



LEGISLATIVE COUNCIL

MINUTES OF THE PROCEEDINGS

No. 106 — Wednesday, 26 May 2021

Proof Version

1 The President took the Chair at 9.34 a.m., read the Prayer and made an Acknowledgement of Country.

2 **PETITIONS —**

AMEND THE 2021 DUCK SEASON — Mr Bourman presented a Petition bearing 1,793 signatures from certain citizens of Victoria requesting that the Legislative Council call on the Minister for Agriculture to amend the 2021 duck season to be extended for a full season of 87 days with a full bag of ten birds per day.

Ordered to lie on the Table.

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BREAST SCREENING PROGRAM — Ms Crozier presented a Petition bearing 644 signatures from certain citizens of Victoria requesting that the Legislative Council call on the Government to reverse the cuts to women's health protection services and fully fund the breast screening program so all women, at all times, have access to this essential program.

Ordered to lie on the Table.

3 **PAPERS —**

VICTORIAN HEALTH BUILDING AUTHORITY NEW FOOTSCRAY HOSPITAL PROJECT — PROJECT SUMMARY, MAY 2021 — Ms Symes moved, by leave, That there be laid before this House a copy of the Victorian Health Building Authority's New Footscray Hospital Project — Project Summary, May 2021.

Question — put and agreed to.

The Report was presented by Ms Symes and ordered to lie on the Table.

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YORTA YORTA TRADITIONAL OWNER LAND MANAGEMENT BOARD, REPORT 2017-18 — Mr Leane moved, by leave, That there be laid before this House a copy of the Yorta Yorta Traditional Owner Land Management Board Report, 2017-18.

Question — put and agreed to.

The Report was presented by Mr Leane and ordered to lie on the Table.

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PAPERS PURSUANT TO STATUTE — The following Papers, pursuant to the directions of several Acts of Parliament, were laid on the Table by the Clerk:

Auditor-General's Report on Measuring and Reporting on Service Delivery, May 2021 (*Ordered to be published*).

Lower Murray Urban and Rural Water Corporation — Report, 2019-20 (*in lieu of that tabled on 10 December 2020*).

Yorta Yorta Traditional Owner Land Management Board — Minister's report of receipt of the 2017-18 report, together with an explanation for the delay.

PROCLAMATION — A Proclamation of the Governor in Council fixing an operative date in respect of the following Act was laid on the Table by the Clerk:

Public Health and Wellbeing Amendment Act 2021 — Whole of Act — 1 July 2021
(*Gazette No. S243, 25 May 2021*).

4 SITTING OF THE COUNCIL — Ms Symes moved, That the Council, at its rising, adjourn until Tuesday, 8 June 2021.

Question — put and agreed to.

5 MEMBERS' STATEMENTS — Statements were made by Members pursuant to Standing Order 5.13.

6 CHILDREN, YOUTH AND FAMILIES (RAISE THE AGE) AMENDMENT BILL 2021 — Dr Ratnam laid on the Table the statement of compatibility as required by the *Charter of Human Rights and Responsibilities Act 2006*.

Dr Ratnam moved, That the Bill be now read a second time.

On the motion of Ms Taylor, the debate was adjourned for two weeks.

7 VICTIMS OF CRIME — Ms Maxwell moved, That this House notes —

- (1) the extensive and long lasting physical, psychological and financial impacts frequently experienced by victims of crime;
 - (2) the importance of a comprehensive, well-structured and easily accessible system of state assistance for victims of crime that encompasses forms of support and care, including counselling, that are particularly responsive to victims' individual needs and priorities;
 - (3) the urgent need to substantially revamp assistance to victims of crime in Victoria which has been identified on many occasions, including in the Victorian Law Reform Commission's 2018 report on the *Review of the Victims of Crime Assistance Act 1996*, and as part of other formal government review processes dating back to 2009;
 - (4) the imperative for new, simplified victims of crime award categories in the *Victims of Crime Assistance Act 1996*, that better define who should receive assistance and in what forms;
 - (5) the complementary need for enhanced, specialised child focused services that will lead to better healing and recovery for children and young people who are victims of crime;
- and calls on the Government to expedite its response to the Victorian Law Reform Commission's Review, especially in relation to the implementation of the critically important recommendations under Chapter 13 of the Review on restructured forms of assistance.

