Minister for Public Transport, the member for Niddrie is so passionate about his portfolio; he is a regular public transport user and someone who cares deeply about access and equity for all Victorians. I congratulate the minister for delivering this. You talked about the four months, and the day on 2 November, and look: 31 March –

The SPEAKER: Through the Chair, member for Wendouree.

Juliana ADDISON: Through the Chair, it was 31 March, from announcing it on 2 November. People were like, 'But when? Is it going to be after the budget? Is it going to be eventually? Is it going to be during the four years?' Not during the four years of this term, but four months – four months into this term; it is very, very, very exciting. So I congratulate you for that, then, Minister, and I would love to have you come to Ballarat – catch the train to Ballarat – and come and stand on the station with me. Let us do that.

I am thrilled to be given the opportunity to talk about how the Andrews Labor government is delivering cheaper fares, not only for regional Victorians but for all Victorians. This is an announcement that has been very much welcomed by my communities, and the comments on my Facebook page give us a bit of a snapshot of their responses. Alicia Jane:

Fantastic! About time we weren't penalised for living in the regions. Nearly \$50 a day full fare was a big disincentive to go to melb and vice versa!

I do not know what the Welcome Nugget Bike Hire is, but they love this. They have written on my Facebook:

Love this!

Chuol:

Great news ... I spent 45 dollars every single day I want to Melbourne.
... well done to Dan Andrew Government.

Daniel:

We would always drive to Bacchus to get on a train for the metro fare, always worked out cheaper especially when a few people are travelling
...
... cannot wait for the 31st ...

Novia:

Great news ... I spent 45 dollars every single day I want to Melbourne ... We would always drive to Bacchus to get on a train for the metro fare, always worked out cheaper ...

Mithrani:

Awesome <red heart>

Emma:

Cannot wait!

Laurence:

Great news

Fair fares to regional Victoria are a game changer for my community and for all of us. The unfair costs experienced by regional train users was an issue that I raised shortly after being elected. When you saw that you could get zone 1 and 2 all the way to Melton and then suddenly the prices skyrocketed as soon as you left Melton, it was not fair, it was not right and it was not on. This is what this is about addressing. I know that fairer regional fares will help many Victorians with cost-of-living pressures by reducing fares and creating an alternative option to taking the car, thus reducing petrol costs. These new fares will also encourage more Victorians to connect with family and friends by reducing the cost of travel between regional Victoria and metropolitan Melbourne. I know my mum is very excited at the thought of the grandkids coming up and using that service and being able to spend more time with them in Ballarat.

These new fares will be a catalyst for people to visit the regions and discover what Victoria has to offer. This is great news for regional tourism and businesses, who will benefit from the flow-on effects of cheaper travel in regional areas. I look forward to seeing waves of Western Bulldogs supporters catching the train to Ballarat and heading to Mars Stadium to see the AFL and others heading to Ballarat from August to October for the Ballarat International Foto Biennale.

I had the pleasure of joining the Premier, the Minister for Public Transport, the Minister for Transport and Infrastructure, the member for Eureka and the newly elected member for Ripon in Ballarat East for the announcement of the election commitment that, if re-elected, the Andrews Labor government would introduce a regional fare cap for regional Victorians, which would be the same price as the

metropolitan Melbourne price. But it was not just that; I also welcomed that an extra 800 services have been added on to the V/Line network since 2014 and a further 200 weekend regional services have been committed to, which will further benefit regional passengers and our metropolitan visitors.

We are not only making regional fares fair, we have also as a government committed to 23 new VLocity trains, securing hundreds of jobs over the next three years across the supply chain and supporting passengers heading to the west of our state. We have invested \$1.5 billion to build 59 VLocity trains since 2015 and are transforming our regional network and creating good-quality jobs right here in Victoria. It has been said before and it will be said again: we are building trains in South Dandenong, not South Korea.

For people living in my electorate of Wendouree, the fare cap means a huge 80 per cent saving for a daily peak from Ballarat, with the fare being slashed from \$45.60 to \$9.20 full fare, and for those with a concession that saving will be close to \$20, with the fare being slashed to \$4.60. I have been a V/Line passenger for decades, relying on the Ballarat to Melbourne service to get to uni, to work and to social outings and events. The high cost of regional train fares has been a point of irritation for a long time in regional cities and communities, unlike in Gippsland South, and the introduction of capped regional fares is a game changer for workers, students, families and older Victorians.

It has been said before, but I will say it again: Labor is the party of regional Victoria. We have more regional members than any other party in this place because we understand the issues of regional Victoria. About one in five Victorians live in the regions, and why wouldn't you? Regional Victoria is the best of Victoria. There is no place I would rather be living than Ballarat, with great schools, world-class hospitals and low unemployment. Ballarat is a thriving cultural and sporting centre with much to offer.

I am just going to shout out to the others who are speaking on this. I am proud to be speaking on this MPI with a bevy of strong regional Labor MPs, following on from the member for Eureka, and I am looking forward to hearing the contributions of the member for Ripon, the member for Lara and the member for Bellarine. I also know that the member for Bass is very excited about the new fares, as is the member for Geelong, the member for Macedon and the Bendigo members, because these new fares are something we all know will make a significant difference to the lives of people in our communities. As someone who was born and bred in regional Victoria I understand the need for regional fares capped at metro prices. It is about equity, it is about fairness and it is about access. It is about opening Victoria up to all Victorians and encouraging people to move more freely and more cheaply in our great state. It is also about opening up opportunities in Ballarat at Federation University and Federation TAFE for students to our north, our south, our east and our west, with daily concession fares of just \$4.60, and encouraging workers to think about the financial cost and economic cost of driving to and from Ballarat in their own cars, rather than taking public transport. There are also the great environmental benefits of using public transport.

What these fares will also do is remove barriers to accessing the Melbourne Zoo, the Melbourne Museum and the National Gallery of Victoria for individuals with limited disposable income and families on tight budgets. Some Victorians have never been to the beach. These fares make the beach an option for country kids. A fare to Geelong train station then a bus down the Great Ocean Road to Anglesea, Lorne or Apollo Bay for \$9.20 full fare or \$4.60 concession makes that bucket list item achievable. Likewise a trip to Echuca and a ride on a paddle-steamer or a visit to the latest blockbuster exhibition at the Bendigo Art Gallery – these fares are making them all possible. This is great news for existing V/Line passengers, who will benefit from our fairer fares, as well as many more Victorians who will choose to use a V/Line service in the future, perhaps for the first time, as a result of these savings.

My hope is that capping regional prices will encourage regional people to get out of the car. Just think how much more relaxed you are going to be, instead of trying to navigate the West Gate, get through the Western Ring Road, go past the prisons, hit the Western Highway and just be waiting in the car park that is the Western Highway, sitting on the train, watching a bit of Netflix, taking a breath,

enjoying yourself and cruising into Ballarat station or Wendouree station. Your family are going to appreciate it. You are going to be less stressed. You are going to have more money in your pocket. This is a big winner four months since it was announced. We are delivering it next Friday. This is what good governments look like.

Cindy McLEISH (Eildon) (17:02): This has been an interesting debate with an interesting spin and take on public transport services in regional Victoria. I would like to say that the experience of those living in regional cities is terribly different from those living in smaller country towns. There is no train with Netflix, for goodness sake. People in the country just want some services. What happens in those regional cities is really quite different.

I want to congratulate the former Shadow Minister for Public Transport and Roads the member for Gippsland South for pushing along some of these policies, because it was on 9 October that he made the announcement about \$2 local fares and also –

Danny O'Brien: Including regional buses.

Cindy McLEISH: regional buses – that is what it says – and then, two days later, half-price V/Line. It was on 2 November, 3½ weeks later, that the government actually caught up that they might need to do something in this space. Typically regional Victorians always seem to draw the short straw when it comes to accessing adequate services. I really lobby quite hard in my electorate to ensure that we have the same access and quality of services as those living in metropolitan Melbourne, and I know that that is not quite the case. I know that some of our bus stops are in a pretty ordinary condition, and I know that the government actually agreed with me about the bus stop at Merton – that yes, it did need to be upgraded. They said that would happen in coming months, and that was probably 4½, five months ago now. Everyone is desperate to know when the government is going to upgrade the Merton bus stop. They need to have a response. We also have issues with dodgy roads and very limited services. Services may only operate once or twice a day, and that does not really work with regional tourism.

I just want to remind the house – the newer members may be perhaps unaware – of the government's appalling history with their bus network. It was not so long ago, prior to the 2018 election, that there was a bit of activity because the then Minister for Public Transport, the member for Bendigo East, the Deputy Premier, had a go at getting bus operators and owners to hand over all their assets to the state. The plan was absolutely out of the book of socialism. The Victorian government had a plan to compulsorily acquire bus companies. They had a group of operators who were told to be silent – do not speak about this, it is all hush-hush, all confidential – and then they did start to speak because they knew it was wrong. They refused to sign up to 10-year deals that were going to force them to hand over their buses and their depots to the state at the market value at the end of the contract. So there was a fair bit of back-peddalling, because that did not end up happening. Chris Lowe from Bus Association Victoria was very agitated, as were the bus company operators. Now, it had started, it was going to be in the city and then roll out probably to the regions, and so I heard from a lot of the bus operators how absolutely concerned they were.

I want to draw the minister's attention to the route 684 bus, and I am disappointed the minister has actually left because it does not matter how much they try and spin it, people in my electorate who rely on the 684 bus are going to lose it. We have got quite a bit of history and background here. This bus travels from the township of Eildon through Thornton, Alexandra, Acheron and Taggerty, over to Buxton, Marysville, Narbethong, Healesville, then it hits the mainstream, Coldstream, Lilydale, Chirnside Park, Eastland. It even goes via the medical precinct of St Vincent's Hospital in East Melbourne before ending up at Southern Cross station. Not so long ago, in April 2022, a year ago almost, the state Labor government proposed plans to change this bus route with very limited community consultation. Community members were very keen to see this service, and I have heard from very many of these people because they have been very agitated. The community-run Buxton Progress Association's save the bus action group are working really hard to save this bus route and they are to be commended for their efforts and dedication. In May last year I lodged an e-petition to

give them a chance to keep the route operating as it is, rather than have that finish at Lilydale and have people then have to get onto the train network, and not disrupt their journey. The coach passengers particularly enjoy this service for a number of reasons. It is particularly important for small communities because it can get them to and from the city, and it can get them to and from medical appointments. If you have got to go to St Vincent's Hospital and you live in the small township of Acheron, you can get there and be dropped off just outside. You do not have to chop and change. If you have got an illness, disability or injury, it is very disturbing to lose this opportunity to easily get to East Melbourne – similarly for shopping. Now, the bus drivers are terrific and they provide assistance to people. People speak very highly of the bus drivers and what they do to help.

I have a couple of questions for the Minister for Public Transport: will the minister release the outcome of the community consultations that took place in both Alexandra and Healesville? And, Minister, what is being done to action the community feedback and recommendations? After there was a little bit of argy-bargy about this, the minister thought: we had better do something and start some community consultation. They only did it in Healesville, which was pointless for all the people in the small communities north of the divide, and so they were pressured into having to do sessions in Alexandra, and we have not heard. People want to know what is going on with that.

With regard to tourism, I have a wonderful area that is ripe for tourism opportunities, but there is no train and the buses really are not enough to support it. If you want to go to Yea, Alexandra or Craig's Hut, there are very limited opportunities to do it. Not so long ago, last year was it, we had bike racks fitted to some buses in the Yarra Valley from Martyrs and McKenzie's buses, the 683, 685, 686 and 687, which go from pretty well the train areas where they stop at Lilydale through the Warburton Highway, the Upper Yarra and through the Maroondah Highway to Healesville. That is one positive, but they had to fight for it. They thought it would be a no-brainer to get these bike racks, because we have got the wonderful rail trail at Warburton, which is really very popular. We also have great rail trail between Tallarook and Mansfield. These are very popular with bike riders, but it is not very easy to access these on public transport.

Our roads are just not fit for purpose at the moment. The Melba Highway has had all sorts of problems. It carries an enormous volume of tourism traffic, and the Warburton Highway equally so. Last year, I think it was in October or maybe November, the road collapsed at the Warburton Highway and it is still not fixed. They have had one lane of traffic going in and out. Yes, it was good that they worked with the tourism operators and small businesses in Warburton not to close it off completely in January, but here we are now heading to the end of March and the community are still not quite sure.

