

# **STATE** *Victorian Labor* **CONFERENCE 2024**

## **Book 2B                      Policy Committee Reports**

*Industrial Affairs PC*

*Justice & Democracy PC*

*LGBTI PC*

*Multicultural Affairs & Population PC*

*Transport PC*

*Urban Affairs, Housing, Local Government & Infrastructure PC*

*Women's Affairs PC*

## **Venue**

*Moonee Valley Racecourse*

*Feehan Street, Moonee Ponds*

# Industrial Affairs Policy Committee

## State Conference Report

May 2024

### A. MEETING ATTENDANCE REPORT

#### 1. Elected Policy Committee members

Member	Attendance	LOA /Apology	Total Possible
Atticus Anderson Prior	2	3	6
Megan Bridger-Darling	1	0	6
Wesa Chau	4	2	6
David Cragg	6	0	6
Jameson Dalton	3	1	6
Rebekah Drake	5	1	6
Anna Dunne	4	2	6
Stephen Fodroczy	5	1	6
David Haidon	5	1	6
Jack Howard	5	1	6
Anna-Lena Jenner – Leave of absence	0	6	6
Tarik Koc	4	1	6
Danijel Malbasa	5	1	6
Liam McDonald	6	0	6
Elizabeth McGrath	6	0	6
Stephanie McGregor	4	1	6
Sam Popovski	0	0	6
Emily Sagolj	4	2	6
Jonathon Wight	4	1	6
Virginia Wills	5	1	6

Since the initial meeting, the policy committee has met six times: on 12 September 2023, 2 October 2023, 8 November 2023, 4 December 2023, 4 February 2024, and 3 April 2024.

#### 2. Minister, Parliamentary Secretaries & Caucus Representative

Minister/Parliamentary Secretary/Caucus Representatives	Attendance	Total Possible
Hon. Tim Pallas (Industrial Relations)		6
Hon. Danny Pearson (WorkSafe)		6
Hon. Vicki Ward (Employment)		6
Hon. Gabrielle Williams (Government Services)		6
Hon. Jaclyn Symes (Attorney-General)		6

### 3. Associate Policy Committee Members

Name	Attendance	Total Possible
Anthony Lay	3	5
Greg Davis	1	5
Dean D'Angelo	0	5
Francis Leach	0	5
Claire Neale	4	5
Zach Steenhuis	2	4

#### B. CORRESPONDENCE REPORT

Received From Constituent Units	Subject	Date Received	Action
Correspondence received from United Workers' Union via committee member	School Cleaning	3 December 2023	Motion discussed and passed at next meeting.
Correspondence received from Country Labor Executive	Rural & Regional Representation in Policy	5 December 2023	Acknowledged receipt
Correspondence received from Health, Community Services and Senior Victorians Health Policy Committee	Workcover Scheme Modernization Bill 2023	12 February 2023	Acknowledged receipt and responded.
Respondent from Attorney-General Mark Dreyfus	Federal Court Appointments	12 February 2023	Discussed at next meeting.

#### C. POLICY DEVELOPMENT REPORT

##### 1. Policy Committee organisation

Subcommittees
<p><b>Migrant Workers</b> The Migrant Workers subcommittee is focused on issues affecting Migrant Workers, including viable access to pursuing underpayment of wages without their visa status being affected.</p>
<p><b>Right to Strike</b> The Right to Strike subcommittee is focused on issues regarding workers access to their internally recognized human right to withdraw their labour, including the process of industrial action and laws relating to secondary boycotts.</p>
<p><b>Industry Transitions</b> The Industry Transmissions subcommittee is focused on issues regarding the transitions from outdated or historic industries, including retraining and support for existing workforces.</p>
<p><b>Gender Transition Leave</b> The Gender Transition Leave subcommittee is focused on issues regarding Gender Transition, including access to specific leave provisions.</p>
<p><b>Menstrual Leave</b> The Menstrual Leave subcommittee is focused on issues regarding Menstrual Leave, including access to specific leave provisions.</p>

<p><b>Procurement</b> The Procurement subcommittee is focused on issues regarding Procurement, including the State Government engagement with contractors and the insourcing of previously various workforces.</p>
<p><b>Under 18's Rights</b> The Under 18's Rights subcommittee is focused on issues that affect workers under the age of 18, including superannuation.</p>
<p><b>Practical WorkCover Reform</b> The Practical WorkCover Reform subcommittee is focused on issues with the WorkCover Scheme, including the WorkCover Scheme Modernisation Bill 2023 changes and legislative and regulatory reform to address issues that impede workers access to the Scheme.</p>

**2. Key policy Issues - a brief summary of the work the committee plans to undertake, including an outline of policy problems, possible solutions and actions the committee will take to address them.**

### **State Policy Issues**

#### **1. Referral of State I.R. Powers**

Conference recommends that Labor recognizes that other state administrations have retained state-based industrial relations bodies – in NSW, QLD and WA, industrial relations commissions, in TAS, an industrial commission, and in SA, an employment tribunal. Labor affirms that the referral of Victorian IR powers to the Commonwealth by Kennett in 1993 was not motivated by any care or concern for Victorian workers. Labor notes that independent contractors, state public sector workers and (in 4 states, not TAS) local government workers can be assisted by state IR bodies, and therefore commits to restoring a state-based industrial relations body in Victoria. Labor recognizes that it may be viable for an existing body, such as the Human Rights Division of VCAT or the Industrial Division of Magistrates Court, and therefore commits to exploring the restoration of a state-based industrial relations body in Victoria.

### **Migrant Workers**

#### **2. Wage Justice Victoria**

Conference recommends that migration and administration of visas remains constitutionally within the powers of the Commonwealth to deal with. But Labor also acknowledges the exploitation of migrant workers throughout Australia because of inadequate employment and migration laws. The structural flaws in the current migration management scheme leave migrant workers in precarious situation. This is largely owing to the nature of employer-tied work visas limiting migrant workers ability to challenge workplace exploitation. Over number of years trade unions, labour and migrant workers' rights community advocates have been calling for the development of justice mechanisms that would allow migrant workers in Australia to easily and fairly obtain remedies for the systemic violation of their rights at work, specifically underpayment of wages and superannuation.

Under the proposal, a new Workplace Justice Visa should be available to migrant workers who pursue meritorious claims against their employer through a range of avenues beyond industrial legislation. That is, because of the interplay between labour law and migration law, reform is needed to our migration laws. A migrant worker will be eligible for a visa if there are reasonable grounds to suspect that the worker's employer has committed a contravention of labour or immigration law in relation to that worker. A migrant worker would present acceptable evidence of the merits of their allegations, including steps taken to seek redress. A union, a community legal center, the Fair Work Ombudsman, or the Fair Work Commission can certify the merits of any claims. If satisfied, a court, tribunal, or commission will issue a temporary stay certificate to be sent

to the Department of Home Affairs granting the migrant worker a temporary visa to remain in the country until proceedings conclude or the matter is settled.

#### **BACKGROUND**

*There is no current mechanism available under the federal Fair Work Act for migrant workers to remain in Australia until the underpayment of their wages and superannuation has been resolved. Once migrant worker's visa is cancelled by their employer, they face deportation from the country without receiving the wages they have worked for and are owed. This exploitation sets a bad precedent for Australian workers, community harmony and harms Australia's international standing and reputation as a destination for skilled workers and international students. Labor therefore commits to work with the federal Labor government to call for the introduction of a Migrant Justice Visa.*

### **Practical Workcover Reform**

#### 3. WorkCover Scheme Modernisation Bill 2023

The changes made to the WorkCover Scheme by the WorkCover Scheme Modernisation Bill 2023 remove the capacity of workers to make mental health injury claims and leave workers with approved claims worse off. The detrimental effect on workers with long-term or permanent injuries restricting their capacity cannot be understated.

Conference recommends that – Labor commit to improving the WorkCover Scheme by reversing the changes of the WorkCover Scheme Modernisation Bill 2023

#### 4. Workplace Injury Commission – Arbitration on Rejected Claims

Conference recommends that – Labor commits to restoring the powers of the Workplace Injury Commission to arbitrate on (and to accept, where appropriate) Workcover Claims when no decision or a decision to reject the claim has been made by a VWA agent or self-insurer.

#### 5. WorkCover - Mental Health

Conference recommends that – Labor recognizes that mental health injuries are an increasing risk in contemporary workplaces, and therefore commits to aid in every possible way the treatment and recovery of Victorian workers who suffer mental health issues at work. Labor acknowledges that a core part in the recovery and return to work of injured workers will be quick access by the worker to the Workcover claims system and Workcover provision of comprehensive medical treatment. Labor therefore commits to an urgent review of the impact on Victorian workers of the recent Workcover Modernisation Act 2024, acknowledging the likely need for further legislative amendments to protect the future of injured workers.

#### 6. Employer's Obligation to Offer Suitable Duties

Conference recommends that – Labor will extend the Employer's Obligation to offer safe & suitable duties to an injured employee from the current first 52 weeks of an accepted Workcover claim to the entirely appropriate full 130 weeks of an accepted claim, should the employee continue to receive weekly payments for the full 130 weeks. This is in keeping with recommendation 16 of the Rozen Independent Review, and the extended period of obligation should encourage employers to consider in greater detail how to facilitate the safe return to work by their injured employee.

#### 7. Insurer & Self Insurer – Obligation to Keep Records

Conference recommends that – Labor will give strong coercive powers to the VWA to enforce an obligation on VWA agents & self-insurers to keep all records in relation to Workcover Claims lodged by injured employees, with record keeping to be subject to FOI protocols. Labor notes and endorses recommendation 3 of the Rozen Independent Review that the VWA receive information from employers to allow the Authority to assess all claims complexity and to triage all claims appropriately.

#### 8. PIN (Provisional Improvement Notice) – Authorised Persons

Conference recommends that – Labor will extend the right to issue Provisional Improvement Notices from solely workplace OHS representatives to additionally include holders of federally-issued ARREO licences (effectively, union representatives in good standing).

#### 9. Superannuation and WorkCover

Conference recommends that – Labor amend WorkCover legislation to require payment of superannuation for the first 52 weeks period of an approved WorkCover claim.

#### 10. Return to Work Victoria

Conference recommends that – Labor will create a “Return to Work Victoria” independent agency, to place the highest emphasis on the rehabilitation of Victorian employees injured at work. This long overdue initiative will compensate injured workers for the abolition by Kennett in 1992 of the Victorian Accident Rehabilitation Council (VARC). Employee organisations and injured workers should be represented in the governance of RTWV.

### **Procurement**

#### 11. Creation of a Public Works and Services Authority

Conference recommends that – Labor ends and reverses the damage done by the privatisation and leasing-off of public works, services and assets, by establishing an independent Victorian Government agency with two primary functions: (1) reviewing the desirability and efficacy of existing out-sourced contracts for public works and services; and (2) delivering public works and services through successful and competitive tender.

This agency will be responsible for comprehensively reviewing existing arrangements where public works and services have been contracted out of direct government delivery, with a view to returning them back in house where recommended. The agency’s recommendations will be based on the principles of democratic accountability, social and financial responsibility and advancing the public good.

In applying for public tenders and delivering works and services, this agency will be informed by the findings of its comprehensive review and its principles, and it will compete for tenders for the provision of works and services. If successful, it will be responsible for delivering public works and services and have the capacity to procure and hold public assets to fulfil its functions. Over time, this agency will ensure that necessary public works and services are delivered responsibly by the people, for the people.

### **Reproduction Leave (Menopause and Gender Transition)**

#### 12. Reproductive Leave (Menopause and Gender Transition)

Conference recommends that – Building on Labor’s pioneering achievement in legislating 20 days paid family and domestic violence leave, plus paid superannuation on parental leave, and Labor’s achievement in advancing the rights of LGBTIQ+ workers, and diversity and gender equality more broadly, it is now a time to introduce statutorily protected reproductive leave. Labor notes that different life stages are associated with specific sexual and reproductive health issues for Australian workers, including menstruation, chronic health problems, fertility, pregnancy, return to work after childbirth and menopause. Labor will champion the provision of an entitlement to paid leave to deal with menopause, gender transition and reproductive leave for all workers.

Labor supports introduction of menstrual and menopause leave of up to twelve (12) days of paid leave per year. Employees may access menstrual or menopause leave when they are unable to work due to symptoms associated with menstruation or menopause. The employee shall give the employer notice as soon as reasonably practicable of their request to take leave under this clause. Employees can use their menstrual or menopause leave without providing a medical certificate. In addition to menstrual leave, employees are entitled to work from home on an ad hoc basis or

stay in the workplace under circumstances which encourage the comfort of the Employee e.g. resting in a quiet area. Menstrual and menopause leave is not cumulative and, like the other forms of personal leave, unused menstrual and menopause leave may not be paid out at any time.

**BACKGROUND**

*Victorian State Labor is leading the nation on gender transition leave in the public sector. It is time to extend this entitlement to all private sectors. Clause 58 of the Victorian Public Service Enterprise Agreement 2020 (the Agreement) applies to Victorian Public Service Departments and Agencies (Employers) and their Employees covered by the Agreement. Clause 58 of the Agreement sets out an Employee’s entitlement with respect to gender transition leave. Employees (other than Casual Employees) are entitled to paid and unpaid gender transition leave to support an Employee’s transition to commencing to living as a member of another gender (gender affirmation), subject to the conditions set out in clause 58 of Agreement. Casual Employees are entitled to unpaid gender transition leave under clause 58.5 of the Agreement. This policy recognises that gender affirmation and transition is a deeply personal experience and that this will differ from one person to the next. As self-determination is at the core of the affirmation and transition process, an Employee’s individual circumstances and needs must be taken into account.*

*Labor will call for federal gender affirmation leave to be included in the National Employment Standards. An Employee who is transitioning gender (or otherwise defining their gender) will be entitled to 20 days’ paid leave per annum (non-accruing) for purposes incidental to that transition. The leave may be used for the purpose of attending medical appointments, recovering from medical procedures, undertaking any legal process relating to the transition, or any other similar activity related to the Employee’s transition. The employer may require supporting documentation for leave applications. For the avoidance of doubt, this leave is provided in addition to any other leave that may be available to the Employee. If the Employee has exhausted all paid leave available to them, the Employee may apply for Leave Without Pay. Applications will be dealt with confidentially and sensitively.*

**2. Policy Forums held or planned**

Date	Location	Key Topics	Guest Speakers	No. of Attendees
TBC	TBC	TBC	TBC	TBC
TBC	TBC	TBC	TBC	TBC

**D. ANY OTHER ITEMS**

**RECOMMENDATIONS – NATIONAL POLICY**

**1. Employment Services**

Conference recommends to the FPLP that – Labor commends the Federal Parliamentary select committee report on Employment Services, chaired by Julian Hill MHR, and in particular endorses the recommendation that the Commonwealth operate some direct employment services, in order to rebuild in-house APS experience and expertise. Labor commits that JOBS VICTORIA will partner with the Commonwealth to reinforce continuity of service delivery, to minimize turnover and wastage on contract management, and reduce the focus on legals rather than on positive outcomes for job seekers. Labor commits to assess the viability of integrating employment services with vocational services, emphasizing continuous education and “on the job” start-work subsidies.

