2. Any individual or organization is eligible to apply for assistance through the committee. All applications must be made in writing.

There are no rigidly defined criteria in assessing submissions as it is necessary to have a degree of flexibility due to the different types of applications received, the variety of groups involved and different types of financial assistance offered.

However, several factors are taken into account, particularly with applications for assistance for a small business, co-operative or self-help project. These include the applicant's actual need for finance, the potential employment prospects, the permanency of employment, the viability and practicability of the project and whether it is a new or innovative area of employment.

Other considerations include support by other organizations, the degree of professional assistance available, accountability of funds and payment of award wages and workers compensation.

PENINSULA AMBULANCE SERVICE

(Question No. 1992)

Mr CATHIE (Carrum) asked the Minister of Health:

1. When the Peninsula Ambulance Service station officer at Chelsea resigned?

2. What is the current service in Chelsea, indicating the periods and dates when no staff from Frankston was available and manning the Chelsea branch?

Mr BORTHWICK (Minister of Health)—The answer is:

1. No station officer based at Chelsea has resigned. The one recently stationed there has voluntarily moved from Chelsea to Frankston.

2. A two-man crew is available 8.00 a.m.–11.00 p.m. daily. There has been no period when no staff was available from Frankston to man the Chelsea branch.

AGRICULTURAL INDUSTRY STAFF POSITIONS

(Question No. 2038)

Dr COGHILL (Werribee) asked the Minister of Agriculture:

What criteria are used in the allocation of staff positions—(*a*) each district and regional location; and (*b*) to each agricultural industry for extension and regulatory duties, respectively?

Mr I. W. SMITH (Minister of Agriculture)—The answer is:

(*a*) The criteria used in the allocation of staff positions in extension services are relevant to the complexity and size of significant agricultural enterprises/industries in the district, whether they are intensive or extensive, the numbers of farmers to be serviced, and the availability of staff with training appropriate to the needs of the area.

(*b*) The criteria used in allocation of staff positions in regulatory services are relative to the location and extent of particular industries, their general and specific needs and requirements, availability of personnel resources and the degree of difficulty both in time and technical skill required for such regulatory duties.

Legislative Council

Tuesday, 15 April 1980

The DEPUTY PRESIDENT (the Hon. W. M. Campbell) took the chair at 4.52 p.m. and read the prayer.

ABSENCE OF CLERK

The DEPUTY PRESIDENT (the Hon. W. M. Campbell)—I have to announce that the Clerk of the Council will be absent this week as he is attending the Eleventh Conference of Presiding Officers and Clerks which is now being held in Hobart.

The Hon. A. J. HUNT (Minister of Education)—By leave, I move:

That the Clerk-Assistant perform the duties of the Clerk of the Council during his absence and take the chair at the table.

The motion was agreed to.

The DEPUTY PRESIDENT—As is the customary practice, I have given authority for one of the Council staff to assist at the table during the absence of the Clerk.

ABSENCE OF MINISTER

The Hon. A. J. HUNT (Minister of Education)—I advise the House that the Minister of Water Supply is returning from Myrtleford where he has been attending a forest machinery exhibition with Federal Government Ministers and he expects to arrive in the House at about 6 p.m.

QUESTIONS WITHOUT NOTICE

MISAPPROPRIATION OF FUNDS

The Hon. W. A. LANDERYOU (Doutta Galla Province)—Has the Attorney-General received a report con-

cerning allegations of the misappropriation of funds relating to the Department of Youth, Sport and Recreation? If so, will the Minister make the report available to honorable members and, if not, will he indicate when he anticipates receiving it?

The Hon. HADDON STOREY (Attorney-General)—I have not only not received any such report, but also am unaware of the preparation of such a report. It may be that the honorable member is referring to some matter that is under consideration by the Police Force. I will take up the matter with the Minister for Police and Emergency Services to ascertain whether there is any basis for the question asked by the honorable member.

MOUSE PLAGUE

The Hon. B. P. DUNN (North Western Province)—Does the Minister of Lands acknowledge the worsening position and the continuing spread of the severe mouse plague that is affecting north-western Victoria? Is the Minister aware of the disappointment expressed by people over the Government's lack of action and failure to take steps to combat a plague and to seek methods to control it? Further, will the honorable gentleman initiate a study so that research can be undertaken into controlling such a plague with particular reference to the use of those methods for future occasions? Will the Minister also assess the financial loss to many primary producers in the area, and provide carry-on finance where necessary and investigate other forms of assistance that could be given to farmers and townspeople to aid in the control of the plague?

The Hon. W. V. HOUGHTON (Minister of Lands)—I anticipated a question this afternoon from the Leader of the National Party concerning the mouse plague. He would know, as well as I do, that mouse plagues occur when conditions are suitable to them, almost like an act of God. One might as well ask the Government to control the weather—which it will readily try to do—as to control a mouse plague in the Mallee when conditions are suitable. The honorable member knows that well. He chose to frame his question to obtain some political mileage and I hope he gets it from the *Wimmera Mallee Times* or from wherever he gets it.

I am aware of the increasing mouse plague. As the honorable member knows, I have been to see it in the Mallee. It is of serious proportions and I am extremely sorry for the farmers undergoing problems as a consequence of this devastating plague. They also have many other problems but I am not going to say whether or not they ought to enjoy priorities. Wherever problems exist and farmers are in need of financial support, of course the Rural Finance Commission stands ready to provide assistance with funds as it has in the past and will in the future.

A number of questions were asked by the Leader of the National Party, but as I did not have time to write them down, I would be happy to talk to the honorable member on the matter.

What is happening currently is that the Commonwealth Scientific and Industrial Research Organization has been provided with funds by the Federal Government to investigate and research this problem. The Lands Department provides poisons at cost to the farmers and assist them generally with advice about the control of mice. I do not minimize the problem for the farmers. It is a very big problem and I have the fullest sympathy with them. I have had experience of plagues and I know something about the difficulties involved. The Government will do all it can to see that the farmers receive assistance.

BORROWING POWERS OF MUNICIPALITIES

The Hon. H. G. BAYLOR (Boronia Province)—I direct my question to the Minister for Local Government. It relates to the borrowing powers of municipalities. There is now a wide diversity between municipalities with regard to their growth rate and their revenue. I give two examples—the City of Knox which has a general revenue currently more than $16 million this year and the municipality of Pyalong with its general revenue for this year of approximately

$500 000. Will the Minister give consideration to establishing some sort of criteria for the introduction of a differential in borrowing powers for individual municipalities?

The Hon. D. G. CROZIER (Minister for Local Government)—Mrs Baylor would no doubt recall that one of the recommendations in the Bains report on local government is that there be no ceiling on the borrowing powers of individual municipalities. Whether the Government adopts that recommendation has yet to be determined. However, I concede that there is a considerable variation in the financial capacity and needs of Victoria's 211 municipalities. The two municipalities mentioned by Mrs Baylor provide a good illustration of that disparity.

Unfortunately, raising the ceiling of the borrowing powers of municipalities is outside the powers of the State Government. It is a matter for the Federal Government and the Loan Council. I hope that we can look forward, at least as an interim measure, to an increase in the ceiling which currently stands at $1·2 million. I would not be in favour of any differential scheme which reduced the present borrowing of any municipality.

STORAGE OF TOXIC CHEMICALS IN PORT MELBOURNE

The Hon. E. H. WALKER (Melbourne Province)—Following this morning's successful protest by residents and the Port Melbourne City Council assisted by the Transport Workers Union, does the Minister for Conservation intend to persist in trying to stockpile dangerous toxic chemicals, some of which are in damaged and leaking drums, in the Port Melbourne area or will he seek to find a more suitable temporary dump for such dangerous chemicals?

The Hon. W. V. HOUGHTON (Minister for Conservation)—The Environment Protection Authority is currently seeking an alternative to the proposed Port Melbourne storage.

NOISE POLLUTION

The Hon. K. I. WRIGHT (North Western Province)—My question, directed to the Minister for Conservation, concerns noise pollution. Is the Minister aware that blatant noise pollution in the North Western Province has not been investigated because, as I am informed, the expense allowance of inspectors has run out for the year? Can the Minister confirm whether this is so? If it is, can he advise when the inspectors are likely to be able to investigate this matter?

The Hon. W. V. HOUGHTON (Minister for Conservation)—I am not aware of what would be regarded as fairly minute details about the operation of the noise section in the north western area. I will undertake to ascertain that information for the honorable member.

POLITICAL ADDRESSES TO SCHOOL STUDENTS

The Hon. J. V. C. GUEST (Monash Province)—My question is directed to the Minister of Education. Are there any rules or guidelines provided by the Education Department to ensure that there is no serious imbalance in the invitations issued to prominent members of different political parties to speak to classes in Victorian schools?

The Hon. A. J. HUNT (Minister of Education)—I have been invited to quite a number of schools both before and since my appointment as Minister of Education.

The Hon. W. A. Landeryou—Have you ever been invited back twice?

The Hon. A. J. HUNT—Yes. I have been invited to discuss matters such as those raised by the honorable member. I have ascertained that members of other parties have normally been invited also. There have been occasions when other members and I have been invited to attend at the same time. Last year, I jointly attended a meeting with senior students at Korumburra High School.

I believe it is the general principle of schools to endeavour to be fair and to see that their children hear both sides of any political issue. This may not always

occur, but the matter is in the hands of the schools concerned on behalf of the department.

SEAFORD–CARRUM HIGH SCHOOL

The Hon. R. J. EDDY (Thomastown Province)—My question is directed to the Minister of Education. Is it true that in meetings with the Victorian Secondary Teachers Association, the Minister offered to drop charges against the Victorian Secondary Teachers Association members of the Seaford–Carrum High School if they would agree to take no further strike action for the rest of the year?

The Hon. A. J. HUNT (Minister of Education)—Mr Deputy President, that is a gross misrepresentation of the nature of the negotiations which took place. The Victorian Secondary Teachers Association sought for me to drop action taken on the basis of a revocable moratorium on industrial action on the question of conditions of work, while negotiations on that issue took place.

I indicated that I believed a general amnesty in respect of any charges laid or in contemplation was possible only on the basis of a general moratorium for a reasonable period. I made proposals for such a general moratorium which would firstly enable either party to advise the other if it thought the other was taking action which was in any way provocative or likely to lead to confrontation. Upon that occurring, the action would be suspended, whether it was the department or the union which was taking it, while discussions took place. Discussion should then take place with a view to resolution of the dispute; that in the event of the absence of resolution of the dispute, the matter should be submitted to arbitration and the result of the independent arbitrator should be binding on both parties and accepted by them.

I believe this provided a framework for genuine negotiations on the conditions question. The agreement that I proposed was to exist until the conditions of work question was successfully resolved or until the end of the year, whichever first occurred. In other words, the agreement would apply for only a few months, if the matter could be resolved during those few months. The agreement asks the union to give up nothing, no demands, but to seek to resolve by discussion, and if not discussion by arbitration, rather than by taking the kids to the cleaners as is happening currently, and rather than by strikes as a weapon of first resort. That was a reasonable proposal.

I seek leave to lay upon the table and to have incorporated in *Hansard* a copy of the agreement proposed to me yesterday by the Victorian Secondary Teachers Association and a copy of the conditions which I proposed today by way of amendments of principle and when that was refused, a copy of my proposal for an agreement in principle which would have enabled us to resolve the strike immediately and to continue to seek to resolve the question of detail later. I seek leave to incorporate these documents in *Hansard*. I will supply copies of the documents to Leaders of the other parties.

Leave was granted, and the documents were as follows:

V.S.T.A. PROPOSAL

AGREEMENT TO ENTER INTO NEGOTIATIONS ON V.S.T.A. MEMBERS WORKING CONDITIONS IN THE SECONDARY SCHOOLS DIVISION OF THE VICTORIAN EDUCATION DEPARTMENT

1. *Definitions*

"Minister" means the Minister of Education or in his absence his designated deputy.

"Department" means the Victorian Education Department and all its officers.

"Secondary Division" means the Secondary School Division of the Victorian Education Department and all its officers.

"Association" means the Victorian Secondary Teachers Association and all its members, officers and staff.

"Tribunal" means the Victorian Teachers Tribunal.

2. *Agreement*

The Minister, the Department and the Secondary Division, on the one side, and the Association on the other, hereby agree to enter into good faith negotiations aimed at establishing, by agreement, a mutually acceptable set of working conditions (i.e. work loads and class sizes) for V.S.T.A. members in the Secondary Division.

Each side shall be represented in the negotiations by senior officials with the power to reach and sign an agreement.

3. *Time-table*

Both sides hereby agree that they will do everything possible to expedite the reaching of an agreement as soon as possible and that they will seek to avoid obstructing pathways to agreement.

However, each side recognizes that each side's negotiators have a right to resort to consultation with their principals, as a normal part of the negotiating process.

4. *Action moratorium*

As a sign of its good faith participation; the Association hereby agrees to suspend, for the duration of the negotiations, the use of strikes (whether school-based or more widely based) over VSTA members' working conditions as sought by the Association in its publication *The Secondary Teacher Documents, No.* 1 *February* 1980 at p.p. 12–15 inclusive (copy amended).

5. *Withdrawal of charges and sanctions*

As a sign of the good faith participation of the Minister, the Department and the Division, the Minister hereby agrees that he will today direct payment of salary to VSTA members for services rendered at Thomastown High School and that he will today withdraw all charges which he has initiated under the *Public Service Act* 1958 against VSTA members at Seaford–Carrum High School and Warragul High School. No other disciplining action will be taken with respect to industrial action by VSTA members.

6. *Cancellation of stoppage*

The VSTA agrees to cancel the State-wide stoppage called for Wednesday 16th April, 1980.

7. *Status quo*

Each side agrees that for the duration of the negotiations, there will be no worsening of the working conditions of VSTA members (i.e. those sought by the Association in its publication, *The Secondary Teacher Documents, No.* 1 *February,* 1980 at p.p. 12–15 inclusive (copy appended).

In practice, this will ensure that where VSTA members are currently working at or above the limits of the VSTA Conditions policy, there will be no worsening of their conditions. In all other cases, no member's working conditions can be altered in excess of the VSTA Conditions policy.

8. *Referral to Teachers Tribunal*

Both sides agree that during the currency of this agreement, neither side will refer to the Teachers Tribunal any matter relating to the working conditions of secondary teachers as defined by this agreement.

9. *Disputes and grievances*

If either side believes that a conditions grievance or dispute within the terms of this agreement either exists or is likely to occur at a particular school, it shall immediately refer the matter to a Grievance Committee with a view to early and amicable resolution.

Such Grievance Committee shall compromise two representatives of the Education Department and two representatives of the VSTA. Where the Grievance Committee cannot resolve the matter it shall be referred to the principals.

10. *Other steps to minimize industrial action*

Both sides further agree to take all reasonable steps to minimize confrontation. Before authorizing any industrial action, whether general or at the branch level, the VSTA shall raise the issue in dispute with the Education Department. The Education Department and the VSTA shall hold prompt discussions with a view to resolving the dispute. Where the cause of the dispute is any action or proposed action of the Education Department, for example, the transfer of a VSTA member, the initiation of disciplinary proceedings against a VSTA member or an investigation into a school or a VSTA member such action shall be suspended while discussions on the matter are in progress.

11. *Variation of agreement*

This agreement may be varied only by agreement between the Minister and the Association.

12. *Termination of agreement*

12.1 Either side may withdraw from this agreement at any time by notifying the other side of its intention.

Until the agreement is terminated by such notification, each side undertakes to honour the agreement.

12.2 The sides agree that their objective is the early replacement of this agreement by a negotiated agreement for a stated period of time establishing mutually acceptable working conditions for VSTA members.

12.3 This agreement will lapse at 5 p.m. on Friday 18 April 1980 unless:

12.3.1 the Tribunal agrees to the withdrawal of all the charges referred to in Clause 5 hereof; or

12.3.2 the Tribunal agrees to formally dismiss the charges and to do so without requiring the attendance or evidence of any VSTA member who has been charged.

Minister of Education VSTA President

Assistant Director-General (Personnel)

VSTA Secretary

Melbourne, Monday 14 April 1980

Appendix attached.

MINISTER'S PROPOSED MAJOR ALTERATIONS TO THE UNION DOCUMENT

10. *Other steps to avoid industrial action*

(*a*) A further intent of this agreement is to provide a means of settling all disputes and potential disputes without confrontation or industrial action and both sides agree to utilize those means and to take all steps necessary and reasonable to avoid confrontation and industrial action.

(*b*) Where either party considers that the other has taken or is contemplating any decision or action which may lead to confrontation or industrial action that party may give notice to the other and the parties shall thereupon hold prompt discussions with a view to resolving the dispute.

(*c*) Where either party is proposing to undertake any action which it believes may impinge substantially upon the interests of the other it shall notify the other which may require prompt discussions upon the issue with a view to resolving any aspect in dispute.

(*d*) Where any discussion is required pursuant to paragraphs (*b*) or (*c*) of this Clause in respect of any new action or proposed new action on the part of either party such action shall be suspended for so long as reasonably necessary to enable discussions on the matter and any arbitration which may follow.

(*e*) If any matter is not resolved by discussion it shall forthwith be referred to arbitration as later set out.

(*f*) The question of the tenure of employment of secondary teachers engaged during 1980 shall immediately be referred to arbitration.

11. *Term of Agreement*

(*a*) This agreement shall remain in force (subject only to subsequent paragraphs of this clause) until the thirty-first day of December, 1980, or until earlier successful completion of negotiations on working conditions.

(*b*) Where either party considers that the other has committed any breach or exhibited any lack of good faith towards the other of a nature in either case so serious as to go to the root of this agreement it may give seven days notice to the other of its intention to terminate this agreement.

(*c*) If the other party within a period of seven days after receipt of the notice disputes the grounds relied upon in it the dispute shall forthwith be referred to arbitration.

(*d*) This agreement will lapse at 5 p.m. on Friday, 18th April, 1980 unless:—

(i) the Tribunal agrees to the withdrawal of all the charges referred to in Clause 5 hereof; or

(ii) the Tribunal agrees to formally dismiss the charges and to do so without requiring the attendance or evidence of any VSTA member who has been charged.

12. *Arbitration*

Any dispute under this agreement which is not resolved by discussion within a reasonable period shall without delay be referred to the arbitration of a single arbitrator whose decision shall be accepted by and binding upon both parties. The arbitrator shall be appointed by the parties jointly and in default of agreement between them shall be nominated by the President for the time being of the Victorian Branch of the Australian Industrial Relations Society and such arbitrator shall proceed in accordance with the provisions of the Arbitration Act 1958 and all statutory modifications and re-enactments thereof and with all powers thereunder.

MINISTER'S ALTERNATIVE PROPOSAL

General framework of broad in-principle agreement between Minister of Education and Victorian Secondary Teachers Association.

1. The parties, through their representatives, will in good faith enter into and pursue with proper expedition, negotiations aimed at establishing a set of working conditions in the Secondary Division which are equitable to all parties.

2. The parties will seek to avoid confrontation on that issue and on all other issues and will endeavour to reach agreement by discussions as promptly as possible on all items which might otherwise give rise to dispute between them.

3. The parties will during the next week endeavour to formulate a detailed agreement to give effect to the intent of ensuring consultation and avoiding confrontation by either party and industrial action.

4. The agreement will make appropriate provision for arbitration.

5. The V.S.T.A. agrees to cancel the State wide stoppage called for Wednesday, 16 April 1980, but reserves the right to reinstate the stoppage in the event of no agreement being signed in the next seven days.

6. The formal agreement designed to achieve industrial peace and continuing consultations during the negotiations on conditions of work will contain agreed provisions regarding the abandonment of action commenced in respect of V.S.T.A. members at Seaford–Carrum High School and Warragul High School and for the avoidance of similar action during the agreement.

7. The agreement shall make provision with respect to means of resolving the dispute relating to tenure of employment of secondary teachers engaged during 1980.

8. It is envisaged that the agreement will apply for so long as is reasonably necessary to reach agreement upon conditions of work, provided that the negotiations are pursued in good faith by both parties. The agreement would not however extend in any event beyond the end of 1980.

TRANSITION FROM SCHOOL TO WORK

The Hon. D. M. EVANS (North Eastern Province)—I direct a question to the Minister of Education. I refer to a grant of $4·9 million made by the Federal Government to establish programmes to facilitate the transition from school to work of students in Victorian schools. Has the Victorian Government produced a statement of the way in which it should co-operate with this programme? If not, will such a statement be prepared and circulated generally?

The Hon. A. J. HUNT (Minister of Education)—A press release setting out the broad details was prepared and made available in the normal course. Party Leaders will have obtained that press release under the arrangement which exists in Parliament. If any individual member desires it, I shall be happy to supply a copy of the press release. The press release does not spell out the full details, of course, but the broad outlines. If Mr Evans desires further information, I shall be happy to supply it. To assist in this programme, the Transition Education Advisory Committee is to be supplemented by a wider consulting group which from time to time will have a look at the proposals of the small committee which is known as TEAC.

VICTORIAN TEACHERS UNION

The Hon. N. F. STACEY (Chelsea Province)—I direct a question to the Minister of Education following an answer he previously gave. The Victorian Teachers Union has for some time had a responsible and strong policy on obtaining the objective of direct negotiation to overcome some of the problems it believes exist in administration. Does the rejection by the Victorian Secondary Teachers Association of the offer of adjudication and conciliation by the Minister cast doubts on the future of the Victorian Teachers Union to achieve useful round-table discussions to resolve disputes?

The Hon. A. J. HUNT (Minister of Education)—I take it that the question adverts to an industrial relations seminar held recently. A working party is to be set up to further the consensus reached at that seminar. I have looked forward to the working party with keen anticipation and I still hope that it will proceed to produce worth-while results in the interests of Victorian children. The failure of negotiations with the Victorian Secondary Teachers Associations on Friday, Monday and today will clearly make it a little more difficult, but that is no reason for failing to pursue the development of the consensus that has been reached at a general level. That will certainly be done.

PRICES OF PETROLEUM PRODUCTS

The Hon. W. A. LANDERYOU (Doutta Galla Province)—I wish to move the adjournment of the House for the purpose of discussing the failure of the Government to protect the Victorian public against excessive charges for petroleum products.

The Hon. HADDON STOREY (Attorney-General)—I raise a point of order. It is clear that the motion is directed to matters that are basically the subject of Commonwealth Government administration. It is my submission that this House, when debating motions for its adjournment, should discuss matters that concern the administration of the Victorian Government. One has to face reality: This year is a year in which a Federal election will be held and, if this House is to be constantly dealing with adjournment motions directed to political exercises involving the Federal election rather than matters of Victorian Government administration, it is obvious that the forms of the House will be abused and the House will be diverted from its proper purpose to matters of politics raised by honorable members on the Opposition side of the House. The subject-matter of this motion, when examined, shows itself to depend upon Federal Government policy, over which the State Government has no control. Under those circumstances, Mr Deputy President, I believe you should rule that the motion is out of order.

The Hon. W. A. LANDERYOU (Doutta Galla Province)—I am astonished at the arguments put forward by the Attorney-General, particularly the honorable gentleman's fear of discussing political matters in this Chamber. Mr Attorney, the motion is clear. I will take your lazy, inefficient, miserable Government to task for its failure to protect the Victorian public against excessive charges for petroleum products.

The DEPUTY PRESIDENT (the Hon. W. M. Campbell)—Order! Mr Landeryou should address his remarks to the Chair, not to the Attorney-General.

The Hon. W. A. LANDERYOU —I shall do so, Sir. I believe this Chamber, above all Parliamentary Chambers in the Australian Commonwealth, has traditionally afforded its members the opportunity of raising matters they believe to be of public interest that go to the heart of the question of the capacity of the Government and its failure to act in the interests of its citizens. Therefore, I believe the motion is in order, and I am as aware of the Standing Orders as the Attorney-General is.

The DEPUTY PRESIDENT (the Hon. W. M. Campbell)—Order! Mr Landeryou did me the courtesy of providing me with a copy of the motion prior to the meeting of the House. I have had the opportunity of studying it and I have listened to the comments made by the Attorney-General and those made by Mr Landeryou. My ruling is that, provided that Mr Landeryou has the appropriate number of members to support him and provided that all honorable members relate their speeches to the Victorian Government, the motion is in order. The debate must be restricted to the Victorian Government's administration and to refer continually to Federal Government policies will be out of order. Provided that those guidelines are adhered to, the motion is in order.

Approval of the proposed discussion was indicated by the required number of members rising in their places, as specified in Standing Order No. 53.

The Hon. W. A. LANDERYOU (Doutta Galla Province)—I move:

That the House do now adjourn.

If one ever doubted that the Liberal Government of Victoria—if not that of the nation—was in the hands of oil monopolies and big business generally, one would only have to examine the State Government's record in connection with the prices of petroleum products. Initially, this Government pursued a policy that was in opposition to world parity pricing of oil and petroleum products, but it then decided to change its mind.

I refer the House to a number of comments made in news releases from the Department of the Premier. In a news release dealing with petrol and gas prices dated 30 April last year, the Premier told the people of Victoria:

> I believe that it is time to abandon any thought of maintaining local LPG prices at world parity and will be seeking an assurance from the Federal Government that the price of LPG will not unnecessarily be increased in the future.

Despite the fact that the Victorian Parliament has the power and capacity to make laws to govern the price of petroleum products in this State, the Premier made that half-hearted appeal in April last year. On 17 December 1979, the Premier—who during the previous Federal election campaign supported what he called the "better money managers" and new federalism—said:

> The Victorian Government has already urged the Federal Government to remove the excise levy from LPG from local sources in Bass Strait.

That is another abandonment of the world parity pricing policy he had first enunciated. On 6 February 1980, under the heading "Petrol Prices", the Premier said:

> The Victorian Government believes that this subsidy should be greatly increased to provide a real measure of relief for country LPG consumers.

The reality is that this State has never known with precision what the policies of the national Government or the State Government were or what the intentions of the Premier were concerning what actions the Victorian Government would take in the interests of the consumers. Because of the policies of the Fraser Government and the Quisling-like attitude of the Premier and the Victorian Government, oil prices in Australia have increased almost sixfold in less than five years. When the so-called "better money managers" came to power, the price of a barrel of crude oil from Bass Strait was $4.33. After the introduction of the present policy of import parity in the August national Budget of 1978—which was welcomed by the Victorian Premier and his Government, which did not take any of the options and alternatives open to it but sat back like a puppy to have its tummy tickled by a national Government that did not know in which direction it was heading—that price was increased

to $12.59 a barrel. This year the price has reached an all-time high of $24.77 a barrel.

The effect of that six-fold increase on the consumers of Victoria, whether they fly in aeroplanes or travel by buses or cars, has been horrendous. The price of aviation fuel has trebled. Motor spirit, distillate and fuel oil prices have more than doubled. If one goes back to the time that honorable members on the Government side of the House are so proud of, the end of 1975, one discovers that the price of a litre of petrol in Victoria was 15·5 cents. It is now more than 34 cents a litre.

The Hon. R. J. Long—That is because of the Federal Government's excise.

The Hon. W. A. LANDERYOU—This State Government, the Hamer Government, has sat back idly and let it happen. The remarks of a member of the Liberal Party who is a member of this Chamber were reported at page 3536 of *Hansard* on 23 October 1979. Mr Chamberlain then said:

> The Commonwealth Government tried to implement an equalization system but it was beaten by the oil companies, which have an ingenious system of accounting that enables them to beat Governments around the world —a system whereby they pass fuel from one subsidiary to another at loaded prices—and I am sceptical of any claims made by oil companies throughout the world on these issues. There is no doubt that the oil companies beat the Commonwealth Government on this issue.

If Mr Long now wishes to continue with interjections, he may do so. It is no wonder the Liberal Party cannot make a simple decision about the simple issue of casinos in its party room. The Victorian Liberal Party cannot trust its Federal counterpart and it cannot trust the oil companies. It also cannot trust Mr Williams, among others, concerning allegations of criminal activities in connection with casinos. It was claimed when world parity pricing was introduced—and I think Mr Guest was the first person to advocate that policy in this Chamber—that it was being done in order to conserve fuel, but what did the Premier have to say at the illustrious national Liberal Party convention last week-end? If the honorable gentleman's remarks are correctly reported—I know that when he gets into trouble he says that he has not been reported correctly —he said, as reported on page 11 of the *Sun* of 14 April 1980 under the heading, "Hamer hits LPG 'fiasco' "——

The Hon. Haddon Storey—You keep on changing from oil to LPG.

The Hon. W. A. LANDERYOU—When the Attorney-General returns to the law he will realize that both are related. The report states:

> "The price has gone up, down and sideways. There is no clear policy", he told the Liberal Federal Council.
>
> He said it was "totally upended" and called for a drop in LPG prices.
>
> Mr Hamer told the council's resources committee—

That would be a fascinating committee—

> the policy was "pretty solidly confused".
>
> He accused the Federal Government of changing its reasons for pricing oil at the world level from the encouragement of exploration—

Remember that great cry? It was to encourage exploration. That quotation will kill that lie:

> to an issue of conservation.

This is not an area in which the Liberals as a party have distinguished themselves. Honorable members know how our dithering Premier gets confused in Parliament and in public, particularly at election time and the months that follow: He is never sure what he has promised or which promises to break.

The same article reports the following reply by Senator Carrick to the Premier's criticism:

> Every step in the evolution of the LPG prices policy was done in co-operation and consultation with the Victorian Government.

At the time, the Premier acknowledged that it was a reasonable resolution of a complicated policy. The only thing complicated about the need to protect consumers in Victoria is the inability of the Attorney-General, the Ministers, the Premier and the rest of the Government to understand the needs of the consumer. The Government justified the attack on the conventions of this country stating that it was a better money manager. I invite honorable members

to consider the mess that the economy, the State and the nation are in as a result of that nonsense.

Members of the Government party sit back and smile while the Federal Government takes 50 per cent of every $1 out of the pockets of the motorists of this State. I invite supporters of the Government to accompany me to the electorates they represent and I will introduce them to the people and they can try to persuade the people that the policy is rational or justified. The Premier has made outrageous assertions and has backtracked. When he got to the Liberal Party council meeting and said what he did say his own Federal colleagues disowned him and said that he had been consulted every step of the way and had agreed. That illustrates the confusion of the Premier. The Premier has been caught by his colleagues playing his usual game of saying one thing and meaning another and then, when he is caught, saying that what he said means something else. If honorable members think that is funny, it is time that we had an election.

Honorable members should recall that, during a moment of panic, the Government raced through legislation to create a maximum petrol price of the order of 34 cents a litre. There was some suggestion that retailers who breached the legislation would be prosecuted. If we take that figure of 34 cents a litre as the bench mark, 49·1 per cent, or almost 50 per cent—16·7 cents—goes to the Federal Government. There is also a crude oil levy and excise duty. Oil producers receive 4·2 cents, refiners 9·3 cents and retailers 3·8 cents. On a percentage basis the Federal Government receives 49·1 per cent, oil producers 12·4 per cent, refiners or wholesalers 27·4 per cent and retailers 11·1 per cent. One should remember that the present Government did a deal with Esso–BHP and gave away the assets of future generations of Victorians.

The Hon. J. A. Taylor—Rubbish!

The Hon. W. A. LANDERYOU—Mr Taylor said, "Rubbish". What I have said applied to crude oil as well as natural gas. The justification for that piece of chicanery was that the Government suggested there was a need to encourage development of known reserves.

At the same time, the Victorian Government's own agency, the Gas and Fuel Corporation, was asking the Government and the people of Victoria to allow it to develop those fields and reserves and to use the finance achieved from that development for continued exploration and further development. Instead of that bonanza ending up in the pockets of the shareholders of Esso–BHP, it should have gone to the consumers. However, because of Government policy, almost $4 billion a year is being taken out of the pockets of the motorist taxpayers of the country.

The Victorian Government has sat idly by and said nothing about that outrage or about the Federal Government which pursues that policy. Indeed, on three separate occasions in less than twelve months the Premier has said one thing, gone back on it, then said something else, and later disowned his statement. When he went to his own political party conference he was caught telling a lie. One cannot accept the view that either the senator or the Minister was misleading the conference, if one accepts that the Premier was misleading the conference. One of those three was mishandling the truth.

The Hon. R. J. Long—This is not a trade union meeting.

The Hon. W. A. LANDERYOU—Apart from Mr Long there would be a couple of other members who would be ineligible to get in.

The Hon. R. J. Long—It sounds as if you are addressing a trade union meeting.

The Hon. W. A. LANDERYOU—Sometimes Mr Long complains that he cannot hear me. I am making sure that he can do so this afternoon.

The revenue to Governments from crude oil has increased ten-fold under the present Federal Government. Since 1975–76 it has risen from $257 million to $2400 million. That is an estimate.

The DEPUTY PRESIDENT (the Hon. W. M. Campbell)—Is this in Victoria?

The Hon. W. A. LANDERYOU—No; that is the Federal figure. The reality is that the present sixfold increase in the price of crude oil has resulted in a ten-fold increase in revenue to the Federal Government.

In 1979–80, it is estimated that the revenue from the excise on refined petroleum products will be a further $956 million. Someone suggested by interjection that my figure of $4 billion was wrong. If honorable members add together the two amounts I have quoted, they will find that the total is close to that figure. From Bass Strait oil—the oil which presumably belongs to the people of Victoria and Australia —which is being shared between the Federal Government and the shareholders of Esso–BHP, 85 cents of every $1 goes to the present Goverment. I know something about barrel prices and the total costs involved.

The DEPUTY PRESIDENT (the Hon. W. M. Campbell)—I believe Mr Landeryou is beginning to venture too much into Federal matters. I said at the start of the debate that I wished honorable members to relate their arguments to the State. I do not want them to relate only 1 per cent of their arguments to the State and 99 per cent to the Federal Government. I ask honorable members to bear that in mind.

The Hon. W. A. LANDERYOU—I want to relate the statistics to a final conclusion which justifies the assertion contained in my motion. The Premier says, "I support" or "I do not support", depending on which month it is and where the moon is. He says that the Government supports world parity prices because this will encourage the exploration for oil. However, if one examines the total number of exploration wells that were drilled in that period of dread honorable members in the Government benches often talk about from 1972 to 1975, one finds that an average national figure of 75 wells were in Victoria. During the past five years an average of 35 wells have been drilled. There has been no noticeable upturn in exploration in Victoria.

This Government supports the outrageous proposition that the price of petrol in Victoria from the bowser to the consumer's car should be determined by Arabs who live on the other side of the world when everyone knows that oil can and has been produced from wells both offshore and onshore in Australia and offshore in Victoria and is refined by Australian workers under Australian conditions. The total cost of producing that crude oil is $1 Australian a barrel. That is currently sold at the figure I mentioned of $24, providing the producer with a return of $6.10. That windfall profit should have gone to the people of Victoria.

I do not wish to transgress against the Standing Orders but I have heard honorable members opposite berate the Whitlam Government for inflation. If one examines the current projection by economists, one is horrified at the projected inflation rate.

The DEPUTY PRESIDENT (the Hon. W. M. Campbell)—I mentioned to Mr Landeryou a moment ago that I thought he was starting to deal principally with Federal matters and he said that he was going to relate those comments to the motion, but he has not yet done so. In my opinion, Mr Landeryou is continuing to deal with Federal matters. I remind honorable members of Standing Order No. 54, which states:

> If the President be of opinion that the motion for the adjournment of a debate or of the Council during any debate is an abuse of the rules of the Council, he may forthwith put the question thereupon from the Chair.

I do not wish to use that prerogative but I will ensure that the Standing Orders of this House are adhered to by honorable members. I point out, in fairness to Mr Landeryou, that the rules were laid down at the start of the debate and he agreed to them. I ask Mr Landeryou to abide by the rules to which he agreed.

The Hon. W. A. LANDERYOU—Mr Deputy Speaker, you are the interpreter of the rules—you interpret them in the best way you understand them. I am endeavouring to comply with them. If you ask me to uphold the rules of the House, I will not respond to interjections.

The Government has failed to provide the people of this State with adequate protection. It says that people will pay through the nose for using a motor car but, for years and years, it has followed a deliberate policy of providing virtually no public transport. We have the Minister of No-Trains, a Minister who has been closing down railway lines. Government supporters may pretend that some Standing Order of the Parliament could prevent me from saying that, but no one can stop me from saying it because it is the truth. The Government has deliberately embarked on a policy of closing down public transport facilities. There is no denying that, as the Minister has shown in his press statement issued this morning.

The DEPUTY PRESIDENT (the Hon. W. M. Campbell)—I wish to correct a comment made by Mr Landeryou when he said that I would not stop him and no one could stop him making a statement dealing with the State Government and the Minister of Transport. That is his prerogative and I was not speaking about that. I was speaking about him referring principally to Federal matters in the debate. I do not want him to confuse this issue because I did not confuse it. The honorable member knows quite well what I said so I correct him on that point. It was uncalled for and unnecessary.

The Hon. W. A. LANDERYOU—I do not pretend to take any interest in continuing a running dialogue with you, Mr Deputy President. I was speaking in response to an interjection made by one of the Government supporters. The interjection related to inflation and, at the point when I was interrupted by you, Mr Deputy President, I was about to demonstrate that the Government of Victoria has failed to use the resources available to it following further exploration. That is the justification the Premier and the State Government use as a pretence for their real concern about world parity oil pricing. However, it has never used the resources available. The Government has deliberately stopped one of its own instrumentalities, the Gas and Fuel Corporation, from vigorously pursuing exploratory work.

The Hon. J. V. C. Guest—It is doing it.

The Hon. W. A. LANDERYOU—That it is doing it is a latter day consideration One should ask the General Manager of the Gas and Fuel Corporation what he thinks of the Government policy or, if he has time, to read the last report or press statement on the matter. I suggest that the honorable member does that. The reality is that the Government has failed to do that and it has done so consciously, considering the great debates that occurred in both Chambers at that time.

It is now a question of blaming people on the other side of the world for the Federal pricing policy of a local product. That is absolute nonsense because the situation overseas has made a contribution of at least 2·5 per cent to the existing inflation rate in this country. Although we in this Chamber may have a choice, the general situation is that farmers or commuters are living in the absence of an adequate public transport alternative. Those people have no choice. Therefore, it is nonsense to pretend that the policy supported by the Government will have any effect other than to increase the profits of the oil companies in Australia and to increase the revenue for the Federal Government.

If that profit were related in some way to an over-all national or State energy conservation policy, one could understand it as being part of the over-all picture—perhaps the worst part. That is the sort of reality the Government applies to Alcoa and it has nothing to do with energy conservation when one considers that it will use 5 per cent of the State's reserves of electricity. The Government is not worried about conserving that resource and it has allowed a discount price of electricity for that plant.

The Government has no real desire to protect the interests of consumers. It is no good pretending, as the Premier originally did, that we are back on the band wagon of an energy resources policy of protection and conservation when

there is no intention on the part of the present Federal Government to do anything of this sort. It has suggested that the prices charged for petroleum products in the market place will be a deterrent. What has been the end result? In this State alone, consumption has increased by 2·6 per cent. One can say that perhaps price will be a deterrent to those who will be encouraged to use some other form of energy.

The Government has no bold plan to use the taxes derived from petroleum products to develop an alternative to the combustion engine. In fact, Mr Pritchard —I am not suggesting this as an alternative—had to shift his operation from Victoria because of the lack of encouragement from the Victorian Government.

The Hon. R. J. Long—That is not true.

The Hon. W. A. LANDERYOU—That is precisely what he intends to do. One may pretend that the press statement, with its pats on the back and offer of a few dollars, is some contribution towards the system. However, the Government has failed to take any action whatsoever to protect the interests of Victorians against the excessive charges on petroleum products. The Government has a number of options open to it in its authority and power, but it has adopted none of these.

I shall return to a point I endeavoured to make earlier about the outrageous price of petroleum in this country that is supported by the Premier and the present Government. The Government's policy is that such pricing will have an encouraging effect on exploration and that the increased revenue would be used to encourage exploration. I will read a statement on the matter:

> Not one dollar of the expected $2400 million revenue this fiscal year will be spent on exploration and less than one half of one per cent has been budgeted off for expenditure on energy research and development.

The Hon. R. J. Long—The Victorian Government does not control it.

The Hon. W. A. LANDERYOU—The position is that the Victorian Government could, and should, vigorously encourage resource exploration and make accessible some of the funds available to encourage the Gas and Fuel Corporation to enter into whatever exploration activities it wants. The Government ought to do so, if it has any conscience at all. It should seek to rewrite the agreement with Esso–BHP. I often wonder how some people can go to bed at night and relax, presumably in the knowledge that two large combines are ripping off people to such an enormous degree. It may be said that I want to see a socialistic solution to the problem. I know that the former Deputy Leader of the Liberal Party believes that Mr Bjelke-Peterson is a Socialist because of his expanded insurance franchise to the State Government Insurance Office in Queensland.

The Hon. B. P. Dunn—Are you giving us your solution?

The Hon. W. A. LANDERYOU—I am coming to a series of solutions. In answer to the honorable member's interjection, I believe there ought to be a rational resources energy policy for the State. That is something I, and my colleague in another place, have argued for, long and hard, for at least eight years. We could more effectively and efficiently utilize the resources of the State to protect and develop the interests of our community.

The Hon. R. J. Long—How does that help the debate?

The Hon. W. A. LANDERYOU—The honorable member is having his usual difficulty understanding fundamental English. We live in very troubled economic times and petroleum is one of the many assets that belong to the community. I stress that point. Petroleum ought to be used only on that basis. However, what the present Premier has done is to preside over a period in Victoria in which we are selling products that belong to the people of the State and the profit from the sale does not go to the people.

The Hon. R. J. Long—You are outside your territorial waters.

The Hon. W. A. LANDERYOU—Mr Long will pretend that he was not around at the time of the great Statewide debate when agreements such as

those associated with Esso–BHP were written. It is clear to me that, if the Government were serious about protecting the Victorian public, it would have taken a stand long ago on issues such as the Prices Justification Tribunal. Honorable members will be aware that the last case before the Prices Justification Tribunal seeking a petroleum price increase was in November 1978. The Victorian Government did not intervene in that case. It intervenes in every case before the Australian Conciliation and Arbitration Commission, but not in a case of such importance as the one before the Prices Justification Tribunal. The Government did not complain when Federal legislation relating to the Prices Justification Tribunal was altered so that the tribunal had to operate under the direction of the Federal Minister.

If the Victorian Government had used the resources available to it in the case of the existing Esso–BHP agreement —I believe one day it will be known as the "notorious Esso–BHP agreement"—it would have been in a position to argue indirectly in the market place. However, it did not use that resource. It had to set this up by legislation. It has no form of control over the price of petroleum products, regardless of how greedy the Federal Government or the oil companies may be. To seek refuge in such a stand, as Mr Chamberlain did in his attitude quoted earlier in my speech, is to accept that the Parliament is powerless and has no authority. This relates to another point touched on by the Attorney-General in his point of order.

The Victorian Government has accepted this attitude for many years and if it has a problem it passes it off to a committee or a public inquiry, blames the Federal Government, usually not in Federal election years, or blames local government. It is never claimed to be the responsibility of the Liberal Party of Victoria, this Government or the Cabinet.

Other issues are related to this matter and, in my view, the House has never reached the tip of the iceberg. When these matters hit the light of day, they will expose the Government and some of its Ministers for what they really are. I believe that day will not be long in coming. Meanwhile for as long as the Liberal Party pretends that it has a Leader who can change his mind on such a crucial issue as world parity pricing, as the present dithering Premier did three times in twelve months, and who was publicly disowned by one of his senior Federal colleagues, this State and this Government stand to be condemned for their complete failure to act in the interests of the Victorian people.

Although numbers may dominate the result today, the facts to which I have alluded and others will eventually prove the assertion that the Government has failed, and perhaps I put it a little lightly when I use Parliamentary parlance, to protect the Victorian public against excessive charges for petroleum products. Only a Government that is determined to represent the interests of all people, not just the wealthy companies to which it passes the hat for money, will correct the imbalance that exists in the Victorian economy. In the area of petroleum prices, the Government has failed to act in the interests of the Victorian consumers.

The Hon. HADDON STOREY (Attorney-General)—The Leader of the Opposition has treated, if that is the right word, the House to a speech in which he has passed over various statements made by the Premier and suggested disagreements and inconsistencies in them, and disagreements and inconsistencies in the policies adopted by the Victorian Government. As I pointed out by interjection, the honorable member has confused comments about the price of crude oil and comments about the price of liquefied petroleum gas. Different policies apply to each of those petroleum products, and for good reasons. It is not good enough for the Leader of the Opposition to take one comment about LPG and another comment about crude oil and to suggest differing or inconsistent statements.

The honorable member has also treated the House to a simplistic dissertation on oil prices in Victoria without taking account of the world situation. He has

not even taken into account the policies of the Labor Party. If he had any faith in those policies, he would not have made the statements that he made this afternoon.

One can deal with this debate only by looking at the different policies of and the different actions taken by the Victorian Government on two aspects—the price of crude oil and the price of LPG. It is interesting to note some of the figures on oil prices. It is said that one can use figures to prove almost anything, and no doubt Mr Landeryou selected figures which suited his argument, but one can produce figures which show that the increases in petrol prices in this country have not been exceptional.

When oil was first produced and brought ashore from Bass Strait, its price was above that of world parity, and refineries in this country did not want to take it. However, over the years the Australian Government and other Governments have adopted a world parity pricing policy for petrol. Australia still has the third lowest gasoline price in the world. It is interesting to compare average weekly earnings with petrol prices for a period, say, from 1955 to 1978. During that time weekly earnings increased by 550 per cent and the price of super grade petrol increased by 228 per cent. In the period quoted by Mr Landeryou—between 1973 and 1978—the average weekly earnings for an employed male unit increased by 125 per cent, whereas the price of petrol in capital cities rose by 140 per cent, a little more.

The Victorian Government has agreed with the policies of the Federal Government on the price of petrol, and through its policies has enabled Victorians to have the cheapest petrol in Australia. The margin between capital city prices is pretty slim, but it is recognized that the prices in Victoria, and particularly in Melbourne, are certainly below those of any other capital city, particularly because of the policies of the Victorian Government on the siting of refineries.

Mr Landeryou referred to the fixing of petrol prices by the Prices Justification Tribunal. It is important to recognize that petrol prices in each of the States have been roughly the same, with the price in Victoria being a little less. States like New South Wales and South Australia which have had Labor Governments have had no price fixing mechanism and the price of petrol there has been roughly the same or a little higher than that in Victoria. Where does Mr Landeryou want to lead the House by such an argument, which is typical of arguments advanced by him, when he produces no comparison or analysis of the consequences flowing from it? The honorable member also does not suggest what policy the Labor Party would adopt on the matter. It is nonsense for him to state that the Victorian Government should have been making certain moves.

The policy of world parity pricing has been adopted by the Federal Government for two stated reasons which are accepted by the Victorian Government. The first is conservation in the use of energy. Mr Landeryou quoted some figures which suggested that there has been an increase in the use of petroleum products, but the figures that I have obtained from the Department of National Development and Energy and which are dated 8 February 1980, indicate that the total consumption of all petroleum products during 1979 fell by 1·2 per cent. There has therefore been some conservation in the use of petrol.

The Hon. W. A. Landeryou—If the price is increased, will there be another saving?

The Hon. HADDON STOREY—There has been a considerable saving in petroleum products in one year. Another factor is that Australia does not have enough petrol to fulfil its requirements and must import further supplies. A world parity pricing policy induces exploration and makes other sources of supply economically feasible within Australia. One example of that was given in the recent statements about the development of shale oil products in other parts of Australia.

The State Government has suggested that the increased revenue that the Federal Government has gained as a result of increases in the price of petrol should be used to equalize country and city prices of petrol and other transport fuels. It is open to the Federal Government to do this. All that the State Government can do is to make the suggestion, and it has done so. The Premier has urged the Federal Government to take this course, in the interests of the people of Victoria. Mr Landeryou is interjecting and quoting what Senator Carrick is reported to have said in some newspapers. I understood that to refer to the price of liquefied petroleum gas, whereas at present the House is discussing oil and petrol prices. Again the honorable member has confused the two issues.

The Victorian Government believes it is important to conserve energy and to encourage exploration and discovery of further sources of petroleum within this country. For that reason it goes along with the Federal Government's policy on oil prices and has done so consistently.

The Hon. B. P. Dunn—Will it continue to do so?

The Hon. HADDON STOREY—The Premier and the Government have said that they support that policy, but all honorable members know that in recent times there have been large increases in petrol prices. It is hoped that they will not continue.

The Hon. B. P. Dunn—The Minister knows, as I do, that they will.

The Hon. HADDON STOREY—I do not know that that will necessarily be so. Earlier this year, the Federal Government said that there ought not to be a continuation of the increases in these prices; in other words that the situation should be considered. The Victorian Government believes that is a proper course to follow.

The Hon. W. A. Landeryou—You thought to adopt world parity prices was a proper policy.

The Hon. HADDON STOREY—That is right; for the reasons I have given world parity prices have been adopted. It is not known whether this rate of increase will continue, and the policy must be examined periodically to ascertain how it is operating. If Australia did not have its indigenous production it would have to import all its oil and would have to pay world parity prices.

I turn to liquefied petroleum gas. Australia has an excess over and above its own requirements of liquefied petroleum gas. The question is whether it should adopt a pricing policy less than world parity price for domestic consumers. In this regard the Premier has been consistent, despite the statements of the Leader of the Opposition, in the policy that he has urged. It is desired to keep down the price of liquefied petroleum gas to encourage the use in Australia of a source of material that is available in this country and of which there are fairly substantial reserves. All statements made by the Premier in this regard have been consistent with that policy. In April 1979, the date that was quoted by Mr Landeryou, the Premier said that he believed it was time to abandon any thought of maintaining local liquefied petroleum gas prices at world parity.

The Hon. W. A. Landeryou—Senator Carrick had a bit of difficulty with that inconsistency.

The Hon. HADDON STOREY—I can only quote what the Premier has said in his public releases. Mr Landeryou referred to 30 April 1979 and said that the Government was opposed to world parity prices for liquefied petroleum gas. In the latest statement that I have from the Premier, dated 27 March 1980, the honorable gentleman said the same thing, that the Victorian Government opposed world parity price for locally produced fuels, including coal, natural gas and liquefied petroleum gas. The Premier has been consistent. The State Government, through the Premier and through the Minister for Minerals and Energy and the Gas and Fuel Corporation, has consistently urged on the Federal Government a policy of the type that has now been adopted.

It will be recalled that recently the Minister for National Development and Energy announced a new policy which

means that the price of LPG for motorists will be 50 per cent of the price of petrol. The reduction in the price of LPG has been urged by the State Government, and the efforts of the Premier and the State Government have helped the Federal Government to reach that policy which will benefit the people of Victoria. I shall not go through the full details of that policy which was announced recently, but that, coupled with the $80 per tonne subsidy, means that the price of LPG for household usage has again been reduced.

Mr Landeryou did not distinguish between these two policies, and he has not produced any evidence to show that the Victorian Government has failed in this area. Rather, the very quotations he read to the House from the Premier's statements show that the Premier was consistently urging the Federal Government to take steps and to adopt policies which would be in the interests of the people of Victoria. One can rightly conclude that it was those urgings which led to a favourable policy on LPG being adopted.

The prices are advantageous to consumers in Victoria compared with those in other States, and far cheaper. This is largely a result of the policies of the Victorian Government in encouraging exploration and the development of refineries which produce LPG as a by-product. But for the Victorian Government, the distinction between crude oil and LPG pricing policies may never have been reached. It is a rational policy which was founded on the distinction between the available supplies and the market needs in Australia for these two kinds of energy. It has been consistently urged by the Victorian Government through the press releases of the Premier, at Premiers' conferences and at minerals and energy conferences, and, as I said before, through the Gas and Fuel Corporation.

The end result of all that is that Mr Landeryou has simply taken this opportunity of making wild and broad statements about pricing policies, without clarifying the usage that is involved, and certainly without suggesting any policy that might be adopted by the Labor Party, whereas the Victorian Government, as I have demonstrated, has taken a number of initiatives and steps to achieve for the people of Victoria a minimum price that is available consistently with the rather complicated problems that exist. For those reasons I believe the House can do nothing other than reject the motion moved by Mr Landeryou.

The Hon. B. P. DUNN (North Western Province)—Members of the National Party have listened to the case put forward by Mr Landeryou tonight, but he has not substantiated his motion or convinced us to support it. Basically Mr Landeryou's motion was designed to attack the world parity pricing of LPG and other fuels in Australia, and the method of getting that subject before the House was to attack the Victorian Government for having failed to prevent these increases that have been applied, largely by the Federal Government.

I had hoped that before the end of Mr Landeryou's speech we would have heard an outline of what he was going to do in the event of the Government departing from the existing policy that operates in Victoria and throughout Australia and which is a significant factor in the price of fuel to the consumer. I had hoped we would hear of the alternative policies to be put forward by the Labor Party, but perhaps further speakers will outline the representations they have undertaken to their colleagues in Canberra or to the Federal Government to try to achieve the policies they are putting forward. I do not think the Labor Party has alternative policies, and I may examine some of those put forward by the Labor Party later in the debate.

If one looks back to the watershed of the world parity pricing policy in Australia, one finds that on 14 September 1975 Mr Whitlam announced that all new oil discovered after that date was to be priced at import parity, and the price was to be adjusted from time to time. That was the commencement of world parity pricing as we know it today; it was introduced in 1975 by the Whitlam Federal Government. That is an historical fact of which I do not

think many people are aware. It certainly was not alluded to by Mr Landeryou in his speech tonight.

Since that time the policy has been adjusted and was substantially altered in July 1978 when the existing formula was applied and when Australia moved to a full parity pricing policy.

The Hon. D. R. White—That is what we disagree with.

The Hon. B. P. DUNN—I will tackle some of the disagreements shortly. Admittedly, the Australian community has paid dearly for that decision. The people in country areas who members of the National Party represent have also paid dearly because of the factors which affect them, particularly in the use of fuel for transport; no alternative form of transport is available, as Mr Landeryou suggested. This parity pricing policy was brought in when Australia was about 70 per cent self-sufficient in its fuel needs, as it is at present, and when the rest of the world was being affected by steep OPEC price increases. Therefore the Government was faced with a tough decision to conserve fuel in Australia; it had to encourage people to conserve fuel and to seek alternative sources of fuel and energy, and had to encourage further exploration for new oil wells.

The investment in petroleum exploration fell significantly in the early 1970s, from $109 million a year in 1972 to $65 million in 1975. Through its policies the Government has generated a tremendous increase in the amount of exploration that is being undertaken in Australia. I understand that in 1980 about $500 million will be spent for that purpose. That has been a flow-on of the policies that were criticized by Mr Landeryou.

Last year the increase in the consumption of petrol in Australia was 50 per cent below the average annual increase of the past five years, which is also a significant factor. It was forced on the people by the pricing policies that operate in this nation. As the Attorney-General stated tonight, considerable work is being undertaken to find alternative sources of energy for fuel, and this includes the shale oil project. A considerable amount of research is also being undertaken into the development of fuels from grain and other sources. Those alternative sources of fuels and energy have been made economic by the pricing policies that now exist, but would have been totally uneconomical if Australia had maintained a much lower stance in setting fuel prices. In decades to come we may see the lack of development of alternative sources of fuel as a lack of realization of the need to conserve fuels and energy, and Australia's self-sufficiency may fall from 70 per cent down to a disastrously low level. Australia may then have to buy fuel on the world market at any price.

At this stage we have a choice, and Australia has through these policies put itself in a strong position for the future. It may soon need to depart from world parity pricing under the present formula.

The Hon. J. A. Taylor—That is on the cards.

The Hon. B. P. DUNN—It is more than on the cards; I would say it will have to happen. If we continue to accept the pricing of our oils and fuels by cartels consisting of a number of countries, the world will be held to ransom.

The Hon. D. R. White—You will come back to our position in September 1975 when you think about it.

The Hon. B. P. DUNN—I will not come back to the position that was set by the Labor Party as an alternative, but the existing policy of the Federal Government thus far has given this nation the chance now to choose where it will go from here. If that policy, unpalatable as it is, had not applied, Australia would have been in a desperate position today in its exploration activities. Although the policy is unpalatable and severe in its effect, it will work in the interests of the Australian community. History will probably prove that to be correct.

The sitting was suspended at 6.29 *p.m. until* 8.5 *p.m.*

The Hon. B. P. DUNN—Before the suspension of the sitting, I was explaining the attitude of the National Party to the motion put forward by Mr Landeryou. I did say in my final comments that world parity pricing had achieved some objectiveness in Australia up until the present but the situation is fast approaching where the Federal Government will have to depart from total world parity pricing under the formula it has now adopted.

The Government would be well served not to have two bob each way on the fuel crisis. It is an expensive luxury for the Premier to be involved with the Government in Canberra and yet critical of its policies—that is a little tongue-in-cheek but, nevertheless, critical by making the right noises and sounds.

The Hon. D. E. Kent—But they could learn from you, could they not?

The Hon. B. P. DUNN—The National Party has made a clear point, and if he examined the subject, Mr Kent would discover that the National Party is solidly behind its Federal representatives. The National Party certainly does not criticize its party at the Federal level for its own State political purposes when its representatives in Canberra have policies that they must stand by.

The Hon. W. A. Landeryou—What about LPG?

The Hon. B. P. DUNN—The issue of LPG has been taken up with the National Party in Canberra and Federal Government back-bench members. I am aware of a number of members in Canberra who campaigned strongly on behalf of the country community on the issue of LPG and their efforts were successful in achieving the reductions that have occurred in the price of LPG. There was a legitimate case for reduction in the cost of LPG, especially when it is 100 per cent locally produced and available. It was completely outrageous and ridiculous to maintain the previously existing pricing policy of LPG. The majority of fair-minded persons would commend the Federal Government for its action on LPG prices. I would also commend the back-bench members of Federal Parliament for taking up the fight on LPG.

The country community has and will be severely affected by the high prices of fuel. In many country areas no alternative sources of transport are available. I know Mr Landeryou will ask what is new about that because the same thing could be said about many areas of Melbourne which have an inadequate, poor service that needs improving, but many country areas have no service whatsoever.

The Hon. W. A. Landeryou—I mentioned that!

The Hon. B. P. DUNN—And I acknowledge that fact. Passenger services have been almost totally eliminated. Those services that do operate are inconvenient and very poor. Of course, bus operators cannot operate throughout the State and, therefore, the country community is a big fuel user; it has to be because of the distances involved. National Party members of Parliament are good examples of the average country fuel user who must travel vast distances. The National Party is well aware of the effects the fuel parity pricing policy has had and has made it clear to the State and Federal Governments that the policies adopted have had severe effects on the country community.

The primary producer is another example of a person who has been severely affected by fuel price rises. Primary producers must compete in an export market. Australia's wheat, wool and even a large proportion of its live-stock are sold on world export markets. Hence, primary producers who are affected by fuel costs in Australia are expected to compete with other countries in a world market situation.

The major component cost in many industries has a significant bearing on the profitability of primary industries, many of which are export based. The producers of wheat and grain are extensive users of fuel. The price of fuel for the average wheatgrower has skyrocketed. He has no alternative but to use fuel; he cannot buy a little tractor that conserves fuel

because it cannot work the necessary acreage. He cannot engage a whole number of smaller tractors because he is then faced with an excessive wage bill. The producer has no alternative but to use machinery that uses excessive amounts of fuel, and no effort has been made by manufacturers to provide producers with tractors and machinery that use less fuel. Hence, the producer is lumbered with his fuel bill which he has to try to absorb through efficiency in his total operation.

The effects of the policy are evident as they flow right through the transport industries, that is, the cost of transporting produce and live-stock from the country to meet various community needs. The National Party is well aware of the effects and that is why, if future price rises continue at their present rate, it is hard to understand how the Government can maintain its stand on a total world parity pricing policy. Hence, some modifications may be needed. Whether those modifications are aimed at specific areas is a matter yet to be determined.

The Hon. D. R. White—What are you suggesting, differential pricing?

The Hon. B. P. DUNN—No, I am not because I understand the extreme difficulties that that sort of situation would create. Ideally, the position will have to be examined as it applies across the board throughout Australia.

The Labor Party has not announced any major solution and Mr Landeryou tonight, much to my disappointment, did not give the House the benefit of his knowledge and his solutions. When one examines the solutions put forward by the Labor Party, one discovers that the Opposition would establish a Government-owned petroleum company called, the Australian Hydrocarbon Corporation.

The Hon. V. T. Hauser—A joke!

The Hon. B. P. DUNN—It may be a joke but it sounds like some monolithic monster that could end up controlling the Government as well as the country. One also discovers that the Labor Party, if elected to office, would introduce a resource rental tax. I would love to know what that is, how it would be applied and whether or not Mr Landeryou and the Labor Party support a resource rental tax which would be a taxing system to replace the present crude oil tax. One also discovers that the Labor Party would establish a National Fuel and Energy Commission in addition to the Australian Hydrocarbon Corporation. That offers no real solution to the problem, which is whether or not one supports parity pricing of fuel and, if so, to what degree does one support it.

The Labor Party does not have the solution to the problem. It talks about a freeze on the price of crude oil for one year, but when the freeze expired it would adjust to the price of Australian oil at intervals of six months.

The Hon. D. R. White—That is old oil not new oil. It is the parity price on new oil.

The Hon. B. P. DUNN—It is a similar situation to that facing us at this time but it is going to be adjusted by increases in the consumer price index more so than increases made by the Organization of Petroleum Exporting Countries and in the Government's formula. The Opposition has not given the House a solution to this problem tonight by any means.

The Hon. D. R. White—You have not thought it through and you do not understand what we were saying.

The Hon. B. P. DUNN—I hope Mr White will explain it to me because honorable members were waiting for the Leader of the Opposition to explain the Labor Party's solution to the problem. I hope some sort of consensus can be reached on this issue because there is little to be gained for the Australian community by each party adopting a stand-off position instead of attempting to reach a consensus. The Australian people want politicians to find a solution instead of fighting each other and trying to lay the blame at each other's feet. The Australian community wants politicians to get together and find a solution. That is what the Australian people want and that is what they are going to need if we are to overcome some of the critical problems facing the community.

All political parties—and I do not care whether it is the Liberal Party, the National Party or the Labor Party—must overcome the problem on a much more united front.

The National Party does not consider that it can support this motion against the Government because, as was indicated by a number of speakers, the real crux of the matter goes back to a decision made by the Federal Parliament in the parity pricing of oil. The Victorian Government cannot be criticized for its failure when the greatest single influence on the motorist and the people of Victoria is based on a policy of the Federal Government. I hope the Federal Government will return more of the money that it makes from its oil revenue to the States. It is a windfall tax and, as my colleague, Mr Wright, said, more of this revenue should be used in improving the road networks and our transport system. The Federal Government could play a much greater role in that area. The National Party does not support the motion moved by the Labor Party.

The Hon. D. R. WHITE (Doutta Galla Province)—It is clear that the Leader of the National Party did not understand the debate and it is also clear that the Attorney-General made no attempt to understand it or to put forward any constructive solutions to the invidious problem facing the Victorian community.

The problem facing the Victorian community is the rapidly escalating petrol prices and also the rapidly escalating prices of other petroleum products. The Opposition believes that the Government should take some initiative to rectify the problem. The most information honorable members have received was a statement by the Premier at the week-end saying that the policies of the Federal Government are a fiasco and that the Federal Government started off on the assumption that oil parity pricing was designed to produce some form of incentive for exploration. This policy was recently rationalized on the basis that it was bringing about some sort of conservation. Mr Hamer is correct in saying one thing—that the current Federal policy of oil parity pricing has failed in its attempt to bring about meaningful oil exploration. The point of oil parity pricing is that it gives the producer of old oil, Esso–BHP, the sort of funds which will enable it to engage in continued and greater oil exploration. The reality is that that has not occurred. My colleague, the Leader of the Opposition, pointed out that between 1972 and 1975 an average of 75 new wells were drilled each year and in the period 1975 to 1980 an average of 35 new wells were drilled each year.

The Hon. H. M. Hamilton—What is the lead time?

The Hon. D. R. WHITE—I am talking about a five-year period. The drilling facilities are available and the fact is that the policy was designed to give Esso–BHP some form of incentive to undertake oil exploration. The reality is that in respect of the new oil drilling there has been little conspicuous evidence of any exploration undertaken by Esso–BHP. The existing policy has failed to produce greater oil exploration. Of course, there should be some incentive for oil exploration and the policy which this Government ought to be advocating and implementing is parity pricing for new oil discoveries. The community does not need parity pricing for old oil. If the Leader of the National Party was listening and was prepared to take into account the policies enunciated by the Labor Party, he would realize this.

The Hon. B. P. Dunn—Why did you not indicate those policies?

The Hon. D. R. WHITE—I am just explaining them to the honorable member now. He ought to be listening. He did not understand what was being said. He failed to understand and to put forward that in September 1975 Mr Whitlam, the Prime Minister at that time, indicated that there would be parity pricing for new oil discoveries. The reality is that that ought to have occurred today in respect of the North West Shelf and the new discoveries in Bass Strait. The Government ought to be advocating to the Federal Government that there ought to be oil parity pricing on new oil and imported oil but it is not necessary to have oil parity pricing on old oil produced from Bass Strait. It is de-

monstrable why that is the case. So far as Bass Strait oil is concerned, despite the fact that Esso–BHP is benefiting from oil parity pricing, it is not undertaking substantial additional research with the funds going to it. Therefore, the immediate means of relief to the community is to have a price freeze on old oil now and allow increases only in line with movements in the consumer price index.

The Premier was reported in the press on Monday as saying that the Federal policy on oil parity pricing as an incentive for oil exploration had clearly failed. The Opposition agrees with that. The Federal Government has failed to provide relief for consumers in both the metropolitan area and rural Victoria by stemming the oil price increases. It is clear also that, apart from Esso–BHP, the Federal Government has been the only beneficiary of the substantial increase in oil prices. It is a retrogressive tax and one that hurts the poorer sections of the community. It also hurts the rural consumer and the small industrialist. Since June 1978 this policy has not produced a significant increase in oil exploration.

It is also clear that the policy of the State Government is *ad hoc*. It is confined to one scarce natural resource, namely, oil. The Government is not prepared to apply the same policy to the other resources available in the State. The major natural resource in Victoria is brown coal. Honorable members have clear evidence by the action of the Premier that the Government is involved in a rort with Alcoa. It is prepared to give away brown coal at less than the average cost of production and to hand over the turnover tax revenue to Alcoa. The Government is prepared to ensure that it pays 21 per cent of the cost of power lines.

The Premier has not produced an energy policy designed to conserve our resources. He is in favour of one policy on oil and another policy on brown coal. In both cases it is clear that the main beneficiary is the multi-national company. The Opposition is concerned that there should be some cohesion and logic in the policies advocated by the Government. Moreover, it is clear that the Government should renegotiate the Esso-BHP deal and my authority for that is contained in the report of the Public Accounts Committee on the report of the Auditor-General for the year 1975–76. On page six the report states:

> From information available to the Public Accounts Committee it seems certain that any adjustment will favour the State and that the amount of arrears, to this stage, could be as high as $15 million.

I draw this matter to the attention of the House to indicate that the Hamer Government is not prepared to take on its responsibilities and negotiate an adequate arrangement with Esso-BHP. The Government is not operating on behalf of the people of Victoria. It is operating on behalf of Esso-BHP and companies such as Alcoa and any other large multinational company which is prepared to come to Victoria. It is not prepared to operate in the genuine interests and welfare of the Victorian people.

As Mr Landeryou correctly pointed out, the Government has always seen fit to intervene in wage tribunals, wages board hearings and Australian Conciliation and Arbitration Commission hearings, but it never intervenes in matters before the Prices Justification Tribunal on proposed increases in petrol or oil prices. The Opposition wants an indication from the Government that it is prepared to take some action on the oil parity price policies formulated by the Federal Government. This regressive tax will lead to great benefits to Esso-BHP and the Federal Government. These benefits have not been returned to the people either in the form of revenue to the State from the Federal Government or in the form of increased exploration. There is no evidence to suggest that the oil parity pricing policies designed to increase exploration are working. These policies need to be modified now. They are causing significant increases to the rate of inflation. The only way the problem can be overcome is by calling for a freeze on oil price increases now and allowing oil parity prices to continue only in respect of new oil discoveries to give some incentive to those who are prepared to undertake oil exploration. The people

who have successfully found oil today are not using their resources for further oil exploration. The only way of ensuring that they will do so is to keep the carrot dangling before them in the form of oil parity pricing for new discoveries. The present arrangement is totally unnecessary and a great burden on the community. If the Government were prepared to go to the electorate on the current state of petrol pricing it would find—as most honorable members on this side of the House have found in their own electorates—a grave reaction to the increase in petrol prices.

The Federal Government will not be able to continue this oil parity pricing policy for an indefinite period because it has no control over the world price increases. Because we are dealing with a scarce resource, there is some justification for parity pricing of new oil discoveries. However, Bass Strait oil reserves, which cost only $1 a gallon to produce and should benefit this State, are costing the State $24 a barrel. I believe there is no justification for this. For those reasons I support my colleague, Mr Landeryou, in moving the adjournment motion.

The Hon. V. T. HAUSER (Nunawading Province)—It is the duty of the Opposition to oppose, and it is only natural for Mr Landeryou, who was floundering for a case to present, to come to honorable members with a red herring which, I suggest, is going to be rather older in a few months' time than it is now. It is suggested that the high price of oil and gas is the fault of the Victorian Government, not the Commonwealth Government, and that the Arabs had nothing to do with it whatsoever.

Throughout the speeches of Mr Landeryou and Mr White, honorable members noticed the threat of attack against oil companies, in this case, mainly Esso-BHP, and the words "big business" were again mentioned by the Opposition.

The Hon. D. R. White—That does not include you, Mr Hauser.