Debate ensued.

Question — put and agreed to.

8 BUSINESS POSTPONED — Ordered — That the consideration of Notice of Motion, General Business, No. 568, be postponed until later this day.

9 COMPLEMENTARY THERAPIES — Dr Cumming moved, That this House —

- (1) recognises the increasing financial burden on the Victorian health system from preventable illnesses and the COVID-19 pandemic;
- (2) notes that complementary therapies —
 - (a) demonstrate effectiveness in areas of burden to the health system;
 - (b) is a sector worth \$9 billion that supports domestic jobs, farming, manufacturing, research and exports;
 - (c) are often cost effective and less invasive;
- (3) further notes that all levels of Government have a role in —
 - (a) acknowledging and meeting user demands with safe and reliable choices;
 - (b) ensuring key health policies address complementary therapies;
 - (c) ensuring that all health practitioners are appropriately trained and registered;
 - (d) providing up to date and accurate information to consumers about their choices for different types of products and treatments;
 - (e) rigorously reviewing and evaluating the safety of new products and treatments and their benefits;

- (4) calls on the Department of Health to provide —
- (a) strong and up-to-date advice for consumers regarding effectiveness and safety of complementary therapies; and
 - (b) fact sheets on complementary therapies, including indigenous medicine, to improve public awareness.

Business having been interrupted at 12.00 noon pursuant to Sessional Orders —

10 QUESTIONS AND MINISTERS' STATEMENTS — Questions without notice were taken and Ministers' Statements were made pursuant to Sessional Order 13.

MEDICALLY SUPERVISED INJECTING CENTRE IN CITY OF MELBOURNE — Mr Leane having given an answer to a supplementary question relating to a medically supervised injecting centre in the City of Melbourne —

On the motion of Ms Crozier, the Minister's answer was ordered to be taken into consideration on the next day of meeting.

QUESTIONS — Questions without notice and Ministers' Statements continued and answers to certain questions on notice were circulated pursuant to Standing Order 8.12.

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QUESTIONS DIRECTED FOR WRITTEN RESPONSE — The President directed written responses be provided to questions without notice pursuant to Standing Order 8.07 as follows:

- **Hotel quarantine program costs** — substantive and supplementary questions asked by Mr Quilty — response from Ms Symes due Friday, 28 May 2021.
- **Pink eared ducks** — substantive and supplementary questions asked by Mr Meddick — response from Ms Tierney due Friday, 28 May 2021.

11 CONSTITUENCY QUESTIONS — Constituency questions were taken pursuant to Standing Order 8.08.

12 COMPLEMENTARY THERAPIES — Debate continued on the question, That this House —

- (1) recognises the increasing financial burden on the Victorian health system from preventable illnesses and the COVID-19 pandemic;
- (2) notes that complementary therapies —
 - (a) demonstrate effectiveness in areas of burden to the health system;
 - (b) is a sector worth \$9 billion that supports domestic jobs, farming, manufacturing, research and exports;
 - (c) are often cost effective and less invasive;
- (3) further notes that all levels of Government have a role in —
 - (a) acknowledging and meeting user demands with safe and reliable choices;
 - (b) ensuring key health policies address complementary therapies;
 - (c) ensuring that all health practitioners are appropriately trained and registered;
 - (d) providing up to date and accurate information to consumers about their choices for different types of products and treatments;
 - (e) rigorously reviewing and evaluating the safety of new products and treatments and their benefits;
- (4) calls on the Department of Health to provide —
 - (a) strong and up-to-date advice for consumers regarding effectiveness and safety of complementary therapies; and
 - (b) fact sheets on complementary therapies, including indigenous medicine, to improve public awareness.