Then we have a whole lot of little local roads that are relied on by so many who take those little bypasses. I know the Murrindindi shire is, as are many other shires, pretty skint when it comes to being able to service the many, many kilometres of roads and bridges that they have. We have an issue at the moment with the Break O'Day Road in Glenburn. It is going to be closed for six weeks to build a new bridge there. Now, the community is very worried about this because it is going to cause inconvenience and travel delays for drivers and school buses having to pick people up. The council have presented a second option to the community which would allow the traffic flow over the old bridge, albeit with some obstruction, but it would require an extra \$450,000 of funding. Now, the shire does not have money for their local roads and bridges, and I implore the government to have a look to work with these small councils that do not have big revenue streams to see if we can do something to help. Now, the residents of Break O'Day Road in Glenburn are desperate for the bridge to remain open while repair works are conducted. So will the minister assist the Murrindindi Shire Council with \$450,000 in funding to ensure the bridge across the river on Break O'Day Road remains accessible during this time?

I think there is a lot that still needs to be done on public transport, particularly the bus network in country Victoria. The government had to come along at the last minute to come up with their policies. We were certainly on the front foot there. We really had some great solutions around the public transport in regional areas, you know, the half-price V/Line fares. V/Line fares can add up pretty

quickly if you are commuting. As I said, we do not have a lot of services as backup, so there is a little bit more to do in this space.

Ella GEORGE (Lara) (17:12): I am delighted to rise today to speak on this matter of public importance, the Andrews government's regional fare cap policy. I would like to thank the Minister for Public Transport for raising this important matter and for his leadership in making regional fares fair. The regional fare cap will help all those using public transport with cost-of-living pressures, but at the heart of this policy is fairness and equity, because regional Victorians should not pay more to travel on public transport compared with someone living in metropolitan Melbourne.

The current prices can make it too expensive for families living in rural and regional Victoria to get to work, take the train to visit friends and family or access vital health and education services in other regional cities or in Melbourne. Right now a daily full-fare ticket from North Geelong or North Shore station to Melbourne costs up to \$24.80, while a maximum daily fare on the metropolitan network is only \$9.20. That is a difference of \$15.60. It costs even more if you are coming from Geelong or South Geelong stations, currently \$27.60 for a full fare, a difference of \$18.40. This is exactly why the Andrews Labor government has changed that and introduced the regional fare cap policy, because this is a government that recognises the importance of making public transport affordable and accessible for all Victorians no matter what part of the state you reside in. This is a government that gets on with the job. On this side we do not waste a day. As the minister said earlier, just four months since the election and this policy will be delivered.

Next week will see the delivery of our regional fare cap policy, and I know many residents across the Lara electorate and the Geelong region are so excited to see regional fares being capped at the same price as metro fares. From Friday 31 March thousands of passengers travelling from regional Victoria will be paying the exact same fare that passengers travelling around metropolitan Melbourne will pay. Someone travelling from the northern suburbs of Geelong tapping their Myki on and off at North Geelong or North Shore station will start saving \$15.60 a day – and this adds up. Over the course of a month an individual may save up to \$343 and up to \$4056 a year if they are commuting to Melbourne every day for work. These are huge savings and just one of the many ways that the Andrews Labor government is helping families and households with cost-of-living pressures.

As the minister mentioned, the regional fare cap policy is fantastic for those who are using regional rail to get out and explore regional Victoria, and for those living in Melbourne there is plenty to do and see in Geelong. Just a couple of weeks ago we hosted the Avalon international air show, and many visitors caught the V/Line Airshow Express, a dedicated V/Line train to Lara and a shuttle bus to the air show. This weekend Geelong is hosting the Ironman along Geelong's spectacular waterfront. And who could forget the footy – why not catch the V/Line down to South Geelong station, just a short stroll away from the Cats home ground at Kardinia Park? So many accessible, incredible events, all accessible by regional rail, are now being made cheaper for families to attend thanks to the regional fare cap policy.

But this government's investment in regional public transport goes beyond the regional fare cap policy. \$1.5 billion has been invested in 59 new VLocity trains since 2014. Labor believes trains made for Victorians should be made by Victorians, and some of that work is being done right in the heart of the Lara electorate at RPC Technologies. RPC Technologies is primarily a composites manufacturing company supplying composites to the infrastructure, rail and defence industries. I visited RPC in Corio last year and heard about how they are manufacturing train fronts and train interiors for the 118 VLocity train sets built by Alstom in Geelong. RPC Technologies are evidence of how our investment into rolling stock is also an investment into local jobs, and this government's \$4 billion Regional Rail Revival is upgrading every single regional rail line, including 20 new or upgraded stations across regional Victoria, because on this side of the house we invest in train station and rail line infrastructure; we do not close train stations or rail lines.

Eight hundred V/Line train services have been added since 2014, with a record 2200 regional train services now operating per week. Almost 200 extra weekend services will be added to the V/Line timetable from 2024, with a further order of 23 VLocity trains to meet the demands of a growing network, because Labor invests in rail services, we do not cut them. On the Geelong line this means 308 extra services to and from Geelong each week compared to 2014 and services from Geelong to Melbourne departing every 20 minutes on average in interpeak compared to hourly in 2014. Twenty peak and shoulder-peak services have been extended to and from Waurin Ponds station each week, and there are 12 extra Warrnambool services each week compared to 2014.

In addition to this there have been significant investments into upgrades at local train stations. Lara train station was one of 16 key stations, along with North Geelong and North Shore stations, to receive a share in a \$24 million package to deliver improved facilities for all passengers along the Geelong corridor in 2021. At Lara station works have involved a refurbishment of the station waiting room, an upgraded canopy and seating on the station platform as well as an improved public announcement system on the platform. Last year I visited the North Shore train station along with the Minister for Public Transport and the former member for Lara ahead of upgrades to the car park there, and it is thanks to this government's car parks for commuters program that an extra 200 new car parks will be delivered, along with accessible parking spaces, CCTV and lighting. The minister will be pleased to know that I drove past North Shore train station last week and it is looking fantastic. You can really see the investment at work there. North Geelong train station has received upgrades to the platform shelter, car park and public announcement system. It has also received a refurbished station waiting room and bathroom facilities. These investments into local rail stations are vital for a healthy rail network in Victoria to ensure services run smoothly and commuters have a good experience, and that is something that this government is committed to.

The wider Geelong community will also benefit from Geelong line upgrades, which include the South Geelong to Waurin Ponds duplication project. This will deliver more frequent and reliable services and better stations for passengers on Victoria's busiest regional rail line. The duplication is part of the Australian and Victorian governments' more than \$1 billion investment into the staged upgrade of the Geelong line. As part of this the Geelong community will see significant station redevelopments at Waurin Ponds, Marshall and South Geelong train stations.

I am thrilled to see that in Geelong three level crossings will be removed: at Fyans Street, Surf Coast Highway and Barwon Heads Road. Although the Level Crossing Removal Project has been a suburban and metropolitan program, I am very pleased to advise the house that this project is well known and well regarded in regional Victoria, and local residents are incredibly excited to see three busy level crossings removed. I am sure that my regional colleagues are just as excited as I am for 31 March, knowing that regional fares will be fair. I am very much looking forward to hearing the member for Ripon speak on this matter of public importance shortly and to hearing about the impact it will make on her community, and we have heard from the member for Wendouree and the member for Eureka about the impacts it will have in their communities and around Ballarat.

As the house can clearly see, on this side of the house we are doing what matters. We are delivering the services that regional train users deserve, because on this side of the house we know, we understand, what regional Victorians want. We have nearly doubled annual spending on regional rail services from when we came to office in 2014, because we invest in Victoria's rail network, we do not cut services; we build train stations, we do not close them; and we certainly do not close regional rail lines. We are making public transport more affordable and accessible to Victorians in every single corner of the state, from Gippsland to Warrnambool to Mildura to Geelong to the wonderful towns in the electorate of Ripon, and by capping regional fares at the same price as metro fares, we are delivering on that next week. To quote the member for Wendouree, 'This is what good governments look like.' I am so pleased to speak on this motion today.

Roma BRITNELL (South-West Coast) (17:22): I rise to speak on today's matter of public importance, which affects all regional Victorians and will have a direct impact on the most important people to me, the people of South-West Coast. I am a proud regional Victorian, and I have lived in regional Victoria all my life. Places like South-West Coast are amazing places to live, to work and to raise a family. Regional Victorians are a hardy lot. Although we often lack the basic services that our metropolitan cousins take for granted, like safe roads, child care, mobile reception – the list goes on – we make do and we manage the best we can. We navigate potholes on neglected arterial regional roads that are ignored by the government – the Andrews Labor government, who for 18 of the last 23 years have been governing Victoria. One of their legacies is the Princes Highway, highway 1, which is no longer fit for purpose, along with many other of their roads, like Woolsthorpe-Heywood Road, which you will hear me mention many times – no longer fit for purpose.

So when this government finally mentions regional Victoria, you can imagine we are filled with hope, but it does not last long, because this government is like fairy floss – lacking in substance and very bad for your health. This matter of public importance announces that the public transport regional fare cap for regional Victorians will be the same as the metropolitan Melbourne price – great.

Tim Richardson: I like fairy floss.

Roma BRITNELL: Yes, but it is very bad for you. It sounds like regional Victorians will finally have one measure of equality with our metropolitan cousins. But unfortunately the devil is in the detail. This is yet another example of Labor's old smoke-and-mirrors tricks, which you will often hear me talk about in this place. It is not a secret that many Victorians are doing it tough due to the current increased cost of living, increased interest rates, higher rents, expensive foodstuffs – it does all add up. The government's public transport regional fare cap policy may provide some short-term cost-of-living relief to some regional Victorians – brilliant. But it will not make a massive difference. Unfortunately, when you scratch the surface it becomes quite clear that this policy is actually unsustainable. This government must come clean on how it intends to fund this.

Brad Rowswell: Hear, hear!

Roma BRITNELL: As the Shadow Treasurer here beside me, I am sure you are very concerned about the overspend of this government that will one day come home to roost, to a point where I do not know how it will be manageable. Analysis completed by the Parliamentary Budget Office has revealed that this government has misled Victorians by stating that its commitment would be a \$203 million cost to the state budget. This is an independent analysis. The Parliamentary Budget Office's analysis has shown that the true cost will be 76 per cent more than originally promised. This represents a \$358 million blowout over the next four years and a mammoth \$1.1 billion blowout over the next decade – billion, make sure you understand that I said 'B' for billion. That is a lot of money in anyone's language, and it demonstrates just how unsustainable this policy is. The only way this government will be able to deliver cheaper fares will be by raising taxes to make up the shortfall. But then this government is known for blowing budgets and raising taxes, so it is not new. Regional Victorians can expect a massive hike in public transport fares when this sugar hit of a policy is withdrawn, and we know it will be; it is just a matter of when.

This policy talks up the VLocity trains and confirms that this government has committed to 23 new VLocity trains, securing hundreds of jobs and supporting passengers heading to the west of our state. Oh, it sounds good, but – but – the VLocity trains just are not great, and they cannot hack the regional train routes. In June last year we saw that a new VLocity train was forced off the north-east line indefinitely due to damage. The damage was not caused by the track, as the Australian Rail Track Corporation, the body responsible for managing that line, confirmed that it was not a track issue, so the problem clearly lies with the train itself.

But it is just not the shoddy construction of the VLocity trains that is going to be an issue. VLocity trains also lack a buffet car. While metropolitan travellers may scoff at this as an issue, if you travel

on regional trains – and I have – you will realise just how important the buffet car is. For example, the first bus leaves Portland at 4:27 am and arrives in Warrnambool at 5:52. There is not much open in Warrnambool and Portland around that time, and there is no buffet or vending machine on the bus. The first train then leaves Warrnambool at 6:12 and arrives at Southern Cross at 20 to 10. To go without a cup of tea and a biscuit from a quarter to 5 in the morning until at least a quarter to 10 is a big ask – and probably too big an ask if you are a diabetic, for example.

But there are also concerns about whether the VLocity trains will have enough seats. The current rolling stock on the Warrnambool line has more than 400 seats available. If the VLocity trains earmarked for Warrnambool ever make it to the tracks – we have been waiting seven years now – they will run in either three- or six-carriage configurations, seating between 222 and 444 people. If we see an increase in patronage, which is what we are being told will happen, it does not look like there will be enough seats. Not only will there not be enough seats but it does not look like we will have enough trains either. It is apparent that more trains will be required, but how can this state afford that expense with major cost blowouts exceeding \$30 billion. Our net debt exceeds that of New South Wales, Queensland and Tasmania combined. Again it is all spin and no substance.

This policy also maintains that fairer regional fares will encourage more Victorians to connect with family and friends by reducing the cost of travel between regional Victoria and metropolitan Melbourne. Again, it sounds great. It is all well and good for this government's spin doctors to spruik that regional Victorians will pay less for public transport, but what is the catch? And we all know there will be a catch; there always is with this government. One catch we already know about is the closure of V/Line ticketing offices. Yes, this government is closing the V/Line ticketing offices throughout regional Victoria. Drivers are now expected to not only drive the bus, tend to passengers and load the luggage, but they are also going to be required to sell tickets too – and with a tablet no less. In regional Victoria, with all our well-documented problematic internet and mobile coverage, bus drivers are expected to sell tickets with a tablet.