The Hon. V. T. HAUSER—An empty vessel makes the most noise, and I always remember that phrase when I listen to Mr White. It has been suggested that the agreement between Esso–BHP and the Victorian Government should be rewritten. I recall six or seven years ago the then Leader of the Opposition in another place, Mr Clyde Holding, suggesting that the agreement between Esso–BHP and the State of Victoria gave Broken Hill Proprietary Co. Ltd huge profits because the price of natural gas was so high. Over the past five years history has shown that that agreement is a very good agreement, price-wise, and benefits the State of Victoria and its people. If anything, I suppose it could be described as being comparatively unfair, so far as natural gas prices are concerned, to the companies which signed that agreement with the Gas and Fuel Corporation, because on the present pricing of natural gas, those companies have little incentive to search for more of that particular commodity, on the existing natural gas negotiated price.

Let us examine the true situation of those companies. Let us look at the balance-sheet of Broken Hill Proprietary Co. Ltd for the year ended 31 May 1979. I know that the Opposition does not like to listen to facts, but the total sales of the oil and gas division for the year to 31 May 1979 amounted to $419 million. The cost of production was $137 million. Depreciation, including a provision to cover the effects of inflation, totalled $28·4 million. The company tax paid by the company was $130 million. The net profit of the company from its oil and gas division was $123 million of which approximately $35 million was paid out in dividends to shareholders, leaving $88 million to be used on further exploration for oil and gas. From the amount of $35 million the company paid out in dividends, probably $17 million went back to the Commonwealth Government in income tax.

I suggest that the amount of profit, considering the risk which was originally taken by Esso–BHP, together with the hundreds of millions of dollars of initial establishment cost and the continuing costs incurred by Broken Hill

Proprietary Co. Ltd and Esso–BHP, must be considered as being extremely moderate.

Let us examine the position. These companies took a considerable risk and a gamble in expending many millions of dollars to find the oil and gas in Bass Strait. One would almost have thought that the Opposition would have preferred the companies not to have found oil and gas in Bass Strait.

The Hon. D. R. White—Is this your rehearsal for your Royal Commission appearance?

The DEPUTY PRESIDENT (the Hon. W. M. Campbell)—Order! I have tried to bear with some members of the Opposition and I believe I have been more than reasonable. Mr Hauser should be permitted to make his speech in the same reasonable atmosphere—I will not be interrupted by Mr Landeryou or by any other member of the Labor Party when I am on my feet and speaking to the House. Mr Hauser should have the same rights as were extended to members of the Opposition when they spoke. As I have stated before, any honorable member is entitled to ask a civil question but to constantly ask questions by interjection in the way that has been occurring up to the present moment does not contribute towards reasonable debate in the House. I consider the House ought to get back to reasonable debate and not have constant interjections, as have been occurring over the past five to ten minutes.

The Hon. V. T. HAUSER—Most members of the Opposition know, as well as Government supporters, that Mr White is much more adept at attacking personalities than policies.

Let me now consider the amounts that are collected on a total Governmental basis compared with the total amounts received from the sales of oil and gas. I am looking at the amounts received by the Victorian and Commonwealth Governments as compared with the amounts received by the companies. There is a crude oil excise levy of $2023 million, and that amount is provided for in the 1979–80 Commonwealth Budget. There is an LPG levy of $34 million; a Commonwealth off-shore petroleum royalty of $41 million; a State royalty of approximately $70 million, and a petroleum production excise duty of $956 million. The company tax paid by the producers of oil in Australia aggregated $300 million and the tax paid by the refiners and marketers was approximately $150 million. That is a total, to both Commonwealth and State Governments, of $3574 million paid from the total sales of oil, LPG and natural gas in this country and exported.

Bringing those figures back to Gippsland, to the Bass Strait field, which is a Victorian field, 83 per cent of the gross proceeds go to Governments and 17 per cent of the gross proceeds go to private enterprise, to the producers. Mr White is suggesting that the agreement be renegotiated so that the private enterprise companies receive less than 17 per cent and the Governments obtain more than 83 per cent. What possible incentive could there be for private enterprise companies when it is suggested that the 17 per cent that they get now be further reduced? Because of the element of risk capital involved, companies are surely entitled to high returns for successful discoveries. After all, these profits pay for the numerous unsuccessful endeavours.

The Hon. D. R. White—Where is Esso–BHP exploring now?

The Hon. V. T. HAUSER—Broken Hill Proprietary Co. Ltd is exploring further in Bass Strait. That company and Shell Co. of Australia Ltd have taken a very large interest in Woodside and the North West Shelf and it is partly because of their presence that further gas has been discovered, and both companies are gambling enormous amounts of money on oil exploration in the Exmouth Gulf area. It is because new oil is being priced at world parity prices that an incentive is given for exploration, together with the fact that old oil is also being priced at world parity prices, but I will come to that later.

The Hon. W. A. Landeryou—You would be the only one in the world who believes that.

The Hon. V. T. HAUSER—If I am the only one in the world, I point out that it was the members of the National Energy Advisory Committee who suggested that all oil produced in Australia be sold at world parity prices. I understand that was the policy of the Labor Party and it has been, until comparatively recently, the policy of the Labor Party that consumers should be charged world parity prices for old oil.

I suggest that the cheaper the commodity, the more we tend to use it. The corollary of that is that the dearer the commodity the less we tend to use it. Theoretically, the higher the price of an article or commodity, the less we tend to buy or use.

A high price for oil, LPG and natural gas must—I was glad to hear Mr Dunn refer to this point—encourage conservation. It is known that oil consumption in Australia has increased over the past five years. However this rate of increase was almost 50 per cent below what it had been for the previous five years. A higher price must encourage and does encourage the search for further petroleum resources. It must encourage the search and the development of shale oils, and encourage the development of the exotics, the sun, the wind, the tide and geothermal energy.

I suggest that the Government, in many senses, has protected the citizens of this country by encouraging higher prices for our oil and oil derivatives. It has been suggested that we in Australia are the only people who accept world parity prices but this is a lot of nonsense. What is the price of oil today in other countries of the Western World?

The Hon. W. A. Landeryou—With over 70 per cent of their own resources, tell us about that, Mr Hauser.

The Hon. V. T. HAUSER—The position bears comparison. A criticism has been made that Australian oil prices are comparatively high. It is relevant and valid for me to give a few comparative prices from other countries to combat this ridiculous argument. I am using dollars per gallon as this is still a more readily recognizable term, in a public sense, than cents per litre.

In February 1980, according to an answer to a question which appeared on page 267 of Commonwealth *Hansard*, these prices prevailed in overseas countries. Price of petrol in France was $3.45 a gallon. In Italy and Japan it was $3.36 a gallon. In the Netherlands it was $2.94 a gallon. In the Federal Republic of Germany it was $2.80 a gallon. In the United Kingdom, before the recent budget in which I understand there has been an increase, the figure was $2.62 a gallon. In New Zealand it was $1.98 a gallon and in Australia it is presently $1.54 a gallon. Those two countries which are below Australia are the United States of America, where petrol is $1.38 a gallon and Canada, where it is 97 cents a gallon. In Portugal, Spain, Switzerland, Sweden and other developed countries, the price of petrol is far higher than in Autralia, yet Mr Landeryou and Mr White suggest that the price in Australia is too high. Australia is merely doing what almost every other country in the developed Western World is doing, recognizing the inevitability of world parity prices for old oil and new oil because the prices which are charged in those countries apply to oil whether it was found many years ago or currently. I know of no other country in the world which is bringing forward a policy of having two prices to cover oil found many years ago and now.

I suggest that this debate has been a political gimmick for the purpose of trying to win the next Federal election, probably the first of many "desperation" moves over the coming months.

Mr White mentioned the number of holes drilled in 1975 compared with the number currently being drilled. I think it is right to say that a lead time of three to six years, depending on the area and on the amount of work to be done, is relevant when one is concerned about the number of holes currently being drilled. The relevant figures, in a total sense, are that in 1975, the last year of the Whitlam Government, the amount being spent by companies in drilling and seismic surveys was approximately $65 million, and this year—to 1981—the amount will be approximately $500 million, and this latter sum

more than overcomes the effect of inflation. This would be a rough estimate, but I imagine that the amount being spent out of that $500 million by Esso-BHP would be $200 million.

The amount of activity in Bass Strait has been stepped up over the past two or three years to a considerable extent. The activity that is going on in the North West Shelf on behalf of several companies, both Australian and overseas, has been stepped up by a considerable extent and the oil discoveries in Queensland and the centre of Australia in the past year or two have been very significant. Companies like Bridge Oil, an Australian company in partnership with overseas companies, and Hartogen and Santos, owned partly by Australian and overseas interests, have made significant oil and gas discoveries in this country over the past month—even over the past week. In fact, recent oil discoveries have been so common that now they hardly deserve a mention on the front page of the newspaper, and that is why Mr Landeryou, Mr White and his friends, do not realize that discoveries are being made.

It no doubt could be a fairly effective gimmick to move a motion like this and get a bit of publicity out of it for political purposes, but when one looks at this motion one realizes that it is like a pack of cards that can be blown down with a half puff of wind.

I refer members to LPG pricing and the point of view of the Premier, and his statements at the conference of the Federal council of the Liberal Party. Members of the Parliamentary Liberal Party are allowed, to a greater extent than their opponents, to agree and disagree publicly, and Mr Hamer does agree and disagree publicly with the Commonwealth Government—I suggest for understandable political reasons. I happen to disagree with the Premier, and the fact I mention the words "I disagree" in this House means there would be no censure from him to me. If a Labor member in this House dared to disagree with the Leader of the Opposition in another place, I could imagine the results.

In the Labor Party over recent years we have often heard of arguments between Mr Landeryou and Mr Hartley. We have heard of disharmony between Mr Wran and Mr Uren. In past years there were disagreements between Mr Whitlam and Mr Cairns, and now there are disagreements between Mr Hawke and everybody else. The Liberal Party permits its members to express a different point of view, in a public sense and in the Parliament, to the point of view presented by the leadership, but never does any public acrimony develop out of such disagreements.

When we, in a Parliamentary committee, were able to express our true opinions unhindered by party ties, we made the recommendations of the Conservation of Energy Committee on LPG. This was a decision that was not disagreed with by any member of that committee, which included four members of the Liberal Party, three members of the Australian Labor Party and one member of the National Party, and when we were really allowed to think about such an issue in depth, without being tied by the policy of our party, we made a recommendation regarding LPG pricing as follows:

> In the interests of encouraging full utilization of LPG in this country as a fuel conservation measure, the existing export parity policy should continue. This policy will aid in encouraging the exploration and development of new fields, and curtail inappropriate use of a premium fuel.

In the Legislative Assembly, shortly after this recommendation was made by this Parliamentary committee, there was a motion moved deploring the high price of natural gas, and this was carried unanimously. It was opposite to the recommendation of the Parliamentary committee, and five members of that all-party Parliamentary committee, because they were members of parties and because they had to accept party discipline in the other House, as we have to in this House on most occasions, voted the opposite way to their own convictions.

In a political sense it is fully understandable that all political parties believe the pricing of LPG, the pricing

of natural gas and oil, is a delicate question, but the majority of honorable members agree with the Governments of almost every other Western country who say that the right thing to do, in the interests of the future, in the interests of conservation, in the interests of developing new resources, and in the interests of looking at alternatives, whether they are exotic or not, is to accept world parity pricing for petrol, LPG, natural gas and coal. If we were given the freedom to exercise our own votes without the exigency of party constrictions in this House, there would be a strong majority for world parity pricing for all energy resources.

The Hon. J. A. TAYLOR (Gippsland Province)—I have been listening to Mr Landeryou and Mr White tonight hoping they would come forward with some policy on behalf of the Victorian branch of the Australian Labor Party. I am most disappointed because their contribution to the debate shows that they do not know anything about the subject, and it also shows that they are not in favour of their party's policy in Canberra, because Mr Hayden and Mr Keating have adopted a policy of a world parity price for oil and of using that base as the price to date. As all honorable members know, because it has been given publicity in the press, what the Opposition will do is hold the price for one year and then index it from then on. The Federal Australian Labor Party is using world parity price as a base price. That initially shows the sham of the motion moved by Mr Landeryou.

Mr White said that brown coal and oil were in the same bracket. Honorable members know they are not. If the Opposition had done its homework correctly, it would have found that the oil in Bass Strait does not belong to Victoria. It is outside the 3-mile limit and the royalties received by this Government of $70 million are received only by agreement with the Commonwealth Government. The coal is in Victoria and belongs to Victorians.

I point out to Mr White and Mr Landeryou how incorrect their motion for the adjournment of the House is. It states:

> the failure of the Government to protect the Victorian public against excessive charges for petroleum products.

If the Opposition were genuine in its attempt to bring in a motion for the adjournment of the House, it would have found that users of LPG in country areas, particularly decentralized industries, are subsidized by this Government back to prices of natural gas. The Murray–Goulburn factory and the North Eastern Dairy Co. are examples. Also, the cost of reticulated LPG in Victorian country towns is underwritten by the Gas and Fuel Corporation almost back to the price of reticulated natural gas. They are two instances where the Government is supporting country areas against the excessive price, if that is what the Opposition calls it, of LPG.

Mr Hauser mentioned the risk taken by oil companies drilling for oil. It is interesting to note that the cost of dismantling a platform in Bass Strait is ten times the amount it costs to put it there in the first place. This money comes from their income from Bass Strait oil and gas.

Again, tonight, we listened to the Opposition telling the Government what it ought to do, but we did not hear what the Labor Party is going to do. All I can say is, "Thank God they will not be the next Government because if they were the people of Victoria would be in a quandary". The Opposition set its sights on a motion that has tended to give it mileage, and Mr Landeryou throughout his speech mentioned excise income to the Government, and money to the Treasury, but he did not once differentiate between money coming into the Federal Government coffers and that coming to the State Government. We have already heard from Mr Hauser on that. The $70 million coming into Victoria is only chicken feed compared with what goes into Federal Treasury.

The Opposition does not realize—and here I differ with some of my colleagues—that there is a world parity price for

oil. I do not want to reiterate this, but honorable members know that members of the Organization of Petroleum Exporting Countries get together and set the selling price for crude oil and that then becomes the price, except for spot sales. The Opposition does not understand that there is no such organization for LPG; it is a world market price. No one sets it except the world market—except for spot sales. Last year when LPG was $149 a tonne, there were several sales up to $210 a tonne. That shows a great variance and no one anywhere in the world should call that world parity price, because it is not.

The Opposition moved this adjournment motion on petroleum products. Its members talked about oil and LPG. They did not differentiate between the LPG that comes entirely from Bass Strait or the LPG that comes out of refineries, through the process of refining. They did not mention dieseline, engine oil, superphosphate, and all the other by-products that come out of crude oil. They have not heard of them. How fair dinkum were they when they moved the adjournment motion? The Government of Victoria is assisting people in this State by subsidies and by curtailing high prices of LPG. There is a vast difference between the price determined for LPG and that determined for crude oil.

Both Mr Landeryou and Mr White asked, "What is the Government's policy?" I should like to quote a news release dated 27 March 1980 from the Premier. After the initial introduction that states that the Federal Government will not insist on world parity price for LPG—this is in line with the policy of this Government—the news release states:

> Mr Hamer said that the submissions made to the Federal Government included the following points—
>
> Part of the crude oil levy should be used to fully equalize country and city prices for petrol and other transport fuels.

The honorable members did not mention that.

> Subsidies for LPG should apply to all local users.

They did not mention that.

> The price of locally produced LPG should be returned to the supervision of the Prices Justification Tribunal.

That is where it was originally.

> The present LPG subsidy of $80 per tonne should be substantially increased. LPG prices should be maintained at not more than half the price of petrol.

If Mr Landeryou had bothered to research the situation properly he would have found that they are the facts of the matter and are laid down in the press release of the Premier.

When one listens to the bleating from the Opposition side of the House, one realizes that Opposition members know very little about the subject and about the fact that LPG comes under two categories—naturally produced and refined. There is a differential with oil. Brown coal belongs to Victoria and oil does not. This proves that the charade carried out by the Opposition which has used up the time of the House for the past three hours should be in the waste paper basket.

What we have is a press release which sets out the policy of the Government and the Premier. We have a situation in which the Labor Party members of Victoria differ from their Federal colleagues, Mr Keating and Mr Hayden. I do not know how the Labor Party members in Canberra will take the fact that their Victorian members differ from them.

The Hon. D. R. White—They will not take any notice of you.

The Hon. J. A. TAYLOR—I do not think they will take any notice of their State colleagues anyway. The conclusion is that the Labor Party has a policy which includes the world parity pricing of oil and it is trying to climb out of the situation and make some political expediency out of the adjournment motion.

The Hon. D. M. EVANS (North Eastern Province)—I wish to make some comments on the adjournment motion of the Labor Party and to give a few additional points that the Leader of the National Party may not have put forward when he addressed the House on this subject. All country members of Parliament, regardless of which party

they belong to—there are not many from the Labor Party, just one or two—no doubt would recognize the difficulties experienced by country people that are caused by continual increases in fuel prices. This is not only because country people do not have the opportunity of using alternative means of transport, but also because there is a tremendous amount of travel required in the country and many of the costs of transport and working in country areas, particularly in farming industries, are greatly increased by the frequent increases in prices of fuel.

More important—I am not sure that this point was well underlined—is the necessity to have fuel. Dearer though it may be, it is still preferable to have fuel than to have none at all. At the time when the cost of fuel was rising a year or so ago, the constant propaganda put out by a large number of people was the possibility of a drastic shortage of fuel in the next few years. Many people in country areas were being turned to alternatives that may have been available—such as processing cow manure and generating methane, the production of crops which may provide an alternative source of fuel, the use of sun power and any other source of energy. Certainly, the concern of country people at that time was not only the cost of fuel, but also the availability of it to carry on their ways of life.

The Hon. J. A. Taylor—It was also the lack of supply.

The Hon. D. M. EVANS—Certainly, it was the lack of supply and basically, in the initial stages, that was the reason why the Federal Government—even perhaps the Labor Party, as Mr White conceded—adopted policies regarding increases in fuel prices, particularly additional returns to those searching out and producing oil in Australia. That was the logic behind the policy and it was not an unreasonable attitude although probably it caused some difficulty for those people who were saddled with the increased price of fuel.

In retrospect, with the problems that are now occurring in regard to supply, perhaps grudgingly many people are accepting the situation. However, one can regard with amusement the human frailties of the Federal Government. One can even be pleased to see that the Federal Treasurer's actions are amusing as the foibles of a human person. Let us face it; when the Federal Government set about its tax on crude oil production a year or so ago I had the feeling, as many other people did, that it had $600 million in mind as being a reasonable amount of additional tax which should go into the Federal Budget. The amount has now turned out to be of the order of $2000 million and we find it is to cover almost anything from additional expenditure on defence to tax cuts.

I do not wish to criticize the Federal Government at all, but one can consider with amusement its particular way of approaching the problem. An additional difficulty must come to bear at this time, and Mr Taylor referred to this matter when he quoted the Minister, on the subject of spot prices and the real difficulty in discovering exactly what is the world parity price of oil.

There have been constant differences between the member countries of the Organization for Petroleum Exporting Countries on what the price should be. There is a market difference in the price between many oil producing countries and the spot market and entrepreneurial market that was shunting ships all around the world, and sinking the odd one or two off the coast of Africa, if they had the opportunity. It has been rumoured that this happens. Certainly, the world parity pricing is far less easy to discover than at the time the Organization for Petroleum Exporting Countries got together to give some semblance of stability to world pricing. Perhaps that may have been a sensible period of time. However, those areas of world pricing are very much a Commonwealth responsibility. It is my view that although, from time to time, honorable members may make comments which should be heeded by our Federal colleagues, basically, we do not have much control over this matter.

At least in the National Party, the Federal members make up their minds and I am sure they do so in the Liberal Party and, no doubt, they also do so in the Labor Party. They listen politely, and no doubt tell us to mind our own business. Nevertheless, we do articulate public views and, if they are widely held, the Federal Government may take notice of them, and the views we express are not unreasonable.

However, some areas are directly under the control of the State Government. For example, the State Business Franchise Petroleum Products Act, which was introduced in the spring session of Parliament last year, is very definitely a State Government responsibility. That Bill raised the price of fuel. Fortunately, until now, the total amount of funds raised less the cost of collection has gone back directly into the funding of roads and, although I am not grudging any additional expenditure, the motorist is prepared to bear that additional cost provided better roads are the result. The fact that that source of revenue is being subverted from the Business Franchise Petroleum Products Act by substituting those funds for other traditional sources of revenue, may cause them to become cynical. Nevertheless, that is where it is going. An additional problem that has been mentioned is the cross-border trade in petroleum products which exists right along the Victorian and New South Wales border particularly and, to some extent, on the South Australian border. The difficulty is that traders who are paying an additional State tax in Victoria are priced out of the market by their counterparts immediately across the river or the imaginary line, as in the case of South Australia, who do not have to pay a similar tax.

The Premier of Victoria has shown that he has been ineffective in his comments because, although those comments about fuel pricing and LPG pricing have been strong, they do not seem always to have had the desired effect. That is the general position in regard to members of this House. Anything we may say will tend to be somewhat ineffective, except so far as we are articulating public opinion.

I am interested also in the recommendations of the Conservation of Energy Resources Committee to which Mr Taylor referred a few minutes ago. That all-party joint committee of this Parliament has suggested that the costs of registration and third-party insurance be transferred from a direct cost against the motorist to a percentage cost on the sale of fuel in Victoria.

The National Party believes this would increase the burden on people outside the metropolitan area and, in addition, would not allow the sort of concessional cost savings which are currently provided to people such as pensioners, people who are in specific categories as road users, who do not use vehicles on the road a great deal, and so on. No doubt honorable members could name fire vehicles, for example, and many other classes of registration and concessional rates and third-party rates that vary according to where the vehicle is garaged, the class of vehicle and engine type. The flexibility of the present system will be lost if the Conservation of Energy Resources Committee's recommendations are put into effect. The cost of fuel in Victoria, as I have indicated in the cross-the-border situation, would be further increased, again to the detriment of those disadvantaged people on the border areas in Victoria. These are real problems which are directly within the responsibility of the State Government.

Although it is interesting to listen to the views expressed on this subject from both sides of the House, the only matters in which we have direct responsibility, interest or influence are those pertaining to the Business Franchise Petroleum Products Act, the proposals from the Conservation of Energy Resources Committee and the effect of the State Government from time to time giving concessions on the supply of LPG, natural gas and so on.

The effects of Commonwealth Government policies do impinge on the beneficial effects that may be gained from State Government policies. It is in that light that we should examine this motion. We should not be concentrating on Federal issues as the Labor Party has been doing in sustaining this motion. Nevertheless, by airing the difficulties of many people throughout the community because of the additional price of fuel, its members have done some service.

Finally, the Federal Government, by pursuing its policy of world parity pricing to this stage, may have assisted in encouraging oil production and exploration in Australia. Certainly, it has helped its own taxation position and the net result has been that the price of oil in Australia has reached the level at which, only some two months ago, press statements announced with great joy that the Rundle shale oil deposits were now economic because of the cost of fuel due to the Federal Government's world parity pricing policy.

Therefore, at this time with the current cost structure there will be unlimited supply of oil once the technological and productive problems have been solved, and investment is going ahead apace to cover this. The simple situation is that the Federal Government world parity oil pricing policy has now had the desired effect on the additional resources becoming available within Australia. It is now relevant that the Federal Government is re-thinking totally any further increases in cost which would follow the world spiral upwards.

The House divided on the motion (the Hon. W. M. Campbell in the chair).

Ayes	12
Noes	27
Majority against the motion	15

AYES

Mrs Coxsedge	Mr Trayling
Mr Kennedy	Mr Walker
Mr Kent	Mr White
Mr Landeryou	
Mr Mackenzie	*Tellers:*
Mr Sgro	Mr Eddy
Mr Thomas	Mr Walton

NOES

Mr Baxter	Dr Howard
Mrs Baylor	Mr Hunt
Mr Block	Mr Glyn Jenkins
Mr Bubb	Mr Knowles
Mr Chamberlain	Mr Lawson
Mr Crozier	Mr Long
Mr Dunn	Mr Reid
Mr Evans	Mr Saltmarsh
Mr Granter	Mr Stacey
Mr Guest	Mr Haddon Storey
Mr Hamilton	Mr Taylor
Mr Hauser	*Tellers:*
Mr Hayward	Mr Radford
Mr Houghton	Mr Wright

PAIR

Mr Butler	Dr Foley

PAPERS

The following papers, pursuant to the directions of several Acts of Parliament, were laid on the table by the Acting Clerk:

Equal Opportunity—Reports of the Equal Opportunity Board and the Commissioner for Equal Opportunity for the year 1978–79 (two papers).

Liquor Control Commission—Report and statement of accounts for the year 1978–79.

Physiotherapists Registration Board—Report for the year 1978.

Railways Board—Report for the quarter ended 31 December 1979.

Science Museum—Report of the Council for the year 1978–79.

Statutory Rules under the Prerogative Powers of the Crown—Commissions and Boards of Inquiry—No. 76.

Statutory Rules under the following Acts of Parliament:

- Architects Act 1958—No. 67.
- Benefit Associations Act 1958—No. 71.
- Business Franchise (Petroleum Products) Act 1979—No. 68.
- Country Fire Authority Act 1958—No. 63.
- Films Act 1971—No. 72.
- Forests Act 1958—No. 62.
- Liquefied Petroleum Gas Act 1958—No. 7 (in lieu of Statutory Rule No. 7 previously circulated).
- Motor Boating Act 1961—No. 56.
- Motor Car Act 1958—Nos. 57 and 59.
- Mount Hotham Alpine Resort Act 1972—No. 70.
- Police Offences Act 1958—No. 74.

Public Service Act 1974—Nos. 60 and 61; PSD Nos. 17 to 27.

- Road Traffic Act 1958—No. 69.
- Superannuation Act 1958—No. 64.
- Theatres Act 1958—No. 75.
- Valuation of Land Act 1960—No. 65.

Town and Country Planning Act 1961—Melbourne Metropolitan Planning Scheme—Amendment No. 126, with map (two papers).

Trotting Control Board—Report and accounts for the year ended 31 July 1979.

Victoria Law Foundation—Report for the year ended 30 September 1979.

On the motion of the Hon. E. H. WALKER (Melbourne Province), it was ordered that the reports be taken into consideration on the next day of meeting.

BAKER MEDICAL RESEARCH INSTITUTE BILL

The Order of the Day for the first reading of this Bill was read.

The DEPUTY PRESIDENT (the Hon. W. M. Campbell)—Before the first reading of this Bill is proceeded with, I remind honorable members that the measure was introduced into the House by the Attorney-General and declared a private Bill by the President.

The Hon. HADDON STOREY (Attorney-General)—In the circumstances, I move:

That this Bill be dealt with as a public Bill.

The motion was agreed to.

On the motion of the Hon. HADDON STOREY (Attorney-General), the Bill was read a first time.

The Hon. HADDON STOREY (Attorney-General)—I move:

That this Bill be now read a second time.

Its purpose is to incorporate the institute of medical research known as the Baker Institute.

Thomas Baker, who was born in Somerset in 1854, came to Australia at the age of eleven. At 22 he was a qualified pharmacist, and in 1882 he commenced a medical course at Melbourne university and successfully completed the first year of that course. However, Thomas Baker then became interested in photography and abandoned his medical studies to engage in the manufacture of sensitized photographic materials. The business that he entered into grew to become Kodak (Australasia) Pty Ltd.

Despite his abandonment of his medical studies, or perhaps because of it, Baker lived constantly with the idea of contributing to medical research. In 1925 he made a large donation to the Alfred Hospital which built a biochemistry laboratory in the hospital grounds. In 1926 the Thomas Baker, Alice Baker, Eleanor Shaw Medical Research Institute, known as the Baker Medical Research Institute, was established in the grounds of the Alfred Hospital. When Thomas Baker died in 1928, his will set up the Baker benefactions which is still today the largest contributor to the Baker Medical Research Institute.

From its inception the institute not only carried out medical research work and instructed both medical students and post-graduate students but also carried out the routine clinical, pathological and biochemical services for the Alfred Hospital. In 1946 the hospital assumed the management of those services and thereby forced the institute to concentrate on its principal work of medical research. The information derived from the research work carried out at the Baker Institute has assisted in establishing the Alfred Hospital as a major centre by world standards for the care of heart patients.

In partnership the institute and the hospital developed open heart surgery in Australia. They commenced the first clinic for the treatment of hypertension and made new discoveries on blood coagulation together with other advances in medical science. The work of the institute was enhanced by its formal affiliation with Monash University on 23 December 1965, for the purposes of promoting and encouraging research amongst both undergraduate and post-graduate students of the medical faculty of the university. The association between the university and the institute has been continued and developed by further formal agreements since that time and their work in conjunction in the fight against heart disease still continues.

The association with the Alfred Hospital resulted in an agreement whereby the clinical medical research work of the institute could be carried out and performed where necessary in the beds of the Clinical Research Unit of the hospital.

The medical research carried out at the Baker Institute today in conjunction and close co-operation with both the Alfred Hospital and Monash University is directed exclusively towards deter-

mining the cause of heart disease. The purpose of this intensive research is not only the better treatment of heart patients but also the prevention of heart attacks.

When one stops to consider that one half of all deaths in Australia are due to heart disease of one kind or another and that 25 per cent of deaths amongst Australians under 65 years of age are due to heart disease, one realizes the importance of the work being carried out at the Baker Institute by its talented staff of approximately 70 persons.

The institute is probably Australia's major cardiovascular research centre and it and its work are recognized internationally. The institute's work is directed to preventing heart disease in the community and the institute maintains close contact with the community by means of a comprehensive range of cardiovascular diagnostic services.

In March 1977 the institute in association with the National Heart Foundation (Victorian Division) began to operate a Heart Risk Evaluation Clinic. The services provided include sophisticated continuous monitoring of blood pressure and heart rhythm while the subject works, tests of heart performance during exercise as well as a rapid assessment of a subject's risk.

In its first year the clinic saw nearly 2000 people.

The Hon. W. A. Landeryou—20 000.

The Hon. HADDON STOREY—It is 2000 in my copy, but it may well be 20 000. I will ascertain the accuracy of that figure. I am indebted to the honorable member for his interjection. It may be that the figures should be corrected.

The results indicated that more than 10 per cent of 40-year-old men and women were at risk from heart disease in some manner. In all instances where people required treatment, the institute accepted the responsibility for managing the individual's problems either directly or with the person's own doctor.

In recent times the trustees of the institute have had reservations as to whether they, as presently constituted, are adequate for the promotion of the institute's worth-while and valuable objects. The trustees, after consultation with both the Board of Management of the Alfred Hospital and the Monash University, determined that the continued work of the institute could best be achieved if it were to be incorporated by an Act of Parliament.

When the Government was approached by the trustees to promote an Act of Parliament to incorporate the Baker Institute which would better enable the institute to continue and develop its valuable and worth-while work, the Government was happy to co-operate. This Bill is the end result of that co-operation and will be the means of perpetuating the institute's most important work.

The Bill perpetuates the institute's work by establishing a body corporate to be known as the "Baker Medical Research Institute". The Bill provides for that institute to take over all property, real and personal, currently vested or held by the trustees. It also places the institute in the shoes of the original institute or the trustees thereof in respect of all contracts, agreements and like matters so far as rights, responsibilities, duties or liabilities are concerned.

Arrangements made between the original institute or its trustees and other bodies such as the Alfred Hospital or Monash University are continued in force by the provisions of this Bill which require references to the original institute or its trustees to be construed as references to the new body corporate or, where appropriate, to its board of the president of the new institute.

The new institute is provided by the Bill with a governing body known as the board which shall consist of not more than twelve nor fewer than seven members. The initial board will consist of the original members of the institute who are named in the Bill and are the present trustees and members of the Business and Management Advisory Committee. Both the Alfred Hospital and the Monash University are empowered to nominate a person to be a member of the board.

The Bill makes provision for persons to be members of the institute and sets out its objects as the furthering of

knowledge in the field of medicine, the conduct of research, the teaching and instruction of persons and the dissemination of information connected with the work of the institute.

The powers conferred on the institute are vested in and are to be exercised by the board. The powers are set out in full in the Bill but in short encompass those things necessary to achieve the institute's objects and include the powers to employ, to publish, to sponsor study programmes, to conduct lectures and to do in general all such things as might further the aims of the institute.

The board has the power to appoint committees and to delegate to them such of its powers as it deems appropriate. There is no necessity for committee members to be members of the board. The Bill sets out the board's powers and functions and requires it to keep proper accounts and to report on the work of the institute each year at the annual general meeting of the institute.

This Bill will assist the continuation and development of the work done so ably to date by the original Baker Medical Research Institute. I commend the Bill to the House.

The Hon. W. A. LANDERYOU (Doutta Galla Province)—Members of my party do not oppose the Bill. Indeed, we welcome the opportunity to briefly record our appreciation of the work that is undertaken by the institute. As the Attorney-General said in his second-reading speech to the House, it is an institute with international recognition which manages to do its work in Australia with not only international but also national recognition on almost every spectrum—if I may apply the term to the medical profession—with respect to the medical profession's approach to an assessment of that institute.

I commend the Bill to the House and in my view it should go through the House tonight so that the institute at long last will have achieved the sort of status it wants to achieve as a legal identity.

On the motion of the Hon. W. R. Baxter, for the Hon. B. P. DUNN (North Western Province), the debate was adjourned.

It was ordered that the debate be adjourned until Tuesday, April 22.

SALE OF LAND (DEPOSITS) BILL

The Hon. HADDON STOREY (Attorney-General)—I move:

That this Bill be now read a second time.

In this State it is common practice for a purchaser to pay a deposit upon the purchase of land to an estate agent, often upon signing an unconditional sale note. That agent does not usually hold the deposit as a stakeholder but rather deducts his commission and accounts to the vendor or the vendor's solicitor for the balance. A number of cases have occurred, and have been the subject of much media coverage, where the vendor has been unable to complete the transaction, for example, where the balance of the purchase money is insufficient to discharge the mortgage or mortgages to which the property was subject, and yet the vendor fails to repay the deposit moneys because they have been spent elsewhere. It is true, of course, that the purchaser can sue the vendor in such circumstances for the deposit moneys, but in many instances the vendor has lacked the means to satisfy any judgment, should judgment be obtained against him. Accordingly, the purchaser has missed out on both the land and his deposit.

This problem was referred to the Committee of Inquiry into Conveyancing for its consideration and recommendations. That committee delivered an interim report on 19 October 1979 which dealt amongst other things with the question of the application of deposit moneys pending the completion of a contract for the sale of land.

The committee pointed out that a contract can provide that an agent is to receive the deposit moneys as a stakeholder so that he will be liable to return the moneys to the purchaser if the contract goes off. However, contracts in Victoria rarely contain such

a provision and an agent, as has been said, normally receives the deposit as agent for the vendor.

The committee was of the view that the situation in Victoria required correction by legislation. In the committee's view, the effect of the legislation should be that a deposit is to be held intact until settlement unless all the parties to the transaction otherwise agree, and that, when a deposit is paid to an agent, he should hold it as stakeholder pending the completion and should not be entitled to deduct his commission before settlement.

The committee recommended that the Sale of Land Act 1958 be amended to provide that any deposit paid upon the purchase of land to an estate agent or solicitor acting for the vendor should be held by the agent or solicitor as a stakeholder pending the completion of the transaction or, in the case of a terms contract, upon the purchaser becoming entitled to possession of the land sold or to the receipt of rent and profits.

It will be noted that the committee's recommendations that it be an offence to receive a deposit of more than $500 upon the sale of land where the deposit is paid to some person other than an estate agent or solicitor and that where a deposit in excess of $500 is paid to a person other than an estate agent or solicitor the contract should be voidable by the purchaser before completion and the deposit should be recoverable, have not been picked up in the Bill. It was thought that the implementation of these recommendations would have the effect of preventing persons from acting on their own behalf. The Government is not advocating that people should not retain estate agents or solicitors but does not believe that people who choose not to should be under any special disadvantage as a result of that choice. Hence these recommendations have not been enacted into the Bill.

The committee agreed of course that the vendor should be entitled to the deposit if the purchaser defaults and the contract is rescinded, and that the purchaser should be entitled to the return of the deposit if the vendor defaults and the contract is rescinded.

The committee also recommended that provided there were adequate safeguards, the purchaser should be able to authorize an estate agent or solicitor to release the deposit moneys to the vendor. The committee thought there should be sufficient safeguard if the authorization were required to be in writing and the vendor was required as a condition of the release of the deposit to furnish the purchaser with particulars of all mortgages, charges and encumbrances affecting the land in question and the amount required to discharge any mortgage or charge at or before completion. To ensure strict compliance the committee thought that it should be an offence to supply false particulars, and if false particulars were supplied the purchaser should be entitled to rescind the contract before payment of the balance of the purchase money and recover the deposit.

The committee considered that inconvenience could result from deposit moneys being unavailable for use at a simultaneous settlement of a purchase by the vendor because the moneys were in the agent's hands. It is suggested that this could be overcome by a provision requiring an estate agent to pay the deposit to the vendor's solicitor upon his written request. The estate agent, the committee said, should however be entitled to retain out of the moneys handed over, the amount of his anticipated commission and expenses, which amounts he should continue to hold as stakeholder. The deposit moneys paid to a vendor's solicitor by an estate agent should continue to be held by the vendor's solicitor as a stakeholder with the qualification that it should be available to be applied on behalf of the vendor at any settlement of a purchase by the vendor which is simultaneous with the settlement of the purchase to which the deposit relates.

It will be noted that the Bill does not make provision for the implementation of this recommendation of the committee in the terms in which it is made. It was considered that this

recommendation would be given effect to by permitting deposit moneys to be released to the vendor provided the purchaser was satisfied that it was in his interest to permit this to be done.

The vendor is able to have deposit moneys released to him, where they are received by him personally, simply by making appropriate arrangements with the purchaser to withdraw those moneys from the bank account into which they have been paid pursuant to the provisions of clause 25 of the Bill. Where deposit moneys are being held by a solicitor or estate agent as a stakeholder, the provisions of clause 27 of the Bill permit them to be made available to the vendor provided the purchaser is satisfied that it is not against his interests to do so.

This Bill gives effect to the recommendations made by the Committee of Inquiry into Conveyancing with respect to the application of deposit moneys in relation to the purchase of real property save for the qualifications I have mentioned. The Bill does this by inserting a new Division 3 in the Sale of Land Act 1962.

The new section 23 sets out definitions. The new section 24 provides that a deposit held by a solicitor or estate agent shall be held as a stakeholder. The new section 25 provides that deposit moneys paid to a vendor shall be paid into a special purpose bank account which can be drawn upon only with the signatures of both the vendor and the purchaser.

The new section 26 provides for the desposition of the deposit if the contract is rescinded. The new section 27 sets out the procedure under which the deposit can be made available to the vendor. This covers a case where the vendor needs the deposit to settle another transaction. The new section 28 avoids any attempt to contract out of the provisions of the Act. The new section 29 is a transitional provision.

The provisions of the Bill will ensure that for the future innocent purchasers who have in good faith paid a deposit for the purchase of a home, will not lose that deposit in the event that the sale of the property is not completed through no fault of the purchasers. I commend the Bill to the House.

On the motion of the Hon. R. J. Eddy, for the Hon. C. J. KENNEDY (Waverley Province), the debate was adjourned.

It was ordered that the debate be adjourned until the next day of meeting.

PORT PHILLIP AUTHORITY (AMENDMENT) BILL

The Hon. W. V. HOUGHTON (Minister for Conservation)—I move:

That this Bill be now read a second time.

What we now know as Port Phillip was first entered and explored in 1802 by Lieutenant John Murray, commander of the armed survey vessel, the *Lady Nelson*. Murray named the harbour Port King. He found the surroundings very pleasant and "in some places nothing short, in beauty and appearance, of Greenwich Park". Since its discovery, Port Phillip has been intimately associated with the history and development of this State and, today, is one of Victoria's most important natural assets.

Port Phillip serves many, and sometimes competing, demands from the community. It is particularly important as a recreational outlet for the people of Melbourne and other communities around the bay. It has a shoreline of just over 260 kilometres. We are fortunate that through the foresight of earlier Governments all, or nearly all, of this coastal fringe, in common with the rest of Victoria's coastal strip, remains in public hands. This enables us to avoid the management problem which occurs in some other countries, where long sections of the coastline are in private ownership.

Public land in the Port Phillip area is administered by a variety of bodies ranging from municipal councils, acting as committees of management, to the Melbourne and Metropolitan Board of Works. A number of other agencies, such as the Ports and Harbors Division of the Public Works Department, also have specific responsibilities in the area.

In 1966, legislation was enacted to constitute the Port Phillip Authority as a co-ordinating body. The authority was

given the express function of advising the Minister on methods of co-ordinating development in the Port Phillip area, preventing deterioration of the foreshore and improving facilities to enable the full enjoyment of the area by the people. Honorable members may be aware that in December 1977 a report entitled "The Port Phillip Coastal Study" was published jointly by the Port Phillip Authority, the Environment Protection Authority and the Ministry for Conservation. The report represented the culmination of more than two years' investigations by these organizations and by local consultative groups and involved consideration of more than 200 submissions from interested members of the public. The over-all aim of the study was to develop guidelines for the proper management, protection and improvement of the Port Phillip coast extending from Barwon Heads to Point Nepean.

This Bill follows the work of the study and the subsequent public comment to the Government. Its purpose is two-fold: Firstly to restructure the Port Phillip Authority and, secondly, to make the work of the authority more effective in terms of the management of the land and water in the Port Phillip area.

Before dealing specifically with the provisions of the Bill, it may be of assistance to the House if I outlined the present role of the Port Phillip Authority and the intentions of the proposed legislation.

The authority, as I have already indicated, has the main function of advising the Minister on appropriate methods of controlling uses and demands within the Port Phillip area in ways that will preserve the natural beauty and the beaches in the area. The authority consists of a full-time chairman and four part-time members appointed from the Department of Crown Lands and Survey, the Soil Conservation Authority, the Public Works Department and the Town and Country Planning Board.

Apart from its advisory functions, the consent of the Port Phillip Authority is required before any structure can be erected, works undertaken or vegetation removed from any land in the Port Phillip area. Appeals against decisions of the authority may be made to the Minister. The Port Phillip Authority Act also provides for the appointment of a consultative committee consisting of the authority and representatives of various interests around the bay, which has the function of advising and reporting to the Minister on all matters concerning the Port Phillip area referred to it by the Minister or the authority.

The Port Phillip Authority as reconstituted by the Bill will have five members—a full-time chairman, the Secretary for Lands or his deputy, the Director-General of Public Works or his nominee, and two municipal representatives, one representing the eastern side of the bay and the other the western side. The new authority is to be given more direct powers in the field of planning and the preparation of management plans for segments of the Port Phillip area. In fact, the new provisions will complement sections 26, 27, 28 and 31 of the Crown Land (Reserves) Act 1978 and the Port Phillip Authority will have similar powers in respect of the Port Phillip areas as the coastal management and co-ordination committee has in respect to coastal lands elsewhere in the State.

The provisions in the Port Phillip Act relating to the consultative committee are to be repealed. However, the amended Act is intentionally designed to give members of the public a greater involvement in the work of the authority, both through the planning process and through a revised system of appeals against decisions of the authority. Provision is also made in the Bill for the establishment of a Port Phillip Fund that could be used to assist local management bodies with projects consistent with the purposes of the Act.

The Bill contains eleven clauses and, for the assistance of the House, I now propose to comment on each clause in turn. Clause 1 is the usual citation clause and provides that the Act shall come into operation on a day to be fixed. Clause 2 makes a number of amendments to the interpretation provisions of the principal Act. In essence, these will have the effect of excluding the

ocean coastline between the Barwon River and Cape Schanck from the Port Phillip area and will repeal the definitions of "consultative committee" and "metropolis" as a consequence of subsequent amendments proposed to the Act. Likewise, definitions are being inserted for the terms "committee of management" and "management plan", which appear in these proposed amendments.

Clause 3 reconstitutes the Port Phillip Authority, but still with a membership of five, and fixes a maximum term of appointment of three years. Clause 4 repeals section 5 (3) of the principal Act, which requires the Minister to seek the advice of the consultative committee before acting on any advice or recommendation of the authority on a matter of general and public importance. Clause 5 amends section 6 of the principal Act to also require the consent of the authority to changes in the use of land or waters in the Port Phillip area and the planting of vegetation. The present provision is limited to the erection of structures, the undertaking of works and the removal of vegetation.

The clause goes on to insert a number of new sub-sections enabling the authority to advertise any proposal which it considers may cause substantial detriment to any person or may cause significant change to the amenity of an area and requiring it to notify any public authority or committee of management likely to be affected. The authority is obliged to consider any submissions received and to publish its decisions in at least one newspaper circulating in the vicinity and a daily metropolitan newspaper. The authority is also to be empowered to revoke or vary its decisions in certain circumstances. Where the Minister, after consulting with the authority, is of the opinion that a particular structure or works should be exempted from the provisions of the section, he is to be empowered to do so by order published in the *Government Gazette*.

Clause 6 repeals sections 7 and 8 of the principal Act, which deal with the appointment of the consultative committee and set out its functions. Clause 7 gives effect to a new procedure for appeals against decisions of the authority. At present, appeals are made to the Minister but no time limit for the making of such appeals is fixed by the legislation. As a result, appeals may be made months, and even years, after the authority has made its decision. This amendment to section 9 of the principal Act provides that appeals are to be made to the Town Planning Appeals Tribunal and within one month of the publication of the decision of the authority.

Clause 8 inserts a number of new sections into the principal Act. The new sections, which are based on sections 26, 27 and 28 of the Crown Land (Reserves) Act 1978, will give the authority power to investigate and prepare reports for the protection of the Port Phillip area and its hinterland and to undertake, or assist with, the preparation of management plans for segments of the Port Phillip area. Committees of management will be obliged to manage the areas under their control in accordance with any management plans submitted by the authority and approved by the Minister after consultation with the Minister for Planning.

The clause also establishes offences for carrying out works not consistent with an approved management plan or without the consent of the authority and provides that proceedings shall not be brought without the prior approval of the Minister. A new section 10E is to be inserted into the principal Act for the purpose of establishing a Port Phillip Fund which can be used to assist local management bodies.

Clause 9 amends section 59E of the Town and Country Planning Act to ensure that any planning scheme for an area is in accord with an approved management plan for that area. Clause 10 repeals the reference to the Port Phillip Authority Act in the schedule to the Ministry for Conservation Act. This will enable the Port Phillip Act to be transferred to the administration of the Minister of Lands at an appropriate time. Clause 11 is a "sunset" provision terminating the Port Phillip Authority on the expiration of three years after the

Act comes into operation. This is consistent with Government policy in respect to statutory authorities, whereby they are required to justify their existence. In the event of the authority not being able to do so, alternative arrangements would be necessary to administer the Port Phillip Authority Act. In the situation of justifying reappointment, the term would be three years.

Honorable members will recall that earlier I made the point that Port Phillip bay represents one of this State's most important natural assets. The Port Phillip coastal zone, in fact, comprises a wide variety of land forms, a number of protected habitats for flora and fauna and provides a recreational outlet of enormous variety and enjoyment for the people of Victoria.

Something like 70 per cent of the population of this State lives around the Port Phillip coastal zone. This imposes upon the community a responsibility to ensure that this part of our coastline is wisely used and that damage and disturbance to the environment is minimized. The Bill will help to ensure that this important part of Victoria is managed in the best interests of the over-all community. I commend the Bill to the House.

On the motion of the Hon. E. H. WALKER (Melbourne Province), the debate was adjourned.

It was ordered that the debate be adjourned until Tuesday, April 22.

LOCAL GOVERNMENT (GENERAL AMENDMENT) BILL

The House went into Committee for the further consideration of this Bill.

Clauses 2 and 3 were agreed to.

Clause 4 (Amendment of No. 6299 s. 149)

The Hon. D. G. CROZIER (Minister for Local Government)—Before moving an amendment to clause 4, I shall make one or two general observations about the nature of the Bill. As honorable members realize, this Bill is similar in format to past general amending Bills to the Local Government Act. Also in conformity with past practice, a working party considered the Bill during the Parliamentary recess. I pay tribute to the sterling work of that group, which included representatives from the Institute of Municipal Administration, Mr Ian Smith, the Town Clerk of the City of Ballarat, Mr Les Fell, the City Manager of the City of Kew and the President of the Institute of Municipal Administration, Mr Barry Wallis, the Shire Secretary of the Shire of Pakenham, Mr Ian Pawsey, the Secretary of the Municipal Association of Victoria, Parliamentary Counsel and representatives from the Local Government Department.

The group was responsible for assessing the responses to the amending Bill, refining them and, where it saw fit, introducing further amendments. The process of considering a Bill of this length—53 clauses with 27 further amendments—is fairly tedious, and I should like to be able to refine it, but because of the nature of the Local Government Act, the extent of the amendments—which, of course, reflect the full ambit of the jurisdiction of the Local Government Act—and the nature of the responses, it is necessary for honorable members to once more go through this rather time-consuming process.

Clause 4 of the amending Bill, as it stands, would extend the present exemption from the compulsory voting provisions of section 149 of the principal Act to occupiers, as well as owners, of rateable property. It was considered that this would pose administrative difficulties and it is now proposed to delete the relevant paragraph. I therefore move:

Clause 4, paragraph (*a*), omit this paragraph.

The Hon. W. A. LANDERYOU (Doutta Galla Province)—In his explanatory memorandum the Minister indicated that the time for closing the poll at State elections was recently altered to 6 p.m.

The ACTING CHAIRMAN (the Hon. V. T. Hauser)—Mr Landeryou should be speaking to the amendment at the moment. The clause will be discussed further at a later stage.

The Hon. W. A. LANDERYOU—Am I confined to discussing the amendment?

The ACTING CHAIRMAN—The discussion at the moment is on the amendment.

The Hon. W. A. LANDERYOU—If that is the case, I should perhaps sit down. I do not understand the ruling; I think it is wrong.

The Hon. K. I. WRIGHT (North Western Province)—During the second-reading debate, I indicated that the National Party did not believe it was a satisfactory proposition that the occupier should be exempted from voting when compulsory conditions apply. The National Party commends the amendment.

The amendment was agreed to.

The ACTING CHAIRMAN (the Hon. V. T. Hauser)—Mr Landeryou may now speak on clause 4, as amended.

The Hon. W. A. LANDERYOU (Doutta Galla Province)—Mr Acting Chairman, I think you are wrong in your ruling.

The ACTING CHAIRMAN—I assure Mr Landeryou that the ruling is correct procedure.

The Hon. W. A. LANDERYOU—Mr Acting Chairman, I think you are wrong.

The ACTING CHAIRMAN—I have been advised that it is correct procedure.

The Hon. W. A. LANDERYOU—It is a question of my right to speak in this Chamber that I am raising.

The ACTING CHAIRMAN—Mr Landeryou is now getting the right to speak, but on the clause as amended.

The Hon. W. A. LANDERYOU—Mr Acting Chairman, I do not think you are in a position to qualify when I am entitled to speak.

The ACTING CHAIRMAN—I happen to occupy the chair at the moment. I have received advice that the Committee should first discuss the amendment. The Committee has discussed the amendment, which has been agreed to, so that the debate is now on clause 4, as amended.

The Hon. W. A. LANDERYOU—Thank you, Mr Acting Chairman. Are you sure that your ruling is right? What I want to put to the Committee is a clear position about the Government's confused policy. Mr Acting Chairman, you are a supporter of that Government.

The ACTING CHAIRMAN—Order! I inform Mr Landeryou that I happen to be occupying an independent position as Acting Chairman.

The Hon. W. A. LANDERYOU—I have not noticed that yet.

The ACTING CHAIRMAN—I point out to Mr Landeryou that I happen to be occupying the position as Acting Chairman of this Committee and I will not tolerate any criticism of my position in the chair.

The Hon. W. A. LANDERYOU—Please yourself.

The ACTING CHAIRMAN—I ask Mr Landeryou to apologize to the Chair.

The Hon. W. A. LANDERYOU—I am not apologizing for anything. So far as I am concerned, Mr Acting Chairman, I have a point of view to put forward and I will put it. If that happens to be against your particular point of view, that is your problem and not mine.

The ACTING CHAIRMAN—The Committee is considering clause 4, as amended. The Committee is not discussing the amendment.

The Hon. W. A. LANDERYOU—Mr Acting Chairman, you have not heard me yet, but when you do, you can have an attitude.

The ACTING CHAIRMAN—I ask Mr Landeryou not to argue with the Chair but to submit a point of view on the clause, as amended.

The Hon. W. A. LANDERYOU—When I have been given the opportunity, I will do that.

The ACTING CHAIRMAN—So long as Mr Landeryou gives proper respect to the Chair, it is all right.

The Hon. W. A. LANDERYOU—I will do that when the Chair deserves it.

The ACTING CHAIRMAN—I ask Mr Landeryou not to argue with the Chair.

The Hon. W. A. LANDERYOU—I do not argue with the Chair; I put a point of view.

The ACTING CHAIRMAN—Mr Landeryou is arguing. He should put a point of view on the clause, as amended, and not on the rulings of the Chair.

The Hon. W. A. LANDERYOU—I am putting a point of view with respect to the clause, in conformity with the Standing Orders. If honorable members listen, they will understand my point. The Government, by way of a legislative change, has imposed 6 o'clock closing for Legislative Council and Legislative Assembly elections. I ask the Minister to express a view, one way or the other, about the need to hold municipal elections on Saturdays. There has been considerable discussion in local government about a suitable day for an election. There is no provision, as yet, in the annual election considerations of councils for the day on which elections will be held.

On a previous occasion, I invited the Minister to respond to the question of whether he had considered giving local government the authority to act in the areas in which it felt it ought to act, other than areas where Parliament prohibits it from so doing. The Minister chose not to respond. As the Minister has not commented on the proposition which I put to him a fortnight ago, I ask him, at some stage, if an opportunity presents itself with our current Acting Chairman, to express a point of view.

The Hon. D. G. CROZIER (Minister for Local Government)—I shall respond to the invitation of the Leader of the Opposition, although it has little to do with the clause under discussion. Mr Landeryou is presumably talking about the option of giving municipalities a general competence power. I will express a personal view on this matter because, as Mr Landeryou knows, this is one of the recommendations of the Board of Review of the Role, Structure and Administration of Local Government which is yet to be considered fully by the Government after studying the responses from municipalities and other interested parties. I am prepared to express a personal view. I find that option philosophically attractive. Mr Landeryou and I may have a measure of agreement on this matter, although we may not totally agree.

It is perhaps of some relevance to point out to the Committee that such a power exists in Queensland. I have told honorable members that I do not regard the present Local Government Act as satisfactory. I am sure that viewpoint is echoed by all honorable members. This Act is certainly overdue for review.

The principal difference between the Victorian and Queensland Acts is that the Victorian legislation is basically prescription legislation. The Queensland Act is based on a general competence power which delineates prohibitions and, in the interests of simplicity, many people find this an attractive alternative. I have expressed the view that I am impressed with this proposal and look forward to further examination of it. All interested parties are currently examining the recommendations of the board of review. I stress that the opinion I have expressed is a personal one and it would of course be premature for me to infer that it is the Government's view.

The Hon. W. A. LANDERYOU (Doutta Galla Province)—I was putting to the Minister, within the confines of the interpretation of the Standing Orders, apart from 6 o'clock closing, the question of the day of the week on which elections should be held. Under the Act at the moment, some councils can hold elections on Thursdays. I was advocating and asking for an opinion with respect to Saturday elections, in the belief that elections should be held on that day when the vast majority of people would not be at work and would have the same opportunity of participating in a ballot. I was seeking the Minister's opinion on that matter.

The Hon. D. G. CROZIER (Minister for Local Government)—My view, again in broad terms, is that it seems reasonable to give councils the widest possible discretionary powers. At present, they have such discretionary power within certain parameters. I do not share Mr Landeryou's enthusiasm for confining the holding of an election to a

Saturday. There is nothing to prevent councils from determining that Saturday should be the day. It is a matter for the local authority to decide.

The Hon. N. F. STACEY (Chelsea Province)—I found the philosophical discussions and comments of the Minister interesting. However, I note that the amendment to clause 4 suggests that paragraph (*a*) be omitted. I am wondering whether the Committee will come to deal with the rest of the clause.

The clause, as amended, was adopted.

The ACTING CHAIRMAN (the Hon. V. T. Hauser)—On the question of Mr Landeryou's suggestion that a wrong ruling was given in regard to discussion on clause 4 as amended, I merely point out that, according to established practice, Mr Landeryou had full rights to speak on clause 4 if he wished to support or oppose it. However, during the discussion Mr Landeryou was not discussing clause 4 and did not oppose it. I, therefore, according to established practice, put the question that the amendment be agreed to. The amendment was agreed to and Mr Landeryou then had full opportunity of discussing the clause.

The Hon. E. H. WALKER (Melbourne Province)—I wish to make a response to your ruling, Mr Acting Chairman. Standing Order No. 276 states:

> When the Chairman has called out the number of a clause, and the marginal note or the clause has been read, such clause shall be open for discussion and amendment, and when the debate has terminated the Chairman shall put the question "That the clause [or the clause as amended] stand part of the Bill".

I submit that the Standing Order suggests that the whole clause is under consideration and not any one part of it. When clause 4 was called on, Mr Landeryou was within his rights to raise any matter within the ambit of the clause. Standing Order No. 276 can only be read in that fashion.

The ACTING CHAIRMAN (the Hon. V. T. Hauser)—When an amendment is moved, the amendment must be discussed and disposed of first. I do not believe anyone in this Chamber thinks Mr Landeryou was unfairly dealt with by the amendment being carried first and him then having full rights to discuss the clause, as amended. I do not think Mr Landeryou thinks he was unfairly dealt with in that context. He had full rights to speak and discuss the clause, as amended, if he wished to do so.

The Hon. E. H. WALKER—I was not suggesting that Mr Landeryou had been unfairly dealt with but simply that if one reads Standing Order No. 276 one cannot interpret it in any fashion other than that when a clause is called on by the Clerk matters relating to that clause may be dealt with at that time. I believe the amendment is part of that, but I do not believe one must restrict oneself to a part of the clause. It is common that there are many related points within a clause. The Standing Order is sensible in allowing for related debate and, at the end of the debate, the clause, or the clause as amended, is put. Mr Acting Chairman, I disagree with your previous comment.

The ACTING CHAIRMAN—I have made the point that I think I have carried out the Standing Orders in accordance with the established practice in this Committee. I believe this practice has been carried out, as far as precedent is concerned, on prior occasions.

Clause 5 (Amendment of No. 6299 s. 151)

The Hon. W. A. LANDERYOU (Doutta Galla Province)—I have some doubts concerning clause 5. The principal change proposed by the clause—advice from the Crown Solicitor on the holding of boards of inquiry into the conduct, character or ability of certificate holders—has been incorporated. I would like to hear from the Minister before making further comments on what he believes is being sought in that provision.

The Hon. D. G. CROZIER (Minister for Local Government)—I am somewhat at a loss to comprehend Mr Landeryou's question. Clause 5 repeals section 151 (1) of the principal Act and particularly the expression "with or without hard labour". I do not know whether, in his enthusiasm for a somewhat archaic term of punishment, that term is attractive to Mr Landeryou and I would be interested in hearing from

him if it is. The clause is simple and unless Mr Landeryou wishes to discuss section 151 (1) of the principal Act, his remarks are not relevant.

The ACTING CHAIRMAN (the Hon. V. T. Hauser)—Order! The remark which Mr Landeryou made while the Minister was speaking was audible to the Chair and I ask the honorable member to apologize.

The Hon. W. A. LANDERYOU (Doutta Galla Province)—The remark was made in private conversation but, as it was audible, I withdraw it.

The clause was agreed to.

Clause 6 (Amendment of No. 6299 s. 161)

The Hon. D. G. CROZIER (Minister for Local Government)—I move:

Clause 6, paragraph (*a*), omit this paragraph and insert the following paragraphs:

"(*a*) In sub-section (1) for the words 'in this Act' there shall be substituted the words 'in this or any other Act';

(*b*) In sub-section (1) after the word 'clerk' (where third appearing) there shall be inserted the words 'under this or any other Act';

(*c*) After sub-section (2) there shall be inserted the following sub-section:

'(2A) The council may at any time authorize a person who is the holder of a certificate of competency or certificate of qualifcation issued by the Municipal Clerks Board to do and have all acts and things which may or are required to be done or had by or with regard to the clerk of the municipality during such times as there is no clerk of the municipality or the clerk is absent, incapable of acting or refuses to act as in this or any other Act provided.';

(*d*) In sub-section (3) after word 'competency' there shall be inserted the words 'or certificate of qualification'."

The main intent of the amendment is to change the purport of the Bill which empowers the chairman or any two councillors in the municipality, in the absence of the chairman, to appoint a person to act as the municipal clerk. It was considered neater and tidier to authorize a person who is a holder of a certificate of competency or certificate of qualification issued by the Municipal Clerks Board to be appointed by the council in advance of any such eventuality so that should the contingency arise the appointment would have already been made not by the chairman, or, in his adsence, any two councillors, but by the municipality in the normal way. This clause deserves support. It is in my view an acceptable provision for this eventuality and should be accepted by the Committee without much discussion.

The amendment was agreed to, and the clause, as amended, was adopted.

Clause 7 was verbally amended, and as amended, was adopted.

Clause 8 (Amendment of No. 6299 s. 167A)

The Hon. K. I. WRIGHT (North Western Province)—I previously expressed the view that the National Party would oppose the change in portability of long service leave to which municipal employees are entitled. At present, if municipal employees have served with more than one council, the service with a council is considered when they move provided they have served three years with that council.

The clause deletes the three-year period of service. Many municipalities, including the Kara Kara and Kerang shires, have expressed the belief that long service leave is a reward for long service and it is an incentive for an officer to stay with the council for a reasonably long time. There have been instances of frequent changes of council employees. This is in line with National Party thinking. For that reason, the National Party will oppose clauses 8 and 9.

The Hon. N. F. STACEY (Chelsea Province)—I accept Mr Wright's statement but he is looking down one barrel, and not two. He stated that the intent of long service leave is to encourage people to serve for a longer time with a council. Mr Wright is entitled to that view but I submit equally that the importance of long service leave in the profession is also to encourage people to stay within the profession of local government and that is just as valid as Mr Wright's objection. I understand the concern of small municipalities about continual and rapid turnover of senior staff. Those members of staff who are appointed and swiftly move on may inconvenience the municipality

concerned but in the career structure of the whole profession they will be filling more senior positions as they advance.

Mr Wright wishes to resolve whether the employees of a council are employees of that council *per se* or of local government *in toto*. I am in favour of any profession which seeks to establish the professional officers of local government as part of an existing local government department or profession. I disagree with Mr Wright. I understand his view, but there is another side to it.

The Hon. K. I. WRIGHT (North Western Province)—Mr Stacey has advanced an attractive argument but nevertheless he has failed to convince members of the National Party. We believe in loyalty of service. Surely, three years' service with one municipality is not too much to ask.

The Hon. W. A. LANDERYOU (Doutta Galla Province)—The reality of the clause is that the Minister has taken the step of recognizing the industry as an industry.

The Hon. D. G. Crozier—I would call it a profession.

The Hon. W. A. LANDERYOU—Obviously, with the exception of one or two notable profesions, there are industrial matters to be considered and it appears that if the Minister is serious about a realistic appraisal of the 211 municipalities in Victoria, then one has to ensure that in local government, particularly in the areas to which Mr Wright is applying his mind, there is adequate compensation and reward to those employees in an industry in which they are being encouraged to continue to use the expertise gained.

The clause and the explanatory note, with other information made available by the Minister, make it clear that, as Mr Stacey suggested, it is a progressive step forward, not a gigantic one, and it will give additional encouragement to people having the expertise to stay within the industry.

The Hon. W. R. BAXTER (North Eastern Province)—Unlike my colleague, Mr Wright, I regard Mr Stacey's argument as fanciful. A municipal employee is not an employee of local government in general; he is an employee of the ratepayers who are paying his salary at an individual council with which he is employed at a particular time. The amendment does nothing but further destroy the concept of long service leave. It destroys its basis. There is no incentive for any employee to remain with one employer. It is a further perk, the burden of which is placed on ratepayers of municipalities. It will have a detrimental effect upon smaller municipalities.

I do not deny the right of any municipal clerk or engineer to use small municipalities as a stepping stone to greater accomplishments within local government, but such a move should not be facilitated by making long service leave provisions non-existent, and that is precisely what the amendment does. Rapid turnover of senior executives in small municipalities causes disruption. There is a lack of continuity. Three years of a working life is a minimal time to spend in any one location to preserve one's rights to long service leave. If one is not prepared to give three years' service, long service leave should not be an issue. I support Mr Wright in opposing the clause.

The Hon. D. G. CROZIER (Minister for Local Government)—I appreciate the point of view expressed by Mr Wright and Mr Baxter. After all, it is a fact that in private industry there is usually a qualifying period before these provisions are available in superannuation, but not long service leave. The points of view expressed by Mr Stacey and Mr Landeryou ought to be the important points.

Although this provision may well seem to be disadvantaging certain municipalities by assisting and even encouraging greater mobility of staff, I do not really believe the stability factor is going to be detrimentally or materially affected because other factors will be of more significance. The intention is to give further recognition to municipal service as a profession, and there are advantages, even for the small municipalities, in providing

this greater flexibility in professional career opportunities to make the profession generally more attractive.

The Committee divided on the clause (the Hon. V. T. Hauser in the chair).

Ayes	34
Noes	4
Majority for the clause ..	30

AYES

Mr Block	Mr Long
Mr Bubb	Mr Mackenzie
Mr Chamberlain	Mr Radford
Mr Crozier	Mr Reid
Mr Eddy	Mr Saltmarsh
Mr Granter	Mr Sgro
Mr Guest	Mr Stacey
Mr Hamilton	Mr Storey
Mr Hayward	Mr Taylor
Mr Houghton	Mr Thomas
Dr Howard	Mr Trayling
Mr Hunt	Mr Walker
Mr Jenkins	Mr Walton
Mr Kennedy	Mr White
Mr Kent	
Mr Knowles	*Tellers*:
Mr Landeryou	Mrs Baylor
Mr Lawson	Mrs Coxsedge

NOES

Mr Baxter	*Tellers*:
Mr Dunn	Mr Evans
	Mr Wright

Clause 9 (Amendment of No. 6299 s. 167c)

The Hon. K. I. WRIGHT (North Western Province)—The same principle applies to clause 9, and the National Party opposes it.

The clause was agreed to, as were clauses 10 and 11.

Clause 12 (Increased penalty to enforce by-laws)

The Hon. D. G. CROZIER (Minister for Local Government)—I move:

Clause 12, line 32, omit "$200" and insert "$400".

The proposed amendment is self-explanatory.

The Hon. K. I. WRIGHT (North Western Province)—I believe the proposed amendment moved by the Minister will be ineffective, because $400 is less, in most instances, than one person's rates. The amount ought to be in the vicinity of $10 000, and $400 in cash. Would the Minister be prepared to comment on the concept that $400 is merely one person's rates? Would it not be more effective to insert a higher amount which is more in keeping with today's values?

The Hon. D. G. CROZIER (Minister for Local Government)—I am prepared to make a brief explanation, and if I read out the wording of the Act as it will now appear, it may assist Mr Wright. The Bill proposes to amend section 222 of the principal Act by substituting for the expression "$100", where twice occurring, the expression "$200", and the further amendment will increase the amount from $200 to $400. Section 222 of the principal Act will now read:

Any by-law made under this Act may for wilful act or default contrary thereto impose a penalty or maximum and minimum penalties, and may also impose different penalties in case of successive convictions in respect of successive similar offences under such by-laws. Except as is otherwise expressly provided no such penalty shall exceed $400.

Sub-section (2) will be similarly amended. The amount relates to the penalties under the by-law making power of the Act.

The Hon. K. I. Wright—Exactly; I was on the wrong clause.

The amendment was agreed to, and the clause, as amended, was adopted.

Clause 13 (Amendment of No. 6299 s. 236)

The Hon. K. I. WRIGHT (North Western Province)—I commend the Minister for introducing this clause, because it arose from a situation in Mildura where the Honorable Arthur Mansell, a former member of this House, donated some land to the Old Mildura Homestead Committee. To sell that land at the best price it was necessary for the council to subdivide it and provide facilities for it. However, at present councils may carry out such work and make such sales only for the purpose of attracting or assisting decentralized industries, and accordingly the National Party commends the Minister for agreeing to make the amendment, which will help the Old Mildura Homestead Committee and municipalities throughout the State.

The clause was agreed to.

Clause 14 (Amendment of No. 6299 s. 241)

The Hon. D. G. CROZIER (Minister for Local Government)—I move:

Clause 14, line 8, omit "Council of the municipality" and insert "council".

The proposed amendment is editorial.

The amendment was agreed to, and the clause, as amended, was adopted.

Clause 15 (Amendment of No. 6299 s. 242)

The Hon. D. G. CROZIER (Minister for Local Government)—The Municipal Association of Victoria has requested that the clause be omitted, and I have agreed to the proposal. Accordingly, I invite the Committee to vote against the clause.

The clause was negatived.

Clause 16 (Amendment of No. 6299 s. 246)

The Hon. D. G. CROZIER (Minister for Local Government)—I move:

Clause 16, lines 29 and 30, omit "a statement of the nature and extent of the application" and insert "information as to the total amount applied and the purposes for which it was applied each year".

As honorable members can see, this is simply a re-wording of paragraph (*b*). It does not alter the intention; it simply makes the purpose of the amendment more precise.

The amendment was agreed to, and the clause, as amended, was adopted.

Clause 17 (Amendment of No. 6299 s. 247)

The Hon. K. I. WRIGHT (North Western Province)—The comments I erroneously made under clause 12 apply to this clause. The National Party considers the proposal to be an insufficient increase in amounts that a council can retain for a certain time without being banked. The figure of $200 is mentioned but that could well be further increased to $400 in cash and $10 000 in cheques. This is what I was inviting the Minister for Local Government to comment upon.

The Hon. D. G. CROZIER (Minister for Local Government)—Clause 17 amends section 247(1) of the principal Act. The proposal is that the $40 limit shall be increased to $200. That relates to moneys which a council can retain for a period of 72 hours without being banked.