Question — put and agreed to.

13 BIRTHS, DEATHS AND MARRIAGES VICTORIA — Dr Cumming moved, That this House —

- (1) recognises that —
 - (a) the life events recorded by Births, Deaths and Marriages Victoria relate to some of the most significant moments of a Victorian's life;
 - (b) life events are central to each person's identity;
 - (c) language and terminology used on government forms can have a lasting impact on individuals;

- (2) notes that while there have been progressive updates to how life events are recorded in Victoria, there are still significant areas where legislation, regulation or practices could better reflect modern family structures and how an individual would like their birth, death or relationship recognised;
- (3) calls on the Government to consider —
 - (a) broadening the scope of terms that can be used to describe the relationship status of a deceased person and their partner on their death certificate;
 - (b) reviewing the *Status of Children Act 1974* to enable multiple parents to be recorded on their child's birth certificate, including a provision to acknowledge a sperm or egg donor and their parental roles;
 - (c) examining potential changes to the language used for people who are divorced, to ensure their personal preferences are best accommodated;
- (4) calls on the Government to ensure that —
 - (a) language used by Births, Deaths and Marriages Victoria offers Victorians a choice on how they wish to recognise their life events; and
 - (b) the changes provide certainty that family structures will be formally recognised in government documents.

Debate ensued.

Question — put and agreed to.

- 14 PRODUCTION OF DOCUMENTS — MEMORANDUM OF UNDERSTANDING WITH CHINA'S NATIONAL DEVELOPMENT AND REFORM COMMISSION** — Mr Davis moved, That this House, in accordance with Standing Order 11.01, requires the Leader of the Government to table in the Council, within 14 calendar days of the House agreeing to this resolution, the memorandum of understanding with China's National Development and Reform Commission, signed by the Victorian Government in March 2017, committing Victoria to working with Beijing on infrastructure projects through public-private partnerships.

Debate ensued.

Question — put and agreed to.

- 15 PRODUCTION OF DOCUMENTS — CRRC CHANGCHUN RAILWAY VEHICLES COMPANY LIMITED** — Debate resumed on the question, That this House —

- (1) notes that —
 - (a) part of the Evolution Rail consortium awarded the contract to deliver the High Capacity Metro Trains is CRRC Changchun Railway Vehicles Company Limited, linked to the use of Uyghur slave labour;
 - (b) CRRC Changchun Railway Vehicles Company Limited is also part of the Chinese Government's Belt and Road Initiative;
 - (c) more than a million Uyghurs and members of other Turkic Muslim minorities have allegedly disappeared into a vast network of 're-education camps';
 - (d) factories in China are allegedly sourcing Uyghur workers from the 're-education camps' under a government-led labour transfer scheme;
 - (e) the Minister for Transport Infrastructure, the Hon Jacinta Allan MP, confirmed on ABC radio on 5 October 2020, that she was aware of these allegations and has sought advice from the Department of Transport about whether they were true;
 - (f) the Minister for Transport Infrastructure said the advice received from the Department of Transport about these allegations were untrue and the Minister did not indicate that CRRC Changchun Railway Vehicles Company Limited was not using Uyghur slave labour in other contracts and constructions; and
- (2) requires, in accordance with Standing Order 11.01, there to be tabled in the Council, on or before Wednesday, 14 April 2021, any advice received by the Minister for Transport Infrastructure from the Department of Transport, which she referred to in the ABC radio interview on 5 October 2020, relating to allegations that CRRC Changchun Railway Vehicles Company Limited were using Uyghur slave labour in the High Capacity Metro construction.

Mr Davis moved, as an amendment, That in paragraph (2) **omit** the words “on or before Wednesday, 14 April 2021” and **insert** the following in their place “within 14 calendar days of the House agreeing to this resolution”.

Debate ensued.

On the motion of Mr Finn, the debate was adjourned until later this day.