## 2. Federal Court Appointments

Conference recommends to the FPLP that – Labor affirms the desirability of appointing more judges to the Fair Work Division of the Federal Court, in particular addressing the specialist nature of that Division and the urgent need to appoint judges with a background specialising in industrial law.

### **BACKGROUND**

*Close to half of all applications for relief in the Federal Court of Australia are filed in the Industrial and Fair Work Division. Yet only about 15% of judges appointed to the FCA come to the Court with a specialist background in industrial law. The Committee believes that in order for the Federal Court to meet the objects of the Fair Work Act by ways including taking account of Australia's international labour obligations it is imperative that the Court has sufficient representation of judges who come to the court with a specialist background in industrial law. Such judges come to the Court with an awareness of how difficult it is to win improvements in conditions of work through collective bargaining processes and in the case of unions, they understand the functions unions play industrially as well as the engagement they have as participants in the legal process. Judges with a background in industrial law are also better suited to engage in a certain amount of gap-filling which is often necessary since the entitlements they consider are frequently a compromised resolution to the outcome of a bargaining dispute.*

*The Committee calls on the ALP to find a pathway forward through which this noted lack of industrial expertise in the Federal Court can be remedied.*

**President:** David Cragg

**Secretary:** Liam McDonald



# Justice & Democracy Policy Committee

## State Conference Report

May 2024

### A. MEETING ATTENDANCE REPORT

#### 1. Elected Policy Committee Members

Member	Attendance	LOA /Apology	Total Possible
Berhan Ahmed	5	1	6
Cassandra Angelone	3	3	6
Matthew Arturi (President)	6	-	6
Jonathan De La Pena	1	0	6
Peter Fitzgerald	6	-	6
Tully Fletcher	2	0	6
Peter Gavin	5	1	6
Sheridan Howe	2	3	6
Katherine (Kate) Jackson	5	1	6
Monique Lobosco (Secretary)	6	-	6
Sophie Nguyen	2	4	6
Emily Sagolj	3	2	6
Neha Samar	2	2	6
Eric Seychell	4	2	6
Kumuda Simpson-Gray	1	1	6
Meng Tak	1	0	6
Anthony Van der Craats	5	1	6
Deborah Worsely-Pine	4	0	6
Mitchell Vandewerdt-Holman	1	2	3
Themistoklis (Tom) Balakas	3	3	6

#### 2. Minister, Parliamentary Secretaries & Caucus Representatives

Minister/Parliamentary Secretary/Caucus Representatives	Attendance	Total Possible
Attorney General The Hon Jaclyn Symes MLC represented by Senior Adviser	1	6
Minister for Police, Crime Prevention & Racing The Hon Anthony Carbines MP, represented by Senior Adviser	1	6
Minister for Corrections, Youth Justice & Victim Support, The Hon Enver Erdogan, has not responded to requests to attend	0	6
Ryan Batchelor MP - Member of the Integrity & Oversight Committee (Victorian Parliament)	1	6
Nathan Lambert MP - Member of the Electoral Matters Committee (Victorian Parliament)	1	6

### 3. Associate Policy Committee Members

Name		Attendance	Total Possible
Fname	Sname		
Laura	Adams	0	6
Gregory	Adkins	0	6
Sasha	Andersen	2	6
Atticus	Anderson Prior	0	6
Alexander	Bourikas	0	6
Megan	Bridger-Darling	0	6
Michael	Cooney	0	6
Connor	Darling	1	6
Jeremy	Davies	0	6
Kristen	Dodson-Geary	1	6
Samuel	Doyle	1	6
Stephen	Fodrocy	1	6
Jamie	Gardiner	3	6
Charmian	Gaud	4	6
Alec	Hayes	0	6
Felix	Hughes	0	6
Nathan	Ivetic	0	6
Robert	Johnson	6	6
Enzhe	Li	0	6
Ingrid	Magtengaard	0	6
Melba	Marginson	1	6
Reggie	Michelson	0	6
Christopher	Miles	0	6
Rachel	Miller	0	6
Mark	Morante	0	6
Bridget	Mullahy	6	6
Thomas	Nash	1	6
Kaumil	Patel	0	6
Susan	Pavlovich	6	6
Hilda	Rachid	4	6
Adam	Rae	0	6
Luca	Ragni	0	6
Ishmohit	Sabharwal	1	6
Parsuram	Sharma Luital	0	6

Bethany	Shegog	0	6
Harvey	Stern	6	6
Rachel	Storey	2	6
Jacqueline	Watts	0	6
Margaret	Willis	1	6
Henry	Wise	0	6
Peter	Holding	0	6
Rosemary	Elliott	2	6

## B. CORRESPONDENCE REPORT

Received From Constituent Units	Subject	Date Received	Action
Commonwealth and Foreign Affairs Committee	Motions put by CAFR as they relate to Palestine and Israel	27 February 2024	To be shared with the Justice and Democracy Committee for noting.
Health, Community Services and Senior Victorians Committee	Motion on Israel-Palestine re Ceasefire and Protecting Healthcare Workers and Patients.	14 February 2024	To be shared with the Justice and Democracy Committee for consideration.
Health, Community Services and Senior Victorians Committee	Motion Re WorkCover Modernisation Bill 2023	12 February 2024	To be shared with the Justice and Democracy Committee for consideration.
Country Labor Executive Motion	Rural & Regional Representation in Policy Motion	5 December 2023	To be shared with the Justice and Democracy Committee for noting.

## C. POLICY DEVELOPMENT REPORT

The Justice and Democracy Policy Committee of the Victorian Labor Party is proud to present its report to the 2024 State Conference.

Both voting and associate members collaborated on the following proposals which will form the basis for the Committee's work in the lead up to the 2026 State Election.

The Committee thanks those Ministerial Offices who took the time to attend meetings. It looks forward to working closely with Ministerial Offices, and stakeholder groups during the next phase of its policy development. The Committee also looks forward to hosting Ministers at future meetings of the Justice and Democracy Policy Committee to learn about the priorities within their respective portfolios.

### 1. Policy Committee Organisation

#### Subcommittees

<p><b>Criminal Justice</b></p> <ul style="list-style-type: none"> <li>● Raising the age of criminal responsibility</li> <li>● Indigenous justice</li> <li>● CALD justice</li> <li>● Youth justice</li> <li>● Harm Minimisation – Pill Testing, Drug Analysis and Early Warning Services</li> <li>● Improving the Safety of Police Watch-Houses</li> <li>● Bail reform</li> <li>● Sexual offences</li> <li>● Spent convictions</li> <li>● Limitation expiry</li> </ul>
<p><b>Human Rights</b></p> <ul style="list-style-type: none"> <li>● Victoria’s Charter of Human Rights and Responsibilities</li> <li>● Strengthening the Australian Human Rights Framework</li> <li>● Victoria’s anti-vilification law and implementation</li> </ul>
<p><b>Consumer Justice</b></p> <ul style="list-style-type: none"> <li>● Community Legal Centre funding</li> <li>● Legal Aid funding</li> <li>● “Lemon Laws”</li> <li>● Fraud</li> <li>● Scams</li> <li>● Protections for consumers</li> <li>● Protections for property occupiers</li> <li>● VCAT</li> <li>● Housing</li> <li>● Births Death Marriages</li> </ul>
<p><b>Electoral Matters</b></p> <ul style="list-style-type: none"> <li>● Integrity in the Conduct of Elections</li> <li>● Legislative Council Election Reform</li> <li>● State, Federal and Local Government Electoral Act Reform</li> <li>● Use of digitalisation in auditing vote counts</li> <li>● Erosion of democracy through misinformation and populism</li> </ul>

**2. Key Policy Issues - a brief summary of the work the committee plans to undertake, including an outline of policy problems, possible solutions and actions the committee will take to address them.**

**Criminal Justice Subcommittee**

**Raising the Minimum Age of Criminal Responsibility**

The Victorian Labor Platform 2022 says that “Labor will [...] take part in the national process to consider a proposal to raise the age of criminal responsibility” (5.1.5 Youth Justice, p. 80). The [Youth Justice Strategic Plan 2020-2030](#) reflects that position but goes further, undertaking to “participate in a national review of the age of criminal responsibility, through the Council of Attorneys-General and implement the recommendations from the review” (p. 25). Both statements are now outdated.

Since Mark Dreyfus became Commonwealth Attorney-General in 2022, the [national review](#) has been released. The majority view of the Standing Council of Attorneys-General (the Morrison Government dissented) supported an UN-compliant position of raising the minimum age to 14 years without exception, plus an additional measure of raising the minimum age of incarceration to 16 years except where the President of the Children’s Court decides to use discretion in circumstances of serious offences.

Victoria has announced reforms that would raise the minimum age to 14 whilst falling short on some of the associated provisions (including that the legal minimum age would be set at 12 for serious crimes).

The Justice and Democracy Policy Committee notes that at the 2023 State Conference, Policy State Conference Book 2B

Recommendation 14 of the Education and Youth Affairs Policy Committee's report included a commitment to:

- "raising the minimum age of criminal responsibility and ensuring that minors are never again incarcerated in adult prisons,
- amending the Youth Justice Strategic Plan to include a specific recommendation to raise the minimum age of criminal responsibility, and
- taking the lead in actively encouraging Federal, State and Territory Attorneys-General in their work towards raising the minimum age of criminal responsibility across all Australian jurisdictions."Action

### **Action**

This is a significant priority for the Justice and Democracy Policy Committee and will be led by the Criminal Justice Subcommittee.

A motion from the Aboriginal & Torres Strait Islanders Policy Committee urged Victorian Labor to "seek implementation of the majority findings and recommendations within the Draft Final Report 2020 of the Age of Criminal Responsibility Working Group of the Council of Attorneys-General in the current term of Government, of which the recommendation to "raise the minimum age of criminal responsibility to 14 years, without exception", is fundamental".

This motion was also adopted unanimously at the Justice and Democracy Policy Committee's meeting on 21 November 2023.

This Justice and Democracy Policy Committee refers to section 'D' of this report which details the urgency of this motion.

### **Harm Minimisation – Pill Testing, Drug Analysis and Early Warning Services**

Consistent with the recommendations of the Victorian Coroners Court, the platform could include a commitment to implement a public drug checking service where samples are rapidly analysed for content and purity and adapt its early warning network to alert the public to dangerous drugs in the community.

The Platform for Labor for Drug Policy Reform (October 2019) includes ten policy initiatives <https://laborfordruglawreform.org>. Victorian ALP Policy Committee proposals about Pill Testing tabled at the 2019 and 2023 ALP State Conferences regarding the introduction of drug pill testing into the harm reduction network as a component of their outreach and fixed location service model, for example front of-house pill testing at music festivals, as successfully piloted in the ACT in 2018 and now in practice in the ACT.

Medical cannabis is now legal in Victoria. The Victorian Government facilitated the creation of local jobs and facilities as part of its medical cannabis plan and continues to fund treatment for some of Victoria's sickest children through its Compassionate Access Scheme.

Naloxone training, ATOD pathways, Safescript and Crisis Hubs are all additional initiatives that signal the strength of our moves towards a health, harm reduction and community safety model of ATOD treatment.

The social and economic cost of a law-and-order approach toward ATOD is immense and its costs will continue to grow. It takes away police, firefighters, paramedics and emergency health staff resources from their specialist areas of acute need.

It adds immense and growing pressure to Victoria's public health system from the number of alcohol and drug-related hospital admissions.

The criminalisation of alcohol and drug use also contributes to a disturbing increase in rates of incarceration.

Drug use continues across all drug classes regardless of their legal status. Victoria needs policy settings that recognise that punishing ordinary Victorians for drug use further entrenches harm and takes away resources from the most vulnerable especially in emergency health and justice sectors and a proper use of our police and emergency resources.

## **Action**

The Criminal Justice Subcommittee is in its early stages of planning.

There are preparations underway on opportunities, need and importance of consultation with ALP members, Ministerial Officers, Unions, and relevant Parliamentary Committee members and/or subject matter experts.

## **Improving the Safety of Police Watch-Houses**

In Victoria there were 78 police stations gazetted as Police Watch-Houses. These 'lockups' hold people in custody for up to 30 days awaiting court hearings, bail applications and transfers to remand/other facilities.

According to a series of OPI/Ombudsman/IBAC reports, most police cells have not been physically configured or operated or supervised in a manner that enables safe custody for vulnerable groups – particularly for people with complex needs or who are intoxicated or have mental health issues. Their recommendations are too many to list. And regrettably many of the recommendations of the Royal Commission into Aboriginal Deaths in Custody (1987) remain relevant to the protection of vulnerable persons in Victorian police cells.

In Victoria as many as half the people held overnight in police cells in the past decade have been held for charges of public drunkenness. Following the tragic death of Tanya Day (whose uncle also died in police custody) and the Coroners Court report into that tragedy (which recommended a referral for prosecution), the Andrews Government moved to establish an Expert Review Group (ERG) to advise on the decriminalisation of public drunkenness and a move to a 'health-model'.

The ERG's *Seeing the Clear Light of Day* recommended, among other things, improving health and social care pathways, independent oversight of watch-houses, the expansion of Sobering Services, Mental Health and Alcohol and Other Drug Hubs, and consideration for altered roles for rural trauma and urgent care centres.

Policy committee members (from Health, Justice and Aboriginal Affairs) are keen to ensure that the ALP Platform for the next election includes a commitment to continued efforts to improve the safety of police cells and enable rapid access to appropriate health and community services.

## **Action**

The Criminal Justice Subcommittee will be responsible for liaising with the Attorney-General and the Ministers for Police, Youth Justice, Aboriginal Affairs, Health and Mental Health to discuss with this and other Policy Committees the progress of the recommendations of the Expert Review Group in its report *Seeing the Clear Light of Day*.

The Justice and Democracy Committee notes that a recommendation was endorsed by the previous Justice and Democracy Committee and several others:

- Justice and Democracy Policy Committee
- Health, Community Services & Senior Victorians Policy Committee
- Aboriginal & Torres Strait Islander Affairs Policy Committee

The Justice and Democracy Committee would like to progress and add to the work already achieved in this space.