The point of view expressed by Mr Wright is perfectly reasonable. The $40 limit was an arbitrary limit; the $200 limit is likewise and, if that were increased to $1000, it would obviously also be an arbitrary limit. I have no particularly strong views on the matter, but I suggest to Mr Wright that the Bill proposes a five-fold increase which was probably long overdue. I do not take quite the view that he does in terms of possible disadvantage to some municipalities being prohibited by this section of the Act from retaining more cash or more money as cash in hand without it being banked.

I suggest that the Committee agree to the clause as amended but with the proviso that, in the light of further experience, if it is considered that the $200 limit is in any way restrictive, the Government would be amenable to increasing it to $400, $500 or even $1000. Most honorable members will agree that there is a need for some ceiling and it is a question of reasoned judgment as to what that ceiling should be.

Hence, I take Mr Wright's point but I do not believe the Committee ought to alter that figure in the light of discussions that have been held and the responses which have been considered by the working party.

The clause was agreed to.

Clause 18 (Amendment of No. 6299 s. 248)

The Hon. D. G. CROZIER (Minister for Local Government)—I move:

Clause 18, page 4, lines 38 and 39, omit "(including the city of Melbourne and the city of Geelong)".

The words proposed to be omitted simply added further meaning to the Bill. They are of no great significance but were simply an amplification.

The amendment was agreed to.

The Hon. D. G. CROZIER (Minister for Local Government)—I move:

Clause 18, page 5, line 1, after "immediately" insert "required for the purposes of this Act to any Sewerage Authority."

Again, the words proposed to be inserted simply amplify the purpose of the section, so that section 248(1A) of the principal Act will now read:

"(1A) Notwithstanding anything in any Act it shall be lawful for any municipality to advance for a period not exceeding twelve months in any instance any part of its municipal fund not immediately required for the purpose of this Act to any sewerage authority under the Sewerage Districts Act 1958 or to any authority to which the provisions of Division 2 of Part VII. of the Water Act 1958 extend and apply in whole or in part.

The amendment was agreed to, and the clause, as amended, was adopted, as were clauses 19 and 20.

Clause 21 (Amendment of No. 6299 No. 255(6))

The Hon. D. G. CROZIER (Minister for Local Government)—I move:

Clause 21, line 12, omit "words" and insert "expression".

The amendment is simply another editorial amendment. It relates to amendments proposed to section 255(6) of the principal Act and all it does is tidy up the proposed amendments so that the word "words" where second occurring shall be deleted and the word "expression" substituted. It makes for better English.

The amendment was agreed to, and the clause, as amended, was adopted, as was clause 22.

Clause 23 (Amendment of No. 6299 s. 266)

The Hon. D. G. CROZIER (Minister for Local Government)—I move:

Clause 23, lines 23 and 24, omit "of the general rate for each month or part of a month" and insert "payable under the general rate for each month or part of a month for which".

Once again, this is an editorial improvement. It relates to section 266(3) of the principal Act. With the further amendments proposed, the section will now read:

Where a property is rateable at the minimum amount payable referred to in paragraph (*a*) of sub-section (3) and is rateable for a lesser period than twelve months, the rate to be paid shall be one-twelfth of the minimum amount payable under the general rate for each month or part of a month for which the property is rateable.

The Hon. K. I. WRIGHT (North Western Province)—With regard to clause 23, under section 266 of the principal Act a council can fix the minimum amount in respect of every rateable property in that year. When a property first becomes rateable, the council can charge the minimum rate for that property whether it be for two weeks, a month or two months and it can charge the full amount. The amendment calls upon the councils to calculate the rates *pro rata*. I have had a contrary point of view expressed by the Shire of Kara Kara and that view is fair comment because it too is a smaller municipality. The view expressed is that in the smaller municipalities that do not employ the range of staff, as do the larger ones, the amount of labour involved in making these calculations is excessive and it has been suggested—and I support the suggestion—that perhaps this particular clause could be re-worded so that the councils have a choice either to carry out the exercise in the way the principal Act has been amended or the smaller municipalities can extract the minimum rate.

The Hon. D. G. CROZIER (Minister for Local Government)—That is a reasonable point of view. On the other hand, as Mr Wright has pointed out, the intention of the amendment is to relieve what is sometimes considered to be an unduly harsh burden upon purchasers of property in the latter part of a rateable year. I do not consider that the administrative burden of the calculations would be very excessive, although I do not under-rate the fact.

The Hon. K. I. Wright—Say a minimum rate of $40.

The Hon. D. G. CROZIER—I agree. The savings to the ratepayer in those circumstances are more theoretical than real, but in other circumstances those savings could amount to something of real substance. I do not believe the administrative burden, whilst it certainly will increase the administrative requirement of any municipality, in itself would really be excessive because the calculation is a fairly basic one.

The amendment was agreed to, and the clause, as amended, was adopted.

Clause 24 (Amendment of No. 6299 s. 266)

The Hon. D. G. CROZIER (Minister for Local Government)—I move:

Clause 24, page 6, lines 4 and 5, omit "as though it were an appeal against the valuation of land" and insert "against the decision of the valuer".

This is another editorial amendment. It is simply inserted to provide added meaning for that part of the section. Section 266(6) will now read:

(6) Where the owner or occupier of a property is aggrieved by the inclusion or exclusion of that property in or from the list of properties declared by the valuer to be urban farm land or residential use land he may lodge an appeal against the decision of the valuer and the provisions of the Valuation of Land Act 1960 and the rules thereunder shall with such adaptations as are necessary extend and apply to the determination of the appeal which shall be heard and determined by a Land Valuation Board of Review constituted by a chairman sitting alone.

It adds nothing of any consequence but it assists in an interpretation of the section.

The amendment was agreed to, and the clause, as amended, was adopted, as were clauses 25 and 26.

Clause 27 (Amendment of No. 6299 s. 372(2))

The Hon. K. I. WRIGHT (North Western Province)—It has been put to me that clause 27, which amends section 372(2) of the principal Act, refers to rate recovery sales and provides that any person who tenders the amount owing in rates must also pay any expenses incurred by the council. The Municipal Association of Victoria contends that only the registered proprietor or the owner should be able to tender the amount owing. However, the Institution of Engineers, Australia believes the word "occupier" should be added to cover the person in possession. I corresponded with the Minister for Local Government on behalf of the Institution of Engineers, Australia and in his reply the Minister indicated that the Municipal Association of Victoria had mentioned that withdrawal of land from sale for rate recovery gave rise to suggestions of impropriety. The Minister further intimated that the person actually in occupation would be liable for rates and therefore a sale for recovery of rates would be most unlikely.

Notwithstanding that, on balance the addition of the word "occupier" seems reasonable and the example of one council withdrawing land from auction seems hardly sufficient to provide for the omission of the word but that was the reason given to me by the Minister who quoted that one incident which the Municipal Association had brought up. The motive of one person who had apparently done the wrong thing was also mentioned but that is a flimsy basis for excluding the word "occupier" from the section.

The Hon. D. G. CROZIER (Minister for Local Government)—As Mr Wright correctly states, this small amendment has been proposed by the Municipal Association of Victoria. I have no particular aversion to including the word "occupier" and I will be prepared to further discuss it with the association. In view of the consideration that has been given by the working party to the section, I do not believe the word ought to be admissible at this stage.

The clause was agreed to, as were clauses 28 to 31.

Clause 32 (Amendment of No. 6299 s. 505(2A))

The Hon. D. G. CROZIER (Minister for Local Government)—I move:

Clause 32, line 35, omit "of any municipality".

The amendment proposes the deletion of the words "of any municipality" so that clause 32 which amends section 505 (2A) of the principal Act will now read:

After the words "The council of any municipality" there shall be inserted the words "or an officer authorized for that purpose by the council";

This will mean that the new section 505(A) will read:

The council of any municipality or an officer authorized for that purpose by the council may in the name and on behalf of the shire contract with the owner or occupier of any land within the municipal district for the use of council plant and equipment where in the opinion of the council it would be uneconomic or impracticable for such owner or occupier to employ a private contractor.

The amendment was agreed to, and the clause, as amended, was adopted.

Clause 33 was verbally amended, and, as amended, was adopted, as was clause 34.

Clause 35 (Amendment of No. 6299 s. 546(2B))

The Hon. K. I. WRIGHT (North Western Province)—On behalf of the National Party, I indicate that it is opposed to clause 35. This is the clause which adds certain words to section 546(2B). The section deals with State highways and with permission being required from the Country Roads Board for the grazing of cattle. Under clause 35 it is proposed to add the words "or main road". Honorable members have been informed in the notes of the Minister that this is being done to conform with the Country Roads Act.

However, a number of councils, including once again the Shire of Kara Kara and the Shire of Dunmunkle, have expressed their opposition to the clause. I understand that honorable members who represent country municipalities have also received a number of expressions of opposition to the clause. The position is that in the past councils have decided the question of whether or not permission should be given for the grazing of cattle on main roads. The local councils are on the spot but the headquarters of the Country Roads Board could be 100 kilometres away. The National Party considers that it is totally unnecessary for the Government to provide that councils should consult the Country Roads Board on these matters.

The Shire of Kara Kara has pointed out that it has six roads which are classified as main roads. Those roads are vital to providing access throughout the municipality. I point out to the Committee that fuel costs are increasing all the time and this means there will be more and more droving of cattle along our various roads, main roads or otherwise.

The Minister has shown himself receptive to reasoned argument and I urge the Minister to consider abandoning the amendment and if he agrees, the Country Roads Act could be suitably amended so that the present position in the Local Government Act would apply rather than the procedure proposed in the clause.

The Hon. N. F. STACEY (Chelsea Province)—Mr Wright makes the suggestion that because of the increase in fuel prices there will be more droving of cattle along main roads.

The Hon. K. I. Wright—That is only ancillary to my argument.

The Hon. N. F. STACEY—Yes, but I question whether that is so, but as Mr Wright says, that is ancillary to the fact. The fact is that there are only a specified number of State highways. They are limited and in practical terms of traffic density there is not much difference between main roads and State highways. We have to think not only of drovers and the cattle or stock that they are droving along the road but also of the road users who are usually people who have got out of the habit of expecting to see a drover on a road. The Government prohibits stock of any kind on a freeway. People have been educated to believe that a State highway is an extension of a freeway, so city drivers at least—who are entitled to use country roads—are not accustomed to seeing cattle being driven along the road. There would be some main roads which the Country Roads Board believes should be able to be used by drovers, as are State highways.

The real nub of the problem put by Mr Wright is that there are some councils which do not desire to seek permission from the Country Roads Board. In fact, the administration of the Country Roads Board is carried out through regional officers who have had authority delegated to them from the central office. It would be only a short time before local councils knew the position of the Country Roads Board on every one of the roads about which Mr Wright is concerned.

Initially Mr Wright may have some problems, or councils in the province he represents may have some problems,

but it would be only a matter of weeks before it was clarified by the regional engineers who have and exercise the authority delegated to them by the Country Roads Board headquarters.

The Hon. K. I. WRIGHT (North Western Province)—I find Mr Stacey's remarks most offensive to municipal councils in country areas because those councillors are the best people to make a decision as they have been elected to represent the people of their area, not only the owners of the cattle but also the other people living in the area. Surely those people who have been elected to that position are the ones who can best decide whether permission should or should not be given to allow wandering cattle on main roads, and not somebody sitting in an office 100 kilometres away. The decision concerning main roads should rest with the local council.

The Hon. D. G. CROZIER (Minister for Local Government)—Unlike Mr Wright I did not find Mr Stacey's remarks offensive to local government. I am sure the Country Roads Board would have agreed with every word he uttered. However, being a country man myself and one who, from time to time, has enjoyed the advantages of the long paddock, I must admit to some sympathy for Mr Wright's arguments.

The reason for the small amendment, as explained in the explanatory notes, is to bring the section into line with the recent amendment to the Country Roads Act. I take Mr Wright's point that it would be more logical, in terms of a possible erosion of the power of country municipalities, to consider amending the Country Roads Act and not have the provision in the Local Government Act brought into line with the Country Roads Act. Therefore, I am prepared to abandon this clause and I invite the Committee to vote against clause 35.

The clause was negatived.

Clause 36 (Amendment of No. 6299 s. 555 (1))

The Hon. D. G. CROZIER (Minister for Local Government)—I move:

Clause 36, paragraph (*a*), omit this paragraph and insert:

"(*a*) plant trees, shrubs or flowers or provide trees, shrubs or flowers in containers and erect guards to protect the trees, shrubs or flowers;".

Clause 36, line 34, omit "and flower beds" and insert "or flowers".

Clause 36, line 36, omit "and shrubs" and insert "shrubs or flowers".

The Committee has now arrived at the horticultural section and as the amendments suggest, it is proposed to omit the words "and flower beds" and insert "or flowers". The clause amends section 555(1) of the principal Act.

The amendments were agreed to, and the clause, as amended, was adopted, as was clause 37.

Clause 38 was verbally amended, and, as amended, was adopted, as were clauses 29 to 40.

Clause 41 (Amendment of No. 6299 s. 605A)

The Hon. D. G. CROZIER (Minister for Local Government)—I move:

Clause 41, lines 9-11, omit "after considering a report from the Town and Country Planning Board, the Minister for Planning" and insert "the Minister administering the Town and Country Planning Act 1961".

The clause amends section 605A of the principal Act which relates to the powers of councils on certain planning matters. I do not know whether it is necessary for me to explain further to the Committee the amended clause, but I am prepared to do this if there is a demand for such an explanation.

The amendment was agreed to, as was a verbal amendment, and the clause, as amended, was adopted.

Clause 42 (Amendment of No. 6299 s. 651)

The Hon. D. G. CROZIER (Minister for Local Government)—I move:

Clause 42, lines 42 and 43, omit "there is an easement or reserve as specified in sub-section (1) over or of" and insert "or not there is an easement or reserve as specified in sub-section (1) over or on".

The amendment was agreed to.

The Hon. D. G. CROZIER (Minister for Local Government)—I move:

Clause 42, page 10, after paragraph (*f*) insert:

'(*g*) In sub-sections (3), (4) and (5) for the words "or channel" (wherever occurring)

there shall be substituted the words "channel, pumping station, drainage retarding basin or other related works".'

The amendment simply clarifies the clause. It is self-explanatory.

The amendment was agreed to, and the clause, as amended, was adopted, as were clauses 43 to 48.

Clause 49 was verbally amended, and, as amended, was adopted, as were clauses 50 to 52.

Clause 53 was verbally amended, and, as amended, was adopted.

New clause

The Hon. D. G. CROZIER (Minister for Local Government)—I move:

Insert the following new clause to follow clause 6:

"AA. In section 162(1) of the Principal Act after the expression '"certificate of competency"' there shall be inserted the expression 'or a "certificate of qualification"'."

This simply rectifies an omission.

The new clause was agreed to.

The Bill was reported to the House with amendments, and passed through its remaining stages.

NAVIGABLE WATERS (OIL POLLUTION) BILL

This Bill was received from the Assembly and, on the motion of the Hon. D. G. CROZIER (Minister for Local Government), was read a first time.

ADJOURNMENT

Williams and Co. Pty Ltd—Review of school charges and fees—Relocatable home at Marnoo—Payment of emergency teachers — Conveyance allowance to Lara school children—One-man police stations—Application for employment in Government service

The Hon. HADDON STOREY (Attorney-General)—By leave, I move:

That the Council, at its rising, adjourn until tomorrow, at a quarter to two o'clock.

The motion was agreed to.

The Hon. HADDON STOREY (Attorney-General)—I move:

That the House do now adjourn.

The Hon. W. A. LANDERYOU (Doutta Galla Province)—I refer the Attorney-General to the matter of the real estate firm, Williams and Co. Pty Ltd. It is approximately fourteen days since I last raised the matter with the Attorney-General following allegations made in another place, which no doubt the honorable gentleman recalls. He indicated that he had received what he described as a preliminary report but that, as it did not cover the matters raised in the other place by the honorable member for Carrum, he had sought further information and an additional report. I ask whether the Attorney-General is now able to advise the House whether he has received that report and, if not, the steps he has taken to obtain the information.

The Hon. C. J. KENNEDY (Waverley Province)—On 25 March 1980, during debate on the funding of school councils, the Minister of Education promised that he would review school charges and fees. The Minister is reported at page 7319 of *Hansard* as stating:

As a result of the debate tonight, I propose to have a memorandum prepared and inserted in the *Education Gazette*, setting out guidelines of that sort. These have, in the main, already appeared in answers to questions and in earlier issues of the *Education Gazette*, but a restatement of the rules and limits is, I think, now desirable, and I will certainly arrange for that course to be taken.

I have a copy of the *Education Gazette* of 9 April 1980, and the guidelines are not contained in it. I have received several telephone calls from parents wanting to know when the reviews will be published.

The Hon. K. I. WRIGHT (North Western Province)—I direct a matter to the attention of the Minister for Local Government concerning the sale of a relocatable home by Yarrawonga Homes to the Teacher Housing Authority of Victoria to replace a 93-year-old residence in the town of Marnoo, which is in the province represented by Mr Dunn and myself. The idea was that the old home would be removed and the relocatable home placed on the site. The transaction was signed in July 1977 and the home was to be delivered in September 1979 on the site.

However, the Stawell Shire decided that the relocatable home—although it had been erected in at least ten other municipalities—did not comply with the

building regulations. Negotiations were held between the shire council and Yarrawonga Homes. About a month ago there was to be a meeting at the shire council between the relevant building appeals committee, the shire and Yarrawonga Homes and a decision was to be made—either the appeal was to be rejected or the shire engineer was to sign a permit for the job to proceed immediately. That did not happen. A further report was called for from Yarrawonga Homes. As I understand, the Stawell shire was to comment on that report and the appeals committee was then to make a decision.

A month has passed and there is great concern in the area because not only is the principal without a reasonable home—not amongst the mice plague, fortunately—but also a new swimming pool for the community is to be built on the site to be vacated by the old home.

The Hon. B. A. CHAMBERLAIN (Western Province)—I raise a matter with the Minister of Education which deals with the method of payment of emergency teachers. A case has recently been brought to my attention of a girl who worked 22 days during 1980. She has been paid for only two of those days and has been waiting for payment for more than a month. One of the problems, as has been experienced before, is that the anonymous bureaucracy operating from Nauru House does not recognize teachers as individuals, but as numbers in a system.

I have addressed the House previously on the desirability of removing the responsibility for teachers' conditions to the regions. I ask whether the Minister has considered payments for emergency teachers, for short-term appointments of three or four days and so on, being the responsibility of the school principals or of the regional directors so that payment is expedited and there is more chance of those cases being handled in a humane and understanding manner.

The Hon. R. A. MACKENZIE (Geelong Province)—I also raise a matter for the attention of the Minister of Education. It concerns the conveyance allowance scheme which has been discussed in the House previously. I understand the Minister has also received correspondence from school councils in North Geelong concerning children travelling from Lara. Apparently, children travelling into the zoned schools travel by bus and use the conveyance allowance but because of rising costs the conveyance allowance does not now cover the costs adequately and parents have to pay daily for children to go to school. Other children from Lara attending private schools and other schools not in the zoned system travel on contract buses and parents do not have to pay fees. I ask the Minister whether he considers it fair that children attending private and non-zoned schools should travel free of charge while those attending zoned schools must pay toward the costs?

The Hon. B. P. DUNN (North Western Province)—I direct a matter to the attention of the Attorney-General who is the representative in this place of the Minister for Police and Emergency Services and in doing so draw the attention of the House to the concern of many persons in the State over the proposed closure of many one-man police stations.

The Hon. B. A. Chamberlain—Who is proposing it?

The Hon. B. P. DUNN—I have a copy of a letter signed by the Minister for Police and Emergency Services, which states, *inter alia:*

> To this end, he—
>
> the Police Commissioner—
>
> . . . is of the view that substantial benefits accrue from the provision of Police services to the community through larger strategically located complexes rather than by means of a proliferation of smaller Stations spread throughout regions.
>
> This view is based on the experience gained over a number of years which indicates that the Police Force is able to provide a more efficient and comprehensive service from larger centralised complexes rather than through a number of smaller Stations which cannot all be operated on a twenty-four hour basis or provide the range of Police services available from a central point. Consequently, this method of providing Police coverage is being progressively implemented throughout the State, including the Melbourne and Metropolitan area.

The letter states and the actions of the Government convey that a service will be provided to small country towns from larger, centralized police stations which could be 40 or 50 miles away. It is not possible to provide an adequate and a continuous police service to those towns and communities. Although it might be said that all that is involved is a 30-minute drive for a police vehicle, at times of crisis or urgent need, that is a long while to wait. These small towns are as entitled to protection and to the presence of a policeman as any other part of the Victorian community. The proposed closure of one-man stations is a retrograde step that should be opposed by members of this House. I should like Government party members who represent these small areas to support the retention of these one-man police stations.

Members of the National Party want an assurance from the Government that these small stations will not be closed *ad hoc* throughout the State until honorable members have had a chance of examining the over-all Government strategy. Perhaps a few of these stations may need to be closed, but honorable members should have the opportunity of debating the matter as a whole proposal instead of its being forced on the smaller communities of the State in the manner proposed.

The Hon. D. R. WHITE (Doutta Galla Province)—I raise a matter for the attention of the Minister representing the Minister for Police and Emergency Services. It relates to Mr Alan Hornby of 1 Mawson Street, Melton, who, in recent times, has sought employment both in the Commonwealth Police Force and the Victorian Law Department. He was formerly employed in the Victoria Police Force and he believes the reason for his being unable to obtain employment with either the Commonwealth Police Force or the Victorian Law Department is that there is information on his record sheet at the Victoria Police Force which is untrue and inaccurate; it is having a prejudicial effect on his ability to obtain employment in the public sector. When Mr Hornby retired from the Victoria Police Force he was given a good conduct record from the Chief Commissioner of Police, Mr Miller, but he believes that since that time, or due to some circumstance, inaccurate material has appeared on his record sheet.

Mr Hornby made representations to the Ombudsman and was informed by the Acting Ombudsman that material on his record sheet indicated that he had been guilty of a degree of absenteeism and insubordination, despite the fact that when he resigned he was given a record of satisfactory conduct by the Chief Commissioner, Mr Miller.

Since last October I have raised this matter on a number of occasions with the Minister for Police and Emergency Services. The honorable gentleman has indicated that, after lengthy consideration and a check of Mr Hornby's record sheet, despite the comments by the Acting Ombudsman, there is nothing on the sheet that is prejudicial to Mr Hornby. However, Mr Hornby and I believe he does not have the same opportunities for obtaining employment in the public sector as somebody who had not previously been employed by the Victoria Police Force. I ask the Minister whether he is prepared to make available Mr Hornby's file to me as the honorable member for Doutta Galla Province to peruse and whether it would be possible for Mr Hornby to peruse that file before he again seeks employment with the Commonwealth Police Force.

The Hon. J. W. S. RADFORD (Bendigo Province)—I refer to the matter raised by Mr Dunn for the attention of the Minister representing the Minister for Police and Emergency Services. I have a letter from the Minister for Police and Emergency Services relating to the closure of police stations.

The DEPUTY PRESIDENT (the Hon. W. M. Campbell)—If Mr Radford is referring only to what Mr Dunn has said by way of another letter, he is debating something which has been raised by

another honorable member and that is not permitted during the debate on the motion for the adjournment of the sitting. If Mr Radford wishes to raise the matter on behalf of the province that he represents, that is in order.

The Hon. J. W. S. RADFORD—Unfortunately, Mr Deputy President, you did not give me sufficient time to refer to the letter from the Minister for Police and Emergency Services relating to representations I made on behalf of the Shire of Huntly.

The DEPUTY PRESIDENT—Mr Radford started the wrong way in referring to what Mr Dunn had said.

The Hon. J. W. S. RADFORD—In part, the Minister said:

> I would emphasize that the Chief Commissioner's policy is not designed to eliminate all small police stations as some media reports have tended to suggest. Rather, it is designed to ensure that the resources at his disposal are allocated and organized in a manner which facilitates the most efficient coverage possible for the State.

Will the Attorney-General, representing the Minister for Police and Emergency Services, confirm this?

The Hon. HADDON STOREY (Attorney-General) — Mr Landeryou asked what steps I have taken to obtain a report on the matter of Williams and Co. Pty Ltd, estate agents. I have asked my department to give me a report on the matter. I have not yet received the report, but, as I indicated to the House before Easter, I will inform Mr Landeryou when I have received it.

Mr Dunn asked a question about the closure of one-man police stations and Mr Radford also raised this matter. Perhaps I can suggest that the two honorable members swap letters.

It must be made quite clear that the policy of the Government is to provide the most efficient and effective protection possible for the members of the community. I am sure that the Chief Commissioner of Police would not support, or for one moment countenance, closing a police station if it were to have a detrimental effect on the security of people in the community. I heard nothing in the letter read by Mr Dunn to suggest that. The letter referred to a rationalization of services to provide a better and more efficient service for the community. I believe the statement in the letter read by Mr Radford is correct. For further confirmation, I will refer both matters to the Minister for Police and Emergency Services and ask him to provide direct answers to the honorable members.

Mr White raised the matter of Mr Hornby. The honorable member's request sounds reasonable, and I will pass it on to the Minister for Police and Emergency Services and ask him to give it favourable consideration.

The Hon. A. J. HUNT (Minister of Education)—Mr Kennedy raised a matter arising from the debate on charges by school councils for materials and requisites. In that debate I indicated that I would arrange for an article to be written incorporating what I had said during the debate so that it could appear in the *Education Gazette*. Mr Kennedy complains that the *Education Gazette* of 9 April did not include it. I would think the material in the *Education Gazette* of 9 April was submitted well before the debate in which he and I participated. I have two versions of a proposed article before me. When I get a few moments away from negotiations with unions, I will try to combine them into one article dealing with all the issues we discussed and arrange for it to be published in the next practicable issue of the *Education Gazette*.

I have talked to the parents council about the issue and they want me to go somewhat further again and to lay down the parameters that ought to be available to school councils. I will have to consider that in examining the matter.

Mr Chamberlain raised a question relating to emergency teachers. I agree with him that grave hardship may be occasioned to emergency teachers, who do not have continuous employment, if there is any appreciable delay in payment for the work that they do, and I am appalled to hear of a case of a teacher who has worked 22 days and been paid for only 2.

I will go further than saying that I will look into the matter and try to do something about it. I will certainly seek to ensure that a change is made in the system as quickly as possible in order to avoid the injustices that obviously must occur in cases of the kind that he raises. The answer would probably be to authorize the regions to effect payment promptly.

Mr Mackenzie raised both a general and a specific issue relating to conveyance allowances. In so far as the specific issue is concerned, both his colleague, Mr Trezise, and Mr Jenkins have already raised that issue by letter. Conveyance allowances are fixed in the annual Budget, and all honorable members know that there are anomalies; yet we all know that the total cost of conveyance allowance and buses, at $33 million per annum, is enormous. It represents a share of the education budget which is perhaps excessive in some respects. The Government is examining ways and means of rationalizing the position, of removing anomalies and problems that exist and of granting increases where these are truly warranted.

The Hon. R. A. Mackenzie—What about the private schools where students travel free?

The Hon. A. J. HUNT—Certainly these allowances apply to both private schools and State schools, and the interests of both are under consideration, too. My department and I will be submitting proposals before the next Budget; but I regret to advise that, between now and the next Budget, there is no prospect that that total enormous sum will be increased. I would hope that, if we are able to get rid of some anomalies, in the next Budget it may be possible to be a little more generous to some who do not feel that they get full equity at present.

The Hon. D. G. CROZIER (Minister for Local Government)—Mr Wright has recently corresponded with me concerning the situation at Marnoo, to which he alluded. The facts are as he stated them, with one quite important qualification. I detected in Mr Wright's description of the regrettable delay that has occurred in replacing the primary school teacher's residence some criticism of the Shire of Stawell. My understanding is that, through the diligence of the Shire Engineer of the Shire of Stawell, some deficiencies or inadequacies have been shown up in this building in relation to the requirements of the Uniform Building Regulations.

Having been alerted to this situation, it was my intention, naturally enough, to expedite the erection of a building by any means possible, and that is still my intention. However, the matter is currently before the building referees and, until these further matters can be resolved, it will not be possible to effect what appears to be and what is in fact a fairly simple manoeuvre.

The Hon. K. I. Wright—How many of the shire engineer's calculations were proved to be incorrect, to start with?

The Hon. D. G. CROZIER—My understanding is that the shire engineer may well have discovered certain aspects of the building that do not conform to the Uniform Building Regulations, even though similar buildings have been accepted and erected in other municipalities. That may be the fault of the Uniform Building Regulations, but, if that is the case, it is certainly not the fault of the shire engineer and he should be commended for his diligence. However, I shall endeavour to pursue the matter with a view to a satisfactory resolution.

The motion was agreed to.

The House adjourned at 11.51 *p.m.*

QUESTIONS ON NOTICE

SCHOOL DENTAL CLINICS

(Question No. 192)

The Hon. C. J. KENNEDY (Waverley Province) asked the Minister for Conservation, for the Minister of Health:

(*a*) At what schools in the Waverley Province have school dental clinics been established under the Federal–State School Dental Scheme?

(*b*) At which schools, and in what years, does the Government plan to build school dental clinics over the next three years?

(*c*) In each of the years since the Federal Government first established the School Dental Scheme, what funds has the Victorian Government requested from the Federal Government for the scheme in Victoria, and what funds has the Federal Government provided?

The Hon. W. V. HOUGHTON (Minister for Conservation)—The answer supplied by the Minister of Health is:

(*a*) No dental clinics have been established at schools in the Waverley Province.

(*b*) Commonwealth approval has been obtained to establish dental clinics at:

Broadmeadows West Primary School
Ocean Grove
Ardeer South
Deer Park North
Glengala Park
Mossfiel
St Albans North
Woodville
Coburg
Brunswick
Drouin
Brunswick North
Coburg West
Moreland

and serviced concrete platforms at:

Winchelsea Primary School
Brunswick East
Brunswick South
Brunswick South West
Brunswick West
Merri
(Princes Hill)
Yallourn North
Brunswick North West

Dependent on the availability of finance a start could be made on these projects in 1980–81 with a carry-over into 1981–82.

(*c*) Table "A" below shows the estimated costs to the Commonwealth Government of the capital and recurrent programmes submitted each year since 1973–74 to the Commonwealth Department of Health (as Draft Estimates of Expenditure). The amounts are based on the percentages of costs the Commonwealth had agreed to meet at the time the estimates were developed.

As a result of the various reductions made by the Commonwealth in its funding arrangements for the School Dental Scheme since July 1976, the programmes do not reflect the cash requirements—capital or recurrent—for the works and services carried out in ensuing years, as a large number of works and services had to be deferred for consideration in later years or reduced in extent.

Cash requirements have been met by the Commonwealth by way of advances for approved projects and serrvices on or in anticipation of requests by the State.

Table "B" below shows the actual funds provided in each financial year by the Commonwealth towards capital and recurrent costs of both the Dental Therapy Training School and the Field Service.

Table "A"

SCHOOL DENTAL SCHEME

DRAFT ESTIMATES OF EXPENDITURE FROM COMMONWEALTH FUNDS

Table "A"

	Dental therapy training school		*Field service*	
	Capital	*Recurrent*	*Capital*	*Recurrent*
	$	$	$	$
1973–74	400 000	..	10 000	42 450
1974–75	3 250 000	171 450	255 000	738 600
1975–76	2 233 350	285 000	957 550	949 500
1976–77	245 000	1 336 930	3 404 000	1 248 750
1977–78	202 000	1 596 567	4 041 950	1 899 479
1978–79	26 000	887 400	2 902 000	2 157 000
1979–80	2 000	871 820	1 186 400	2 824 775

Table "B"

SCHOOL DENTAL SCHEME

FUNDS PROVIDED BY COMMONWEALTH

1973–74 to 1978–79

Table "B"

	Dental therapy training school		*Field service*	
	Capital	*Recurrent*	*Capital*	*Recurrent*
	$	$	$	$
1973–74	794 000	..	..	549 797
1974–75	3 038 122	58 173	143 313	857 613
1975–76	1 698 026	276 441	321 862	1 098 576
1976–77	..	814 177	1 710 669	1 076 906
1977–78	..	1 260 205	1 740 076	861 011
1978–79	..	775 271	963 105	1 613 915

SAWLOGS

(Question No. 292)

The Hon. D. E. KENT (Chelsea Province) asked the Minister for Conservation:

Will he list, in relation to all the final recommendations made by the Land Conservation Council to date, an estimate of the volume of sawlogs available for extraction in each area for all proposed national parks, indicating the basis on which the estimate is made and the major commercial species in each area?

The Hon. W. V. HOUGHTON (Minister for Conservation)—The Minister of Forests has supplied the following answer:

The Land Conservation Council's recommendations as adopted by the Government will make the following estimated volumes of sawlogs available in proposed national parks:

Cape Otway—66 000 cubic metres mountain ash and mixed species.

Wonnangatta-Moroka—93 000 cubic metres alpine ash.

Snowy River—10 000 cubic metres mixed species.

These estimates have been based on estimates of the areas of merchantable forest obtained from aerial photographs and estimates of yield per hectare extrapolated from experience elsewhere.

Sawlogs will also become available from the proposed Bogong and Cobberas-Tingaringy national parks but volume estimates have not been calculated.

SUICIDES IN PRISONS

(Question No. 300)

The Hon. R. J. EDDY (Thomastown Province) asked the Minister for Conservation, for the Minister for Community Welfare Services:

(*a*) How many suicides, or probable suicides, have occurred in each Victorian prison in each year since 1960?

(*b*) Were the acts committed by sentenced or remanded persons, indicating their ages and what charges were laid against them, respectively?

(*c*) What has been the incidence of suicide in prison populations for persons convicted and remanded, respectively, per 100 000 head of population?

The Hon. W. V. HOUGHTON (Minister for Conservation)—The answer supplied by the Minister for Community Welfare Services is:

(*a*) The Correctional Services Division has maintained a register of deaths occurring in prisons only since 1973. Therefore, while exact figures concerning suicides are readily available since that time, and in fact follow, it would require considerable effort to search files and so on to gather earlier information and such research does not now seem justified.

The law requires the Coroner to inquire into the deaths of all persons in custody so the following information relates to cases of suicides according to the findings of the Coroner.

Since 1973 there have been 12 cases of suicide in Victorian Prisons.

(*b*) 1974—Three cases, all at Pentridge.

1. Male aged 22 years. Convicted of armed robbery, larceny and escaping from legal custody;

2. Male aged 37 years. Remanded on a charge of murder; and

3. Male aged 17 years. Remanded on charges of assault with intent to commit carnal knowledge, attempted carnal knowledge with a person under 10 years and indecent assault.

1975—One case, at Pentridge. Male aged 48 years. Convicted of murder.

1976—One case, at Castlemaine. Male aged 21 years. Convicted of assault, indecent language, theft, robbery, stealing a car with intent.

1977—Two cases, both at Pentridge.

1. Male aged 22 years. Convicted of illegal use of a motor car, officebreak and steal, assault with intent to rob whilst armed. The prisoner was also serving a sentence transferred from a Youth Training Centre detention sentence and had various breaches of the Social Welfare Regulations.

2. Male aged 27 years. Convicted of murder.

1978—Two cases.

1. Male aged 20 years. Convicted of theft of a motor car, theft, escape from legal custody. He was also serving a Youth Training Centre sentence converted to imprisonment. At Castlemaine Prison.

2. Male aged 46 years. Remanded on a charge of murder. At Pentridge.

1979—Three cases, all at Pentridge.

1. Male aged 27 years. Convicted of armed robbery with violence, also awaiting trial on a charge of armed robbery.

2. Male aged 38 years. Convicted of shooting with intent to murder.

3. Male aged 26 years. Convicted of manslaughter.

(*c*) Incidence of suicide per 100 000 head of prison population

	CONVICTED			UNCONVICTED		
	Number convicted prisoners received	*Number suicides*	*Rate per* 100 000	*Number awaiting hearing*	*Number suicides*	*Rate per* 100 000
1974 ..	5615	1	17·80	5611	2	35·64
1975 ..	5344	1	18·71	4472	..	0
1976 ..	5313	1	18·82	4246	..	0
1977 ..	4662	2	42·9	4206	..	0
1978 ..	5280	1	18·93	3860	1	25·9
1979 ..	4582	3	65·47	3815	..	0

FERAL CATS RESEARCH

(Question No. 309)

The Hon. D. E. KENT (Chelsea Province) asked the Minister of Lands:

(*a*) What research is being conducted on the ecology of feral cats in Victoria, indicating who is conducting the research, the number and categories of staff involved, the amount and source of funds, and whether any publications or reports have been prepared to date?

(*b*) When is it expected that the research will be completed?

The Hon. W. V. HOUGHTON (Minister of Lands)—The answer is:

Officers of the Department of Crown Lands and Survey are presently carrying out a research project entitled "The Ecology of Feral Cats in Wilderness Areas". The main emphasis of this work has been on the food habits of feral cats and the distribution of these animals in north-west Victoria and in southern New South Wales. The project is being carried out with the support of funds provided by the Australian National Parks and Wildlife Service which has contributed $89 900 over a 3-year period. The staff employed with these funds are one research officer and one technical assistant. The research is being carried out under the direction of a research scientist of the Lands Department.

Two interim reports have been prepared on this work and a final report will be made by June 1980 when the project will be terminated.

HIGH VOLTAGE TRANSMISSION LINES

(Question No. 314)

The Hon. E. H. WALKER (Melbourne Province) asked the Minister for Conservation:

In relation to the environmental effects of electro-magnetic fields associated with overhead high voltage transmission lines, which have been the subject of considerable concern in the United States—(i) has the Environment Protection Authority ever monitored electromagnetic fields in Victoria; (ii) has the authority ever conducted any research into the biological effects of electro-magnetic fields associated with electric utilities in Victoria; (iii) in view of planning for increased power generation in Victoria, and the overhead high voltage lines proposed to be built from Melbourne to Portland, what plans have been made to estimate such effects in the future?

The Hon. W. V. HOUGHTON (Minister for Conservation)—The answer is:

(i) No.

(ii) No.

(iii) The Ministry for Conservation and the State Electricity Commission have held discussions on the biological effects of electromagnetic fields which are the subject of research in a number of overseas countries.

The commission has reviewed overseas experience and research into these effects and this information was used in the design of the Melbourne to Portland power line. The State Electricity Commission considers that no evidence has been produced on the world scene which indicates that any harmful effects have occurred to humans, animals or birdlife from the field levels adopted in these designs.

Future investigations by the State Electricity Commission include an ongoing determination of fields associated with electrical installations in Victoria and the interpretation of this data in relation to overseas experience. The Ministry for Conservation and the State Electricity Commission will continue to liaise on this matter.

NATIONAL PARKS SERVICE

(Question No. 315)

The Hon. R. J. LONG (Gippsland Province) asked the Minister for Conservation:

(*a*) When was the National Parks Service created?

(*b*) How many staff have been appointed to the service in each year since its creation?

(*c*) What has been the cost of the service in each year?

(*d*) Are there any unfilled positions in the service at present; if so, what positions, and what is the annual cost at present day costs to be incurred when such positions are filled?

The Hon. W. V. HOUGHTON (Minister for Conservation)—The answer is:

(*a*) The National Parks Service was established in March 1971 as a division of the Department of State Development. It replaced the National Parks Authority, which had been established in 1957.

On 23 January 1973, the National Parks Service became a division of the Ministry for Conservation.

(*b*) Figures for total employment by the National Parks Service are as follows:

30 June 1972	96
30 June 1973	121
30 June 1974	121
30 June 1975	285
30 June 1976	239
30 June 1977	323
30 June 1978	319
30 June 1979	335
1 February 1980	387

These figures include all employees—permanent, temporary, casual and part-time at the date shown, including rural employment personnel where such schemes were in operation. Figures for 1975 and earlier are not

strictly comparative because of employment by the park committees of management, which were abolished in that year. The date of 30 June will also in many years be a minimum figure for the year, as peak employment occurs during periods of high visitor use of the parks.

(*c*) Finance available to the National Parks Funds has been as follows:

Financial year	*Sources* *Total funds*	*Consolidated funds*	*Works and Services Account*	*Other*
	$	$	$	$
1971–72	582 898	145 000	362 178	75 720
1972–73	836 283	204 710	549 000	82 573
1973–74	998 898	300 000	563 500	135 398
1974–75	2 342 568	878 015	1 398 583	65 970
1975–76	3 986 492	1 376 650	1 996 000	613 842
1976–77	4 793 551	1 952 000	1 800 000	1 041 551
1977–78	5 928 840	2 490 300	2 250 000	1 188 540
1978–79	6 255 207	2 942 840	2 250 000	1 062 367
1979–80	7 114 000 (*estimate*)	3 242 000	2 660 000	1 212 000 (*estimate*)

Figures for years 1976–77 and later are not comparable with previous years because of the separate accounts kept by the national park committees of management, which were abolished in 1975. Most of the finance shown under "Other" would come from park revenue charges, but some would represent amounts carried over from the previous year and therefore duplicated over the total period.

(*d*) Vacant staff positions are as follows:
Deputy Director, Class SO-12.
Stenographer.
Planning Officer, Class SO-5.
Buildings Officer.
Clerical Assistant, Grade III., Colac.
Typist, Colac.
Clerical Assistant, Grade III., Traralgon.
Senior Ranger, Lakes Coastal.
Ranger, Grade IV., Brisbane Ranges.
Ranger, Grade III., Warby Range.
Ranger, Grade II., Holey Plains.
Ranger, Grade II., Mt Worth.
Ranger, Grade II., Lysterfield.
Ranger, Grade II., Werribee Gorge.
Ranger, Grade II., Baw Baw.
Ranger, Grade I., Warrandyte.
Ranger, Grade I., Ferntree Gully.
Ranger, Grade III., Pink Lakes.
Ranger, Grade II., Croajingolong.
Ranger, Grade III., The Lakes.
Ranger, Grade III., Burrowa–Pine Mountain.
Ranger, Grade I., Little Desert.
Technical Officer, Class SO-1.
Ranger, Grade I., Lysterfield.
Ranger, Grade I., Lysterfield.
Ranger, Grade I., Baw Baw.

The annual cost of these positions is $321 322. Money for the positions is included in this year's estimates, although it should be recognized that not all positions in any organization would be filled at the one time.

Legislative Assembly

Tuesday, 15 April 1980

The SPEAKER (the Hon. S. J. Plowman) took the chair at 4.4 p.m. and read the prayer.

QUESTIONS WITHOUT NOTICE

ALUMINIUM SMELTER FOR PORTLAND

Mr WILKES (Leader of the Opposition)—In view of the significance and the implication for Victoria of the proposed establishment of an aluminium smelter at Portland by Alcoa Australia Ltd, will the Premier agree to release to the Opposition all files and papers in the possession of all involved Government departments and authorities concerned in the proposal by Alcoa; if not, why not?

Mr HAMER (Premier)—Naturally I am prepared to keep the Opposition, and the National Party for that matter, informed in any way I can on the matters involved in this great development. I am not, naturally, prepared to make available what must be regarded as confidential negotiations. When the Opposition has all the available material, its members will find that it is one of the greatest enterprises that has ever been contemplated in Victoria in its capacity to generate new jobs and to contribute to the growth and development of the State. The project is of the greatest possible importance and I would hope that, rather than sniping——

Mr Wilkes—We are not sniping.

Mr HAMER—Rather than sniping at the proposition, when members of the Opposition come to understand the project fully, I hope that they will give it their unstinted support and in turn they will have my support in providing all the available information other than what must be regarded, in all the circumstances, as confidential.

SECURITY AT PENTRIDGE PRISON

Mr ROSS-EDWARDS (Leader of the National Party)—Will the Minister for Community Welfare Services make a Ministerial statement concerning the problems that have been experienced at Pentridge Prison in recent days so as to inform honorable members of the security position at Pentridge Prison and what steps the honorable gentleman intends to take to improve the security there?

Mr JONA (Minister for Community Welfare Services)—I will be happy to make a Ministerial statement at the earliest possible opportunity, possibly some time next week. I will be able to indicate the results of the investigations which have been completed to that stage concerning security at Pentridge Prison. I will be able to indicate in that report that, during the past two years, some 568 actions of concealment and malpractice were discovered in prisons throughout Victoria, any one of which could have led to a major incident. I will also be able to indicate in that report that, during the past six months at Pentridge Prison alone, some 30 incidents were avoided as the result of security measures at that prison.

I will be able to indicate further in that report—I think this is what the Leader of the National Party was alluding to in his question—the changing circumstances that have brought about the need for new security measures at Pentridge Prison.

Mr FORDHAM (Footscray)—Mr Speaker, on a point of order.

The SPEAKER (the Hon. S. J. Plowman)—Order! If the Minister proceeds much further, he will not have to make a Ministerial statement. The Minister has clearly indicated that he is going to make a Ministerial statement and has defined the parameters within which that statement will be made.

Mr JONA (Minister for Community Welfare Services)—So much has been done in this area that it is difficult to be brief, but I will make the report as concise as possible at the time.

BASS BOOKING AGENCY

Mr RICHARDSON (Forest Hill)—Is the Minister of the Arts aware of a statement made by the honorable member for Bundoora that 130 seats at a sell-out concert were double booked by Bass Victoria, the computer ticket selling agency of the Victorian Arts Centre Trust? Will the Minister inform the House whether, to his knowledge, such information came from the Arts Centre administration, from Bass or was the matter checked with the Minister himself?

Mr LACY (Minister of the Arts)—I am aware of the repeated attacks made on Bass by the honorable member for Bundoora. The statement made by the honorable member for Bundoora is incorrect: 130 seats at a concert were not double booked. There was a slight mistake in that 130 patrons were charged a dollar more than they should have been. However, an advertisement was lodged in the newspapers and patrons were invited to recoup their one dollar and they have.

I am happy to report to the House that, despite the repeated attacks made by the honorable member for Bundoora, up until 31 December 1979, Bass experienced a 49 per cent increase in income and a 27 per cent increase in ticket sales and that more and more entertainment agencies and theatre companies are booking through Bass, including eleven of the twelve Victorian Football League clubs and, despite the repeated attacks made by the honorable member for Bundoora, Bass Victoria is booming.

SECURITY AT PENTRIDGE PRISON

Mrs TONER (Greensborough)—Will the Premier consider transferring the Minister for Community Welfare Services to a less sensitive department? Will the Premier make that transfer in view of the obvious lack of security at Pentridge Prison since the Minister took

over last May, as demonstrated by fires, feuds, stabbings, drug peddling, weapons——

The SPEAKER (the Hon. S. J. Plowman)—Order! The honorable member for Greensborough may not debate the question.

Mrs TONER—and bombings and the public's growing scepticism about the Minister's failure to achieve results from the continual inquiries which the honorable gentleman calls for after each of these incidents occurs?

Mr HAMER (Premier)—The answer to the honorable member for Greensborough is, "No". It is interesting that the honorable member should use the word "sensitive". I do not know who is being sensitive about this matter, but I can assure the honorable member that, in the view of other members of the Government and myself, the Minister for Community Welfare Services is doing a very fine job.

MILDURA POLICE STATION

Mr WHITING (Mildura)—Following a visit to Mildura recently by the Minister for Police and Emergency Services, will the Minister indicate whether he has taken any action to improve conditions at the Mildura police station and whether plans are in hand for rebuilding at least a portion of that station?

Mr THOMPSON (Minister for Police and Emergency Services)—It is true that the honorable member for Mildura and I visited the Mildura police station on Easter Tuesday morning and found certain deficiencies. Following the visit, action has been taken to replace the linoleum in two of the buildings at the police station and plans will be drawn up to improve the other accommodation and take into consideration the possibility of replacing the original police station with a two-storey building, the space provided by which would be necessary to house police in a rapidly expanding area of the State.

BASS BOOKING AGENCY

Mr BROWN (Westernport)—Is the Minister of the Arts aware of a statement made by the Opposition spokesman on planning, the honorable member for Bundoora, that the Victorian Arts Centre Building Committee acted outside its powers by entering into an agreement for the lease of the Victorian franchise for the system known as Bass? If the Minister is aware of the statement, will he inform the House of the action that is being taken by the Ministry of the Arts on this matter?

Mr LACY (Minister of the Arts)—The incredible thing about the honorable member for Bundoora is that whenever he wants to make ill-informed statements he does not bother to check with the administration of the Victorian Arts Centre, the administration of Bass or the Minister of the Arts. Consequently, he regularly leads astray the public at large by making false statements. This is yet another example of a false statement.

The view of the powers of the Victorian Arts Centre Building Committee held by the honorable member for Bundoora is not shared by the Attorney-General. Furthermore, I should hope the honorable member would be aware —I am sure his colleague, the honorable member for Carrum, who is the shadow Minister of the Arts, would be aware of this—that Parliament passed a Bill on 12 December 1979—three months before the honorable member's most recent attack on Bass—that provided the Arts Centre Trust with the specific power, under the provisions of section 6 (2) (g):

> To enter into any contracts, agreement or arrangement with any person or body whether corporate or unincorporate for the purpose of carrying out its functions under this Act.

Bass is an organization that is designed to service patrons of the Victorian Arts Centre when the centre is established. It has been running at a loss, as was expected, because it was known that it would take some time for it to become financially viable. It is now so advanced towards financial viability that the administration of the Victorian Arts Centre has received offers to purchase the franchise. However, the Government believes the Bass system has an ongoing role to play in ensuring that the Victorian Arts Centre is a Victorian Arts Centre and

not just a collection of Melbourne theatres. Therefore, it believes the use of computerized ticketing will ensure that arts patrons and people wishing to make use of the facilities of the centre have access to it, no matter whether they live in Warrnambool, Bairnsdale, Dandenong or Niddrie. The ticketing facilities available to people throughout the State should be as good as those available in the metropolitan area. This can be achieved only through computerized ticketing systems and the Victorian Arts Centre will continue to hold the franchise for Bass and continue to operate it in the interests of the arts.

PERSONAL MINISTERIAL STAFF

Mr CAIN (Bundoora)—I refer to the recent engagement of Mr Brian Joyce by the well-known lobbyist firm, International Public Relations, immediately following Mr Joyce's resignation from the Premier's personal staff. Will the Premier take action to ensure that the terms of engagement of his and his Ministers' personal staff will, in future, contain a condition requiring a period of quarantine from politically sensitive and politically orientated jobs——

Mr RICHARDSON (Forest Hill)—I raise a point of order. The honorable member for Bundoora is not asking a question; he is making a speech and debating an issue. The Standing Orders specifically preclude that. I suggest that the honorable member for Bundoora should ask a question and not make a speech.

The SPEAKER (the Hon. S. J. Plowman)—Order! I do not uphold the point of order.

Mr CAIN (Bundoora)—I shall repeat the question for the Premier. I ask the honorable gentleman to take action to ensure that the terms of engagement of his and his Ministers' personal staff, will contain a condition requiring a period of quarantine from employment in sensitive and politically-orientated jobs when knowledge that they have obtained may well be used to advance the cause of the employer or the employer's clients when former employees are in such a position as undertaken by Mr Joyce?

Mr HAMER (Premier)—I cannot imagine a more unfair proposition than the one the honorable member for Bundoora has just put to the House. First of all, the honorable member makes an assumption, which I certainly would not agree with, and certainly most people would not, that the employer of Mr Joyce is a political lobbyist. The employer is a firm of public relations consultants and I agree with the Deputy Leader of the Opposition that they are pretty good at their job, but they are by no means confined in any way to being political lobbyists.

Mr Fordham—He didn't say they were.

Mr HAMER—I think he implied it. I believe it is up to them, but certainly I do not propose that a person, whether that person be in the ordinary Public Service or anywhere else, should be precluded from taking up a job merely because his potential employer has some client who may want to make representations to Ministers or anyone else. That is their job in a democracy, it is their right, and I do not propose that the Government should limit the opportunities for employment in any way as suggested by the honorable member.

GREEK COMMUNITY

Mr COLLINS (Noble Park)—I refer the Minister of Immigration and Ethnic Affairs to Melbourne's Greek community. Is the Minister aware that recently Melbourne's Greek community came out in strength to show its solidarity for members of the Greek and Australian armies who died in the first and second world wars when more than 60 000 attended a memorial service at the Shrine of Remembrance? Is the honorable gentleman further aware that over Easter, on Good Friday, members of Melbourne's Greek Orthodox community took part in the traditional Easter celebrations and that senior members of that community were hosed by persons unknown from the Housing Commission flats in the South Melbourne

area? In view of the Government's and this Parliament's desire for better community relations, what steps can the Minister take to assure Melbourne's Greek community that this Parliament believes in them and does not tolerate such incidents?

Mr WOOD (Minister of Immigration and Ethnic Affairs)—I am fully aware of this sad and unfortunate incident—in fact, it was a sacrilegious act by idiots. My Ministry is dedicated towards creating a climate of better understanding of racial and religious tolerance and this act, of course, is contrary to those aims and objectives. I am not aware whether the incident was caused by racial or religious prejudice, or whether it was an act of fools and idiots. I will take up the matter with the Minister for Police and Emergency Services, and obtain a report for the honorable member on this incident in an endeavour to ensure that it does not happen again.

MOUSE PLAGUE

Mr FOGARTY (Sunshine)—Is the Minister of Agriculture aware that on two occasions during September last year the pending mouse plague in the Mallee area was raised by me in the House, together with the view that there was a difference of opinion between the Lands Department and farmers resulting in strychnine not being sold for some time? Now that the situation has worsened, will the Minister give consideration to having teams from the Department of Agriculture, in co-operation with the Lands Department, visit the area and work in co-operation with farmers, local government and the community with a view to eradicating the pests at this time and possibly introducing a programme of trial baiting immediately prior to the sowing of the next crop?

Mr I. W. SMITH (Minister of Agriculture)—Local members who represent the areas where the field mice plague is now widespread, even before the honorable member for Sunshine raised the matter in the Parliament, have been making representations and suggesting possible courses of action.

Mice—in the absence of a Pied Piper—are not easy to control. There are no man-simulated, biological methods yet available to control, or as the honorable member for Sunshine requested, eradicate a mouse plague. Nevertheless, the Department of Agriculture has, as part of its grain hygiene extension programme, made farmers aware of measures which they should and could take to reduce the reproduction of mice on their farms. Some farmers have been prudent enough to take this advice.

In the meantime, the Lands Department has made the service of grain poisoning available to people who are prepared to avail themselves of it and that has, by and large, been underutilized. This indicates to any observer that, although it may be considered a most important plague by members of this Parliament and the media, those people directly involved are only now starting to consider it of importance.

My understanding of the reproduction habits of mice is that the moment a cold spell arrives the urge to reproduce becomes less. It is not as though mouse plagues are new. This plague follows one a few years ago; they run in cycles.

It is not possible for researchers in this area to supply instant answers to the problem, although that is what some people expect. If people who live in the area are not prepared to undertake continuous vigilance to control mice, from time to time weather conditions will permit the mice to expand to plague proportions, which is the current state of affairs.

In particular, the honorable member for Swan Hill, whose constituents are more adversely affected than most others, has been concerned to urge the Minister of Lands and myself to undertake greater programmes.

Everyone is brilliant when it comes to criticizing, but there are very few who are brilliant when it comes to submitting ideas. The honorable member for Sunshine had a brilliant idea, if one were trying to kill only three or four mice, but if there are millions it is hopeless. One must be practical. It is my task to sort out the chaff from the oats.

For those who are afflicted, there is no easy answer. They must bait the mice and be more vigilant in future and undertake better methods of control. As yet, there is no substitute.

AVAILABILITY OF RAIL WAGONS

Mr McGRATH (Lowan)—Following reports that VicRail was able to supply only 52 per cent of the rail truck needs for the Geelong superphosphate works prior to 1 April, can the Minister of Transport now advise whether there are sufficient trucks available for the transport of superphosphate to the country? If there are not, when will rail trucks be available in sufficient numbers to take the superphosphate to the country?

Mr MACLELLAN (Minister of Transport)—There are not sufficient trucks yet to cope with all of the demands of transporting superphosphate, although the situation is, and has been, improving for some time.

I shall relate to the House, for the benefit of the honorable member for Lowan, an incident which illustrates some of the difficulties involved. At Dandenong, a group of railway workers declined to load a railway motor truck because it was not a train. They were sent home without pay. The next day they agreed to load pallet loads onto the truck but not loose parcels. They were then told that if that was their attitude they should not continue at work. They went off and had, I believe, a 10 minute conference and then agreed to load the truck. The reason the truck was sent there was so that the wagons, so desperately needed for grain and superphosphate movement, could be made available for those movements.

The honorable member for Knox is interjecting. I do not know whether he knows about this little incident of industrial relations that worked without any dispute, because the workers decided themselves they would do the job and there was not a dispute, and that is a sensible resolution of a problem. It does illustrate the difficulty where people order trucks, hoard trucks, and trucks are not moving; then we do not get full utilization out of them. Honorable members may say that they know of trucks on isolated railway lines all over the State. Those wagons should have been scrapped long since, except they are subject to a black ban, and the money from the scrap metal would have been reinvested through railway workshops and used to build new wagons, but we have a black ban on scrapping old wagons.

These are illustrative of the difficulties in trying to marshal sufficient rail wagons and locomotives, and of sufficient capactiy, to be able to ensure we can meet the challenge of the superphosphate and wheat harvest movements. The honorable member says 6000 wagons. Obviously, as Labor spokesman for transport, he has a bit of homework to do there because he had better find out how many wagons there are. The simple answer is, and the honorable member for Knox would not know, but to meet the next 25 weeks of grain movement we need 6000 wagons, that is GY equivalents, per week, and that is a challenge that has not yet been achieved in any particular week. That has obviously meant that large-scale road movements of grain have been a necessary supplement.

The honorable member can be assured that the matter is under constant review. It is improving and I hope we can have a solution soon.

INTERNATIONAL AIR FARES

Mr McARTHUR (Ringwood)—I direct my question to the Premier in his capacity as Minister for State Development Decentralization and Tourism. I refer to the recently announced numerous increases in international air fares, and the recently publicized opposition of Qantas and British Airways to the introduction of Sir Freddie Laker's cheaper sky-train service. In the interests of free enterprise and tourism in Victoria, will the Premier consider making further strong representations in the appropriate Federal area so that the sky-train concept receives prompt consideration?

Mr HAMER (Minister for State Development Decentralization and Tourism)—It has been the constant aim of the Victorian Government to encourage

growth of charter flights to Australia, to bring here groups of tourists who cannot at present afford to come. It has been pointed out by a group of travel agents that were assembled in the United Kingdom that of the 200 million tourists who move around the world each year, the vast majority travel by charter flights and mostly in packaged tours. Therefore, if we are to get a real increase in the number of straight-out tourists coming here, then we need to encourage charter flights; whether they are brought here by Sir Freddie Laker, an Australian entrepreneur, or an existing airline, does not matter. The important thing is they should come, and they should tap a market for low-income, low-priced fares without frills, for people who are prepared to put up with a cheaper flight in order to come here.

With the recent increase in air fares on the regular scheduled airlines, this has become even more important. I do not think any member of this House underestimates the importance to our future of promoting travel as the fastest growing industry in the world, and one that offers the most in new jobs and new expansion, and this is one way that we can all pull together to achieve it.

The reply of the Federal Government originally—and this is more than a year ago—was that the new APEX fare system should be given a year's trial. I think at the end of that period, and it is now long gone, it should be quite plain that the APEX fare system is not the whole answer. It operates only a few months each year. It requires cash in advance, 45 days ahead, and it does not suit many packaged tours and group movements.

For all those reasons we now will renew our representations, both here and overseas, to have some charter flights come to Australia—whoever brings them here.

DISPUTE AT LOY YANG

Mr AMOS (Morwell)—In view of the Government's commitment to supply electricity to Alcoa of Australia Pty Ltd's development at Portland and the need to expand the State's generating capacity, will the Minister for Minerals and Energy explain why the State Electricity Commission has advised contractors working at the Loy Yang site to comply with an agreement to dismiss and lock out construction employees at that site? If the Minister is not aware of the memorandum issued by the State Electricity Commission to its contractors, and in view of the commission's poor industrial record in the past, will he investigate the matter and instruct the commission to stop provoking industrial unrest?

Mr BALFOUR (Minister for Minerals and Energy)—The State Electricity Commission is not provoking industrial unrest and has never done so. I believe a memorandum was sent to the contractors. There have been some problems, particularly with the employees mixing cement who have not worked the required number of hours and who have not produced the required amount of cement to be poured. As a result, several men were put off their jobs.

One of the great difficulties in the Latrobe Valley is that productivity on construction work is very low. The honorable member will recall that, some years ago, twice people were stood down at the Yallourn "W" site. That project is now approximately eighteen months behind its scheduled time.

Mr Amos—Why did the State Electricity Commission become involved with the memorandum?

Mr BALFOUR—The State Electricity Commission is the authority for which the project is being built. The commission would have been involved through the contractors not complying with the time schedule. The contractors cannot comply unless their employees are willing to do the appropriate work for them.

PERSONAL EXPLANATION

Mr HAMER (Premier)—I desire to make a personal explanation about an answer I gave to a question without notice on 27 March. Part of my reply could give an incorrect impression and in the light of subsequent information I wish to set the record straight. The question, by the honorable member for

Dandenong, concerned alleged drug trafficking in the Westernport and Portland areas. In reply I said that I would investigate the matter and would convey the information to the honorable member. I indicated that I was aware that both Customs officers and the Police Force were doing their best to check on possible importation of drugs through Westernport. I added:

> In fact, I believe some interceptions have already been made in that area.

It was clear from the context of the answer that I was speaking from recollection. That recollection was based on publicity given in May last year to claims by the honorable member for Ascot Vale that organized drug smugglers were operating in Westernport. In an article in the *Age* of 14 May 1979 the honorable member was reported as stating, *inter alia*:

> Others who know Westernport Bay will tell of boats intercepting objects thrown overboard in the shipping channel from overseas tankers.

However, I am now informed, as a result of further information sought by me, that these allegations were in fact investigated by the Police Force and one person was charged in September last year with using drugs but a thorough investigation has so far not shown any other evidence of trafficking.

The prevention of drug trafficking has a high priority with the Police Force. Indeed, the Drug Squad has been doubled in strength since last May. Special squads in several police districts also provide assistance to the Drug Squad. No effort will be spared to prevent the importation of drugs through Westernport, Portland, or anywhere else.

PETITIONS

Fluoride-free water

Mr WHITING (Mildura) presented a petition from certain ratepayers and residents of the City of Mildura praying that action be taken to ensure the supply of fluoride-free water to residents and citizens. He stated that the petition was respectfully worded, in order, and bore 2645 signatures.

It was ordered that the petition be laid on the table.

Casinos

Mr ROPER (Brunswick) presented a petition from certain citizens of Victoria praying that the proposal to introduce casinos into Victoria be withdrawn. He stated that the petition was respectfully worded, in order, and bore 52 signatures.

It was ordered that the petition be laid on the table.

Mr WILLIAMS (Doncaster) presented a petition from certain citizens of Victoria praying that the proposal to introduce casinos into Victoria be withdrawn. He stated that the petition was respectfully worded, in order, and bore 58 signatures.

It was ordered that the petition be laid on the table.

Mr SKEGGS (Ivanhoe) presented a petition from certain citizens of Victoria praying that the proposal to introduce casinos into Victoria be withdrawn. He stated that the petition was respectfully worded, in order, and bore eighteen signatures.

It was ordered that the petition be laid on the table.

Mr HAYES (Wantirna) presented a petition from certain citizens of Victoria praying that the proposal to introduce casinos into Victoria be withdrawn. He stated that the petition was respectfully worded, in order, and bore 43 signatures.

It was ordered that the petition be laid on the table.

PAPERS

The following papers, pursuant to the directions of several Acts of Parliament, were laid on the table by the Acting Clerk:

Equal Opportunity Act 1977—
- Report of the Commissioner for Equal Opportunity for the year 1978-79.—Ordered to be printed.
- Report of the Equal Opportunity Board for the year 1978-79.—Ordered to be printed.

Liquor Control Commission—Report for the year 1978–79.—Ordered to be printed.

Physiotherapists Registration Board—Report for the year 1978.

Science Museum of Victoria Council—Report for the year 1978–79.

Statutory Rules—
Regulations Governing the Expenditure of Commissions and Boards of Inquiry (Amendment) 1980—No. 76.

Under the following Acts:
Architects Act 1958—No. 67.
Benefit Association Act 1958—No. 71.
Business Franchise (Petroleum Products) Act 1979—No. 68.
Country Fire Authority Act 1958—No. 63.
Films Act 1958—No. 72.
Forests Act 1958—No. 62.
Motor Boating Act 1961—No. 56.
Motor Car Act 1958—Nos. 57, 59.
Mt. Hotham Alpine Resort Act 1972—No. 70.
Police Offences Act 1958—No. 74.
Public Service Act 1974—Nos. 60, 61 and PSD Nos. 17 to 27.
Road Traffic Act 1958—No. 69.
Superannuation Act 1958—No. 64.
Theatres Act 1958—No. 75.
Valuation of Land Act 1960—No. 65.

Town and Country Planning Act 1961—Melbourne Metropolitan Planning Scheme, Amendment No. 126.
Trotting Control Board—Report for the year ended 31 July, 1979.
Victoria Law Foundation—Report for the year ended 30 September, 1979.
Victorian Government Travel Authority—Report for the year 1978–79.

GEELONG PERFORMING ARTS CENTRE TRUST BILL

The SPEAKER (the Hon. S. J. Plowman) announced the presentation of a message from His Excellency the Governor recommending that an appropriation be made from the Consolidated Fund for the purposes of the Geelong Performing Arts Centre Trust Bill.

Mr LACY (Minister of the Arts) moved for leave to bring in a Bill to constitute the Geelong Performing Arts Centre Trust, to make provision with respect to the construction, management and operation of the Geelong Performing Arts Centre and for other purposes.

The motion was agreed to.

The Bill was brought in and read a first time.

APPROPRIATION MESSAGE

The SPEAKER (the Hon. S. J. Plowman) announced the presentation of a message from His Excellency the Governor recommending that an appropriation be made from the Consolidated Fund for the purposes of the Estate Agents Bill.

RACING (AMENDMENT) BILL

Mr DIXON (Minister for Youth, Sport and Recreation) moved for leave to bring in a Bill to amend the Racing Act 1958, and the Lotteries Gaming and Betting Act 1966 and for other purposes.

The motion was agreed to.

The Bill was brought in and read a first time.

JUDICIAL SYSTEM

Mr CAIN (Bundoora)—I move:

That the House expresses its grave concern at the failure of the Government to so structure, service and operate the judicial system of Victoria to secure the just, humane, prompt, efficient and economical disposal of the business of the courts.

Mr MILLER (Prahran)—I second the motion.

Mr CAIN (Bundoora)—The law provides the machinery by which society functions and without it there is disorder. The courts are a vital part of that machinery. They are like the Public Service, the hospitals and the fire brigade. I propose to demonstrate that many courts are unable to handle the work load placed on them in this State.

People who go to court, whether voluntarily or involuntarily, are entitled to expect that their actions will be dealt with expeditiously and that they will get service when they get to court. During the whole lifetime of this Government, in many jurisdictions delay has become institutionalized and, indeed, part of the system. Litigants expect that delays will occur in the hearing of their actions and delay has become built into the system. Somebody said recently that, to go to court today on civil litigation, one needs the patience of Job and the wealth of Rockefeller. People associated with the law have become distressed, ashamed and embarrassed at the delays that the system now brings to those involved in it.

The first point I make is that the present Government has presided over the mess which has mounted over the

years. This House must assert that it is the Government's total responsibility to give the community an efficient court system. This is not a matter which belongs in any way to the private sector. Even in the eyes of the most reactionary of Government members, it is clearly and entirely a State responsibility.

There is in society today, and in the minds of those concerned in the law, a mounting feeling that, in maintaining its self-centred rituals and customs and its splendid independence, the law has lost sight of the need to serve the public. That fundamentally is what it should be about and that is what I say to the House: The Government must make the law serve the public and Parliament should tell the Government that.

I turn to the extent of the delays occurring in our principal common law courts today. I want to say something about the effect of those delays on persons concerned in those areas of litigation and on society generally. Thirdly, I want to suggest some remedies which may be considered as a means of curing the delays which are occurring.

I shall deal firstly with the extent of the problem. It is not a new problem. If one looks at *Hansard* and at the newspapers over recent years, there is mention of these matters being directed to the attention of the Government by members of Parliament and by others. As far back as 22 November 1967, on the Judges and Public Officers Bill, the then member for Ballarat Province, Mr Murray Byrne, in a debate in another place said:

> I think all members agree with Mr Galbally's assertion that there is definitely undue delay in all of the courts of this State. People have to wait up to two years to have their cases heard. This involves tremendous hardship and injustice on thousands of people, who should not have to tolerate these delays. I am somewhat concerned at the Minister's statement that for some time the Government has been well aware that there was an undue delay in the hearing of cases and that the Bar Council, the Law Institute of Victoria, the Government and everyone else realized that there was a need to appoint more judges.

Mr Cain

Mr Galbally was one to whom Mr Byrne was referring and, over a long period, Mr Galbally directed the attention of Parliament in another place to the delays and to what was occurring. The Leader of the National Party in this place has done likewise on a number of occasions of which I have a recollection.

The newspapers have become almost cliché-ridden in their expressed concern about the delays in the courts. I refer honorable members to just a few of those expressions of concern. In the *Herald* newspaper of 9 March 1972, the editorial, headed "Law delays are growing longer", stated, *inter alia*:

> Delays in the Victorian courts, far from being overtaken, are growing worse.
>
> . . . . .
>
> Delays in criminal cases, especially those that mean locking men on remand in the miserable conditions of Pentridge jail, are another ugly commentary on our legal system.
>
> More judges and more magistrates are an immediate need.

On 27 February 1976 under the heading, "The law is a tortoise", the same paper states:

> Deplorable delays occurring in civil actions in Victorian courts are revealed in a report by the Law Reform Commissioner, Mr T. W. Smith, QC. They suggest that rather than being an ass, as the old legal saying goes, the law is instead a tortoise.