Brad Rowswell: Like an iPad.

Roma BRITNELL: Wow! Yes, it is wow. What will happen if the bus is full, because it probably will be now that travel is so much more affordable? Will passengers be left on the side of the road for the next bus? Is a 16-year-old girl going to be dropped off by family expecting a bus to come but then the bus is full? Is she going to have to wait 6 hours or even until the next day? I actually heard about these cases just last week from a bus driver who I was speaking with.

What about those using public transport to get to Melbourne for that important appointment with medical specialists? 'Sorry, love, wait for the next bus' might just mean a missed appointment that results in the tumour becoming inoperable. I am not being dramatic. These are real stories. These things actually happen when you miss medical appointments when you are relying on public transport. A failure to plan is a plan to fail. Failing to adequately plan policies can and does have real consequences in regional Victoria.

This policy is designed to get more people onto public transport, and for much of regional Victoria some or all of this travel will be by train. This government has failed to address how infrastructure will keep up with the anticipated increase in demand. The Warrnambool line carries a mixture of passengers and freight, it is already congested and I am reminded of an incident in March 2021 when I was contacted by a constituent who operates a freight service on the Warrnambool line. This constituent told me that his train schedule was changed at the very last minute, making him unable to send a train out of his yard on the Friday evening, which in turn meant that he missed the return service on Monday. This freight operator was given just over 48 hours notice to find enough replacement trucks to get his product to the port for their load times. It was done, but at huge cost. I was speaking at the freight conference just on Monday to freight train operators across regional Victoria saying it is chaos when the government does not plan properly and leaves them in these situations. How many regular freight train cancellations will businesses need to factor into their business plans when they do

not get the information? Victoria's roads are not coping already, so how will they cope with the extra burden of regularly cancelled freight trains?

In conclusion, the government never ceases to amaze me. I am often reminded of *The Emperor's New Clothes*, the wonderful children's story by Hans Christian Andersen. I am sure many are familiar with this cautionary tale, but it is the story of an emperor who spends lavishly at great cost to his state. The emperor hires some weavers, who promise to make him look fine in his invisible clothes. Everyone knows that it is a farce, but no-one is prepared to call it out, until a child, when the emperor is walking up the street totally naked, says 'The emperor's got no clothes on'. The people were all conned, they knew it, but no-one was prepared to say a word. This policy and the emperor's new clothes share many similarities.

Martha HAYLETT (Ripon) (17:32): I rise to speak on the matter of public importance submitted by the member for Niddrie today, and what a matter of public importance it is – that the fare cap for regional Victorians will be the same as the metropolitan Melbourne price from 31 March. This will encourage more Victorians to connect with family and friends by reducing the cost of travel between regional Victoria and metropolitan Melbourne. Regional tourism and businesses will benefit as a result, and it will have a huge positive impact on the cost of living for so many. This is a game changer – a massive almost \$1.5 billion has been delivered to build 59 new VLocity trains since 2015, and this side of the house has committed to build another 23 brand new VLocity trains, securing hundreds of jobs over the next three years. A whopping 800 services – that is right, 800 services – have been added onto the V/Line network since 2014, and a further 200 weekend services have been promised to make our regions prosper even more. We know on the side of the house that when we promise something we actually deliver it, unlike those opposite.

This is an issue I am hugely passionate about. As the member for Ripon, I know who stands up for regional transport, and that is Labor. Country Victorians have long memories, and we remember when the Liberal–Nationals ripped out our train lines. Under Jeff Kennett the Ararat train line was closed. Under Jeff Kennett the Maryborough train line was closed too. And as an Ararat resident at the time, the member for Eureka distinctly also remembers when the Ararat line was cut. It completely devastated the communities of Ararat and Beaufort and drastically dropped the population of our country towns. Closing the Maryborough line had a profound impact on the towns of Creswick, Clunes, Talbot and Maryborough too, and so many people still talk to me to this day about how devastating closing those train lines was. It left our towns behind, it made them isolated and it impacted jobs, educational opportunities and livelihoods.

But who brought the train lines back? Who brought them back? Labor brought them back, and we have added so many extra services since then, both during the week and on weekends. Now we are making it cheaper to catch the train to where rural and regional Victorians want to go, whether that be down to the footy in Melbourne or to visit family and friends in different towns along the Ararat, Maryborough and Ballarat train lines. Instead of costing a huge \$50.80 return from Maryborough to Melbourne, from 31 March it will cost \$9.20 max – that is a huge difference – or \$4.60 for concession card holders. That is a massive, massive change, and we are making public transport truly affordable and accessible for Victorians by capping these fares. It is fair, it is equitable and it will benefit so many of my constituents. It will mean more people will be able to access vital health and education services, including making TAFE in Ballarat much more accessible to young people along the Ararat and Maryborough lines, and it will mean more money back in the pockets of rural and regional Victorians.

Return fares, as I said before, and I am just going to keep on saying it, are \$9.20 for a full fare or \$4.60 concession, and an incredible \$6.70 for a full fare on weekends and public holidays and \$3.35 for concession. The fare cap also applies to all Public Transport Victoria regional buses, town buses and V/Line coaches, and that was something that was raised with me by constituents. They said, 'This is fantastic for trains, does it apply to buses?' I can confirm it absolutely does.

Now, I encourage members in this place to take advantage of this and to come up on the V/Line train to visit CresFest next weekend. It is running from Friday 31 March to Sunday 2 April. It is an amazing three-day festival of folk and roots music. It is in its second year, so they are doing incredible work, those organisers, to organise CresFest. Anyone in this chamber, I would like to personally invite you to Creswick for CresFest. You can also come along to the monthly Talbot market on the third Sunday of each month. It was recently voted in the top 10 Australian farmers markets by *Australian Traveller* magazine, and is the only Victorian market that made the list. So come on up to Talbot market. It is absolutely amazing. Members might also want to catch the V/Line up to visit the Cyril Callister museum in Beaufort, which celebrates the man who invented Vegemite. So we have got the Vegemite museum in Beaufort, come up on the train and check it out. You might also want to jump on the train and come visit the Ararat Gallery, the J Ward museum, the Gum San Chinese Heritage Centre or the monthly market in Ararat. We have so much to see in our region, and now even more visitors will be able to enjoy it with cheaper regional train fares.

Now, as the member for Niddrie recently said, often it takes other governments four years to deliver promises like this, but it has taken us four months. It is absolutely not, like the member for South-West Coast wrongly claimed, too good to be true. It is happening, and we are doing it. They tried to do \$2 public transport fares, which was absolutely ridiculous. What we are doing is far better and we are actually getting on and delivering it. We are getting on with easing the cost-of-living pressures and making these fares truly fair.

Many of those opposite will pretend that Labor does not deliver for rural and regional Victoria. This policy is proof that we do. It is only Labor that genuinely delivers for our regions. We deliver new fire stations. We deliver pools, recreation reserves, health services, police stations and job opportunities, and now we are delivering more train services and cheaper fares. Many constituents and rail advocates in Ripon know that I am a gunzel. For those who do not know what a gunzel is, it is someone who is very much a fan of trains and buses. So I am a proud gunzel.

A member: You learn something every day, don't you?

Martha HAYLETT: Exactly. I am very passionate about public transport and improving access to trains and bus connections across my electorate. This policy truly makes me proud to be Labor. As a government we have nearly doubled annual spending on regional rail services from when we came into office in 2014. In comparison, as I stated before, those opposite wanted to introduce a \$2 ticketing policy if they got elected in November. This would not have just hurt regional commuters, it would have hurt the whole transport network. They basically almost forgot to announce a regional fares policy and then asked regional Victorians to pay 20 times more to use a train in their communities than in Melbourne.

Now, you do not have to believe me. Just look at the track record of those opposite. It is cuts, cuts, cuts, closures of trains and train lines, the whole lot. So the former Baillieu–Naphthine government slashed \$120 million from V/Line, hurting services and passengers. Now this side of the chamber has done the complete opposite, because we care about connecting rural and regional Victorians and making it easier for them to get where they want to go. We are not stopping at regional fares either; we are also ordering 23 new VLocity trains to support rail upgrades on our network. This will secure hundreds of jobs over the next three years across the supply chain, including jobs in Ballarat. The member for Eureka and the member for Wendouree have previously spoken on this point, but it will mean that the hardworking staff at Alstom workshop in Ballarat will have a pipeline of work. They will have certainty for their workforce, and it will support more than 100 workers in Ballarat, which is huge for our region. We will also deliver extra weekend services on our regional network, including five additional weekend train services on the Ararat line, which will be fantastic. We have already delivered four new additional weekend rail services. It did not take us long. It did not even take four months; it took several weeks. I caught the first extra service from Maryborough to Ballarat on 4 December with Central Goldfields shire mayor Grace La Vella, Cr Chris Meddows-Taylor and Rail

Revival Alliance President Noel Laidlaw, who is another gunzel. We were all over the moon about the extra services, and locals are absolutely over the moon as well.

I want to thank the member for Niddrie for his hard work as the Minister for Public Transport to get this done. I know that my constituents in Ripon are extremely grateful to the minister. Thank you to the members for Wendouree, Eureka and Lara for your fantastic contributions today, and I am sure that the hardworking member for Bellarine will make a similarly fantastic contribution. As country MPs we are all working hard to deliver for our communities. It is an honour and a privilege to work alongside them to amplify the voices of rural and regional Victorians.

Just in closing, our communities will never forget what those opposite did to our train services. They completely closed the Ararat line and the Maryborough line. We cannot let them do that again. We will never, ever do that. We are delivering for rural and regional Victorians. Unlike those opposite, we are getting the job done.

Chris CREWETHER (Mornington) (17:42): I rise to speak on the matter of public importance submitted by the Minister for Public Transport on the state government's public transport regional fare cap policy for regional Victorians. I agree that encouraging the use of public transport and addressing cost-of-living pressures are both essential, and these are often topics of discussion with constituents in my electorate of Mornington. The Minister for Public Transport stated in his speech that every corner of the state will benefit from this policy and that everyone has the right to a seat on V/Line – except in the Mornington electorate and on the Mornington Peninsula, as it helps to even have a rail service to begin with and to have proper services. For example, in my electorate, while volunteers run fantastic historical tourist steam and diesel trains from Moorooduc station in Mount Eliza to Mornington station each Sunday, there are no passenger rail services at all – no services at Mornington station, no services at Tanti Park station, no services at Moorooduc station and a railway line that is wasting away between Baxter station and Moorooduc station, not being used at all.

While the whole Mornington Peninsula is considered by the state government to be metropolitan Melbourne, we only have some limited non-electrified diesel V/Line services operating past Frankston through Baxter down to Stony Point. For people in my electorate it is not viable to use the local V/Line service, as that means, say, going to Baxter, hopping on a train, going two stations to get to Frankston and then having to hop off that train to get on an electrified Metro train. So most people instead try to drive and travel sometimes long distances to get a park at, say, Frankston, Kananook, Seaford or Carrum station; or try to get on unreliable bus services, such as the 784 and 788 buses, to get to a station; or use rideshare services just to travel to the closest train station; or just give up and drive all the way to the city and elsewhere without even going on a train, because it is just too hard.

Bus frequencies are also quite out of sync with timetables. How can the state government classify us as metropolitan Melbourne – all the way down to Sorrento, I might add – but not give us proper passenger rail like in metro Melbourne or even compared to regional areas like Geelong, which is the same distance from the city. Where is the equality of opportunity for people on the Mornington Peninsula? And under state Labor's policy, where are the savings to start with for the Mornington Peninsula residents to access our limited Stony Point V/Line services operating under zone 2 metro, as this does nothing for them. They will still pay \$9.20 per day, whereas under an elected Liberal government they would have paid \$7.20 less per day.

At the same time the state government punish us by making Mornington Peninsula business owners pay higher payroll tax at the metro level, as compared to, say, the discounted Geelong rate. And under the federal Labor government currently local people and businesses on the Mornington Peninsula, which is classed by the state government as metropolitan, pay regional Australia Post costs. So we are getting cost increases in some areas –

A member: Madness!

Chris CREWETHER: by being classed as regional while being punished by being classed as metropolitan at the same time. It is madness, as you mention. It is really ridiculous. It is an issue that has been going on for quite a while for me and for others on the peninsula. I mention those costs but that is not to mention that the Labor government have also burdened Victorians with more than 40 new or increased taxes since coming to government in November 2014. We on the peninsula are paying for the state government to put in services elsewhere, including for their \$200 billion-plus Suburban Rail Loop white elephant.