16 ACKNOWLEDGING ‘NATIONAL SORRY DAY’ — Ms Patten moved, That this House —

- (1) acknowledges that Wednesday, 26 May is ‘National Sorry Day’, where we remember and recognise the Aboriginal and Torres Strait Islander people who were forcibly removed from their families and communities, which we now refer to as ‘The Stolen Generations’; and
- (2) urges all Members to reflect on how we can all play a part in the healing process for our First Nations peoples, our nation and for all Stolen Generation survivors.

Debate ensued.

Business having been interrupted at 5.15 p.m. pursuant to Sessional Orders, the debate stood adjourned in the name of Dr Ratnam.

17 STATEMENTS ON REPORTS, PAPERS AND PETITIONS — Statements on reports, papers and petitions were made by Members pursuant to Sessional Order 16.

18 APPROPRIATION (2021-2022) BILL 2021 — The Acting President read a Message from the Assembly presenting *A Bill for an Act for the appropriation of certain sums out of the Consolidated Fund for the ordinary annual services of the Government for the financial year 2021/2022 and for other purposes* and requesting the agreement of the Council.

On the motion of Ms Pulford (for Ms Symes), the Bill was read a first time and, by leave, ordered to be read a second time forthwith.

Ms Pulford laid on the Table the statement of compatibility as required by the *Charter of Human Rights and Responsibilities Act 2006*.

On the motion of Ms Pulford, the second reading speech was incorporated into Hansard.

Ms Pulford moved, That the Bill be now read a second time.

On the motion of Mr Finn, the debate was adjourned for one week.

19 APPROPRIATION (PARLIAMENT 2021-2022) BILL 2021 — The Acting President read a Message from the Assembly presenting *A Bill for an Act for the appropriation of certain sums out of the Consolidated Fund for the Parliament in respect of the financial year 2021/2022 and for other purposes* and requesting the agreement of the Council.

On the motion of Ms Pulford (for Ms Symes), the Bill was read a first time and, by leave, ordered to be read a second time forthwith.

Ms Pulford laid on the Table the statement of compatibility as required by the *Charter of Human Rights and Responsibilities Act 2006*.

On the motion of Ms Pulford, the second reading speech was incorporated into Hansard.

Ms Pulford moved, That the Bill be now read a second time.

On the motion of Mr Finn, the debate was adjourned for one week.

20 STATE TAXATION AND MENTAL HEALTH ACTS AMENDMENT BILL 2021 — The Acting President read a Message from the Assembly presenting *A Bill for an Act to amend the Duties Act 2000, the First Home Owner Grant Act 2000, the Land Tax Act 2005, the Mental Health Act 2014 and the Payroll Tax Act 2007 and to make consequential amendments to other Acts and for other purposes* and requesting the agreement of the Council.

On the motion of Ms Pulford (for Ms Symes), the Bill was read a first time and, by leave, ordered to be read a second time forthwith.

Ms Pulford laid on the Table the statement of compatibility as required by the *Charter of Human Rights and Responsibilities Act 2006*.

On the motion of Ms Pulford, the second reading speech was incorporated into Hansard.

Ms Pulford moved, That the Bill be now read a second time.

On the motion of Mr Finn, the debate was adjourned for one week.

21 COGNATE DEBATE — APPROPRIATION (2021-2022) BILL 2021 AND BUDGET PAPERS, 2021-22 — Ms Pulford moved, by leave, That this House authorises the President to permit the second reading debate on the Appropriation (2021-2022) Bill 2021 to be taken concurrently with the debate on the motion to take note of the Budget Papers, 2021-22, contingent on such a motion being moved.

Question — put and agreed to.

22 ADJOURNMENT — Ms Pulford moved, That the House do now adjourn.

Debate ensued and a response to an Adjournment matter was circulated pursuant to Standing Order 4.13.

And then the Council, at 6.01 p.m., adjourned until Tuesday, 8 June 2021.

ANDREW YOUNG
Clerk of the Legislative Council