In the same newspaper on 1 April 1976, again in an editorial, under the heading "Delays mar justice", it was stated:

> A reasonable speed in hearing cases and reaching decisions is as essential to justice as any of its other components.
>
> . . .
>
> Delays infect the whole court spectrum from remands and inquests to the Supreme Court itself.

Again in the Melbourne *Herald* an article on 28th July 1975 under the heading "Justice must be faster" stated:

> The new Director of Court Administration promised by the Victorian Attorney-General, Mr Wilcox, should do essential work if the right person is chosen and given the right amount of power.
>
> . . .
>
> A great deal is said monotonously about the need to get cases to court more quickly, and then to have them dealt with. But despite all that has been done so far, we are falling behind.

The last reference I make is to an article in the Melbourne *Herald* of 16 December 1976, which contains a statement by the Attorney-General under the by-line "Liberal Voice" and the headline "Faster justice". He was a bit starry-eyed because he had only been in the job for a few months at that time. The article stated:

> Throughout Australia, governments, law reform agencies and the community in general share a growing concern with the administration of justice and the delays which exist in our court system. As Attorney-General I am determined to see that these delays are reduced.
>
> . . .
>
> The Government, however, believes that to improve the administration of justice the law itself must be looked at.
>
> . . .
>
> There is need to examine our statute law, cut out the obsolete, spent and redundant provisions, and try to simplify the existing provisions.

Those were brave words, but nothing of consequence has occurred.

There are other occasions when this matter has been brought to the Government's attention by the newspapers and other persons. I refer to an article in the Melbourne *Herald* of 31 March 1976 under the heading "Probe Delays—says judge". It is not often that judges want what they say on the Bench to be quoted. The article refers to delays between arrests for murder hearings and trials and states:

> Delays between arrests for murder and the hearing of inquests should be thoroughly investigated, a Supreme Court judge said today.

That was Mr Justice Starke drawing attention to the delay that occurred on a bail application between the inquest and presentment for trial.

Again on 31 January 1977 I was able to bring to the notice of the Government that some 700 cases would be awaiting hearing in the Supreme Court when the courts resumed sitting in February of that year. The suggestion was then made by a committee examining this whole question, consisting of members of the Law Institute of Victoria and the bar, that six more justices be appointed as a matter of urgency.

An article which appeared in the Melbourne *Age* of 24 December 1979 under the heading "Crime case delay crisis" under the by-line of David Withington stated:

> People charged with most criminal offences face an estimated delay of 20 months before their case can be heard by the County Court.
>
> Top lawyers say the State's criminal justice system is in a mess because of the backlog, which has grown quickly over the past 12 months.
>
> "There has been a crisis for some years," one experienced criminal barrister said. "The system is now on the point of blowing up."

An editorial in the *Age* of 31 December 1979 said this:

> The Attoney-General, Mr Storey, said last week he was concerned at the apparent increase in the delays. Committees are being formed to examine the problems and make recommendations. It is a familiar story. As crime is unlikely to diminish, and the law grows ever more complex, two possible remedies suggest themselves. One is to appoint a task force of efficiency experts to sweep through the musty corridors of the Law Department. Another is to appoint enough judges experienced in criminal jurisdiction to the County Court. The Victorian Government has long been firm in its support for law and order. It should give greater emphasis to the provision of justice.

This is not something new; the Government has been aware of it because it has been brought to its attention over a long time. The only thing that is not constant is the areas in which the delay and hardship that occur as a consequence are most pronounced. The areas where delays are most apparent vary from time to time.

I shall say something of the position that currently exists in the principal common law courts today, and shall deal first with the Supreme Court. I have prepared a number of tables, of which copies have been supplied to the Minister of Transport and the Leader of the National Party. I seek leave for the tables lettered "A" to "D" to be incorporated in *Hansard* without being read.

The SPEAKER (the Hon. S. J. Plowman)—The honorable member has presented the tables to the Chair, and they are acceptable.

Leave was granted, and the tables were as follows:

Table "A"

SUPREME COURT

(*Melbourne*)

CIVIL JURISDICTION

Year	*Number of cases listed*			
	Jury	*Causes*	*Causes (personal injury)*	*Miscellaneous*
31 January 1979	482	114* 328	..	199
31 January 1980	898	332	161	126
26 March 1980	797	327	251	122
Estimated Delay	9–10 months	13–14 months	9 months	3–4 months

* Causes were designated "short" and "long" at this time. The personal injury cause list was created in the past year.

Table "B"

COUNTY COURT

(*Melbourne*)

CIVIL JURISDICTION

Year	*Number of cases listed*			
	Jury	*estimated delay*	*Non-jury*	*Estimated delay*
1 January 1978	328	3 months	914	3 months
1 January 1979	527	4½ months	1283	4 months
1 January 1980	1123	9 months	2989	12 months
1 April 1980	1197	14 months	3011	16–18 months

Table "C"

CRIMINAL TRIALS AWAITING HEARING IN SUPREME AND COUNTY COURTS

Year	*Number of cases*	*Estimated delay**
December 1975	867	..
December 1976	636	..
December 1977	644	..
December 1978	754	12–14 months
December 1979	900	15–20 months
April 1980 ..	900 plus (exact figure not available)	15–20 months

*Excluding charges of rape, persons in custody and cases where special fixing to meet witnesses convenience.

Table "D"

TIME TAKEN TO HEAR COUNTY COURT TRIALS

(Source: Police Service Board Determination 308, paragraph 428)

Year	*Number of days taken to hear contested matter*
1972	2·8
1973	3·0
1974	3·2
1975	2·8
1976	2·8
1977	3·7
1978	5·0

Mr CAIN—Table "A" sets out the civil jurisdiction lists for the Supreme Court at Melbourne for the years 1979 and 1980. At the foot of each column in the lists is an estimate of the delay that one can at present expect in having matters in those respective lists dealt with before the courts. Those are cases that have been certified as being ready for trial; they have already gone through a number of preliminary stages and have been put before the court, set down for trial and certified as being ready—in other words, the parties have said they are ready to proceed to trial. There may well have been delays of twelve to eighteen months, more or less, in getting the action to that stage.

The note at the foot of the first table indicates that there is some confusion in the figures under the heading of "Causes" because of the creation late last year of a personal injury cause list. That presents some problem in comparing the figures over recent years. The present delay can be seen at the foot of each of those columns.

The second table is lettered "B" and refers to the Melbourne County Court civil jurisdiction. I have the figures from 1 January 1978 to 1 April 1980 and the delays over those periods. Again, these are matters certified as being ready for trial. All the preliminary matters have been dealt with and the parties have indicated that they are ready to proceed. This is the area in which there has been the most dramatic increase in business in recent years. It can be seen that there has been a rapid escalation in the number of cases. The number of cases in the jury list has escalated from 328 in January 1978 to 1197 as at 1 April 1980, and the number of cases in the non-jury list increased from 914 to 3011 in the same period.

Putting those tables together, one sees that in January 1978 there were some 1242 cases, both jury and non-jury, awaiting trial, certified ready to proceed, for which the estimated delay was three months. By April 1980 there were 3208 cases with waiting periods of up to eighteen months, as estimated by a court officer.

There is also a problem with the court facilities in the County Court. The jury rooms are small, and it is often difficult for people to get up and walk around the table—that shows how small the rooms are. Some jury rooms have no windows. Cynics suggest that they were designed for quick verdicts and I am not sure if that is true, but jury rooms are oppressive and are not what people who give up their time to serve on juries ought to expect when they go to court.

As the honorable member for Gippsland South interjects, the same thing applies in Sale. The Sale court house is fairly old and there may be some reasons for that, but the County Court in Melbourne is a comparatively new building.

The County Court has always been called the "people's court", the court to which people could most easily have access, but it has become the court to which people cannot obtain access, especially in the last two or three years. Table B only reflects the surface of the problem because the number of summonses issued and not certified as ready for trial has dramatically increased.

In 1978 approximately 46 500 summonses were issued. In 1979 approximately 47 843 summonses were issued and the Registrar says that already in 1980 the figure is up 20 per cent on the 1979 figure. It may be twelve or eighteen months before those cases are certified as ready for trial. Hence, one has a "wave" of new cases following on.

It was anticipated that the increased jurisdiction of the Magistrates Court, which was the subject of a Bill initially prepared in December 1978 and redrafted and passed in December 1979, would take a lot of County Court work back to the Magistrates Court. However, even if the Bill were proclaimed tomorrow, its effect would not be felt for two or three years because of the huge number of summonses already issued and awaiting hearing in the County Court. It has not yet been proclaimed. When one hole is plugged, the problem pops up somewhere else.

On proclamation there will be an immediate impact upon the Magistrates Court. Those amendments are merely bringing the courts up to date in their appropriate jurisdictions having regard to the effect of inflation over a period.

For the Magistrates Court, no lists are available in the same way that lists are available for the County and Supreme courts. The capacity of the Magistrates Courts to deal with the business on hand varies from court to court. At present the position is better than it has been for some time: Improved resources and better use has been made of existing resources. The new jurisdiction will flood the Magistrates Courts some time in the future. By the time that occurs, inflation will demand further amendments to the jurisdiction and the position is falling behind all the time.

I now come to perhaps the most sensitive and serious area—the criminal trials—and I refer the House to Table C. The number of cases listed tells only half of the story. There has been a steady increase since December 1977. I could not obtain the final certified figure as at April 1980. It is 900 plus but officials were not prepared to offer the final figure and I refer the House to the footnote which indicates cases, excluding charges of rape, where there is a requirement that those matters be dealt with within three months of committal and excluding persons who are in custody because they are, wherever possible, dealt with more quickly. In other words, persons who are on bail and who are not charged with rape. Again, I point out that these figures relate to committals, cases committed for Magistrates Courts or to the Coroners Court and persons awaiting hearing in the County or Supreme courts in respect of criminal trials.

There is very often an enormous strain upon a person who is on bail awaiting trial because of the need to report daily and, even though he is on bail, the wait for a criminal trial is a matter of immense concern. Those figures, without contradiction, indicate that the rate of committal far exceeds the disposal of cases by trial.

When one examines complex commercial matters that may involve criminal proceedings, the position is quite disastrous. One specific matter upon which I have been communicating with the Attorney-General relates to the appointment of an inspector to examine two companies, Lefroy Minerals Pty Ltd and North Deborah Mining Pty Ltd. The inspector was appointed in October 1974 and no report was available until April 1979. In a letter addressed to me in October 1978, the Attorney-General indicated that police action had been taken; in other words, criminal proceedings were to be taken some seven or eight years after that inspection was first commenced. That is absolutely absurd. If one is unable to investigate white collar and commercial crime more effectively than that, one should give it away because, to call upon a person to answer criminal charges eight, nine or maybe ten years later, is just nonsense and totally unfair to the person concerned.

Whilst all this charade is going on, the persons who have invested in these companies cannot obtain a copy of the report to examine whether they can recover their money because the Attorney-General says, "Well, I will not make that available until the criminal proceedings are disposed of". That is an extreme case in white collar crime and the Government has abandoned any real desire to grapple with the problem.

In many instances, persons who are charged with criminal offences wait up to two years from the time of the committal until their trial is heard. That is too long, and it is not fair to impose that time upon anybody. It is not fair to the witnesses who have to attend the trial later and provide accounts of matters that may have occurred years previously.

So far as the Coroners Court is concerned, it is able to cope with inquests. There is some suggestion that the police briefs that come before the Coroners Court in murder and manslaughter matters take longer than desirable. There is a period of about six to eight months between when a person is charged with murder or man-

slaughter until the inquest is heard and, in almost all of those cases, that person is held in custody.

On culpable driving charges involving motor cars and fatal accidents, there is a waiting period of four to six months. It is suggested that the delays are caused by the police briefs. I make no judgment about that. The system is not giving service when it takes that long to call people before preliminary hearings at the Coroners Court.

One other aspect I ought to mention is the matters that come before Masters of the Supreme Court who deal with preliminary matters, that is, determine matters and hear applications in cases prior to their being ready for trial. A delay of some three months occurs in obtaining a preliminary hearing before a Master. Obviously something has to be done because the system is not working efficiently and the present establishment of Masters is unable to dispose of the work.

I do not desire to make any real comment upon the workers compensation jurisdiction because of the rather false situation that has developed in the lists over the past twelve months due to the Bill that was introduced in June creating a false situation. There are 7741 contested cases before workers compensation boards at the moment. The delay for some years now has been about eighteen months in a contested matter. The Registrar says that has not changed much. I make no comment because it would be unfair to do so and I do not rely upon the workers compensation board because of the hiatus that has occurred with people deliberately delaying cases, for whatever reasons, during the past twelve months. It may be that those figures do not truly represent the present situation.

I come now to the effect of that delay in those jurisdictions on the people concerned. What most troubles the Opposition is that it does lower the expectation and respect that people have for the legal system. It causes hardship to persons awaiting the outcome of litigation. Very often in damages claims the interim payments that are made available by way of social service payments or otherwise are not sufficient. Financial difficulty occurs, creditors press for payment and there is general anxiety and often financial problems for persons awaiting the outcome of damages claims which accentuates the damages those persons have suffered and, most of all, there is resentment. It adds to the cost of litigation. Nobody can quantify that, but it certainly does.

On the more practical side, that is, civil liberties, people are locked up for long periods. A person charged and acquitted of murder may well have spent eighteen months in custody before his acquittal. When people are kept in custody for long periods and there are substantial delays in trials, that lends some colour to the whole system of plea bargaining. I make no judgment on the question of plea bargaining, but I do point out that delays have an effect on the negotiations that occur with plea bargaining.

I regret that it has to be said that judges give bail to persons to whom they would not otherwise give bail because judges have said that they are concerned over the time that a person will spend in custody pending trial or an inquest hearing. That is not good and judges should not be put in a position where they feel that in all fairness they must give bail to a person pending a court procedure simply because the system cannot cope.

That leads to periods of frustration and as people feel angry over the situation, that leads to the position I mentioned before. When they do get their case to court, they feel further frustrated and if they get a bad result, they feel they have been unjustly treated because of the result that they have achieved.

I come now to some suggested remedies. I acknowledge that before one can even approach the problem by suggesting a solution, one must realize that there are enormous problems and that something has to be done about them. The first prerequisite is a desire to do something. This must be acknowledged

by the Government as well as the need for leadership and direction. The Government acknowledges that the problems exist but it has not done anything. There has been a total lack of initiative on the part of the Government. It has to be less rigid in its approach to some of the problems and much more adaptable to others than it has been in the past.

Perhaps I could demonstrate that last point by referring to the debate on the motion for the adjournment of the sitting in another place on 19 October 1976 when the member for Gippsland Province, Mr Long, drew the attention of the Attorney-General to some suggestions by the Law Reform Commissioner regarding delays. Mr Long suggested that the Attorney-General should increase from 8 per cent to 12 per cent the rate of interest that a defendant has to pay on a judgment as that would provide some incentive for a defendant to settle an action. In response, the Attorney-General indicated that the Government would look at it. It was a perfectly reasonable suggestion but of course nothing has occurred. Mr Long was putting a good suggestion, but of course it is much more preferable for the insurance company to be paying interest at a rate of 8 per cent when the majority of its investments are in the short-term market and it is receiving between 10 and 12 per cent interest on that money. Mr Long properly put a suggestion but nothing has been done. That was a sound remedy which could have been adopted by the Attorney-General and by the Government.

The last point to be recognized when approaching the question of delays is that it has to be recognized that it is a complex problem for both the practitioners and the practices and procedures in the court, the proficiency in the practice of the courts and the Law Department, and for that matter the judges themselves. Is a multi-faceted problem and, so far as I can see—I was interested in this matter before I came to this place—the Government has not acted at all. The Government has avoided the problem and, although on occasions it has suggested a few improvements, it has never faced up to the total problem and has not shown leadership in its approach to it.

The Attorney-General was asked about the serious delays in the hearing of cases when he appeared on Channel 7 about a month ago. On that occasion the Attorney-General did not offer any positive solution to delays in criminal trials. The Attorney-General said:

> I think it's very unfortunate that that should be the case and I would like to reach the situation where it's not so.

The position is that some people have been waiting for up to two years in regard to criminal trials. That type of timid approach by the Government has to end.

I come now to some suggestions which have been made in this area by the Government's own Law Reform Commissioner, Mr Smith, back in 1976 when he was given a reference headed, "Delays in Supreme Court actions" and on that reference Mr Smith suggested six remedies which might help. In some instances they were small but they were all matters which he, after due consideration, thought were worth trying.

Mr Wilkes—Have any been adopted?

Mr CAIN—Only one has been adopted and that is referred to in the report of the Law Reform Commissioner for the year ended 30 June 1979. Page 5 of that report has a heading "Implementation of Reports" and it refers to the Law Reform Commissioner's report of February 1976 on delays in Supreme Court actions and indicates that only one recommendation was implemented but that not one of the other recommendations contained in that report have been implemented.

I do not believe Mr Smith had all the answers but at least they were worth trying. We have to experiment to find out whether the proposals will work and experimentation is the only way to ascertain whether a suggestion will or will not work.

Another suggestion I make is that the Government should be realistic over the number of judges in Victoria. Currently there are 21 Supreme Court

judges whereas in New South Wales there are 36 to cover roughly the same jurisdiction. In this State there are 10 County Court judges out of a total complement of 34 who are engaged on other business covering a whole range of activities not associated with the County Court list, those County Court judges being directed to serve on a number of boards and tribunals. I draw the attention of the Government to what was indicated by the Bar Association and the Law Institute of Victoria in 1976, when those bodies indicated that there was a need for an additional 10 Supreme Court judges.

I know we always come back to the question of cost and it is proper to do so, but it should be remembered that in effect the courts pay for themselves. According to the last Budget documents, an amount of $19 million is spent in conducting or administering the courts in this State. In return the Government receives approximately $17 million from stamp duty collections, for affixing stamps. I acknowledge that not all of that amount is received from court documents but most of it is, although the Minister of Transport indicates that he would not believe that that is so. Even if two-thirds of the amount were received from stamps affixed to court documents in respect of County Court and Supreme Court litigation, it would still amount to $10 million, and in addition the courts collect $12 million in fines, so no matter which way one does one's arithmetic, the courts pay their way. I do not believe it is unreasonable to suggest that litigants might marginally pay a bit more for I believe they would willingly pay a bit more if they got a better service and an expeditious hearing of their cases. As I have submitted, an expedition in the hearing of cases is warranted and I do not believe the Government can argue against that submission on the question of cost.

A further suggestion I make is that the Government should consider the appointment of an independent Director of Public Prosecutions. This would lead to a more efficient system of setting down criminal trials and it is essential that he be an independent officer. At present the Crown Law officers in effect fix the lists and determine what trials will go on. They are also responsible for their prosecution. That is not good and the Government ought not to persist with a system which allows the Crown to put cases in and out of the court list. That is the current procedure until the presentment is filed and delays will continue as long as the present system exists. An independent Director of Public Prosecutions would prepare presentments and that person would have an independent status and role to play in criminal prosecutions. It would be similar to what occurs in the United Kingdom and would improve the efficiency of our criminal jurisdiction.

A third suggestion is that the Government should consider instituting what occurs in New South Wales when a person is charged with murder rather than the charge arising from an inquest. In New South Wales an inquest is formally opened and adjourned, then the committal proceedings occur and consequently those proceedings take place much more quickly than they would otherwise.

The next thing I suggest is that there should be a change in practice and procedure, of moving cases between lists, where appropriate. Under the present system when a trial appears on the list of a judge, it remains on his list although he may not be able to hear the case. Some judges prefer to keep the trials on their own lists but if it were more efficient to have a system of taking cases away from them and placing them on another list, then such a system should be instituted.

The Government should also experiment with morning and afternoon lists. There is also the question of time of lists. Sometimes towards the end of a month they will not commence a case because they may not finish it and so the case is further adjourned. Perhaps the lists should extend for longer periods and even if a case is to commence towards the end of the list and time

may not be available to conclude it, it should commence and continue until it is concluded.

The Government should also consider a new method for calling of the list. Perhaps provision should be made for calling the list before the formal business of the court commences to ascertain the state of the list.

I have previously mentioned the suggestion of ensuring that there is a transcript or tape recording available in the County Court jurisdiction. This would save much time as judges and counsel would not have to take notes by long-hand.

My last suggestion is that the Government has to create a full-time expert body of people to examine the whole problem and come back with suggestions as to what should be done. It is no good going on year after year with part-time people, already engaged in other jobs, sitting down at lunch-time once a month for an hour trying to grapple with the problem. What is needed is an expert body of people who are not bedevilled with these commitments but who are able to apply their minds full-time to the job at hand. They should be paid a reasonable remuneration and allowed three or six months or even longer to come up with a solution.

The Government has had a long time to take the necessary action but it has failed to do so. The Government has been unworthy of the trust placed in it by the people because it has not provided an adequate system of justice in this State. The present Attorney-General has had four years in which to act. He cannot go on blaming his predecessors, bad as they were and I believe he did inherit many problems.

The House should remind the Government of its continuing failure to provide justice for the people of this State and, lastly, I pledge a Labor Government to respond in the ways I have suggested. The Government should respond and at least it should introduce remedies and continue to try to find ways to overcome and to reduce the delays in court hearings and thus ensure that Victoria has a workable and efficient system of justice.

Mr MILLER (Prahran)—I support the motion. It is a clearly thought out motion which highlights one of the major problems of our system of justice, not only for judges, lawyers, and members of the wider legal community, but also for everybody who has been associated with the legal system in Victoria. At the moment the Victorian legal system is, as has been indicated, not operating satisfactorily, for justice delayed is justice denied. Victoria has a card system that has grown up and ground its way along which simply does not provide justice for the vast majority of people who are caught up in its web. The State needs a simple and accelerated process whereby justice can be delivered to the people.

As the honorable member for Bundoora has rightly pointed out, there is a denial of justice in Victoria under the present system, which has become institutionalized and chronic in its operation, when it is the expectation of many Victorians that they will be kept waiting or their cases will be delayed whether in the civil or criminal jurisdiction.

The present operation of our courts is surely a negation of what should be happening because what is required is a means whereby persons do not have to wait to have cases heard, but a system where legal differences can be resolved quickly, speedily and promptly.

If we examine the system as it has developed, we can see that quite obviously problems exist. Those problems have been recognized by the present Attorney-General and by many other people. We should examine the problems and some of the causes of those problems and then I suggest the Government should consider some of the remedies put forward by the Opposition. If that was done, perhaps the picture might emerge a little more clearly.

On 16 December 1976, almost four years ago, the Attorney-General, who had been in office for some seven months, was reported in the *Herald* of that date as stating:

> Throughout Australia Governments, law reform agencies and the community in general share a growing concern with the administration of justice and the delays which exist in our court system.
>
> I am determined to see that these delays are reduced.

It is clear recognition that the problem exists, when the Attorney-General said almost four years ago that he was going to do something about it. Almost nothing has been done about it at the County Court or Supreme Court level, but, to be fair, some steps have been taken at the Magistrates Court level. I shall continue with the quotation of the Attorney-General:

> It is important to know when your case is likely to be heard, when your dispute is likely to be resolved, when your prosecution will proceed. In addition, there are many people—family, friends, employers, employees who wait upon the result.

All those things are true, but they have not come about because delays are still occurring in the courts. In fact, the delays are worse than ever. The Attorney-General went on to say:

> These actions together with other actions taken by the County Court have enabled that court to reduce the back-log of criminal cases to such a degree that I expect by mid-1977 the County Court will be completely up to date in criminal matters.

What a false expectation. The County Court is not up to date in criminal matters. It was not the case in 1977; it is not the case in 1980; and it will not be the case in 1981 or thereafter. The Attorney-General went on to say:

> It is already able to deal with civil cases shortly after they are ready for trial.

As the honorable member for Bundoora so clearly and articulately explained, that is not the case. Presently there is a minimum of fifteen months delay in the criminal jurisdiction of the County Court, and the delays in the civil jurisdiction are almost as long. The Government has failed to solve the major problems that beset the courts.

A person presently charged with a criminal offence must wait up to twenty months, or more, before his case comes to trial. I have spoken with a criminal barrister friend of mine who is involved with two cases; one is more than two years old. It is a culpable driving case. The accident occurred in mid-1977; the inquest was held in July 1978, when the accused was commited for trial, and that case has only just come up for trial this month. A similar instance concerns a person involved with theft from an employer, a so-called white collar crime, which the Crown is notoriously reluctant to prosecute. The offence occurred in mid-1976. The committal was in June 1977, and the case still has not come on for trial, almost three years after the event. That is placing a great burden on many people. It means that the Crown which prosecutes and carries the burden of proof is placed in a difficult position. It means that the accused is placed in a difficult position, as are the witnesses. People's memories and recollections of events dim with the passage of time and it is often difficult to obtain witnesses long after the event.

I refer to an obvious and simple chronology of events that occur, by way of illustrating all these problems. At the Prahran Magistrates Court, which is probably the most efficient of all courts operating in Victoria, or at the Preston Magistrates Court, it takes a minimum of two months before a committal can be set down—that is four months from the date of the charge to the committal before the Crown case can be presented. There is a minimum of two months before a Crown brief can be prepared, making an absolute minimum of 13 months, and 20 months is the shortest possible time before trial—that is any time from 2 to 3 years from the date of the alleged offence.

The Minister will no doubt point out that in 1978 there were 1229 committals in Victorian courts and in 1979 it increased to 1400. The system of the hand-up brief, which operates at the Prahran Magistrates Court and at Preston and Melbourne Magistrates Courts, by and large has worked well and has been a useful innovation. The

Government should be commended for that innovation, but it is not the increase in committals by 200 between 1978 and 1979 that is responsible for the delays. The delays that have occurred are due to more complex causes. One is the reluctance of the courts to sit staggered hours or, alternatively, to sit over the eight-week period when most of the courts in Victoria are closed. From 15 or 16 December last year to 1 February this year the Supreme Court was virtually closed as was the County Court. A Supreme Court judge was available for urgent applications, but these are rare and exceptional cases, and one has to convince the judge that the case is urgent for the judge to come in on two or three days of the week to hear one's case.

Why should not the courts follow the system of the Family Court and the Australian Capital Territory system whereby judges can take their holidays over a staggered period so that all the courts do not close down for six weeks over Christmas and also for the mid-winter vacation in July. If that were done, for this eight-week period most of the court staff and judges could provide the facilities and services that our system demands.

In New South Wales the Supreme Court judges are prepared to take staggered leave. They take their leave earlier in the year so that for two weeks in July the persons caught up in the legal system can have trials going on. The Family Court sits during January. The judges in that court have enough backlog and sufficient delays so they cannot be held up as the perfect model, but, many judges do sit during January and do take their vacation at a later stage.

The delays that have occurred in the Victorian system have had appalling results and effects on everybody from judges down to the most lowly witness who appears before a court. The delays have had serious and adverse effects on all participants in the system. Judges have to face the problem of determining the probity and weight of the evidence given by a person—whether the accused, the defendant or plaintiff—years after the event. If a person is called as a witness and he cannot recall what he saw or heard on a particular day, the judge is placed in a difficult positon of assessing the weight of the evidence, the value of the evidence and the probity of the evidence.

No person experiences a more traumatic event in his life than being charged with a criminal offence. It is a hardship imposed on a great many people, and in Victoria, as indicated, they must wait a minimum of fifteen months for a trial. That is an extraordinary delay between the time a person is charged and when his case is heard in court. It means that the sword of Damocles hangs over his head. The fact that many people who are charged with offences are not convicted means that our system imposes very real financial, emotional and other constraints and hardships on them.

The delay in resolving civil claims has resulted in stress and tension in families. It has meant that partial settlements are accepted. Individuals have been prepared to accept lesser sums because they simply cannot hang on any longer. Also, a well orchestrated case can delay the hearing of a matter for months and months.

Other costs are involved as well as the emotional cost of the plaintiffs or defendants. There is financial hardship to witnesses who sometimes have to be flown from interstate, and there is a great deal of trauma that should be minimized in both the civil and criminal jurisdictions.

Lawyers face very real problems. A Crown prosecutor in a criminal prosecution has the difficulty and dilemma of not knowing when a trial is coming on. It may be called on a particular day, and it may not. Sometimes three and four cases are listed before a judge on a given day, but most cases are listed three times before they are heard. The most notorious case I have been able to discover is one that was listed in the County Court thirteen times on specific days before it was heard. That

is atrocious and appalling for counsel, the judge, witnesses, and everybody else involved, to come back to court on thirteen separate occasions before a case is heard. Because of this, the rendering of a fair trial is made that much more difficult.

I turn to the functions of a defence counsel. Because of the overbooking system that occurs, particularly in the County Court, at 4 p.m. on a particular day many briefs have to be returned to the barrister's clerk, and young barristers, who have not had a great deal of experience in the justice system, are required to go into court on the following day to appear for a person charged with a serious offence. He has not had an opportunity to discuss at length the facts with the accused, and he goes into court at a great disadvantage *vis a vis* the crown prosecutor. The accused, whose liberty is often in jeopardy, then is faced with an *ad hoc* justice system. Witnesses may have things to say that are helpful to a prosecutor, to a defendant or an accused person. Time will dull their memories. Peoples' recollections fade with the passage of time and it means that a person's case can be affected if three years elapse between the time of committal and the time his case is set down for trial.

The honorable member for Bundoora spelt out at great length how the delays have occurred; he has quoted at length the figures and I will not repeat them. However, I also point out that one of the causes that has traditionally been articulated as the reason for delay is the increase in business. The volume of business in the courts has increased. The number of writs issued in 1978 out of the Supreme Court was 9087, and in 1979 it was 11 165, which illustrates that at the Supreme Court level more litigation was involved. This flows over into all aspects of litigation, whether it be in the interlocutory proceedings or in procedures before the master. The honorable member for Bundoora pointed out the delays occasioned to litigants before a master. Masters do a good job in resolving delays before a case comes on for trial. The Supreme Court also can be clogged up by actions that have a long history.

A useful procedure that the Government has introduced is the prothonotary summons. That has been a worth-while development, but that is only one step and others should be taken. A prothonotary summons requires action to be taken on a writ within a certain time and that makes good sense.

One of the other causes articulated for the delays is that trials now take longer. On average, in 1972, a trial only took 2·5 to 2·7 days, whereas in 1978 it extended to 4·5 days per trial.

One of the reasons articulated for the delay is inexperience. Many junior counsel in criminal trials do not have the experience of their senior brethren and many judges appointed to sit on criminal trials have not had much experience of criminal trials. Wherever necessary a young barrister will take the view that everything should be proved by the Crown Prosecutor rather than take a chance, perhaps admitting something and running the risk of having the client committed to prison.

The court system has many complexities, including the range of penalties introduced in the past decade and which have increased enormously, especially drug offences, and cases where forensic and expert evidence is required. An added difficulty is the interpretation of Federal and State legislation. All those factors precipitate delay.

The courts have attempted to come to terms with these complexities. Appointments have been made, as the honorable member for Bundoora pointed out, of persons of the calibre of Mr T. W. Smith, Q.C., the Law Reform Commissioner, to examine in detail some of the problems besetting the system. However, only one of the six positive recommendations advanced by Mr Smith have been acted on by the Government. As early as 1976 the then Attorney-General, Mr Wilcox, appointed a former Army colonel to examine the court system and tackle some of the problems of delay and in-

efficiency that continue to plague the legal system. When his four-year term of office expired in January 1980, Mr Murphy was reappointed. An article in the *Age* of 23 January 1980, referring to the reappointment stated:

> The Attorney-General, Mr Storey, said yesterday the job had not been re-advertised when Mr Murphy's four-year term expired this month.
>
> He said the re-appointment was for only one year because big changes in the structure of the Law Department were being considered.

It would be nice to know of the big changes being considered because no momentous change has occurred in the judicial system at the initiation of either the Government or the Attorney-General, a Minister who has held that portfolio for four years and who has lost control of it. He has not been able to effect reforms or to bring about changes in the system so that speedy and effective justice can be given to litigants and to all persons involved in the system. In the same article of the *Age*, the Executive Director of the Law Institute of Victoria, Mr Gordon Lewis, was reported as stating:

> . . . the institute had not been told of Mr Murphy's re-appointment.

It is odd that one of the principal bodies in Victoria concerned with the administration of justice, the Law Institute of Victoria, was not informed. The article stated further:

> A senior lawyer said: "There seems to have been relatively little progress in streamlining the court system over the past four years.
>
> "At this time, when there is growing criticism of delays, it seems a pity that any position associated with court administration was not advertised in the normal way."

Many people have made detailed studies and examinations of the court systems in England, Australia and the United States of America. Dr Ian Scott of Birmingham University Law School, an expert, came to Australia two years ago to advise the Chief Justice and others on court administration and yet none of his positive recommendations has been acted upon.

It is important that the Government should have the benefit of the experience, wisdom and practices of overseas jurisdictions. For instance, the Government should introduce a pilot scheme of night courts for three nights a week at the Melbourne, Prahran and Preston Magistrates Courts. The evening courts could deal with motor car and other minor offences so that the person charged could appear and be heard without having to take a day off from work. Such a system was introduced in New South Wales. The night court system in New York operates effectively. Those appearing before the courts have an opportunity of appearing in person without suffering the additional financial hardship of loss of income by taking a day off from work.

Another aspect honorable members should consider is the delays in Magistrates Courts that have resulted from the quality of the magistrates when so much depends on a court-to-court basis. The Prahran, Preston and, to a lesser extent, Melbourne Magistrates Courts have not experienced extremely intolerable delays as a result of the booking system initiated in the Prahran Magistrates Court whereby a case can be booked in 3, 4 or 5 months in advance. This has meant that everyone concerned — solicitors, barristers, clients and witnesses—have a more positive basis on which to operate. That system should be widespread when the amendments to the Magistrates Court Act are proclaimed.

The honorable member for Bundoora mentioned the institution of an office of the Director of Public Prosecutions. There is no good reason why the proposal of the Labor Party, which has been voiced many times and which is a constructive suggestion, should not be introduced so that a separate and impartial officer can expedite the work of the Law Department, prepare commitments and have a separate status. It could be operated much more efficiently than the present system. I strongly support the suggestion that the office of the Director of Public Prosecution should be introduced.

The legal system in Victoria now has groaned and limped along over the years. It denies many people justice. Justice delayed is unquestionably justice denied. It is essential for the Government to take notice of the motion

moved by the honorable member for Bundoora because the present structure of the court system is inefficient, inhumane and slow; the business of the courts is not being economically disposed of in Victoria. The wording of the motion has been chosen carefully and I commend it to the House.

Mr RAMSAY (Minister of Labour and Industry)—As a non-legal person, it has been fascinating to listen to the speeches of two honorable members of the Opposition who are members of the legal profession and who have pulled to pieces the structure of the courts of Victoria. One honorable member is a former President of the Law Institute of Victoria and is well versed in the ways courts operate and his criticisms have some basis. Certainly, there are delays in the courts. I have yet to know of a system of justice in which delays do not occur.

The systems in which there are delays should be examined and a determination made of the real causes for the delays. The jurisdiction which concerns me is workers compensation boards. I recognize that the honorable member for Bundoora did not rely on the delays of workers compensation boards in substantiating his case. The operation of the boards has been brought to the attention of the House before and undoubtedly will be again. The Government is well aware of delays in this jurisdiction and the problem is one I would very much wish to be corrected.

The honorable member for Prahran truly said that justice delayed is justice denied. However, I sometimes wonder why the delays occur and how much the legal profession is responsible for those delays. At 30 March this year, 7741 contested cases were awaiting hearing by the workers compensation boards, an increase of 382 over last year's figure of 7359. This increase was principally due to the delay in finalizing legislation which caused the deliberate deferment of several cases by the claimants because they reasoned that, by delaying the cases, the payments they would receive would be increased. At present, the delays are approximately sixteen to eighteen months of waiting for cases to be heard. However, out of the 7741 contested cases to be heard it is anticipated that 95 per cent will never be heard by a workers compensation board, that they will be settled at the door of the court by solicitors representing both sides of the argument who suddenly consider the case has become sweetness and light and the need for it to be heard before the board does not exist. In 1970 the board was rid of 7003 contested matters, and only 271 were heard.

This problem is being taken up not only with insurance companies but also with solicitors representing both sides of the workers compensation argument through the Workers Compensation Consultative Council. With any luck, a representative of the Trades Hall Council will be a member of the council again in the near future to give the benefit of the intelligence and wisdom of the Trades Hall Council in how to bring these solicitors into line.

It is absurd that so many cases suddenly and so miraculously can be resolved without the benefit of a hearing when the claimant is being denied justice because of the wisdom of the legal profession in waiting until the case comes to court in order to gain a little bit more. Under the Act, in cases of hardship claimants can apply for a speedy hearing of the case. All that is required is for the legal representatives of both sides to be ready and to indicate to the board that they require a speedy hearing because of hardship and a speedy hearing can be arranged. However, I am reliably informed by the board that lawyers seldom take advantage of this provision in the Act. It really makes me wonder about the integrity of some legal practitioners. I wonder, perhaps unfairly, whether delays are conjured up by solicitors' self interest in the size of the legal fees payable at the end of a long hearing. Opportunities for speeding up justice in these cases are available and I put the responsibility for delays largely at the door of the legal profession.

Mr MACLELLAN (Minister of Transport)—I briefly remind the House of some of the suggestions of the honorable member for Bundoora for improvements to the system. If I heard him correctly, he suggested firstly that more judges would be of assistance in expediting hearings of cases. That is a point, although, if I correctly heard the honorable member for Prahran, I gather that the presence of junior barristers in cases—and increasingly they are involved in cases, as alluded to in table "D" which the honorable member for Bundoora has incorporated in *Hansard*—has led to the lengthening of the time taken in actual trials.

The problem being dealt with is that of delay in court hearings and the disposal of contested matters by the court. The delay arises from a complicated series of factors. Firstly, one is dealing with human beings and human problems and account must be taken of the fact that the length of hearings has extended. If one refers to the table produced by the honorable member for Bundoora, one finds that the average length of cases has increased from 2·8 days in 1972 to 5 days in 1978, so that on the average there has been almost a doubling of the time taken to hear a case. Add to that the fact that legal aid has been introduced. Every time legal aid is improved —and I do not suppose there is a member of this House who would not support that movement—the opportunities for people to be represented are improved; and, as the honorable member for Prahran puts it, because of the number of people being represented, increasingly some of them are relying on less experienced counsel and, as he puts it—a very fair point—less experienced counsel tend not to admit evidence which may be admitted by more experienced counsel, but to contest it and require proof of it. It takes me back to just before Easter when this House was discussing a railways Bill and certain people wanted everything provided.

However, it is a factor which is clearly a matter of some significance, that junior counsel—perhaps "less experienced counsel" is a better way of putting it—contribute to lengthy trials. Trials are lengthening anyway because legal aid has given access to better legal representation or, indeed, to legal representation for people who might not otherwise have had it.

An increase in the number of judges may be the answer, but it is not the simple answer because it would be necessary to provide all that goes with the judges, in addition to accommodation for them. The honorable member for Bundoora mentioned that accommodation for juries in the County Court is unsatisfactory and that at the Sale court and other courts around Victoria there may be physical constraints on the number of judges who could be properly accommodated, as they ought to be in the legal system, if the number of judges were to be increased.

The honorable member for Bundoora suggested that the Government may adopt a suggestion—I think he adopted it— of ten more Supreme Court judges. He mentioned that County Court judges are used for other work. As the Minister of Labour and Industry has indicated, the County Court judges involved in the workers compensation jurisdiction are dealing with about 291 cases which are in fact heard by the boards as opposed to the 95 per cent of cases which are settled at the door of the court, so that there does not seem to be a heavy burden of work, although there is a heavy burden of time, on those County Court judges involved in the workers compensation jurisdiction.

The honorable member referred to an earlier suggestion he had made about the possible appointment of a director of public prosecutions and that the Government may usefully look at the New South Wales procedure whereby people on murder charges are committed before the inquest rather than after it. I will seek advice from my colleague, the Attorney-General, on his reaction to those suggestions. I do not have particular advice on that subject at this stage.

The more useful and practical area was one which is simply administrative, that is, that cases may be moved between the lists. That suggests that judges would lose control of their own lists. The honorable member also suggested that, in this day and age, the

community ought to expect courts to sit longer hours. The honorable member for Prahran suggested, without any drama about it, that there may be evening courts rather than perhaps night courts and, in any event, that there may be more than an emergency service during the summer recess of the courts. As the Leader of the National Party suggests by interjection, perhaps it would be better if, having started a case, a court were to proceed on into the evening rather than its sitting being terminated at 4 p.m., as is done in the country but not in the metropolitan area. That is a distinction which it is useful to make because the delay factor in rural court hearings is very much less —almost at a nil situation—than the ever-pressing lists which exist in the metropolitan area. Combinations of these moves may possibly stem the contrary thrust of longer trials or longer hearings and the increased access to legal representation and, therefore, the opportunity which is often available.

The honorable member for Prahran paid tribute to the work of the Prahran Magistrates Court, an experiment which has been successful, and the hand-up brief, another matter to which he referred with some kindness.

There are more than 200 Magistrates Courts in Victoria presided over by 69 magistrates. In each year between 1974 and 1979, courts in that jurisdiction have dealt with between 600 000 and 700 000 cases. Accordingly, the Government has focused much of its attention on that area. Honorable members generally will agree that delays in that jurisdiction have been reduced. If we are talking about delay, then we are talking about a measure of success at the Magistrates Court level.

I think it was the honorable member for Prahran who discussed the County Court as being the people's court. I can only say that the Magistrates Court is even more the people's court because it has contact with a far wider range of people. Both civil and criminal jurisdictions of the Magistrates Courts are constantly under review, and honorable members will, in the next day or two, see legislation relating to that question.

At the same time, the Government is anxious to upgrade the qualifications and the expertise of magistrates. Honorable members generally would agree that that is an appropriate response and an appropriate direction to be taking. The days when magistrates were, almost without exception, recruited from the ranks of those who had done a course to supplement work as clerks of courts are gone; and I think we can hope, without wishing that the qualification should shift dramatically to a fully academic course, that it always retains some element of experience before appointment to the magistrates bench. I would hope that that element of experience, although it may be obtained in part as a clerk of courts, will not be jettisoned in favour of a fully academic approach because there is a need for some informality and for some humane relationship between magistrates and the people appearing before the courts. At the Magistrates Court level, that is perhaps more important than anything else, because of the number of unrepresented people appearing before those courts.

I turn now to the County Court in Melbourne rather than in its country sittings. There are 33 County Court judges, although 5 of that number sit permanently on workers compensation cases, so that 5 of the 33 are involved in the 291 cases, if I picked up the figure correctly, which are contested before workers compensation boards as opposed to the 95 per cent which are settled at the door of the court. From time to time, County Court judges sit in special jurisdictions. I am also advised that there is no significant delay existing in the civil or the criminal jurisdiction outside Melbourne—that is, in rural Victoria—or in the civil jurisdiction within Melbourne. Of course, there could be argument as to what is meant by "significant". There are, however, delays in the criminal jurisdiction in Melbourne and the figures to which I shall refer reveal the backlog of criminal trials for the years 1972 to 1979.

In 1972, the backlog was 823 in the County Court and, it was 892 in 1979. Following through each of the years from 1972 to 1979, the figures are: 823,

926, 961, 844, 619, 619, 732, 892. So there has been a pattern of variation. It has gone up, down and up again, and honorable members may safely assert that it is higher now than it was in 1972, but it is certainly somewhat better than it was in 1974. As the honorable member for Bundoora says, it has always been there and it has always been of the significance of more than 600, so there has never been a backlog of less than 600 in any year. It was higher in 1972, 1973 and 1974 and at its lowest in 1976 and 1977. It has increased again in the years 1978 and 1979.

The Government is concerned with this backlog of criminal cases in the County Court and has taken a number of steps in an effort to reduce the number of cases awaiting hearing. Given the steps taken by the Government, it is surprising to find that an upward trend is continued in the years 1978 and 1979 and is continuing even at the present time. What are the reasons? There may be disagreements about whether the table produced by the honorable member for Bundoora exactly and perfectly represents the number of days spent on a case. The advice I have from the Law Department, is that in 1972, where the table gives the number of days as 2·8, the average was 2·7 days; and in 1979 that had grown to 4·3 days, which obviously is somewhat behind the 1978 figure of 5 days as given in the table produced by the honorable member for Bundoora. Obviously, the reality of the increases is represented in both sorts of figures; and whether one regards table "D" as presenting the authoritative figures presented by the Law Department, the impact and the trend of the figures is the same: There has been a significant increase in the number of days associated with trials.

Between 1972 and 1978 the number of persons unrepresented at their trial has declined from 21 per cent in 1972 to 4 per cent in 1976, 1977 and 1978. These facts are reflected in the increased number of days for trials.

The third and most important factor, and one related to the first two, is the number of persons pleading not guilty at their trials. In 1972, 1 213 people pleaded guilty at County Court trials in Melbourne. That figure has fallen by nearly 50 per cent in 1977, 1978 and 1979. So that there is the combination of longer trials, more people being represented and fewer people pleading guilty, all of those factors compounding the problem and to some extent counteracting the measures taken to improve the performance of courts in Melbourne. The figures establish that people appearing before the County Court are now nearly always represented by counsel, that a significantly larger number plead not guilty and that, as a consequence, the duration of trials has increased. On the other side of the coin the backlog in such cases has risen marginally above the 1972 figure. It appears likely that all three factors arose largely from the provision of legal aid and, in other words, one of the most important new steps taken by the Attorney-General in the improvement of legal aid has had the effect of counteracting steps taken to shorten delays. However, I do not believe there is any member of this House who would not prefer to have an increase in the delays and a better legal aid service rather than reverse the situation.

Honorable members opposite are interjecting and asking what has the Government done. In the past four years, an additional eight magistrates have been appointed, bringing the total number to 69. The appointment of an additional four magistrates has been sought for the fiscal year 1980–81. Two specialized courts dealing with committal proceedings have been established at Preston and Prahran and the honorable member for Prahran was kind enough to suggest that those courts have been successful.

The sitting was suspended at 6.15 *p.m. until* 8.4 *p.m.*

Mr MACLELLAN—Prior to the suspension of the sitting I was indicating to the House and to you, Sir, some of the measures that the Government has taken, some of the formal circumstances and the fact that eight additional magistrates have been appointed, bringing the total number to 69; that two specialized courts have been established at Preston and Prahran and that

those courts have been commended by the honorable member for Prahran for their work in expediting the work of magistrates, and particularly of committal proceedings. I referred to the specialized traffic courts which have been operating for several years and that the programme has been extended; that the objective of that programme is to take traffic matters away from the lists of courts dealing with other matters.

Court regionalization is another programme that the Government has initiated with the first of those courts at Prahran. I look forward to that programme continuing. The effect of regionalization is to centralize courts, magistrates and court personnel and facilities as a more efficient means of dealing with court work. I believe we should concentrate on urban areas, particularly the metropolitan area, where the backlog of cases is greatest. Obviously efforts should not be directed to country areas where in many country communities the courts are regarded as an important adjunct of the local community, but that feeling in the suburban context is not as sensible or realistic. The Prahran and Preston experiments have proved successful and should be further encouraged by additional regional courts of that type.

Legislation passed in the last session of Parliament increased the civil jurisdiction of Magistrates Courts, and when it becomes operative in July this year it will reduce the civil listings in the County Court, thereby releasing more County Court judges to deal with more pressing criminal matters where the backlog is greatest.

The introduction of the "hand-up brief" procedure in committal proceedings has provided a means for shortening considerably preliminary hearings in Magistrates Courts.

I now turn to the County Court. In the past four years an additional three County Court judges were appointed, bringing the total number to 33. A further two court rooms have been provided in the County Court building. That building now contains fourteen criminal courts and seven civil courts.

Three additional Crown prosecutors have been appointed, bringing the total to nineteen prosecutors. It is proposed to add to that number shortly. Additional staff have been appointed to the Criminal Law Branch of the Crown Solicitor's Office. A Director of Court Administration has been appointed to co-ordinate the administration of courts at all levels.

A management review of the Law Department was conducted and its recommendations are being implemented. That review included the creation of a Courts Administration Division within the Law Department to control, direct and co-ordinate those offices and branches which provide support facilities and staff to the courts.

The Government proposes to extend the criminal jurisdiction of Magistrates Courts, thereby returning to that jurisdiction offences involving property where inflation has taken those offences beyond the jurisdictional limits of such courts. Last year the Attorney-General formed a committee chaired by the Chief Judge of the County Court to examine factors contributing to delays in the County Court and to recommend means to overcome those delays. The committee is expected to make its recommendations shortly.

The appointment of a total establishment of 21 judges to the Supreme Court has recently been achieved. That is a matter of some commendation for the Attorney-General. A Listing Master has been appointed to co-ordinate the listing of all civil matters before the Supreme Court. An additional five court rooms and chambers for six judges have been provided in the old Crown Solicitor's Office in Lonsdale Street, adjacent to the Supreme Court building.

Generally, it is the objective of this Government, as it has been the objective of successive Liberal Governments in this State, to make the law and the legal system available to all members of the community. With that objective in mind, the Government has

taken initiatives which have obviously been effective in some ways in counteracting and counterbalancing the effect of the lengthening of trials by almost twice as much, 2·8 by five, if we accept the figures of the honorable member for Bundoora. The promotion of legal aid has produced a situation where more and more people are represented before the courts and more and more people are pleading not guilty. Therefore, putting the Crown and the State to the task of proving its case.

In 1973, the Government established the office of Ombudsman which was again a relief mechanism which has taken off much of the pressure where it might otherwise have been on. Again in 1973 the Government established the Small Claims Tribunal and that, as the honorable member for Bundoora would well know, has meant that many suburban practitioners, and to a lesser extent, city practitioners, have been able to recommend to their clients not to litigate the matter but to take it to the Small Claims Tribunal. When Minister of Consumer Affairs, I had responsibility for that tribunal, which has been actively engaged in bringing parties together in an informal way which has avoided the clutter of the courts. Even the market court may eventually become a relief mechanism in trying to provide a non-court relief to the court lists of the State. The Small Claims Tribunal is an opportunity for people to seek compensation from the State. It helps when people do not have to sue for compensation from the person who was perhaps guilty of the assault.

In 1978 the Government provided a simplified method of reviewing certain administrative decisions under the Administrative Law Act. Again this was a relief from the time-honoured mechanism of using the prerogative writ procedure to try to produce a solution to administrative law problems.

The Government has introduced these initiatives and naturally regrets that delays occur. I daresay for many years to come we will be regretting that there are delays because there will be delays of some order. It is the magnitude of the order which is at the heart of the matter and the heart of the concern of the honorable member for Bundoora and of the Opposition. We accept that delays are not acceptable and exist too much, but we do not accept the motion of the Opposition because we believe the Government has been engaged in a realistic programme of trying to counterbalance the delays which otherwise would have grown. Delays would have been reduced but for the fact that legal aid and the other factors which I have mentioned have counterbalanced much of the good work done by the Government. The Government and the Attorney-General have a record of which they can be proud. The House should reject the motion moved by the Opposition, bearing in mind that that is no excuse for lack of future action to further attack delays in the bringing of matters to trial.

Mr ROSS-EDWARDS (Leader of the National Party)—This is really a censure motion against the Government and, in particular, against the Attorney-General, for their failure to so structure, service and operate the judicial system of Victoria to secure just, humane, prompt, efficient and economical disposal of the business of the courts. I should like to make my position clear from the outset, Mr Speaker. I am aware of many of the weaknesses and shortcomings in the conduct of the courts in this State, and perhaps more aware than most honorable members. However, I have a high regard for the Minister holding the portfolio of Attorney-General at present. I have a particularly high regard for what he has achieved in the period he has held that office and, because of his practical achievements, my party will not be supporting the motion moved by the honorable member for Bundoora.

I agree that justice delayed creates injustice in itself, particularly for those people awaiting trial on criminal charges, but I repeat some of the Minister's remarks about the practical improvements that have occurred in recent years in Victoria. In the past four years eight additional magistrates have been appointed, making a total of

69 magistrates and it is expected that another four magistrates will be appointed in the next financial year. If that is so, that will mean twelve magistrates have been appointed in five years which will make a total of 73 magistrates.

There are the specialized courts at Preston and Prahran and the specialized traffic courts which have been operating for some years. In the past four years three more judges have been appointed to the County Court making a total of 33 judges. Recently three additional Crown prosecutors have been appointed. Additional staff have been appointed to the Criminal Law Branch of the Crown Solicitor's Office. A Director of Court Administration has been appointed to co-ordinate the administration of courts at all levels.

In the Supreme Court there is a total complement, which has not been the case for some time for various reasons such as sickness and death. There is now a full complement of 21 judges in the Supreme Court.

The real problem occurs in the criminal cases being heard before the County Court. As has been mentioned, this has been brought about to a large extent by legal aid and also because of the tendency for accused people to plead not guilty. It is apparent from the figures quoted by the honorable member for Bundoora that the length of time taken to hear individual cases has increased.

I am not happy with the delays that are taking place, particularly in the County Court. I was disappointed that the honorable member for Bundoora did not tackle the problem in the way in which I am about to tackle it. The simple answer is to appoint more magistrates to the Magistrates Court and more judges to the County Court and the Supreme Court, but that has been done in the past and the output has not always increased proportionately with the increased number of appointments. As the Minister said, when additional magistrates and judges are appointed, things do not stop there. It is also necessary to provide the buildings, staff and facilities to match the appointments.

Victorian magistrates and judges are well paid and well looked after, and the State has received a high standard from those people in return. However, many people in the legal profession believe the Government could look for greater overall output from the judiciary. That view is shared by many of my legal colleagues outside this place and anonymously by most honorable members who have had legal training.

How is the problem to be solved? It is not easy. Many people have tackled it in the past, with varying degrees of success. The responsibility is fairly and squarely in the hands of the Attorney-General. He has the capacity to carry out this task and in my view his responsibility in this area is the most serious of his responsibilities. He could achieve more by acting in this area than by doing almost anything else. The people with whom he has to deal are not easy to deal with. They have been doing the same things for a long time and some of them are not happy about change, but changes there will have to be. As I said, it is the Attorney-General's responsibility, and I wish him well in a difficult task. It must be done, it must be done quickly and it must be done well.

Mr ERNST (Geelong East)—I support the motion moved by the honorable member for Bundoora and supported by the honorable member for Prahran, and I advocate the alternatives they offered and hope the Government will consider those alternatives.

I shall deal with the problems that occur in the courts in the Geelong area. Geelong has a Magistrates Court, a Children's Court, a County Court, a Supreme Court, the Liquor Control Commission, various tribunals such as the Small Claims Tribunal, and the Workers Compensation Board. In the Commonwealth jurisdiction, it has a Family Court. Before dealing with the problem in depth, I shall comment on some of the remarks made by the Minister of Labour and Industry, who suggested that delays in workers compensation cases occur in contested claims because of the legal profession. The Minister should be aware that the decision to contest a case is made by an insurance company.

Legal practitioners simply carry out their instructions to the best of their abilities. Insurance companies are professional litigants who rely on the intimidation of workers to force them to accept minimal offers. Only at the doors of the court-rooms do the insurance companies make realistic offers that can properly be recommended to the workers. Workers who are not members of a trade union or who do not receive the proper advice are in danger that they will accept minimal offers that will place them in situations of hardship.

The present position in the workers compensation jurisdiction in Geelong is critical. There is a two-year waiting list from the time of issue of proceedings to the hearing date. This situation is likely to get worse rather than better, as over the past twelve months the delay has increased from eighteen months to two years. This year Geelong will have only five one-week sittings in this jurisdiction. It had five weeks of sittings in 1979 and six weeks of sittings in 1978. In that year an extra week was granted because of complaints from the legal fraternity. Ballarat, which has a population of approximately half that of Geelong, will have eight sittings this year, six of one week's duration and two of four days' duration. Some of the delays in the Geelong area might be reduced if the sittings were extended to at least match those to be held in Ballarat.

The next pressing judicial problem is that of the Supreme Court, particularly with personal injury claims. There seems to have been a rapid increase in the number of claims, with consequent delays of approximately four to eight months from the date of all parties being ready for trial. The remedy has already been suggested by my colleagues. Something must be done about the delays of between eighteen months and two years before claims are finally heard. I know of people who have been placed in difficult situations. A process worker with four children faced great hardship because of his commitments. The situation almost resulted in the destruction of his family life. Fortunately, through the intervention of other people and myself, his problems were deferred, although they were not solved.

Other courts in the Geelong area are in a similar situation to those in Melbourne. One of the most frustrating problems in relation to the administration of justice in the Geelong area, and the one causing most concern, is the total inadequacy of court accommodation. The facilities of the Workers Compensation Board are excellent. They are in the State Public Offices, but are under-utilized because they are used for only five weeks a year. The situation in the main court block, which is at the corner of Little Malop and Gheringhap streets, is nothing short of chaotic. There are three Magistrates Courts and the Supreme Court or County Court criminal jurisdictions in operation at the same time for most of the year. There are virtually no facilities for interviewing clients, other than two small rooms upstairs that, with difficulty, will hold three people. There is no privacy for members of the legal profession to confer with their clients. Further, there are few facilities for the many aged and infirm people who attend the courts to be seated outside the court-rooms. Jury panels have, on occasion, had to stand outside the Supreme Court and mingle with prospective defendants and participants in court cases. At times this has caused embarrassment and aborted trials. The Government should examine the situation.

The County Court, at 73 Malop Street, has better facilities, but they are shared with the Family Court. There are three conference rooms of an adequate size, but difficulties arise when Family Court and County Court matters have to be heard simultaneously. For at least ten years there have been plans to erect a court complex on the old market site in Myers Street. Assuming the building were properly designed, it would alleviate the present problems of court accommodation. I should not like this project to develop in the same way as the State Public Offices project developed, as a Liberal Party promise before many elections. The same situation applies to the duplication of the Geelong rail line. I should like the court complex

to be completed as soon as possible. The Government is responsible for the efficient running of the courts and the completion of the complex would be one way in which the Government could meet that responsibility.

Mr SIDIROPOULOS (Richmond)—In supporting the motion I remind honorable members that a major principle of a democratic society is that all people should be equal before the law. That is at least what the theory tells us. However, in practice, although the law itself does not discriminate against the poor or migrants, everyone knows that poor people are disadvantaged when they have to appear in court because they cannot afford to pay for the representation they would like to have, and migrants—in this case I am speaking from personal experience—are disadvantaged because the majority of them do not speak English and the Government has done little to provide interpreters in the courts.

The motion being debated is not a question of law. It expresses grave concern at the Government's failure to make the judicial system of Victoria efficient. The administration of justice in this State discriminates against migrants, Aborigines and the poor because of the lack of services and facilities that are provided and the lack of understanding of the problems that these people face. There has been a total breakdown in communication between the judiciary and the non-English-speaking persons in the community because of the Government's failure to provide interpreters.

It is well known in the legal profession that no interpreters are provided at Magistrates Courts. It is also well known that one-quarter of the people living in Victoria do not speak fluent English. I ask honorable members, particularly those on the Government side of the House, how they would feel if tomorrow they had to appear at a Greek, Italian or Turkish court without having anyone explain to them what was going on. I can assure them that they would be petrified and believe they were being discriminated against because they would not be able to understand the way in which justice was being administered. Every year thousands of people have to go through such a procedure in this State because the Government refuses to establish an adequate interpreting service. Does the Government realize that few people who have learnt English late in their lives are able to express themselves clearly in a witness box?

The qualities and qualifications of the existing interpreters are also causing concern. The representations that have been made and the studies that have been carried out on interpreting facilities are unanimous in claiming that facilities are available only on a small scale, are of poor quality and are badly applied. It is also a fact of life that the people entrusted with the administration of justice are monolingual. They understand and speak only the English language, which prevents them from understanding the problems and difficulties constantly being faced by migrants. They have no idea of the cultural backgrounds and circumstances that force the people they are supposed to be judging to commit offences.

I remind the House of recommendations which came from a seminar held in Melbourne on 19 November 1976 on ethnic communities and the law. Fourteen recommendations were made of which I shall quote what I consider to be the seven most important. They are:

1. Provision of Interpreters

There was unanimity among seminar participants of the need for trained as distinct from amateur, interpreters in adequate numbers. These should be available in courts, at police stations and at other points where non-English speaking members of the community come into contact with the law, so that their disadvantages will be lessened.

6. Culture Courses for Judicial and Legal Officers

Legal personnel, judicial officers and police should receive, as part of their training, education in the cultural background and difficulties of migrants. This specialized education to be of an adequate nature so as to sensitize its recipients to a special understanding of ethnics.

7. Selection of Justices

That every effort be made to encourage members of the ethnic communities to become Justices of the Peace, proportional to their numbers in the community.

8. Simplification of Official Forms

Court forms, such as bail forms, default and summonses, etc. should be simplified, modernized and accompanied by appropriate translations.

9. Conciliation Procedures

More frequent use of the conciliation methods employed by the Family Courts and the Industrial Courts might well be considered by the Workers' Compensation Board to obviate undue delays which cause special difficulties for ethnic people.

10. Right to Interpreter

In criminal and in civil proceedings those whose mother tongue is not English should have the right to an interpreter, provided free of charge as part of the administration of justice. Such interpreter to be an officer of the court freely chosen by the defendant and who enjoys the defendant's trust.

13. Ethnic Legal Services

Consideration be given to the development of special legal services for migrants and their descendants along the lines of the Aboriginal Legal Service, involving close and equal contact between client and practitioner. Thought should also be given to establishing bail funds within such services.

Among those who attended the seminar were Mr Justice M. D. Kirby, Chairman of the Law Reform Commission, Mr Walter Jona, Minister for Community Welfare Services, Mr Haddon Storey, Attorney-General, and Mr A. J. Grassby, Commissioner for Community Relations.

What has the Government done with those recommendations? I believe the Government has filed them in the waste-paper basket. Three and a half years have passed since those recommendations were made and they still remain on paper. Nothing has been done. I support the motion moved by the honorable member for Bundoora and point out that it is time the Government took its responsibility on this matter seriously. True equality in law requires the elimination of all disadvantages.

Mr BIRRELL (Geelong West)—I wish to comment on some of the remarks of the honorable member for Geelong East and to indicate my support, in broad principle, of what he said. As other honorable members have said tonight, it is an almost never-ending crush to try to get ahead of a problem that is eternally expanding. In the case of the Geelong legal system, there are physical shortcomings in the space available at the courts in Geelong.

When Mr Wilcox was Attorney-General, steps were taken to alleviate the shortage of accommodation and the first floor of a new building in Malop Street was used to accommodate the County Court. At that time, as the representative for the central part of Geelong, I believed it was my responsibility to try to double the amount of space available for use by the courts and police in Geelong. New police headquarters were bought and a new court established in modern quarters in Malop Street.

When Mr Haddon Storey became Attorney-General, I invited him to Geelong to review the situation. As mentioned by the honorable member for Geelong East, the Attorney-General's Department now has a reservation sign on the old market site in Myer Street, almost opposite the Geelong Trades Hall. The site is Crown land and would be perfect for the establishement of a court complex.

In 1937–38 a new block of courts and State offices was erected in Geelong but after 30 years it has proved entirely inadequate. I comment favourably on the remarks of the honorable member for Geelong East.

I also refer to the remarks of the honorable member for Richmond regarding interpreters. Geelong is not as badly off as the area mentioned by the honorable member for Richmond because the Ethnic Communities Council has, as one of its responsibilities, the provision of interpreters to attend court when needed. This service is used regularly, so there is no need for ethnic groups in Geelong to think there is any shortcoming in this regard. A properly organized interpreter service is not difficult to organize and run. Such a service is available in Geelong and works effectively.

The House divided on the motion (the Hon. S. J. Plowman in the chair).

Ayes	32
Noes	48
Majority against the motion	16

AYES

Mr Amos
Mr Cain
Mr Cathie
Dr Coghill
Mr Crabb
Mr Culpin
Mr Edmunds
Mr Ernst
Mr Fogarty
Mr Fordham
Mr Gavin
Mr Ginifer
Mr Jolly
Mr King
Mr Kirkwood
Mr Mathews
Mr Miller
Mr Remington
Mr Roper
Mr Rowe
Mr Sidiropoulos
Mr Simmonds
Mr Simpson
Mr Spyker
Mr Stirling
Mrs Toner
Mr Trezise
Mr Walsh
Mr Wilkes
Mr Wilton

Tellers:
Mr Hockley
Dr Vaughan

NOES

Mr Austin
Mr Balfour
Mr Birrell
Mr Borthwick
Mr Brown
Mr Burgin
Mrs Chambers
Mr Coleman
Mr Collins
Mr Crellin
Mr Dixon
Mr Dunstan
Mr Ebery
Mr Evans (*Ballarat South*)
Mr Evans (*Gippsland East*)
Mr Hamer
Mr Hann
Mr Hayes
Mr Jasper
Mr Jona
Mr Kennett
Mr Lacy
Mr Lieberman
Mr McArthur
Mr McCance
Mr McClure
Mr McInnes
Mr McKellar
Mr Mackinnon
Mr Maclellan
Mrs Patrick
Mr Ramsay
Mr Reynolds
Mr Richardson
Mr Ross-Edwards
Mr Skeggs
Mr Smith (*South Barwon*)
Mr Smith (*Warrnambool*)
Mr Tanner
Mr Templeton
Mr Thompson
Mr Trewin
Mr Weideman
Mr Whiting
Mr Williams
Mr Wood

Tellers:
Mr Cox
Mr McGrath

POST-SECONDARY EDUCATION (AMENDMENT) BILL

Mr LACY (Assistant Minister of Education)—I move:

That this Bill be now read a second time.

The purpose of the Bill is to extend the provisions of the Post-Secondary Education Act 1978 by providing for the repeal of the Acts establishing the State College of Victoria and the Victoria Institute of Colleges and for certain other matters relating to the administrative functions of the Victorian Post-Secondary Education Commission.

The commission was established as the outcome of the report of the Post-Secondary Education Committee of Inquiry received by the Government in 1978, in which there were various recommendations including a number concerned with future co-ordination of colleges of advanced education. Promptly after its formation, the commission consulted with the colleges and other bodies, such as the staff organizations, which had a direct interest in the issues, both by inviting written submissions and then by direct discussions with the prime bodies.

An overwhelming majority of submissions recommended that the Acts establishing the State College of Victoria and Victoria Institute of Colleges should be repealed. The governing bodies of those institutions both endorsed that approach. It was also recommended that the commission should seek legislative authority to deal directly with colleges of advanced education and that the colleges should have appropriate legislative status in return.

The commission reported to the Minister of Education on 1 June 1979. He indicated the Government's response in his statement to the House on 18 July 1979, and invited further comment from all those interested in, or affected by, the proposed course of action. More than fifty responses were received, the predominant thrusts of which can be summarized as follows:

(1) There was overwhelming support for recognition and protection of the colleges under legislation which would safeguard and if possible increase their autonomy.

(2) Preference was expressed for an individual Act incorporating each college but there was a readiness to accept incorporation under a single Act such as the Post-Secondary Education Act.

(3) A wide-spread desire was expressed on the part of colleges for status and treatment comparable to that accorded to universities.

(4) Divergent comments were received concerning the relationships which should exist between the colleges and technical and further education, but there was general recognition that the maximum degree of flexibility should exist in these relationships.

(5) There was general consensus that each institution should be empowered to make its own awards.

(6) There was general insistence that there must be an acceptable system for the accreditation of courses and the granting of degrees and diplomas which would maintain academic standards and reputation.

(7) There was a desire by staff for a proper industrial relations machinery. All comments were taken into account in drafting the original legislation.

Tribute must be paid to the State College of Victoria and the Victoria Institute of Colleges for the service they have given to the development and maintenance of their respective college systems. Both bodies have put forward detailed and invaluable suggestions in the light of their experience as to the requirements of the proposed legislation and as to many domestic issues affecting colleges. Of particular concern to both bodies has been their desire to ensure that effective procedures for accreditation of courses and awards will continue.

New academic activities require two stages of consideration. The first, that of approval, deals with the desirability of an institution or a part of an institution to offer a particular activity and involves such consideration as appropriateness of geographical location and the material capacity of the institution to undertake the course so as to ensure that a proper balance between the expenditure of public money on academic activities and the desire of individuals and sectors to undertake an aspect of education is maintained. The second stage is very different in nature since it is concerned with the academic components, and their balance, and how these compare with similar courses or awards.

Persons undertaking courses must be confident that their studies are directed correctly both in content and standards involved. The community must be assured that an award given by an institution is accepted and respected by other institutions, professions and employers. The process of achieving what is known as accreditation has been a vital element of the academic development of the college system. It is of great concern to many people that the virtues of this process should not be lost even though there may be room for modification and improvement.

When the Bill was presented to Parliament last November and laid upon the table for three months, the Minister of Education made it clear that the purpose was to seek constructive comments and suggestions for improvement of the measure. This has certainly occurred and over twenty-five written submissions have dealt with the broad span of the Bill and individual aspects of it.

Since those comments were received, further consultations with the main parties affected by the legislation have been undertaken. A broad consensus was reached and the Bill incorporated the results of those consultations as well as comments received from the Victorian Post-Secondary Education Commission, which supports the Bill.

The major issues raised in the submissions and in the consultations and the action determined upon them can be summarized as follows:

(1) Some sought further to extend the functions and powers of the commission. The Government has no intention of creating an unduly centralized bureaucracy, and therefore does not accept this approach.

(2) The view was expressed that section 22 of the principal Act, as sought to be amended by clause 9 of the amending legislation, focused on a negative prohibition against consultation by tertiary institutions with the Commonwealth, in a way which could

be considered possibly to offend against section 92 of the Commonwealth Constitution.

Amendments now proposed take a positive approach instead. They uphold the capacity of the commission to take an overview of all post-secondary education, yet at the same time remove the barrier against communication and lessen the administrative burden on institutions. The amendments provide that the commission must inform an institution whether the commission wishes its views to be attached to a representation to obtain or use Government funds for the purposes of post-secondary education which the institution may wish to make.