The Committee for Greater Frankston put together a comparison of the Geelong–Bellarine region versus the Frankston and Mornington Peninsula region. Geelong and that region has a population of about 270,000 versus 310,000 on the peninsula. We have similar economic outputs. But infrastructure funding was \$4.9 billion versus \$2.9 billion over the last 10 years, and planned infrastructure spend as a comparison between the two is \$6.2 billion in the Geelong region versus just \$0.7 billion on the peninsula. There is a discrepancy of \$22,823 per person spent right across the bay versus \$2317 per person on the peninsula, so there is about 10 times less being spent per person on the peninsula. So it is clear that the government is not looking at the whole state to invest in public transport infrastructure, education infrastructure, like Mount Eliza Secondary College, or other infrastructure according to need. In many cases they are doing it according to the party of an MP or the marginality of a seat.

One solution if they want to do something is the electrification and duplication of the Frankston rail line to Baxter. This would deliver better public transport solutions and options for people in the Mornington electorate and the broader peninsula as well as ease traffic congestion. This is something I have been passionate about delivering for my community, securing \$3 million of federal Liberal government funding in 2016 for a business case, which the state government has only spent half of to produce a preliminary business case with little to no consultation. In 2018 I secured \$225 million of funding from the then federal Liberal government towards building this project. This funding is still sitting on the table ready for the state government to use, but it is at real risk of now being taken away by the Albanese government and potentially shifted across to the Suburban Rail Loop or elsewhere. That is despite both the Prime Minister Anthony Albanese and the now member for Dunkley Peta Murphy going on video before the 2019 election to say that an elected Labor government would not only deliver this project but deliver it more quickly than the federal Liberals would in consultation with the state government, and they were even handing out DLs saying the same at stations. But since they were actually elected to federal government in 2022 they have gone silent.

Only the state Labor government can enable this project to go ahead, as they own and manage the rail line. State Labor are the only ones who have never committed, with past commitments from the federal Liberals, federal Labor and the state Liberals. Indeed the state Liberals committed to building this \$971 million total project if elected and to building the Mornington to Hastings bus service, which I know that the member for Hastings surely would also be a strong advocate of. But Labor did not match either of those commitments before the election, and unfortunately they were elected.

I call again on the state Labor government to commit to building both of these projects, which would deliver, in the rail service, the electrification and duplication of Frankston to Baxter, meaning one train from Baxter or Langwarrin to the city; new and upgraded Frankston East, Langwarrin and Baxter stations; less parking issues up the line; less cars on roads and closer train commutes for residents across the Mornington Peninsula – or if they do not want to build it, how about looking instead at, say, bimodal trains with passing loops, which could mean one train from Stony Point to Melbourne? Just do something, and do not throw away \$225 million of funding.

Let us look more broadly as well. While we have \$200 billion-plus to be spent on the Suburban Rail Loop, we have no passenger rail services not just in my electorate but to places like Koo Wee Rup; Horsham, where I grew up, which only has an occasional Overland come through; or Mildura, the largest population centre in the whole of Australia with no passenger rail service.

On that topic, I was formerly CEO of Mildura Development Corporation and spokesperson for NorthWest Rail Alliance, and I advocated with others – such as Noel Laidlaw, as mentioned by the member for Ripon; Christian Mitchell, who is based in Frankston South and was the president; and many others – from 2013 to 2015 for funding from state and federal governments for the Murray Basin rail project. Over \$440 million was given through the state Liberal government, then the federal Liberal government and the subsequent state Labor government. It was bipartisan. But it has been stuffed up. The state Labor government have totally mismanaged this project, with mass cost blowouts and less built than was intended. It has meant the scrapping of the Manangatang and Sea Lake standardisation components, and it has also meant freight now actually taking longer, rather than less time. If built properly this would have really boosted our economy, particularly with agricultural and mineral sands movement and true competition between our ports.

Let us look more broadly as well and look at the V/Line annual reports. Cost per trip was \$40.57 in 2013–14 versus \$111.47 in 2021–22. What has happened? Basically, Labor cannot manage money. As pointed out in the *Age* article by Patrick Hatch, ‘V/Line to take you anywhere for \$9.20. But will it get you a seat?’ – on this point, as noted, V/Line services are already overcrowded, and on hot days many are cancelled as the ageing infrastructure cannot cope. Please invest in the services needed.

Alison MARCHANT (Bellarine) (17:52): It is a great pleasure to rise and speak on this matter of public importance, noting this tremendous policy of the Andrews Labor government, our public transport regional fare cap policy for regional Victorians. In simple terms this is about fairness. This is a policy that will see fairness being delivered across the state and fairness for regional Victorians. But when you look a little bit closer at this policy, it is much more than that. I know as a regional MP this policy goes straight to the heart of the Bellarine and our regions, and it has been wholeheartedly welcomed in the Bellarine since it was announced last year. Consumers, users of the rail and regional Victorians are at the centre of this policy, and they will soon be paying the same price as their metro Melbourne neighbours.

Right now a daily full fare from Geelong to Melbourne costs up to \$27.60, and for a family such as my own, with two adults and two children, when we travelled late last year it cost us nearly \$83 to come to Melbourne. The kids do love tapping on and jumping on the train, but when you compare this to Melbourne prices it just does not seem fair at all. So this is about fairness and equity. When we announced this last year the Labor government recognised that regional people needed a better deal, and that is what we will be delivering. Fairness is important, but it is also about doing something meaningful for that and it is about addressing the cost of living. These fairer regional fares are going to help a lot of regional Victorians with cost-of-living pressures. I know we all feel the pain as we fill up our cars with petrol at the moment and families are watching every dollar that goes out of that household budget, so it is very important.

But if you are a regular traveller at the moment on the V/Line service, for example from Geelong to Melbourne, you are also racking up a pretty substantial bill, and I would like to share a little bit of an example of this from a Bellarine constituent who contacted me. The Bellarine constituent was so excited about this policy that she emailed me two days after the election. The election was on the Saturday. By Monday she was emailing me. She wanted to know more about the policy but also know when it was going to start. Stephanie explained that in her family her husband is a critical care nurse. He works as an associate nurse unit manager on a cardio ward in Melbourne, and she explained that he is really dedicated to his profession. He loves his job and is a very senior nurse, and he worked tirelessly during the pandemic. The only problem that they had really was the cost of his train travel back and forth to Melbourne. Their household was spending over \$6000 a year on V/Line tickets. Stephanie explained that having this fare capped was probably the biggest change that they will see to their household in terms of cost of living, and she was very eager to know when that would be rolled out. Well, we did not waste a minute. We actually rolled this out and we got on with it fairly quickly, and we have turned this around in four months. We have delivered what we said we would deliver,

and Stephanie will be counting down the days until 31 March. I am really pleased for families like Stephanie's who are going to just have that easing of pressure on the household budget.

Of course, being a regional MP, I believe that regional Victoria is the best place to live, work and raise a family – and visit. It is no wonder that other people are also flocking to rural and regional Victoria. The secret is out: the Bellarine is a wonderful place to live. We have seen some massive growth across the Bellarine, and families are moving there for the lifestyle that it offers. Working arrangements have changed as well, though. Many are now able to work from home, and they have that flexibility if they would like to live in the regions. When I am out and about, if I am doorknocking, at street stalls or talking to constituents, I meet so many people who have moved from Melbourne probably in the last two years, and they say that they wish they had moved earlier and that they are loving it. Some do mention that they still travel to Melbourne, maybe for work, or as they have left family and friends back in Melbourne, they often travel back to catch up with them. This is the beauty of this policy: although you may use it for work purposes, I know that this policy and these fair regional fares will encourage more Victorians to connect with families and friends across the state – and how wonderful is that.

By reducing the cost of travel between metro and regional Victoria, people will be more inclined to take the train to visit loved ones, catch up with friends or gather for special occasions. I just want to point out here too that it is important to note that the seniors Myki will continue to give free weekend travel in any two consecutive zones and on regional town buses, so really there is no excuse to not go and see the grandkids anymore or visit the regions. As I have indicated and said before, I believe I have one of the most beautiful electorates in the state – beaches, rolling agricultural hills, wineries, historic townships and many tourism activities – so what an incentive this is. I encourage people, especially metro Victorians, to come and see our regions. Come and visit us. Do that by jumping on a train. Come and explore Geelong, and you can travel out to the wonderful Bellarine. I know that this is only going to grow our regional tourism. It will support our regional businesses, which are really going to see the flow-on effects and benefits of this cheaper travel. Easter is around the corner, and it is a great time to just come and visit us in regional Victoria. Also, if you do need a little bit of help, I know that the V/Line stations and call centre staff will be able to assist travellers with accessibility needs to reach their destination. I know they too are excited about this; they want everyone to have the best experience.

Our record does show that we get on with things that matter here in Victoria. We are a government that has been and is transforming our public transport right now. We know that regional Victoria is booming – record unemployment, strong agriculture, strong tourism, and just around the corner are the magnificent Commonwealth Games. This investment has been incredible. Since 2015 we have seen an investment of nearly \$1.5 billion to build 59 VLocity trains, and guess what? It is about jobs. It is about good-quality jobs. It is about creating career pathways and secure jobs in our regions.

As much as the prices are now becoming fairer, and that is welcome, people do say that they want better services and more trains more often. Well, that is exactly what we are committing to do – 23 new VLocity trains, securing hundreds of jobs also over the next three years. As we heard from other members' contributions, we have also provided an extra 800 services since 2014 to the V/Line network, and a further 200 weekend regional services have been committed. This is actually putting into action our core values of supporting people into employment in this state. It is very simple: Labor believes trains made for Victorians should be made by Victorians. These extra trains will run from 2024, and as new trains roll off that production line, I cannot wait to see that.

Just to highlight the difference here, though, with the alternative proposals that were proposed in the election, regional Victorians would have had to face cuts in services to keep this operational. The fact is that if the opposition had formed government in November with their \$2 ticketing policy, it would have hurt not only regional commuters but the whole transport network.

We do things that matter for everyday Victorians. I am so proud of this investment. It will help people across the Bellarine electorate and across the state in regional Victoria. It is going to help with the cost

of living. This is an investment into our future, it is investment into people and it is fair. It is a fair deal. That is what Labor governments do – we create fairer societies. I am excited about this regional capped fare. Excuse the pun, but this is going to keep Victorians on track for a better deal.

Brad ROWSWELL (Sandringham) (18:01): In the very short time remaining in this matter of public importance debate I also rise to make a brief contribution to the matter before the chamber. Firstly, I commend the contributions of my colleagues the member for Polwarth, the member for Eildon, the member for South-West Coast and the member for Mornington. In the very short time that is available to me I just want to refer in particular to item 1 of the matter of public importance today and the fact that the independent Parliamentary Budget Office shows that Labor's fare promise has been underfunded by \$1.1 billion. That is of deep concern to me, of deep concern to the opposition and of deep concern to the Victorian people. If they are going to pay for it, they have got to tell us how.

Bills

Drugs, Poisons and Controlled Substances Amendment (Medically Supervised Injecting Centre) Bill 2023

Second reading

Debate resumed.

Will FOWLES (Ringwood) (18:02): As I was saying before the break, dealing with drug addiction in the community is a complex task, and it is a complex task that requires people with complex needs to interact with a complex web of support systems. These are not straightforward matters, and there is a very, very strong link between trauma and addiction. This complex web of circumstances that brings people to the position where they are using drugs and/or using the services of a safe injecting centre means that you have got to have a properly resourced response. Importantly, you have got to have that response in the right place, and that is where the drug use is habitually happening and where the drug transactions are happening. That is the appropriate siting for it. This safe injecting centre has delivered safer streets for North Richmond. As I said prior to the break, I used to live around the corner. I have seen people overdosing in the streets. That was in the pre medically supervised injecting centre era, and I am very glad that that era is behind us. We are now dealing with this maturely and sensibly. Despite the shrill moral panic from those opposite, we are dealing with it maturely and sensibly and using an evidence-led policy in relation to these issues.

In the final 47 seconds available to me, I do want to pay particular tribute to my friend, the former member for Richmond Dick Wynne. Dick was an absolute icon of his community for so many years, and he championed this policy even though it certainly was not government policy at the time that he was championing it. I do not know that it was a policy that was widely embraced necessarily by a large number of his parliamentary colleagues. But by dint of his passion and his good work and by dint of the evidence that was carefully and sensibly amassed over the journey, he persuaded his colleagues of the merits of the policy, and it is to his great credit that those 63 lives have been saved.

Tim READ (Brunswick) (18:04): It is a pleasure to rise to speak on this bill, which will make the medically supervised injecting room a permanent healthcare institution in Melbourne. It is important to just quickly recap why this exists. Heroin and other opiates stop people breathing if they have too much of them. It is just as simple as that. You just stop breathing. The black market opiate trade does not come with accurate dosing information, and so it is inevitable that people will periodically stop breathing.