## **Bail Laws**

A problem arises from the current structure of bail laws as they affect people accused of low-level, non-violent offending disproportionately.

The bail laws statistically disproportionately negatively affect women, Aboriginal people and vulnerable people experiencing family violence, homelessness, and who require mental health care and receive funded support, as brief periods on remand are damagingly disruptive to housing, employment, dependent children, healthcare, NDIS service continuity, unemployment and pension payment continuity, family connection, maintenance of employment and social supports in the community. Of particular concern is the evidence of unintended gendered bias as women in low-

risk cases do not request bail.

Two Acts require addressing for this social correction, the Bail Act 1977 (Vic) and the Criminal Procedure Act 2009 (Vic) and the Children, Youth and Families Act 2005 (Vic).

### **Action**

The Criminal Justice Subcommittee is in its early stages of planning.

There are preparations underway on opportunities, need and importance of consultation with ALP members, Ministerial Officers, Unions and relevant Parliamentary Committee members and/or subject matter experts.

## **Human Rights Subcommittee**

### **Victoria's Charter of Human Rights and Responsibilities**

Section 5.2.4, 'Charter of Human Rights', of the 2022 Victorian Platform states Labor's commitment in regard to the Charter of Human Rights and Responsibilities.

The current primary reference for considering measures to strengthen the Charter's provisions, the independent statutory review of 2015, made 52 recommendations for which the Victorian Government has previously stated its support (46, including 'in principle' support), or otherwise (6, subject to further consideration or not supported).

The Justice and Democracy Policy Committee strongly supports the Government's commitment to strengthening the Charter, welcomes various improvements since 2015 in the operation of the Charter, and notes the urgent need for legislation to implement so many of the review's recommendations.

As a first step, and in view of various measures already taken by the Government, we note the final recommendation of the 2015 review concerning the need for a further review, and agrees with government that it would be useful – and timely – to have a further statutory review of the Charter, including of the operation of amendments made as a result of the 2015 review.

With respect to the formal citation of the Charter, we note that the intention of S.1(1) of the Charter's Act was to emphasise the special nature of the Charter as not just another Act, but rather one of greater significance. This was actively spurned by Liberal A-G Clark after the 2010 election, and subsequently persisted within the public service, and lawyers generally, after Labor's return to government in 2014. This has sometimes occurred out of hostility toward the Act, and other times out of habit inherited since 2010.

### **Action**

An urgent motion was passed at the March 2024 meeting of the Justice Committee and is also outlined in Section D of this report - see Motion 2.

The Justice and Democracy Policy Committee agrees to the Subcommittee's continuing attention to Charter strengthening, including seeking from the Attorney-General appropriate access to the 2017 Draft Bill to reform the Charter, to better inform our considerations, and update us on progress to-date.

In addition, we will advocate for formal and consistent citation of the Charter including by and to Government, and seek discussion on continuing issues about S.7 (Interpretation) applications that have led to a lack of clarity and poor decision-making (including judicial) around interpreting statutory provisions in a way that is compatible with human rights, and parties' obligations in that regard (see Recommendations 28-32).

Further consultation opportunities, including with ALP members, Ministerial Officers, Unions and relevant Parliamentary Committee members and/or subject matter experts, will also be explored.

### **Strengthening Australia's Human Rights Framework**

The Policy Committee agrees that an essential measure is to legislate and implement a national human rights framework complementary to the Victorian Charter of Human Rights and

Responsibilities that also improves the justiciability of those international human rights instruments that Australia voluntarily ratifies. It therefore notes and welcomes:

- actions in this regard taken by Commonwealth Attorney-General Dreyfus;
- the impending report in 2024 by the Parliamentary Joint Committee on Human Rights (established by the Gillard Labor Government) on its Inquiry into a National Human Rights Framework, following its 2023 consultations; and
- informed submissions to that consultation, including by the Australian Human Rights Commission and the Victorian Federation of Community Legal Centres.

### **Action**

This matter will receive continuing priority with the Inquiry's release of its report, with a view to recommendations to the 2025 State Conference.

Given the potential overlap with the work of the Commonwealth Affairs & Foreign Relations Policy Committee, there are opportunities for joint forums with this policy committee before the next State Conference.

Further consultation opportunities, including with ALP members, Ministerial Officers, Unions and relevant Parliamentary Committee members and/or subject matter experts, will also be explored.

### **Victoria's anti-vilification law and implementation**

The Policy Committee welcomes the Victorian Government (Department of Justice and Community Safety) conducting a [consultation](#) in July-October 2023 on Strengthening Victoria's Anti-Vilification Laws. The government is currently reviewing and assessing the feedback it received and plans to report on this in "early 2024". We noted two submissions to that consultation for guidance: the Liberty Victoria [submission](#) and the Federation of Community Legal Services Vic [submission](#).

### **Action**

The Justice and Democracy Policy Committee plans to work closely and consult with relevant organisations – including the Aboriginal and Torres Strait Islanders Policy Committee and Rainbow Labor – respectively to investigate potential recommendations with respect to the Victorian Charter of Human Rights and Responsibilities, and anti-vilification legislation.

This also needs to include attention to rising levels of antisemitism, persistent levels of Islamophobia and growing public displays of extremist white supremacy.

This matter will receive continuing priority with the release of the Government's review report, with a view to recommendations to the 2025 State Conference.

## **Consumer Justice Subcommittee**

### **Community Legal Centres**

The State Platform (5.1.8 Access to Justice) says that "Labor will:

- work with the Federal Government to ensure adequate funding for Victoria Legal Aid, Community Legal Centres and Victorian Aboriginal Legal Services".

The Commonwealth has initiated a national independent review of the primary Commonwealth/ State resourcing framework, the National Legal Assistance Partnership (2020-2025) (NLAP). The review reported to Attorney-General Dreyfus in early 2024 is to be publicly released within three months of the review's completion.

### **Action**

The Justice and Democracy Policy Committee via its Consumer Justice Subcommittee, will invite discussions with the Federation of Community Legal Centres Vic, alongside consideration of the NLAP review report, once available.

The Justice and Democracy Committee will look to measures that can strengthen support to Victorian Community Legal Centres as a priority area for ongoing consideration.

This may usefully include dialogue with the Aboriginal and Torres Strait Islanders Policy Committee to examine parallel measures relevant to the Victorian Aboriginal Legal Service.



Consideration will be given to any issues we may want the Attorney-General to take up at the Standing Council of Attorneys-General.

### **“Lemon Laws”**

The lack of a “Lemon Law” or adequate consumer protections relating to motor vehicle purchases is a significant gap in Victoria’s consumer protections. This gap has financial and other detrimental impacts for Victorians.

A number of reviews and reports have recommended reform in this area, including the recently published report by the Consumer Policy Research Centre *Detours and Roadblocks: The consumer experience of faulty cars in Victoria* (October 2023).

#### **Action**

The Consumer Justice Subcommittee will consider constructing a recommendation that calls on the Victorian Government to develop and introduce legislation to improve protections for consumers who purchase defective motor vehicles.

The Consumer Justice Subcommittee is in its early stages of planning. There are preparations underway on opportunities, need and importance of consultation with ALP members, Ministerial Officers, Unions and relevant Parliamentary Committee members and/or subject matter experts.

### **Consumer protections in residential building disputes**

Consumers have a right to homes that are safe, of high quality and compliant. As part of protecting this right it is important to have systems in place both to prevent disputes from happening and ensure their timely, fair and cost-effective resolution.

Currently, disputes between building owners and practitioners can be excessively expensive, time consuming and stressful.

The Justice and Democracy Committee commends the Victorian Labor Government for the reforms contained in the Building Legislation Amendment Act 2023, which address some recommendations already made by the Building Reform Expert Panel. However the Justice and Democracy Committee notes that the next and final stage of the Comprehensive Review will complete the recommended reform package and include advice to the Victorian Government on the development of a new Building Act.

In addition to the reforms in the Building Legislation Amendment Act 2023, there are further opportunities to progress some of the recommendations of the Building Reform Expert Panel prior to the conclusion of the Comprehensive Review. In particular, Building Reform: Paper Two contains detailed Recommendations relating to dispute prevention and resolution (Recommendations 7 to 10).

#### **Action**

This area of reform will be a priority area for ongoing consideration of the Justice and Democracy Policy Committee via its Consumer Justice Subcommittee.

The Subcommittee will monitor the Building Reform Expert Panel Recommendations to Government on Dispute Prevention and Resolution and consider a recommendation that the Victorian ALP Branch implement dispute prevention and dispute resolution mechanisms as soon as possible.

It is noted that proposals similar to Recommendation 7 were put forward by the Justice and Democracy Policy Committee’s Consumer Affairs Subcommittee in 2021.

The Consumer Justice Subcommittee is in its early stages of planning. There are preparations underway on opportunities, need and importance of consultation with ALP members, Ministerial Officers, Unions and relevant Parliamentary Committee members and/or subject matter experts.

The Justice and Democracy Committee will also investigate the ability to streamline information and reporting processes, develop a practitioner information portal and encourage more local resolution of disputes by co-designing training and guidance materials. This includes evaluating the efficiency of the current model and identifying process improvements in building matters requiring dispute resolution, while taking into account use of technical assessment and rectification orders.

### **Electoral Matters Subcommittee**

#### **Integrity in the Conduct of Elections**

Noting that the Electoral Matters Committee is due to report back on its inquiry into the conduct of the 2022 Victorian State Election, the Justice and Democracy Policy Committee wishes to explore potential reforms to the Electoral Act and other Acts to improve the integrity of voting systems and the conduct of elections in Victoria more broadly.

This includes:

- Auditing scanned ballots against a sample of paper ballots to identify error rates.
- Offences relating to false statements and misleading advertising material in the course of elections.
- Improving transparency and accuracy in relation to informal voting and scrutineering of the same.
- Tracking postal voting to minimise the risk of electors voting twice in an election.

#### **Action**

The Justice and Democracy Policy Committee plans to work closely with the members of the Electoral Matters Committee of the Victorian Parliament, with a view to making recommendations in the lead up to the next election.

The Justice and Democracy Policy Committee also plans to work with organisations representing CALD communities to explore opportunities to improve the conduct of our elections in Victoria.

Further consultation opportunities, including with ALP members, Ministerial Officers, Unions and relevant Parliamentary Committee members and/or subject matter experts, will also be explored.

#### **Legislative Council Election Reforms**

Noting the significant number of concerns raised with the VEC in the course of the 2022 State Election in relation to the voting system used for Legislative Council Elections, the Committee wishes to explore reform options to the system. This was reported with specific reference to the use of Group Voting Tickets (GVTs).

Currently, the Victorian Upper House is only chamber of any parliament in Australia that still uses this system; having been abolished in New South Wales, South Australia and Western Australia.

Whether a comprehensive review or reform itself, the Committee believes that work needs to be done to restore the community's confidence in Legislative Council Elections.

#### **Action**

The Committee plans to work closely with the members of the Electoral Matters Committee of the Victorian Parliament, with a view to making recommendations in the lead up to the next election.

Further consultation opportunities, including with ALP members, Ministerial Officers, Unions and relevant Parliamentary Committee members and/or subject matter experts, will also be explored.

## **2. Policy Forums held or planned**

Date	Location	Key Topics	Guest Speakers	No. of Attendees

Second half 2024	TBC	Youth Justice and Raising the Age of Criminal Responsibility - subject to the reviews of the relevant Ministers	TBC	
2024/25	TBC	Electoral Matters Inquiry	TBC	
2025	TBC	Victorian Charter of Human Rights and Responsibilities	TBC	

**D. ANY OTHER ITEMS**

**MOTION 1**

The Justice and Democracy Committee is currently working on resolving concerns of Party members in relation to raising the age of criminal responsibility and has passed the following motion:

*“That this November 2023 meeting of the Justice and Democracy Policy Committee endorses the following proposal, which is based on that contained in the (previous) Aboriginal and Torres Strait Islander Policy Committee’s “2023 Report to State Conference”, and which was adopted by State Conference, specifically:*

*The Justice and Democracy Policy Committee applauds the leadership role taken by the Victorian Government in embarking on a process that shall see the Age of Criminal Responsibility initially raised to 12 years in the current term of Government and to 14 years by 2027.*

*The Justice and Democracy Policy Committee is, nevertheless, concerned that the Victorian Government’s decision:*

- 1. Allows more time than needed to achieve the full reform, to the detriment of vulnerable children in a state that already has strong youth justice support mechanisms in place,*
- 2. To allow exceptions in some cases, potentially leaving Australia vulnerable to, effectively de jure and de facto, an unacceptably minimum age of 12.*

*The Justice and Democracy Policy Committee therefore recommends a strengthening of the aforementioned process in order to bring it into line with the majority findings and recommendations within the Draft Final Report 2020 of the Age of Criminal Responsibility Working Group of the Council of Attorneys-General.*

*To this end the Justice and Democracy Policy Committee seeks implementation of the majority findings and recommendations within the Draft Final Report 2020 of the Age of Criminal Responsibility Working Group of the Council of Attorneys-General in the current term of Government, of which the recommendation to “raise the minimum age of criminal responsibility to 14 years, without exception”, is fundamental.”*

**Mover:** Peter Fitzgerald

**Seconded:** Berhan Ahmed

**CARRIED.**

**MOTION 2**

*“The Justice and Democracy Committee recommends that:*

1. In view of the imminent report of the Commonwealth Joint Parliamentary Committee inquiry into the National Human Rights Framework and anticipated action towards a National Human Rights Charter like instrument, and

2. in accordance with recommendation 52

that the Government initiate a subsequent review that will enable an informed basis for further strengthening the provisions of the Victorian Human Rights and Responsibilities Charter and identifying further areas requiring legislative reform.”

**Mover:** Kate Jackson

**Seconder:** Peter Fitzgerald

**CARRIED.**

### **Book 2c (State Conference 2023)**

This Justice and Democracy Policy Committee has written to the Australian Labor Party (Victorian Branch) Headquarters to advise that Book 2c from the 2023 State Conference omitted the following text of a motion from the Committee from August 2023:

*“That there be an amendment to the Electoral Act to create as an indictable offence, misconduct in relation to elections, including conspiring to suppress voting, to mislead, intimidate or harass voters in relation to the casting of their votes in a secret ballot. The amendments will also apply to misconduct in relation to internal elections of registered political parties”.*

See below - Subcommittee referrals.

### **Vacant Voting Position/s**

There remains one vacant voting position following the resignation of Mitchell Vandewerdt-Holman.

Peter Holding and Rosemary Elliott have resigned as associate members.