(3) A number of institutions were concerned with the implications of the provisions of clauses 23 and 24, which deal with Orders in Council governing institutions incorporated under the principal Act or earlier Acts. In particular queries were raised about the implications of clause 24 (2) and (3), pursuant to which Orders in Council affecting institutions might be reviewed and a mandatory revision of the Order in Council undertaken if considered necessary.

The provisions remain desirable because they enable orders in respect of the institutions constituted under the Victoria Institute of Colleges Act 1965, the State College of Victoria Act 1972 and the Education Act 1958 to be presented to the Governor in Council in a form acceptable to the institutions.

However, the possibility must be provided for that an umpire may be required if agreement with, or within, an institution cannot be achieved and it is thought that this role is most appropriate to the Governor in Council. The capacity for intervention is, however, a power of last resort which can take place once only.

The Minister of Education gives an unequivocal assurance that no action will be taken under the provisions of these clauses without the fullest consultation as is required under the legislation. The objective in each case will be to secure full agreement, and every opportunity will be given for it to be reached.

(4) Clauses of the Bill dealing with the questions of approval and accreditation attracted most consistent comment in the submissions. Earlier, attention was drawn to the distinction between, and importance of, these two procedures. Approval is the process whereby authorization is given to expend public money on a course of study. Accreditation is the procedure by which the academic standard and content of the course of study is acknowledged and defined.

It has been pointed out by the universities that they are required under their own Acts to accredit their own academic activities and to maintain the standards of their awards. It was never the intention to interfere with the existing traditional and statutory academic autonomy of the universities in performing this function, although it was and remains the objective to ensure that the Post-Secondary Education Commission can exercise an effective co-ordinating role.

The Bill now presented to the Parliament gives clearer effect to these intentions. They highlight the distinction between accreditation and approval, provide definitions of "approval" and "course of study", and specify the procedure to be followed to seek approval.

The definition of "course of study" has been sharpened to ensure that it includes all undergraduate post-secondary education courses and certain postgraduate courses undertaken by course work but that it excludes postgraduate research work in universities.

Section 29 now specifies that all post-secondary institutions which wish to expend Government money, whether State or Commonwealth, upon a course of study introduced after the enactment of the legislation must have the approval of that course of study by the commission.

(5) Divergent views were raised about accreditation procedures. Some felt that this should be left entirely to the colleges, whilst others desired a system closely akin to that at present

utilized by the Victoria Institute of Colleges and the State College of Victoria. Others again accepted the desirability of an accreditation board as envisaged by the Bill, with an opportunity to move towards increased autonomy at the college level as justification is established. It is this third course which has been accepted, and to which the amendments give effect. For reasons already given the accreditation board will have no jurisdiction with respect to universities.

Section 31 has been greatly simplified to provide generally that a course of study can be accredited, subject to consultation with the institution which seeks accreditation of the course, either by another post-secondary institution, which may be the institution seeking accreditation, or by a special committee, appointed for the purpose by the Accreditation Board.

It has been thought desirable to provide a bench mark for ensuring that degrees awarded are of a suitable standard and, before making an order conferring this power on an institution, the Governor in Council will receive a certificate from the commission stating that the courses of study leading to a degree are comparable in standard to those leading to the award of a degree in a university.

(6) Concern was expressed that the breadth of the regulation—making power might be sufficient to enable regulations to intrude into fields which were properly the province of other Acts. An amendment is incorporated to avoid this possibility, and there is a requirement that, before the Governor in Council makes an order, the Minister shall consider a report from the commission about the matter to which the regulation is to be addressed.

(7) Several submissions urged that the Bill should go even further in making provision for staff affected by the phasing out of the Victoria Institute of Colleges and State College of Victoria or by the prospect of declining enrolments in some institutions. The Government reaffirmed its commitment to assist to the best of its ability in avoiding any problems, but considers that the provision as presented accords with both precedent and principle and represents the best available option. The opportunity has however been taken to tidy up the provision made so that it will more fully accord with the provisions of the Education Act 1958.

(8) Sundry comments were made regarding industrial relations but these will be the subject of another Bill.

These changes have defined more clearly the co-ordinating powers of the commission. They have also simplified the clauses dealing with accreditation of courses of study so that there can be no doubt about who is responsible for accreditation and how it can be undertaken.

I wish to express the Government's thanks to those who have provided comments about earlier proposed amendments to the legislation and for their willingness to meet at short notice to resolve contentious issues. The co-operation of all parties in reaching consensus on specific matters has been quite remarkable and of great assistance to the Government in ensuring that this complicated matter is handled legislatively in the most effective manner. I commend the Bill to the House.

On the motion of Mr FORDHAM (Footscray), the debate was adjourned.

It was ordered that the debate be adjourned until Tuesday, April 29.

CHIROPODISTS (AMENDMENT) BILL

Mr BORTHWICK (Minister of Health)—I move:

That this Bill be now read a second time.

The objectives of the measure are, firstly, to remove the requirement that a person be at least 21 years of age before he or she can be registered as a chiropodist and, secondly, to make provision for the tabling in the Parliament of the annual reports of the Chiropodists Registration Board of Victoria. Clause 2 of the Bill deals with the first of these objectives.

The course of training in Victoria for chiropodists is given at the Lincoln Institute and the first graduating class

at the end of this year will include persons who are under the age of 21. In the view of the Government, it is not appropriate that persons, who are otherwise qualified, should have to wait until they reach 21 before they can be registered as chiropodists and accordingly, this clause, in effect, deletes the minimum age requirement from section 9 (2) of the Chiropodists Act.

The course of training I have mentioned is a three-year full-time course for which the prerequisite is the successful completion of Form VI. Students must reach seventeen years of age by 31 March of the first year of the course. It is considered that these educational requirements give as much guarantee of maturity as is necessary and I am sure honorable members will agree that the proposed amendment is in keeping with the spirit of the Age of Majority Act.

Clause 3 relates to the second of the objectives I mentioned earlier. Section 13 of the Chiropodists Act requires the Chiropodists Registration Board of Victoria, among other things, to submit to the Minister by not later than 31 March of each year a report of its proceedings for the preceding calendar year together with a copy of its financial statement for the period.

The section is to be amended by the Bill to then require the Minister to table the financial statement and report in both Houses of Parliament within fourteen sitting days. The effect of the amendment will be to ensure that the Parliament is kept both informed on the operations of the Chiropodists Registration Board and the manner in which the board is discharging its duties and responsibilities under the Chiropodists Act. The two amendments proposed in the Bill are in the interests of both the profession and the general public and, accordingly, I commend the Bill to the House.

On the motion of Mr HOCKLEY (Bentleigh), the debate was adjourned.

It was ordered that the debate be adjourned until Tuesday, April 22.

WORKERS COMPENSATION (GENERAL AMENDMENT) BILL

Mr RAMSAY (Minister of Labour and Industry)—I move:

That this Bill be now read a second time.

Last year, a number of significant amendments were made to the Workers Compensation Act, designed to improve the fairness and the operation of this most important statute. The main purpose of the amendments was to increase the weekly benefits and death benefits by 44 per cent and to introduce automatic adjustments to those benefits on an annual basis.

At the same time, it was recognized that the whole mechanism of workers compensation in this State had a number of faults and shortcomings which help to make it a far greater cost to employment than should be the case. As Judge Harris concluded in his report:

> The system provides financial benefits not only for the typical work-place injury to the traditional worker, but for disabilities sometimes only slightly related to work, and for individuals quite outside the accepted workforce.

Details of some of these problems were presented to the House at the time of the previous debate. The Government believed that it would have been less than responsible to proceed with an increase in benefits without taking some steps designed to minimize the consequent increase in premiums. For this reason, steps were taken to ensure that compensation payments would not be so readily available if in fact any claim arose other than through a work based injury or disease.

The House is aware that certain provisions of the Workers Compensation (Miscellaneous Provisions) Act 1979, the Act which was responsible for introducing these amendments, were opposed by the Victorian Trades Hall Council, who accompanied a demand for the repeal of certain amendments with industrial action.

From the outset the Government remained firm on two points: First, that the principles embodied in the amending Act were right and fair, were in the interests of the community

and all Victorian workers, provided overdue improvements to the Workers Compensation Act and granted much-needed increases in benefits; and second, that any dispute over the amendments could be settled only around the negotiating table.

This later aim was made more difficult to accomplish by reason of the Victorian Trades Hall Council's earlier decision to withdraw from the Workers Compensation Consultative Council—the body set up by the Government to advise it on amendments to the Workers Compensation Act.

As industrial action continued, it created a climate in which it became extremely difficult to resolve the union's objections in a rational way at the conference table. Certainly the dispute would have been settled much earlier had it not been for the extreme and politically-distorted advice given to the unions by some of their legal advisers. However, as is the way with all disputes, this matter was finally settled, despite all the difficulties.

The House will already be aware that the medium for a settlement was a joint working party at the suggestion of the Government, consisting of myself, two officers of the Department of Labour and Industry, and two representatives of the Victorian Trades Hall Council.

Basically, the working party was faced with two objectives:

To overcome the fear of some unions that the requirement for a "substantial" work contribution might have a drastic effect on some genuine claims; and

to preserve the Government's intentions of increasing the benefits for injured workers while keeping the lid on premiums by ensuring that only justified claims were paid and double payments were cut out.

As a result of these discussions, six proposals were put to the Victorian Trades Hall Council and, after their acceptance, were agreed to by the Government. These proposals were:

1. That in order to overcome the concern expressed by the Victorian Trades Hall Council and the emergency services unions and others about the possible effect of the word "substantially" in the definition of injury, it be replaced with the words "was a contributing factor and contributed to a recognizable degree".

2. That in order to better provide for children of bereaved families, the amount payable for each child under sixteen years and for each full time student under 21 years be increased from the present lump sum of $970 for each child regardless of age to the amounts in the following table:

Age last birthday	Lump Sum
0	$8088
1	7566
2	7044
3	6523
4	6001
5	5479
6	4957
7	4435
8	3914
9	3392
10	2870
11	2348
12-15	1826
16-20 (Students)	1826

3. That these alterations to the Act be made retrospective to 1 December 1979.

4. That in order to eliminate doubts and uncertainties in the future about the cost of workers compensation insurance, a Statutory Premiums Committee be established which will include amongst others a representative each of the Victorian Trades Hall Council and of employers.

5. That the question of the appropriate level of payments for maims under section 11 of the Act, and the level of funeral benefits, be subject to further discussions and consultation.

6. That continuing consultation on the structure, objective and philosophy of the Workers Compensation Act be maintained between the Government and the Victorian Trades Hall Council.

I should like to make the following observations on the proposals. Workers compensation insurers have given an undertaking that premiums will not be further increased as a result of these amendments to the definition of injury. The increase in premiums that followed the increase in benefits had been contained by the inclusion of the

word "substantially" in the earlier amendment and that containment will be continued under this further amendment. This preserves one of the Government's key objectives—to restrain premiums.

The new requirement that employment should not only be a contributing factor, but contribute to a recognizable degree, should clarify the definition of compensable injuries to the satisfaction of all parties. It should also assist the workers compensation boards to eliminate some of the problems which have led to Victoria's compensation system becoming unreasonably expensive.

In reaching agreement the Trades Hall dropped its demands for the repeal of last year's amendments regarding both the definition of injury and 'split claims'. In return, the Government agreed to a new scale of benefits for the children of all bereaved families without regard to the ability of a family to split a claim as previously.

Clauses 1, 2 and 3 of the Bill give effect to those of the matters agreed upon which require immediate legislation, that is, item 1 of the agreement relating to the definition of "Injury"; item 2 which establishes a new method of assessing the compensation due where there are dependent children of a deceased worker; and item 3 which seeks retrospectivity to 1 December 1979 of the provisions of this Bill.

Clause 4 is a machinery measure which has nothing to do with the terms of the agreement. It is adequately explained in the notes attached to the Bill. This Bill represents a realistic compromise to overcome the unions' concern yet preserves the Government's objectives. I commend the Bill to the House.

Mr SIMMONDS (Reservoir)—I move:

That the debate be now adjourned.

Mr RAMSAY (Minister of Labour and Industry)—I suggest that the debate be adjourned until Tuesday next.

Mr SIMMONDS (Reservoir)—On the question of the adjournment, because the Bill is the result of an agreement which consummates a victory for the workers of Victoria, the Opposition wishes to expedite its passage. I shall be pleased to debate it tomorrow, and, if the Minister will agree, I shall do so. I propose that the debate be adjourned until Thursday on the basis that the measure contains a very important area which is not subject to the settlement and not part of the agreement but which is dependent upon the passage of the Bill for commencement of the actions which will resolve the area still in dispute. I refer, of course, to the table of maims and the 44 per cent discount which is being imposed and will continue to be imposed until that matter is resolved.

Because this involves a great hardship for a blinded worker or a worker who loses an arm or leg or suffers some other deficiency under the table of maims, and because the proposition contained in the Bill will set up a body to deal with that question as part of the settlement of the issue, I put it to the Minister that it is extremely important that the passage of this proposed legislation be expedited.

The measure is quite simple. Although the Minister's second-reading speech grossly distorted what is contained in the Bill, the measure is the consummation of the agreement between the Trades Hall Council and the Government. On those grounds, I propose that the debate be adjourned until Thursday of this week.

Mr RAMSAY (Minister of Labour and Industry)—I appreciate both the concern of the Opposition and its obvious confidence that the Bill has been drafted in accordance with the agreement. I also appreciate the trust in the Government which the Opposition has indicated on this matter, and, with the agreement of the National Party, I support the suggestion that the debate be adjourned until Thursday.

The motion for the adjournment of the debate was agreed to, and it was ordered that the debate be adjourned until Thursday, April 17.

YOUTH, SPORT AND RECREATION (GUARANTEES) BILL

Mr DIXON (Minister for Youth, Sport and Recreation)—I move:

That this Bill be now read a second time.

The Treasurer, in his second-reading speech on the Young Men's Christian Association of Ballarat (Guarantees) Bill last session foreshadowed the introduction of legislation to enable guarantees to be given in respect of moneys borrowed to provide recreational and sporting facilities.

Municipal councils have been responsible for constructing most of the State's recreational and sporting facilities and the Government's assistance by way of subsidies has, therefore, been channelled through the councils. Sporting clubs are not eligible for direct financial assistance for capital works under the Department of Youth, Sport and Recreation's policy guidelines, but the Government has now decided that non-profit sporting and recreational organizations should be eligible for assistance by way of Government guarantees for loans raised by them for the construction of sporting and recreation facilities. The Government guarantee will enable these organizations to borrow at more advantageous interest rates than would be charged normally for this class of venture.

Of course, any club applying for a guarantee will have to show that there is a real need for the facility, that the facility will be financially viable, and that it has the ability to repay the loan. Each application will be the subject of a report and recommendation from a committee drawn from the three advisory councils which have been established under the Youth, Sport and Recreation Act. Applications will also be thoroughly investigated by officers of the Department of Youth, Sport and Recreation who will consult the appropriate municipal council on, amongst other things, the need for the facility.

The Government is well aware that some sporting and recreational organizations are qualified to seek loan guarantees under the provisions of either the Co-operation Act or the Crown Land (Reserves) Act. However, there are others that are not so qualified and I am sure that they will welcome this measure. I commend the Bill to the House.

On the motion of Mr TREZISE (Geelong North), the debate was adjourned.

It was ordered that the debate be adjourned until Tuesday, April 22.

BUILDING SOCIETIES (AMENDMENT) BILL

Mr DIXON (Minister of Housing)—I move:

That this Bill be now read a second time.

The Building Societies Act 1976, which rewrote the law relating to the operation of permanent building societies in this State, came into operation on 30 June 1977. The period of almost three years of operation has revealed some deficiencies and the need for a number of other desirable amendments. This Bill addresses itself to those matters.

Clause 1 cites the Act as the "Building Societies (Amendment) Act 1980", and provides for its coming into operation on the day on which it receives Royal assent.

Clause 2 contains three small amendments to section 4 of the principal Act. Paragraph (*a*) inserts the expression "(1)" at the beginning of section 4 and arises from the proposal in clause 2(2) to insert a new sub-section (2). Paragraphs (*b*) and (*c*) merely relocate the word "and" in its correct position.

Clause 2(2) inserts sub-section (2) in section 4 of the principal Act to provide that any reference to the making of an advance upon the security of freehold property includes a reference to the making of an advance upon the security of a mortgage or other charges over land under other Acts relating to residential land.

Clause 3 amends section 7 of the principal Act by inserting sub-section (9) which will permit a society to acquire property for any of its objects, and also to dispose of such property.

Clause 4 amends section 8(1) of the prinicpal Act relating to matters that must be contained in the rules of

a society. Paragraph (*a*) relates to the "transfer and transmission of shares". Paragraph (*b*) restricts inspections of the books and records of a society to shareholders. Paragraph (*c*) relates to the question of withdrawal from membership of a society.

Clause 5 inserts in section 12 of the principal Act authority for the registrar to require a Starr Bowkett society to change its rules to provide for a permanent society operation. There are only two Starr Bowkett type societies in this State.

Section 26 (6) of the principal Act presently provides that a majority of the directors of a society must reside in Victoria. Because that requirement is onerous to some societies, particularly in relation to the matter of obtaining suitable replacements, it is considered not unreasonable to ease the requirement to provide that "at least two" directors must be residents of this State.

Clause 7 amends section 31 of the principal Act to place the word "in" in its correct position. Clause 8 amends section 34(5) and (6) of the principal Act to provide for the keeping of the records of a subsidiary company of a society.

Clause 9 inserts new sections 34A, 34B, 34C and 34D, to include in the principal Act provisions relating to group accounts in the case of a society with a subsidiary company or companies. These provisions have been taken from the Companies Act and suitably adapted to meet building society requirements.

Clauses 10 to 14, inclusive, contain consequential amendments to sections 35, 36, 37, 38 and 39 of the principal Act, arising from the insertion of the new sections referred to in clause 9.

Clause 15 amends section 41 of the principal Act in three respects. Sub-clauses (1) and (2) will ensure that certain officers, or employees, or partners of officers, of a society are not eligible to be appointed auditor of a society. Sub-clause (3) inserts sub-sections (2A), (2B) and (2C) to expand the definition of "officer" of a society.

Clause 16 corrects an error in section 45(5) of the principal Act by substituting for the "company" the word "society".

Clause 17 provides consequential amendments to section 47 of the principal Act, relating to the powers and duties of auditors, arising from the provisions relating to group accounts covered in clause 9.

Clauses 18 and 19 amend section 52 to overcome a deficiency in the provisions relating to a transfer of engagements. Approximately eighteen months ago, the Registrar of Titles challenged the validity of a transfer of engagements, approved by the Registrar of Building Societies, on the ground that, while there may have been clear intention, in fact the legislation was defective to the extent that a special resolution of the transferor society was an essential element. The court ruled in favour of the Registrar of Titles and as a consequence, it has not been possible to complete the transfer. Sub-clause (2) of clause 19 provides that the amendment in sub-clause (1) shall have effect as if it had been included in the 1976 Act.

Clause 20 contains a number of amendments to section 54 of the principal Act. Sub-clause (1) (*a*) extends the security to be taken by a society to include a charge over a licence or lien issued under the Land Act 1958. This was a provision not carried into the 1976 Act. In addition to the existing power to buy or sell freehold or leasehold estate or mortgages of freehold or leasehold estate, sub-clause (1) (*b*) adds the ability to assign such securities, which are also extended to include "interests in mortgages".

Sub-clause (2) inserts a provision not carried through from the 1958 legislation. The proposed sub-section (4) of section 54 of the principal Act provides a society with the authority to mortgage or charge any of its property or other assets, or assign any mortgage or interest in a mortgage, to a bank or other lender.

Clause 21 amends section 57 of the principal Act which relates to "special advances". Sub-clauses (*a*), (*b*) and

(*c*) are designed to permit a society to lend to a body corporate acting in the capacity of a trustee. Sub-clause (*d*) deletes the references to "duplex residence" which are not known by that name in Victoria, and replaces them with "strata title residence or cluster title residence".

Clause 22 clarifies the interpretation of "authorized bill of exchange" found in section 63(3) of the principal Act.

Section 70 of the principal Act provides a society with certain powers in relation to the investment of its funds.

It has been pointed out that the words "not immediately required for its objects or for purposes incidental thereto" contained in sub-sections (1) and (3) have the effect of nullifying the intention of section 5 and 54(*d*) by making non-applicable the provisions contained in section 70(3) and (4). The proposed amendment in clause 23 will remedy that defect.

Clause 24 merely corrects a printing omission in the word "provision" in the first line of section 73 of the principal Act. Under the existing legislation, neither the Registrar of Building Societies nor the Commissioner of Corporate Affairs has the power to deal with any property which was vested in a defunct society. The effect of the addition of sub-sections (13) to (16) inclusive to section 76 of the principal Act is to vest such property in the registrar who may satisfy any claim of a liquidator of a dissolved society or sell or otherwise dispose of or deal with any estate or interest in property.

Proposed sub-sections (17) and (18) provide that the registrar shall be remunerated, as prescribed, and that moneys so received by the registrar shall be used to defray all costs and expenses incidental thereto, and that any surplus shall be deemed to be trust moneys under the control of the registrar for the purposes of section 69 of the Trustee Act 1958.

Proposed sub-section (19) provides that property vested in the registrar shall be liable and subject to all charges, claims and liabilities imposed by reason of any statutory provision as to rates, taxes, and so on, to which the property would be liable.

The following clauses, numbered 26 to 30 inclusive, contain amendments that follow closely changes made last year to the Co-operation Act 1958 relating to the management of the Credit Societies Reserve Fund.

Clause 26 amends section 84 of the principal Act to provide that the Building Societies Advisory Committee shall be a body corporate, with a common seal, and shall be capable of suing and of being sued. This proposal will facilitate the present operation which is far too cumbersome, particularly with respect to the investment of funds.

Clause 27 amends section 89 of the principal Act to provide for a substantial penalty in the event of default in the making of any payment required to be made to the reserve fund by a society.

Clause 28 amends section 91(6) of the principal Act to permit payment of moneys out of the reserve fund to meet the cost of expert or specialist services designed to improve societies' operations.

Clause 29 inserts new section 91A as a consequence of the amendment relating to the seal proposed in clause 26. While it has not been necessary to make any payment out of the reserve fund, either to satisfy a claim or to assist any society, it is considered that some of the provisions contained in section 92 of the principal Act may prove to be a hindrance, particularly if quick action became necessary.

It is proposed, therefore, that sub-section (4) be amended to enable the advisory committee to determine the amount of any payment to be made, rather than have a maximum sum prescribed. It is considered desirable to remove the somewhat restrictive provisions of sub-section (5) in relation to payments from the reserve fund, which could also prove an embarrassment.

Clause 31 contains a large number of amendments to Schedule Two of the principal Act which are necessary as a

result of the proposals relating to group accounts referred to in Clause 8, 9, 10, 11, 12, 13 and 17.

The proposed amendments are designed to improve the administration and general efficiency of permanent building societies, and to facilitate the operation of a number of provisions in the legislation.

I am happy to report that the proposals have the unanimous support of the industry. I commend the Bill to the House.

On the motion of Mr CATHIE (Carrum), the debate was adjourned.

It was ordered that the debate be adjourned until Tuesday, April 29.

FORESTS (AMENDMENT) BILL

Mr I. W. SMITH (Minister of Agriculture)—I move:

That this Bill be now read a second time.

The Bill proposes a number of unrelated amendments to the Forests Act 1958 which I will now describe in turn.

Section 21 (2) (*ea*) of the principal Act enables the Forests Commission to close temporarily or, with the approval of the Governor in Council, close permanently roads or tracks which it has constructed or maintained. However, these provisions do not authorize the commission to close roads or tracks in State forest constructed and maintained by other parties, for example, by sawmillers who are licensees of the commission. The amendment proposed in clause 2 (*i*) would enable the closure by the commission of roads in State forest which were not constructed or maintained by the commission. The amendment makes it clear that this power is not extended to roads maintained under any other Act such as the Country Roads Act or Local Government Act. I might mention that roads are closed because they are redundant or because they are dangerous for use by the public or they could be closed only during winter months because they are steep fire trails and heavy use by vehicles in wet weather could cause soil erosion.

The existing provisions in relation to closure of roads or tracks do not provide for their use whilst closed by other Government authorities carrying out their statutory functions or by persons such as those involved in scientific research or mineral exploration. Clause 2 (2) inserts into the principal Act an additional paragraph to permit the commission, subject to any specified conditions, to authorize the use by specified persons or for specified purposes of any road which is closed.

Clause 3 amends section 27 (2) of the principal Act which presently enables the commission to employ persons for a period not exceeding three years for training in forestry. This training has for very many years been a three-year diploma course conducted at the School of Forestry, Creswick. However, it is intended that this programme will be phased out and replaced by a four-year degree programme under an affiliation agreement between the School of Forestry and the University of Melbourne.

The proposed amendment provides for the present three-year period of employment for trainees to be extended to four years. This is necessary to enable first-year students who enrolled in the present diploma course in 1979 to transfer to the second year of the degree course in 1980 and remain as trainees for the third and fourth years of the course. The requirement is only for a few years as recruitment of foresters via cadetship is being phased out in accordance with Government policy.

The proposed amendments to the Forests Act contained in clause 4 concern the appointment by the Minister of Forests of committees of management and advisory committees under the provisions of section 50 of the Act and the financial powers of the committees of management appointed for alpine resorts.

At present more than 120 reserves have been declared under section 50 of the Forests Act and they range from

relatively small picnic or scenic reserves to highly developed camping or alpine areas. It is anticipated that the number of these reserves will increase substantially with the progressive implementation of those recommendations of the Land Conservation Council that have been adopted by the Government.

Many of these reserves are best managed by a body with a high proportion of local membership. The Act at present enables committees of management to be appointed which consist of not fewer than three persons or a corporation but not a combination of both. It is often desirable to appoint a committee of management consisting of, say a local municipal council and the commission's district forester. Sub-clause (1) substitutes a new section in the Act which will enable the Governor in Council to appoint committees of management or advisory committees consisting of any three or more persons, a public authority, a corporation or a combination of any such persons or bodies together with a forest officer.

Sub-clause (2) makes provisions more appropriate to present-day needs for the raising of funds for the development, management and operation of such reserves. Under section 50 (5) (*e*) of the Act, the financial powers of the commission or committees of management are limited to the imposition and collection of tolls, fees and rents. These provisions are rudimentary and not adequately definitive in enabling the commission or committees of management to make necessary charges or otherwise obtain funds for the day-to-day management of these reserves and the construction, operation and maintenance of essential, and often substantial, capital works and community services which are required in such areas as highly developed alpine or camping reserves.

The proposed additions to the Act will enable the financial burden of providing and maintaining facilities and services to be placed equitably on those persons using the reserves and facilities and/or deriving income from commercial operations within the reserve. The additional sub-sections (7), (8) and (9) to be inserted in the principal Act will enable a committee of management of an alpine reserve, subject to the approval of the Governor in Council, to borrow money and thus spread the burden of costly capital works over a number of years and will authorize the commission or any committee of management, as the case requires, to fix contributions payable by the holder of a lease, licence or permit towards the cost of providing, operating and maintaining facilities, amenities and services within the reserve.

Clause 5 extends the existing provisions of section 52 (2) of the principal Act to enable the commission, after reference in writing to and consultation with the Secretary for Lands, to issue licences over land within protected forest for the purposes of a site for a eucalyptus oil distillery. The Forests Act at present authorizes the commission to issue licences in protected forest for sawmill sites, an industry which is involved in processing a forest product and the Forests Commission and Lands Department have agreed that administration would be improved if these provisions were extended to eucalyptus stills which are also involved in processing a forest product, namely, leaves for eucalyptus oil production.

The amendments contained in clause 6 of the Bill propose increases in penalties for offences under the Act to retain their relativity in the light of present day values. These penalties appear in the following sections:

Section 77 (3), which currently limits the penalty for damaging, destroying or removing timber, from certain roads in or adjoining any State forest to $50. It is proposed to increase this penalty to $500.

Section 96 which provides that a penalty of $100 may be imposed for a variety of offences under that section. It is proposed that the existing penalty be increased to $500.

Section 97(2) provides a penalty of $200 for contravention or non-compliance with the Act where no penalty has been specified; this is to be increased to $1000.

The present penalties prescribed under sections 77 and 96 of the Act have remained unaltered at $50 and $100 respectively since 1928. The penalty prescribed under section 97 was last increased to its present $100 in 1939.

Clause 7 introduces a new section into the principal Act and is designed to enable implementation of a programme of assistance to any person or body for the planting and maintenance of trees or shrubs where the planting is considered to have a general community benefit. This was one of the initiatives included in the Government's rural policy announced by the Premier in April, 1979. I quote the reference:

> Expanding the popular farm forestry loan scheme to include financial assistance to owners of land with projects involving tree planting for erosion and salting control and the improvement of existing native forests.

Throughout Victoria, particularly in the pastoral and agricultural areas, native trees have died and are still dying through old age, disease or insect attack and effects of farm management. There is a pressing need to encourage landowners to restore or retain some native trees on their holdings for a variety of purposes. These include improvement of the country landscape, particularly in areas denuded of trees, control of dry land salting and the retention of examples of local native vegetation. This would involve the implementation of a long-term programme to restore important economic, social and physical benefits that have been lost, partly through earlier excessive and unwise clearing of native vegetation, and to help to achieve the objectives of the Garden State concept.

The programme will include advice to landowners, the supply of trees or shrubs and financial assistance where appropriate. The scheme will also be aimed at conserving and extending remnants of native vegetation that still exist in the areas of the State that have been largely cleared and developed for grazing and cropping and at combatting the wide-spread death of isolated trees that is presently occurring in these areas. The community at large will benefit from the programme in the form of improved rural landscape, conservation of genetic resources and the extension of wildlife habitats.

The programme will be of interest not only to private property owners. It is envisaged that, with funds made available specifically for this purpose, the commission will be able to enter into co-operative arrangements with councils and community groups for tree planting for amenity and landscape purposes.

The proposed additions to the principal Act by clause 7 of the Bill will enable the commission to implement a programme of this nature and provide that the commission, subject to the approval of the Minister, may give assistance to any person or corporation for the planting and/or maintenance of trees or shrubs with a general community benefit.

Assistance may be given in a financial or advisory capacity and the value of such assistance to any person or corporation in any year will be limited to not more than $12 000. The amendments also provide that the commission may enter into an agreement with any person or corporation when assistance is given and the care and protection of the trees so planted is the particular aspect intended to be covered in any such agreement. I commend the Bill to the House.

On the motion of Mr CATHIE (Carrum), the debate was adjourned.

It was ordered that the debate be adjourned until Tuesday, April 22.

INSTRUMENTS (POWERS OF ATTORNEY) BILL

Mr MACLELLAN (Minister of Transport)—I move:

> That this Bill be now read a second time.

A working party was set up in March, 1979, under the chairmanship of the Chief Parliamentary Counsel to review Part XI. of the Instruments Act which

relates to powers of attorney. The other members of the working party were representatives from the Australian Bankers Association, the Share Registrars Association, the Law Institute of Victoria, the Titles Office, the Trustee Companies Association and Mr C. W. O'Hare of Monash University. The working party completed its report on 11 October 1979 and this Bill implements its recommendations.

Basically, the Bill is a complete reform of the provisions relating to powers of attorney and it provides for the repeal of the existing Part XI. and its replacement with a new Part XI.

The working party considered recommendations made by the United Kingdom Law Commission in its report on powers of attorney which was enacted in 1971 and compared them with recommendations which have been made by the New South Wales Law Reform Commission.

The working party was of the view that there were four main areas where reform was needed. These were the abolition of registration of powers of attorney, the creation of a short form of power of attorney, the need to make special provisions in relation to powers expressed to be irrevocable and the protection of third parties and attorneys who act in reliance of a power which has been revoked. I shall now deal with each of these areas in more detail.

The United Kingdom Law Reform Commission recommended the introduction of a system of certified copies to replace the system of filing powers of attorney in force at that time. It was of the view that filing served no purpose other than to guard against the possibility of loss of all copies of the power. New South Wales, however, chose to retain its system of registration of powers of attorney on the basis that the practice was settled and understood. The Council of the Law Institute of Victoria was of the view that registration was of little importance.

The working party favoured the English approach that registration be abolished. In reaching this view, it took into account the fact that registration affords no protection against forgery and that in reality the main function of the Titles Office was simply to ensure that the power of attorney authorized the execution of the instrument. Provision has been made for proof of a power of attorney by means of a certified photocopy in the proposed section 111.

Clause 5 provides for minor amendments to the Public Trustee Act 1958, Transfer of Land Act 1958, Trustee Act 1958 and the Trustee Companies Act 1958 which dispense with the need for registration.

The working party agreed with United Kingdom and New South Wales proposals that a short form of power of attorney would be more convenient for general purposes than the form currently in use. The New South Wales style of form has been adopted in the new Schedule 12. There were two situations where it was considered that the short form should not be used: Delegation by an attorney of his powers and delegation by a trustee as defined in the Trustee Act 1958. These exclusions are contained in the proposed section 107.

The working party was of the view that legislation to clarify the situation with regard to revocation of powers of attorney was desirable. It was noted that the United Kingdom proposals were based on the premise that the only circumstances when a power of attorney is truly irrevocable is when it is given to secure a proprietary interest vested in the attorney or to protect an obligation owed to the attorney. The New South Wales proposals were to the effect that an irrevocable power is one which is expressed to be irrevocable and which is given for valuable consideration. It was thought that legislation should follow the United Kingdom proposals as there were some problems with the definitions used in the New South Wales proposals. The recommendations of the working party are implemented in proposed section 109.

The working party considered it desirable to protect the rights of attorneys and third parties who act in reliance on

a power that has been revoked and are unaware of the revocation. In this regard, it preferred the New South Wales proposals, which were less complicated than the United Kingdom proposals. Proposed section 110 is intended to give effect to these recommendations.

Some other minor reforms were recommended by the working party and are contained in the Bill. Proposed section 106 allows a donor to have some other person execute a power of attorney on his behalf and in his presence where two witnesses are also present and attest the document. This provision is designed to assist a donor who may, for example, be physically incapable of signing a document. Proposed section 108 requires an attorney who is signing a document in his own name to indicate that he is acting as attorney for the donor of the power.

The Bill was introduced into the Legislative Council at the end of the last sessional period and was allowed to lay over to enable the legal and commercial community to study the proposals and be prepared for the changes. Following this, a number of submissions on the Bill were received and two amendments have been incorporated in the Bill.

In proposed section 111 (1), the class of persons able to certify copies has been extended to include justices of the peace, notaries public and any other officers authorized by law to administer an oath. In addition, proposed section 111 (1) has been amended so that a certificate relating to a copy of a power of attorney which consists of a number of pages need only be placed on the page which creates the power. The original wording of the Bill required a certificate on each page of the copy which could have been unnecessarily cumbersome when the original document consisted of a large number of pages. I commend the Bill to the House.

On the motion of Mr MILLER (Prahran), the debate was adjourned.

It was ordered that the debate be adjourned until Tuesday, April 22.

LOCAL GOVERNMENT (VALIDATION) BILL

Mr BALFOUR (Minister for Minerals and Energy)—I move:

That this Bill be now read a second time.

This is a Bill to remove doubts which have been raised about the validity of instruments issued by the Minister for Local Government at various times under the provisions of section 181 of the Local Government Act 1958 to enable municipal councils to deal with particular matters before them.

Under this section a councillor, who has any direct or indirect pecuniary interest in a matter concerning his council and is present at a meeting of the council or a committee of the council at which the matter is being considered, must disclose his interest and withdraw from the council chamber while the matter is being dealt with.

The need for some means of preventing a conflict of interests in these circumstances is obvious but, whatever method is adopted, there is necessarily some degree of disruption of the normal course of council proceedings. It was recognized when the present legislation was enacted in 1970 that occasions could arise when the number of councillors disabled by the operation of section 181 would be such that the council concerned would be left without a quorum. Accordingly, provision was made for the Minister to remove the disability which would otherwise attach to particular councillors or a class of councillors in these circumstances in order to permit the council to deal with the business in which the councillors had an interest.

The Minister exercises this power by executing an instrument, usually referred to as a dispensation, which sets out the business and the councillors affected and, in most cases, limits the period for which the instrument is effective. A number of these dispensations have been issued each year since 1970 and have been effective in facilitating the transaction of the business of councils concerned, particularly in respect of town planning schemes where councillors may be uncertain as to whether the sort of interest which they have

would attract the operation of section 181. The councillors affected must still declare their interest but because of the dispensation may remain in the council meeting, discuss the issue in which they have an interest, and vote thereon thereby ensuring that the transaction of business is not impeded. As the validity of some dispensations has been questioned, legal advice was sought and that advice confirms that there is doubt as to the validity of the form of instrument frequently used.

It is, therefore, proposed by means of this Bill that the validity of all dispensations executed by the Minister before the commencement of this Act should be put beyond doubt so that the position of any councillors who, and councils which, have in good faith relied on their efficacy are protected. The proposed legislation will deem every instrument which has been issued to have been validly made and effective for its purpose. As there is currently no specific power for the Minister to revoke a dispensation, it is also proposed that provision be added to the legislation to enable him to do so.

The question of the procedures pertaining to the issue of future dispensations is, of course, receiving consideration and the whole operation of the section is being reviewed by the Statute Law Revision Committee. I commend the Bill to the House.

On the motion of Mr KIRKWOOD (Preston), the debate was adjourned.

It was ordered that the debate be adjourned until Tuesday, April 22.

REVOCATION AND EXCISION OF CROWN RESERVATIONS BILL (No. 2)

Mr BORTHWICK (Minister of Health)—I move:

That this Bill be now read a second time.

It provides for excisions to be made from four permanently reserved areas of Crown land. The lands to be excised from the reserves listed in Part I of the schedule are now required for public purposes other than those for which they have been respectively reserved.

Clause 1 of the Bill cites the short title and provides for the commencement of the legislation.

Clause 2 revokes the permanent reservations of the lands shown hatched on the plans in Parts II to V of the schedule.

Clause 3 provides that the lands of which the permanent reservations are revoked shall be unalienated lands of the Crown freed of all trusts, reservations, interests and the like.

Clause 4 provides that the Country Roads Board shall pay the sum of $22 000 to the corporation of the City of Geelong in respect of the use of portion of Kardinia Park for road purposes.

Clause 5 is the usual provision that, except as expressly provided in the Bill, no liability shall attach to the Crown.

The schedule lists in Part I the permanent reservations which are to be revoked only in so far as the lands respectively shown hatched on the plans in Parts II to V are concerned.

The details of the proposed excisions are as follows:—

SCHEDULE PART I.

Item 1—Township of Kaniva—Site for the recreation of the people and for public gardens

This reserve, located at Progress Street, Kaniva, is known as Bank Park and contains 1733 square metres. It is under the control of the Shire of Kaniva as a committee of management. The area of 305 square metres to be excised from the reserve is shown in Part II. of the schedule.

The excision is sought by the Shire of Kaniva Waterworks Trust and the shire council for the purpose of erecting an elevated water storage tower. This new water storage is urgently required for the benefit of Kaniva. The waterworks trust carried out an investigation of several sites but it considered the Band Park site to be the most appropriate. An application by the waterworks trust for a permit under the Shire of Kaniva interim development order was

advertised in accordance with the Town and Country Planning Act. No objections to the proposal were received.

The construction of the water tower will require the demolition of a band rotunda. This rotunda has no historical significance and in view of its structural condition was proposed to be demolished in any case. The land to be excised will be re-reserved for water supply and recreation purposes. The portion not actually occupied by the water tower will be landscaped so as to be contiguous with the adjoining park.

Item 2—Parish of Wallan Wallan—Site for water supply purposes

This reserve was created in 1872 and contained large areas of Crown land described as being originally comprised within the drainage area of the Yan Yean Reservoir. In 1893 some 6 100 hectares were excised from the reserve for agricultural allotments.

In its investigation of the public land in the Melbourne study area, the Land Conservation Council recommended that 320 hectares in this water supply reserve, located in the Mount Disappointment region, be proclaimed as reserved forest under the Forests Act 1958. This recommendation has been approved by the Governor in Council.

The land abuts the existing Mount Disappointment State forest. The excision is necessary to give effect to the approved recommendation of the Land Conservation Council.

Item 3—City of Geelong—Site for a public park

This reserve is Kardinia Park and contains 8 hectares. It is controlled by the corporation of the City of Geelong as a committee of management. The area of 3061 square metres to be excised is shown on the plan in Part IV. of the schedule.

The excision is sought to enable the Country Roads Board to improve the intersection of Kilgour Street and Noble Street with La Trobe Terrace and to re-align Kilgour Street. These proposed roadworks are part of the board's La Trobe Terrace project which is a major project as it will remove through traffic from the business centre of Geelong.

On completion of the first stage of the project, the board proposes to declare La Trobe Terrace to be a State highway in lieu of the section of the Princes Highway West which it will replace. The realignment of Kilgour Street will make the Kilgour Street-Noble Street route one of the few continuous east-west routes in Geelong and will allow satisfactory provision to be made for the main vehicular entrance to Kardinia Park.

The city council has agreed to the board's proposal. However, as the roadworks will require the park caretaker's residence to be re-located, the board has agreed to pay the sum of $22 000 to the city council for that cost. This is provided for in the Bill.

Not all of the land to be excised from Kardinia Park will be actually required for road works. An area of 831 square metres of that land, together with 980 square metres obtained from a reduction in width of Kilgour Street, will be landscaped to form a new park. The Boer War memorial which is affected by the project will be relocated within this new park.

Similarly, Kilgour Street could be reduced in width between the road deviation through Kardinia Park and the Geelong and Colac railway, with the result that a further area of 802 square metres would be added to Kardinia Park.

Item 4—Parish of Will-will-rook—Place for the interment of the dead

This reserve contained 152·9 hectares is the Fawkner Crematorium and Memorial Park. It is controlled by seven trustees appointed under the provisions of the Cemeteries Act 1958. The area of 75·4 square metres to be excised is shown on the plan in Part V of the schedule.

The excision is sought by the council of the City of Broadmeadows to accommodate a road deviation at the corner of Boundary Road and Sussex Street, Pascoe Vale. It is understood that some years ago agreement was

reached between the Broadmeadows City Council, the Coburg City Council, the Country Roads Board and the cemetery trust for the small area of land to be used for road widening purposes. The roadworks were required to improve the alignment of a major traffic route. Plans were apparently mistakenly prepared by the city of Coburg for a transfer of land. However, it was later realized that the land was Crown Land and within the city of Broadmeadows.

The Health Commission of Victoria and the Cemetery Trust have no objection to the proposed excision. I commend the Bill to the House.

On the motion of Mr ERNST (Geelong East), the debate was adjourned.

It was ordered that the debate be adjourned until Tuesday, April 22.

NAVIGABLE WATERS (OIL POLLUTION) (AMENDMENT) BILL

The debate (adjourned from March 18) on the motion of Mr Austin (Minister of Public Works) for the second reading of this Bill was resumed.

Mr STIRLING (Williamstown)—This Bill firstly will provide for the recovery of costs incurred in the cleaning up of oil spillage or material containing oil, whether such pollution is within or outside the jurisdiction of appropriate authorities or public statutory bodies. Secondly, the Bill will amend the interpretation of the term "the jurisdiction" consequent upon the passing by the Commonwealth Parliament of the Seas and Submerged Lands Act 1973. Some doubt was raised within the Commonwealth Parliament whether the Victorian legislation is relevant to the jurisdiction contained in the Navigable Waters (Oil Pollution) Act. The municipalities were concerned whether the Act places the possible affected area outside the jurisdiction of an appropriate authority or body.

The interpretation of "the jurisdiction" in the Victorian Act "means the sea lying within the territorial limits and the ports and navigable waters of the State of Victoria". The Commonwealth Parliament passed a law in 1973 that set the territorial limit of the State of Victoria at the low-water line on the Victorian coast. The Victorian coast was talked of, not the limits of the inlets like Lakes Entrance, Port Phillip Bay or Westernport Bay.

The problem lies with the territorial limit. A High Court decision ruled that the lands of the State of Victoria ended at the low-water mark on the foreshore, and the closing line of internal water, as I mentioned before, is at the cut-off of the bay—Port Phillip or Westernport Bay.

The decision of the High Court will nullify any claim by a municipality for the expense of cleaning up oil pollution. The jurisdiction of municipalities extends to the high-water mark, on the foreshore and between the high-water mark and the low-water mark, the jurisdiction of municipalities is limited.

The Opposition agrees with the amendments contained in the Bill because the jurisdiction will now be said to be the sea landward within the territorial limits and the territorial sea adjacent to the State of Victoria. This is part of the old Victorian concept, and the municipalities and any other appropriate body can recover costs incurred in the removal of oil pollution out to that area.

It is necessary to cover these points. As the Minister and the honorable member for Geelong West know, there was a High Court case on this matter. Members of the Labor Party followed it with a great deal of interest. In his second-reading speech the Minister said that Parliamentary Counsel has advised that the amendments should cover any problems as far as federal legislation is concerned.

This Bill deals with spillages that have taken place, but should not the House be considering preventing spillages from occurring? Many spillages have occurred in the world, and on 24 November 1978 a conference was held in Japan in a bid to do something about it. It was pointed out that attempts should be made to prevent spillages. It is extremely difficult to clean up after an oil spillage, and the damage can never be entirely repaired. At that meeting in

Japan of the pilots asociations of the world, a warning was given by Captain Colin Springall, Secretary of the Port Phillip Sea Pilot Service, that the potential danger of world maritime disasters was increasing annually. It was stated that financial and ecological damage caused by major spillages should not be forgotten. The International Maritime Pilots Association called on Governments throughout the world to encourage the use of trained and licensed pilots to help avoid emergencies caused by accidental spillage and oil pollution by people who should know better.

In 1977 in a good move, a pipeline was put across Port Phillip Bay, from the Bass Strait fields to Westernport, Altona and Geelong to feed the major refineries. It cut down the movement of crude oil tankers in the bay. However, as the Minister knows, there is still substantial movement of refined products from the river at Spotswood. The annual report of the Melbourne Harbor Trust of last year said that the movement of refined products had increased by about 8 per cent.

I repeat that prevention is far more important than cleaning up after a disaster. Three years ago the Federal Government established a committee and the pilots associations of Victoria, New South Wales and Queensland put forward arguments, that no leniency or exemption should be provided to pilots in those States. This should not occur. Tankers that are heavily laden with oil products should not be allowed to pass through channels where there is a danger of pollution to the bays or inlets of this State without pilotage. The report of the House of Representatives Standing Committee on Environment and Conservation which dealt with oil spills—prevention and control of oil pollution in the marine environment—and which was provided to the Federal Parliament in September 1978, stated, *inter alia*:

> Not enough emphasis is currently being placed on methods of preventing spills.

The Bill deals with cleaning up, not with prevention. I agree with the report to the Federal Parliament, as do members of the Labor Party. On the next page of the report the following appeared:

> Australia has only limited resources for dealing with oil spills. If a large spill occurred near land, it is unlikely that widespread contamination of coastal areas could be prevented.

That is true. The report continued:

> Environmental damage caused by frequent, small oil spills is often great.
>
> . . . . .
>
> For smaller spills there is a need to upgrade physical recovery capability.

What facilities does Victoria have for cleaning up small oil spills?

I emphasize the point raised at the conference in Japan in 1978 by the pilots association of the world. Victoria has a unique pilot service which has not let the State down in this important matter. Two areas are involved—Port Phillip Bay and Westernport Bay. In the future perhaps Portland will also be involved. Some time ago there was a movement which came from industry, to obtain exemption for certain areas of pilotage. I hope the Minister will consider what I have said in this regard. The Opposition does not oppose the Bill.

Mr AUSTIN (Minister of Public Works)—I thank the honorable member for Williamstown for his contribution to the debate. I was waiting for the National Party to make a contribution also. As it has not done so, I imagine that it also supports the Bill.

I wish to reply to a few points raised by the honorable member for Williamstown. He rightly said that prevention is the most important aspect in relation to oil pollution of this coast at some future time. All people are aware, and particularly those in the Westernport area, of the possibility of a major spill from the large tankers. Fortunately, until now we have been spared, but one must be conscious of what might occur and what action should be taken if there was a spillage.

The honorable member mentioned the facilities available in Victoria today to cope with a possible spill in the years ahead. Recently $72 000 has been spent on the purchase of special equipment from overseas. It is a mop type mechanism for oil collection which has

been tested overseas and which has been highly effective, having the capacity to take on board 12 000 litres of oil an hour.

The honorable member also referred to pilot exemptions and leniency which could have the effect of endangering seafaring areas. This matter has been taken up recently. I have checked out the Government's policy on exemptions and I can assure the honorable member that there is no intention of being lenient in any way in relation to exemptions in the future.

I am grateful for the contribution made by the honorable member for Williamstown and I am also pleased that this measure has the support of both sides of the House.

The motion was agreed to.

The Bill was read a second time, and passed through its remaining stages.

ADJOURNMENT

Seaford-Carrum High School—State Electricity Commission agreement—Royal Children's Hospital appeal—Mouse plague—Handicapped young people — Buchanan's jetty — Plant rights—Work experience programme

Mr AUSTIN (Minister of Public Works)—I move:

That the House do now adjourn.

Mr CATHIE (Carrum)—I raise with the Assistant Minister of Education a matter concerning recent events at the Seaford-Carrum High School. No doubt the Minister is aware that a meeting was held at the school last Thursday evening which was attended by 100 or more parents. The meeting was called by the school council in an effort to resolve the disruption which has occurred at the school. There was frank discussion and much thought was given by the parents to how the continuing disruption could be resolved and to getting the Seaford-Carrum High School back to normal working conditions.

The parents passed a resolution which was overwhelmingly supported and which was signed by about 90 of the parents present. The terms of the resolution were that the parents would request the Minister to drop the charges against the teachers at Seaford-Carrum High School and that time be given for the new administration to be effective. That school now has its fourth principal in four years and it is the view of the parents that he ought to be given an opportunity of settling into the job and getting the school running in a proper, orderly fashion. Finally, the parents agreed, as the school council has agreed, that during a period of six months an agreed method of school review should be negotiated between the school council, the teachers, the parents and the Education Department. That position was adopted by the overwhelming majority of the parents who met with the school council last Thursday.

I put this to the Assistant Minister tonight because those guidelines proposed by the parents offer real hope for peace and, if accepted by all parties —I stress "by all parties"—will in fact prevent further disruption at the school. What I put to the Assistant Minister is to seek reason and common sense in a school which has had far too much disruption in the past.

The proposal put forward by the parents has the full support of the school council and provides a reasonable framework for compromise and negotiation in the future. Let the Assistant Minister remember that it is always the children who are the meat in the sandwich and further disruption at that school will only mean disruption of the teaching programme and of the future education of the students attending the Seaford-Carrum High School.

A small step is required from both sides. What is required from the Assistant Minister is recognition that there cannot be negotiation while charges are pending against 32 teachers at that school. Equally, because this is a compromise that the parents are proposing, what is required from teachers is that they be prepared to accept in principle the need for a full school review at the Seaford-Carrum High School. I indicate to the Assistant Minister that the school council at the Seaford-Carrum High School certainly accepts

that and wants to have a proper school review without prejudice to the form or type of that review. Those are negotiable matters and I am hopeful that common sense will prevail in this long, sad, continuing history of disputes at the school.

Mr WILKES (Leader of the Opposition)—I raise with the Premier a matter which the inactivity of the Minister for Minerals and Energy has forced me to raise in this House on several occasions. It relates to the fact that, despite numerous assurances given to this House over the past year by both the Premier and the Minister, no agreement has yet been signed by the State Electricity Commission and the eleven metropolitan councils which buy power in bulk from the commission and sell to their ratepayers. Despite the efforts of the Association of Municipal Electrical Authorities to reach agreement with the commission, of which the Minister is well aware, the matter is still outstanding. From time to time, the Minister has given the House assurances, as has the Premier, that an agreement would be concluded. It is three and a half years overdue.

The eleven metropolitan councils met last Thursday, as the Minister is aware, and unanimously agreed to withhold $3·5 mililion in payments to the State Electricity Commission over the next six months in an effort to force the the commission to complete the negotiations. The commission has rejected any suggestion by the Minister and the Premier.

Mr Balfour—The councils have rejected it.

Mr WILKES—That is not so, and the Minister knows it. This drastic move by the councils is in line with the Premier's instructions and, no doubt, the Minister's instructions to the commission in March of last year regarding the financial agreement which the State Electricity Commission has, for more than a year now, refused to acknowledge. There was an agreement negotiated and the State Electricity Commission refused to acknowledge the negotiation.

Will the Premier now indicate to the House what steps he proposes to take to complete the long overdue financial agreement between the councils and the commission? If necessary, will he undertake to immediately instruct the commission, as the Minister should have done long before this, to complete the details in accordance with his wishes expressed in March of 1979? The Minister would have to concede that the matter has dragged on far too long and it is astonishing that a simple decision like this should take the Minister and the Premier so long to conclude. Nothing short of a categorical statement by the Premier is now essential to clear up the matter.

The eleven municipalities are sick and tired of waiting for the Premier and the Minister to instruct the State Electricity Commission to conclude the agreement. They have played the game. I have had some experience with the municipalities.

Mr Balfour—So have I.

Mr WILKES—The Minister says he has, but he takes one tack. On a number of occasions the honorable member for Morwell has raised this matter with the Minister, who has refused to acknowledge his pleas. I am now going beyond the Minister because I do not believe the Minister can do anything about it. He has lost control and it is now up to the Premier, on behalf of the eleven municipalities, to do something about this agreement. The municipalities refused to pay but they have withdrawn that refusal today. I would not blame them if they did not pay the State Electricity Commission. It ill behoves the Minister and the Premier to hold those municipalities to ransom on behalf of the State Electricity Commission any longer.

Mr McARTHUR (Ringwood)—I refer the Minister for Police and Emergency Services to a matter concerning the Good Friday Appeal run by HSV Channel 7, 3DB and the Herald-Sun organization, an appeal which has become an institution in Victoria. It is a very worth-while day when thousands of people, including children, offer unselfish help in collecting money for the

Royal Children's Hospital. The appeal is an institution and a real spirit is built up on Good Friday.

However, I direct the attention of the Minister to a situation which could perhaps lead to a tragedy on a day when there should not be any tragedies. It has come to my attention that children are performing the unselfish collection of money at intersections, in suburbs throughout Melbourne. Sometimes there are up to half a dozen or ten children at an intersection running between cars with collection tins. I should think it would be all very well if they had conspicuous, irridescent vests or something like that. I have observed about a dozen intersections in the Ringwood-Waverley-Croydon area where children were darting between cars and there were several near misses. It would be an ironic tragedy if some child doing a good deed for the day ended up in the Royal Children's Hospital or even worse.

Would the Minister arrange that members of his department liaise with the organizers of this worthy appeal to work out some way in which children would be supplied with some sort of conspicuous vest? I would think it may cost 20 cents or 30 cents to provide. It would be well worth the effort of undertaking some negotiation with the organizers. There would be many children whose parents would allow them to go out collecting if they were conspicuously marked. I hope the Minister will be able to have his department liaise with the organizers of the appeal.

Mr WHITING (Mildura)—I raise with the Minister of Agriculture, and indirectly with the Minister for Conservation, the much publicized problem of the mouse plague in north western Victoria. I direct the attention of the Minister of Agriculture to the matter because, in his answer to a question on the subject, he tended to indicate that there was nothing further the Government could do.

Mr Fordham—They are waiting for the cold weather.

Mr WHITING—That may well be. A satisfactory answer is to wait for climatic conditions to be such that the plague will no longer be a problem and will immediately disappear, and it is possible that that will happen. However, the residents of these areas are long suffering as far as climatic conditions, market conditions and the like are concerned. Included in that long suffering with which they are inflicted from time to time are things like mouse plagues, hail storms and the like. However, the real complaint they have at the moment is that, although these plagues occur at reasonably frequent, irregular periods, the Department of Agriculture, the CSIRO and other departments, which probably should and could undertake a research programme into the reasons for and methods of prevention of these plagues, have done nothing about it.

The National Party is concerned that the Minister did not indicate that he would request his officers to undertake a research programme on the frequency of plagues such as this or on methods of attempting to control a plague which appears to be getting out of hand and so on. I earnestly request that he talk to either his Federal or his State colleagues in an endeavour to have a research programme carried out at the earliest opportunity while there is still in existence evidence of the present plague. If it were possible to allocate one or two officers of his department at the Keith Turnbull Research Station in Frankston, obviously they would be able to collect a considerable amount of data for use if and when another plague should occur in two, three or five years' time.

I put that proposal to the Minister and ask that he take the situation seriously because, although the actual cost to individual householders and land owners may not be large in each case, the total amount of damage being caused by this plague is considerable.

Mr FORDHAM (Footscray)—I direct to the attention of the Assistant Minister of Education, as Minister responsible for special education, the continuing discrimination against young people

who attend special schools in Victoria when they attain the age of sixteen years. For many years the Education Act specifically precluded the State from responsibility for the education of the handicapped. That was a continuing disgrace to the Victorian Parliament and people. Some years ago the Act was amended to bring handicapped children under its provisions. However, there was no commitment to young people of more than the compulsory school age. One would have thought that would not be necessary because the Government would be aware that, once such a young person had been involved in the education system, his or her continuing education should continue to be the responsibility of the State. That is what happens with high schools and technical schools, but it is not the case with special schools.

If a student at a special school attains the age of sixteen years, there has to be a consultation involving the parents, who must convince the Minister of Education that their child should continue within the State education network. That is serious discrimination. It is an antediluvian policy that has no place in a modern education system. The parents and schools involved have repeatedly made representations to the Special Schools Division and successive Ministers, asking that the practice be changed so that the discrimination can be removed.

The famous report of the Victorian Committee on Mental Retardation, which was completed in 1977 and which has been handed on and is still under consideration by the Government, in recommendation 52 stated:

> That just as high schools and technical schools provide non-retarded persons with educational options beyond the compulsory school age of fifteen years, so the option of pursuing further appropriate educational programmes in adequate settings beyond the statutory age should be extended to retarded persons.

I hope the Assistant Minister of Education, who is still a relatively fresh Minister, will agree immediately to review the existing provisions that maintain the discrimination. Surely one would be entitled to hope that young people who are retarded would have first call on the State's resources and the education dollar in order to maximize their opportunities in the world at large. No doubt the Minister, from his knowledge of education, would be aware of the wide range of possibilities that should be open to these young people in formal educational institutions, related workshops and other centres. I hope the Minister will remove this discrimination that is felt by the parents and young people involved.

I have received representations from a number of special school councils and parents of handicapped children, most recently from the Bulleen Special School council, which have highlighted their views on this matter. I reiterate that I hope the Minister will immediately review the situation in an effort to bring about the required changes as soon as possible.

Mr DUNSTAN (Dromana)—The matter I raise concerns the administrations of three Ministers. They are the Minister for State Development Decentralization and Tourism, the Minister of Lands and the Minister of Public Works. I refer to the retention of what is known as Buchanan's jetty, the remains of the old Mornington baths. It is a parochial matter but it relates to the responsibilities of three Ministers. The Minister responsible for tourism, the Minister who will decide whether the structure is to be demolished—the Minister of Lands—and the Minister who will be involved if the structure is considered to be an historic building, the Minister of Public Works.

The people of Mornington are few in number but they include a large number of small retailers who deserve consideration rather than the platitudes of the Minister for State Development Decentralization and Tourism. I should like to hear the honorable gentleman say, "We believe the main industry on the peninsula is tourism".

An Honorable Member—Hear, hear!

Mr DUNSTAN—If the Leader of the Opposition or the Deputy Leader of the Opposition said that, I heartily endorse the remark. It is the only industry left in the area. The Minister of Lands,

following an irrevocable decision by one of his predecessors—a most inflexible man—says that the structure must be demolished. I hope the Minister for State Development Decentralization and Tourism will seriously heed the view of the Healesville-Westernport regional tourist authority, which wants to keep the structure. The Mornington Peninsula Historical Society also says, "We want to keep this landmark on the peninsula", and I should like the Minister of Public Works to heed that view.

I want the Minister of Lands to know, as one of his predecessors did not, that so long as I am a member of Parliament, the restaurant will not be pulled down. It is a tourist attraction and an historic landmark. I ask the three Ministers involved to note that, so long as I am a member of this Parliament, it will not be pulled down.

Mr FOGARTY (Sunshine)—I raise a matter for the attention of the Minister of Agriculture. I have a copy of a letter from the Federal Minister for Primary Industry, which clearly states that it is the intention of the Australian Government to introduce a Bill dealing with plant variety rights, under which certain rights will be granted to certain companies, which will be able to develop certain seeds and crops.

The Bill will also make provision to ensure that protected varieties will be freely available for research purposes and for farmers to retain the seed of protected varieties for the sowing of consumption crops for sale. The letter also points out that it has been demonstrated that in the United States of America 17 per cent of the rights certificates issued under the Plant Variety Protection Act have been to six of the large seed firms.

It is quite apparent from the letter that the Australian Agricultural Council has discussed this controversial matter at length. I should like the Minister to advise the House of the views of the Victorian Government on the proposed Bill because many people believe the seeds of the earth should be public and not confined to private firms. Many people are wary that plant and seed varieties may be given into the hands of multinational companies. I am most anxious to know to what degree the Victorian Government took part in the discussions at the Australian Agricultural Council and what the Victorian Government's attitude to the proposed legislation is.

Mr COLLINS (Noble Park)—I refer the Assistant Minister of Education to the current work experience provisions of the Education Act, which permit work experience to take place only during the school year. As school concludes at the end of the third term in any year, it means that at the end of the third term, which is approximately the first week in December in most high and technical schools, until the beginning of the first term of the next year, usually the beginning of February, no work experience programme of a formal kind can take place.

There is no provision for the Government to be responsible for the workers compensation cost component of a scheme conducted during that period and no machinery whereby schools would have an obligation to run that type of programme. Once the school year has concluded, there is no responsibility on teachers to establish such programmes, let alone have an on-going interest in them. I do not suggest that careers teachers should be required, during the Christmas holiday period, to work alongside young students in a work experience programme, but if the Government is serious about addressing itself to the problem of the large number of young people who leave schools at the end of each year without immediate employment prospects, it should give every opportunity to those young people of entering a lengthy work experience programme. It should amend the existing legislation to enable industry, if necessary, to carry out the surveillance of such programmes, after they have been set up by careers teachers prior to the end of the school year. In other words, industry, commerce and the teaching profession should get together to work out a pro-

gramme. The paramount need is for young people to have additional work experience opportunities.

I am convinced that employers would embrace such a programme, which would give them the opportunity of providing generous work experience of approximately six or seven weeks to thousands of young Victorians. I am sure careers teachers would be in favour of the idea and no doubt some of them would have an additional commitment to take part in the exercise during the holiday period. However, that is not a prerequisite of what I am seeking. The present provisions permit 12 days' experience a term, up to 36 days during a school year, and it can be staged in whichever way is most appropriate to the needs of the individual young people.

A high school or technical school that has 500 students and a careers teacher is one thing, but schools such as Chandler High School, which has 1140 students and only one careers teacher, effectively doubles the work loads of their careers teachers. Chandler High School is designed like a mini-campus and the careers teacher has a difficult task even to get to know many of the students. The State Government was recently given a significant contribution by the Federal Government for school-to-work transition programmes. Although most of those funds may already be committed, I ask the Minister to ascertain whether there is some way of reallocating any component of the funds to enable the work experience programme to continue from the end of the third term to the commencement of the first term of the next year. That would require a change in the existing legislation.

The SPEAKER (the Hon. S. J. Plowman)—Order! The honorable member's time has expired.

Mr LACY (Assistant Minister of Education)—The honorable member for Noble Park raised the matter of the effectiveness of the Education Act as it relates to work experience programmes. The work experience provisions were thrashed out when—if my memory serves me correctly—the present Minister of Housing was Assistant Minister of Education. They were arrived at as a result of extensive work carried out by a widely representative committee, and I am sure they were carefully considered at that time. That is not to say that they were perfect. Nevertheless, I accept that there may be some problems in the proposition put forward by the honorable member for Noble Park. I will draw his remarks to the attention of the Minister who is responsible for work experience so that he may address his attention to the matter. I will ask the Minister to inform the honorable member for Noble Park on any action it may be possible to take.

The Deputy Leader of the Opposition again raised a matter that has been raised a number of times in this Parliament both with former Assistant Ministers of Education and the former Minister of Special Education. It has also been raised with me by the honorable member for Invanhoe and other honorable members in this Chamber. I refer to the question of children who have attained the age of sixteen years being allowed to continue to attend special education facilities. It is not a question of resources being devoted to young people of this age because any change to the Act could not have any effect on the amount of resources that would need to be devoted to his area since no young people attaining the age of sixteen years have been denied access to those facilities. Every application for children to continue attending special education facilities has been approved by me and my predecessors.

This problem has been considered by former Ministers wiser than I. Nevertheless, it has been carefully considered on a number of occasions that there is much value in providing a period in the development of a child or children who normally have access to those facilities where parents are forced to consult with the department to consider the well-being of the child. Many options, other than remaining in school, are open to mentally retarded children or children with various handicaps. That is only one option. It is of value to force parents into consultation in the best interest of

a child and an opportunity should be retained, although not necessarily in this form. At the moment, the opportunity exists because of the provisions of the Act. Not one child has been denied access to schools as a result of this.

The honorable member for Carrum raised, on behalf of parents of students at the Seaford–Carrum High School, the resolutions passed by those parents at two meeting, particularly a meeting held on 10 April. The house should be aware that at a meeting between the Minister of Education and the school council held on 3 April it was resolved that the school should in fact be reviewed. On 9 April the new principal took up his position at the school and at a meeting on that evening he was invited to become secretary of the school council. He accepted. The meeting supported the proposition of the Minister and the school council that the school should be reviewed.

On 10 April, the next day, the principal informed the staff of the school of the school council resolution. The staff discussed the resoultion in the absence of the principal and voted to reject it. On the evening of Thursday 10th April a public meeting of parents of children who attended the school was held, to which I referred previously. Two resolutions were passed: That charges against teachers by the department be withdrawn and the school be reviewed. The staff still reject the review proposal and the charges, therefore, still stand to be heard by the Teachers Tribunal.

This matter no longer simply relates to Seaford-Carrum High School but involves the Warragul High School where, because of the same general issues, teachers have been charged. Furthermore the teachers at the school not only reject the proposition of a review but also the resolution of the school council. However, it still requires the co-operation of the staff for the resolution to have any effect. No matter what the position may be, the staff has invited the union to take up its case and its cause. The matter is now the subject of negotiation between the Minister and the union concerned with respect to the general principle, particularly charges laid against teachers at the school.

In the past two days, the Minister has gone to unusual lengths to secure the agreement of the Victorian Secondary Teachers Association to the extent of considering an agreement put forward to him suggesting amendments to the agreement to ensure that the union does not go off on the tangent that it has on previous occasions when agreements have been reached. When an agreement is reached, that they will not embark on any further action in respect to conditions the union then finds some other cause to embark on industrial action. That is not acceptable and any attempt by the Minister to provide amendments to the agreement along those lines to ensure that, if the agreement fails, arbitration can be entered into, have been rejected by the union. Furthermore, when they failed today the Minister drew up a general framework of in-principle agreements between the Minister and the Victorian Secondary Teachers Association in an attempt to get a general set of principles that would be recognized as the basis upon which discussions could continue. That attempt also failed and was rejected by the union.

Every proposition that has been put forward either by the school council or the Minister of Education has been rejected either by the Victorian Secondary Teachers Association executive or the branch at Seaford-Carrum High School. In the context, the Minister and the department have done everything possible to try to settle this matter in the interests of the children at those schools. On every occasion they have faced a brick wall. I understand negotiations have broken down and that it is intended that direct action will be taken tomorrow.

Mr THOMPSON (Minister for Police and Emergency Services)—On the matter raised by the honorable member for Ringwood, I can see the possible danger to life and limb because of the activities on some of the younger chil-

dren, even though they are enthusiastically collecting funds for an extremely worth-while cause. Discussions will be held between the Traffic Branch of the Police Force and representatives of the Childrens Hospital and the Hospitals Division of the Health Commission to see whether some suitable jacket can be designed to make these children safer next year when they are engaged in these activities.

Mr I. W. SMITH (Minister of Agriculture)—The Deputy Leader of the National Party again raised the question of the need for further research and effort to abate the mouse plague. As I mentioned earlier during question time, this is not a new problem. A fair amount of research has already been done. The people who are now affected want an instant solution. It is a most unfortunate problem, but instant solutions should have occured by the use of preventative measures recommended by the department last year which were supported by the Lands Department which had available poison for those people, particularly farmers, who wished to clean up the mouse infestations.

Like all plagues, mouse plagues are cyclical and self-limiting. The present mouse plague will be self-limiting. It is now beyond the control measures of individuals or for that matter governments. It will be self-limiting when the cold weather comes and their natural cannabalistic tendencies take over and they ingest their offspring. I agree that research needs to take place into the biological methods of control of mice in future but there is still no substitute, as with rabbits or other vermin, than good farm hygiene.

I urge honorable members from rural areas where mouse plagues are regular happenings to assist departmental officers in encouraging farmers to carry out better grain hygiene. If there is not sufficient food stock available for vermin, their multiplication is inhibited. It is a fact of life that there is no instant or easy solution.

The honorable member for Sunshine raised the matter of plant variety rights and the policy and attitude of the Goverment. I am happy to say that the Goverment initiated discussion at the Australian Agriculture Council seven years ago. Strangely enough, the greatest opposition came from the National Party Minister of Agriculture in Western Australia. It was a coalition Government. Fortunately since that time, and following a lot of argument, the stage has been reached where it looks as though complementary State, and Federal legislation can be passed so that plant variety rights can be secured for individuals. There is still argument within the seed industry as to whether the American or the European system should be adopted. It is a matter of semantics. One should place one's emphasis where one's markets are most likely to occur. Australia's markets are most likely to be in North Africa, the Middle East and Europe and therefore Australia should adopt systems that are understood in those countries. I envisage that Victoria will be preparing draft legislation which will come into the House before the end of this Parliament, hopefully during the next session.