Back in 1990s we had an epidemic of heroin overdoses with, from memory, around 500 deaths a year. That was followed by a heroin shortage, a drought, so the death rate fell. But somehow the drought has been resolved and we are seeing an increase again in heroin overdoses. The epicentre of a lot of the trade has remained in the Richmond area, and particularly around the site of the current medically supervised injecting room. I am grateful to the staff there for taking a number of us on a tour of the supervised injecting room on Friday, where we learned that they deal with an average of six or so

overdoses per day, but only one every couple of days is severe enough to require the opiate receptor blocker medication naloxone, otherwise known as Narcan. The rest are treated by positioning the patient correctly and ensuring that their airway is open and maybe giving them some oxygen. The success rate of treating those overdoses is 100 per cent. The medication, if it is required, is very effective and the patients leave after a period of time. So preventing death by heroin overdose is technically quite straightforward, using either the medication or attention to airway and oxygenation. Essentially what is done in the supervised injecting room is resuscitation. It is a simple form of resuscitation, but the fact that it is technically simple does not take anything away from the significance of what is done. Without it, they will die. With it, they live and walk away. So what we have is a resuscitation service that is applied to an average of six people a day.

Opposition to this really should take into account the significance of the service that is offered. We should also ask why it is not offered in other locations, but the issue I want to turn to this evening is why several groups of people are not allowed to use this service. Under existing legislation and regulations, pregnant women, individuals aged under 18, people who are subject to certain court orders and individuals who would like someone else to inject the heroin are not allowed to go into the service, so they are effectively denied the resuscitation. If you find someone who has stopped breathing or is blue in the face after a heroin overdose, you call an ambulance. The ambulance will turn up and administer the same treatment, regardless of whether that person is pregnant, under 18, requiring a friend to inject them or is subject to a court order, but those four groups are not allowed into the service to have the benefit of the resuscitation.

I am not blaming anyone for this. This was probably the political price to pay, I guess, for getting the legislation for the trial through in the first place, but now that we are establishing a permanent resuscitation service at the epicentre of Melbourne's heroin use, we should allow those groups of people to have access to resuscitation. We would not deny resuscitation to any group of people for any reason that I can think of, and so the remaining legislative and regulatory barriers to those groups entering this service should go.

The Greens have these concerns, and we will raise them further – potentially with amendments to the legislation – in the other place. Another aspect of this service that I would like to raise is the important array of additional healthcare services that are offered. I understand that at this site more prescriptions for hepatitis C treatment are written than in any other treatment location. In other words, the medically supervised injecting room in North Richmond treats more hepatitis C than anywhere else in Melbourne. Hepatitis C treatment is remarkably effective these days. It typically takes about three months. It is typically tablets dosed about once a day. Even with this group, with often chaotic lifestyles, the success rate is above 80 per cent. That is a cure rate for hepatitis C. Twenty years or so ago we had a cure rate of 25 per cent in the best treatment institutions. Hepatitis C treatment has advanced, but it is now being directed to the group in Melbourne who need it the most, and that is happening at this service. That means we are preventing cirrhosis of the liver, liver failure, liver cancer, and we are keeping a whole bunch of people out of hospital. We are not just resuscitating people, we are keeping a large group of people out of hospital and stopping them from infecting others by treating the hepatitis C.

They have also got some really high-quality dental treatment there which has pioneered a silver fluoride treatment, which is a kind of black paste that is put on dental cavities. Opiate users have really bad teeth, and there is a range of reasons related to reduced saliva production which means that they get shocking tooth decay. Instead of time-consuming, invasive treatment with drills and fillings and so on, you can just paint this paint on their fillings and it lasts for six months to two years. It can cause some black staining – that is the effect of the silver – but it kills the bacteria dead and stops the cavities from progressing. For people who may not want to commit a lot of time or subject themselves to pain and whatever else, you can achieve enormous improvements in their dental health with this simple treatment.

Another treatment they offer there is opioid replacement therapy. You have all heard of methadone, which is usually a daily drink, but there is now a once-a-month injection of a long-acting drug called

buprenorphine, which is highly effective and will probably replace methadone in most but not all cases. Getting more people onto opioid replacement therapy will be an enormous cost saver, particularly in the criminal justice system. Providing these additional services to the population in Melbourne who needs them the most is not just saving the health system a lot of money but it is taking a big load off our overstretched hospital system and it may be taking a big load off our criminal justice system. If we have more prescribers for opioid replacement therapy – we have a shortage of prescribers in Victoria – we will be able to achieve even more.

There are other services there, and I do not have time to go into the details of the employment services, the legal services and the housing and homeless services they offer, but they all save one of our most vulnerable groups from further pain and suffering and they are all a good long-term investment for this state. We should have more of these supervised injecting rooms. They do not all have to be large multidisciplinary clinics like the one in North Richmond. Some of them perhaps should be pop-up clinics until we establish whether they are really needed or not. But the thing I like best about this supervised injecting room is that it represents a fundamental challenge to the cold-heartedness that underlies the value system promoting prohibition, the value system that says, ‘You use an illegal drug, you should suffer and take the consequences.’

Daniela DE MARTINO (Monbulk) (18:15): I rise to support the Drugs, Poisons and Controlled Substances Amendment (Medically Supervised Injecting Centre) Bill 2023. As the member for Wendouree so poignantly put it, ‘Hope lives in this bill and trajectories will be changed’ – how very true. I too share in her pride and the pride expressed by other members here today amongst my colleagues, the pride and admiration for the members of government who had the courage of their convictions and voted for the safe injecting rooms in the first place – notably against much opposition from those who were across the chamber at the time.

In late 2017 the Andrews Labor government announced the first trial of a medically supervised injecting room in this state’s history. It was a bold initiative. It took a safety-first, medical approach to addressing decades of harm caused by high drug use in the City of Yarra. Every single life lost to drugs is a terrible tragedy for the families and the friends affected and for the wider community. This government remains unwavering in its work to reduce drug harms in the City of Yarra. We in this place must take a step back and remember it is our responsibility, it is our mandate, to care for the most vulnerable in our community. We provide ways and means for those in the battle of their lives to get back up on their feet and for those in the depths of their despair to be under the close watch of medical professionals when they need them the most.

Time and time again experts tell us that safe injecting rooms save lives. Two independent reviews since the trial commenced in June 2018 have demonstrated that this safe injecting room has saved approximately 63 lives – that is 63 daughters, 63 sons, 63 parents, siblings, friends, all thanks to this essential service. The member for Melton, former paramedic and former secretary of Ambulance Employees Australia, also described in poignant detail what it is like for paramedics to attend a fatal overdose and the problems in North Richmond prior to the opening of this safe injecting room. The sheer volume of those who were using and overdosing and dying in the streets and the alleyways was the reason for the location of this room in the first instance. The member for Melton quoted Danny Hill, the secretary of the Victorian Ambulance Union, who said that 6000 overdoses have been managed by the safe injecting room since its inception. That means 6000 less ambulance call-outs. It means no fatalities. People are alive today who would not be otherwise.

These 6000 overdose events – I just want to say it again – resulted in zero fatalities. Let us let the numbers sink in for a moment. To put it into perspective, because sometimes large numbers sound big and fancy but it is hard to conceptualise what they mean: St Vincent’s public hospital, if anyone has ever been there, has 780 beds, probably almost always occupied. It is 7.7 times that hospital that comes close to that 6000 number. That is a significant, huge number of people who ended up overdosing in a safe space – not on the streets, not in the schoolyard but in the injecting rooms – and that is an extraordinary figure

and achievement. It has taken pressure off local hospitals, reduced ambulance call-outs and led to a reduction in the spread of bloodborne viruses such as hepatitis C within the City of Yarra.

The establishment of the trial followed growing concern about the number of heroin-related deaths, two parliamentary inquiries and coronial findings that an injecting room would reduce the risk of death from heroin overdose – and it has. These reviews have provided solid evidence that the service is doing exactly what it is designed to do. There have also been more than 3200 referrals to health and social services, including general practitioners, oral health, housing, drug treatment and bloodborne virus testing and treatment. It has been vehemently endorsed as an ongoing service by the Ryan review, and we have introduced the amendment bill to ensure its ongoing nature. This legislation will pave the way for immediate measures to be taken to further boost safety and amenity in the North Richmond precinct and increase wraparound supports for the clients of the service. These changes will strengthen it, ensuring it continues to do what it is designed to do, which is save and change lives. It is not about doing what is popular sometimes, it is about doing what is right, it is about doing what matters – it is about saving lives.

Contained within the Ryan report is a paraphrased client interview transcript published on the North Richmond Community Health website. It gives a firsthand account of the immense value of this service, stating:

The addicts go to the injecting room because they think their life is worth saving. They should be treated as people who want to live their life so let's help them. No-one is out to hurt anyone. All an addict wants to do when they go to use the injecting room is walk out alive. And by going to the injecting room, there is an avenue to get some help.

It's ground-breaking, I would be dead without the injecting room. Or I'd probably still be using.

These are powerful words from someone with incredible firsthand experience. It is only a Labor government which can be trusted to reduce drug harm and support those who are struggling with addiction to get the support they need to live a better life.

Hundreds of stakeholders, including people living and working in the local area and those directly involved in the safe injecting room, have been involved in almost a year of research and consultation as part of the Ryan review. It developed a really deep understanding of people's experiences, perspectives and suggestions. In determining where the location should be, the government was guided by where drug use was happening. For decades the City of Yarra had experienced trauma and tragedy of high levels of drug use and deaths. In 2015, before the safe injecting room was established, there were 25 fatal overdoses alone. In 2017, when this program was announced, a woman tragically passed away not 50 metres from the press conference. Since the trial's commencement the Andrews Labor government has invested more than \$200 million across the North Richmond precinct. It has included new and upgraded public housing and improvements to the housing estate grounds and communal buildings, including new playgrounds, a sportsground, lighting, landscaping and community room upgrades, all with a focus on improving amenity and safety in this precinct.

Much has been said about the primary school by those opposite. I would like to state that Richmond West Primary School is a great primary school with a strong academic record and a wonderfully diverse student population from culturally, linguistically and socio-economically diverse backgrounds. The school has been a strong supporter of the safe injecting room since its inception, understanding the imperative purpose that it serves in taking drug use off the streets and reducing deaths. I would like to thank them for their ongoing cooperation and understanding of the importance of this centre.

The truth is we have all been affected, touched and impacted by drug addiction in some way. Whether it is family, friends or constituents, we all recognise how unforgiving this disease is. Thirty years ago the sister of a friend was struggling with a heroin addiction. She worked really hard to overcome her dependency, and her family and her friends were thrilled. They were happy because she had got clean. A year later life got pretty difficult for her again, and she turned back to her heroin use. Within two

months she had died. I cannot help but think that maybe, just maybe, if this had been around, she would still be here with us.

The former member for Richmond, the Honourable Richard Wynne, wrote an article five years ago which put the case so clearly for these injecting rooms. It painted a clear picture of what the situation was in North Richmond prior to the opening. It makes it very apparent as to why this area was selected in the first place. He asked:

What do we say to a community so scared it has resorted to taking heads off front garden taps to prevent providing water for the next overdose ...

... how do we explain to children why they've faced the unforgettable trauma of stumbling across an overdose victim at the park ...

And what can we possibly say to console a grieving parent whose child could not beat the demons of drug addiction? There was a grassroots campaign that a local of North Richmond Judy Ryan led at the time. She had found a young man slumped at her gate. He was one of her regulars who often injected drugs in or around her property. She wrote a book about her campaign for these rooms. She described how things were in her community before the facility, and they were concerning at best. She said:

I regularly walked south along Lennox Street to Richmond station. It was common to see people injecting, "on the nod", or overdosed in the playground of Richmond West Primary School or next door in the carpark of North Richmond Community Health. As these incidents had been common place in this area for decades, both establishments had well-honed drills.

So there is a reason why it is there near the school. It is because that is where people were dying. That is where people were overdosing. You cannot place a centre kilometres away in the hope that people will go there simply because that is where it is. You need to bring the centre to where the issue was at its core, and that is why this place has worked. I have to say some have used it as a political football, this issue, which is really disappointing to all of us here. Even during last November's election they made it abundantly clear that they wanted to move it to some magical alternate place. There was nowhere listed, which basically means, 'Let's just shut it down.'

I just would like to commend this bill to the house. It is incredibly important. It saves lives, and it is worth all the effort here.

Gary MAAS (Narre Warren South) (18:25): I too rise to make a contribution on the Drugs, Poisons and Controlled Substances Amendment (Medically Supervised Injecting Centre) Bill 2023. I note as I make my contribution over the next 9½ minutes or so that I am doing this without my spectacles, which I left in my office, so please bear with me. In all seriousness, though, in supporting the passage of this bill I think something has to be said about the reasoned amendment which has been put by the member for Lowan. So the opposition is seeking that after the word 'That' the bill be omitted and replaced with the words:

... this bill be withdrawn and redrafted to prevent a medically supervised injecting centre from operating in ... proximity to schools, childcare centres and community centres.