### **Subcommittee referrals**

The March 2024 meeting of this Justice and Democracy Policy Committee referred the following matters to the Electoral Matters Subcommittee for further consideration:

*“(a) Adopting a specific suggestion included in IBAC’s (Independent Broad-Based Anti-Corruption Commission) ‘Operation Watts Special Report July 2022’: “That the Australian Electoral Commission (AEC), or (where appropriate, the relevant State or Territory) Electoral Commission (e.g., VEC, in the case of Victoria) should be conducting the (internal party) ballots”.*

*(b) Adopting a more general policy proposal from the previous ALP Victorian Branch’s Justice and Democracy Policy Committee:*

*“That there be an amendment to the Electoral Act to create as an indictable offence, misconduct in relation to elections, including conspiring to suppress voting, to mislead, intimidate or harass voters in relation to the casting of their votes in a secret ballot. The amendments will also apply to misconduct in relation to internal elections of registered political parties”.*

**President:** Matthew Arturi

**Secretary:** Monique Lobosco

# LGBTI Affairs Policy Committee

## State Conference Report

May 2024

### **A. MEETING ATTENDANCE REPORT**

#### **1. Elected Policy Committee members**

Member	Attendance	LOA /Apology	Total Possible
Guleid Abdullahi	2	2	5
Finbar Bray	4	0	5
Belinda Clark	3	1	5
Brianne Cooper	1	1	5
Karen Douglas	4	1	5
Rebekah Drake	1	1	5
Michael Ford	5	0	5
Thomas Hammond	1	3	5
Sam Harrison	2	1	5
Jackson Hitchcock	1	1	5
Rahn Krammaer	5	0	5
Elizabeth Landray	4	0	5
Ned Lindenmayer	3	1	5
Rebecca McCann	1	1	5
Reggie Michelson	4	1	5
Andie Moore	3	1	5
Stephanie Morgan	3	0	5
Fergus Thomson	4	1	5
Chloe Ward	1	4	5
Neo Williams	2	1	5

#### **2. Minister, Parliamentary Secretaries & Caucus Representative**

Minister/Parliamentary Secretary/Caucus Representatives	Attendance	Total Possible
N/A		

#### **3. Associate Policy Committee Members**

Name	Attendance	Total Possible
Gregory Adkins	1	5
Nathan Beattie	2	5
Vitoria-Iris Cooke	1	5
Jamie Gardiner	4	5
Mark Morante	0	5
Gabriel Waldron	0	5

Jonathon Wight	0	5
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## B. CORRESPONDENCE REPORT

Received From Constituent Units	Subject	Date Received	Action
Rainbow Labor	Rainbow Labor Report	16.11.2023	Presented in the Policy Committee Meeting
Motion received from the Health, Community Services and Senior Victorians Policy Committee	Motion on Israel-Palestine re Ceasefire and Protecting Healthcare Workers and Patients	14.02.2024	Noted
Rainbow Labor	Rainbow Labor Report	29.02.2024	Presented in the Policy Committee Meeting
Rainbow Labor	Rainbow Labor Report	14.03.2024	Presented in the Policy Committee Meeting

## C. POLICY DEVELOPMENT REPORT

### 1. Policy Committee organisation

Subcommittees
Justice & Social Equity (including Anti-Vilification, Equality, Infrastructure, Local Gov, and other Services)
Health, Housing & Education
Culture & Recreation (including Art, History, Tourism, Sports, Environment, and Community)

### 2. Key Policy Issues - a brief summary of the work the committee plans to undertake, including an outline of policy problems, possible solutions and actions the committee will take to address them.

#### **Review of the Safe Schools program**

Since December 2016, the Victorian Department of Education has had responsibility for delivering the Safe Schools program. It would be timely to undertake a review of the program to determine whether it is meeting its objectives and how it could be improved or strengthened going forward.

This review should be informed by data on the experiences of LGBTIQ+ school students, as well as qualitative feedback from students, teachers and school leaders and input by relevant stakeholders and experts.

#### **Action**

In discussion with the Office of the Minister for Education and the Education & Youth Affairs Policy Committee, identify whether any in-house evaluation by the Department has already occurred and what inputs may already be available to inform a review.

In discussion with teacher unions, the Education & Youth Affairs Policy Committee and Office of the Minister for Education, determine an appropriate approach and timeline for such a review, balancing the need for input by teachers with the objective of minimising additional workload or consultation burden.

#### **2. Strengthening student data collection**

The Victorian Student Health and Wellbeing Survey ('About You') collects important information about the health, development, learning, safety and well-being of children and young people in

Victorian schools. These include measures of psychological resilience, quality of life, psychological distress, experiences of bullying and cyberbullying, having a trusted adult in one's life, and connectedness to peers.

While data is broken down on the basis of sex, family structure (i.e. single parent or couple family), language background (English or other language background) and metropolitan or regional location, data is not available on the experiences of LGBTIQ+ students.

### **Action**

In discussion with the Office of the Minister for Education and the Education & Youth Affairs Policy Committee investigate the feasibility of including additional data items in the About You survey to capture LGBTIQ+ identification and enable insights into the experiences of LGBTIQ+ school students (subject to protecting personal privacy and suitable sample sizes being achieved to enable reporting).

Consideration could also be given to including additional data items regarding awareness and perceived efficacy of the Safe Schools program, which could inform ongoing monitoring, evaluation and continuous improvement of the program.

### **Improving teacher professional learning**

Registered teachers are required to undertake at least 20 hours of professional learning per annum, aligned with the three domains of Australian Professional Standards for Teachers, in order to maintain full registration with the Victorian Institute of Teaching (VIT).

It would be worthwhile investigating the availability of professional learning regarding LGBTIQ+ inclusion aligned with Teacher Standard 4: Create and maintain supportive and safe learning environments, and if warranted, develop professional learning on this topic to be made available to teachers at no cost by the Victorian Department of Education, or an LGBTIQ+ community organisation with the support of the Victorian Government.

### **Action**

In discussion with the Office of the Minister for Education and the Education & Youth Affairs Policy Committee, identify existing professional learning offered by the Victorian Department of Education, including through the Safe Schools program, and its degree of alignment with the Teacher Standards in order to contribute to VIT professional learning requirements.

Conduct an environment scan of other professional learning offerings by not-for-profit organisations and the private sector. Based on the findings of this work, determine the next steps in relation to offering suitable professional learning to Victorian registered teachers.

### **Addressing barriers to health care**

Equitable access to health care is a fundamental human right, and an enabler to full participation in society, employment and study. Compounded by intersectionality, members of the LGBTIQ+ community still face higher levels of discrimination, stigma, judgement and exclusion, leading to poorer health, economic, social and mental health outcomes than other community cohorts.

Discrimination is still a barrier to LGBTIQ+ people accessing timely health care and leads to them suffering greater rates of preventable illness. Nurses and midwives comprise the majority of the health workforce, and are uniquely positioned to remove these barriers, and to ensure LGBTIQ+ people have timely access to health care, and to reach their full potential.

### **Action**

Consult with the nursing and midwifery workforce, and the the Health, Community Services and Senior Victorians Policy Committee to identify and remove barriers to equitable access to

healthcare for the LGBTIQ+ community.

### **Supporting transitioning**

Trans people suffer societal stigmas, this is doubly so when it comes to the profit on transitioning. With the cost of gender affirmation surgery in Australia averaging \$50,000 - \$80,000 dollars, trans people having access to changing their dead name often serves as the first step for them to live their genuine lives.

#### **Action**

Investigate changing fees on Change of name certificates for those transitioning; Or the feasibility of generating a substantial hardship provision for those transitioning.

### **Access to gender affirmation surgery**

Many forms of medical transition through surgical procedures remain inaccessible to most trans people. Barriers to transition are:

Financial - only X number of procedures are covered by Medicare. This is forcing trans people to take out costly private health insurance, which still requires trans people to pay the excess of thousands of dollars.

Workforce/supply - wait lists for gender affirmation surgery, even when paid for privately, are around two years long. This is exacerbated by the refusal of many religious private hospitals to offer surgeries and pushes trans people to travel overseas to access this surgery, which not everyone has the means to do.

These barriers are leaving trans people without essential healthcare or forcing them to crowdfund it - a community already suffering minority stress, lower wages and higher unemployment rates.

#### **Action**

In discussion with the Ministers for Health, Skills and Training and Inequality and the Health, Community Services and Senior Victorians Policy Committee:

- Assess the funding of affirmation surgeries through the Victorian health system, in addition to Medicare,
- Develop a strategy to build the Victorian surgical workforce, as part of a holistic plan to develop a world-leading gender affirmation workforce (also incorporating gender affirmation therapy)
- Check how the Federal Government could create a revised list of surgeries funded by the Medicare Benefits Schedule that expands access to affirming chest, genital reconfiguration, facial and voice surgical procedures ([e.g. Plastic Surgeons' application to MSAC](#))

### **All-gender bathrooms guidance**

Gendered bathrooms, or the lack of an accessible bathroom for all genders, can often force trans, intersex and gender diverse (TISGD) Victorians to out themselves, use a bathroom that does not correspond to their gender identity. In the worst cases, this can lead to TISGD people avoiding using public bathrooms or limiting water intake, increasing the risk of kidney issues, or exposing TISGD people to violence when they use "the wrong bathroom".

Despite this, little government guidance exists on how to implement safe bathroom options and alternatives while maintaining compliance with building codes.

#### **Action**

1. Assess the potential for [changes to the National Construction Code](#) to allow more workplaces to implement all-gender bathrooms
2. Investigate the potential for co-designing guidance materials for workplaces with the LGBTQIA+ community on how to provide safe bathroom options for TISGD workers in a



- compliant manner
3. Evaluate the potential for the addition of all-gender bathroom options in the public service in close consultation with the CPSU and HSRs.

### **Pill testing trials**

LGBTQIA+ people are more likely to use or misuse illicit substances and therefore at increased risk when substance use is unsafe.

All overdose deaths are preventable, and Victoria is currently failing to prevent them. Countless deaths have occurred at music festivals and nightclubs because Victorians cannot safely test the drugs they intend to consume, and the police drug checking often leads to partygoers consuming the substances they possess at once. Both issues result from prohibitions on drug testing and a criminal approach to drug policy.

#### **Action**

With the the Health, Community Services and Senior Victorians Policy Committee, explore the feasibility of pill testing at major events and festivals in Victoria.

### **Anti-Queer practices**

Gay and Bisexual (Queer) men continue to face blatant discrimination when seeking to donate blood. Not only is this idea a holdout from the 1980s prosecution of HIV victims, but continues to promote negative connotations that only Queer men can contract Aids disregarding all victims of HIV.

#### **Action**

With the Health, Community Services and Senior Victorians Policy Committee, investigate the Plasma pathway program along with the gender-neutral approach for blood donation with the Health, Community Services and Senior Victorians Policy Committee

### **Mental health**

With the issues raised in both the *Pride in our future* strategic planning document along with the Royal Commission into Victoria's Mental Health System, it is clear that there are holes that must be fixed in Victoria's mental health systems.

#### **Action**

In coordination with the Health, Community Services and Senior Victorians Policy Committee, analyse how the Victorian Labor Party can empower and support LGBTQIA+ bulk billing support practices both independent and within existing health care facilities.

Assess the potential for further shifting towards a person-centred mental health system by providing additional means-tested scholarships for queer students studying mental health, social work, youth work and psychology.

### **Supporting Youth Mental Health**

In line with *Pride in our future: Victoria's LGBTIQ+ strategy 2022–32*, retraining opportunities can be extended to school counselling services to ensure that youth are not having their mental health overlooked.

#### **Action**

Working with both the Education and Youth Affairs Policy Committee and the Health, Community Services and Senior Victorians Policy Committee, analysing the implementation of recommendation 17 of the Mental Health Royal Commission Final Report.

Furthermore, Labor will assess how employees in school-based counselling services can be

retrained in LGBTIQ+ counselling.

### **Improving Victorian Anti-Vilification Legislation**

In 2021 the Victorian Inquiry into Anti-Vilification Protections recommended extending protections to include LGBTIQ+ attributes. Today, Anti-Vilification laws still fail to adequately protect LGBTI Victorians.

#### **Action**

Drawing on the *Submission of Liberty Victoria to the consultation on Strengthening Victoria's Anti-Vilification Laws* the Justice & Social Equity (including Anti-Vilification, Equality, Infrastructure, Local Gov, and other Services) subcommittee will consult with the Justice & Democracy Policy Committee, and Attorney-General Symes to assist in the streamlining and strengthening of our anti-vilification laws. This will be done with the aim of strengthening anti-vilification protections for gender identity, sexual orientation and sex characteristics.

### **Updating all Victorian State Government forms to include correct and consistent gender options**

The current use of terminology relating to Gender and Sex within State Government forms is inconsistent. It is consistent with the State Government's 10-year LGBTIQ+ strategy: Pride in our future, to have these forms updated and make government services more accessible for trans and gender diverse communities.

#### **Action**

The Policy Committee will explain the scope for increased inclusion regarding non-binary Victorians in Government Documents. It will also assess how this process could be undertaken in a whole-of-government fashion.

### **Adding a Non-Binary Gender option to the Medicare enrolment form.**

A number of government forms, including the medicare enrolment form, still fail to provide a non-binary gender option.

#### **Action**

Work with the Health, Community Services and Senior Victorians Policy Committee to analyse the potential for a non-binary gender option on the Medicare enrolment form.

### **Gender Affirmation Leave**

Victorian State Labor is leading the nation on gender transition leave in the public sector. It is time to extend this entitlement to all private sectors. Clause 58 of the Victorian Public Service Enterprise Agreement 2020 (the Agreement) applies to Victorian Public Service Departments and Agencies (Employers) and their Employees covered by the Agreement. Clause 58 of the Agreement sets out an Employee's entitlement with respect to gender transition leave. Employees (other than Casual Employees) are entitled to paid and unpaid gender transition leave to support an Employee's transition to commencing to living as a member of another gender (gender affirmation), subject to the conditions set out in clause 58 of Agreement. Casual Employees are entitled to unpaid gender transition leave under clause 58.5 of the Agreement. This policy recognises that gender affirmation and transition is a deeply personal experience and that this will differ from one person to the next. As self-determination is at the core of the affirmation and transition process, an Employee's individual circumstances and needs must be taken into account.

#### **Action**

Working with the Industrial Affairs Policy Committee, analyse the potential for federal gender affirmation leave to be included in the National Employment Standards. An Employee who is transitioning gender (or otherwise defining their gender) could be entitled to 20 days paid leave per annum (non-accruing) for purposes incidental to that transition. The leave may be used for the purpose of attending medical

appointments, recovering from medical procedures, undertaking any legal process relating to the transition, or any other similar activity related to the Employee's transition. The employer may require supporting documentation for leave applications. For the avoidance of doubt, this leave is provided in addition to any other leave that may be available to the Employee. If the Employee has exhausted all paid leave available to them, the Employee may apply for Leave Without Pay. Applications will be dealt with confidentially and sensitively.