Mr WOOD (Assistant Minister for State Development Decentralization and Tourism)— The honorable member for Dromana, in emphasizing the value and importance of the tourism industry on the Mornington Peninsula, raised the need for the preservation and restoration of Buchanan's jetty in Mornington. He emphasized the structure's historical and tourist importance. I will discuss the matter with my colleagues the Minister of Lands and the Minister of Public Works and report back to the honorable member.

Mr MACLELLAN (Minister of Transport)—The Leader of the Opposition raised a matter for the attention of the Premier in relation to my colleague the Minister for Minerals and Energy. I assure the honorable member that I will draw his remarks to their attention and ask the Premier to reply to the Leader of the Opposition on the matter.

The motion was agreed to.

The House adjourned at 11.14 *p.m.*

QUESTIONS ON NOTICE

The following answers to questions on notice were circulated—

QUEEN VICTORIA MEDICAL CENTRE

(Question No. 120)

Mr MATHEWS (Oakleigh) asked the Minister of Health:

In respect of the now proposed 310-bed Queen Victoria Medical Centre at Clayton, what was the—(*a*) date; and (*b*) substance of —(i) each approach to the Monash University Medical School for comment; and (ii) each reply?

Mr BORTHWICK (Minister of Health) —The answer is:

No official correspondence exists between Monash University Medical School and the Health Commission in respect of the now proposed 310-bed hospital. However, the Faculty of Medicine would have been aware of developments through the university's nominee on the Joint Planning Committee of the Queen Victoria Medical Centre.

(Question No. 124)

Mr MATHEWS (Oakleigh) asked the Minister of Health:

In respect of the decision to replace the proposed 1000-bed Clayton–Burwood Queen Victoria Medical Centre with a proposed 310-bed centre at Clayton, what was the—(*a*) date; and (*b*) substance of each consultation which was held with representatives of Monash University, indicating the—(i) names; and (ii) positions of the participants in each case?

Mr BORTHWICK (Minister of Health) —The answer is:

In respect of the decision to build a proposed 310-bed hospital, consultation did not take place between either the Health Commission or the Hospitals and Charities Commission and Monash University. However, the university would have been aware of developments through the university's nominee on the Joint Planning Committee of the Queen Victoria Medical Centre.

(Question No. 126)

Mr MATHEWS (Oakleigh) asked the Minister of Health:

In respect of the decision to replace the proposed 1000-bed Clayton–Burwood Queen Victoria Medical Centre with a proposed 310 bed centre at Clayton, whether the reasons for transfer of this project from Monash University to Clayton Road still apply; if so, what are those reasons?

Mr BORTHWICK (Minister of Health) —The answer is:

Yes. As the campus site is small, facilities such as linen, cooking, sterilizing and pharmacy would have to be accommodated off the site in order to place the proposed hospital on the campus site. For this reason and for the reason that agreement was never finally reached between the Medical Health Authorities in the State and the university council, the hospital was not built on the campus.

PATHOLOGY SERVICES

(Question No. 449)

Mr ROPER (Brunswick) asked the Minister of Health:

In respect of comments in the Mental Health Authority report for the year 1977 that pathology services are housed in "single room laboratories run by overworked and underclassified scientists", what action has been taken, and is intended to be taken to improve pathology services in mental retardation divisions of the commission?

Mr BORTHWICK (Minister of Health) —The answer is:

The reference to single room laboratories relates to two branch units situated at Willsmere Hospital and St Nicholas Hospital and not specifically to laboratories confined to mental retardation services. There is also a branch laboratory at Royal Park Psychiatric Hospital. These branch laboratories are functioning satisfactorily for the purpose of undertaking simple quick tests for local medical staff. The more complicated tests are performed at the Mont Park Pathology Centre, which provides a central pathology service for the Mental Health Division. The workload of this centre has increased in recent years and use has been made of private pathology services by the centre. Consideration is now being given to rationalizing certain of the specialized pathology services by transferring them from Mont Park to other facilities. A new building to provide additional storage space at the Mont Park Pathology Centre will shortly be constructed.

SERVICES FOR HEARING-IMPAIRED CHILDREN

(Question No. 806)

Mr ROPER (Brunswick) asked the Assistant Minister of Health:

In respect of services provided by the Health Commission for hearing-impaired children:

1. What services are currently provided, indicating when each service commenced?

2. What new services it is proposed to introduce?

3. Whether such new services have been discussed by the State Council for Special Education; if so, with what result?

Mr LIEBERMAN (Assistant Minister of Health)—The answer is:

1. The Health Commission Audiology Programme was initiated in February 1975 following the recommendations of the Report of the Consultative Council on Pre-School Child Development. The principal aims of the programme are:

1. The provision of adequate audiology services throughout the State with recognition of the needs of both urban and rural communities.

2. The early detection and diagnosis of hearing-impaired infants and the provision of regionally based parent support components.

The implementation of the E.C.D.P. together with close co-ordination with the Hospitals Division has enabled regional audiology centres to be established, and planned, for rural areas and a network of paediatric clinics to be established within the greater metropolitan area.

The rural audiology centres provide a regional service for the entire population with emphasis upon the needs of the paediatric and geriatric populations. Each E.C.D.P. has an audiology component and the service is so structured as to also provide for the needs of areas not yet permanently catered for by E.C.D.P.'s or regional centres.

The introduction of the above services has been continuous since 1975 and expansion has been, and will continue to be, dependant upon the availability of funding.

Referrals to the audiology components are received from Infant Welfare Sisters via the agency of the Infant Screening Test of Hearing.

Medical Officers and Sisters of the School Medical Service, General Practitioners, Kindergarten Teachers and Education Department agencies also refer children who are suspected of having a loss of hearing.

The Audiology Programme has been responsible for providing, within the community, a network of paediatric clinics for the early detection, diagnosis and referred of hearing defects.

The programme has also been of benefit in helping to raise the level of awareness within the community of the importance of normal hearing to the child's ability to acquire speech and language.

Audiology Programme Clinics are held at the following locations:

Swan Hill District Hospital
Mildura E.C.D.P.
Richmond Community Health Centre
Doveton–Hallam Community Health Centre
Wimmera Base Hospital
Eastern Divide E.C.D.P.
Barwon Region Child Health Centre
Preston Community Health Centre
Bendigo Base Hospital
Melbourne E.C.D.P.
Broadmeadows E.C.D.P.
Eaglehawk Community Health Centre
Wangaratta Base Hospital
Allambie Reception Centre
Knox E.C.D.P.
Western Region Community Health Centre
Deer Park Community Health Centre
555 Collins Street, Melbourne
Diamond Valley–Eltham E.C.D.P.
Gisborne E.C.D.P.
Frankston Community Resources Centre
Werribee Civic Centre
Fitzroy Resources Centre
St Albans Community Health Centre
St Gabriel's
St Nicholas'
Sunbury
Yooralla

Regional Audiology Centres:

Ballarat Base Hospital
Wangaratta Base Hospital
Shepparton Base Hospital
Warrnambool Base Hospital
Traralgon Base Hospital
Blackburn Regional Centre E.C.D.P.

Parent Counsellor:

Barwon Region Child Health Centre

In 1978 the programme was expanded to include components within the E.C.D.P. for advisors to parents of hearing-impaired preschool children.

This component is viewed as innovative when compared to existing services as it is home based and closely allied to the total resources of the E.C.D.P. multi-disciplinary team, including the audiologist. The main advantage is to the parents and hence the handicapped child as it provides for support based upon local resources.

At present one advisor is attached to the Barwon Regional Child Health Centre and a vacancy exists in the Central Gippsland E.C.D.P. for a similar position. It is planned to expand this facit of the programme when funding permits.

2. It is not envisaged that any new services will be introduced. Future initiatives will be confined to expanding existing components within the established Health Commission Programme.

3. The introduction and continued expansion of the Audiology Programme has been the subject of satisfactory discussion within the State Council for Special Education over the past three years.

A detailed report containing an overview of the programme was submitted to the council in early 1978 and at its suggestion interdepartmental senior officer contact was established to discuss matters related to the programme.

GERIATRIC CENTRE FOR EASTERN SUBURBS

(Question No. 892)

Mr MATHEWS (Oakleigh) asked the Minister of Health:

What further progress has been made concerning the proposed eastern suburbs geriatric centre since his answer to the member for Brunswick on 6 September 1977 in response to question No. 2200 and reported in *Hansard* at page 9219?

Mr BORTHWICK (Minister of Health) —The answer is:

Meetings have been held with representatives of the Provisional Committee to discuss the philosophy of this development.

A 45-bed treatment unit at Ringwood with a day hospital was placed under the management of the Eastern Suburbs Geriatric Centre Society in 1977 to demonstrate the value of assessment–treatment beds linked with a day hospital and community support services, pending the building of the new centre.

The Health Commission is currently considering a request for the purchase of a site for the centre.

INFANT WELFARE SERVICES

(Question No. 960)

Mr ROPER (Brunswick) asked the Assistant Minister of Health:

In respect of Infant Welfare Sisters and Infant Welfare Centres, whether the Health Commission has recent figures by region as to the number of sisters and centres per 1000 live births; if so, whether those figures will be made available to the member for Brunswick?

Mr LIEBERMAN (Assistant Minister of Health)—The answer is:

In 1978, the number of Infant Welfare Sisters and Infant Welfare Centres per 1000 live births was as follows:

Municipality	*Number of centres*	*Number of sisters*	*Live births*	*Centres/ 1000 live births*	*Sisters/ 1000 live births*
Alberton Shire	2	1	105	19.04	9.52
Alexander Shires / Yea Shire	4	1	100	40.00	10
Altona City	7	4	428	16.36	9.35
Ararat City	1	1	108	9.26	9.26
Ararat Shire	6	0.5	69	86.96	7.25
Avoca Shire / Grenville Shire / Lexton Shire / Ripon Shire / Talbot and Clunes Shire / Hampden Shire	9	1	207	43.48	4.83
Bacchus Marsh Shire / Ballan Shire	2	1	176	11.36	5.68
Bairnsdale City and Shire	2	1.4	214	9.35	6.54
Ballarat City	4	3	537	7.45	5.59
Ballarat Shire	3	1.8	316	9.49	5.70
Beechworth Shire / Chiltern Shire / Yackandandah Shire	5	0.8	107	46.73	7.48
Bellarine Shire	7	3.7	475	14.74	7.79
Benalla City and Shire	2	1	194	10.31	5.15
Bendigo City	4	4	676	5.92	5.92
Berwick City	7	3.2	572	12.23	5.59 includes 2 caravan sites
Box Hill City	6	4	573	10.47	6.98
Bright Shire / Myrtleford Shire	3	1	154	19.48	6.49
Brighton City	4	3	308	12.99	9.74
Broadford Shire	2	0.6	45	44.44	13.33
Broadmeadows City	12	10	1575	7.62	6.35
Brunswick City	4	5	821	4.87	6.09
Bulla Shire	3	3	431	6.96	6.96
Buln Buln Shire	5	1	169	29.59	5.92
Bungaree Shire	1	0.3	67	14.93	4.48
Buninyong Shire	1	0.3	115	8.69	2.61
Camberwell City	11	9.1	937	11.74	9.71
Camperdown Town	1	1	65	15.38	15.38

Municipality	*Number of centres*	*Number of sisters*	*Live births*	*Centres/ 1000 live births*	*Sisters/ 1000 live births*
Castlemaine City, Metcalfe Shire, Newstead Shire	2	1	156	12.82	6.41
Caulfield City	5	5	890	5.62	5.62
Charlton Shire		1	82	48.78	12.20
Chelsea City	3	2.6	382	7.85	6.81
Tungamah Shire, Cobram Shire	5	1.2	115	43.48	10.43
Coburg City	6	6.4	760	7.90	8.42
Cohuna Shire, Rochester Shire	3	1	82	36.59	12.20
Colac City	2	1	182	10.99	5.49
Colac Shire	6	1	83	72.29	12.05
Collingwood	3	3	282	10.64	10.64
Corio Shire	8	6.15	880	9.09	6.99
Cranbourne Shire	9	5	633	14.22	7.90
Croydon City	7	4	659	10.97	6.07
Dandenong City	11	6.8	981	11.21	6.93
Daylesford and Glenlyon Shire, Creswick Shire	3	1	157	19.10	6.37
Diamond Valley Shire	9	5.9	953	9.44	6.19
Dimboola Shire	3	0.7	64	46.88	10.94
Doncaster and Templestowe City	13	11	953	13.64	11.54
Dunmunkle Shire	3	0.6	36	83.33	16.67
Eaglehawk Borough	1	1	164	6.10	6.10
East Loddon Shire	6	1	83	72.29	12.05
Echuca City	1	1	113	8.85	8.85
Eltham Shire	9	4.9	678	13.27	7.23
Essendon City	5	5	664	7.53	7.53
Euroa Shire, Violet Town Shire	2	1	74	27.03	13.51
Fitzroy City	2	3	287	6.97	10.45
Flinders Shire	6	2.4	341	17.60	7.04
Footscray City	7	5	842	8.31	5.94
Frankston City	10	10	1233	8.11	8.11
Geelong City	3	1	207	14.49	4.83
Geelong West City, Queenscliffe Borough	4	1.6	246	16.26	6.50
Gisborne Shire	2	1.5	146	13.69	10.27
Glenelg Shire	2	1	66	30.30	15.15
Goulburn Shire	1	0.4	27	37.04	14.81
Hamilton City	1	2	203	4.93	9.85
Hampden Shire	3	1	153	19.61	6.54
Hastings Shire	8	2.6	356	22.47	7.30
Hawthorn City	3	3	387	7.75	7.75
Healesville Shire	4	2	158	25.32	12.66
Heidelberg City	12	6.5	795	15.09	8.18
Heytesbury Shire	3	1	122	24.59	8.20
Horsham City, Arapiles Shire, Wimmera Shire	4	2	267	14.98	7.49
Huntly Shire	1	0.2	..	..	..
Kaniva Shire	2	0.3	21	95.24	14.29
Karkarooc Shire	7	1	58	120.63	17.24
Keilor City	16	12.4	1358	11.78	9.13
Kerang Borough and Shire	4	1	124	32.26	8.06
Kew City	3	2.6	308	9.74	8.44
Kilmore Shire	3	0.8	85	35.30	9.41
Knox City	21	16	1872	11.22	8.55
Korumburra Shire	5	1	126	39.69	7.94
Kowree Shire	4	1	48	83.33	20.83
Kyabram Town	1	1	94	10.64	10.64
Kyneton Shire	2	1	94	21.28	10.64
Lillydale Shire	12	6.6	1360	8.82	4.85
Bet Bet Shire, Maldon Shire, Marong Shire	3	1	143	20.98	6.99

Municipality	*Number of centres*	*Number of sisters*	*Live births*	*Centres / 1000 live births*	*Sisters / 1000 live births*
Lowan Shire	1	0.6	52	19.23	11.54
McIvor Shire	1	0.2	32	31.25	6.25
Maffra Shire, Rosedale Shire, Avon Shire	9	2	302	29.80	6.62
Malvern City	5	4.7	492	10.16	9.55
Mansfield Shire	2	0.8	46	43.48	17.39
Maryborough City, Tullaroop Shire	2	1	134	15.15	7.58
Melbourne City	12	13	757	15.85	17.17
Melton Shire	4	2.6	590	6.78	4.41
Mildura City	4	2	205	19.51	9.76
Mildura Shire	8	2	300	26.67	6.67
Moe City, Narracan Shire	5	2	320	15.63	6.25
Moorabbin City	14	10.98	1098	12.75	9.84
Mordialloc City	3	3	338	8.88	8.88
Mornington Shire	4	3	347	11.53	8.65
Mortlake Shire, Mount Rouse Shire	4	1	83	48.19	12.05
Morwell Shire	5	2.4	434	11.52	5.53
Mirboo Shire	5	1	153	32.68	6.54
Nathalia Shire	3	1	127	23.62	7.87
Newham and Woodend Shire	1	0.5	65	15.38	7.69
Newtown City	3	1.5	144	20.83	10.42
Northcote City	7	5.6	825	8.49	6.79
Numurkah Shire	2	1	97	20.62	10.31
Nunawading City	8	8	1258	6.36	6.36
Oakleigh City	8	4.6	679	11.78	6.77
Otway Shire	6	1	65	92.31	15.38
Pakenham Shire	11	2	321	34.27	6.23
Port Fairy Borough, Belfast Shire, Koroit Borough, Minhamite Shire	7	1	113	61.96	8.85
Portland Town	2	1	148	13.51	6.76
Portland Shire	4	1	90	44.44	11.11
Port Melbourne City	2	1.2	119	16.81	10.08
Prahran City	4	5	432	9.26	11.57
Preston City	7	7	1146	6.11	6.11
Pyalong Shire	1	0.2	7	942.86	28.57
Richmond City	3	4	383	7.83	10.44
Ringwood City	4	3.8	625	6.4	6.08
Rochester Shire, Huntly Shire	4	1	160	25.0	6.25
Rodney Shire	3	1.2	226	13.27	5.31
Romsey Shire	3	0.725	75	40.0	9.67
Rutherglen Shire, Yarrawonga Shire, St Arnaud Town	3	1	72	41.67	13.89
Avoca Shire, Donald Shire	4	1	105	38.10	9.52
St Kilda City	3	5	642	4.67	7.79
Sale City	1	1	269	3.72	3.72
Sandringham City	6	3	323	18.58	9.29
Sebastopol Borough	2	1	147	13.61	6.80
Seymour Shire	3	2	164	18.29	12.20
Shepparton City, Shepparton Shire	5	4	535	9.35	7.48
Sherbrooke Shire	7	4	467	14.99	8.57
South Barwon Shire	7	4.8	627	11.16	7.66
South Gippsland Shire	4	1	93	43.01	10.75
South Melbourne City	3	3	232	12.93	12.93
Springvale City	12	8	1406	8.53	5.69
Stawell City and Shire	6	1	106	56.63	9.43
Strathfieldsaye Shire	1	1	64	15.63	15.63
Sunshine City	14	8	1591	8.80	5.03

Municipality	Number of centres	Number of sisters	Live births	Centres/ 1000 live births	Sisters/ 1000 live births
Swan Hill City	2	1	152	13.16	6.58
Swan Hill Shire	11	2	214	51.41	9.35
Traralgon City	3	2	348	8.62	5.75
Tungamah Shire	1	0.2	32	31.25	6.25
Upper Yarra Shire	3	1	192	15.63	5.21
Walpeup Shire	5	1	60	83.33	16.67
Wangaratta City, Oxley Shire, Wangaratta Shire	6	2	370	16.22	5.41
Wannon Shire	2	0.8	50	40.00	16.0
Waranga Shire	5	1	66	75.76	15.15
Warracknabeal Shire, Birchip Shire	3	1	90	33.33	11.11
Warragul Shire	1	1	191	5.24	5.24
Warrnambool City	1	2	322	3.11	6.21
Warrnambool Shire	2	1	239	8.37	4.18
Waverley City	9	10.6	1552	5.80	6.83
Werribee Shire	9	5.2	828	10.87	6.28
Whittlesea Shire	9	8	1210	7.44	6.61
Williamstown City	4	2.6	376	10.64	6.92
Winchelsea Shire, Bannockburn Shire	6	1	93	64.52	10.75
Wodonga City	3	3	279	10.75	10.75
Wonthaggi Borough, Phillip Island Shire, Bass Shire	6	1	139	43.17	7.19
Woorayl Shire	3	1	148	20.27	6.76
Wycheproof Shire	6	1	66	90.91	15.15
Yallourn Town (Yallourn service now closed)	1	1	21	47.62	47.62

RECREATION PROJECTS

(Question No. 1077)

Mr STIRLING (Williamstown) asked the Minister for Youth, Sport and Recreation:

1. What major recreation projects received funding in each of the years 1975 to 1979 inclusive?

2. What criteria are used to determine these allocations?

Mr DIXON (Minister for Youth, Sport and Recreation)—The answer is:

1. The major recreation projects which received allocations in the financial years 1975–76, 1976–77 and 1977–78 are as follows:

Municipality	Commitment	Project
1975–76	$	
Metropolitan—		
City of Brunswick	113 375	Brunswick Community Centre
City of Berwick	15 000	Churchill Park Golf Club
City of Chelsea	250 000	Indoor Recreation Complex—Bon Beach
City of Croydon	250 000	Town Park Community Leisure Centre
City of Dandenong	250 000	Indoor heated pool—Dandenong
City of Doncaster and Templestowe	102 500	Community Complex—Templestowe High School
City of Essendon	250 000	Indoor Heated Swimming Pool—Victory Park
City of Melbourne	75 000	Sports Pavilion—J. J. Holland Park
City of Moorabbin	250 000	Indoor Heated Swimming Pool—Highett
City of Oakleigh	60 000	Indoor Sports Complex—Oakleigh
City of St Kilda	16 350	St Kilda Life Saving Club
City of Sandringham	250 000	Indoor Community Recreation Centre
Shire of Sherbrooke	87 000	Heated Outdoor Pool—Belgrave
City of Sunshine	160 000	Indoor Heated Pool—Sunshine
City of Waverley	100 000	Sports Hall—Jordanville Youth Club
Shire of Werribee	72 500	Additional Subsidy for Laverton Swimming Pool
City of Williamstown	9 000	Tennis Pavilion—Dennis Reserve
City of Williamstown	12 500	Tennis Pavilion—Liston Reserve

Municipality	*Commitment*	*Project*
Country—	$	
Shire of Alberton	4 000	Yarram Swimming Club
Shire of Alexandra	60 000	Community School Complex—Alexandra High School
Shire of Ararat	40 000	Sports Complex—Lake Bolac
Shire of Avon	1 300	Stratford Swimming Pool
Shire of Bacchus Marsh ..	5 600	Tennis Club Building
Shire of Ballarat	43 050	Land purchase for Ballarat Greyhound Club and Agricultural Society
Shire of Barrabool	4 250	Two tennis courts at Waurn Ponds
Shire of Barrabool	2 500	Toilet facilities—Buckley Park Tennis Club
Shire of Barrabool	3 000	Clubhouse—Freshwater Creek Recreation Reserve
City of Bendigo	130 000	Additional subsidy—West Bendigo Sports Stadium
Shire of Bet Bet	3 250	Additional subsidy to sports pavilion at Dunnolly Recreation Reserve
Shire of Broadford	6 900	Broadford swimming pool
Shire of Bulla	250 000	Indoor heated swimming pool—Craigieburn
Shire of Buninyong	11 000	Cycle path—Canadian Creek
City of Castlemaine	11 000	Additional subsidy Castlemaine Sports Stadium
Shire of Cohuna	3 000	Toilet block—Cohuna Bowling Club
Shire of Cohuna	3 350	Additional subsidy sports complex—Cohuna
City of Colac	17 000	Additional subsidy—Colac Sports Complex
Shire of Daylesford and Glenlyon	3 700	Tennis courts—Daylesford
Shire of Deakin	2 000	Tennis courts—Ky Valley
Shire of Dunmunkle ..	4 500	Minyip Swimming Pool
Shire of Dunmunkle ..	62 000	Outdoor Pool at Murtoa
Borough of Eaglehawk ..	72 000	Recreation Leisure Centre—Canterbury Park
Shire of East Loddon ..	3 000	Additional subsidy—Mitiamo Recreation Reserve
Shire of East Loddon ..	7 500	Serpentine Sports Complex
City of Geelong	52 000	Additional subsidy Sports Stadium—Geelong Try Boys
Shire of Gisborne	3 750	Gisborne Recreation Reserve
Shire of Gordon	8 000	Toilet block—Boort Park
Shire of Healseville	10 000	Clubrooms—Yarra Glen Bowling Club
Shire of Kara Kara	3 500	Improvements to facilities at Lake Batyo Catyo
Shire of Kerang	6 630	Improvements—Murrabit Recreation Reserve
Shire of Kerang	10 000	Amenities block at Macorna Recreation Reserve
Shire of Kilmore	62 000	Additional subsidy—Kilmore Swimming Pool
Shire of Korong	15 300	Sports Complex at Donaldson Park
Shire of Kowree	6 500	Edenhope Combined Schools—playing fields improvements
Shire of Kowree	7 500	Edenhope Showgrounds Reserve—facilities improvements
Shire of Kyneton	15 750	Additional subsidy—Kyneton Family Leisure Centre
Shire of Melvor	3 000	Amenities facilities—Barrack Reserve
Shire of Maldon	4 000	Maldon Golf Club
Shire of Marong	26 500	Marong Swimming Pool
Shire of Marong	10 000	Development of works—Malone Park
City of Mildura	18 025	Changerooms for Athletics and Ski Club
Shire of Mornington ..	135 000	Sports complex—Dallas Brooks Recreation Reserve
Shire of Newham and Woodend	2 400	Improvements to swimming pool
Town of Portland	250 000	Outdoor swimming pool—Portland
Shire of Pyalong	5 430	Purchase of land and relocation of golf course
Borough of Queenscliffe ..	165 000	Indoor Sporting Complex—Queenscliffe
Shire of Rochester	26 000	Rochester Recreation Reserve
Shire of Rodney	6 000	Swimming Pool—Tatura
Town of St Arnaud ..	30 000	Pavilion—Lord Nelson Park
Shire of Shepparton	10 000	Pony Club Complex—Kialla Raceway
Shire of South Gippsland ..	6 000	Additional subsidy—Foster Swimming Pool
City of Swan Hill	55 000	Tennis complex
Shire of Swan Hill	12 000	Pavilion—Manangatang Recreation Reserve
Shire of Swan Hill	1 372	Sporting complex—Lake Boga
Shire of Swan Hill	6 000	Tennis court—Nyah West
Shire of Tallangatta	838	Improvements to swimming pool at Tallangatta
Shire of Tallangatta	7 500	Improvements—Walwa Recreation Reserve
Shire of Tambo	182 000	Swimming pool complex—Lakes Entrance
Shire of Upper Yarra ..	9 000	Tennis courts—Warburton
Shire of Violet Town ..	9 150	Improvements to pool—Violet Town
Shire of Waranga	9 375	Learners pool—Stanhope
Shire of Warracknabeal ..	8 500	Additional subsidy—Warracknabeal Sports Complex
Shire of Warragul	25 600	Improvements to swimming pool—Warragul
Shire of Warrnambool ..	12 000	Pavilion—Allansford Recreation Reserve
Shire of Wycheproof ..	3 500	Tennis courts—Sea Lake

Municipality	*Commitment*	*Project*
	$	
1967–77		
Metropolitan		
City of Brunswick	25 000	St Vasolicios Cultural Youth Centre
Shire of Eltham	125 000	Eltham Multi-Purpose Community Recreation and Leisure Centre
City of Footscray	110 000	Rowing Complex
City of Keilor	125 000	Fosters Road Sports Centre
City of Malvern	41 000	Union Street Tennis Court
City of Melbourne	50 000	Hotham Community Centre
City of Melbourne	11 600	Amenities Block Adjacent to Morrell Bridge
City of Nunawading ..	80 000	Eley Road Community Centre
Shire of Whittlesea	250 000	Main Street, Thomastown Sports Complex
1976–77		
Country—		
Shire of Alberton	2 000	Yarram Swimming Club Rooms—Additional Subsidy
Shire of Alexandra	12 000	Alexandra High School Sports Complex—Additional Subsidy
City of Ararat	130 000	Ararat YMCA Redevelopment
Shire of Bairnsdale	32 000	Lindenow Recreation Reserve, Amenities Block
City of Ballarat	33 450	Ballarat YMCA Heated Pool Redevelopment
City of Ballarat	5 000	Fire Brigade Track
Shire of Beechworth ..	92 000	25 metre heated pool
Shire of Bellarine	27 500	Toilet block—Ocean Grove Recreation Reserve
Shire of Bright	10 000	Upgrading four tennis courts
Town of Camperdown ..	150 000	Public Park Camperdown Outdoor Sports Complex
Shire of Charlton	10 000	Extensions to Golf Club House
Borough of Eaglehawk ..	28 000	Canterbury Park Family Leisure Centre—Additional Subsidy
City of Geelong	32 500	Landy Field Athletic Centre
City of Geelong West ..	140 000	Geelong West Table Tennis and Sports Complex
Shire of Glenelg	5 000	Merino, P and A Society, Multi-Purpose Clubrooms
Shire of Gordon	4 000	Yarawalla Recreation Complex—Additional Subsidy
City of Hamilton	125 000	Extensions to Hamilton Memoral Stadium
Shire of Hampden	79 500	Terang Sports Complex
Shire of Healseville	11 000	Toolangi Recreation Reserve
Shire of Huntly	4 000	Elmore Recreation Reserve Pavilion
Borough of Kerang	55 000	Kerang Indoor Recreation Centre
Borough of Koroit	4 250	Victoria Park Cricket Club
Shire of Korong	3 500	Macorna Recreation Reserve—Additional Subsidy
Shire of Kyneton	15 750	Kyneton Family Leisure Centre—Additional Subsidy
Shire of Maffra	40 000	Heyfield Sports Stadium
City of Maryborough ..	50 000	Princess Park Clubrooms
Shire of Newstead	18 000	Improvements—Campbells Creek Swimming Pool
City of Hewtown	130 000	Newtown Sports Centre
Shire of Numurkah	38 560	Strathmerton Swimming Pool
Shire of Omeo	3 500	Swifts Creek Swimming Pool—Additional Subsidy
Shire of Orbost	50 000	Mallacoota Community Centre
Shire of Portland	65 500	Heywood Outdoor Sports Centre
Shire of Romsey	45 000	Riddells Creek Sports Hall
Shire of Rosedale	12 500	Glengarry Pavilion
Shire of Seymour	65 000	Kings Park Community Centre
Shire of Sherbrooke ..	4 500	Baynes Park Heated Pool
Shire of Sherbrooke ..	13 500	Sherbrooke Recreation Centre
Shire of Talbot and Clunes ..	2 000	Renovation of Community Hall
Shire of Tungamah	12 250	Upgrading various tennis courts
Shire of Walpeup	48 000	25 metre outdoor pool
Shire of Wangaratta ..	3 000	Jubilee Golf Club—Additional Subsidy
Shire of Waranga	5 000	Toolleen Community Centre
Shire of Warragul	78 000	Western Oval Outdoor Complex
City of Warrnambool ..	30 000	Dennington Recreation Reserve Pavilion
City of Wodonga	250 000	West Wodonga Sports Complex
Shire of Yarrawonga ..	15 000	Alexandra Camping and Recreation Reserve

Municipality	*Commitment*	*Project*
	$	
1977–78		
Metropolitan—		
Shire of Bacchus Marsh ..	5 600	Darley Park
City of Brighton	50 000	Brighton Foreshore Development
	2 500	(loan)
City of Brunswick	60 500	Dawson Street Baths Redevelopment
	60 500	(loan)
Shire of Eltham	62 500	Eltham Leisure Centre
	62 500	(loan)
City of Hawthorn	125 000	Hawthorn Community Recreation Centre
	125 000	(loan)
City of Knox	52 500	Knox Park Athletic's and Outdoor Sports Centre
	52 500	(loan)
City of Melton	111 500	Melton High School Indoor Recreation Facility
	111 500	(loan)
City of Prahran	72 150	Argo Street Open Space Development
	72 500	(loan)
City of St Kilda	50 000	Elwood Park Redevelopment
	27 500	(loan)
Country—		
Shire of Avoca	3 000	Landsborough Pool and Facilities
City of Ballarat	125 000	Redevelopment of Ballarat YMCA
	125 000	(loan)
Shire of Bannockburn ..	16 500	Inverleigh Golf Course Meredith Recreation Reserve
Shire of Barrabool	15 000	Recreation Reserve
Shire of Bass	50 000	San Remo Recreation Centre
	10 000	(loan)
City of Benalla	47 000	Indoor Swimming Pool
Shire of Buln Buln	10 000	Neerim South Swimming Pool
Shire of Bungaree	50 000	Wallace Recreation Reserve
	2 025	(loan)
Shire of Cohuna	50 000	Cohuna Recreation Reserve Pavilion
	10 000	(loan)
Shire of East Loddon ..	8 850	Mitiamo Swimming Pool
Shire of Heytesbury	19 000	Cobden Recreation Reserve
Shire of Kaniva	45 500	Kaniva Swimming Pool
Shire of Kerang	8 000	Lalbert Recreation Reserve
Shire of Kowree	35 000	Replacement of Harrow Hall
Shire of Lowan	75 000	Nhill High School Sports Complex
Shire of Metcalfe	30 500	Elphinstone Recreation Reserve
Shire of Mirboo	50 000	Mirboo North High School Community Indoor Recreation Centre
Shire of Phillip Island ..	56 500	Cowes Sports Stadium
	56 500	(loan)
1977–78		
Country—		
Borough of Queenscliffe ..	85 000	Queenscliffe Sports Complex
	85 000	(loan)
Shire of Ripon	27 000	Beaufort Squash Complex and Swimming Pool
City of Sale	10 000	Cycle Velodrome
Shire of Talbot and Clunes ..	10 230	Victoria Park and Talbot Recreation Reserve
Shire of Tallangatta	50 000	Tallangatta High School Community Sports Centre
	25 000	(loan)
City of Traralgon	50 000	Harold Preston Reserve Tennis Centre
	16 000	(loan)
Shire of Walpeup	3 500	Underbool Recreation Reserve
Shire of Waranga	62 000	Colbinabbin Swimming Pool
Shire of Warrnambool ..	20 000	Purnim Recreation Reserve
Shire of Wycheproof ..	7 500	Wycheproof Recreation Reserve

Municipality	*Commitment*	*Project*
	$	
Subsidies approved from special employment funds provided by the Victorian Government		
Shire of Alberton	6 000	Motorcycle Club Facilities—Yarram
Shire of Avoca	18 000	Landsborough Swimming Pool
Shire of Bannockburn ..	3 250	Recreation Reserve Improvements—Bannockburn
Shire of Bannockburn ..	12 500	Inverleigh Sporting Complex
Shire of Bellarine	20 000	Two Netball Courts incorporating fire brigade track at Portarlington, and lighting of netball courts at St. Leonards, Drysdale and Leopold Recreation Reserve
Shire of Bellarine	25 000	Improvements to Recreation Reserves at Grinter and Wallington
Shire of Benalla	45 000	Improvements to Benalla Racecourse and Recreation Reserve
Shire of Bet Bet	18 750	Improvements to filtration system and chlorination plant—Dunolly Swimming Pool
Shire of Bright	3 000	Improvements to Mt. Beauty Tennis Courts
Shire of Broadford	15 000	Improvements to Broadford Recreation Reserve
City of Castlemaine	15 000	Pavilion—Westly Hill Recreation Reserve
Shire of Charlton	10 000	Improvements to Charlton Park
Shire of Cobram	15 000	Improvements—Scott Reserve and Cobram Recreation Reserve
Shire of Daylesford and Glenlyon	9 000	Improvements at Hepburn Springs Golf Club
Shire of Dimboola	37 500	Recreation Reserve improvements
Borough of Eaglehawk ..	39 500	Construction of Learners Pool
Borough of Eaglehawk ..	12 500	Improvements—Truscott Reserve, Eaglehawk
Shire of Gisborne	4 250	Mount. Macedon, Improvements to Stanley Park
Shire of Gordon	37 000	Boort Swimming Pool Improvements
Shire of Gordon	3 750	Swimming Pool Storage Shed—Pyramid Hill
City of Horsham	50 000	Horsham Youth Centre Building
Shire of Kara Kara	5 000	Improvements—Navarre Recreation Reserve
Shire of Kerang	4 400	Works at Lake Charm tennis courts and other reserve improvements
Shire of Kyneton	9 500	Barkly Square Reserve Improvements—Kyneton
Shire of Maldon	3 375	Improvements—Maldon Swimming Pool
Shire of Mansfield	35 000	Improvements—Mansfield Recreation and Sporting Complex
Shire of Marong	5 000	Lockwood South Bowling Green
City of Maryborough ..	50 000	Lock Street Reserve—Outdoor Netball Complex
Shire of Mount Rouse ..	27 500	Improvement—Penshurst Swimming Pool
Shire of Newham and Woodend	6 000	Improvements—Woodend Golf Club
Shire of Newstead	13 750	Castlemaine Golf Club House
Shire of Omeo	4 000	Omeo Angling Club facilities
Shire of Otway	7 500	Recreation Reserve improvements—Apollo Bay
Borough of Port Fairy ..	15 000	Port Fairy Community Recreation Centre
Shire of Pyalong	18 000	Recreation Reserve improvements—Pyalong
Shire of Rodney	15 000	Mooroopna Sports Complex
Shire of Shepparton	12 500	Olympic Standard Pistol Shooting Range at Pine Lodges Reserve
Shire of South Gippsland ..	25 000	Recreation Reserve Multi-purpose Room—Toora
Town of Stawell	50 000	Tennis Courts and Pavilion
Shire of Strathfieldsaye ..	18 000	Strathdale Park improvements—Kennington
Shire of Swan Hill	8 000	Ultima Recreation Reserve improvements
Shire of Talbot and Clunes ..	4 000	Toilets—Talbot Bowling Club
Shire of Violet Town ..	3 250	Improvements to netball-tennis Pavilion
City of Wangaratta	27 500	Improvements—South Wangaratta Reserve
Shire of Winchelsea	20 000	Improvements—Lorne Recreation Reserve
Shire of Yarrawonga ..	12 355	Netball courts at Victoria Park—Yarrawonga

For the major recreation projects funded in the financial years 1978–79 and 1979–80, I refer the honorable member to my answer to question 1250.

This information is also available in the department's annual reports.

2. Each regional officer lists projects which have the number one priority of the municipality, and which have his recommendation, in regional priority order.

The department combines the regional lists into a priority order and this list is considered and discussed in detail by me. Obviously, in considering the list I must take into account the financial assistance each municipality has already received from the department and the particular needs of the area concerned.

STABBING AT PENTRIDGE PRISON

(Question No. 1102)

Mrs TONER (Greensborough) asked the Minister for Community Welfare Services:

1. How the prisoner in "H" division obtained the knife used in the stabbing of Mark Reid at Pentridge Prison?

2. Whether the knife was of the type normally used for hobby activities or other activities in the prison or was it identifiable as being from a source outside the prison?

Mr JONA (Minister for Community Welfare Services)—The answer is:

1. Although it cannot be stated with certainty, it is believed that the knife used in the stabbing of "H" Division prisoner Mark Reid was smuggled into the division, minus its handle, secreted inside the spine of a large book. Such books were used by certain "H" division prisoners as part of their educational programme.

Apparently certain "H" Division prisoners knew of the plan to introduce the knife to the division and when it arrived it was fitted with a handle and then concealed behind lining boards in the labour yard where the stabbing later took place.

2. The knife used was a butcher's knife and was of the type used as a part of the culinary education programme in the Northern Prison, Pentridge. Therefore, it had been legitimately brought into the prison for educational purposes. However, it had been removed from the education centre some five months before the stabbing and considerable efforts made during that time had failed to locate it.

PREMISES LEASED BY GOVERNMENT

(Question No. 1137)

Mr SIMPSON (Niddrie) asked the Minister for Police and Emergency Services:

Whether he will lay on the table of the Library the file and any relevant documentation relating to the leasing of property at 1136 Mount Alexander Road, Essendon to be used by the Police Force?

Mr THOMPSON (Minister for Police and Emergency Services)—The answer is:

Rather than lay on the table of the library the file and relevant documentation relating to the leasing of property at 1136 Mount Alexander Road, Essendon, I would appreciate it if the honorable member could indicate the matters on which he seeks information.

MEDICAL FEES

(Question No. 1151)

Mr ROPER (Brunswick) asked the Minister of Health:

1. When the Commonwealth Minister for Health advised the State that Commonwealth policy was to charge scheduled medical fees rendered by or on behalf of salaried or sessionally paid general practitioners employed in any community health centre funded under the community health programme, and what was the State Government's response to this advice?

2. Whether it is proposed to reduce the Commonwealth proposal; if so—(*a*) when; and (*b*) whether the Commonwealth will make a determination as to the revenue that would have been raised and reduce the State's grant accordingly; if not, why?

Mr BORTHWICK (Minister of Health)—The answer is:

1. 23 January 1979. The State advised the Commonwealth Minister for Health that it would not adopt the request in full, but would only charge the rebate fee to privately insured patients.

2. Yes.

(*a*) On the date of implementation, which was 1 September 1979.

(*b*) The rebate fee revenue would reduce both Government grants equally.

SPECIALIST HOSPITAL SERVICES

(Question No. 1174)

Mr ROPER (Brunswick) asked the Minister of Health:

Whether he will make available to the honorable member for Brunswick the position paper

giving definitions of various specialist hospital services and existing paediatric in-patient services which has been presented to the Minister's Advisory Committee on Cost Containment in Public Hospitals; if not, why?

Mr BORTHWICK (Minister of Health) —The answer is:

Definitions of various specialist hospital services are contained in the document "Guidelines for Estimation of Need for Hospital Services" which has recently been made generally available by the Health Commission. A copy will be made available to the honorable member for Brunswick.

The position paper discussing existing paediatric in-patient services which was presented to the Advisory Committee on Cost Containment in Public Hospitals set up by my predecessor, has been forwarded for consideration to the commission's Working Party on Paediatric Services.

MAWARRA RETARDED CHILDREN'S CENTRE

(Question No. 1176)

Mr ROPER (Brunswick) asked the Minister of Health:

In respect of "Mawarra", West Gippsland Retarded Children's Centre, whether he has received a request to assist in the provision of an Emergency Care Residential Home for younger mentally retarded children; if so, what are the details of the request and whether it is intended that funds or other assistance will be made available and, in that event, when?

Mr BORTHWICK (Minister of Health) —The answer is:

A request was received from the "Mawarra" West Gippsland Retarded Children's Centre for assistance in respect to the provision of respite care accommodation. This organization also made a similar request to the Commonwealth Department of Social Security. That department has made grants for similar projects to other organizations and it has advised "Mawarra" that it will receive financial support.

ROCHESTER AND DISTRICT HOSPITAL

(Question No. 1179)

Mr ROPER (Brunswick) asked the Minister of Health:

In respect of the proposed nursing home unit at the Rochester and District Hospital:

1. When the Health Commission was first asked to place this project on the building programme?

2. Whether approval for any stage of the project has been given?

3. When it is expected that a decision on funding will be made and construction of the unit commenced?

Mr BORTHWICK (Minister of Health) —The answer is:

1. The commission first became aware of the project in August 1974. Since that time funds for the project have been sought from Commonwealth sources. Until such time as a decision is made concerning the availability of Commonwealth funds the project will not be considered for listing on the Health Commission building programme.

2. No approvals have been given to date.

3. Until a decision is made on the availability of finance, no indication can be given when construction will commence. The project has not been included in the commission's 1979–80 capital works programme.

NEW PRIVATE HOSPITALS

(Question No. 1305)

Mr ROPER (Brunswick) asked the Minister of Health:

In respect of applications for the construction of new or additional private hospitals:

1. Whether the Commonwealth Government has any responsibility or say in the consideration of such applications or whether the Victorian Health Commission assumes full responsibility?

2. Whether the Commonwealth Government has asked for a Commonwealth–State Co-ordinating Committee of officials to be set up; if so, when and whether the Victorian Government will agree to this proposal?

Mr BORTHWICK (Minister of Health) —The answer is:

1. The Commonwealth jurisdiction is limited to approval of hospitals for the payment of hospital benefits. The Health Commission has the prime responsibility for approvals of applications.

2. (*a*) Yes.

(*b*) The State has agreed to participate in such a committee on the condition that the bed/population planning ratios which must be exercised by the Health Commission under the Health Act 1958 are acceptable to the Commonwealth Government.

HOSPITAL FOR FRANKSTON AND MORNINGTON PENINSULA

(Question No. 1333)

Mr ROPER (Brunswick) asked the Minister of Health:

In respect of hospital plans for the Frankston area and the Mornington Peninsula:

1. Whether a working party has been or is going to be set up; if so, what will be its membership and terms of reference?

2. What funds will be allocated for planning and the employment of staff?

3. When it is expected that the report of the working party will be completed and whether its reports will be immediately made public?

Mr BORTHWICK (Minister of Health) —The answer is:

1. No.
2. Not applicable.
3. Not applicable.

IMPORTED FOODSTUFFS

(Question No. 1473)

Mr FOGARTY (Sunshine) asked the Minister of Health:

1. Whether Mr E. R. Goudey, a health inspector, visited No. 22 Victoria Dock on 30 September and 1 and 2 October 1974 to inspect a large consignment of food from the S.S. *Union East;* if so—(*a*) whether a substantial quantity of food was destroyed as a result of investigations and instructions from the authority then administering food inspection; and (*b*) what was the value of goods destroyed as a result of the investigation?

2. On how many occasions inspectors have had occasion to visit Victoria Dock and other Victorian ports since those dates to inspect foodstuffs thought to be contaminated and on how many occasions the Health Commission ordered the destruction of goods, specifying the date, ship, port of origin, type of foods, and quantity of food on each occasion, and the reasons for destroying the food?

Mr BORTHWICK (Minister of Health) —The answer is:

1. Mr R. E. Goudey, health inspector employed by the former Commission of Public Health, visited No. 22 Victoria Dock on 30 September, and 1 and 2 October 1974 to inspect a large consignment of food ex S.S. Union East.

(*a*) As a result of these inspections, a quantity of food was destroyed at the Melbourne Harbor Trust tip under the supervision of Mr R. E. Goudey and customs officials.

The amount of food destroyed comprised canned tomato products and weighed 50·43 tonnes gross.

(*b*) The value of the total consignment of tomato products ex S.S. *Union East* was $45 000. Mr R. E. Goudey destroyed only part of the consignment and its value was never calculated.

2. During the period 28 October 1974 to 3 August 1979 inspectors have visited the ports on 113 occasions and goods have been destroyed as shown in the attached list. The reason for destruction has always been that the food was unfit for human consumption. The quantity and type of foodstuff vary and details of the origin of the goods was not always available.

Victorian port or storage depot	*Date destroyed*	*Ship company*	*Type of food*	*Quantity*	*Reasons for destruction unfit for human consumption*
Liner Services	28 October 1974	S. S. Austral Envoy	Sausage casings	One Tierce	Unfit for Human Consumption
A. W. Bond Store	12 November 1974	Golden Lion (for Bushells Pty Ltd)	Tea	4 x 52 Kilo chests	Water damage causing mould growth
A. W. Bond Store	12 November 1974	Nievw Holland (Bushells)	Tea	1 x 38 Kilo chests	Water damage causing mould growth
A. W. Bond Store	10 December 1974	Moruada (Bushells)	Tea	1 chest	Water damage causing mould growth
A. W. Bond Store	3 December 1974	Ville De Dunker-que (Bushells)	Tea	3 x 136 lbs chests	Water damage causing mould growth
No. 21 Victoria Dock	9 December 1974	Robertoemme	Dehydrated kibbled onions	104 x 7 kilo packs	Insect infestation
Mayne Nickless	19 November 1974 and 20 November 1974	S.S. Parallo	Frozen French Fried potatoes	3 containers	Mould Growth
A.W. Bond store	16 January 1975	Gunung Kerintjt (Bushells)	Tea	9 x 55 kilo approx. chests	Water damage causing mould growth
A.W. bond store	16 January 1975	Gunung Kerintjt (Fowler-Robur)	Tea	3 x 48 kilo chests	Water damage causing mould growth
A.W. bond store	17 January 1975	Gunung Kerintjt (Collin and Company)	Tea	1 chest	Water damage causing mould growth
A.W. bond store	21 January 1975	Straat Singapore (Bushells)	Tea	5 x 110 lbs chest	Water damage causing mould growth
A.W. bond store	22 January 1975	Vishva Yash (Bushells)	Tea	2 chests	Water damage causing mould growth
A.W. bond store	29 January 1975	Astree (Bushells)	Tea	160 chests	Water damage causing mould growth
A.W. bond store	5 February 1975	Gulf Presidents (Bushells)	Tea	11 chests	Water damage causing mould growth
A.W. bond store	11 February 1975	Astree (Tuckfields)	Tea	20 x 124 lb chests	Water damage causing mould growth
A.W. bond store	29 January 1975	Astree (Bushells)	Tea	3 x 46 kilo approx. chests	Water damage causing mould growth
A.W. bond store	11 February 1975	Astree (Robur)	Tea	12 x 40 kilo approx. chests	Water damage causing mould growth
No. 18 Victoria Dock	24 December 1975		Filberts	97 bags	Contaminated with diesel fuel
No. 18 Victoria Dock	19 February 1975		Filberts	120 bags	Contaminated with diesel fuel

A.W. bond store	20 March 1975	Golden Lion (Bushells)	Tea	5 x 55 kilo chests	Water damage causing mould growth
A.W. bond store	10 April 1975	Moresby Express (Gollin and Co.)	Tea	17 chests	Water damage causing mould growth
A.W. bond store	10 April 1975	Rhexenor (Gollin and Co.)	Tea	1 chest	Water damage causing mould growth
A.W. bond store	14 April 1975	Rhexenor (Bushells)	Tea	8 x 52 kilo chests	Water damage causing mould growth
Liner services Appleton Dock	13 April 1975	Austral Entente	Hog casings	15 casks	Blown, contents in various stages of putrefaction
A.W. bond store	6 May 1975	Guning Kerintjt (Gollin and Co.)	Tea	25 chests	Water damage causing mould growth
Cilltraders store at Malvern and South Melbourne	26 June 1975	Remura	Chocolate Mint Crisps	150 cases	Insect infestation
A.W. bond store	25 June 1975	Astree (Fowler Robur Tea)	Tea	1 chest	Water damage causing mould growth
A.W. bond store	14 July 1975	Moresby express (Gollin and Co.)	Tea	1 chest	Water damage causing mould growth
A.W. bond store	31 July 1975	Ryttertind (Fowler Robur Tea)	Tea	7 chests (36 kgs)	Water damage causing mould growth
No. 22 Victoria Dock	5 August 1975	Essex (George Hurry and Co.)	Synthetic beef and chicken booster	70 x 25 kg cartons	Broken and contents spilled on floor
Harbour trust central workshop	28 August 1975	Ranoir (Lipton O Seas)	Tea	2 chests	Water damage causing mould growth
Harbour Trust central workshop	28 August 1975	Sea Challenger (Henry Berry and Co.)	Tea	6 chests	Water damage causing mould growth
Strangtainer	29 August 1975	Australian Bear (Wattie Pict)	Brussel Sprouts	687 cartons	Thawed partly thawed and refrozen
Interport bond store	19 July 1975	Marko Marulic (W. M. Haughton)	Imported peppers	131 crates	Containers rusted
A.W. bond store	23 September 1975	Straat Le Maire (Bushells)	Tea	7 chests (56 kgs)	Water damage causing mould growth
A.W. bond store	23 September 1975	Straat Le Maire (Bushells)	Tea	29 chests	Water damage causing mould growth
No. 18 Victoria Dock	29 September 1975	Podgora (W. M. Haughton)	Cocoa Beans	86 bags (65 kgs)	Water damage causing mould growth
A.W. bond store	17 October 1975	Vishva Bhakti (Tuckfields Tea)	Tea	24 chests	Water damage causing mould growth
A.W. bond store	23 October 1975	Vishva Bhakti (Bushells)	Tea	14 chests	Water damage causing mould growth
A.W. bond store	30 October 1975	Straat Johere (Bushells)	Tea	17 chests	Water damage causing mould growth
A.W. bond store	1 December 1975	Vishva Sandesh (Tuckfield)	Tea	24 chests	Water damage causing mould growth
A.W. bond store	26 November 1975	Vishva Sandesh (Bushells)	Tea	19 chests	Oil contamination
A.W. bond store	26 November 1975	Vishva Sandesh (Bushells)	Tea	29 chests	Water damage causing mould growth
A.W. bond store	1 December 1975	Straat Singapore (Tuckfields)	Tea	3 chests	Water damage causing mould growth
A.W. bond store	26 November 1975	Straat Singapore (Bushells)	Tea	4 chests	Water damage causing mould growth
A.W. bond store	9 December 1975	Vishva Sandesh (Fowler Robur)	Tea	13 chests	Water damage causing mould growth
A.W. bond store	1 December 1975	Vishva Vikram (Tuckfields)	Tea	70 chests	Water damage causing mould growth
A.W. bond store	15 December 1975	Vishva Vikram (Lyons)	Tea	6 chests	Water damage causing mould growth
A.W. bond store	22 December 1975	Strathmore (Bushells)	Tea	39 chests	Water damage causing mould growth
Blakiston's store (West Melbourne)	20 January 1976	Australian Bear (E. Singer and Pink)	Walnut Meats	28 chests	Water damage causing mould growth
Blakiston's Store (West Melbourne)	20 January 1976	Lloydiana (E. Singer and Pink)	Dried Apricots	157 boxes	Fermented and contains mould growth
A.W. bond store	22 January 1976	Straat Jahore (Bushells)	Tea	6 chests	Water damage causing mould growth
A.W. bond store	22 January 1976	Strathmore (Tuckfields)	Tea	1 chest	Water damage causing mould growth
A.W. bond store	22 January 1976	Straat Jahore (Tuckfields)	Tea	3 chests	Water damage causing mould growth
A.W. bond store	22 January 1976	Straat Clarence (Bushells)	Tea	1 chest	Water damage causing mould growth
A.W. bond store	3 February 1976	Vishva Vikas (Tuckfields)	Tea	6 chests	Water damage causing mould growth
31 South Wharf	11 February 1976	Straat Catham (Bulgin and Stocknell)	Cocoa powder	101 bags	Water damage causing mould growth
A.W. bond store	3 March 1976	Straat Chatham (Bushells)	Tea	128 chests	Water damage causing mould growth
A.W. bond store	11 March 1976	Straat Chatham (Tuckfields)	Tea	12 chests	Water damage causing mould growth
A.W. bond store	11 March 1976	Straat Chatham (Fowler Robur Tea)	Tea	61 chests	Water damage causing mould growth
A.W. bond store	8 April 1976	Straat Clarence (Bushells)	Tea	50 chests	Water damage causing mould growth
29 South Wharf	7 April 1976	Eiko Maru (Lyons)	Coffee Beans	24 bags	Oil contamination
A.W. bond store	22 April 1976	Straat Clarence (Tuckfields)	Tea	40 chests	Water damage causing mould growth
A.W. bond store	22 April 1976	Neptune Beryl (Bushells)	Tea	15 chests	Water damage causing mould growth
A.W. bond store	22 April 1976	Straat Jahore (Bushells)	Tea	7 chests	Water damage causing mould growth
A.W. bond store	20 May 1976	Moresby Express (Gollin and Co.)	Tea	100 chests	Water damage causing mould growth
A.W. bond store	4 May 1976	Vishva Sandesh (Bushells)	Tea	2 chests	Water damaged
				44 chests	Oil damaged
A.W. bond store	25 May 1976	Moresby Express (Tuckfields)	Tea	42 chests	Water damage causing mould growth

Victorian port or storage depot	Date destroyed	Ship company	Type of food	Quantity	Reasons for destruction unfit for human consumption
A.W. bond store	24 June 1976	Vishva Vikas (Bushells)	Tea	11 chests	Water damage causing mould growth
A.W. bond store	24 June 1976	Vishva Vikas (Bushells)	Tea	23 chests	Oil damaged
A.W. bond store	7 July 1976	Samos (Tuckfields)	Tea	8 chests	Oil damaged
Victorian state container park	13 April 1976	Nykr 7527	Chilled Beef	49 cartons	Putrefying
A.W. bond store	31 August 1976	Neptune Jasper	Tea	1 chest	Water damage causing mould growth
A.W. bond store	16 September 1976	Straat Jahore (Bushells)	Tea	8 chests	Water damage causing mould growth
A.W. bond store	19 October 1976	Straat Singapore (Bushells)	Tea	1 chest	Water damaged containing mould growth
A.W. bond store	19 October 1976	Straat Singapore (Tuckfields)	Tea	4 chests	Water damaged containing mould growth
A.W. bond store	14 December 1976	Straat Singapore (Tuckfields)	Tea	6 chests	Water damaged containing mould growth
A.W. bond store	11 January 1977	Straat Clarence Strathmore (Bushells)	Tea	3 chests 1 chest	Water damaged Oil damaged
A.W. bond store	2 February 1977	Vishva Sandesh (Bushells)	Tea	15 chests	Water damage causing mould growth
28 South Wharf	28 January 1977	Agari (Bushells)	Tea	32 x 44 gals. drums, 8 burlap sacks, 4 scoops	Water damage causing mould growth
A.W. bond store	25 February	Agari (Tuckfields)	Tea	10 chests	Water damage causing mould growth
A.W. bond store	22 March 1977	Vishua Chetana (Bushells)	Tea	1 chest	Water damage causing mould growth
A.W. bond store	22 March 1977	Straat Jahore (Bushells)	Tea	3 chests 6 chests	Water damaged Oil damaged
A.W. bond store	29 March 1977	Neptune Emerald (Tuckfields)	Tea	8 chests	Water damage causing mould growth
A.W. bond store	2 May 1977	Straat Singapore (Bushells)	Tea	30 chests	Water damage causing mould growth
A.W. bond store	2 May 1977	Neptune Emerald	Tea	4 chests	Water damage causing mould growth
A.W. bond store	2 May 1977	Vishva Sandesh (Bushells)	Tea	1 chest	Water damage causing mould growth
A.W. bond store	2 May 1977	Straat Singapore (Bushells)	Tea	50 chests	Water damage causing mould growth
A.W. bond store	2 May 1977	Samos (Tuckfields)	Tea	10 chests	Water damage causing mould growth
A.W. bond store	4 July 1977	Stathaird (Tuckfields)	Tea	8 chests	Water damage causing mould growth
A.W. bond store	1 August 1977	Strathmore (Tuckfields)	Tea	1 chest	Water damage causing mould growth
A.W. bond store	12 August 1977	Straat Chatham (Bushells)	Tea	1 chest	Water damage causing mould growth
A.W. bond store	12 August 1977	Vishva Sandesh (Bushells)	Tea	11 chests	Water damage causing mould growth
A.W. bond store	8 July 1977	Vishva Chetuna	Tea	9 chests	Water damage causing mould growth
A.W. bond store	8 July 1977	Vishva Chetuna	Tea	1 chest	Water damage causing mould growth
A.W. bond store	26 August 1977	Straat Luanda (Bushells)	Tea	8 chests	Water damage causing mould growth
A.W. bond store	9 November 1977	Vishva Kalyan	Tea	1 chest	Oil damaged
A.W. bond store	7 December 1977	Vishva Sandesh (Tuckfields)	Tea	6 chests	Oil damaged
A.W. bond store	7 December 1977	Fishva Sandesh (Tuckfields)	Tea	6 chests	Oil damaged
No. 19 Victoria	11 January 1978	Novosibirsk (Bon Food Co.)	Salted cod	667 cartons	Unwholesome
Seatainers	3 February 1978	Container (No. ACTU 700 8001 Omnifoods)	Whiting fillets	1600 cartons	Mouldy
A.W. bond store	3 February 1978	Vishva Vibhuti (Bushells)	Tea	2 chests	Water damage causing mould growth
B.S.C. bond store	3 March 1978	Beteiguele (Tuckfields)	Tea	9 chests	Water damage causing mould growth
29 South Wharf	28 April 1978	Virtus (Tyomenka)	Dates	320 cases	Contaminated
B.S.C. bond store	7 June 1978	Strathmay (Bushells)	Tea	4 chests	Water damage causing mould growth
Liner Services (Appleton Dock) No. 1 Depot	16 June 1978	Tombarra (C.O.N.G.A.)	French Roquefort Cheese	125 chests	Damaged or gone mouldy
B.S.C. bond store	19 July 1978	Nimo's (Tuckfields)	Tea	1 chest	Water damage causing mould growth
State store	17 October	Jervis Bay (Clarke and Sons)	Biscuits	239 cartons	Wet and mouldy
B.S.C. bond store	30 October	Vishva Sandesh (Bushells)	Tea	145 chests	Oil damaged
B.S.C. bond store	18 January 1979	Strathmeigle (Bushells)	Tea	33 chests	Water damage causing mould growth
A.W. bond store	28 March 1979	Vishva Raksha (Bushells)	Tea	40 chests	Water damage causing mould growth
A.W. bond store	3 August 1979	Strathmay (Bushells)	Tea	30 chests	Water damage causing mould growth

CHILD CARE SERVICES

(Question No. 1529)

Mrs TONER (Greensborough) asked the Minister for Community Welfare Services:

When he intends to answer the letter of 11 July from the member for Greensborough regarding a request for a copy of the reports on the progressive implementation of the recommendations of the Committee of Inquiry into Child Care Services in Victoria of 1976?

Mr JONA (Minister for Community Welfare Services)—The answer is:

A search of my office has found no trace of the letter in question ever being received. My private secretary has since been in contact with the honorable member's office and arranged for a copy of the letter to be forwarded.

That copy has now been received and an answer given.

CARTER HOMES (VIC.) PTY LTD

(Question No. 1537)

Mr MATHEWS (Oakleigh) asked the Minister for Minerals and Energy, for the Minister for Local Government:

1. In respect of houses built by Carter Homes (Vic.) Pty Ltd, whether any municipal council has refused to issue a certificate of occupancy pursuant to section 929A of the Local Government Act 1958, indicating in each case the—(*a*) date; (*b*) reason; (*c*) owner's name; and (*d*) outcome?

2. Whether the company has sought variation of the Uniform Building Regulations for any house registered pursuant to section 918F (1) (*b*) of the Act, indicating in each case the—(*a*) date; (*b*) reason; (*c*) owner's name; (*d*) municipality; and (*e*) outcome?

3. Whether any municipality has served notices pursuant to the Uniform Building Regulations on the owner of any house registered by the company pursuant to section 918F (1) (*b*) of the Act, indicating in each case the—(*a*) date; (*b*) reason; (*c*) owner's name; and (*d*) outcome?

Mr BALFOUR (Minister for Minerals and Energy)—The answer supplied by the Minister for Local Government is:

If the member for Oakleigh is prepared to refer to a particular case or cases on which he is seeking information concerning the activities of Carter Homes (Vic.) Pty Ltd I will endeavour to obtain the information sought.

FLUORIDATION

(Question No. 1835)

Mr HOCKLEY (Bentleigh) asked the Premier:

1. What information has been received concerning the United Kingdom Government's inquiry into the steep increase in cancer deaths in fluoridated Birmingham?

2. Whether the Victorian Committee of Inquiry into Fluoridation has been instructed to investigate the United Kingdom Government's Cancer–Fluoridation Inquiry, the 1980 Government of Quebec in-depth study by the Ministry of Environment and the study of fluoridation by the Austrian Government; if so, whether these studies will be thoroughly investigated before the committee brings down its judgment on fluoridation?

Mr HAMER (Premier)—The answer is:

1. Non by my department.

2. No. The conduct of the inquiry is a matter for the committee.

FLUORIDE POLLUTION

(Question No. 1836)

Mr HOCKLEY (Bentleigh) asked the Minister of Health, for the Minister for Conservation:

1. If he will ascertain and inform whether the fluoride that is causing so much concern as pollution from aluminium smelters is the same fluoride that is added to Victorian drinking water supplies?

2. Whether, as a basis for pollution control from aluminium smelters, he will lay on the table of the Library documents showing the work the Government has done in monitoring fluoride in the atmosphere in the City of Melbourne, the metropolitan area, and at the source of emission at Alcoa's smelter in Geelong, and the Government's records of continuous monitoring of fluoride pollution up to and within a five-kilometre radius of the smelter?

Mr BORTHWICK (Minister of Health)—The answer supplied by the Minister for Conservation is:

1. The fluoride added to Victoria's drinking water supplies is a different chemical compound from the fluoride compounds associated with aluminium smelters.

In drinking water supplies the compound used is sodium fluorosilicate which on dissolving in water releases fluoride ions.

The fluorides discharged from aluminium smelters are largely in emissions to air and are present as gaseous hydrogen fluoride and particulate emissions of aluminum fluoride, sodium fluoride and fluoride as cryolite.

The forms of fluoride in the emissions are of varying solubility in water and in the process of dissolving release fluoride ions.

Therefore, though the fluoride compounds are different, fluoride ions are common to fluoridated water supplies and to any water affected by soluble forms of fluoride discharged from aluminium smelters.

2. Fluoride concentrations in the atmosphere are generally low except in the vicinity of specific sources of fluorides. Fluoride measurement is not therefore a normal part of the ambient air quality monitoring program in Victoria. However, fluoride concentrations have been measured at the Science Museum, Caulfield South and Port Melbourne air monitoring sites operated by the Environment Protection Authority. The values found in each case were low (0·3, 0·2 and 0·4 micrograms per cubic metres respectively).

Most fluoride monitoring is carried out at the point of emission, usually by the company concerned, as a condition of its waste discharge licence under the Environment Protection Act. The records of such monitoring are held for inspections by officers of the Environment Protection Authority. In addition, the Authority's staff carries out its own determinations on selected discharges. Copies of these latter data will be laid on the table in the Library for the information of members.

The major effect of fluoride emissions is on vegetation or through vegetation on grazing animals. No continuous ambient air monitoring of fluorides is carried out around the aluminium smelter in Geelong operated by Alcoa but the company analyses the vegetation for fluoride content. The results of these analyses are held by the company and made available to officers of the Environment Protection Authority for examination.

CATTLE COMPENSATION

(Question No. 1844)

Dr COGHILL (Werribee) asked the Minister of Agriculture:

In respect of cattle for which cattle compensation was claimed in February 1980:

1. What was the total number?

2. What was the number for each disease under the Cattle Compensation Act 1967?

3. What was the number valued at the maximum figure?

4. What was the number valued at the maximum figure for which the residual value was less than the valuation, indicating the number in which the carcass was condemned and the number of each breed?

Mr I. W. SMITH (Minister of Agriculture)—The answer is:

With respect to cattle for which cattle compensation was claimed in February 1980—

1. The total number of cattle was 835.

2. Compensation was paid under five of the diseases listed in the Cattle Compensation Act 1967, as follows:

Brucellosis	729
Malignant Tumour (other than malignant tumour of the eye)	46
Actinomycosis	41
Johne's Disease	15
Tuberculosis	1
	832

In addition compensation was paid for three animals destroyed because of injuries received in the administration of the Stock Diseases Act.

3. The number valued at the maximum compensation payable was 716.

4. The number valued at the maximum figure for which the residual value was less than the valuation was 621.

With respect to these 621 cattle:

14 carcases were condemned;

breed numbers were as follows:

Friesian	170
Angus	113
Jersey	102
Hereford	96
Murray Grey	36

Records do not disclose the breed of the remaining 104 cattle.

NOXIOUS WEED CONTROL PROJECTS

(Question No. 1852)

Dr COGHILL (Werribee) asked the Minister of Health for the Minister of Lands:

In respect of noxious weed control projects cited in the State Co-ordination Council quarterly progress report No. 15, December 1979, paragraph 6.3.1, which were being assessed in detail to document their value to the State:

1. What were the species and geographic areas subject to study?

2. What were the finding of the studies in respect of the environmental effects and economic effects and the cost of control in each case?

Mr BORTHWICK (Minister of Health)—The answer supplied by the Minister of Lands is:

1. The species and geographic areas are—

(*a*) silver-leaf nightshade—in Mallee area near Hopetoun;

(*b*) blackberry throughout all of the higher rainfall areas of the State, i.e. Otway Ranges, north-east region, Dandenong Ranges and Gippsland;

(*c*) golden thistle—in Central Highlands and Loddon Valley.

2. (*a*) The study on silver-leaf nightshade was carried out by the Agricultural Extension Section of the School of Agriculture and Forestry at the University of Melbourne. Its report is entitled "Farmers' Opinions of the White Horse-nettle (Silver-leaf Nightshade) Containment Programme in the Hopetoun–Woomelang Area of Victoria". This is a very comprehensive report and I commend it to the honorable member.

(*b*) and (*c*) The assessments of the blackberry and golden thistle projects are still being undertaken by the Department of Crown Lands and Survey and conclusions are not yet available.

CONSUMER AFFAIRS

(Question No. 1854)

Dr COGHILL (Werribee) asked the Minister of Consumer Affairs:

In respect of the Ministry of Consumer Affairs, the Small Claims Tribunal, the Motor Car Traders Committee and the Consumer Affairs Council relocated at 500 Bourke Street with effect from Monday, 18 February 1980:

1. What number of personnel was involved?

2. What other sites for relocation were considered?

3. Whether any personnel could have been relocated to sites in the—(*a*) Western metropolitan area; or (*b*) country areas; if not, why?

4. Whether the relocation was in accordance with Government policy for the decentralization of its personnel?

Mr RAMSAY (Minister of Consumer Affairs)—The answer is:

1. The Small Claims Tribunal, comprising 7 staff, was relocated at 500 Bourke Street from 18 February 1980. It is expected that other staff of the Ministry of Consumer Affairs, including the Motor Car Traders Committee, will be relocated at 500 Bourke Street in May 1980.

2. I believe that other sites were considered by the Public Offices Corporation which is responsible for providing accommodation for government departments.

3. (*a*) No.

(*b*) No.

The supply of goods and services on which consumers' complaints are based is not strongly related to suppliers in the western metropolitan area or particular country areas.

4. Yes. The fragmenting of the Ministry's operations would be expensive and inefficient.

DEPARTMENT OF LABOUR AND INDUSTRY

(Question No. 1859)

Dr COGHILL (Werribee) asked the Minister of Labour and Industry:

In respect of each division of the Department of Labour and Industry relocated at the National Bank House, 500 Bourke Street, with effect from 14 January 1980:

1. What number of personnel was involved?

2. What other sites for relocation were considered?

3. Whether any personnel could have been relocated to sites in the—(*a*) western metropolitan area; or (*b*) country areas; if not, why?

4. Whether the relocation was in accordance with Government policy for the decentralization of its personnel?

Mr RAMSAY (Minister of Labour and Industry)—The answer is:

1. Division of Administration	42
Division of Industrial Relations	35
Division of Industrial Training	75
Division of Inspection Services	36
Division of Technical Services	90
Legal Branch	6
Research and Evaluation Branch	12

2. I believe that other sites were considered by the Public Offices Corporation, which is responsible for providing accommodation for Government departments.