Of course we are opposed to this reasoned amendment, and the reason we are opposed to this reasoned amendment is because on this side of the house we ultimately support community. We know that community is made up of all of us, of every one of us. It might be inconvenient that drug users have a public health problem where harm needs to be minimised, but taking a zero-tolerance approach to that does not make our community stronger. Drug users are a part of and are included in our community, and can I just say at this point, just as members of our LGBTIQ+ community are part of our community. They are a valid part of our community. Just like the multicultural parts to our community – and I am talking about Narre Warren South here, but I know I am speaking about all communities. I have African people in my community, and I love them dearly. They know they are part of our community. They are not excluded and they are never called out – never called out by us. People on Centrelink as well are never called out by us or excluded. They are a part of our community. I say the

same to drug-addicted people: you are a part of our community, and you should feel safe as you are working through that public health issue.

Education is absolutely key in all of this. As a parent – gosh, it must have been about 11 years ago now – taking my eldest daughter to primary school for the first time, I was confronted when dropping my daughter off at school with being told by the school principal, ‘There’s been a drug overdose in the grounds of the school today, but we’re letting you know that we have this situation under control. We have protocols in place. We know that our local medical services are here to help. We have a direct line to police if they are needed, and we have our protocols that we enact when something like this does happen. And when it does happen we have an educational process that we go through with the children not only who might’ve witnessed it but who were there in the school.’ It becomes a bit of lesson, a learning if you like, to kids in the school. But the whole school community understands that it is a public health issue, and the issue is tackled by way of a community solution. It is not a zero-tolerance approach. It might be simple to cut certain layers of our society out. It is not done like that. It is done through a community mechanism, and I am very, very proud to be supporting this bill and to support its passage through the house.

The objectives of the bill are very clear: to establish that the North Richmond medically supervised injecting centre is an ongoing service at its current location and to remove limitations to medically supervised injecting room (MSIR) models of care. The key changes in the bill include making North Richmond medically supervised injecting centre an ongoing service at its current location, the ability to transfer or reissue an MSIC licence to another provider, the ability to extend a licence and the ability for a service to have clinical nursing oversight as an alternative to supervision by a medical professional.

It was in late 2017 that the government announced the first trial of a medically supervised injecting room in this state’s history to address the decades of harm that had been caused by drugs. The establishment of the trial followed growing concern about the number of heroin-related deaths. There were two parliamentary inquiries and coronial findings that an injecting room would reduce the risk of death from heroin overdose. In 2015, before the MSIC was established, there were 35 people who died from overdoses that related to heroin purchased or that was used in the City of Yarra, and this demonstrated a clear need for the development of an MSIC to reduce death and drug-related harm.

Since then two independent reviews have been conducted over the trial period. In June 2020 an independent panel chaired by Professor Margaret Hamilton delivered the first review of the trial, and in February 2023 an independent panel chaired by Mr John Ryan delivered the second review. One of the most significant recommendations that the Ryan review made was to keep North Richmond as an ongoing service. The Ryan review panel’s report tells us that the trial has saved lives and provided access to general health, housing support, GPs and social and wellbeing assistance. It has performed as it was intended to, and it continues to provide beyond its original scope. The operating model guided by the Ryan review will include coordinated care to support clients to access key health and social services. It will also deliver specialised services for vulnerable cohorts, including women and Aboriginal and Torres Strait Islander peoples.

It is anticipated that the decision to make the North Richmond service ongoing at its current location will elicit some criticism from the community. However, since its opening in 2018 the facility has safely managed more than 6750 overdoses and has indeed saved 63 lives. Saving lives is a priority of this government, and this facility is clearly achieving its intended purpose. In the 3½ years before the centre opened there were 818 ambulance attendances involving naloxone administration within 1 kilometre of the service, compared to 459 ambulance attendances in the 3½ years after the MSIR opened, and that is a 55 per cent reduction. It has also led to a decrease in ambulance call-outs and reductions in heroin overdose related presentations in local emergency departments and the spread of bloodborne viruses, easing significant pressure on our healthcare system.

The government is improving governance of the precinct by introducing an interdepartmental committee, which will also oversee safety and amenity issues across North Richmond to increase

safety and address community concerns and criticisms. The government, however, does remain unwavering in its work to reduce drug harms in the North Richmond community, and these changes will strengthen the service. This is an excellent bill, and I really commend the hard work of the minister to ensure its passage through both houses of Parliament. I commend the bill to the house.

Jordan CRUGNALE (Bass) (18:35): I rise to speak on the Drugs, Poisons and Controlled Substances Amendment (Medically Supervised Injecting Centre) Bill 2023. Life throws all sorts of slings and arrows in our paths, and we may or may not have the support structures, social and familial networks, programs and services easily and readily accessible or even close by to reach out to. Trauma, stress, genetic predisposition, depression, anxiety, pain, wanting to self-medicate, mental ill health – it can all be too hard to even scratch the surface of the underlying causes, so drugs in their myriad forms kind of sweep in to quieten and dull that pain, that noise, the stress and the trauma. Whatever the reason, it is complex and it is fibrous and it is difficult. It is not easy, as many think, just to stop.

Our Australia-first Royal Commission into Victoria's Mental Health System had findings about and also mentioned in its final report the strong links between drug addiction and poor mental health. It said that in Victoria a substantial number of people are living with both mental illness and substance abuse or addiction, but many are not getting the comprehensive treatment, care and support they need to recover and lead contributing lives. It goes back to that health response, which many have spoken to today in this chamber, with the care and compassion and the supports and services in place – why this bill is before us.

One of the most significant recommendations to come out of the Ryan review, which we have also heard about today, is to keep the North Richmond medically supervised injecting room as an ongoing service. This is why we have introduced this bill. Key changes include the ability to transfer or reissue the licence to another provider, the ability to extend a licence and the ability for a service to have clinical nursing oversight as an alternative to supervision by a medical professional.

But there is always more to do, and this is why you have a review: what is working well, where we need to improve and what we can do better. This legislation will also pave the way for immediate measures to be taken to further improve safety and amenity in the North Richmond precinct and increase wraparound supports for clients and services, whether that is better access to integrated treatment, better access to health and social supports for our vulnerable community members or women-centric services outreach. These are all areas that will be addressed and actioned working alongside the local community. By making sure we can deliver more integrated health and social services we will be aligning with the recommendations of the Royal Commission into Victoria's Mental Health System and better meeting the long-term needs of both clients and the broader North Richmond community. These measures and improved supports will strengthen the service, ensuring it continues to do what it is designed to do: saving lives and changing lives. We have heard a lot about that in this debate as well.

At about the same time as Sydney was opening Australia's first medically supervised safe injecting room in Kings Cross the conversation here in Melbourne was beginning and was not without controversy. It was just over 20 years ago. I remember that time, and I was very supportive of the Kings Cross facility. Before it opened, one in 10 overdoses was happening in the Cross. The conversation here in Victoria – and it is really interesting – over that sort of 20-year period has shifted. Then it was about whether people using illegal substances should be in a safe and supportive environment. Now it is more about a conversation, disagreement, whatever you want to call it, around, and I will quote from the Ryan review:

... which policies and practices will lead to the best health outcomes for all Melburnians.

It is a great indicator over time of how we have changed as a community and a society around the use of drugs and also a public health approach to treatment as opposed to the criminal aspect. The Ryan report was a year of research and hundreds of consultations with residents, business people, people using drugs, police and service providers. Alongside was the Centre for Evaluation and Research

Evidence bringing in the dataset and analysis, and it culminated in the findings and recommendations in the Ryan review.

Preceding this of course was the Hamilton review in 2020, and both provided evidence that the service is doing what it is meant to do – saving lives and changing lives. The panel have spent hundreds of hours consulting with people, as I mentioned just now, including police and ambulance services and representatives, to develop a really deep understanding of people's experiences, perspectives and suggestions, and speaking with local residents, people who inject drugs and the workers at the North Richmond facility. They also had four round tables with health practitioners, human service providers and alcohol and other drug harm reduction experts; commissioned research; and sought advice from Australian and overseas experts on models of care, community engagement, approaches to improve amenity and opportunities for service system improvement.

Since its opening in June 2018 the facility has safely managed more than 6750 overdoses and saved 63 lives. We have heard people talking about their own experiences and the member for Melton's experience of being on the front line itself. We have all got experience of people around us using – well, maybe not all. But I used to live in an area where there was really high drug use, and I was constantly called because someone had OD'd and I knew how to do CPR. I tended to be the first person on the scene and then was able to get the ambulance to come along as well. A lot of the time people did not want ambulances to come at all for fear of retribution – but this is going back to the last century. Also, through my work in mental health and working in the St Kilda precinct, it was a common thing to see people that had OD'd on the street, and that is not what you want. You want someone to be in a safe, supported environment using clean needles. It is all about harm minimisation.

We have heard about managing the over 6000 overdoses, but it has also saved 63 lives. As the member for Eltham said, that is 63 children of someone – 63 people that now have the opportunity, the networks and the supports to take a more positive life path and 63 people that are still with us today because of this service. Those around them have been spared the lifelong grief of sorrow, pain and guilt – everything that is attached to losing a loved one to drugs.

It has taken the pressure off our hospitals, St Vinnies being the main one, which has actually seen a decline in presentations – a trend not seen in our other hospitals like the Alfred or Royal Melbourne – and it has led to a reduction in ambulance call-outs and a reduction in the spread of bloodborne viruses within the City of Yarra. Importantly, there are also all the referrals – I think there are over 100,000 – that have happened from the centre to GPs, dentists, housing and drug treatment facilities and a number of health and social services that are provided on site around mental health, dental, addiction support and treatment. Ambulance attendance has decreased, and even the number of instances of support that have had to be given out around health promotion and management of injecting-related injuries has decreased significantly. The services that I was talking about, like St Vinnies and Launch Housing, and all the referrals – it is all about those wraparound services in our community.

As the member for Narre Warren South was saying, we are all community members. We are all here, we are all on the planet and we are all trying to do our best. We are hit with all sorts of things that life throws at us and some of us can cope a bit better than others, but it is about providing a safe, supported environment around harm minimisation and doing things safely. I absolutely commend this bill to the house, and I want to thank everyone that has been advocating for such a long time to have a safe injecting room here in Victoria.

Meng Heang TAK (Clarinda) (18:45): I am delighted to rise today to speak on the Drugs, Poisons and Controlled Substances Amendment (Medically Supervised Injecting Centre) Bill 2023. It is such a great honour to stand here and also to join the member for Bass, the member for Narre Warren South and all the colleagues on this side of the house that support this bill. I would like to say that perhaps we have all had friends or family or have known of people who have suffered from drug addictions and OD. I certainly did during high school back in my days in Springvale, and I know that the member for Narre Warren South also grew up in that suburb, and we saw many times our classmates in the morning

and asked, 'Is he coming back?' if it was one of those days. During uni time, many times at Springvale train station we saw the police attend or ambulance, and it was to do with OD.

That was about two decades ago, and it is such a privilege to be here contributing to this bill today. It is a very important objective and it is a very important bill, one that will save lives and change lives and one that is deeply rooted in compassion and care for some of our most vulnerable Victorians. I am very proud to speak in support of this bill and very proud of what the North Richmond medically supervised injecting room has achieved since its inception some five years ago. Time has flown. It really is hard to believe that it has been five years since the initial trial period commenced in North Richmond, but also much has happened in that time – so many life-changing events and many life-changing interventions, and we can see many of those details in the recent review of the MSIR.

In fact two independent reviews of the MSIR have been conducted over the trial period. In June 2020 an independent panel chaired by Professor Margaret Hamilton AO delivered the very first review of the trial, and in February 2023 an independent panel chaired by Mr John Ryan delivered the second review. Mr Ryan, with members Chris Kotur and the Honourable Robert Knowles, outlined 10 recommendations to the Minister for Mental Health. Most importantly the Ryan review found that since its establishment in 2018 the MSIR trial in North Richmond has succeeded in achieving the trial's central objective, which is to save lives. Saving lives is what this facility and this piece of legislation are all about. Amazingly there have been almost 6000 overdose events safely managed in the MSIR trial, and we have heard time and time again that 63 lives have been saved. That is 63 lives, and you can imagine the families and the friends and loved ones that also contributed to these 63 lives. So it is truly amazing. It is a rare occasion that we have a piece of legislation before us that is so significant and that can have such profound consequences and can make such a meaningful difference in somebody's life – and what is more meaningful than saving lives? I am extremely proud and honoured to be able to stand here today as a member of the Andrews Labor government to support this piece of legislation and to support the continuation of that life-saving work taking place at the MSIR.