### **Community Sporting Facilities for LGBTQI+ People**

Community sporting facilities provide LGBTQI+ people with greater opportunities to socialise with other members of their community.

Activating facilities for LGBTQI+ people can improve Mental and physical health outcomes and be a source of gender affirmation for Trans and Gender Diverse Victorians.

#### **Action**

Working with the Culture, Sport and Tourism Policy Committee, we will assess the standards for new sporting facilities funded by the Victorian Government against their suitability for people of all genders.

We will also assess the provision of funding for LGBTQIA+ inclusion training for sporting clubs, especially in regional areas as well as funding to make sporting clubs more inclusive for the LGBTQIA+ community, especially in regional areas.

### **LGBTI Homelessness**

In 2017 a Gay and Lesbian Foundation of Australia report established that the LGBTI community are at minimum twice as likely to experience homelessness than the general population.

Pride in our future: Victoria's LGBTIQA+ Strategy 2022-2032 Priority Area 2: Equitable, inclusive and accessible services articulate the need to ensure 'inclusive housing and homelessness services.

#### **Action**

Led by Health, Housing & Education Subcommittee, in consultation with the Urban Affairs, Housing, Local Government & Infrastructure Policy Committee, the Policy Committee will seek to consult with party members on the adequacy of current Victorian Housing Policy in addressing the specific needs of the LGBTI community in the midst of the housing crisis.

### **A safety net for queer mental health crises**

LGBTQIA+ people are at increased risk of presenting at ER for suicide attempts, which can be even higher when a queer person is of a migrant background or an international student. Mental health crisis systems, however, remain vastly inaccessible for those people.

A queer person who has attempted overdose requires emergency assessment, but if they cannot afford private insurance with ambulance cover, could be left thousands of dollars out of pocket. This is the last thing a person should think about on the end of a suicide hotline.

#### **Action**

Consulting the Health, Community Services and Senior Victorian Policy Committee, the LGBTI Policy Committee will investigate a mental health ER guarantee, whereby people who present at a hospital due to a mental health crisis, and faced hardship, are guaranteed not to be charged ambulance fees out-of-pocket.

### **Queer faith ambassadors**

Part of celebrating diversity in the LGBTQIA+ community is celebrating how queer people express their gender, sexual and cultural identity through other identities they express. Queer people of

faith often want to maintain their faith and come out, but lack the role models or mentors to help them come out or live authentically. This has forced many Victorians of faith back in the closet or perpetuated mental health issues.

**Action**

In consultation with the Justice & Democracy Policy Committee, the LGBTI Policy Committee will assess the potential for co-designing an ambassadorial program for queer people of faith that links to schools and faith communities, that provides mentorship, public campaigns and resources about living as an LGBTQIA+ person while simultaneously practicing your chosen faith.

**Combatting misinformation**

Although there has been an increase in access to all kinds of options to transition, public literacy about the options available for hormone and surgical transition remains low. This, combined with misinformation about the effects of puberty blockers, and how available hormone therapy is, has led to many parents dissuading or preventing trans youth from transitioning medically and spurred an increase in transphobia more generally.

**Action**

In consultation with the Health, Community Services and Senior Victorians Policy Committee, the Policy Committee will assess how the Department of Health could develop an information campaign and resources to “mythbust” common misconceptions about transitioning, and provide accessible information on the different pathways available to transition and who can access them.

**3. Policy Forums held or planned**

Date	Location	Key Topics	Guest Speakers	No. of Attendees
November 2024	Online	In collaboration with Rainbow Labor, a broad consultation with Victorian Party members on the Religious Discrimination Bill.	TBA	TBA
January/ February 2025	Hybrid	In collaboration with Rainbow Labor, hold an event focused on the future of LGBTI policy within the Victorian Labor Party	TBA	TBA

**D. ANY OTHER ITEMS**

1. Proposed Rule Change to amend the values statement to include transphobia, affirming the party's strong stance condemning discrimination against those within the transgender community. See the proposed rule change book for the full text of the proposal.

<b><u>Planned Consultation with Minister Thomas on 11.04.2024</u></b>
The Minister for Health/Health Infrastructure/Ambulance Services will be consulting with the LGBTI Policy Committee on the 11th of April 2024 in relation to LGBTI health issues.

**President:** Reggie Michelson

**Secretary:** Fergus Thomson

# Multicultural Affairs and Population Policy Committee

## State Conference Report

May 2024

### A. MEETING ATTENDANCE REPORT

#### 1. Elected Policy Committee members

Member	Attendance	LOA /Apology	Total Possible
Beatrice Co	4	0	4
Al Noveloso	3	1	4
Deepti Alurkar	1	0	4
Elijah Buckland	3	1	4
Stanley Chiang	3	0	4
Mita Chowdhury	4	0	4
Wallace Huang	4	0	4
Tanmay Kabir	3	1	4
Siddharth Maitrak	2	2	4
Melba Marginson	4	0	4
Karan Mehta	3	0	4
Stella Michael	2	2	4
Hayatullah Rahimi	0	1	4
Helen Said	4	0	4
Nessie Sayar	3	1	4
Parsuram Sharma Luital	0	0	4
Bassel Tallal	1	0	4
Kapil Thakkar	1	0	4
Mannie Verma	1	1	4
Disha Zutshi	2	2	4

#### 2. Minister, Parliamentary Secretaries & Caucus Representative

Minister/Parliamentary Secretary/Caucus Representatives	Attendance	Total Possible
The Hon. Ingrid Stitt (Minister for Multicultural Affairs)	0	0

Mr. Nick Staikos (Parliamentary Secretary for Multicultural Affairs)	0	0
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### 3. Associate Policy Committee Members

Name	Attendance	Total Possible
Amit Aalok	1	4
Syed Abidi	2	4
Jawad Erfani	1	4
Evan Freidin	1	4
Nildhara Gadani	1	4
Hassaan Gul	1	4
Rana Javed	1	4
Christopher Runciman	1	4
Anthony van der Craats	1	4
Fred Wubbeling	3	4

#### B. CORRESPONDENCE REPORT

Received From Constituent Units	Subject	Date Received	Action
Andrew Gargett & Sheldon Oski Rules Revision Committee	Affirmative action rules	1/11/2023	Created a sub-committee to discuss a rule change introducing affirmative action rules for culturally and linguistically diverse (CALD) and Aboriginal and Torres Strait Islander backgrounds and a broader discussion about representation from multicultural communities within the party.
Stephenie Kelley, Secretary, Country Labor Executive (CLX)	Rural & Regional Representation in Policy	5/12/2023	Decision was made to liaise with the CLX Exec in the future regarding exploring other policy areas relating to multicultural communities in regional areas.

#### C. POLICY DEVELOPMENT REPORT

##### 1. Policy Committee organisation

Subcommittees
Affirmative Action Rules Subcommittee Addressing the implementation of rules in the Party to reflect the cultural diversity of Victoria

<p>Support for Temporary Visa Holders Subcommittee Addressing policy for improved access to support services for people in Victoria with Temporary Visas</p>
<p>Ageing and Disabilities Subcommittee Addressing communication barriers facing older migrants, lack of ethane specific services in aged care, community misunderstandings towards disability, supporting autism research in CALD communities.</p>
<p>Multicultural Women and Wellbeing Subcommittee Addressing attitudes towards violence against women and gender equality in migrant and refugee communities.</p>
<p>Creative Industries Subcommittee Addressing government funding for Australia's creative arts industries, including media, film, and TV, which often overlooks multicultural representation, limiting diverse storytelling</p>

**2. Key Policy Issues** - a brief summary of the work the committee plans to undertake, including an outline of policy problems, possible solutions and actions the committee will take to address them.

### **Affirmative Action Rules**

With Victoria becoming rapidly more multicultural, it is crucial that our politics reflects our diversity in order to deliver better policy outcomes for multicultural communities. Victorian Labor can make a big difference on this issue by considering how we can lead the way in improving multicultural representation among our own representatives. Over the remainder of this policy committee's term, we will work with the Victorian Multicultural Labor Network on jointly proposing a well-considered mechanism to ensure greater cultural diversity in our Party and in Victorian politics more broadly.

### **Action**

Development of this Policy is guided by the work of the Victorian Multicultural Labor Network (VMLN). The Affirmative Action Rules Subcommittee will work closely with members of VMLN to further develop the policy. Regular updates are provided to the whole committee at meetings. The President, Secretary and members of the VMLN will continue to work together to consult unions, party members, and key Ministers and Members of the Victorian Government.

### **Support for Temporary Visa Holders**

This committee will explore ways in which state policy can support temporary visa holders.

There are currently over 1.6million temporary visa holders in Australia (<https://www.abs.gov.au/media-centre/media-releases/over-16-million-temporary-visa-holders-australia-census-night> (<https://www.abs.gov.au/media-centre/media-releases/over-16-million-temporary-visa-holders-australia-census-night>)) Yet there are many examples of systemic prejudices and structural barriers that inhibit their ability to exercise their fundamental rights.

- By way of example a number of funding agreements between the state government and housing providers require that such organisations only provide services to permanent residents or Australian citizens.
- Employment - lack of local experience is often a huge hurdle.
- Schooling. Children of temporary visa holders are required to pay hefty school fees even to access public schools, generally more than ten times the fees that a citizen has to pay for their school kids

### **Action**

The President, Secretary and subcommittee will consult unions, party members, and key Ministers and Members of the Victorian Government. There will also consult with the Education & Youth Affairs and Urban Affairs, Housing, Local Government & Infrastructure Committees.

## **Ageing and Disabilities**

Some of the areas that the sub-committee will focus on:

- Communication barriers facing older migrants compounded by limited English, hearing loss, dementia related 2<sup>nd</sup> language loss and low community language retention amongst established communities
  - Improve community language retention rates amongst 2<sup>nd</sup> generation Australians (helps older migrants communicate with family members, but younger relatives have their own lives and work)
  - Fund ethno-specific seniors' social programs (helps larger ethnic groups in cities, less workable for smaller groups in regional areas)
- Aged care services lack culturally appropriate food and activities
  - CALD awareness training for staff (improves attitudes, doesn't overcome language barriers)
  - Employ CALD aged care staff (more responsive services, possible recruitment and training backlog)
- CALD community misunderstandings towards disability
  - Fund ethno-specific parent support groups (helps parents accept disability and exchange information, doesn't address disabled CALD adults)
  - Sharing disability information on CALD platforms eg WeChat (useful for more affluent communities, many CALD people are digitally disadvantaged)
- Lack of CALD Autism research
  - Fund research about CALD Autistics (better targeted services, difficulty recruiting research subjects from marginalised CALD communities)
  - Co-produced Autism research to include CALD Autistics (more responsive research, may be dominated by Autistics from older migrant communities due to low CALD Autism diagnosis rates.)

## **Action**

The President, Secretary and subcommittee will consult unions, party members, and key Ministers and Members of the Victorian Government. There will also consult with the Health, Community Services and Senior Victorians Policy Committee and Labor Enabled Victoria.

## **Multicultural Women and Wellbeing**

Addressing attitudes towards violence against women and gender equality in migrant and refugee communities.

- Programs addressing attitudes towards violence against women and gender equality need to be tailored to individual migrant and refugee communities.
- Programs addressing attitudes towards violence against women and gender equality need to be led by community members.
- Female community leaders are well placed to lead these conversations. Men and boys should be engaged in ways that align with a feminist approach.
- People with low levels of proficiency in English can be reached by in-language programs, resources, and media campaigns.
- Programs intended to reach recent arrivals should consider that many recent arrivals are people on temporary visas who are not entitled to access settlement services. Alternative avenues are required.
- Work with older people could include the facilitation of inter-generational dialogue.
- Work with refugee communities could include the experience of war/conflict as a part of the larger context of peoples' lives and their refugee journeys.

## **Action**



The President, Secretary and subcommittee will consult unions, party members, and key Ministers and Members of the Victorian Government. There will also consult with the Health, Community Services and Senior Victorians and Women's Affairs Policy Committees and Labor Women's Network.

**Government funding for Australia's creative arts** industries, including media, film, and TV, often overlooks multicultural representation, limiting diverse storytelling. Recent productions supported by state governments like "The Dry" and "Neighbours" predominantly feature white actors, neglecting voices of colour. It's essential to mandate inclusion of people of colour in productions to accurately reflect Australia's multicultural society.

Government policies should strongly encourage and financially support independent producers and community groups to develop content for both their communities and the mainstream. By empowering these voices, policymakers can enrich cultural storytelling, foster inclusivity, and accurately reflect the nation's diversity. Advocating for inclusive funding policies ensures fair representation, strengthens cultural cohesion, and promotes a vibrant creative landscape that resonates with all Australians.

We will examine areas in the creative industries where state government provides funding, and offer recommendations regarding inclusion of people of colour as a criteria to future support in those areas. We will also look at the feasibility of funding productions by independent producers and/or organisations from multicultural communities that primarily develop content for multicultural communities and the general public.

**Action**

The President, Secretary and subcommittee will consult unions, party members, and key Ministers and Members of the Victorian Government and consult with the Culture, Sports and Tourism policy committee.

**3. Policy Forums held or planned**

Date	Location	Key Topics	Guest Speakers	No. of Attendees
September 2024	TBC	Temporary Visa Holders	TBC	TBA
November 2024	TBC	Women	TBC	TBA
February 2025	TBC	Ageing and Disability	TBC	TBA
March/April 2025	TBC	Creative Industries.	TBC	TBA

**D. ANY OTHER ITEMS**

**President:** Beatrice Co

**Secretary:** Al Noveloso

# Transport Policy Committee

## State Conference Report

May 2024

**May 2024 update:** The Transport Policy Committee has maintained bi-monthly meetings in 14/09/2023, 20/11/2023, 19/02/2024 and 15/04/24. These meetings have seen insightful contributions from both Members and Associate Members. Five subcommittees have been continued or newly established to focus on priority policy areas. Going forward, the Transport Policy Committee will pursue meetings with the relevant Ministers and other stakeholders in preparation for our Policy Forum.