3. (*a*) No.

(*b*) No.

Those officers who can be satisfactorily located in the western metropolitan area and in country areas are already located in those areas.

4. Yes. The move was made to consolidate the central administration of the Department. Regional branches are already established throughout Victoria.

GAS RETICULATION SURROUNDING HOPPERS CROSSING

(Question No. 1860)

Dr COGHILL (Werribee) asked the Minister of Minerals and Energy:

What is the number of—(*a*) homes; and (*b*) other premises, connected to gas reticulation in the area of Hoppers Crossing, north of the railway line and east of Cemetery Road and Kookaburra Avenue?

Mr BALFOUR (Minister of Minerals and Energy)—The answer is:

In the area of Hoppers Crossing, north of the railway line and east of Cemetery Road and Kookaburra Avenue, there are 1744 homes and nine other premises connected to the natural gas reticulation system.

DRAFT WILDLIFE REGULATIONS

(Question No. 1898)

Mr GAVIN (Coburg) asked the Minister of Health, for the Minister for Conservation:

Whether a copy of the draft Wildlife and (General) Regulations will be made available

to all Deer Advisory Council delegates, so that the delegates may discuss these draft regulations with their membership?

Mr BORTHWICK (Minister of Health) —The answer supplied by the Minister for Conservation is:

The draft Wildlife (General) Regulations, to be proclaimed later in 1980, will not be made available to the delegates to the Deer Advisory Council of Victoria, or other members of the public, until they receive the Governor's assent.

DEER FARMING AND TRAPPING REGULATIONS

(Question No. 1899)

Mr GAVIN (Coburg) asked the Minister of Health, for the Minister for Conservation:

Whether the Deer Advisory Council has been consulted on the proposed deer farming and trapping regulations; if so, at what meetings; if not, why?

Mr BORTHWICK (Minister of Health) —The answer supplied by the Minister for Conservation is:

The Deer Advisory Council of Victoria was not consulted in the preparation of regulations under the Wildlife Act 1975, including the draft Wildlife (General) Regulations. However the individual member organizations of the council were consulted on these aspects of regulations directly affecting the activities of their members.

INDENTURED APPRENTICES

(Question No. 1908)

Mr GAVIN (Coburg) asked the Minister of Labour and Industry:

How many indentured apprentices are females, indicating in what trades they are employed?

Mr RAMSAY (Minister of Labour and Industry)—The answer is:

The records maintained by the Industrial Training Commission indicate that 1994 females were indentured as apprentices as at 20 March 1980 and were employed in the following trades:

Joinery	1
Carpentry and Joinery	1
Cooking	156
Dental Technician	25
Apparel Cutting	10
Dry Cleaning	1
Electrical Fitting	1
Electrical Fitting and Armature Winding	2
Automotive Electrics	1
Electrical Mechanics	1
Fitting and Turning	4
Coppersmithing and Brass-smithing	1
Floristry	25
Farming	11
Fruit Growing	2
Footwear Upper Closing	27
Bedding and Mattress Making	2
Cabinet Making	7
Polishing (Furniture)	1
Upholstering	5
Gardening	43
Gardening and Turf Management	1
Landscape Gardening	3
Nurseryman	47
Ladies' Hairdressing	1336
Men's Hairdressing	108
Instrument Making and Repairing	3
Jewellery Making and Repairing	25
Motor Mechanics	4
Optical Fitting and Surfacing	11
Painting and Decorating	5
Signwriting	6
Pastrycooking	16
Plumbing and Gasfitting	5
Hand Composition	11
Hand and Machine Composition	12
Printing Machining	1
Composition	2
Hand and Machine Composition, with instruction in the mechanism of slug-casting or type-setting machines	33
Letterpress Printing	1
Bookbinding	5
Binding and Finishing	2
Bookbinding and Guillotine Machine Operating	4
Lithographic Dot Etching and Retouching	8
Lithographic Camera Operating	2
Lithographic Camera Operating and Lithographic Platemaking including Photo-Imposing on Lithographic Plates	5
Gravure Retouching and Gravure Planning	1
Screen Printing Stencil Preparation	1
Radio Tradesman	1
Refrigeration Mechanics	1
Tradesman Panel Worker and Panel Beater	1
Tradesman Trimmer (Development and Repair)	1
Waiting	3
Watch and Clock Making	2

APPRENTICESHIPS

(Question No. 1909)

Mr GAVIN (Coburg) asked the Minister of Labour and Industry:

1. How many approved applicants for apprenticeship in each trade were unable to undertake training at the commencement of 1980, indicating how many were girls?

2. What was the percentage increase or decrease compared to 1979?

Mr RAMSAY (Minister of Labour and Industry)—The answer is:

1. The following table shows the excess of approved applicants for apprenticeship over commencements in apprenticeship employment notified to the Industrial Training Commission

in respect of the period 1 July 1979 to 1 January 1980. The relevant records do not indicate how many persons were females.

Bricklaying	29
Carpentry and Joinery	533
Fibrous Plastering	3
Painting, Decorating and Signwriting	92
Plastering	1
Plumbing and Gasfitting	401
Tile Laying	7
Aircraft Mechanics	56
Boilermaking and Structural Steel Fabrication	96
Electroplating	4
Engineering Trades	621
Instrument Making and Repairing	26
Motor Mechanics	832
Jobbing Moulding and Coremaking	18
Patternmaking	30
Refrigeration Mechanics	27
Sewing Machine Mechanics	2
Sheet Metal (First Class)	69
Textile Mechanics	3
Watch and Clock Making	1
Electrical Trades	769
Radio	126
Automotive Machining (First Class)	8
Vehicle Trades	151
Breadmaking and Baking	5
Butchering and Smallgoods Making	29
Cooking	318
Pastrycooking	15
Waiting	17
Printing Trades	130
Dental Technicians	26
Floristry	7
Floor Finishing and Covering	6
Farming and Fruitgrowing	67
Flat Glass Working	4
Footwear Trades	1
Furniture Trades	168
Horticultural Trades	128
Apparel Cutting	9
Hairdressing Trades	250
Jewellery Making and Repairing	8
Shipwrighting and Boatbuilding	4
Silverware	3
Wood Machining	12

2. This information was provided to the honorable member for Coburg in reply to question No. 630 asked on 3 July 1979 and is recorded in *Hansard* at pages 1764 and 1765.

OCEAN WAVE ENERGY

(Question No. 1910)

Mr STIRLING (Williamstown) asked the Minister for Minerals and Energy:

Whether research into ocean wave energy has been conducted by the State Electricity Commission; if so, whether satisfactory results have been achieved?

Mr BALFOUR (Minister for Minerals and Energy)—The answer is:

No. Research into both ocean thermal and wave power is proceeding overseas but it is still at an early stage; it is unlikely that either method could find any significant application in Victoria. Furthermore, the extraction of substantial quantities of energy from waves would involve the erection and operation of large structures extending for many kilometres along the coast which could lead to significant environmental effects on Victoria's coastline.

BACTERIA LEVELS IN TAKE-AWAY FOODS

(Question No. 1916)

Mr ROPER (Brunswick) asked the Minister of Health:

Whether he or officers of the Health Commission have yet examined the Melbourne City Council survey completed last December on bacteria levels in take-away foods; if so—(*a*) what have been the results of that examination; (*b*) what action has been taken, if any; and (*c*) whether it is intended to carry out similar surveys in other areas?

Mr BORTHWICK (Minister of Health)—The answer is:

A survey of "fast foods" was conducted by officers of the Melbourne City Council together with Dr Olaf Onder and Associates of the Footscray Institute of Technology, Department of Chemistry between February 1979 and April 1979. This investigation was on the quality of food as judged by the bacterial counts of non-pathogenic bacteria. High counts may be an indication of low quality raw material, inadequate hygiene during processing, inadequate temperature controls before, during and after processing, and contamination during distribution. The main weakness of this type of study is that it is not correlated with known episodes of food borne disease, and pathogenic micro-organisms have not been isolated.

Subsequently a supplementary survey was done in September 1979 through the M.D.U. Department of Microbiology, University of Melbourne. Pathogens isolated were in low numbers and not considered to be capable of causing food poisoning. The conclusion was that there was a need for improved handling, storage (including storage temperatures) and preparation. This forms part of the routine duties of the State's 250 Municipal Health Surveyors. The Cleanliness (Food, Drugs and Substances) Regulations 1975 under which they operate are considered to be adequate.

A further bacteriological survey of fast foods is planned. Similar surveys of foods are constantly being undertaken, for example, oysters, prawns, dehydrated food, baby food and chicken.

No action is contemplated to seek the registration of food handlers.

No action has been taken to establish bacteriological standards for fast foods until the question of uniform food legislation has been settled.

BALLARAT BASE HOSPITAL

(Question No. 1917)

Mr ROPER (Brunswick) asked the Minister of Health:

In respect of the Ballarat Base Hospital:

1. When approval was sought by the hospital for a new boiler for the services block?

2. When the Health Commission was first aware that the boiler would be required?

3. When it is expected that approval will be given?

4. When it is expected that tenders will be called and let?

Mr BORTHWICK (Minister of Health) —The answer is:

The hospital has not sought approval for a new boiler to serve any particular building, although on 28 March 1978, the hospital presented a submission to the Hospitals and Charities Commission for the replacement of their existing boilers.

Following investigation of the hospital's submission the commission recommended that the existing boilers be refurbished and that planning of a new boiler installation be commenced. However, financial constraints have made it necessary to base planning on the installation of one new boiler initially.

Approval for the preparation of a specification for the supply and delivery of this boiler was given on 28 June 1979.

The hospital's consultants have submitted a specification for the supply and delivery of a new boiler, but the specification has been returned for amendment.

It can be reasonably anticipated that approval would be given for the calling of tenders for the supply and delivery of the boiler within four weeks of the submission of a satisfactory specification. It would also be anticipated that a tender would be let within eight weeks of the calling of tenders.

GOVERNMENT PRINTING OFFICE

(Question No. 1960)

Mrs TONER (Greensborough) asked the Minister for Property and Services:

Whether a feasibility study into the restructuring of the Government Printing Office has been undertaken; if so—(*a*) what are the recommendations; and (*b*) whether such a report will be tabled in the Parliament; if not, why?

Mr AUSTIN (Minister for Property and Services)—The answer is:

A feasibility study regarding the most economical methods of developing accommodation for the Government Printing Office has been undertaken.

(*a*) See the study for recommendations.

(*b*) I shall seek leave of the House to have the study tabled as requested by the honorable member.

GOVERNMENT EMPLOYMENT

(Question No. 1969)

Dr COGHILL (Werribee) asked the Premier:

Further to the answer to question No. 1729 given on 11 March 1980, whether the implementation of the Government's policy to decentralize staff positions is being monitored by —(*a*) the Premier's Department; (*b*) the Public Service Board; or (*c*) any other Victorian Government instrumentality; is so, what are the details of the monitoring carried out in each year since the policy was first announced; if not, why?

Mr HAMER (Premier)—the answer is:

By the Premier's Department. Surveys were made of progress in decentralization of staff positions in 1973–74 and 1977–78.

LATROBE VALLEY

(Question No. 1987)

Mr AMOS (Morwell) asked the Minister for Minerals and Energy:

Further to the answer provided by the Minister of Health to question No. 1257 on 12 March 1980, whether he will ensure that the State Electricity Commission co-operates fully and speedily so that the proposed health study on Latrobe Valley residents is commenced without further delay?

Mr BALFOUR (Minister for Minerals and Energy)—The answer is:

Yes.

B. F. GOODRICH CHEMICAL LTD

(Question No. 2030)

Dr COGHILL (Werribee) asked the Minister of Health, for the Minister for Conservation:

In respect of Environment Protection Authority Licence EA. 449-1 held by B. F. Goodrich Chemical Ltd, Kororoit Creek Road, Altona:

1. What limits apply to vinyl chloride monomer at each discharge point and in the atmosphere in each area of the factory?

2. What monitoring of vinyl chloride monomer levels is carried out in respect of each limit?

3. On what occasions the vinyl chloride monomer level has exceeded the limit in each case?

4. Whether workers in the plan have regular tests for exposure to vinyl chloride monomer;

if so, what is the nature and frequency of the tests?

5. Whether the breaches of licence conditions detected on 18 October 1978, have been corrected; if so, on what date in each case?

6. Whether a satisfactory leak detection and elimination programme has been put into operation and fully maintained?

Mr BORTHWICK (Minister of Health) —The answer supplied by the Minister for Conservation is:

1. In respect of licence EA. 449-1 issued to B. F. Goodrich Chemicals Ltd the following limits apply to points licensed to discharge vinyl chloride monomer (VCM).

Discharge Point Number	*Licence Limit*	
	mass rate gram/hour	*concentration milligram/Nm³**
J-61	25	7.3
M-3	150	22.3
M-4	10	5.0
M-5	10	5.0
M-6	10	5.0
M-7	10	5·0
M-8	2.5	1.0
J-60	(*a*) For any month one gram VCM per 100 kilogram of dry polyvinyl chloride produced.	
	(*b*) For any evacuation of any polymerisation vessel 200 gram.	

* Cubic metre expressed at a temperature of zero degrees Celsius and at an absolute pressure of 101·325 kilopascals.

It is presumed that the second part of the honorable member's question refers to vinyl chloride levels in the atmosphere inside factory buildings. In this case the Environment Protection Authority is not the responsible body and the honorable member is referred to the Honorable the Minister of Health.

2. The Environment Protection Authority has not to date conducted monitoring in respect of the above vinyl chloride emission limits. Officers of the authority are currently discussing monitoring requirements with company representatives.

3. As stated in answer to question No. 2 there are not yet at hand monitoring data in respect of the licensed discharge limits.

4. Occupational exposure inside a plant is not a matter dealt with under the Environment Protection Act. The honorable member is referred again to the Honorable the Minister of Health.

5. The breaches detected on 18 October 1978 in respect of licence discharge points pertain to the submission of certain information. This information was largely to enable evaluation of the effectiveness of the licence. Much of the information has now been supplied but due to an oversight by the company some information was not gathered by the time required. This deficiency has been brought to the company's attention to prevent a similar situation recurring in the future.

6. Such a programme has been put into operation and maintained.

SCHOOL DENTAL SERVICES

(Question No. 2031)

Dr COGHILL (Werribee) asked the Assistant Minister of Health:

In respect of school dental services in the western metropolitan region:

1. What is the number of permanent dental clinics at schools?

2. What is the number of schools serviced by permanent dental clinics?

3. What is the number of mobile dental clinics made available to schools?

4. What is the number of schools with pads for use by mobile portable dental clinics?

5. What is the frequency with which children attending the schools in the region are expected to be examined by the school dental service?

Mr LIEBERMAN (Assistant Minister of Health)—The answer is:

1. Eleven permanent dental clinics are located in the grounds of State primary schools.

2. In addition to the eleven schools which have permanent dental clinics a further eleven registered primary schools in the same area will be accepted for dental treatment at the school clinics on an appointment basis after school hours and during the May and September school holidays.

3. There are 22 surgery mobile clinics to service 126 platforms throughout Victoria. There is no actual allocation on a regional basis.

4. Sixteen in the grounds of State Primary Schools in the State Electoral province of Melbourne West.

5. At least once every twelve months once sufficient staff and facilities have been provided.

VICTORIAN INDUSTRY YOUTH FOUNDATION

(Question No. 2048)

Dr COGHILL (Werribee) asked the Minister for Youth, Sport and Recreation:

Further to the answer given to question No. 1794 answered on 13 March 1980:

1. Who are the members of the Victorian Industry Youth Foundation?

2. How many industries have contributed to the foundation for 1979–80?

3. Whether each contributing industry is represented on the foundation?

4. How the appropriate organizations for the distribution of application forms are determined?

Mr DIXON (Minister for Youth, Sport and Recreation)—The answer is:

1. The constitution of the Victorian Industry Youth Foundation provides for the following membership:

Chairman of State Youth Council—as Chairman.

Department of Youth, Sport and Recreation —two representatives.

Each industry which contributes at least $10 000 annually for three years—two representatives.

The only contributing industry which is eligible for membership is Caltex Oil (Australia) Pty Ltd.

The members of the foundation at present are:

Dr Denham Grierson—Chairman.

Mr Doug Neville, Department of Youth, Sport and Recreation.

Mr Colin Slutzkin, Department of Youth, Sport and Recreation.

Mr Merv Moroney, Caltex Oil (Australia) Pty Ltd.

Mr Ken Mitchell, Caltex Oil (Australia) Pty Ltd.

2. Caltex Oil (Australia) Pty. Ltd.
The Signet Group Pty Ltd.

3. In order to gain representation on the foundation an industry must contribute at least $10 000 annually for three years.

4. Under the constitution, the foundation will determine, at its last meeting in a financial year, what type of project(s) will be assisted in the following financial year.

The Department of Youth, Sport and Recreation will then distribute application forms to appropriate community organizations.

PUBLIC WORKS DEPARTMENT

(Question No. 2117)

Dr COGHILL (Werribee) asked the Minister of Public Works:

Further to the answer to question number 1865 given on 19 March 1980, whether it is Government policy to conserve energy in public buildings; if so, what assessment was made of the energy consumption of the building being vacated at 3 Treasury Place, and the building at 176 Wellington Parade, East Melbourne, to which staff were relocated, indicating whether the energy consumption for—(*a*) lighting; (*b*) heating and cooling; and (*c*) lift operation per staff position and/or per unit floor area in each building and in any alternative accommodation were compared?

Mr AUSTIN (Minister of Public Works)—The answer is:

It is Government policy to conserve energy and my department has made a large contribution to means by which energy can be conserved in buildings. Should the honorable member wish to ascertain the extent of the work done by the Public Works Department in this field, I can make available to him several reports prepared by the department.

In the case of comparisons between No. 3 Treasury Place and 176 Wellington Parade, the decision to purchase the latter building was made prior to the establishment of our energy policy.

ENVIRONMENT PROTECTION AUTHORITY

(Question No. 2128)

Mr AMOS (Morwell) asked the Minister of Health, for the Minister for Conservation:

Whether the Environment Protection Authority is involved in the construction of a monitoring station in Latrobe Road, Morwell North; if so—(*a*) what is the cost of this project; and (*b*) whether it is known that the project is being sited in the path of a proposed river diversion and, in that event, when it is expected that the river diversion will take place and why construction is still proceeding?

Mr BORTHWICK (Minister of Health) —The answer supplied by the Minister for Conservation is:

The Environment Protection Authority is not directly involved in the construction of a monitoring station in Latrobe Road, Morwell North. However the authority is a participant in the Latrobe Valley Airshed Study and as part of that study, a monitoring station is being constructed at a site known to the study as Thom's Bridge. I presume it is to this station that the honorable member refers.

The construction and operation of the Thom's Bridge monitoring station are being carried out by the State Electricity Commission. Accordingly I refer the honorable member to my colleague the Honorable the Minister for Minerals and Energy.

TELEVISION ADVERTISEMENTS ON WORKERS COMPENSATION

(Question No. 2130)

Mr GAVIN (Coburg) asked the Premier:

Concerning his television advertisements supporting the Government's position on workers compensation:

1. How many times the advertisement has been shown on each commercial station?

2. How many times the advertisement has been shown on ABV2?

3. What was the cost to the taxpayer of producing the advertisement and that total cost of this television campaign?

Mr HAMER (Premier)—The answer is:

1. ATV 10—10 times
   HSV 7— 8 times
   GTV 9—12 times
   —
   Total 30

2. None.

3. Cost of producing the advertisement was $4200 and the total cost of the campaign was $41 259.25.

BLUEBERRY FARMING INDUSTRY

(Question No. 2134)

Dr COGHILL (Werribee) asked the Minister of Agriculture:

What steps are being taken to establish a blueberry farming industry in Victoria indicating the—(*a*) areas presently under production and the volume of production; and (*b*) optimum rate of expansion of the industry which could be achieved in each forthcoming year?

Mr I. W. SMITH (Minister of Agriculture)—The answer is:

(*a*) The current area planted to blueberries in Victoria is four hectares and all of these plantings have been made with unselected seedlings. The oldest plantings are just commencing to bear and the total crop harvested in 1979–80 was of the order of one tonne.

(*b*) A substantial supply of improved planting material is currently being produced by nurseries, and it is expected that in 1980 an additional area of at least six hectares will be planted to cultivars imported from America or selected at the Knoxfield Horticultural Research Institute for high yield and good fruit quality.

These plantings will increase the supply of propagating material in future years, and it is anticipated that from 1981 these plantings will enable the industry to expand by some 40–60 hectares per year over the next ten years. This rate of expansion is expected to be required to meet the projected domestic demand of 5000 tonnes within the next ten years.

GOVERNMENT BUILDINGS

(Question No. 2142)

Dr COGHILL (Werribee) asked the Minister of Public Works:

What steps have been taken to reduce the energy requirements for—(*a*) lighting; (*b*) heating; (*c*) cooling; and (*d*) lift operation of accommodation occupied or proposed to be occupied by a Government department or instrumentality for the first time in 1979–80 or 1980–81, indicating the assessments which have been made of premises currently occupied and alternative accommodation?

Mr AUSTIN (Minister of Public Works)—The answer is:

The steps that have been taken are set out in various reports prepared by my department covering energy policy, energy management and energy savings in existing buildings. These are available and, if the honorable member so wishes, I would arrange for him to obtain these and discuss them with the authors.

Energy audits have been made of some buildings, but there is a large field to cover in this area and considerable time and resources are required for each building.

LANDS DEPARTMENT

(Question No. 2167)

Mr TREWIN (Benalla) asked the Minister of Health, for the Minister of Lands:

1. How many persons have been dismissed from the Lands Department during the past year?

2. What are the reasons for these dismissals and in which regions they were made?

3. When replacement persons will be appointed and to which regions such appointments will be made?

Mr BORTHWICK (Minister of Health)—The answer supplied by the Minister of Lands is:

1. Ten persons have been dismissed since 1 April 1979.

2. The reasons for those dismissals and the regions in which they were made are:

Region	*Number of persons*	*Reasons for dismissals*
Omeo	1	Unsatisfactory service
Maribyrnong Workshop	1	Failed to attend work
Mansfield	1	Unsatisfactory conduct
Underbool	1	Unsatisfactory service and demeanour
Melbourne ..	1	Failure to attend work
Foster	5	Failure to carry out instructions

3. The position in respect of replacements is:

Region	*Number of persons*	*Details of replacement*
Omeo	1	Replaced at Omeo
Maribyrnong Workshop	1	Not replaced as work load at location is not sufficient to warrant a replacement.
Mansfield	1	Not replaced, precluded by staff ceilings.
Underbool	1	Not replaced at present time, dismissal occurred 1st February, 1980
Melbourne	1	Replaced at Melbourne
Foster	5	The same persons have been re-instated at Foster (one person was employed for a special project which has now terminated).

ICI AUSTRALIA LTD

(Question No. 2174)

Mr HOCKLEY (Bentleigh) asked the Minister of Agriculture, for the Minister of Water Supply:

What is the percentage of Sodium Silicofluoride in the slurry supplied by ICI Australia Ltd for the fluoridation of Melbourne's water supply?

Mr I. W. SMITH (Minister of Agriculture)—The answer supplied by the Minister of Water Supply is:

Sixty per cent by weight.

Legislative Council

Wednesday, 16 April 1980

The DEPUTY PRESIDENT (the Hon. W. M. Campbell) took the chair at 2.4 p.m. and read the prayer.

QUESTIONS WITHOUT NOTICE

LOCAL AUTHORITIES SUPERANNUATION SCHEME

The Hon. W. A. LANDERYOU (Doutta Galla Province)—I direct my question to the Minister for Local Government. The Minister will recall his undertaking to the House that legislation would be introduced in this session of Parliament to amend the local authorities superannuation scheme. Is that still his intention and can he indicate when this legislation is likely to be introduced?

The Hon. D. G. CROZIER (Minister for Local Government)—It is my intention and hope that such legislation will be introduced in the current session. As honorable members who are interested in the subject will realize, it has been a difficult and tedious exercise for the representatives of the Municipal Association of Victoria and of the Municipal Officers Association as well as the actuarial experts who have been involved in preparing the agreement and then the Bill to validate the agreement. My understanding is that the Bill is currently with the Parliamentary Counsel. I hope to take it to Cabinet next Monday or, certainly, by the following Monday. All being well, it will be introduced into the House during this session.

NOXIOUS WEEDS

The Hon. B. P. DUNN (North Western Province)—Will the Minister of Lands undertake immediate discussions with the farming community and its organizations with the aim of reaching a compromise policy on the responsibility for the control of noxious weeds on roadside reserves? If the Minister has had such discussions, can he inform the House of the outcome? Does he accept the principle that a shared responsibility could ultimately lead to the most effective solution to the problem?

The Hon. W. V. HOUGHTON (Minister of Lands)—I have had discussions with many people throughout Victoria about the policy I proposed in relation to the destruction of vermin and noxious weeds, particularly noxious weeds on Victorian roadsides. I have been concerned about this matter for much longer than I have been the Minister of Lands. I am concerned that 1000 men in our State have been working on the problem and they have not yet been able to make much progress on the reduction and abolition of many noxious weeds. On being appointed to this Ministry, I was glad to have the opportunity to do something about a matter that had worried me for many years.

Therefore, as a matter of policy, I issued a statement that the law would be observed in future and that landholders would be responsible—as they are by statute—for land along the roadside because it seemed to me that too many Lands Department gangs had been spraying noxious weeds along the roadsides and not succeeding in eliminating them. Those with vested interests in destroying noxious weeds such as farmers, land owners and others have a statutory and legal responsibility to do so and are the right people to cope with the problem.

The Lands Department inspectors ought to be responsible, primarily, for the destruction of weeds on Crown lands because there are many complaints, as the honorable member will know, from farmers about vermin and noxious weeds on Crown lands. That area ought to be the prime responsibility of the Lands Department officers and workers.

As honorable members will recall, the Government introduced legislation in the last Parliamentary session that provided in respect of certain categories of noxious weeds, through a proclamation by the Governor in Council, for Lands Department gangs to be responsible. I am in the process of examining which weeds this should apply to and where it will apply. I am anxious to have continual discussions, as I have in the past, with those involved and I intend to discuss the matter at length with the Central Advisory Council of Victoria.

I intended to take the matter to the point where I could really do something about the destruction of noxious weeds in Victoria. I have had personal experience of the destruction of noxious weeds and problems associated with them and I intend to see that something more effective is done about the matter.

BRAILLE LIBRARY

The Hon. D. K. HAYWARD (Monash Province)—I ask the Minister of Education, representing the Minister of the Arts, whether it is a fact that the level of support for the braille library is less than the level for sight libraries. If this is so, what does the Government propose to do to improve the level of supfor the braille library?

The Hon. A. J. HUNT (Minister of Education)—I know that my colleague, the Minister of the Arts, has visited the Braille library on several occasions in recent months. He is expecting a report within the next week on the subject and honorable members can confidently expect an announcement about his visit to the braille library and the support to be provided.

TRANSLATORS

The Hon. JOAN COXSEDGE (Melbourne West Province)—I ask the Minister of Education: How many translaters, as distinct from interpreters, are employed by the Education Department and which languages do they translate? Will the Minister instruct his departmental officers to inform all Victorian schools of facilities for translating, as distinct from interpreting, provided by the Education Department?

The Hon. A. J. HUNT (Minister of Education)—I am surprised that Mrs Coxsedge did not go a little further and ask me at which particular schools these people have been employed, perhaps even in which class-rooms and at what level. Perhaps I could respond by inviting her to tell the House precisely how many people of ethnic background she has in her province. These are figures which no one carries in his head. I would not expect her to know the figures. If Mrs Coxsedge desires the answer, will she put the question on notice in the proper manner?

TIMBER INDUSTRY

The Hon. W. R. BAXTER (North Eastern Province)—In view of the remarks made in Myrtleford yesterday by the Federal Minister for Primary Industry when he opened the Forest Industries Machinery Exhibition, and proclaimed and maintained the importance of the timber industry to the Australian economy, is the Minister of Forests satisfied with the level of Federal support to the timber industry? Does he believe further inducements

from the Federal Government, such as taxation incentives for private forestry plantings, are desirable?

The Hon. F. J. GRANTER (Minister of Forests)—I noted the enthusiasm of Mr Nixon for the timber industry in his opening of the Forest Industries Machinery Exposition at Myrtleford yesterday. I look forward to the next forestry conference with the Federal Minister for Primary Industry because I believe he will take a realistic view on the need for support for the timber industry in Australia. As honorable members know, Victoria is an importer of timber, producing only about 60 per cent of the State's needs. It obtains timber from Tasmania, New Zealand and the Asian countries. The State could do with support in the planting of pines, especially in the area represented by Mr Baxter.

The introduction of taxation concessions for forestry has been put to the Federal Government by State Ministers on a number of occasions and has always been rejected. Perhaps it could be raised again, and I will take it upon myself to do so at the next Ministers' conference.

HOUSING OF ELDERLY CITIZENS

The Hon. D. N. SALTMARSH (Waverley Province)—I direct my question to the Minister for Conservation representing the Minister for Community Welfare Services. Is the Minister aware that over the years significant numbers of aged persons have been accommodated in large blocks of flats especially designed for elderly persons? Is he also aware that over these years the age of the residents has increased significantly to a stage whereby many of them are now frail but are content to remain in these units? Will the Government give consideration to the appointment of special persons, such as competent nurses, to provide some sort of supervisory support within these large accommodation centres for elderly persons?

The Hon. W. V. HOUGHTON (Minister for Conservation)—I am aware that the Housing Commission has provided, as far as it possibly can, for the housing of elderly citizens, especially those in need of shelter. Perhaps in some instances this has tended to collect the elderly together. Obviously, some of these elderly people will become frail and there will be a need for them either to stay where they are—which would be preferable—in cases where they are able to do so, or to be moved into accommodation where assistance is available. It may well be that the best way to accomplish this would be to provide assistance where they are. I know that there would be some problems for the Housing Commission in this respect, but I suggest that perhaps the Department of Community Welfare Services or the Health Commission could take up the matter. I shall ask the Minister for Community Welfare Services to do so.

TRADE WASTE DISPOSAL

The Hon. E. H. WALKER (Melbourne Province)—I direct my question to the Minister for Conservation. Following this morning's announcement in the press that United Disposal Services Pty Ltd is not to continue with the project for liquid waste disposal in Broadmeadows, and the Minister's answer to my question in respect of Port Melbourne last night, can the Minister now inform the House what the Government intends to do with both these grades of liquid toxic trade waste, what disposal techniques are to be used and what sites have been chosen?

The Hon. W. V. HOUGHTON (Minister for Conservation)—I have discussed at length, during the course of various debates in this House, what the Government is doing and what it proposes to do about the treatment of that stream of waste in the upper and middle levels of wastes. Honorable members have heard *ad infinitum* about the Tullamarine facilities dealing with the middle level of wastes. Other facilities will have to be found.

The question of the storage of intractable waste was raised by Mr Walker yesterday and I am not able to say yet what sites are currently in mind. All I can say is that a number of alternative sites are being sought, not for the

dumping but for the storage of the intractable wastes pending the availability of a facility to dispose of them.

MOUSE PLAGUE

The Hon. K. I. WRIGHT (North Western Province)—My question is directed to the Minister for Conservation and relates to the disastrous mouse plague mentioned yesterday and the more than $1 million worth of damage it has caused. Mice are not proclaimed as vermin under the provisions of the Vermin and Noxious Weeds Act. Why is this so and is such a proclamation under consideration by the Minister?

The Hon. W. V. HOUGHTON (Minister for Conservation)—Whether mice ought to be listed as a category of vermin in the Vermin and Noxious Weeds Act is not under consideration at present. It will be considered as soon as I am able to discuss the matter with the Vermin and Noxious Weeds Destruction Board.

The problem concerning mice has only become apparent in the past few days. It is a different problem from that which results with animals such as wild dogs, dingoes, rabbits and foxes being listed as vermin under the provisions of the Act.

I suggest that mice have not been included because of the great difficulty in controlling mice in plague proportions. It may also be why mice should continue to be excluded.

The difficulties in overcoming a plague of this nature have been discussed at length and the solution really lies prior to a plague starting and not after it has started. The honorable member's question contains a number of implications and I will pursue the matter in the next few weeks.

MOSSGIEL PARK PRIMARY SCHOOL

The Hon. N. F. STACEY (Chelsea Province)—Is the Minister of Education able to advise me whether decisions have been made on the building of Mossgiel Park Primary School? If so, when can work be expected to begin on the construction of the core-plus building by the Housing Commission?

The Hon. A. J. HUNT (Minister of Education)—The decision to proceed with Mossgiel Park Primary School was made some time ago. Weather permitting, site work should commence at a very early date, almost immediately. The site works will take about six weeks and construction by the Housing Commission, as the construction authority in this case, will take a little more than six months.

CASINOS

The Hon. W. A. LANDERYOU (Doutta Galla Province)—I move:

> That there be a Select Committee of eight members appointed to inquire into and report upon the feasibility and/or desirability of issuing licences or permits for a casino or casinos to operate in Victoria; the Committee to have power to send for persons, papers and records; three to be the quorum.

The motion is self-explanatory. I shall take the House through a number of matters which the Australian Labor Party and I believe illustrate the desirability of this proposal. I shall refer to some attitudes which have been expressed by back-bench members of the Liberal Party both in this House and in another place and by the Premier and the Leader of the Opposition in another place, Mr Frank Wilkes.

The casino proposal first became a real issue in Victoria following a public announcement by Mr Wilkes and the Labor Party's spokesman for tourism, Mr Trezise, prior to the last election. Only then did the matter become one of significant public interest in the sense that a major political party advocated the establishment of a casino in Victoria, provided that conditions were imposed and a study was undertaken to determine the impact of such a proposal.

I am authorized to indicate to the House that the Australian Labor Party will reconsider its position and attitude to a casino if an all-party committee, such as that proposed in the motion, were established to determine the effects of a casino on society. The dithering by the Premier and the confusion that exists in the minds of people as to where the Government does or does not

stand on a casino, or more importantly on a convention centre, is costing Victoria many millions of dollars.

The Hon. J. V. C. Guest—There is pretty good dithering in this motion when you cannot decide whether it is "feasibility" or "desirability".

The Hon. W. A. LANDERYOU—Every building has its resident ghost and we have Mr Guest. I am endeavouring to explain what the Labor Party proposes, namely, the opportunity to take party politics out of the issue of a casino. It is regrettable that all honorable members do not have the intelligence to appreciate that fact.

The Labor Party believes a casino should be established in this State and is prepared to participate in an all-party Select Committee to investigate the proposal because, it is believed, the dithering by the Premier is costing Victoria millions of dollars. I will mention specific estimates by the Government's own departments later. The decision of the Premier to establish a casino at Southgate, and perhaps even the concept of a casino, as I understand it, has split the Liberal Party almost down the middle.

The Hon. P. D. Block—Has your party changed its policy?

The Hon. W. A. LANDERYOU—The Labor Party made its decision clear to the public prior to the election. The Liberal Party Deputy Leader in this House at that time, Mr Crozier, told the people of Victoria that Victoria would have a casino over his dead body. I presume the funeral procession was in progress when the Liberal Party demoted him from the position of Deputy Leader. Perhaps he is fighting back in the party room.

The position of the Labor Party and myself is clear. The Labor Party went into the election with a publicly-announced policy. It went to the people openly and told them precisely what it would do: That it would permit a casino with certain conditions and requirements. By interjection, Mr Saltmarsh suggests that the Labor Party was not honest with the people of Victoria. He finds himself in an embarrassing position.

The Hon. D. N. Saltmarsh—I did not say that. I said you lost the election.

The Hon. W. A. LANDERYOU—The Deputy Leader of the Liberal Party told the people of Victoria that Victoria would have a casino over his dead body. The Premier decided, at that time, presumably on his own, that Victoria would have a casino. The Premier had selected a site, the project builders and managers.

The Hon. R. J. Long—No such decision had been made.

The Hon. W. A. LANDERYOU—The Premier made an announcement in August last year that that was the position the Government was taking. I will go through the Premier's statement, if honorable members wish me to, when I reach that stage of my submission. I can understand the split that has occurred within the Liberal Party because astonishing allegations have been made about corruption, bribes, death threats to members of Parliament, colour movie films to be used for blackmail and other startling allegations.

On 11 March, when I raised the question about a report allegedly prepared and publicly alluded to by a member of this House, the Leader of the Government at that time did not seem to take the matter seriously. I can understand the consternation of Mr Saltmarsh, Mr Stacey and other members of the Government party who hold marginal seats. I can understand their concern and the concern of all honorable members if they genuinely believe death threats have been made to their colleagues or loved ones.

The Hon. D. G. Crozier—That is very condescending.

The Hon. W. A. LANDERYOU—As Mr Crozier offered to die for the project, I can understand what he thinks is condescending. I can also understand, following the savage mauling the Government received at the election with respect to corruption in and around the Housing Commission, that the Govern-

ment is nervous about the allegation of bribes and blackmail threats connected with the casino proposal.

This motion is a serious attempt by me, in my capacity as the Labor Party Leader in this Chamber, to determine whether the Government has the courage to take party politics out of this important issue. The advice given to the Government by its own departments suggests not only that the issue is important but also that it is vital for the better development of the State. The Government believes it is incapable of building a casino without a convention centre—which has long been needed. I do not accept that. It is an illogical assertion. A casino, operating under the conditions outlined by the Australian Labor Party, ought to be established in Victoria.

The Hon. R. J. Long—What conditions? You have not even decided them yet.

The Hon. W. A. LANDERYOU—I always need to conduct remedial classes, with Mr Long as the prime subject. I shall reiterate. The Leader of the Opposition, Mr Wilkes, and the shadow Minister of State Development Decentralization and Tourism, Mr Trezise, in another place, announced the policy of the Labor Party on casinos. The announcement was not sneakily done like the hand-out press releases issued by the Liberal Government churned out of a multi-million dollar copying machine but by a policy brochure which stated that the Labor Party would not only be responsive to community attitudes on the issue but also that it advocates the establishment of a casino to assist the financial interests of the State. At present, the casino in Tasmania must attract money which would otherwise be spent in Victoria. The brochure stated, *inter alia*:

> In authorizing the establishment of a casino in any particular location, we will consult with the relevant municipal authorities and interested parties and undertake a study of the impact of a casino in the area.

Following the announcement in favour of the casino, in which the Labor Party informed the Government it would accept the concept and imposed the conditions for its establishment, a State election was held and the Premier decided that he should no longer continue hiding his light under a bushel. He announced his approval in principle of the establishment of a casino—a casino adjacent to the Arts Centre and near the Yarra River. The precise site was bounded by Riverside Avenue, Southgate, City Road and Brown Street, with Bright Street subdividing the freehold and leasehold portions. The total area proposed to be used was 20 711 square metres. Those details were contained in the announcement of the proposals of the Premier.

Those honorable members who had some doubts, because of the interjections earlier, have now discovered the existence of the news release. Strangely, the release, dated 2 August 1979, is headed, "Premier's Department, 1 Treasury Place, Melbourne". It states, *inter alia*:

> The Premier and Minister for Tourism, Mr Hamer, said today that the complex could make Melbourne a focal point of Australia for conventions and generate a major influx of new visitors into Victoria.

The Premier outlined the many features and facilities associated with the convention centre complex that he envisaged and concluded on the sixth paragraph of the first page by listing a number of facilities: For example, a coffee shop, a night club, a discotheque, a cinema and a 400-seat theatre, underground parking, and so on. Was that not a surprise?

Honorable members have been informed that there were many discussions within the Liberal Party. Given the lack of communication that the Parliamentary Secretary of the Cabinet has with Ministers, I can understand the confusion that must occur at Liberal Party meetings. However, as Mr Morris Williams, the honorable member for Doncaster in another place, has stated, and if he is to be believed, apparently from time to time those meetings has become quite heated and there have been close votes both for and against various aspects of the casino concept. The concept of a casino has had its difficulties and a fairly rough ride through the Liberal Party. One of the reasons, I suspect, which has been made

known publicly by honorable members such as Mr Collins in another place and others, is the passion of the Premier for one project as distinct from others. Apparently, on 27 November 1979, 68 members—or those that were in Australia at the time—of the Parliamentary Liberal Party made a decision. They finally agonized their way through to a decision in favour of the proposal as originally announced by the Premier.

The Hon. R. J. Long—That is untrue.

The Hon. W. A. LANDERYOU—Mr Long will have an opportunity of addressing the House later, and I challenge him to enter the debate. The decision did not stop the internal bickering and conflicts within the Liberal Party. The tensions continue. The Labor Party is concerned about the issue. It is an important issue for the tourist industry. The Government has received advice from the Victorian Government Travel Authority that approximately $20 million a year is being lost while the Government dithers.

Honorable members interjecting.

The Hon. W. A. LANDERYOU—Members of the Government party in this House supported Mr Menzies—he could not put value back into the pound; he abolished it and introduced decimal currency. The Liberal Party does not realize the importance and value of the tourist dollar. In his characteristic way, the Premier has dithered. He told a few friends of the project and that he would get it through the party room. I often wonder whether, under the leadership of Sir Henry Bolte, the issue would have received the same dithering leadership and delay.

The Hon. P. D. Block—Do you belong to a democratic institution?

The Hon. W. A. LANDERYOU—If Mr Long is suggesting that the Liberal Party is a democratic institution, he should ask his colleague in another place, Mr Williams. Potentially, the State stands to lose millions of dollars while a decision is delayed. The issue is not new. There was a proposal for a convention centre associated with the World Trade Centre. Do honorable members remember that? It is a magnificent convention centre! I shall refer quickly to its size. It will now consist of five buildings which will be mainly used for office space. There will be 1950 square metres for a "Gallarea", which, I presume, is something to do with a display area.

The Hon. Glyn Jenkins—No, it is a meeting place for the Painters and Dockers Union!

The Hon. W. A. LANDERYOU—I suppose Mr Jenkins would be associated with some of the worst elements of the Painters and Dockers Union. Of course, the World Trade Centre will be used only for display purposes. If Mr Jenkins believes it to be a convention centre, obviously there are communication problems amongst Government party members. The complex provides for a 200-seat theatre which will double as a convention venue. It is no longer believed—particularly by people building it—that it will be a convention centre. Government supporters probably have access to the report of the investigation of that and four other sites. The site chosen did not measure up for some of the reasons given by my colleague in an earlier debate on the Government's attitude to that complex.

Another announcement was made about the annexe extensions to the Exhibition Buildings. I heard on radio a Government Minister referring to that extension as a facility for conventions. It will be nothing of the sort. It will be open space and used for display purposes. I am informed by those in charge of the Exhibition Buildings that the annexe is booked out for exhibitions for the next three years. Convention facilities were not considered in its design and the extensions have no facilities approaching a world-standard convention centre.

Perhaps the reality is that the concept of a convention centre has been discussed *ad nauseam* by Government Ministers, and all sorts of publicity stunts have been pulled by the Premier and the Liberal Party machine, but if the Melbourne Tourism Authority can be believed, Victoria appears to be losing the race for a world standard convention centre to Sydney and Canberra.

The Hon. P. D. Block—Mr Walker approved of that particular Southgate proposal.

The Hon. W. A. LANDERYOU—I believe the Premier hobbled, if not nobbled, other starters in the race. That is the difficulty the honorable member is having in the party room and that the Premier is having in the public situation. As I was about to say, I was staggered when I looked at the tourist figures of this State to find that only one out of every six visitors to this country visits Victoria. Half of those six visitors—I suppose that means three—visit New South Wales. In that sense this State has an enormous responsibility. It is no wonder the Minister for Local Government was shifted from the tourist portfolio, or that the Premier had the project in mind and the shuffle became necessary after the election. The Minister for Local Government said that the project would be built over his dead body.

The Hon. D. G. Crozier—When did I say that?

The Hon. W. A. LANDERYOU—I will come to that. I have Mr Paul Barber's comments and also the Minister's comments. Before I get to that I will refer to Mr Stacey's remarks as reported in the *Dandenong Regional Journal* on 13 March, which was not a bad front page story:

> MP takes Stand on Gambling.
>
> The Liberal MLC for Chelsea Province, Mr Neil Stacey, says he will vote against the casino issue both in the party room and in Parliament.
>
> Mr Stacey's comment to the *Journal* follows an announcement by the Premier, Mr Hamer, last Friday that Victoria would not be entertaining the ideas of poker machines.
>
> Mr Stacey said: "I'm opposed to casinos mainly because of the real fear of the future danger of criminal elements being drawn to it."

Just to be consistent:

> However, Mr Stacey agreed that the latest proposal, the Patterson Lakes Corporation plan, "has a lot of merit."

It should be pointed out that the casino proposal was in Mr Stacey's electorate. Therefore, he has also entered the race. He is having two bob each way. If the Minister for Local Government, then the Deputy Leader of the Liberal Party, believes he was misquoted, he can collect a few shillings from 3AW which reported its breakfast show of 28 November. I am quoting from page 7 of TV and Radio Transcripts in which the compere, Mr Paul Barber, was giving an editoral comment after interviewing a number of people about casinos and said:

> There IS one black mark against the Liberal Party in its attitude towards casinos. Just prior to the State election last May, the then Minister for Tourism, Mr Digby Crozier, did assure our radio audience one morning that casinos would come over his dead body. As far as I know there is no funeral service for Mr Crozier today—

A back-bencher in this House was saying one thing, that he was in favour of casinos in his electorate but opposed to them in principle anywhere else. The Minister at that time said that casinos would come over his dead body. Then the giant ruckman from another place, the Minister for Community Welfare Services, the Honorable Walter Jona, was referred to on 3AW during an interview by John Blackman and Sam Lipski. The compere, Sam Lipski, was reported as saying:

> Early in the programme, I referred to the lead story in the *Age* today. The Minister for Community Welfare Services, Walter Jona, wants his own Government to impose strict controls on any legal casinos in Victoria, including the need for gamblers to give 24 hours notice before playing.

That is a new way of ordering fricasee of chicken. One telephones the restaurant and says, "While the chicken is cooking, I will enter the casino".

This seems an extraordinary performance by a Government which appears to have lost its way. If one takes seriously some of the proposals put forward about organized crime entering the State, the party room and the Cabinet room, with threats and blackmail, one must look at some of the evidence. Colin Fulton, whom I presume to be a former employee of the Government, said:

> Now two of Victoria's Parliamentarians who have been doing investigations into organized crime, particularly concerning casinos, have received death threats. Now in both cases the police took the threats seriously enough to put a constant surveillance on the families

of both the Parliamentarians; and in one case the Parliamentarian actually had to evacuate his home for 24 hours.

When I raised that matter and the question of a report with the Leader of the Government in this House, he did not take the matter seriously. He said he did not know about any report and obviously was not going to follow up the matter. However, that same journalist, Colin Fulton, said he had leaked to him from the Liberal Party meeting two documents and that one of the documents was titled, "Notes on Casinos and Organized Crime", gave details of a meeting between four Victorian politicians and three senior police officers. If that is so, where is that document? If the Victoria Police suggest they are unable to control the situation in terms of their concept of a casino, that despite the converse figures in terms of Hobart and serious crime, if that evidence in itself is not sufficient and the police in this State put a different view to Parliament and the Liberal Party, which manages to distribute that view to Liberal Party members, one or two of whom happen to ensure that the information is leaked to the media, then it seems to me that this House and the Government itself should make available to the House and to its members all of the facts, such as they are, that are known on this question.

If that course is inconvenient, what better proposal than to appoint a Select Committee with members of the National Party, the Liberal Party and the party which represents most people in this State, also on that committee. Mr Birrell, who I understand occasionally plays tennis with the Governor, when asked on national television what was his attitude to those threats replied:

I am afraid of that aspect, as well as some others.

One Minister of the Crown is saying "over my dead body", another Minister of the Crown is saying that 24 hours' notice must be given before playing, and a back-bencher is saying that he is violently and vehemently opposed to casinos in Victoria, except in his electorate. Then we have Mr Birrell who is frightened.

The Hon. W. R. Baxter—What about Mr Williams? I am worried about him.

The Hon. W. A. LANDERYOU—I assure the honorable member that that is worth waiting for. The honorable member for Noble Park in another place, Mr Collins, says to a national television audience:

As an individual—I can only speak for myself—

The Hon. R. J. Long—He is in the minority.

The Hon. W. A. LANDERYOU—What concerns me is whether Mr Long is part of the Premier's minority.

On 1 October last year the honorable member for Noble Park commented:

As an individual—I can only speak for myself I want to make quite sure that I know all sides of the arguments as to the pros and cons of establishing legal casinos. Who actually would get a licence is another matter altogether —that doesn't concern me at this time.

That comment was made when I presume the honorable member would have had ample opportunity to ask the Premier what he meant by his press release about the casino concept on the banks of the Yarra River.

As Mr Long was rather impatient, I now refer to comments made by our friend and colleague, the honorable member for Doncaster in another place, Mr Williams. On the radio programme *Frontline* which was broadcast by 3LO on Monday 14 April the exchange between the compère of that programme and Mr Williams was:

Co-Compere: Have you any information to suggest that Victorian members of Parliament have been threatened—death-threats, blackmail threats—as some accusations have said?

Mr Williams: I know of colleagues who've been threatened and frightened.

Co-Compere: Have you yourself been threatened, you are fairly vocal on anti-casino...

Mr Williams (interjecting): Well, I'm one of those strange bods that, I don't know, I don't seem to worry about it—yes, I receive these sorts of things but, I don't know, I seem to have a built-in immunity not to be too worried about it.

Co-Compere: Do you receive death-threats? Do you receive threats from people saying if you continue . . .

Mr Williams (interjecting): Oh, I didn't like a character telling my secretary: What was Morry all about, didn't he know $5000 was a price of a hit now?

Co-Compere: How strong is the feeling in the Parliamentary Liberal Party against casinos?

Mr Williams: Well, we're a very unhappily divided party. Most of us have got a very loyal affection to our Premier but then a number of us, including myself, are terribly worried about this sort of evidence we've got of organized crime.

If the price for a hit man for Mr Williams is $5000, I cannot help but wonder what the price would be to arrange a hit for the Minister for Community Welfare Services, Mr Jona. The reality is that years ago the Premier knew of the need for a convention centre and the linking of the casino concept with a convention centre. Further, he knew that there were a number of contenders, as there normally would be, for a casino concept. He knew of the successful experiment at Wrest Point Casino, and apart from the Southgate proposal and the Rialto proposal which he subsequently nobbled, he knew there was interest in areas such as Mildura and Shepparton. Apparently Mr Stacey has some friends who are interested at Patterson Lakes and Warrnambool.

An Honorable Member—Are we going to have wall-to-wall casinos?

The Hon. W. A. LANDERYOU—I am not suggesting there needs to be more than one casino. The Government has fallen asunder on a fairly elementary issue and the Premier is forced to back away from announcements he has made. My suggestion that these and other proposals be examined seems to suggest to some honorable members that I think there should be wall-to-wall casinos. That sort of thinking is keeping the State further away than ever from the tourist dollar. I have already explained that only one in six tourists coming to Australia visits Victoria. Only three out of six tourists manage to stay or at least make it to New South Wales, which is the State with the main tourist attraction. However, there are many reasons for this trend and I am not suggesting that casinos would be a major tourist attraction.

For the benefit of the House, and so that Mr Saltmarsh does not get the Common Prayer book mixed up too much, I indicate that I would not cross the road to visit a casino. The Government has presided over a period of development where it is now possible to gamble in almost every conceivable way. One can merely pick up the telephone and place a bet on a greyhound, a racehorse or a harnessed horse. The Government has finally managed to legalize bingo after it was openly played for 50 years. For the cost of $1 a person can buy a Tattslotto ticket almost anywhere in the State and stand to win $1 million. Mr Chamberlain has often complained about that because he has never won. One can also buy a Tattersall's ticket almost anywhere; although when the Premier lost his bet with me on the football he did not know where to buy a Tatt's ticket, despite the fact that much revenue is derived from that source.

With the exception of poker machines and other types of gambling associated with a casino—and, of course, two-up—which are illegal in Victoria, all the other forms of gambling I have mentioned are perfectly legal. The arguments advanced by those who threaten that our society faces dire consequences from the introduction of a casino are similar to those put forward on the establishment of the betting shop—the Totalizator Agency Board. The same sorts of argument were put forward on the extension of trading hours for hotels.

The Hon. D. G. Crozier—Why did Mr Wran change his mind?

The Hon. W. A. LANDERYOU—The report of Mr Justice Lusher illustrated some disturbing aspects associated with casino operations around the world. I am not suggesting that I am a world expert on casinos. However, in my discussions with people concerned with both sides of the situation at the Wrest Point Casino, no real evidence comes to light that laundering of money takes place in the way in which the honorable member for Doncaster inferred recently in the press. There is no evidence from the Police Force that such laundering takes place. The contrary applies. The surveillance pathology in the Wrest Point Casino is such that laundering of money is not possible. Unlike other casinos around the world where it is easy for criminal elements to launder

money because there is no table tax, no such opportunity exists at the Wrest Point Casino. There is no opportunity for the Mafia or any would-be criminal to move in and threaten the proprietors of that hotel. I received this information from the managing director of that establishment by telephone this morning. He said that there was no way a gangster could have money laundered by that sort of threat because of Government supervision at the Hobart casino.

The Hon. P. D. Block—The same thing was said about England and Atlantic City.

The Hon. W. A. LANDERYOU—I understand that there is a counter argument. However, if the honorable member wants to enter this debate—and if the Leader of the House allows him to—I should like to debate with him all the evidence and facts and not the hysterical assertions. Advertisements at present appear in the daily newspapers circulating around Australia inviting submissions for a major convention centre and casino complex in Canberra.

The Hon. D. N. Saltmarsh—That is not true.

The Hon. W. A. LANDERYOU—I am quoting from one of the Government's documents.

The Hon. D. N. Saltmarsh—A convention centre?

The Hon. W. A. LANDERYOU—It refers to a major convention centre and casino for Canberra and states that applications have to be made to the Department of the Capital Territory by 19 November. If Mr Saltmarsh has some facts to disprove that assertion, I again invite him to enter the discussion.

The Hon. D. G. Crozier—I would like to take a small bet with you, Mr Landeryou, that there will be a casino in Canberra.

The Hon. W. A. LANDERYOU—I am quite prepared to state where I stand if the Minister for Local Government is prepared to state his position. I wonder whether the honorable gentleman will talk to his local Federal member and tell him how he feels and see whether his local member is prepared to do the same!

I understand that the Government has been advised that the holding of conventions is the fastest growing sector of the international tourist market. As I understand it, the Premier—to treat him fairly—in suggesting that Victoria will have a convention centre is convinced, in the light of other evidence anyway, of the value of the casino dollar. The honorable gentleman argues, despite the original plan so far as the World Trade Centre and convention centre is concerned, that it is not possible to use public finance to build a convention centre in this State which will operate on a reasonable financial basis. As I understand it, from advice received from various tourist authorities in this State, that assumption is based on experience gained from convention centres around the world.

I can understand at least part of the Premier's original thinking on the position. If it is the assertion of the Government that the holding of conventions is the fastest growing sector in the world, one must question the assertion of the Premier when he informed the people of this State that the fastest growing industry in the world would be, as he put it, the largest industry in the world by the end of the century and that would be the casino industry. I am not sure whether that is what the honorable gentleman meant, but that is what he said.

I will now give an example of a case study undertaken by the Melbourne Convention Bureau. It has asserted that something like $15 million a year comes into Victoria in the form of convention income.

The DEPUTY PRESIDENT (the Hon. W. M. Campbell)—What is the date of the document from which Mr Landeryou is quoting?

The Hon. W. A. LANDERYOU—I understand the document is dated September. It covers the period from September 1979 through to October 1983 so I presume it was dated at that time. There is not another document but I suggest that the same organization in-

dicated that the income of $15 million a year was related to convention facilities. I presume it is also related to tourist attractions.

The case study to which I refer relates to estimates prepared by the Melbourne Convention Bureau and to the use of convention facilities. If the facilities were used at their optimum capacity for only 25 per cent of the year, one week in four, that would generate an additional 270 000 bed nights a year for Melbourne. I cannot vouch for the costs estimate but it has been estimated that the cost of a delegate to maintain himself for a day and a night in Melbourne is $74. These figures are based on conservative estimates and on only a 25 per cent usage of convention centres, but the holding of conventions would generate $20 million a year for Melbourne based on a 25 per cent usage of facilities.

I ask myself the next question, where wou d that $20 million finish up? Would it go into the casinos or into the convention facilities or would the Government receive it? According to the International Association of Convention and Visitors Bureau, based on world experience, the convention dollar is spent in a number of ways. It has been estimated that 37·66 per cent is spent on hotel accommodation and incidentals, 16·18 per cent in restaurants, 15·99 per cent in hotel restaurants and 10·28 per cent in retail stores.

I guess it is fair to say that if one looks at the number of conventions that could possibly be held in Melbourne, one would be astonished by the astronomical figures one could arrive at by using the survey prepared by the Department of State Development Decentralization and Tourism which in 1977 indicated that the average Australian delegate attending a convention expended an amount of $356 a head. That was in 1977 so in real terms today one would be speaking of approximately $450 a head. An Australian Bureau of Census and Statistics report in 1977 revealed that for that year the average expenditure by an international visitor was $554.

The International Congress and Convention Association predicts that there will be 915 million participants in what are called off-shore and overseas meetings held throughout the world this year. That is, by the end of this year, there will have been 915 million participants in conventions or meetings with the majority having attendances of between 1000 and 3000.

There are approximately 6000 associations, organizations and clubs in Australia of which 4000 hold conferences, annual meetings, exhibitions and seminars and, of this number, Melbourne receives less than 15 per cent. My source for that particular reference is the *Directory of Australian Associations* 1978–79.

Turning to spending by delegates, most of these figures, while comparatively fresh and new in themselves, are hardly new to members of the Liberal Party because the documents from which I have been quoting were given to members of the Liberal Party to help them make up their minds on whether they would support the Premier in his determination to help his friends connected with the convention centre and casino proposal at Southgate.

It has been estimated that 58 per cent of the total expenditure incurred by delegates went on hotel accommodation, 30 per cent in restaurants, 10 per cent on shopping, 6 per cent on entertainment, 5 per cent on local transportation and 11 per cent on miscellaneous items which included recreation and sightseeing. These figures are slightly different for Australian standards compared with the international figures.

May I reiterate a point I made when responding to interjections earlier. In terms of attracting overseas visitors to Australian States or Territories, Victoria is only slightly ahead of Queensland. If one looks at the figures which were prepared by the New South Wales Department of Tourism for its annual conference at Wagga Wagga in September 1975 and presented by a representative from the Consumer Affairs Department in that State, one can see that in the year under survey, 1977, of 943 000 overseas visitors to Australia,

Victoria received 91 047 and New South Wales 280 950 visitors. It seems to me that if this State wants to attract a larger slice of the tourist traffic and the valuable tourist dollar that that traffic brings with it, then Victoria has to improve upon the miserable 16·8 per cent of the total number of overseas visitors to this country. Victoria needs to take steps which will clearly attract tourists to this State.

It is interesting to note that at the same time, in 1977, while Victoria was attracting 91 047 visitors, 257 140 Victorians left on short-term overseas visits. Victoria's ratio of tourist dollars earned as against tourist dollars going out was astonishingly low in financial return.

The House of Representatives Select Committee on Tourism has shown in its final report dated October 1978 that, for every additional 25 000 international visitors to Australia, an additional 1400 jobs will be created. That is a different type of argument from that given by the then Minister for State Development Decentralization and Tourism prior to the last State election when his only comment on attracting tourists to Victoria was to attack the question of penalty rates.

As I understand the argument put to the Liberal Party by the Melbourne Convention Bureau, it was argued that a convention centre would attract an enormous number of delegates which would lead to the creation of an enormous number of jobs directly associated with the convention centre and the casino and then, of course, there would be an increase in employment in those industries associated with servicing that particular facility.

If one looks at the figures provided by the Tasmanian Department of Tourism, visitors arriving in Hobart totalled 536 729 for the 1977–78 financial year compared with 344 429 in 1971–72. It must be remembered that that was prior to the opening of the casino in the hotel at Wrest Point. Airline patronage had fallen by 5 per cent but after the opening of the casino, patronage increased by 20 per cent and that level of increase was maintained in subsequent years despite a 40 per cent increase in air tariffs and a number of other problems associated with Tasmania, such as the bridge disaster and a number of internal airline disputes.

Although it may be claimed, and it has been claimed by the Liberal Party meeting, that the Liberal Party did not have these statistics associated with the growth following the opening of the Hobart casino, the reality is that it is indisputable that there has been a significant increase. Mr Morris Williams has referred to Hobart and Tasmania as small potatoes, but in terms of its significance, I consider the casino operation in Hobart represents a significant contribution to the life of that principal city. It is a strong argument that if one wants to damage the economy of that city, and in particular the company operating the casino, the worst thing that could happen, or the best way to do that damage, would be to open a casino in Melbourne. That is a matter which I would want the proposed Select Committee to take into consideration.

If one examines the arguments advanced in the paper published by the Melbourne Convention Centre Committee, once again one sees the frustrations confronting member of the Liberal Party. I have some difficulty in understanding the purpose of the Government's continued frustration, but if one looks deeper into the matter one can see the frustration confronting the Government.

Finally, I refer to the experience to be gained from visiting the Northern Territory. I am a strong critic of some Parliamentary committees in terms of travel. Although I am not advocating that it would be necessary for members of the Select Committee to travel to other places, I am not suggesting that they ought to be prevented from travelling interstate. However, the experience in this area already gained in Tasmania and the Northern Territory would add to the arguments in support of the establishment of a casino.

I should conclude on the point that if Victoria is to have a casino it should not be as a result of the personal whim or the preferred personal

choice of the Premier. The decision will be made, I presume, as a result of a thorough on-going inquiry but it would be preferable in the interests of people of this State, tourism in general, and the supporters and opponents to the concept of casinos that the issue be considered with some maturity by members of an all-party committee as distinct from just the Liberal Party.

It will be recalled that the Premier changed his mind on this issue. At first he said that the Government was not going to be told what to do by a group of outsiders, but after a kicking in the party room, the honorable gentleman said that a committee of experts would decide the matter. That indicates the confusion in the ranks of the Liberal Party. I respect the points of view of those on both sides of this question and I do not question all of the motives of the opponents of the concept of a casino, but I believe an all-party committee should consider the concept of a casino and all of the contenders for such a casino and should come back and say whether it is feasible or desirable. In other words, its members, as Parliamentarians, should bite the bullet on a non-party basis. That is the only way in which to solve the problem that the Liberal Party has presented to the State, because of its indecision, confusion and internal conflicts and because of its lack of support of the Premier's programme and lack of support of whatever the alternative programmes may be.

Because the Liberal Party is not able to make up its mind, it should not hold up the development of this State. As long as the Premier persists with the view that a casino is the only way of financing a full international standard convention facility, the State will be held back and will continue to attract fewer and fewer valuable tourist dollars and will continue, in comparison with other States, to be worse off in the attraction of those dollars.

The Labor Party has a public commitment to the concept of a casino. on the conditions that I have twice read to the House. However, I am authorized to advise the House that if an all-party committee were to report that the introduction of a casino or casinos into this State would have a pernicious effect on the lifestyle and well-being of Victorians and Victoria, obviously members of the Labor Party would demonstrate their political maturity and change their minds on the matter. They are sure that no such evidence exists, and I therefore propose the motion to the House in the confident belief that it gives the Liberal Party an opportunity to stop dithering on the problem. The major problem is that this State is losing revenue at the rate of $20 million a year, conservatively estimated by the Government's tourist department. I commend the motion to the House.

The Hon. B. P. DUNN (North Western Province)—Mr Landeryou has spent almost an hour justifying his stand and that of his party in support of the establishment of casinos in Victoria. He is really pre-empting the decision of the committee that he is proposing to be set up. In his concluding remarks he said that he would go along with the committee's decision but that he believed it could do nothing else but come down in favour of a casino. That really is pre-empting the decision of the proposed all-party committee.

The motion does not deal in any way with the question of whether the State should have a casino, and I do not intend to debate that aspect of the issue. The question that confronts the House today is whether an all-party committee should be established to look at the advisability, feasibility and so on of casino development. I shall relate my remarks to the issue before the House.

This matter has been extremely poorly handled by the Government. Even Government back-benchers would have to realize that from the beginning the Government has made a complete hash of the whole thing. The Government party is divided, and indecisive. Individual members of the party have made statements on the matter. Where is the old party unity and party room strength and solidarity? On such a controversial issue members of the Government party are running in all directions, to the detriment of the Government.

Clearly this issue rests in the hands of the Government. I am surprised that Mr Landeryou, the Leader of the Opposition, should offer the Government such an easy way out of its present dilemma. To offer the Government an all-party committee is to offer it an out from the responsibilities which it has failed to fulfil. Perhaps Mr Landeryou notices that the battle by the pro-casino people in the Liberal Party is starting to wane, and this motion may be another means of achieving the Labor Party's goal—the establishment of casinos in Victoria. That could well be behind the suggestion by Mr Landeryou, but he is offering the Government an easy way out of a situation that rests fairly and squarely with the Government.

The Hon. W. A. Landeryou—The Government does not have to accept an all-party recommendation.

The Hon. B. P. DUNN—A Government is elected to govern and to make decisions on controversial issues such as this. If the Government wishes to introduce casinos into Victoria, it has the responsibility of bringing forward legislation outlining the details of the proposal, details of licensing, of permits and all aspects of the control of casinos. It is the Government's responsibility, just as the whole legislative programme is the responsibility of Government. The Government introduces legislation into this House for consideration by the forum that represents the people of this State.

Clearly the community is as divided as the Government on the issue. Individual members of the National Party have received representations on this matter, as probably have all honorable members in this House and another place.

The Hon. P. D. Block—What is the position of the National Party on casinos?

The Hon. B. P. DUNN—The position of the National Party has been made clear, and I am surprised that Mr Block is not aware of it.

The Hon. W. A. Landeryou—Mr Block is not even aware of the Liberal Party's stand.

The Hon. B. P. DUNN—I can understand Mr Block being a little confused about that. He is not the only one. The Premier makes one statement on what the party will do, and after each party meeting which may be a few days later, there is a completely different policy or another skeleton is whisked away into the cupboard. The confusion is demonstrated in what Mr Block says this evening.

Members of the National Party do not make decisions on legislation before they know its details. It would be unrealistic to expect a political organization to commit itself in an open-cheque way to a piece of legislation without knowing what is involved or what is the extent of the concept.

The Hon. P. D. Block—What would the National Party think of a casino?

The Hon. B. P. DUNN—At present many Bills are before this House and another place. Members and parties strive to ensure that when a Bill is introduced the debate is adjourned by the House so that details and clauses can be considered. Mr Block is asking the National Party to make a decision on something in principle when that issue can involve a whole range of things in practice. No party would be wise to do that, and the National Party has made its position clear. I would be interested to hear Mr Saltmarsh's view on this.

The Hon. D. N. Saltmarsh—If the House could hear Mr Dunn's views, he might hear mine.

The Hon. B. P. DUNN—Mr Saltmarsh is hearing my views which are better than an empty laugh from a person who is out of his seat. Members of the National Party will consider this matter when an appropriate Bill is introduced into this House; that is when it should be considered.

The Hon. P. D. Block—What is your opinion?

The Hon. B. P. DUNN—Members of the National Party do not deal with opinions. Perhaps the House will hear from Mr Block also and be treated to something rare.

In the event of a Bill being introduced by the Government, sufficient opportunities should be provided for the community to debate the proposal. This occurs when local government Bills and a whole range of Bills are introduced and let lie on the table. At that time the community can debate the pros and cons of the matters. This Parliament is the forum where issues should be decided, and through the process of the normal delay that takes place when a Bill is between the Houses of Parliament and the adjournment for consideration, the community would have sufficient time to express its views on the casino proposal.

I do not believe a committee would fulfil the role that Mr Landeryou envisages. The matter is clearly one for the Government to decide. When and if a Bill is introduced into this House the National Party will consider it on its merit and will consider the details. The attitude of the National Party on the clauses of the Bill and the establishment of a casino will be put forward at that time, which is the appropriate time, not this afternoon, on a motion such as this.

The Hon. E. H. WALKER (Melbourne Province)—I am surprised that so few honorable members are in the House for such an important debate. I hope they read *Hansard*. I support wholeheartedly the motion so ably moved by my Leader. He indicated Labor Party Policy which was established prior to the last election and he read from that document. Mr Block, I gather, was satisfied that the statements made by my party were clear and unequivocal. My Leader also committed the Labor Party in the following way: If the motion passes this House, the Labor Party will be willing to accept the deliberations of that all-party committee and in the light of the deliberations and recommendations it will reconsider the policy stated by the party. That is a proper position to take.

The Hon. J. V. C. Guest—Sitting firmly on the fence.

The Hon. E. H. WALKER—I do not agree with that interjection. I shall comment on some of the points made by Mr Dunn. I am amazed that he should indicate that he believes an issue like this should be dealt with only after a Bill has been introduced by the Government.

The Hon. W. A. Landeryou—He should tell his colleagues that.

The Hon. E. H. WALKER—Mr Dunn should do that, because item No. 40 on today's Notice Paper is "Fire Services —Motion advocating revised method of funding," moved by the Honorable K. I. Wright of the National Party. That is hardly a matter of debating an issue that the Government has introduced by means of a Bill. Also on today's Notice Paper, item No. 58 is "Road Works funding, motion advocating increase," moved by the Honorable K. I. Wright.

The Hon. B. P. Dunn—That is not legislative.

The Hon. E. H. WALKER—Does the National Party not agree on the way in which legislation should be introduced? Are there to be four different opinions from the corner party as to how to bring an issue forward. Does he really believe that the Government is capable of bringing forth a consolidated policy on this issue? The fact that it is being handled abominably is the very matter the Labor Party has raised for debate. It is a serious issue, not only for a debating society, but all society.