The results of the MSIR as detailed in the most recent review are astounding. As some context, the MSIR was some 20 years in the making. Twenty years ago the conversation started on a medically supervised injecting room to combat heroin-related deaths in Melbourne. At the time it was very much a controversial idea, but fast forward to 2023 and that debate has shifted. The community agree that drug addiction is a health issue and requires a health response. Drug addiction is an extremely complex issue, but the community agree that those suffering from drug addictions need and deserve care and support. The debate has moved on, and it has shifted. We are not stuck 20 years ago, stuck in the old ways of thinking. We are here working on the trial and delivering a health response to this health issue – and a very effective response at that.

Certainly the trial commenced in North Richmond in June 2018. Its establishment by the Victorian government followed a high number of fatal heroin ODs in the area in the years preceding the trial. In 2015 there were 20 fatal ODs in Richmond, with a further 15 occurring elsewhere but using drugs that had been bought in North Richmond. Absolutely tragic – 35 lives lost, 35 families and 35 communities deeply touched and affected. We had to act, and we did. The MSIR contains 20 injecting booths, and it is coordinated with an on-site needle and syringe program which provides sterilised injecting equipment and health-related information and referrals. This is what we do, and that is why it is important. The MSIR is housed within a purpose-built facility adjacent to the North Richmond public housing estate and next to North Richmond Community Health, which also operates the MSIR. NRCH is a small organisation originally established to support public housing residents in the area. It is connected to other health and social care community services, including a GP clinic, a dental service, nutritionists and occupational health therapy as well as health services for people identifying as Aboriginal or Torres Strait Islander.

What has the facility delivered? As previously stated, and as we have heard from many of the previous speakers here on this side of the house, since its establishment in 2018 the medically supervised injecting room has been successful in achieving the trial's central objective – to save lives, and we

have to say it again, it is saving lives. There have been almost 6000 overdose events at the place during the trial period, and none have been fatal. The modelling suggests that during its time in operation the MSIR has prevented up to 63 deaths. It is unbelievable, and what is more important is that over the 42-month period before the MSIR opened there were 818 ambulance attendances involving the use of reverse heroin overdoses within 1 kilometre of the MSIR compared to 459 ambulance attendances during a comparable 42-month period. The review also noted a declining trend of opioid overdose presentations at St Vincent's, the nearest public hospital emergency department. Since the MSIR began operating they have peaked at around 250 presentations a quarter in 2019 compared to around 150 presentations in the second quarter of 2022, which is a very low number and a very positive one. Lastly, there have also been some positive improvements regarding public injecting and discards of injecting equipment. There is so much more to add here, but given the time that I have got left I would just like to say that overall it is a really positive achievement.

I would like to finish by thanking all the staff at North Richmond Community Health and the staff of the medically supervised injecting room, as well as the various clinicians, service providers and academic and community organisations that have worked together to make the MSIR what it is. You are amazing, and Victorians as a whole are grateful for your work and expertise. You all ought to be commended, and I commend the bill to the house.

Katie HALL (Footscray) (18:55): I am very pleased to be able to make a contribution, in the time we have remaining prior to the adjournment today, to this bill and express my strong support for it, but I would like to make a few comments about the position of the Liberal Party on this matter and the amendment from the other side. A couple of years ago in Footscray a member from the other place Ms Crozier joined with her former colleague Bernie Finn to hold a protest in my community of Footscray – in the heart of Footscray, in the mall – against the establishment of a medically supervised injecting facility in my community. It was literally a protest against nothing, because there was no proposal for such a facility; there was no proposed location for such a facility. But this did not stop them distributing petitions in my community, especially to Vietnamese businesses, where many of those business owners remember all too well what it was like to live with an out-of-control heroin problem in Footscray in the 1990s and the early 2000s. So this idea that there is concern about the location of this facility I think is completely disingenuous, because the Liberal Party was all too happy to come to my community to hold a protest about a facility that was neither proposed nor backed by any research. It was just scurrilous, and what it was about was politics. It was about scaring one cohort of my community and demonising another.

I am strongly supportive of this bill, because living in Footscray I have seen firsthand what it is like as a resident to fish syringes out of your backyard on an almost daily basis, to see terrible situations on the streets of Footscray – an open drug trade – and also to see the horror of overdoses in my community. Thank God we had people like the member for Melton working in my community. Thank goodness we had people like him who were willing to go in there and help members of my community who had a health problem, who were profoundly vulnerable people with complex and challenging issues in their lives.

What we have seen opposite is basically a distraction, a moral panic. We have a facility that is working. It is saving lives. You know, there are 63 people who still have their loved one, and there are 63 families who are not going through the grief and devastation and lifelong trauma of thinking 'What if we had intervened earlier? Could we have done more?' and living with that tragedy every day. That is what this is about. This is about saving lives. This facility is saving lives.

I would like to thank a nurse from my community of Footscray Elwyn Davies, who I spoke to today. He has been working in the centre in North Richmond, and he spoke to me about the complexity of the clients there and the wraparound services that they receive – and these are people who would be out on the streets of Richmond. Those opposite spoke a lot about amenity. Well, there is nothing more devastating – and I can speak to this from experience in Footscray – there is nothing worse than having people dying on your streets. I am very pleased to have been able to make a short contribution to this.

This is an issue that is very important in my community. It is recognised as a health issue in Footscray, but it is also recognised as an issue that we have dealt with before. We have seen it before.

Business interrupted under sessional orders.

Adjournment

The DEPUTY SPEAKER: The question is:

That the house now adjourns.

Evelyn electorate schools

Bridget VALLENCE (Evelyn) (19:00): (111) The matter I raise is for the Minister for Education, and the action I seek is for the minister to allocate sufficient funds in the upcoming 2023 state budget for desperately needed facility upgrades at the many schools in the Evelyn electorate, including but not limited to: Wandin North Primary School for new toilets, new permanent buildings to accommodate STEM and arts learning, a new library and disability access; Birmingham Primary School in Mount Evelyn, the largest local primary school in my electorate, for a new multipurpose school stadium for sports, arts and assemblies – indeed this facility would also serve as a community emergency shelter during times of severe storms and bushfires; Rolling Hills Primary School in Mooroolbark; Chirnside Park Primary School, where many kids in my electorate attend, for new overhead sports court covers to enable greater outdoor learning, rain, hail or shine; Yarra Hills Secondary College, Mount Evelyn campus, for a master plan and upgrades to the front entrance, reception and administration and for new classrooms throughout; and St Mary's Catholic Primary School, Mount Evelyn, for new toilets and new classrooms, particularly for foundation students. Those are just a few examples of the school upgrades that we need locally and the funds that we require in the upcoming state budget to be allocated to schools in the Evelyn electorate.

Last year, in the 2022 state election, I and the Victorian Liberals committed \$15.6 million to schools in the Evelyn district. We listened to these school communities regarding the important projects that they need to ensure modern and safe learning environments for the school students and the teaching staff at those schools. As part of my local plan to meet the needs of students, their families and our amazing teachers and principals, our commitments would help to deliver the best possible learning environments and educational facilities. Sadly, so far, the Andrews Labor government has failed to match any of these election commitments. A number of these schools have not received any capital improvement funding for over 20 years, and when you consider that the Andrews Labor government has been in power for about 17 of the past 21 years, it is completely unacceptable that this Labor Party has failed to invest in these schools, ignoring the needs of students and teachers. They are Victorians too. I call on the Minister for Education and the Andrews government to allocate funds in the May 2023 budget to ensure schools in the Evelyn electorate get the upgraded facilities that they need and deserve.

Bass electorate LGBTIQ+ support

Jordan CRUGNALE (Bass) (19:03): (112) My adjournment matter is for the Minister for Equality, and the action I seek is an update on the work the Andrews Labor government is doing to support our LGBTIQ+ communities in the Bass electorate and across Gippsland, particularly for our trans and gender-diverse communities. Locally, we are so lucky to have the wonderful support services and fantastic events that celebrate and support our LGBTIQ+ communities, their families and allies, and I would like to shout out the Gippsland Pride Initiative, Casey Rainbow Community, the Casey Rainbow Community living library project, YES Youth Hub in Wonthaggi and Cardinia shire youth services as just a few of the incredible local services who are working hard to ensure our community members at a local level feel loved, supported and seen. It is so important as a community that we are able to wrap our arms around our trans and gender-diverse community and their loved ones and make sure they know they are welcome and supported.

Next month the wonderful Bass Coast Youth Pride Prom is happening in Inverloch. In June this year we will see two very exciting pride events in the area, with the Gippsland Ranges Roller Derby Pride Cup and the Gippsland Pride Initiative's annual Pride Gala, and I understand both of these events have been made possible through funding from the Victorian government. I am very proud to be a part of the Andrews Labor government, who have brought forward some important changes to the lives of our LGBTIQ+ communities, including banning conversion therapy practices, allowing trans members of our community to change their gender on their birth certificate and allowing same-sex couples to adopt. I ask the minister: will you please provide me with an update on other funding initiatives and programs that are available to ensure that LGBTIQ+ community Victorians, especially trans and gender-diverse people, are welcomed and supported in Gippsland and particularly in my electorate of Bass?

Murray Valley Highway

Peter WALSH (Murray Plains) (19:05): (113) My adjournment matter is for the Minister for Roads and Road Safety and is on behalf of the many constituents who suffered when the Murray Valley Highway continued to be closed after the peak of the October 2022 floods had passed, with a few inches of water remaining over the highway at the Wandella Creek bridge north of Kerang. This meant that the major transport route between Kerang and Swan Hill was closed for weeks longer than was necessary and the local district was thrown into chaos. School buses could not get students to school, and people could not get to work without driving hundreds of kilometres extra every day.

The action I seek is to have the minister instruct Regional Roads Victoria to install box culverts in the floodway of the Murray Valley Highway immediately north of the Wandella Creek bridge, adjacent to Reedy Lake. This would mean that the highway would only have to be closed during the peak of the flood, connectivity between Kerang and Swan Hill would be reinstated quicker and school students would be able to get to school rather than having to miss weeks of school. It would mean residents would be able to access medical services and, importantly, ambulances would be able to travel between Swan Hill and Kerang, or on to Bendigo as is sometimes the case, rather than having long detours. The unnecessary length of time the Murray Valley Highway was closed caused a sustained economic downturn in Kerang as people could not travel into town to shop or access services and opted to spend their money in Swan Hill rather than face the long haul the detour entailed.

One Kerang family who work in Swan Hill told me the closure forced them to make a 6-hour round trip to Swan Hill every day if they were going to go to work. It made going to work cost prohibitive and basically stopped the woman and her husband from working the entire time the highway was closed, with no financial compensation, for what was basically a few inches of water over the road. This family and many others like them were not just upset and angry, they were highly stressed. The woman in the family told me the fear of losing their jobs added further to their stress and anxiety. That was compounded, they told me, by the total lack of communication as to when the highway would reopen – and, no, a few posts on a departmental Facebook page is not communication; it just does not cut the mustard. I will not go into detail about the number of complaints about the mail that could not get through. As I said earlier, the school bus was not allowed through, and in the end many frustrated families simply opted to keep their children at home – all because of a few inches of slow-moving water over the road that was not dangerous at all. Fortunately after several weeks common sense prevailed and there was a small levy put in place to stop the water going over the road and it was reopened to traffic, but weeks later than it should have been.

In future the disruption to Kerang and Lake Charm district residents and the closure of major transport in northern Victoria could be averted forever with the installation of box culverts to let the water flow under the road instead of over it. I urge the minister to listen to the concerns of these communities and urgently have this issue resolved by having box culverts installed in the floodway on the Murray Valley Highway north of the Wandella Creek bridge.

North Shore Sports Club

Ella GEORGE (Lara) (19:08): (114) My adjournment matter tonight is for the Minister for Community Sport, and the action I seek from the minister is to visit North Shore Sports Club in the electorate of Lara and hear from the club about their plans to redevelop their home at Windsor Park. North Shore has a proud history and will be celebrating its centenary in 2027, but over the past couple of decades and since Ford ceased operations in Geelong participation in the club has declined. The club has worked hard to develop a master plan for their home at Windsor Park and grow participation, particularly in women's netball and in junior football and cricket teams.

Last year I announced a \$2 million election commitment to build female-friendly facilities for North Shore. These facilities will cater for players across football, cricket and netball and kickstart the \$6.5 million master plan project. The North Shore Sports Club have always been a pillar in the North Shore and surrounding communities, and this commitment will ensure North Shore remain a viable community club into the future. North Shore are a wonderful club, and I think the minister will really enjoy meeting with them. I look forward to welcoming the Minister for Community Sport to the North Shore Sports Club to hear more from the club about their plans for Windsor Park.

McKoy Street–Hume Freeway, Wodonga

Bill TILLEY (Benambra) (19:09): (115) I wish to raise a matter for the attention of the Minister for Transport and Infrastructure. The action I seek is for the minister to provide full details in a briefing to me on what will happen with the \$168 million committed by the federal government to the McKoy Street–Hume Freeway interchange. Last week the minister confirmed this project is roadkill. What a shock – of course the minister blamed the feds. That is the previous federal government, so you can work that out. But we will go on. She said \$210 million, including the \$168 million from the Commonwealth and the \$42 million from the Victorian state government, is not enough – yet two-and-a-bit years ago it was.