### **A. MEETING ATTENDANCE REPORT**

#### **1. Elected Policy Committee members**

<b>Member</b>	<b>Attendance</b>	<b>LOA /Apology</b>	<b>T o t a l Possible</b>
Kate Bates	1	0	3
Joseph Cercone	0	0	3
Beatrice Co	2	1	3
Lachlan Duncan	3	-	3
Brian Dunn	3	-	3
Charmian Gaud	3	-	3
Skye Griffiths	3	-	3
Ella Gvildys	2	1	3
Piper Horvat	1	0	3
Stuart James	3	0	3
Alexander Law	2	1	3
Dissio Markos	3	-	3
Declan Martin	2	0	3
Rachel Miller	0	0	3
Aarin Moon	3	-	3
Jeff Moorhead	1	0	3
Adam Rae	1	0	3
Mannie Verma	2	0	3
Stephen Waddell	3	-	3
Lesley Yates	2	1	3

#### **2. Minister, Parliamentary Secretaries & Caucus Representative**

The Transport Policy Committee expresses support for the Minister or representatives from the Minister's office attend future meetings.

<b>Minister/Parliamentary Secretary/ Caucus Representatives</b>	<b>Attendance</b>	<b>Total Possible</b>
<b>Gabrielle Williams</b> , Minister for Public Transport and Active Transport	0 [has provided written report]	2
<b>Melissa Horne</b> , Minister for Ports & Freight, Minister for Roads & Road Safety	0	2
<b>Danny Pearson</b> , Minister for Transport Infrastructure, Minister for the Suburban Rail Loop, Minister for WorkSafe and the TAC	0 [has provided written report]	2

### **3. Associate Policy Committee Members**

<b>Name</b>	<b>Attendance</b>	<b>Total Possible</b>
Ali Al Lawati	0	3
Nathan Beattie	3	3
Fin Bray	0	3
Megan Bridger-Darling	1	3
Geoffrey Butt	0	3
Andrew Church	2	3
Clive Crosby	3	3
Amedeo D'Aprano	1 (+ 2 apology)	3
Connor Darling	0	3
Remy Davies	0	3
Andy Gargett	1	3
Phil Gluyas	2	3
Tanmay Kabir	2	3
Tarik Koc	3	3
Terry Konstandelis	2	3
Anthony Lay	0	3
Oscar Machen	0	3
Ken Marriott	1 (+ 1 apology)	3
Fergus McKinnon	0	3
Andrew McLean	1 (+ 1 apology)	3
Chris Miles	2	3
Kaumil Patel	0	3

Santino Raftellis	1	3
Fred Rich	3	3
Matthew Rocks	1 (+ 1 proxy)	3
Christopher Runciman	2	3
Bernard Shepherd	3	3
Andrew Stephens	3	3
Chris Tancheff	2	3
Fergus Thomson	0	3
Nather Truong	0	3
Rod Watson	3	3
Marc Wigan	3	3

## B. CORRESPONDENCE REPORT

<b>Received From Constituent Units</b>	<b>Subject</b>	<b>Date Received</b>	<b>Action</b>
Minister for Public Transport and Active Transport	EOY Portfolio Update	20/11/2023	Shared with Committee and discussed.
Minister for Transport Infrastructure, Minister for the Suburban Rail Loop	EOY Portfolio Update	20/11/2023	Shared with Committee and discussed.
Bernard Shepherd	Regional Transport Subcommittee	16/02/2023	Shared with Committee and discussed.  Further policy development at future meetings of the Regional Transport Subcommittee

## C. POLICY DEVELOPMENT REPORT

### 2. Policy Committee organisation

<b>Subcommittees</b>
Budget, Planning and Ownership/Structure of Transport Systems for All Subcommittee
Regional Transport Subcommittee
Metropolitan Public Transport and Services Subcommittee
Freight, Ports and Truck Movement Subcommittee
Alternative Transport, Health, and Active Transport Subcommittee

2. **Key Policy Issues** - a brief summary of the work the committee plans to undertake, including an outline of policy problems, possible solutions and actions the committee will take to address them.

#### Victorian Buses

Deficiencies in Victoria's bus network have been a cause for concern by many members of the Transport Policy Committee, especially regarding connectivity with train and trams, fleet procurement, problems with the routes, and an alarming increase in violence towards operators. The Transport Policy Committee believes there is an urgent need to lift and improve standards across the bus industry in Victoria.

**NEXT STEPS:** The Transport Policy Committee's first Policy Forum will focus on the Victorian bus network.

#### Accessibility

Initiative to improve disability access across Victoria's public transport network has been a significant topic of discussion. Members of the Transport Policy Committee have raised concerns specifically regarding persistent issues of inaccessibility at train stations and have also noted that many tram stops are still DDA non-compliant.

**NEXT STEPS:** The Transport Policy Committee will conduct further investigation into the issues and formulate policy solutions, particularly where it relates to our Policy Forum.

#### Regional Transport

Members of the Regional Transport Subcommittee met and discussed their priority issues. They included:

1. **Aviation** – Essendon instead of Tullamarine as origin for regional flights
2. **Roads** – More and better rest areas for truck drivers on regional and national freight roads with properly maintained facilities (toilets and showers)
3. **Rail** - The Overland – increase services from two to three per week and advertise timetable on V/line and PTV websites
4. **Rail** – Gauge standardization of the regional network – Preparation by use of gauge convertible sleepers in all cases of resleepering of broad gauge regional lines
5. **Rail** – Maintenance and upgrade to 23 t axle load for the Maroona to Portland rail line giving rail access to the Port of Portland
6. Restoration of the standard gauge platform at Sunshine Station

**NEXT STEPS:** The Regional Transport Subcommittee will continue to develop policy on these areas and will pursue meetings with relevant Ministers and other stakeholders, such as the Country Labor Executive and other policy committees, where necessary.

#### Requiring Further Exploration

Priority issues flagged by the committee for further exploration include heavy rail and freight, outsourcing/privatization of services, electric vehicles, efficiency of the metropolitan tram and bus network, pricing the use of roads, road maintenance and road safety, promotion of future technology and alternative means of transport (e.g. trackless trams), heavy vehicle operators and truck driving.

Additional matters raised include working with Victorian ministers on existing commitment and projects, the Albanese Government's response to the Infrastructure Investment

Program (IIP), the impact of pricing on improving efficiency to the road network, and the regional/metro divide in transport access.

**NEXT STEPS:** These matters have been referred to each of the five subcommittees to discuss look at the issues in more depth and propose solutions/ policy proposals.

### 3. Planned Policy Forum

The Transport Policy Committee agreed an appropriate time to host an online forum is mid-late 2024.

The Policy Forum will focus on the Victorian bus network, including the efficiency of current routes, electrification of the network, industry issues experienced by metro operators and bus drivers, and the bus network’s integration with other modes of transport.

Date	Location	Key Topics	Next Steps
Mid/Late 2024	Online (Zoom)	Improving Victoria’s Bus Network	<ol style="list-style-type: none"> <li>1. Finalise date of forum</li> <li>2. Creation of a Policy Forum Working Group</li> <li>3. Working Group’s role is to: <ul style="list-style-type: none"> <li>• Approach possible guest speakers and stakeholders.</li> <li>• Liaise with ALP policy committees.</li> <li>• Prepare agenda.</li> <li>• Brainstorm ways to promote policy forum.</li> <li>• Present the above at the next meeting of the Transport Policy Committee</li> </ul> </li> </ol>

### D. ANY OTHER ITEMS

**President:** Aarin Moon

**Secretary:** Skye Griffiths

# *Urban Affairs, Housing, Local Government & Infrastructure Policy Committee*

## State Conference Report

May 2024

### **A. MEETING ATTENDANCE REPORT**

#### **1. Elected Policy Committee members**

<b>Member</b>		<b>Attendance</b>	<b>LOA/ Apology</b>	<b>Total Possible</b>
Aird	Elizabeth	5	2	7
Black	Harrison	2	0	7
Brimer	Georgie	6	0	7
Crosby	Clive	3	0	7
Dalton	Tony	7	-	7
Dark	Graeme	6	1	7
Ellwood	Esther	0	1	7
Erfani	Jawad	1	-	7
Fletcher	Tully (replacing Gazic)	0	0	2
Gazic	Mark (resigned)	2	2	4
Kurban	Jean-Marc	1	0	7
Lang	Tegan	1	1	7
Langley	Jannette	4	2	7
Leighton	Shay	3	2	7
Marriott	Jennifer	2	0	7
Marriott	Kenneth	6	1	7
Spork	Joshua	2	0	7
Ware	Daniel	3	3	7
Wark	Natasha	4	3	7
Wilkinson	Cheryl	6	1	7
McKinnon	Fergus	1	1	7

#### **2. Minister, Parliamentary Secretaries & Caucus Representative**

<b>Minister/Parliamentary Secretary/ Caucus Representatives</b>	<b>Attendance</b>	<b>Total Possible</b>
Planning	0	7
Housing	2	7
Local government	0	7
Precincts	0	0
Consumer Affairs	0	0

Note: Good working relationships have now been established between the UAPC and Planning, Housing and Local Government Ministerial offices. Some initial difficulties were experienced in establishing these relationships. The Minister for Housing has now met with committee members

and the Minister for Local Government will meet with the UAPC at its April meeting. There is a continuing difficulty in establishing a working relationship with the office of the Parliamentary Secretary for Housing. The UAPC has not actively sought a working relationship with Ministerial Offices for Consumer Affairs and Precincts. Working relationship and meetings with these office will be sought in the near future.

### 3. Associate Policy Committee Members

Name		Attendance	Total Possible
Abidi	Syed	2	7
Al Lawati	Ali	0	7
Anderson Prior	Atticus	1	7
Barbour	Geoff	6	7
Bates	Catherine	0	7
Bray	Finbar	0	7
Brennan	James	0	7
Bridger-Darling	Megan	0	7
Butt	Geoffrey	1	7
Cercone	Joseph	0	7
Church	Andrew	4	7
Collins	John	7	7
Cui	Tiankuo	0	7
Curtis	Christopher	6	7
De La Pena	Jonathan	0	7
Donnelly	Scott	5	7
Edmonstone	Mark	0	7
Fletcher	Tully	0	7
Gaud	Charmian	6	7
Gaur	Aman	0	7
Gul	Hassaan	1	7
Gvildys	Ella	0	7
Hodge	David	0	7
Horsley-Wyatt	William	0	7
Ivetic	Nathan	0	7
Javed	Rana	1	7
Johnson	Louise	6	7
Keogh	Jake	0	7
Kovacev	Daniel	2	7
McDonald	Stephen	0	7
McGregor	Stephanie	0	7
McLoughlin	Caitilin	0	7
Miles	Christopher	0	7



Mileto	Jamie	0	7
Miller	Rachel	0	7
Morante	Mark	0	7
Patel	Kaamil	0	7
Purdy	Hannah	1	7
Rae	Adam	0	7
Robertson	Paul	1	7
Runciman	Christopher	1	7
Schwarz	Jason	0	7
Szatkowski	Robert	1	7
Tancheff	Christopher	6	7
Tian	Rachel	0	7
Truong	Nather	0	7
Vuong	Simon	0	7
Waddell	Stephen	2	7
Whitty	Sahra	0	7
Shahid	Rana	0	7

## B. CORRESPONDENCE REPORT

Received From Constituent Units	Subject	Date Received	Action
Country Labor to UAPC	Ensure (a) the government is represented at all policy announcements and (b) regional policy considerations are embedded in all State Government policy development.	19 <sup>th</sup> Nov 2023	Noted
Agenda Committee	Policy committee report to State Conference	16th Feb 2024	Prepare and submit report

## C. POLICY DEVELOPMENT REPORT

### 2. Policy Committee organisations

Three working groups – local government, planning and housing – have been established each led by a convenor.

They have identified policy problems and possible solutions that are listed in the following table. They are presented more fully in the three sections that follow.

The working groups will engage in similar consultative processes in further developing policy proposals. These processes will include:

- Consulting with ministers and advisors
- Liaising with other policy committees where appropriate
- Reviewing and drawing on published research
- Consulting with unions; experts; professional and industry associations; and NGOs
- Engaging with ALP branches with an interest in urban policy issues
- Holding a small number of policy forums

## Working groups and issues being addressed

### Local government working group

1. Future of local government inquiry
2. Local government and representation
3. The local government workforce
4. Local government and climate change

### Planning working group

5. A new Victorian Planning and Environment Act
6. Increasing new housing supply
7. Planning for growth in regional cities and corridors
8. Enhancing the functional corridors connecting Melbourne with provincial cities
9. Optimising the use of transport infrastructure
10. Coordination and collaboration by standardising the regions

### Housing working group

11. Melbourne's high rise public housing futures
12. State government surplus land for social housing
13. Regulate for better rental housing standards
14. Responding to private rent increases
15. Responding to homelessness

**2. Key Policy Issues** - a brief summary of the work the committee plans to undertake, including an outline of policy problems, possible solutions and actions the committee will take to address them.

## Policy problems possible solutions

### Local Government

#### 1. Inquiry into the future of local government

##### Policy problem

Victorian local government councils do not have the capacities necessary to adequately meet the goals set for local government in the *Local Government Act 2020*. These goals include community engagement, strategic planning, financial management, service provision and transparency. The problems requiring systematic consideration include:

- roles and responsibilities where many are optional and of varying levels of quality
- local taxation, intergovernmental transfers, charges and financial sustainability;
- community representation in the local government workforce, skill development and remuneration
- communication with residents, community groups, schools, businesses and others
- structure of local government in metropolitan and regional areas
- responsibility for new, renewal and maintenance of infrastructure in an era of climate change and disaster management

##### Solution

An inquiry would consider the challenges facing local government and make recommendations on institutional capacity development necessary for addressing the problems. It would seek to create a democratic space for local government industry, unions, professional associations and community organisations to listen to each other, learn more about the local government system, grapple with its complexities and aim for common ground for future institutional capacity development. The inquiry would hold hearings and receive submissions; commission new research; and use deliberative processes such as citizen assemblies and/or citizen juries.

Pros – An inquiry has the potential to

- deepen support for local government as a valued democratic institution that is already defined well by the *Local Government Act 2020*

- set out and elaborate on next-step key themes for continued development of local government as an innovative and transparent democratic institution

Cons - There may be arguments that

- An inquiry will divert attention and resources from work on an already existing program of reform

## **2. Local government and representation**

### **Policy problem**

The current system of single councillor ward representation being used to elect local government councillors undermines fair representation of diverse communities. This system leaves some minorities with no representation and can produce wild swings in council majorities. These swings often do not reflect the multi layered changes in voter thinking. In sum, single member electorates prevent councils reflecting the diversity of views on local community issues and in local government decisions.

The adoption of single member wards runs counter to the long-term movement towards more pluralistic multi-member representation using proportional representation. This movement towards pluralistic representation could be extended by making the whole municipality the electorate for municipal elections and use of proportional representation.