Minister Allan's correspondence in December 2020 said the extra \$104 million from the then coalition government was a result of a preliminary-level assessment of the proposal by Major Road Projects Victoria. The department had done the maths, come up with a figure and I am guessing hoped the feds would end up rejecting it and saying no about the additional funding. Well, certainly I, for one, and the community of the Benambra district are sick of the spin. Now it is a Labor government in the Lodge – your lot, your mob, is in the Lodge. Do not sheet it home that everything is from the previous federal government.

A member interjected.

Bill TILLEY: Enjoy it while you can, and do not bugger it up. Do not sheet it home to the previous federal government; it is not their fault. You have the money. You have a \$10 million daily interest bill. You clearly have no money for regional Victoria. As a rural representative, I can see that you have no money for roads anywhere in regional Victoria.

This project is – or should I say was – important to our community. In 2015 you created an 80-kilometre stretch on the Hume Freeway at this intersection because it was too dangerous – an 80-kilometre zone on the main freeway between Sydney and Melbourne that sees 30,000-plus vehicles a day and about 7500 heavy vehicles. Then in 2018 came the plans to build a roundabout. It was a roundabout in name and nature. For a time they called it a Mickey Mouse solution. That is an insult to Disney, of course. It is a dog's breakfast. It is a technicolour yawn on good road design. Trucks have to cross two lanes of traffic in 80 metres from a standing start if they want to get to the industrial area near McKoy Street. This is an intersection that also sees people going to work and parents taking kids to school. It is a significant intersection. In fact it is a deathtrap. But rather than confronting the problem, you point the finger. You politicise road safety rather than acting responsibly. I have no doubt you will take this money and prop up one of these projects in Melbourne that are already massively over budget. Tell me why you can find money for the city but not for the country. I will tell you why

– you do not care. This week we are talking about saving 63 heroin addicts over four years. As of Sunday, 46 people in the state of Victoria have died on rural roads in the first 11 weeks of this year – 10 more than last year.

The DEPUTY SPEAKER: Before I call the member for Yan Yean, I remind all members that the word ‘you’ refers to the Chair.

Yan Yean electorate roads

Lauren KATHAGE (Yan Yean) (19:12): (116) My adjournment this evening is for the Minister for Roads and Road Safety. The action I seek is that the minister join me to inspect bridge-strengthening works at Barbers Creek on Donnybrook Road. This \$1.6 million upgrade will create a safer and more reliable journey for road users, and while like many who use Donnybrook Road each day I took the temporary 60-kilometre speed limit as a chance to enjoy the scenery of the green wedge, I will be glad once the roadworks are completed shortly. I would like to thank the people and businesses of the surrounding communities for their patience while this vital work is undertaken. There are a lot of upgrades and maintenance works taking place in our community at the moment, and that is no surprise to me, but perhaps it is a surprise to the member for Benambra, considering the Labor government has more than doubled state investment in Victoria’s road network. In fact in 2022–23 we have invested \$780 million in the state’s maintenance program, and \$470 million of that will be spent in regional Victoria.

Since 2014 this government has invested \$36 billion to upgrade our road network and deliver critical maintenance to ensure our roads are safer and more efficient. This is why we are busy upgrading Bridge Inn Road as part of Victoria’s Big Build. We are adding extra lanes, upgrading intersections and building a new bridge over Plenty River. When I visited the site recently I met Azize, an apprentice formworker. She had not set out to become a tradie. She had gotten a job in traffic management and through that learned of all the good jobs and training being made possible through the Big Build – 18,000 jobs have been created through the Big Build. When I caught up with Azize she proudly pointed out where she had contributed to the new Plenty River bridge foundations. The old Plenty River bridge is being turned into a shared walking and cycling path. It is the perfect location as paths from there lead directly to what will be the fully upgraded Plenty River Trail. This stunning trail will follow the Plenty River for 20 kilometres and reach all the way to Bundoora. You will be able to enjoy one of the five new lookouts on the way. The path will have multiple entry points from the surrounding suburbs, meaning the whole community will be able to enjoy a walk in nature and even bring their dogs along for a walk too. I am especially proud that this new trail will be suitable for all abilities from Bridge Inn Road to Hawkstowe precinct, meaning for people who have prams or who are wheelchair users it will be free and easy to use that area. This is a great asset for our community, and I am looking forward to seeing work start.

Walhalla sewerage

Wayne FARNHAM (Narracan) (19:15): (117) The action I seek today is from the Minister for Environment, and it relates to the tiny township of Walhalla. Walhalla is a town of less than 20 residents, but it faces a huge environmental problem with over 100,000 visitors per year to the popular tourist destination and no solution to manage sewerage in the community. Six years ago a working group was set up to look at the issue, but since then little or no action has been done. Because of the unique nature of the community, management of anything in the town is complex. Management of the area is complex with the significant number of departments and groups involved – Parks Victoria, West Gippsland Catchment Management Authority, Regional Roads Victoria, Heritage Victoria, Baw Baw Shire Council, Gippsland Water, Walhalla Board of Management and the Department of Energy, Environment and Climate Action. Often volunteer groups within the community are being left to deal with the complex issues that should be the responsibility of the relevant departments, not volunteers who should be working in their local businesses.

Sewerage and management of the local river system has for a long time been an issue, but increased tourism is rapidly becoming an issue and threatens the future of the town. With more visitors comes more pressure on the existing system to cope with effluent flows. The concern is that the existing septic system cannot cope with the effluent and it is leaking into the river system that supports the town. I am certain, having spoken to locals, that a solution can be found. Technology is being developed that would allow for a localised processing plant to service the town, meeting the needs of both residents and visitors. Another option is connectivity to a plant in the nearby town of Rawson. Intervention from the government is critical because of the complex nature of the management of the region. Minister, I ask you urgently to investigate what can be done to support the Walhalla community and ensure that their future is not put at risk by further inaction from the government. In the year 2023 I do not think any community in regional Victoria should be up you-know-what creek.

Box Hill electorate level crossing removals

Paul HAMER (Box Hill) (19:18): (118) My adjournment matter is for the Deputy Premier and Minister for Transport and Infrastructure. The action that I seek is an update on the progress of the level crossing removals at Union Road and Mont Albert Road in my electorate. As the Deputy Premier knows, the final construction blitz is well and truly underway to remove these dangerous and notorious level crossings, as well as the construction of a brand new train station. On my frequent visits down to the site I can see that work is powering ahead and the end is in sight. The final result will be an absolute game changer in the lives of thousands of local residents, and I would like to thank them and our local traders for bearing with the current disruptions during this final push to the finish line.

Smile Squad

Kathleen MATTHEWS-WARD (Broadmeadows) (19:18): (119) My adjournment matter this evening is for the Minister for Health, and the action I am seeking is that the minister provide me with an update on the rollout of the Smile Squad in my electorate of Broadmeadows and other actions the Victorian government is taking to support good oral and dental health for my constituents. Dental conditions are the highest single cause of preventable hospitalisations for children under the age of 10, and getting the dental care kids, not to mention adults, need can be incredibly expensive as well as time consuming, and it is sometimes tricky to get an appointment. Smile Squad solves all this by giving students completely free dental check-ups and treatment, including teeth cleaning, fluoride application, fissure sealants, fillings and root canals, all during school hours.

It was great to celebrate World Oral Health Day at the wonderful Glenroy Central Primary on Monday with Minister Thomas and the awesome Smile Squad team from Merri Health. Minister Thomas announced that all Victorian government primary, secondary and specialist schools have now been invited to participate in the program, and from 2026 this will extend to all low-fee non-government schools too. With more Victorian students accessing free oral care, the Labor government is also recruiting more dental assistants. A dental assistant traineeship program is supporting recruits with training, mentoring and supervision to undertake the certificate III dental assisting traineeship.

It was great to meet Sasi the other day as one of the 100 new dental assistant trainees, who was really enjoying the opportunity to learn and earn as she goes. The program provides employment opportunities to people who are experiencing long-term unemployment, the culturally diverse, women over 45, Aboriginal and Torres Strait Islander people and newly arrived migrants. Trainees have found positions at health services across metropolitan Melbourne and regional Victoria. The majority of recruits are women, and one in five are newly arrived migrants to Victoria.

The Andrews Labor government has made a transformative investment in preventative and public health through establishing Smile Squad. By providing free care and treatment, oral health issues are able to be stopped before they become serious, good routines are established and everyone gets the care they need, which is even more important during tough times, when dental bills can be difficult for families. Good oral health is central to good overall health and wellbeing, and prevention is the

key to good oral health. This government is looking after kids' teeth, saving families time and money and providing jobs and learning opportunities. What is not to smile about?

Taverner Street, Rainbow

Emma KEALY (Lowan) (19:21): (120) My adjournment matter is for the Minister for Roads and Road Safety, and the action that I seek is to provide immediate funding for flashing lights and a reduced speed limit in Taverner Street, Rainbow, near Rainbow primary school. This is an area which has been flagged for some period of time – it is very, very dangerous. There are trucks that come through this area that come from the gypsum pits just north of Rainbow near Albacutya. They come in through town at 60 kilometres per hour. I do not know whether you have seen a fully loaded gypsum truck, but it is quite heavy and it is difficult to pull up. There is great concern. Along Taverner Street there are a lot of potholes through that area as well. It is very difficult for trucks to slow down over that area. The locals have stepped it out – they think that it would make only about a minute's difference if the speed limit was reduced to 40 kilometres per hour. Having that additional precaution of flashing lights in place would ensure that there is an additional warning during school hours so that the young kids who are crossing the road in that area are safe and protected from these heavy vehicles that are moving through.

I do ask the minister – we have got a budget coming up – that there be money set aside for this important school crossing for the Rainbow primary school to keep those young kids safe and ensure that the entire community, who also access the kindergarten on the other side of the road and who live along Taverner Street in Rainbow, are safe. It is certainly something that would be supported and appreciated by the trucking industry also.

Responses

Ros SPENCE (Kalkallo – Minister for Prevention of Family Violence, Minister for Community Sport, Minister for Suburban Development) (19:23): I will respond to the member for Lara first, who raised a matter for me in my capacity as the Minister for Community Sport. It was a request for me to visit the North Shore Sports Club in her electorate to hear from the club about their plans to redevelop their home at Windsor Park. That was also in regard to a \$2 million election commitment that the North Shore Sports Club had received. I would be absolutely delighted to visit that club in the near future with the hardworking member for Lara and talk to that terrific club. I am really pleased that that investment will provide more female-friendly facilities to support the growing number of women and girls at the club and support the inclusive and welcoming culture of that terrific club. I thank the member for Lara for raising this matter, and I look forward to that visit.

The member for Evelyn raised a matter for the Minister for Education. The action being sought was for the minister to allocate sufficient funds in the upcoming budget for the many schools in her electorate for the many upgrade purposes, as listed in her adjournment matter. The member for Bass raised a matter for the Minister for Equality. The action being sought was for the minister to provide an update on works that the government is doing to support LGBTIQ+ communities in her electorate, in particular the trans and gender-diverse communities. The member for Murray Plains raised a matter for the Minister for Roads and Road Safety. The action being sought was for the minister to instruct Regional Roads Victoria to undertake box culvert installation works on the Murray Valley Highway near Kerang.

The member for Benambra raised a matter for the Minister for Transport and Infrastructure seeking an action for the minister to provide a briefing on the status of the \$168 million investment by the previous federal government for the McKoy Street intersection in his electorate. The member for Yan Yean raised a matter for the minister for roads, and the action being sought was for the minister to join the member to inspect bridge-strengthening works at Barbers Creek on Donnybrook Road. The member for Narracan raised a matter for the Minister for Environment; the action being sought was that the minister investigate what can be done to support the Walhalla community in regard to sewerage concerns.

ADJOURNMENT

1206

Legislative Assembly

Wednesday 22 March 2023

The member for Box Hill raised a matter for the Minister for Transport and Infrastructure; the action being sought was for the minister to provide an update on the progress of the level crossing removals at Union and Mont Albert roads in his electorate. The member for Broadmeadows raised a matter for the Minister for Health; the action being sought was for the minister to provide an update on the rollout of the Smile Squad in her electorate and other actions that the government is taking to support good oral and dental health for her constituents. And the member for Lowan rushed in and raised a matter for the minister for roads, and the action being sought was for the minister to provide funding for flashing lights and speed reductions near the Rainbow primary school. I will refer all of these matters to the appropriate ministers for action.

The DEPUTY SPEAKER: The house now stands adjourned until tomorrow.

House adjourned 7:27 pm.