### **Solution**

It is important that arrangements for democratic and representative councils are instituted. The following guidelines should be adopted

- every council would represent as much as possible the votes of voters;
- the vote of all citizens would count towards the result;
- no group could win a council majority without winning a majority of the vote;
- all voters would be treated equally;
- councils would represent the views of their communities in proportion to the number of people holding those views;
- voters would group themselves in any way they liked and not be forced to vote as a geographic 'community of interest'; and
- electoral representation reviews would not be required.

Four courses of action are sought.

- Single councillor ward elections should be abolished.
- The electorate for municipal elections should be the whole municipality.
- Councillors should be elected through a system of proportional representation.
- The Local Government Act should ensure that councillor numbers in each municipality are based on municipal population and area.

Pros – This approach to local government elections will deepen local democracy by better reflecting the diversity of community views

Cons – The adoption of a new system of multi member representation could be seen as a reversal of the recent move to single member wards.

## **3. The local government workforce**

### **Policy problem**

Communities expect councils to act as positive competent and transparent public organisations in the way they

- govern for their communities;
- act as employers of a diverse and skilled workforce
- raise revenue and manage expenditure; and
- provide services to households, communities and businesses.

Public trust in local government can be undermined by a lack of transparency, poor practices and poor conduct in governing, employing, raising revenue, managing expenditure and providing services.

### **Solution**

The Victorian state government should lead the development of a state-wide local government employment code that supports councils to build trust in their communities by:

- ensuring local government jobs are secure, local, fair and directly employed, with better conditions; and full implementation of the Local Government Fair Jobs Code commitment to minimise all forms of insecure work including outsourcing, labour hire and casualisation and prioritising wages and conditions and secure jobs
- ensuring local government workforces delivering valued services are adequate, competent, trained, qualified and skilled, underpinned by workforce plans that meet skills gaps;
- publishing comprehensible reports on rates, charges, expenditures and services
- publishing reports on contractor and all forms of third-party engagement, employment and profits;
- publishing reports on all grants and subsidies to other organisations.

Pros - This approach to local government workforce protection and development will

- restore public confidence in local government administration
- increase community support for local government provided services
- ensure value for money spent on public services
- ensure local government is a role model employer it is expected to be and the workforce is supported and remunerated to deliver for the future
- meet the obligation for transparency in local government required by the Local Government Act

Cons - There may be arguments that

- Councils are already struggling to fulfil traditional responsibilities while being constrained by state government rate capping and contracting out is the only way to meet budget constraints
- The only option is to accept that contracted out services provided by lower paid high turnover workers providing lower quality services has to be accepted because budget constraints are inevitable

#### **4. Local government and climate change**

Governments are responding to climate change by mitigating GHG emissions and adapting to the effects of climate change on the natural and built environment. It is essential that local government authorities in the Australian federal system of government have the in-house capacities and resources required to work with state and federal governments, in reducing GHG emissions and adapting at the local level to changes in natural and human made systems.

##### **Policy problem**

This challenge requires the development of additional institutional capacities within local government. They include: creative and informed councillor and senior officer leadership of strategic planning addressing climate change risks; increased organisational capacity to collaborate with state and federal governments; collaborative responses to community initiated responses to climate change; enhanced professional and technical capacities required to design and administer climate change adaptation measures; workforce support for responding to climate change impacts; and extended abilities to participate in planning that addresses shared regional climate change risks.

##### **Solution**

There is a need to assess and extend the capacities of local councils to develop *in-house-led* and community empowered responses that effectively meet climate change adaptation. This requires a state-wide assessment of the capacities of local councils to develop *in-house-led* responses to climate change and a follow up capacity development program.

Pros - This approach will help

- Increase community confidence in local government as an institution able to respond strategically to contemporary societal challenges
- Build confidence by state and federal government elected representatives and administrators in local government capacities
- Reduce expenditures on consultants contracted to produce one-off reports on climate change adaptation

Cons - There may be argument that

- Councils are already struggling to fulfil traditional responsibilities while being constrained by state government rate capping regulation and a new responsibility adds to budget pressures

Alternative solution: limit in-house skill and expertise development and continue to rely on consultants on an as required basis.

## Planning

### 5. A new Victorian Planning and Environment Act

#### Policy problem

The *Victorian Planning and Environment Act* is decades old and has been amended multiple times over the years to address emerging issues and requirements and is now almost 600 pages in length. It was drafted before it became usual practice to incorporate statements of 'objectives and guiding principles' into major legislation. Objectives and guiding principles statements can help guide the interpretation and implementation of legislation.

The Victorian Government has committed to rewriting the *Planning and Environment Act* but the process for preparing a new Act is unknown. Agreement on a clear statement of 'objectives and guiding principles' is an important starting point for the preparation of the new Planning and Environment Act.

#### Solution

A consultative process should be initiated – both within and beyond the ALP – on the purpose and scope of a new Victorian *Planning and Environment Act* and how it will be prepared. This consultation should aim at reaching agreement on the 'objectives and guiding principles' that will guide preparation of the new act. Guiding principles will support fair and sustainable housing provision, nature conservation, sustainable economic development, reducing GHG emissions, disaster resilience, social cohesion, land and wealth distribution, urban mobility, democratic governance of urban and regional development

Pros: This approach will help:

- build agreement on the principles and outcomes of a new Act before the drafting of the new act risks becoming 'bogged down' in debating detailed provisions.
- build momentum and expectations for a new Act that will guide government responses to the challenges of ensuring equitable, efficient and sustainable urban renewal and growth
- ensure consistency with other legislation, such as the Marine and Coastal Act and the Climate Change Act which a new Planning and Environment Act must complement.

Cons: There may be argument that consultation:

- on 'objectives and guiding principles' will delay preparation of a new Act
- with stakeholders is not possible without making the completed Act available

Alternative solution: wait until a full draft of a new Act is available before consultation.

### 6. Increasing new housing supply

#### The problem

The Victorian Government's Housing Statement commits to increasing housing supply so as to increase housing affordability. Increasing housing supply is critical in order to slow or halt the decline in housing affordability and benefit both renters and home buyers. However, increasing supply on its own will not be sufficient to increase housing affordability. Additional accompanying measures are required.

Three quarters of Victoria's housing supply is in Melbourne and half of this is in growth areas. Increasing supply will be more difficult as 'greenfield' land supply runs out. Further, greenfield and redevelopment private developers are unlikely to produce the required quantity and mix of housing that increases affordability. Also, there will be opposition to increasing housing densities in some established suburbs. Government action must address these risks.

#### Possible solutions

Further measures are needed which should include:

- establish clear policy on the location of higher density housing in existing urban areas with a particular focus on areas around key activity centres, rail stations and along tram lines and accelerate precinct planning for such locations
- encourage increased residential densities in designated precincts by investing in additional infrastructure and amenities
- require Councils to prepare housing strategies which make clear how they propose to provide for their LGA housing supply target and to address housing affordability and the need for additional social housing
- establish social housing targets supported by mandatory inclusion provisions on rezoning for higher density housing developments
- authorise Development Victoria to acquire and amalgamate strategic development sites and to plan, hold and sell such sites with specific development conditions
- adopt and promote the application of urban design standards that produce good development outcomes while responding to professional and community expectations
- improve assessment processes to reduce 'planning risk' for developments which comply with policy

Pros: Pursuing this mix of strategies will contribute significantly to the likelihood of achieving housing targets and improved affordability and less community opposition to increased densities

Cons: requires investment in established parts of Melbourne of some of the infrastructure expenditure 'saved' by reducing the 'greenfield' share of housing development.

**Alternatives** Relying on Councils and private developers to achieve housing supply targets.

Pros: Less requirement for State planning, land and infrastructure expenditure.

Cons: Risk failing to achieve housing supply targets and likelihood of poorer provision for social & affordable housing and of poorer urban design. Increased potential for community opposition to increasing housing densities.

## **7. Planning for growth in regional cities and corridors**

### **The problem**

Growth rates for Victoria's major regional cities (especially those within 150 km of Melbourne) have been rising and are likely to increase further as Melbourne's population and housing costs continue to increase. There are also increasing development pressures in towns near these regional cities and along the rail/road corridors linking them to Melbourne. Collectively these areas account for more than 15% of Victoria's housing supply. Increasing housing supply in these areas is critical, in order to slow or halt the decline in housing affordability and benefit both renters and home purchasers.

Unless appropriate plans are prepared to manage growth in these areas there is likely to be an inadequate housing supply and declining affordability together with pressures for development in inappropriate locations.

### **Possible solution**

There is a need for the preparation, either as part of Plan Victoria or separate regional plans, of strategies for increasing housing and job growth in key regional cities, corridors and peri-urban areas. These plans need to include provision for potentially higher growth rates.

Councils should be assisted to undertake the required planning investigations and associated infrastructure investments. This should include assistance to identify suitable locations for development, encourage an appropriate housing mix including social housing and put in place planning controls that encourage high quality urban design. There is also a need to streamline development approval processes for locations identified for growth.

Pros: Action on the above will

- contribute to the Housing Statement's goals of increasing Victoria's housing supply and diversity.
- increase housing affordability and choice
- ensure development occurs in appropriate locations, especially in towns along regional rail corridors.

- increase the share of population and employment growth going to areas outside Melbourne.
- contribute to regional economic and employment growth.

Cons: Some additional State investment in assisting Councils with growth planning will be required

### **Alternative Approaches:**

Reliance on individual Councils to plan for and manage growth.

Pros: Less State expenditure on regional city/corridor planning.

Cons: Some Councils are likely to seek to limit growth and shift development pressures to neighbouring LGAs. Greater risk of inadequate provision for growth and of inappropriately located and/or poor-quality development.

## **8. Enhancing functional corridors connecting Melbourne with provincial cities**

### **The problem**

Functional corridors exist within Melbourne and extend through to regional cities and their surrounds but are not sufficiently recognised by agencies undertaking infrastructure and service provision planning. There are opportunities for more joined up planning for infrastructure and services and recognising the unique strengths and potential of corridors.

### **Possible solution:**

There is an opportunity to recognise functional corridors for infrastructure and service planning by establishing processes for government agencies and Councils, to cooperatively plan the development of infrastructure and service along the corridors. Aligning local government and regional boundaries would further support corridor planning.

This will:

- facilitate collaboration between communities and interest groups on priorities and plans for infrastructure and services
- encourage cooperation between agencies and local councils along the corridors
- make the best use of the strengths of each corridor

Cons: may involve some temporary extra effort and disruption as the change to a more explicit corridor focus proceeds.

NB: Although the functional corridors include areas within Melbourne and extend to regional Victoria the proposal does not include change to Melbourne's Urban Growth Boundary or less focus on increasing the share of urban growth in the non-metropolitan regions.

## **9. Optimising the use of transport infrastructure**

### **The problem**

Citizens in Melbourne and Victorian towns and cities suffer economic loss, transport inefficiencies, congestion and increased travel risks due to competition between the differing types of transport using the same road reservations. These types include cars, buses, trucks, trams, motorcycles, bicycles and scooters. Pedestrians also use these same road reservations. Sometimes as many as seven different forms of transport compete for use of the one road reservation. These issues arise because road and pathways systems were not designed to support the diversity or levels of contemporary use. Further, multiple bodies at the local, state and federal level fund, build and govern the use of roads and pathways.

### **Solution**

There is a need for strategies that address the problems of conflict associated with the different forms of technology used on roads and pathways. They include changes in design, regulation, construction and management strategies which will improve traffic management and improve safety and efficiency and contribute to economic growth, better health outcomes and safety.

More specific initiatives can include definition of exclusive "modal" routes eg: a mix of tram/bus/cycle-only and car-only routes; up-roads and down-roads to optimise lane availability and one way travel; small scale underground looped shuttle public transport; separate off-road and/or elevated infrastructures for bicycles and scooters, and fully automated out-of-peak hour EV truck routes between eg: Port of Melbourne/rail heads and district storage locations. There is also a

role for demand management measures such as congestion charges or area access limits. All such initiatives will improve traffic management, and improve safety and efficiency and contribute to economic growth and better health outcomes and safety.

Pros. Initiatives will optimise the use of road infrastructure by different users and at different times of the day while improving safety and efficiency and contributing to economic growth and better health outcomes

Cons. Cost of assessment and implementation; some possible opposition from road users who will need to change their patterns of travel or those banned from using some routes

## **10. Coordination and collaboration by standardising the regions**

### **The problem**

The defined regions used by the Victorian government agencies for planning and managing infrastructure and services across government are no longer standardised, as was the case before the last Liberal government. This absence of coterminous regional boundaries undermines inter-agency communication and collaboration in planning for the communities they serve. This is an issue both for metropolitan Melbourne and for regional Victoria where there is no system of regional planning authorities that can insist on inter agency communication and collaboration. There is too much of a reliance on more junior agency staff in the regions who try to manage upwards as they seek to form links across organisational boundaries.

### **Solution**

The Victorian Government should establish a project led by the Department of Premier and Cabinet that establishes standard regions for all agencies. Regional planning authorities, or consultation bodies, established in partnership with local government authorities, should be established with the capacity to, at a minimum, support inter-agency communication and collaboration and involve community organisations in identifying and addressing key regional issues.

Pros - A system of common regional boundaries and regional planning has the promise of

- improved efficiency, communication and planning based on collaborative regional plans
- more say at senior levels of public administration for regional communities
- stronger connections between communities and government

Cons – geography (e.g. Victorian Catchment Management Authorities will need to continue to operate on catchment-based boundaries)

Alternative solutions

Many different regionalisation arrangements are possible. The key is for them to be the same for all departments and agencies, unless geography makes it absurd.

Lack of focus on whole-state connections, can be overcome by more clearly distinguishing the roles of central and regional planners and administrators.

## **Housing**

## **11. Melbourne's high rise public housing futures**

### **The problem:**

The renewal program outlined in Victoria's housing statement: the decade ahead 2024-2034 commits the Victorian Government to 'Australia's biggest ever urban renewal project: retiring and redeveloping all of Melbourne's 44 ageing high rise public housing estates by 2051'. Continuing controversy and uncertainty about inner city social housing provision is an outcome that needs to be addressed.

### **Possible solution:**

Establish a government auspiced strategic planning process using a deliberative engagement methodology such as citizen assemblies, juries and panels. The aim is to create the space needed to learn, grapple with the complexities of inner-city public housing provision and collaborate in finding common ground for the upgrading and redeveloping these estates. The strategic planning process would seek:



- agreement on a set of planning principles for the short and medium-term upgrading and renewal of the high rise public housing estates;
- sustained increases in inner-city social housing for low/moderate income households with modern high-quality design and building standards; and
- builds tenant and community confidence in the Victorian government's capacity to increase the provision of high-quality inner city social housing.

Pros - A shared long-term plan for social housing in the inner city that is broadly accepted by state and local governments, NGOs especially those representing tenants, and professional and industry associations.

Cons - The continued absence of a broader engagement process is likely to result in continuing expressions of insecurity by public housing tenants, demonstrative challenges to government planning processes and further loss of inner-city Labor seats in the Victorian Parliament.

Alternative solutions

Accept limited objectives for inner city social housing futures that only commit to marginal increases in inner city social housing provision.

## **12. State government surplus land for social housing**

### **The problem**

Victorian public sector 'siloes' prevent a 'best use' approach to changing the use of public sector land.

State government agencies review their land holdings and when land is surplus to requirements offer parcels for sale to other State, Commonwealth and local government agencies. The sale arrangements are governed by the Victorian Government *Landholding Policy and Guidelines* requiring surplus land to be offered through a 'first right of refusal'. Land not purchased by another agency is offered for private sale.

At the heart of the problem is that land is 'owned' by individual agencies so that the value of land holdings sit on their balance sheet. When land becomes surplus to requirements it can only be sold to another State, Commonwealth and local government agency in line with Valuer-General valuations. Sale proceeds are returned to the vendor agency and remain on its balance sheet.

This system does not contribute suitable publicly owned surplus land for new social housing. It is estimated that if public land was made available to social housing providers the cost of providing new social housing would be reduced by 30 per-cent. Many land parcels that are offered for sale by agencies are well located because they are near to transport, civic centres and social infrastructure.

### **Possible solution**

Prioritising social housing for development on suitable publicly owned land is required by transferring surplus land to a Homes Victoria land bank for new social housing. The provision of additional new social housing should be prioritised through

- Identifying state government owned land suitable for future social housing provision through a review of all crown land holdings 'owned' by state government agencies
- Leasing agency 'owned' land, using the Ground Lease Model, to social housing providers through Homes Victoria; or
- The Department of Treasury and Finance (DTF) purchases land parcels from agencies on behalf of Homes Victoria

Pros - A more secure and orderly supply of social housing that demonstrates a long-term commitment to housing more low- and moderate-income households in well designed, well located, highly accessible, energy efficient and better maintained homes

Cons - Includes loss of confidence in government to

- to respond to declining housing affordability
- support low/moderate income households increase access to employment and services on well-located sites
- reduce homelessness

Alternative solutions

Rely on the 'market' to provide housing and accept the insecurities of the private rental market for low/moderate income households and rising levels of homelessness.

### **13. Regulating for better rental housing standards**

#### **Policy problem**

Recently revised and improved rental agreement minimum standards are failing to ensure that many renters live securely and affordably in rental properties that meet the minimum standards.

Victoria has 14 categories of minimum standards for rental agreements and all properties are required to meet the standards in each category. Renters have the right to request necessary repairs or changes where a property does not meet minimum standards and rental providers are responsible for meeting minimum standards. These minimum standards are provided for in the Residential Tenancies Amendment Act 2018 resulting from a review of the Residential Tenancies Act 1997. The 2018 Act reformed the rental sector in Victoria, with over 130 reforms which commenced in March 2021.

Also, many renters live in properties where the minimum standards provide for a poor standard of thermal comfort. The Legislative Council Legal and Social Issues Committee in its Inquiry into the rental and housing affordability crisis in Victoria found that the minimum standards provision is failing many renters. It stated (pg 141) that

The Committee believes that the Victorian Government should review minimum standards to address the liveability of rental properties throughout the year, including summer. Regarding heating, the Committee notes that the current minimum standard does not necessarily address liveability.

The 2023 Victoria's Housing Statement promised to address poor standards enforcement by replacing the troubled VCAT dispute resolution system and establish *Rental Dispute Resolution Victoria* which will provide a 'onestop shop for renters, agents and landlords to resolve tenancy disputes over rent, damages, repairs and bonds. It'll have a clear pathway to settle issues in a faster, fairer and cheaper way.'

Greater clarity is required about the way Rental Dispute Resolution Victoria will resolve disputes, especially over minimum standards and repairs. Meeting standards and responsive repairs could rely on regulators and a system of incentives for rental providers to improve liveability and meet minimum standards.

#### **Possible solution**

Refer, through the Assistant Treasurer, the issue of improving and meeting rental standards by requiring Better Regulation Victoria to undertake a review with Terms of Reference agreed by representatives of tenant organisations and the real estate industry.

Pros - Establish a basis for *Rental Dispute Resolution Victoria* to regulate and incentivise rental providers to improve living conditions in private rental housing.

Cons - Possible deterrent to existing and prospective rental providers to provide private rental housing

Alternative solutions

Rely on the 'market' to provide housing and accept that a significant proportion of renters will have to put up with living in dwellings where liveability is severely compromised.

### **14. Responding to increasing private rents**

#### **Policy problem**

Renters now comprise nearly 30% of Victorian households and a significant proportion of these households are facing an affordability crisis. Features of this crisis in the private rental market are high and rapidly rising rents along with a chronic shortage of affordable rental properties. Low- and moderate-income renter households are particularly disadvantaged by the shortages of rental properties, poor quality stock, lack of security due to short term leases and rent increases.

The Victorian Labor Government has introduced and passed progressive new rental laws and expanded the rights and responsibilities of renters and landlords, which came into effect on 29 March 2021. However, the private rental market continues to be a market where low- and

moderate-income households, albeit with increased rights, continue to experience significant insecurity through scarcity and excessive rental increases. There is a need for continuing intervention in the private rental market that both increases security of tenure and housing affordability.

### **Possible solution**

Three measures would moderate rising rents while not undermining the viability of private rental housing investments:

- Introduce a 'rent cap' that couples two requirements: stipulate how often rents can be increased and limit the increase. In Victoria in most cases, following a 2023 National Cabinet agreement the rent cannot be increased more than once every 12 months, even if the rental agreement specifies a rent increase before that time. A cap should limit the increase, to a specific amount or a specific proportion of the rent. In the ACT the cap is set at 110 % of the rent component of the ACT CPI.
- Ensure that increases in rent beyond the CPI must be approved by a Rental Review Board and is only permissible where demonstrable improvements to the property have occurred (beyond those required to meet minimum standards) in particular, to ameliorate climate change impacts.
- Present a case to the Commonwealth Government that it reviews the Commonwealth Rent Assistance (CRA) program and reform the program so that all Australian households experiencing housing related poverty in the private rental market receive adequate CRA assistance, without regard to existing Centre Link income security entitlement categories.

### **Pros**

- Contribute to increasing the affordability of rental housing in the private rental sector for low- and moderate-income earners.
- Further embed a culture of the right of renters to dignity and fairness in their relationship with rental property owners

### **Cons**

- Mounting a substantial and evidence-based argument that regulating rent increases will not result in reduced rental housing supply.

Alternatives – continue to stand by and watch rents increase and contribute to the cost-of-living crisis, increasing household debt and homelessness.

## **15. Responding to homelessness**

### **Policy problem**

Homelessness in Victoria continues to grow and has expanded to include larger and more diverse population groups including low income employed people, children, women, young people, those experiencing family and domestic violence and older people, particularly women aged 55 and over. One in five Aboriginal people as compared to one in eighty non-Aboriginal people seek assistance for homelessness per annum. Homelessness rates are also higher for LGBTIQ+ people who require safe, specialist services.

Responding to the needs of homeless people is made difficult because of two key features of the housing system in Victoria.

First, Victoria has an inadequate supply of long-term and secure specialist homelessness services (SHS) able to support homeless people. This includes a shortage of preventative case managed housing support services for those at risk of homelessness. Additional funding before, during and after homelessness is urgently needed. Without greater investment, this sector will remain under-resourced and affect its ability to recruit, train, support and maintain staff able to support an expanding number and a more diverse range of homeless people.

Second, Victoria has a small social housing sector that is growing but this growth is not keeping up with population growth. It has the lowest proportion of social housing in Australia with a highly inadequate stock of public housing. Current issues include:

- Much public housing is old and run down and tenants experience poor responsive maintenance
- Waitlists and wait times for social housing are prohibitively long

- Suitable short-term housing for homeless people, including crisis accommodation, is in short supply
- Lack of exit options to longer-term housing from crisis accommodation results in many returning to homelessness.

**Possible solution**

The Victorian government should:

- Grow Victoria’s public and community housing stock by continuing the level of investment in the Big Housing Build and house Victorians experiencing homelessness.
- Invest further in Victoria’s Housing First programs that are targeted to ending rough sleeping and have been shown to be very successful in ending participant homeless
- Invest in the Private Rental Assistance Program (PRAP) that meets the rental arrears of households and contributes to avoiding evictions and subsequent homelessness
- Invest in the Tenancy Plus program that supports vulnerable social housing residents at risk of losing their tenancy by assisting them with their payment obligations.

Pros

- All Victorian households are able to live in the secure, affordable and well-located housing that supports their health and participation in society.
- Significant financial savings in other government portfolios including police, justice, health, mental health, income security, education, women’s services

Cons – none

Alternatives – allow the numbers of homelessness people and the increasing risk of homelessness to continue to grow resulting in increasing suffering and social disfunction.

**3. Policy Forums being considered**

Date	Location	Key Topics	Guest Speakers	No. of Attendees
TBD	TBD	Supplying new affordable housing	TBD	TBD
TBD	TBD	Local government futures	TBD	TBD
TBD	TBD	Planning for a sustainable future	TBD	TBD

A tentative list of three topics for consideration by policy forums is presented in the table. The priority set by the UAPC for itself during the early period of its four-year tenure was the identification of policy problems and the development of ideas for suitable policy responses. This work was largely undertaken through the three working groups. During the remainder of 2024 further consideration will be given to developing and running a small number of policy forums. There has been some early discussion on a policy forum considering the challenges in increasing the supply of new affordable housing.

**D. ANY OTHER ITEMS**

Not Applicable

**President:** Tony Dalton

**Secretary:** Georgie Brimer

## Women's Affairs Policy Committee

### State Conferencene Report

May 2024

#### A. MEETING ATTENDANCE REPORT

##### 1. Elected Policy Committee members

Member	Attendance	LOA /Apology	Total Possible
Deepti Alurkar	2	-	6
Pamela Anderson	2	1	6
Georgie Brimer	5	1	6
Alicia Carr	6	-	6
Bridget Chapman	1	-	6
Phoebe Cotton	2	2	6
Kristen Dodson-Geary	2	1	6
Louise Dressing	6	-	6
Marita Hagel	6	-	6
Tina Hosseini	1	1	6
Rachael Hynds	3	1	6
Jannette Langley	1	-	6
Stephanie McGregor	6	1	6
Gemma Saccasan	3	1	6
Emily Sagolj	2	1	6
Bethany Shegog	1	-	6
Disha Zutshi	2	-	6
Caitlin McLoughlin (Resigned)	-	-	5
Monique Lobosco (Resigned)	2	-	2
Jane Rollason (Resigned)	2	1	4

##### 2. Minister, Parliamentary Secretaries & Caucus Representative

Minister/Parliamentary Secretary/Caucus Representatives	Attendance	Total Possible
Rita Nasr	1	1
Katie Hall MP	1	1
Vicki Ward MP	-	1
Mary-Anne Thomas MP	-	1

##### 3. Associate Policy Committee Members

Name	Attendance	Total Possible
Megan Bridger-Darling	-	6
Hasina Chowdhury	-	6
Esther Ellwood	1	6
Piper Horvat	-	6
Indah Johannes	-	6
Louise Johnson	3	6
Melba Marginson	4	6
Rachel Miller	-	6
Katharine Nikolic	-	6
Nezire Sayar	-	6
Kumuda Simpson-Gray	-	6
Becky Taylor (Withdrawn)	2	5

## B. CORRESPONDENCE REPORT

Received From Constituent Units	Subject	Date Received	Action
Health, Community Services and Senior Victorians	Motion on Palestinian conflict and ceasefire	14/02/2024	Take on notice
Health, Community Services and Senior Victorians	Motion on WorkCover	12/02/2024	Take on notice
Fabians Society	AIRAANZ Conference	23/01/2024	Distributed correspondence to wider committee
Industrial Relations Policy Committee	Reproductive leave	05/02/2024	Consider in policy development

## C. POLICY DEVELOPMENT REPORT

### 1. Policy Committee organisation

Subcommittees
Housing and Family Violence Sub-Committee
Health Sub-Committee
Women in Work and in Business Sub-Committee
Regional Women Sub-Committee
Education and STEM Sub-Committee

**2. Key Policy Issues** - a brief summary of the work the committee plans to undertake, including an outline of policy problems, possible solutions and actions the committee will take to address them.

**Issue 1 Support Safe at Home** – promoting safety for women and children experiencing family violence without them having to leave their homes and communities, schools etc.

#### Action

Sub-committee to speak with Minister Vicki Ward's office and ALP members involved in private security.

**Issue 2 Family violence and multicultural training** for Victoria Police assisting multicultural women experiencing family violence.

**Action**

Consult with Justice Committee, speak with Minister Ward.

**Issue 3 Affordable Housing for older women.** There is a growing cohort of older women becoming homeless post-divorce/separation. Looking at rent to buy schemes and support with affordable rentals.

**Action**

Review of last committee's proposals and confirm which have been taken up or already in existence.

**Issue 4 Mandatory Inclusionary Zoning** and the impact on Women.

**Action**

Work with Housing Committee and L4H.

**Issue 5 Taking Religion out of Women's Health.**

Ensuring women wherever they live don't miss out on healthcare because of religious beliefs of hospital/health care workers. E.g., Abortions. Religion should be separate to healthcare.

**Action**

Government funding of all health services needs to be **tied conditionally** to the *provision* of all services, expressly including reproductive services.

**Issue 6 Regional access for women** with health issues such as endometriosis or PCOS.

**Action**

Researching ways to get better access for women in regional communities to get education and treatments regarding women's health. Fertility, PCOS, endo, PMDD, menopause.

**Issue 7 Women's health leave:** Menstrual/menopause/reproductive leave.

**Action**

Menstrual leave is now common in council and some government Enterprise Agreements. Expanding this leave to also include other women's issues, such as menopause and reproductive leave.

**Issue 8 Pay Transparency.**

**Action**

Expand on recent changes that now require companies of more than 100 employees to report their gender pay gap. Lowering that to companies of 50 or more employees. Expand on the publicly available information on CEO's earning. Also include the executives that report to the CEO, also often called general managers.

**3. Policy Forums held or planned**

Date	Location	Key Topics	Guest Speakers	No. of Attendees
TBC				

D. ANY OTHER ITEMS

**President:** Marita Hagel

**Secretary:** Stephanie (Stevie) McGregor