The community has been put into an untenable position about casinos. I intend to debate the issue because I believe it is timely that this initiative should be taken. I worry that this will be yet another hollow exercise. It is strange that I am the third speaker in this debate. So far two members of the Labor Party and one member of the National Party have spoken, but I suspect there will be no real contribution from the Government supporters. I doubt whether any of the key members of the Government will be allowed to speak. Honorable members will perhaps hear equivocal comments from a front-bench member of the Government party and the debate will be dropped to the bottom of the Notice Paper.

The Hon. A. J. Hunt—An arrangement was made whereby the Leader of the Opposition would speak, the

National Party representative would speak, Mr Walker would speak, and the matter would then be adjourned.

The Hon. E. H. WALKER—I am glad to hear of the arrangement the Minister is willing to make on behalf of his party. Obviously members of the Liberal Party will not have the chance of speaking in the fashion that members of the Opposition are permitted to speak. I accept the explanation given by the Leader of the Government.

I agree with Mr Dunn that the Government has totally mishandled the issue of casinos. It is a matter of concern. The Government refuses to correct the problems that have arisen. A serious situation now exists and I do not believe the House is being offered a way out of it that is acceptable to the community.

I draw attention to the fact that this issue has been debated at length twice in another place. I do not intend to canvass the issues raised in that place as I am sure honorable members can read, and understand the debate that took place in October last year and March this year.

The Hon. J. V. C. Guest—Could you tell us what the Select Committee would be meant to do. The motion refers to "feasability and/or desirability. Is it one or the other?

The Hon. E. H. WALKER—"And/or" means and/or. It is possible for this House to debate which it should be, but I suspect it should be both. The motion that has been moved by the Labor Party is correct and is designed to achieve a result. The Labor Party believes an all-party committee is the right way of handling the matter as that will take politics out of the question, to some degree. My Leader, Mr Landeryou, has made that point.

There is probably not much difference between the policies of the Government and the Opposition in this regard. The only difference is that the Opposition has made its position clear, but the Government has difficulty in doing so. I would be happy if politics were taken out of the issue and the matter dealt with in a fashion that would produce a proper resolution.

What has the Premier done? The Premier has been shilly-shallying and has adopted a number of positions. That is the record of his leadership.

The Hon. D. N. Saltmarsh—Mr Wilkes and Mr Trezise also shilly-shallied.

The Hon. E. H. WALKER—That is not true. Mr Saltmarsh will get the chance to make a contribution to this debate. I intend to bring him into the debate in my comments because I believe he plays an important part. I shall make a quick resumé of the Premier's record in this regard. Following an inept announcement about the possibility of a casino in Melbourne, an article appeared in the *Age* on 2 August—this seems to surprise some members of the Government party.

On 26 July 1979 the Premier received a report from a special committee and, on 31 July, he brought the matter before Cabinet and received approval. On 2 August he announced he was in favour of the establishment of a casino in Melbourne. Later, following questions in the House, it became apparent that the Premier knew of this proposal even before the election on 5 May, so it was hardly a matter of recent consideration by the Premier. He knew the proposal would be made and the form it would take. I mentioned that this matter has been debated twice in another place. The first debate took place in October 1979 on the following motion moved by Mr Trezise, the Opposition spokesman for Youth, Sport and Recreation:

> That an independent committee of experts be established immediately for the purpose of conducting an open inquiry into the location and operation of a casino or casinos in Victoria including the community effect, the control and administration and other relevant matters.

That is a reasonable motion. The Premier's first statement as reported at page 3399 of *Hansard*, was:

> A very short answer to this motion is that the Government is not about to hand over to any group of so-called experts a decision on policy of this kind.

I shall relate that statement to a statement made by the Premier on the second occasion the matter was debated on 26 March 1980 which is reported at page 7480 of *Hansard*.

The DEPUTY PRESIDENT (the Hon. W. M. Campbell)—If Mr Walker is referring to a debate in another place, he cannot do so in the House during the current session.

The Hon. E. H. WALKER—In view of your ruling, Mr Deputy President, I shall simply point out that in his comments the Premier indicated that he was in favour of the establishment of an independent group to inquire into and assess applications for a casino to be established in Melbourne. That is in total opposition to the comments made by him in October.

I shall refer briefly to two other statements of the Premier, the first in response to a question asked by Mr Fordham on 27 March 1980, reported at page 7543 of *Hansard*, which read, in part:

> . . . what are the terms of reference for this body and what is the proposed composition of this important committee?

Mr Fordham was referring to the statement made by the Premier that an independent body is to be created. Part of the Premier's answer reads:

> I indicated yesterday that what would be proposed by the Government would be a Bill introduced into Parliament to lay down the kind of conditions and restraints and parameters that are to be found, for instance, in the Tasmanian Act and the Northern Territory Ordinance, but the final selection of applicants, as was done in both those cases, would be done by an independent body.

That is different from the Premier's statement of the previous day. He made it clear that an independent body would conduct an inquiry. He changed his position, indicating that the Government would introduce a Bill, and that the only job for the independent committee would be to deal with the issue after the Government had made up its mind. That is a different position.

I shall make one more comment with regard to answers to questions. I again quote the Premier from 27 March 1980, reported at page 7543 of *Hansard*. Mr Ginifer, the honorable member for Keilor, asked:

> Will the Premier immediately make available to the Leader of the Opposition a copy of the Melbourne Convention Committee July 1979 report on the Southgate project, together with all correspondence, memoranda and files? If not, why not?

I ask honorable members to note the date. The Premier replied:

> I have already undertaken to supply, if the Leader of the Opposition wants it, a copy of the report that I had on convention centres, which was prepared in about August of 1977.

That is a total prevarication. It is characteristic of how the Premier has handled the issue. He does not respond to direct questioning. He indicated that he will make the 1977 report available. That was not the report which was sought. He passed over the question, and that is indicative of the behaviour of the Premier on this issue. I believe he cannot be trusted in this matter. I will not go into further detail with regard to his statements and activities.

The Premier has admitted that he has personally seen members of the Lutheran Church involved and has played a personal part in lobbying on behalf of the Federal Hotels group. That is most inappropriate for a Premier. He should never have taken part in that activity. It shows the incapacity of the Government, particularly its leader, to handle the question in a correct fashion.

The motion moved by Mr Landeryou should be taken seriously because it will correct a situation that has got out of hand. I wish to refer to other members of the Government party and their performance in this regard. I do not intend to go over matters already mentioned by my Leader.

I shall refer to the record of two Ministers in another place, namely, the Ministers of Health and Community Welfare Services. I shall quote from an editorial which appeared in the *Age* newspaper on 22 February 1980 because that newspaper has put the matter succinctly. Under the leader, "Crime, controls and the casino", it states:

> For the second time in two months a confidential letter by a State Minister on the contentious subject of a casino for Victoria has been leaked to the Press and the general public. The first such letter was from the Health Minister, Mr Borthwick, who is also a member of the Government's casino committee. He stressed that if casinos were to be approved for Victoria they should be run in the "strictest and fairest" way, and that there should be no doubt about the integrity of the operation.
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> . . . . . .

The need for the strict controls is also the theme of the submission by the Community Welfare Services Minister, Mr Jona, a copy of which was posted anonymously to the *Age*. In it Mr Jona warns of the dangers of organised crime and drug trafficking and the harmful effects on families of casino operations. Among the "unintended consequences" of a casino, Mr Jona lists the tendency of casino operators to promote a "gambling culture" rather than the tourism or convention aspects of the casino; the tendency for organized crime, drug traffickers, local criminals and social deviants to frequent the casino at the expense of the local community, and the tendency for licences to be traded or to act as a cover for "hidden partners" who benefit from casino traffic.

They were serious allegations, which were seriously put before the Government in a responsible editorial written by the *Age* newspaper. There are one or two other short comments from that editorial:

There is no question, though, that in considering the question of a casino—the licence conditions, the operators, the conditions of operation and also the site or sites—the Government should proceed with the utmost care and caution.

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The warnings by both Mr Borthwick and Mr Jona about the criminal element and the need to keep it at arm's length from the casino should also be noted.

I agree wholeheartedly. I bring that forward because some supporters of the Government have, one way or another, allowed their opinions to be known. It is difficult for a Minister of the Crown to come out strongly with statements of that kind when there are troubles within the party room. The only true and tried method of doing so is to organize the material to be leaked so that it will be handled by one or other of the public media.

I refer to another Minister's comment in this regard in a different fashion. I examined the report of the police memorandum to Mr Thompson, the Minister for Police and Emergency Services. It is true that this matter was in fact released to the public by the Labor Party. It is another tried and true method for members of the Government having their opinions known or their material examined. In this instance, the Labor Party released the material. I quote from the *Herald* of 18 December 1979 where, under a heading, "Police warn on casino 'laundering' ", a short passage states:

The Labor Party today gave details of a second document leaked to it concerning the casino issue. In this document, the Deputy Police Commissioner, Mr Bill Conn, tells the State Government that there is no way of avoiding money being "laundered" at any casino set up in Victoria.

The article goes on to make other comments. Having dealt with the Premier, I am building a case for indicating that the Government is not capable of making decisions on an important issue and I am seeking your support, Mr Deputy President, for a proper procedure in handling the issue since it has been so ineptly handled by your party. I have commented about the Premier and three Government Ministers. Some comment was made earlier about the New South Wales approach and I use a quote to indicate the importance of the decision in Victoria because it will relate to what occurs in New South Wales. I quote from the *Sunday Telegraph* of 10 February 1980 under a heading, "No Casinos, Government Rules". The article states:

The NSW Government has shelved plans to introduce legal casinos until at least the end of 1981.

State Cabinet made the surprise decision on Tuesday.

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It is understood Cabinet reached its decision for two major reasons.

One was to wait to see if the Victorian Government legalised casinos, and what problems they would find.

The other was concern with recent allegations of corruption and mismanagement in British casinos, previously thought to be among the best in the world.

They had been considered as a model for introducing legalised casinos into NSW.

If Mr Block, who is interjecting, will just wait until I have made my point —it is a simple one—he will understand it. I am building a case for saying that Parliament has waited a long time for proper procedures on casinos. A lot hangs on the way the decision is made. The Opposition has indicated its willingness to take part in a bi-partisan exercise to see that the proper decisions are made and the Labor Party says that it is serious. The Government appears to treat the matter with enormous frivolity. It appears to have determined that today it will try to pass the issue up because it is a

thorough embarrassment. It is a simple motion, and if Government party members were allowed to vote on it, it is to be hoped that Mr Block would vote on this side.

I now turn to briefly examine the extraordinary performance of Messrs. Williams and Saltmarsh and I wish to examine the performance of Mr Saltmarsh in this issue not because I wish to make any comment by way of ridicule—I take what Messrs. Saltmarsh and Williams have said most seriously. Mr Landeryou indicated a number of the matters brought forward by Mr Williams as a member of the Government party in another place. I will make brief comment about an item that he did not mention which is to be found in the *National Times* of this week, April 13 to 19, 1980. Under a heading, "Victoria's crusader in the high chair", Mr Williams has a few interesting things to say. The article states—

> He is still living with the furore he created last year when he told two local newspapers that he was scared of being beaten in the May election by the Australian Democrats. And his widely expressed view that the casino lobby could "get him politically" because it has connections in his branches has not helped him much either.
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> The same immediate benefit would not accrue in his case, according to Williams. He says it would be catastrophic for the Liberal Party if he were defeated.
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> "I know where the bodies are buried. It could be very embarrassing if I were to make speeches under parliamentary privilege." He stresses that he is not making any threats.
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> * * * *
>
> He would not like to say that Liberals have been involved with any shady deals. But he will say: "They haven't been as energetic in pursuing the perpetrators of misdeeds as they should have been.

I consider that to be a serious and responsible statement. It is not outlandish. It is not overstated. Mr Williams is simply worried about the performance of his party. He says later:

> He has circulated all Liberal parliamentarians with his views on casinos. And he has threatened to cross the floor on the issue, although he says he has not completely made up his mind.

I guess Mr Williams will be one of those people who will agree with the Opposition that, if the question were handled by an all-party committee, he could obtain the information on which he could base a final decision in the issue.

I comment about an honorable member of this House who has taken part publicly in the debate over casinos, a back-bench member of the Government. I refer briefly to some press cuttings and I do not wish to quote at great length but they are press cuttings from this year which quote Mr Saltmarsh.

The DEPUTY PRESIDENT (the Hon. W. M. Campbell)—I do not want to interfere too much in the debate, but I point out to Mr Walker that he is starting to go a little too far with quoting from press cuttings because the bulk of his speech is press cuttings and it is quite clear that this is not the way debates should be conducted in this House. Therefore, if the honorable member has much more he wishes to quote from, he ought to refer to the material but not necessarily keep reading it in the manner and the volume in which he has been.

The Hon. E. H. WALKER—I can assure you, Mr Deputy President, that I do not intend to read at any great length from press cuttings. It is to be hoped that you will agree with me that I have made quick and efficient use of the press. It is important in this issue, because it is a matter of public importance and clearly the press does have a real role to play in that information received by the public is the information upon which they will make up their minds about the way the Government has performed. I have tried to take what I consider to be "key" press comments. I want to make two or three short references and then I will conclude. Mr Saltmarsh is quoted in the *Sun* of 6 March 1980 under a heading, "Big Crime Report—it's 'dynamite'". Honorable members know about this because it was given extensive press coverage. Some serious allegations were made. The article states:

> A report on organised crime drawn up by two Victorian MPs was "dynamite," one of the authors said yesterday.
>
> "The things we have found out make one's hair stand on end," the federal MP for Henty, Mr Aldred, said.

Death threats and offers of bribes are detailed in the report prepared by Mr Aldred and Mr Saltmarsh, MLC for Waverley Province.

Twelve MPs were threatened with death or offered bribes—one as high as $200 000—to support plans for a casino in Victoria, the report says.

* * * *

"Some people gave us information at great personal risk. We are lucky some of them are still alive and I am not kidding," Mr Aldred said.

"Some MPs were run off the road in their cars. In another incident a concrete block was thrown from a truck in the path of an MPs car.

Under your direction, Mr Deputy President, I will not continue quoting but I make the point that they are serious threats, that they appeared in the public press and they were made by a responsible member of this House publicly, which meant that he too has some concern.

On 7 March in the *Herald* under the heading, "Casinos in by two Votes—MP", the article states:

The State Parliamentary Liberal Party's decision to allow casinos in Victoria had been passed by two votes, a Liberal backbencher said today.

"One more against and it would have been a tied vote," Mr Don Saltmarsh, MLC (Waverley Province), said.

Mr Saltmarsh went public not only on the serious issue of organized crime and the threats but also on the issue that it was handled within the Governing party and Mr Saltmarsh has made it clear that no clear mandate exists for one or other positions on casinos within his party.

In the light of the fact that the Government has found it extraordinarily difficult to arrive at a consensus on the issue—and honorable members opposite will agree—the proposal put forward by the Opposition is the most sensible and efficient way to reflect community opinion and obtain a good decision on casinos. It ought to be done. Mr Landeryou has made that point well and I back it up.

I was going to refer further to press cuttings and also to an interview with Mr Saltmarsh on 3AW on Wednesday 5 March. The claims and comments he makes are similar, so I will not repeat them. However, the matter has been canvassed publicly. It has been put seriously to the Government. This matter should not be taken lightly, but there seems to be a tendency for the Government to laugh the matter off as if members of its own party were not serious. I take Mr Williams and Mr Saltmarsh most seriously and I believe the Government ought to do likewise.

To indicate the real seriousness of the issue, I bring forward a matter that has not been canvassed in the press. Approximately six weeks ago, Messrs William and Saltmarsh and one or two others were beside themselves because they understood the seriousness of the situation and the threats that had been made, and could see no redress from their own party. Those gentlemen, not knowing where to go, called a meeting with the Uniting Church Commission on Social Justice; an important body and that body invited extra members. There were a number of members from all churches, including one bishop. This is a serious issue. These gentlemen put the case, that they have tried to put publicly and have been laughed at, seriously to the Uniting Church Commission on Social Justice, which was augmented by members of other churches, and they were taken so seriously that that body has proceeded to investigate the claims and believes there is some truth in those claims.

The investigations continue and a public announcement cauld be made before too long. It is a serious matter. These gentlemen were at their wits end to obtain response from their own party, so they have had to take the matter to a responsible body which has handled the matter responsibility. The issue cannot be properly handled by the Government which has shown it cannot deal with the matter either through the Premier, or his Ministers, as I have tried to point out. It is a serious issue for which answers must be obtained. One of the ways of answering it is to create the committee suggested by the Opposition.

The Opposition is willing to receive recommendations from the Government as to another form of committee which might consider it. The present proce-

dures are totally inept and unacceptable because the public has lost confidence. The matter ought to be taken out of the realms of politics. It is not a jolly issue, as some members opposite seem to think. The issue is serious and ought to be handled seriously. Perhaps the suggestion made by the Opposition is not the most entirely workable suggestion, but at least it is made fairly and properly and ought to be considered in that light.

The issue demands resolution. It has gone on for far too long. The Premier has performed disgracefully and anything he says on casinos cannot be trusted. The procedures that have been adopted are unacceptable and will be unacceptable so long as they are made by the one party. The principle of accountability of Executive Government to Parliament has been overridden. Parliament itself has been by-passed and the motion is an attempt by the Liberal Party to bring the matter back to Parliament so that it can be properly considered. The public has been misused in this issue.

No one man can be trusted in this issue—least of all the Premier; no one party can be trusted in this issue—least of all the Liberal Party. The public is involved and the Parliamentary processes have been undermined. Real responsibility must be taken. I support my Leader and commend to the House the formation of a Select Committee to investigate the issue.

The Hon. HADDON STOREY (Attorney-General)—As my Leader indicated by interjection while Mr Walker was speaking, prior to the debate the Government advised the Leader of the Opposition that it desired to adjourn the debate at the conclusion of Mr Landeryou's speech, which is a common practice followed by both the Opposition and the Government. Because more than one member of the Opposition wished to speak on the subject and because Mr Dunn wished to contribute to the debate on behalf of the National Party, the Government agreed not to move for the adjournment of the debate until this stage.

It is regrettable that Mr Walker sought to take advantage of that arrangement in his remarks, by drawing attention to the fact that no member of the Government party had spoken on the matter. That certainly gives cause for reflection on whether these sorts of arrangements should be made. Nonetheless, the arrangement was made and, accordingly, I move:

That the debate be now adjourned.

The motion for the adjournment of the debate was agreed to, and it was ordered that the debate be adjourned until the next day of meeting.

FRIENDLY SOCIETIES (BENEFITS) BILL

The Hon. HADDON STOREY (Attorney-General) moved for leave to bring in a Bill to amend sections 5, 11, 26 and 49 of the Friendly Societies Act 1958.

The motion was agreed to.

The Bill was brought in and read a first time.

NAVIGABLE WATERS (OIL POLLUTION) (AMENDMENT) BILL

For the **Hon D. G. CROZIER** (Minister for Local Government), the Hon. A. J. Hunt (Minister of Education): I move:

That this Bill be now read a second time.

It proposes two main amendments to the Act. Firstly, to amend section 8 (1) by substituting a new section to provide for the recovery of costs incurred in the removal of oil pollution, whether such pollution is within or outside the jurisdiction of appropriate authorities or public statutory bodies and; secondly, to amend the interpretation of "the jurisdiction" consequent upon the passing by the Commonwealth Parliament of The Seas and Submerged Lands Act 1973, which reduced the effect of the operations of the Act.

Doubt has been expressed that as the Act is presently written any recovery of costs involved in the removal of oil pollution may not be possible for removal affected outside the jurisdiction of appropriate authorities and the amendment of section 8 (1) clarifies

the jurisdictional point that an appropriate authority can take action outside its own proclaimed boundaries and recover costs and expenses in doing so.

As written, section 8 (1) gives power to appropriate authorities—which are those controlling the various ports and coastal waters—to clean up and recover costs for doing so. However, doubt has arisen as to whether this includes clean-up in all cases when oil is discharged into waters, is washed ashore and is cleaned up from land, a building, structure or ship, which as defined in the existing Act includes every description of vessel or craft.

The body responsible for the good condition of any section of land abutting port or coastal waters is the one responsible for any necessary removal of pollution. Such bodies include Government departments, public statutory bodies and municipalities and it is necessary that they be able to recover the costs of such removal from a polluter. It is for this reason that a public statutory body is defined for the first time in the Act and includes any Minister of the Crown and any municipality.

The boundaries of municipalities in all cases extend only to high-water mark on the foreshore. It is desirable that a municipality be able to recover costs for cleaning oil beyond high-water mark and also for cleaning oil from the water a few metres offshore in the instances where it might be more economical or otherwise desirable to do so.

Should a municipality combat oil pollution on land or water under the jurisdiction of another body, it might take action considered undesirable by that body, and for this reason the new section has limited the powers of municipalities to the area within the boundaries of municipalities and the immediate adjacent areas thereto.

The second amendment mentioned earlier concerns the amendment of the interpretation of "the jurisdiction" of the Act. The Navigable Waters (Oil Pollution) Act 1960 interprets in section 4 "the jurisdiction" as meaning "the sea lying within the territorial limits and the ports and navigable waters of the State of Victoria".

The Hon. A. J. Hunt

The Seas and Submerged Lands Act 1973 passed by the Commonwealth Parliament drew the territorial limit of the State of Victoria at low-water line on the Victorian coast. Consequently, "the jurisdiction" as presently contained on the Navigable Waters (Oil Pollution) Act 1960 can be argued to mean that the Act does not apply in the territorial sea.

The problem lies in the words "within the territorial limits . . . of the State of Victoria" in the definition. In the seas and submerged lands case, the High Court held that the territory of the State of Victoria ends at low-water mark on the foreshore and the closing lines of internal waters where bays and so on create gaps in the foreshore.

Parliamentary Counsel is of the opinion that no matter what powers are conferred by the Commonwealth upon the States in respect of the territorial sea, and I refer to the Constitutional Powers (Coastal Waters) Bill 1979 currently before Parliament, to overcome the practical effects of the judgment those powers will not affect the legal situation that the territory of Victoria ends at low-water mark.

Therefore, while the offending words remain in the definition the Navigable Waters (Oil Pollution) Act 1960 cannot, by its own terms, run beyond low-water mark and ought to be amended to include specific reference to the territorial sea.

The new interpretation of "the jurisdiction" has now been so formulated as to allow extension of the provisions of the Navigable Waters (Oil Pollution) Act 1960 to have application in the territorial sea.

As I have circulated notes on the various clauses to honorable members I shall not go into detail on them at this stage. I simply commend the Bill to the House.

On the motion of the Hon. R. A. MACKENZIE (Geelong Province), the debate was adjourned.

It was ordered that the debate be adjourned until the next day of meeting.

PROTECTION OF ANIMALS (AMENDMENT) BILL

The debate (adjourned from March 25) on the motion of the Hon. W. V. Houghton (Minister for Conservation) for the second reading of this Bill was resumed.

The Hon. R. A. MACKENZIE (Geelong Province)—The Bill, which contains eleven clauses and which will alter several definitions in the principal Act in a significant manner, is one of the most important Bills to come before the House since I have been a member of it. The Protection of Animals Act 1966 amended the Police Offences Act and at that time the Government separated the laws concerning the protection of animals from the body of offences contained in the Police Offences Act. That was a step forward. After fourteen years, it now appears that the Government is prepared to take another step forward by amending the Protection of Animals Act. However, as has happened on many occasions when Bills are looked forward to with anticipation because it is believed that the Government is prepared to take a step forward and to do something to achieve the necessary reforms, the actuality is disappointing. This Bill barely touches the surface of what is needed. It merely pays lip service to the proper protection of animals.

I am concerned that the Bill will not be debated in a serious manner. Some time ago a Bill dealing with steel-jawed leg traps was debated and I was appalled at the attitude displayed by members of the Government party during that debate. It was obvious that they did not take the subject seriously. They descended to ridicule as a form of argument. To their credit, members of the National Party, even though they did not vote in favour of the Bill, put forward sound arguments and did not ridicule the concept of animals having rights. I hope ridicule will not be resorted to during this debate because it will not really be a debate about animals, it will be a debate about human beings and about the way in which they, in a so-called civilized society, treat animals.

The first point that must be established is the way in which animals should be regarded and whether they have rights. Members of the Opposition will debate the Bill on the basis of pure logic, not on the basis of bleeding heart stories. We are often accused of being bleeding hearts and of playing on people's emotions. This Bill will be debated coldly and logically by members of the Opposition and we will establish that animals have rights and deserve protection from the actions of supposedly civilized human beings.

I am hoping to set the tone of the debate on this level, and I hope the Government will follow suit. The Government had an opportunity when presenting this Bill to the House to set a national lead, and perhaps an international lead. As I said before, it is fourteen years since a Bill dealing with the protection of animals came before this House, and it may well be another fourteen years before another Bill is introduced. One would have thought that the Government would have made a further effort to ensure that this Bill removed the present ills within our society with regard to animals and would have covered occurrences, which one can see on the horizon, that will affect animals in the future. One would have hoped the Government would have set the pace and been proud to have been seen as setting the pace.

The Hon. D. G. Crozier—You said it was a most significant Act.

The Hon. R. A. MACKENZIE—It is. It could have been significant even in a small part, and as I said, Victoria could have led this nation in animal protection reform.

Animals have had a close relationship with human society from the dawn of civilization. Even primitive man in his cave had paintings of men and animals together. There has been reference right throughout history to this close association and people and civilizations have had different attitudes to animals in that long period of history. Some of

the great philosphers have spoken about animals, and even Plato was moved to write:

> The degree of civilization of any people may be judged by their attitude to wildlife, which is entirely at their mercy.

If the hallmark of a civilized and enlightened society is the way it treats animals and other living creatures in that society, it is the responsibility of humans to look after them.

It is most likely that future generations will judge us on our attitude to animals within the community. Many welfare organizations are concerned with animals, the most notable of all being the Royal Society for the Prevention of Cruelty to Animals. It was established in June 1924. The Royal Society for the Prevention of Cruelty to Animals has never been recognized as a particularly radical organization. It has always been comprised of enlightened people. In the early days, the aristocracy took up the cudgels on behalf of animals. Even today, the present Royal Society for Prevention of Cruelty to Animals in Melbourne is what one might term a respectable organization, with a good smattering of KCBs and CBEs in its group. It is certainly not a radical left-wing organization. It has done tremendous work through the years in the protection of animals. It has had administrative problems from time to time, but generally it has been able to carry out its work to the best of its ability, and perform a very notable task at that.

It seems that there is an ever-increasing need for bodies like the Royal Society for Prevention of Cruelty to Animals, because in its annual report it states that this year there has been an increase of about 14 per cent in the number of complaints investigated by its officers compared with last year. It received 2745 complaints in 1978, and 3260 complaints in 1979.

Coupled with this increasing demand on the services of the Royal Society for the Prevention of Cruelty to Animals, there has been an increasing awareness in the community concerning cruelty to animals. The Government, realizing this, decided to introduce a Bill to increase the protection of animals in our society.

In his second-reading speech the Minister devoted almost an entire page to the Royal Society for the Prevention of Cruelty to Animals. He said that there had been a close association with the Royal Society for the Prevention of Cruelty to Animals on the Bill, that there were many meetings with them, and the Government had listened to the recommendations this organization had put forward. However, it was astonishing to find when the Bill was finally drafted that many of the recommendations put forward by this body had been ignored.

Because of the importance of the recommendations made by the Royal Society for the Prevention of Cruelty to Animals, I wish to argue that they be included in the Bill. I foreshadow an amendment at the conclusion of my remarks, asking that this Bill be withdrawn and redrafted, and I will proceed to explain why I believe this should be so. There is a great deal to be done in animal welfare. There is a growing awareness, not only in Victoria but also in the world, mainly due to some of the trends in intensive farming. Honorable members have seen some of the results of intensive farming. This is creating problems in the poultry industry. There have been illustrations of the problems caused overseas by intensive farming of cattle and other livestock. There have also been problems in the transport of stock, and this will increase.

The Opposition believes the Bill has been watered down because the rural lobby within the Liberal Government has prevented the Minister from introducing a Bill that will really protect animals in this State. The Opposition believes the farmers are frightened that an attempt by the Government to reform the Protection of Animals Act will lead to problems within that industry.

The Hon. W. R. Baxter—They have some reason for thinking that.

The Hon. R. A. MACKENZIE—Yes, they do have some reason for thinking

that. In the *Australian* newspaper of 25 September 1979, there is the headline:

Animal lib threatens upheaval on the farm.

Then there is a report of a meeting attended by the Federal Minister for Primary Industry, Mr Sinclair, who said:

"Animal welfare lobbyists have begun to campaign against intensive animal production. Their claims cannot be totally ignored."

The president of the Australian Stock Feed Manufacturers Federal Council, Mr Bill Barrett, said: "We are treating this threat very seriously."

CRUELTY

But the biggest shock for the factory farmers came from Mr Ronald Anderson, Melbourne-based rural commentator and author of the best-seller Why Don't They Understand Us? A Study of the Farm-City Gap.

He warned: "You are going to find yourselves fighting a defensive action at political level against near-impossible odds."

"It's easy to demonstrate apparent cruelty in the intensive livestock industries if one attributes human feelings and needs to birds and animals," he said.

"One newspaper article or TV program is enough to bring the bleeding hearts pouring out of the woodwork."

The section that read, "if one attributes human feelings and needs to birds and animals", worried me considerably. The point on which the basic argument must be considered is whether we attribute to animals a moral status, and whether we attribute to them rights. We have to work out where we draw the line—to whom we attribute rights and moral status.

Animals feel pain the same as humans. One can argue the extent, but there is no medical evidence to prove that animals feel pain any less than human beings. Animals feel frustration; they feel terror; they suffer from separation from their own kind; they suffer from enclosure, and from many of the things that human beings suffer. They can reason. We attribute rights to human beings who are mentally retarded and cannot reason, but even primitive animals can reason in a very limited degree. Therefore, we cannot argue that they have no rights because they cannot reason or are without feeling. The main crux of the argument is whether these animals have rights, and whether we, as the governing species, should allow those rights to lower animals. That is what the debate is about, and the basis of the reforms in this Bill—the rights of animals in our society.

Unfortunately, as I said before, the Bill does not go far enough. I know this may cause some laughter, and it is not meant to be funny, nor is it meant to be a joke, but overseas there is an animals liberation movement. It consists of a responsible group of people. We may not all agree with them, but they have put forward a universal declaration of the rights of animals.

I shall not read all of it but I will read some of the provisions because this is a matter which all honorable members should think about. All I am asking is that honorable members think seriously about these things:

Whereas all animals have rights,

Whereas disregard and contempt for the rights of animals have resulted and continue to result in crimes by man against nature and against animals,

Whereas recognition by the human species of the right to existence of other animal species is the foundation of the co-existence of species throughout the animal world,

Whereas genocide has been perpetrated by man on animals and the threat of genocide continues,

Whereas respect for animals is linked to the respect of man for men,

Whereas from childhood man should be taught to observe, understand, respect and love animals,

IT IS HEREBY PROCLAIMED:

Article 1

All animals are born with an equal claim on life and the same rights to existence.

Article 2 states:

(1) All animals are entitled to respect.

(2) Man as an animal species shall not arrogate to himself the right to exterminate or inhumanely exploit other animals. It is his duty to use his knowledge for the welfare of animals.

(3) All animals have the right to the attention, care and protection of man.

The Hon. W. R. Baxter—Do they include rats in that, for example?

The Hon. R. A. MACKENZIE—All animals.

The Hon. H. R. Ward—Mice?

The Hon. R. A. MACKENZIE—I am talking about all animals and I am serious about it. At certain times when animals reach plague proportions they

have to be destroyed, but there are various ways of destroying them and the most humane method of destruction should be used. It is useless Mr Ward shaking his head. The most humane method of destruction must be used. I am trying to keep the debate on a serious plane because, while people have such attitudes, it will not be possible to get anywhere with Bills such as this.

I will now read article 14 which states:

(1) Representatives of movements that defend animal rights should have an effective voice at all levels of government.

(2) The rights of animals, like human rights, should enjoy the protection of law.

In speaking on this Bill, honorable members should be directing attention to ensuring that animals have the protection of the law. At present there is a problem in regard to animals. The Government must launch an education programme in an attempt to ensure that this constant problem with animals is overcome. I refer especially to the lost dogs' home. Last year, according to its annual report, a total of 28 540 lost dogs from all over Melbourne came to the lost dogs' home. Of that number, 4000 were claimed by their owners, and 6174 of them found new owners but the tragedy was that 15 726 of the dogs had to be destroyed. It is a reflection on society that that should take place.

The Labor Party wants to put practical suggestions to the Government and accordingly it asks that the Bill be withdrawn and redrafted so that some of these aspects can be included in it; so that education can be provided and methods can be introduced by which the problem of unwanted pets can be eliminated from our society. The Bill does not go far enough. There are many things that could have been included. The Bill provided an opportunity to implement the recommendations of the Statute Law Revision Committee which called for the abolition of steel jaw traps. However, the Bill only abolishes their use within built-up areas. The Bill defines "cruelty" and according to that definition any steel jaw trap causes cruelty to an animal. The use of a steel jaw trap breaches the provisions of the early sections of the Bill. A person in the city can be fined up to $500 for setting a trap while his country cousin can do the same thing with impunity. There is one law for country people and one law for city people. That is one of the important failings of the Bill.

Honorable members have heard the discussion on spring traps before. Members of the Opposition know that there are other ways of trapping animals. Certainly they are more expensive than spring traps but they do work and animals can be trapped much more humanely than by the use of spring traps.

The Royal Society for the Prevention of Cruelty to Animals put forward a number of recommendations to the committee which drafted the Bill. They were recommendations which would have taken the Government into the 1980s with respect to animal protection. Unfortunately, the Government has chosen to ignore those recommendations. The Labor Party appeals during this debate for the Government to rethink its position on this matter. The Royal Society for the Prevention of Cruelty to Animals even went so far as to insert advertisements in newspapers indicating those recommendations that the Government ignored.

The Bill touches on other aspects regarding the use of officers of the Royal Society for the Prevention of Cruelty to Animals. It seems to me that there is a real need for the Government to provide more officers. It is obvious that there are not enough of them to do the job and it is obvious that the Government must accept more responsibility in this area.

It is the policy of the Labor Party to establish an animal welfare bureau where many of the animal welfare societies, such as the Cat Protection Society and the Royal Socitey for the Prevention of Cruelty to Animals, could all be brought together to work under the umbrella of the Government. This would be a sensible move and the Government ought to consider it.

The Labor Party expresses its extreme disappointment in the Bill. Certain trends are developing in society, including the introduction of intensive farming with the use of battery hens, for instance. I would like to see the Government establish some sort of an inquiry into battery hens similar to the inquiry carried out in England, the Brambell inquiry, which was set up under Professor Rogers Brambell in 1965. I should like to read some of the recommendations of the report to indicate the type of work that the inquiry did. One recommendation of the Brambell committee was that an animal should at least have sufficient freedom of movement to be able, without difficulty, to turn around, groom itself, get up, lie down and stretch its limbs. It also recommended a new Act redefining animal suffering, inspection of farms by the State veterinary service, the setting up of a standing advisory committee on farm animal welfare and urgent experimentation into perfecting a loose housing system.

Those are just some of the things recommended by that committee. The more society moves into intensive food production, the more important it becomes to ensure that the animals used in that intensive farming process are treated humanely with regard for their basic requirements and feelings. It is not too much to ask of any Government that it look into these aspects before intensive farming goes too far.

The Government must also examine the use of animals in experimentation. All honorable members have read of cases of animals being used in the testing of new drugs. It must be decided whether animals should be used. We know they must be used for experiments to save human life, but a decision must be made whether they should be used for unnecessary things—whether they should be used by cosmetic factories, for instance, to determine whether shampoo stings human eyes a little, experiments in which rabbits are tied up in long lines with their eyes taped to allow shampoo to run into their eyes to see what damage it does. This type of thing has to be considered and it must be determined whether these activities should be allowed to occur for things which are really quite unnecessary. Certainly in the testing of new health drugs and even of new chemicals, perhaps animals can be used. There is a movement afoot by a group of people who believe many of the experiments currently carried out can be performed without the use of animals. This is another area which the Government could investigate.

It worries me that Governments hasten slowly. If we fail now while this Bill is before the House to make it a Bill worthy of the protection of animals, how long will it be before another such Bill is introduced to implement these reforms? Victoria follows a similar system to the British Westminster system. The Parliament of Great Britain debated a Bill to ban vivisection in 1876 and a powerful scientific lobby managed to persuade the Government to water down the Bill which was then before the House. It took 100 years of constant campaigning before further legislation came before the British Parliament to reform those laws.

The Hon. D. G. Crozier—Would you ban vasectomy?

The Hon. R. A. MACKENZIE—Not altogether.

As I said before, I agree with our friends in the National Party that many unpleasant tasks must be done. I do not envy farmers many of the jobs they have to do with animals but at least we can make sure that they are done in the most humane way possible. We are not trying to prevent these tasks being done. Not enough inspection is made to ensure that they are done properly.

The Hon. W. R. Baxter—But we don't want a lot of bureaucrats wandering around.

The Hon. R. A. MACKENZIE—But we do not want horses to be transported from Alice Springs in cramped conditions without being fed and watered. We want some policing to take place to ensure that animals are looked after. Unfortunately, not all farmers are like Mr Baxter.

This does not apply only to farmers but also to people in the city. The number of unwanted abandoned pets

shows that there are many unfeeling people in the city, and these animals must at least be dealt with in the most humane way possible.

The Hon. W. R. Baxter—Within reason.

The Hon. R. A. MACKENZIE—As I said, the Opposition expresses extreme disappointment with the Bill. Members of the Opposition have tried to put forward their arguments tonight on why the Government should take the measure back to the drawing board. The Opposition commends the Government for introducing the Bill; it is a timid step forward, but it is a step forward. I should like the Bill to be withdrawn and accordingly, I move, as an amendment:

That all the words after "That" be omitted with the view of inserting in place thereof "this Bill be withdrawn until a Select Committee of both Houses has reported on all aspects of animal welfare including in particular the fact that the Bill:

1. Fails to protect animals from cruelty in certain circumstances;

2. Permits the use of jawed leghold traps;

3. Has no provision for making regulations under the Act or controls over animal experimentation, general transportation of livestock, pet shops, riding schools, aviaries, markets etc.;

4. Omits "right of inspection" and prevention of obstruction to investigations; and

5. Omits power to disqualify from ownership or control over animals for first offenders."

The Hon. N. F. STACEY (Chelsea Province)—I shall speak to both the Bill and the proposed amendment, and agree with Mr Mackenzie that this is a significant Bill. As he said, it is one of the most important Bills that has been dealt with since he became a member of this House. It was appropriate that Mr Mackenzie said that, because I now occupy a seat which was previously occupied by the Honorable Stan Gleeson, who has now departed from this place. While Mr Mackenzie was speaking I was impelled to look up a memorable speech that Mr Gleeson made on the Wildlife (Performing Animals) Bill on 15 November 1978, reported at page 5695 of Volume 341 of *Hansard*. It is a worth-while speech to read, and I shall refer to a couple of items in it towards the end of the areas I wish to cover.

Mr Mackenzie referred to the Royal Society for the Prevention of Cruelty to Animals. One would be negligent if one did not make particular reference to the RSPCA, not just for the work it is doing at present but also for the pioneering work it has done in the past, especially in educating the community to treat animals with kindness. However, the RSPCA is not the only organization or agency involved in care for animals. I am familiar with the work of Peninsula Animal Aid, which is a voluntary organization that exists, without Government support, in the Cranbourne–Langwarrin area, servicing the City of Frankston and most of the peninsula in the care of animals and animal welfare. It has recently built extensive kennels and a cattery in the Frankston East area along the end of Robinsons Road and has gone to considerable expense to provide on a voluntary basis an important care facility for animals. The organization raises its funds principally through an opportunity shop operated by volunteers in Frankston. Two pioneers of the group were Mrs Joan Goode and Mrs Di Dyson.

In addition there is an organization known as Animal Welfare, which has recently received planning approval for the construction of an important development in the area. It went through an appeal to the Town Planning Appeals Tribunal, because although the group wanted to establish an animal care facility in the Keysborough area, which was demonstrated to be and identified as a place suitable for kennels, people still objected to it being set up there. I give those two examples from my personal knowledge, because one should not run away with the idea that the RSPCA is the only organization involved in animal care, and I know Mr Mackenzie did not intend that impression to be given.

He also made the point that there is an increasing awareness of and interest in the prevention of cruelty to animals. One of the consequences of this is that the number of complaints and prosecu-

tions has increased and will continue to increase as people become more and more concerned about cruelty to animals.

Mr Mackenzie referred to intensive farming practices. The principal Act provides that although such things as the destruction of rabbits and vermin is cruel, it is permitted because it is accepted farming practice.

Clause 3 contains an exhaustive list lettered (*a*) to (*j*) of occurrences which constitute acts of cruelty. Mr Mackenzie did not refer to this list, and I was rather glad he did not, because in drafting this amending Bill it was important to try to include everything that was recognized in the principal Act as being cruel, to delineate it clause by clause, to specify it and to include additional matters. Since Mr Mackenzie has not criticized the list, apparently he believes this has been accomplished. It is important from the point of view of prosecutions, because we are not now dealing with 30 lines of offences as set out in the principal Act; they have been broken down into categories of two or three lines each, which makes them quite clear.

The Bill imposes penalties for cruelty and goes on to specify acts of aggravated cruelty, for which the penalty is $5000 or imprisonment for twelve months. That is an important achievement in the Bill; it has delineated those areas which refer specifically to cruelty and aggravated cruelty. The Bill accomplishes a number of other matters, but to save time, I shall not refer to them.

Clause 7 proposes to insert into section 12 (1) of the principal Act the words "in accordance with accepted farming practice". Mr Mackenzie referred to this, and I want to follow it up. Section 12 of the principal Act, dealing with permitted activities, refers to matters such as vivisection and so on, then mentions the limitations of these powers and controls on animal experimentation. I refer back to farmers and accepted farming practice. I also refer to the speech I mentioned earlier by Mr Gleeson. It would be an injustice to him to try to abbreviate his speech, but I shall mention some points in it. As reported at page 5695 of Volume 341 of *Hansard*, Mr Gleeson stated:

> One should consider man's attitude to animals and one needs to examine history to do this. With all due respect to Mr Galbally and his approach to the problem, I have given just as much time to this problem—perhaps more. One reason why I have done so is this: All farmers must learn to understand animals to some extent; otherwise their job is much more difficult. Not only can it be more difficult but perhaps unprofitable because a man who handles animals wants to see them prosper, to fatten and thrive because he understands their requirements, how they should be fed and treated.

This is accepted farming practice, and those are the sorts of matters referred to in the Bill. Generally it is true that farmers as a group show far more consideration for animals than is shown by the bulk of the population. The bulk of the population keep cats and dogs and show no regard for the health and well being of that pet or, even more important, the progeny of that pet. The progeny of the pet is an area that is most seriously abused in the general community. The farmer looks upon the progeny of his animals as an important asset that must be nurtured and cared for.

The progeny of the domestic pet is regarded by the "animal lover" as a nuisance and the cruelty is evidenced in the disposal of those pets, either by the sale to people who run disreputable pet shops, destruction by some cruel and inhumane method or simply by permitting them to reach sexual maturity and breed uncontrolled. Those evidences of cruelty are the most serious.

Having focused on the serious area of concern such as the control of pet shops, for example, Mr Mackenzie asked why the Bill does not go further. He wants the amendments to go further as he said they should. The principal reason why matters dealt with in the Bill are unable to be extended is that many of the items about which Mr Mackenzie is concerned, as the Minister and I and many other people are, have been referred to the Statute Law Revision Committee.

Most people are aware that the Statute Law Revision Committee has met and made recommendations on steel

jaw traps and the destruction of unwanted animals. In the charter of requirements of the committee, eleven items are listed that have been referred to the committee for investigation. Two of them have been considered and reported on and the other matters are still before the committee for determination. In line with what Mr Mackenzie and I have said, I will read the third item of the terms of reference of the committee. It states:

> To what extent, if any, should the Act provide for the regulation of the handling, care and treatment of animals and birds in commercial undertakings such as pet shops, market places, riding schools, kennels and aviaries and in domestic situations.

That is where the committee has an important task to perform. It is in that area that the greatest evidence, in my experience, of pure unadulterated cruelty to animals has occurred. I am not referring to neglect; it is more serious than that.

The concept of what constitutes cruelty has been changed and adapted throughout history. One could mention the history of slavery and its repeal as an example of the changing attitudes to cruelty in the human form. The community has certain perceptions of cruelty and those perceptions have changed over decades and centuries. One should be careful when a community changes its perceptions of cruelty, that one is not judging the extent of cruelty solely on feelings as a human being instead of the perceived and measurable effects on animals. I shall refer to what the Honorable Stan Gleeson said in this House as reported in *Hansard* at page 5696 of 15 November 1978. He said:

> I shall quote one recent example of that conduct. There was a tribe in Africa where the natives had a practice of cutting meat from the animal whilst it was still alive and then allowing it to go free——

That is characteristic of a speech by Stan Gleeson. He continues:

> I suppose in a sense it was a walking larder. That practice does not seem acceptable to honorable members but it was acceptable to that particular tribe.

Therefore, one must always be careful when talking about making judgments on legislation as to what is and is not cruelty and make sure that one is not reflecting the perceptions of human beings on what is cruelty. We should ensure that, in this scientific day and age, we are making qualitative and quantitative evaluations of what constitutes cruelty to the animal itself.

That was not possible decades ago; it is possible today. I do not accept the amendment moved by Mr Mackenzie. I believe he has pointed out to the House that this is a substantial Bill. It has significance. If there is any criticism of areas which are the responsibility and subject of investigation by the joint Parliamentary committee of both Houses of Parliament the Minister should wait for the determination on those matters.

In the meantime, the Minister should not delay necessary reforms. The reform that is most important is the specification of what constitutes cruelty, in a two or three line statement. I support the Bill as presented by the Minister, and congratulate him on presenting it, rather than wiping the matter, as he could easily have done.

The Hon. D. M. EVANS (North Eastern Province)—The House is considering an amendment proposed by Mr Mackenzie to the second-reading motion of a Bill to amend the Protection of Animals Act 1966. It is relevant, as Mr Stacey has already pointed out, that many of the matters concerned with the Act are currently being investigated by the Statute Law Revision Committee of which, incidentally, I am a member. Mr Stacey has brought to the attention of the House at least one or two items of the terms of reference of that committee.

When I first studied the Bill, I was concerned that—I believe it may still apply—it would impinge on the areas into which the Statute Law Revision Committee is currently inquiring. I recognize that the inquiry has taken a considerable time and is still proceeding. It is a detailed and comprehensive inquiry and it will take some time to deal with the matters. How long it will be before the final report is produced depends on how soon the Government and Parliament find it necessary for the report to be produced.

Nevertheless, the Bill is before the House today. It is important to understand the matters that can flow on from the ideas put before Parliament from time to time. I shall refer to a comment of Mr John Brookes who is the Director of the Ministry of Conservation of Victoria. In the March 1979 issue of *Parkwatch* he said there are many people in the community who like veal but are unprepared to consider the need for abattoirs.

The simple fact is that many people in the community who have to deal with a situation like this are not experienced, do not understand the issue and find it difficult to live with. Nevertheless, the world is such that if community standards are to be maintained we must accept these situations. Honorable members need to consider closely wilful or wanton cruelty which is unnecessary and beyond the bounds of reasonable treatment.

It is fair to say that animals in the farming situation are generally kept in reasonable security for most of their lives. It is also fair to state that nature can be far crueller than man. If honorable members do not believe me, they should consider some of the things animals do to each other and some of the effects on animals of seasonal or other conditions, such as drought.

Some people in the community—and it is these people to whom the legislation is directed—should not be allowed to care for children, let alone for animals. It is true that many people in the community have unwanted pets and keep them in the cruelest and most unreasonable fashion. The owners are uncaring; they do not worry in the least about the pets and it is this neglect, as much as anything else, that is the cause of cruelty.

The Bill redefines cruelty to animals by bringing in some other factors, including unnecessary and unwarranted stress and treating an animal in a manner which it is not fit to withstand. This area may have been reasonably investigated further by the Statute Law Revision Committee but it should be tied in with a further clause which deals with accepted animal farming practices. That is what is necessary and reasonable. Accepted farming practices should be properly defined in such a way that stress or any other form of discomfort or cruelty inflicted on animals is brought to a practical minimum.

There is a degree of minimum stress and so on that is totally and completely unpractical, and that must be recognized. As a corollary to that statement, I indicate that—this is perhaps more important than anything else—better education is needed for the proper care of animals. That education is important. Mr Stacey drew attention to that matter and he went on, quite relevantly, to say that good treatment of animals is good business. If they are well treated they will thrive and produce in a way the domestic situation needs and requires. It is also true to say that the animals we have in domesticity at this time have been bred to accept and to thrive under certain conditions. The ones that do not thrive under those conditions are generally not bred under those conditions. Generally, if there is a change in the genetic structural makeup, there will be a change in the mental approach. This allows the animals to cope with the type of husbandry practices in existence.

In all these discussions, it is important that we do not forget our dependence on domestic animals. If we did not have the chickens in batteries then we would be more comfortable knowing that less cruelty or stress is involved. That is quite correct, but instead of eggs costing $1.20 a dozen, they would be about $3 or $4 a dozen, and instead of being able to buy a roast chicken for $2 or $2.50, the same bird would cost $5 to $7.

We must recognize the need to achieve a balance in those matters. This is the concern of people like Mr Ronald Anderson when he indicated that a highly emotional argument put forward by people such as those from animal liberation groups brings about a total over-reaction from the community which would have most detrimental re-

sults. One must recognize that every person in the community would feel the effects of those results.

I return to my earlier comment that we ought to be considering wilful and wanton cruelty to animals, not just reasonable treatment for definite purposes. Many of the practices that take place on farms involve stress, force and, from time to time, pain for the animals.

The Hon. B. P. Dunn—And the owner.

The Hon. D. M. EVANS—If he does not watch out, certainly the owner. Much of that pain is unavoidable and many of the practices are for the animals' benefit. I shall not go through the full list, but they include mulesing, which substantially reduces the likelihood of fly strike, and taildocking. Once the tail-docking operation is carried out, the animal is far more comfortable. There are many other such practices, including dehorning. I am not sure that anyone would like a good poke in the ribs from the horns of a three-year-old Hereford. I know I certainly would not, and I am not convinced that even other three-year-old Herefords would appreciate it. The practices are necessary, not only for the well-being of the animals but also in the interests of good farming.

The Hon. H. M. Hamilton—Modern science has been able to prove that it is also possible to be cruel to plants. They scream in agony when they are harvested.

The Hon. D. M. EVANS—In that case it may be necessary to introduce a "Cruelty to Plants Bill". As I have indicated, Parliament must be careful to ensure that the provisions of legislation it passes do not make substantial differences to the community economically or in the production of the goods and services provided by domestic animals on which our standard of living depends.

It must also be understood—and I alluded to this earlier in my comments —that many people have not faced up to the types of incidents that take place in life. Some people like meat but prefer not to think of abattoirs. Many people—do-gooders though they may be, and no doubt they are sincere in their arguments—have not faced up to the problems involved in the proper management of farm and domestic animals. They do not understand just how big a cow or a steer is when one stands beside it and realizes that it will not do what one tells it. Animals have minds of their own and they are often several times bigger than the people who control them. Somehow or other the people involved have to take certain actions for the good of the animal and for the good of the community.

When people realize the sorts of parameters of pain and discomfort the animals will meet, deal with and be able to live with in their every-day lives and apply those standards and parameters to the way in which domestic and farm animals are handled, they will understand that what is done is not unreasonable or undesirable and the practices followed do not mean that the animals are caused pain that they cannot stand or will not readily forget. In most cases those practices save future discomfort. Many of us have barked our shins. One simply puts up with it. It is the way of life. That must be recognized in any legislation passed by Parliament or in community efforts directed at the protection of animals.

I reiterate that the real problem is wanton and wilful cruelty. Some people, through sheer neglect or because of a cruel streak in their natures—and they come from every strata of society—do not treat their animals properly. The Bill sets out definitions for the recognition of cruelty by the law. They are not unreasonable and will operate to protect animals and assist the community economically and in every other way.

When referring to steel-jawed leg-hold traps, Mr Mackenzie said that other acceptable methods were available. This issue was debated at great length prior to Christmas, but during that debate no honorable member could suggest an acceptable, sensible, practicable alternative method. In evidence before the Statute Law Revision Committee it was suggested by officers of the Vermin and Noxious Weeds Destruction Board that there was the

possibility of a breakthrough within two or three years in research being conducted overseas. When that breakthrough occurs, it will be reasonable to amend the legislation.

The Hon. R. A. Mackenzie—The Statute Law Revision Committee asked that the use of the traps be abolished.

The Hon. D. M. EVANS—I am referring to evidence given before the committee. I am aware that the committee voted six to five in favour of banning the use of steel-jawed leghold traps and I am also aware that neither the Government nor Parliament has to accept in whole or in part any of the recommendations of the committee.

The Hon. W. R. Baxter—I wonder what the result would have been if there had been a full attendance on voting day.

The Hon. D. M. EVANS—It would have been six-all. The Government has accepted a strong minority report suggesting that there should be a delay until the overseas research has been completed and an acceptable alternative is available. As was mentioned in the earlier debate, one of the reasons for using these devices is to get rid of wild dogs, which create enormous suffering and pain for other animals in country areas. I shall not canvass the argument again. I am not a cruel person, but I face up to life as it is. I accept it and recognize that from time to time some people must accept responsibility for taking that sort of action. There are a lot of little old people of both sexes in the community who do not want to face up to the realities of life.

The Hon. R. A. Mackenzie—Do animals have rights?

The Hon. D. M. EVANS—I believe they do have rights. I also believe those rights are respected by the majority of people who are responsible for the handling of animals, either in business or because they enjoy the company of or the protection afforded by animals.

Members of the National Party are prepared to accept the provisions of the Bill. We realize that further amendments may be necessary, following future reports of the Statute Law Revision Committee, but we do not believe that, while the committee's inquiry is proceeding, it would be reasonable to support the amendment moved by Mr Mackenzie, although we do not doubt his sincerity.

The Hon. R. A. Mackenzie—It would give the Statute Law Revision Committee the opportunity of doing those things.

The Hon. D. M. EVANS—The committee is not trying to do them. It is still reviewing the situation. I know, because I am a member of the committee. I would ask all those people who rush around dealing with this highly emotional issue to try to understand the facts of life.

The Hon. R. A. Mackenzie—It was not argued in that way at all.

The Hon. D. M. EVANS—I am sure Mr Mackenzie is not one of them, but there are such people, and I ask them to examine closely the full import of what they are suggesting and to try to understand what life is all about before making a judgment that they are not in a position to make properly.

I understand a number of further amendments will be discussed during the Committee stage, and it will be best to deal with them at the appropriate time. The National Party supports the Bill but rejects the amendment.

The Hon. W. V. HOUGHTON (Minister for Conservation)—I appreciate the way in which Mr Mackenzie has approached the debate, although he perhaps stopped short of suggesting that honorable members ought not to vote on party lines, even though he may have wanted to suggest it. I would not disagree. Cruelty to animals ought to transcend the political views of all of us and ought to appeal to our humanitarian instincts, as I am sure it does.

It is regrettable that some people in the community cannot relate the treatment that should be given to animals to the treatment that should be given to human beings. Some pet lovers, for example, make it clear that they believe their pets ought to be treated better than their children. Nonetheless, the vast majority of people in the com-

munity recognize their responsibilities towards the animals they care for and recognize that they must be protected from cruelty. Most honorable members who have spoken during the debate have argued on the same basis as that relied on by Mr Mackenzie.

During his remarks, Mr Mackenzie asked how long it will be necessary to wait for further amendments as it has been fourteen years since the Act was last amended. I can only answer for myself. Since I have been responsible for the protection of animals it has taken approximately nine months to produce the amendments proposed by the Bill. If at any time I can be persuaded, and can persuade the party to which I am responsible, that the Act ought to be amended further, I shall be only too happy to do so.

The amendments proposed by Mr Mackenzie and the arguments he put forward were predictable. They followed the lines of the objections made by the Royal Society for the Prevention of Cruelty to Animals, which claims that the Bill does not go far enough. Members of the Statute Law Revision Committee will be familiar with the immense difficulty of tackling this problem. The committee has been reviewing the situation for a long time and has not been able to produce all the amendments it would like to produce during that time. It should be generally understood that producing acceptable amendments in such a complex area is extremely difficult.

The animals in Victoria have been protected from cruelty by the principal Act, which has stood the test of time. In practical terms, it has protected the animals of Victoria. The community feels trepidation about any amendments concerning the treatment and care of animals for which they are mainly responsible. I refer to the great animal industries and our large rural community which look after the majority of animals in this State. The matter of heads is relatively minor, certainly in terms of number, but it is not so minor in terms of improvement. The people responsible for looking after these animals are accustomed to doing so, and are able to relate to the problems associated with the treatment of animals much more readily than those who do not have the benefit of a close association with animals.

Mr Mackenzie's reasoned amendment requests that the Bill be withdrawn until a Select Committee of both Houses has reported on all aspects of animal welfare, including in particular, the fact that the Bill fails to protect animals from cruelty in certain circumstances. Mr Mackenzie has not detailed the circumstances in which the Bill has failed to protect animals from cruelty. He may be referring to the provisions that deal with the exemptions for the farming community. I, and my party, deem this amendment to be highly inappropriate for some of the reasons I have already stated.

The people in the greyhound animal industry are best suited to determine how animals are to be treated, because even if they do not have a sympathy and an association with animals, to most of these people the animals mean their livelihood and living.

Mr Stacey quoted a speech made by Mr Gleeson some time ago in which he said that these people had a vested interest in seeing that the animals are fed, housed and kindly treated. Even if they did not have a vested interest, I am sure that most of those people, like all other sections of our community, have a strong feeling about how animals ought to be treated.

Those farming practices that exist needed to be codified, and are being codified now. A code for the treatment of pigs and poultry has already been dealt with, and a code is being established for the treatment of sheep and cattle. This follows what was done following the Brambell report that was mentioned by Mr Mackenzie. That was a lengthy report presented in the United Kingdom, and subsequently a code of conduct was established in the same way as the Government established a code of conduct detailing ways in which farming practices ought to be carried out in respect of various types of animals.

The second point of the reasoned amendment is that the Bill should be withdrawn because it permits the use of steel-jawed leghold traps. The Government considered the report of the steel jawed traps. If Mr. Mackenzie's intention is to indicate that there is no difference in cruelty between leghold traps made of steel or any other hardened material, then I agree. The Government made a firm decision about that because there is a need, even accepting there is some cruelty involved, to avoid further cruelty, and it allowed steel-jawed leghold traps to be used only in some areas of the State. The Government made a policy decision to exclude the urban areas from the use of the traps.

The third part of the amendment states that the Bill should be withdrawn because there is no provision for making regulations under the Act to control animal experimentation. The Health Commission is responsible for registering all medical practitioners who use animals in experiments dealing with human health. Although this Bill does not make provision for that, there is provision in the Health Act or in the health regulations for doing precisely that. This section of the amendment also talks about the registration of pet shops and that sort of thing. That is specifically referred to in the terms of reference given to the Statute Law Revision Committee.

I considered what the Royal Society for the Prevention of Cruelty to Animals suggested on the way in which the Bill ought to be amended, but if a Select Committee of this House was set up to report on certain matters, then it ought to be allowed to do so before the matter is put into legislation. In a sense it is almost a contempt by the department if we do not wait for and carefully consider the recommendations of the committee. We should wait until we receive the report next year and decide then whether to accept it or not. As Mr Mackenzie said, the Government is not bound to accept its recommendations, but it has to give them a fair measure of weight. That is the reason why the terms set out in the third point of the amendment have not been included in this Bill.

The fourth paragraph refers to the right of inspection and prevention of obstruction to investigations. The Liberal Party holds the belief that the liberty of the subject is one of the most important things in the community, and there should be a heavy restriction on people who are entitled to enter private property. One's home is one's castle, and this Bill goes no further, in most instances, than allowing policemen, after obtaining a warrant, the right to enter private property. It is not intended to extend that right to Tom, Dick or Harry, or to a whole range of people, inspectorial staff, who could claim that their jobs would be made easier if they were allowed to enter private premises. The Government does not accept that and that truly is a rational thing. It has not been put in the Bill—I freely acknowledge that—and it was not intended that it should be.

The last part of the amendment reads:

> Omits power to disqualify from ownership or control over animals for first offenders.

That is purely a matter of judgment. How many members of this House would deprive their children of a pram, doll, bike or football because of a first offence? Some may, but I suggest most would not. Furthermore, penalties for first offences often have a salutary effect and result in a better than average level of care, whether the prosecution was for driving in a manner that was against the law, or behaving to animals in a way that was against the law, or doing anything else against the law. For that reason, the Government does not intend to give that power to disqualify ownership after a first offence, but that power exists if subsequent offences occur.

They are the reasons for which the Government will oppose the reasoned amendment.

The House divided on the question that the words proposed by Mr

Mackenzie to be omitted stand part of the motion (the Hon. W. M. Campbell) in the chair.

Ayes	27
Noes	12
Majority against the amendment ..	15

AYES

Mr Baxter	Mr Jenkins
Mrs Baylor	Mr Knowles
Mr Block	Mr Lawson
Mr Bubb	Mr Radford
Mr Crozier	Mr Reid
Mr Dunn	Mr Saltmarsh
Mr Evans	Mr Stacey
Mr Granter	Mr Storey
Mr Hamilton	Mr Taylor
Mr Hauser	Mr Ward
Mr Hayward	Mr Wright
Mr Houghton	*Tellers:*
Dr Howard	Dr Foley
Mr Hunt	Mr Long

NOES

Mrs Coxsedge	Mr Walker
Mr Eddy	Mr Walton
Mr Landeryou	Mr White
Mr Mackenzie	
Mr Sgro	*Tellers:*
Mr Thomas	Mr Kennedy
Mr Trayling	Mr Kent

PAIR

Mr Chamberlain	Mr Butler

The motion was agreed to.

The Bill was read a second time and committed.

Clause 1 was agreed to.

Clause 2 (Substitution of Interpretation of "Animal")

The Hon. R. A. MACKENZIE (Geelong Province)—I move:

Clause 2, lines 16–18, omit the interpretation of "Animal" and insert:

'"Animal" means every species of bird and every species of animal other than a human being.'.

The Hon. J. A. Taylor—Does that definition include fish?

The Hon. R. A. MACKENZIE—Yes. This amendment is proposed because the Labor Party believes the amendment proposed by the Government does not go far enough. Whereas the Government amendment deletes "except fish, human being or venomous reptile", the Labor Party believes venomous reptiles are still entitled not to be subjected to cruelty, despite the massive number put to sleep by the Minister and his good friend, Mr Ward. They can still be confined in zoos, in areas insufficient to house them, or be subjected to extreme temperatures or to cruelty. Even though they are venomous reptiles, they should still come within the scope of the Act.

Similarly, fish also have feelings and can be subjected to cruelty by insufficient food, inadequate housing, starvation, tourism and all sorts of things. It is the Labor Party's view that the Act is not sufficiently broad and, accordingly, this amendment is proposed.

The amendment defines "animal" to mean "every species of bird and every species of animal other than a human being".

The Hon. W. V. HOUGHTON (Minister for Conservation)—The Government does not accept the amendment. I point out that a member of the Labor Party in this Chamber has previously suggested that it is ridiculous that a venomous snake should be protected.

The Hon. Joan Coxsedge—Who said that?

The Hon. W. V. HOUGHTON—I am not naming the member.

The Hon. E. H. Walker—Let us hear who it was.

The Hon. W. V. HOUGHTON—Would Mr Walker like to hear who it was?

The Hon. E. H. Walker—Yes.

The Hon. W. V. HOUGHTON—It was Mr Thomas. I point out that paragraph 8 of the terms of reference to the Statute Law Revision Committee asks whether reptiles should be brought within the provisions of the Act.

The Committee divided on the question that the words proposed by Mr Mackenzie to be omitted stand part of the clause (the Hon. B. A. Chamberlain in the chair).

Ayes	26
Noes	12
Majority against the amendment	14

AYES

Mr Baxter	Mr Knowles
Mrs Baylor	Mr Lawson
Mr Block	Mr Long
Mr Bubb	Mr Radford
Mr Crozier	Mr Reid
Mr Dunn	Mr Saltmarsh
Mr Evans	Mr Stacey
Dr Foley	Mr Storey
Mr Granter	Mr Ward
Mr Hauser	Mr Wright
Mr Hayward	
Mr Houghton	*Tellers:*
Dr Howard	Mr Hamilton
Mr Jenkins	Mr Taylor

NOES

Mrs Coxsedge	Mr Walker
Mr Eddy	Mr Walton
Mr Kennedy	Mr White
Mr Kent	
Mr Landeryou	*Tellers:*
Mr Mackenzie	Mr Thomas
Mr Sgro	Mr Trayling

PAIR

Mr Hunt	Mr Butler

The clause was agreed to.

Clause 3 (Substitution of ss. 4 and 5)

The Hon. R. A. MACKENZIE (Geelong Province)—I move:

Clause 3, paragraph (*b*), line 16, after "caused" insert "or is likely to be caused".

Clause 3, paragraph (*b*), line 18, after "subject" insert "or be likely to subject".

Clause 3, paragraph (*b*), line 24, after "involving" insert "or likely to involve".

These three amendments simply propose to insert, after the words "caused", "subject" and "involving", respectively, an appropriate expression to broaden the provision and to prevent acts likely to result in cruelty where it can be ascertained by an officer that an animal is likely to be caused cruelty. For instance, circumstances could arise where the housing of an animal could cause cruelty to that animal and, rather than wait until cruelty is caused, it will be possible for an officer to prevent cruelty to the animal.

The Hon. N. F. STACEY (Chelsea Province)—Mr Mackenzie stated that his amendments to clause 3 broaden the provision. In fact, they extend the provision to the absurd. In each instance the amendment seeks to specify something as cruel, as causing harm, before the pain has been inflicted. I invite honorable members to take an example of the absurdity of that situation. A farmer has a serious fire. All his grass is burnt. He rescues his cows which are unharmed by the fire but there is no grass in the paddock because it has been burnt. He puts his healthy surviving animals in the paddock but, since there is no feed in the paddock, the moment he has done that he is doing something which is likely to cause hardship or cruelty. The absurdity is that, as soon as a farmer puts his animals in a paddock in which there is no food, he is likely therefore to cause them pain by depriving them of food even if he does it for only one hour.

It is patently absurd to anticipate cruelty as something which is likely to occur. To refer to the snake again, if the snake has bitten my child, under the terms of the amendments I am not allowed to despatch it in such a way as to cause cruelty to it. However, perhaps that is beside the point. The central point is that the amendments numbered 2, 3 and 4 are absurd because they are anticipating a fact.

The Hon. R. A. MACKENZIE (Geelong Province)—I disagree most strongly with Mr Stacey's remarks in regard to cattle or animals being left in paddocks without food. Shortly, I will refer to a clause which allows for a specific amount of time during which an animal may be left without food. The situation to which this clause refers is, for instance, where an officer of the Royal Society for the Prevention of Cruelty to Animals, or any officer, sees a load of horses or sheep on a rail or transport truck which will be travelling several hundred miles in a direction in which he knows there is insufficient water or food for those animals to be looked after on the way, then he can stop the transport of those cattle before actual cruelty takes place.

The Hon. J. A. Taylor—How is an inspector to know that?

The Hon. R. A. MACKENZIE—One can tell. The inspectors make it their business to know. This is what the Opposition is trying to convey. It is the prevention of cruelty to animals. All the Bill does without the amendments

is to take action after cruelty has occurred. There must be something in the Bill to prevent cruelty to animals.

The amendments were negatived, and the clause was agreed to.

Clause 4 (Blooding of greyhounds)

The Hon. R. A. MACKENZIE (Geelong Province)—I move:

Clause 4, sub-clause (1), omit this sub-clause and insert:

"(1) In section 6 of the Principal Act—

(*a*) after the expression '6.' there shall be inserted the expression '(1)';

(*b*) at the end of paragraph (*b*) the word 'or' shall be repealed;

(*c*) at the end of paragraph (*c*) for the expression '—' there shall be substituted the expression ';';

(*d*) after paragraph (*c*) there shall be inserted the following paragraphs:

'(*d*) uses or permits the use of any live animal for the purpose of blooding greyhounds or in connection with the training or racing of any dog; or

(*e*) keeps or has in his possession, care or control any live animal which he intends to use for the purpose of blooding greyhounds or in connection with the training or racing of any dog—'; and

(*e*) at the end of the section there shall be inserted the following sub-section:

'(2) In any prosecution of a person under paragraph (*e*) of sub-section (1), evidence that the person kept or had in his possession, care or control at any place used for the training or racing of greyhounds any live rabbit, cat, possum, bird or dog (other than a greyhound) shall be evidence that the person kept the live rabbit, cat, possum, bird or dog or had it in his possession, care or control (as the case may be) at that place with the intention of using it in connection with the training or racing of greyhounds.' "

The object of the amendment is to ensure again that there is prevention of cruelty. I do not think it unreasonable to ask that these animals be kept clear of greyhound racing establishments. Then there can be no question that an owner of one of these establishments is using animals for blooding purposes. It is reasonable to ask for the amendment to be included in the Bill. It would ensure that no cruelty takes place at greyhound establishments and would prevent any breach of the Act before it actually occurs.

The Opposition asks the Government to consider seriously extending the clause to include this amendment to prevent a crime taking place.

The Hon. N. F. STACEY (Chelsea Province)—What Mr Mackenzie has said can be likened to all his remarks on this Bill. His intention has been responsible and with the best of motives. All honorable members abhor the practice of the blooding of greyhounds. If one spoke to people in the industry now, one would be told that the blooding of greyhounds is not a practice indulged in by reputable dog trainers. It is a practice which, if it exists, exists in a minor way. One would be a fool to say that the blooding of greyhounds does not take place at some time by some amateur trainers, because anyone can train a greyhound dog for racing. The practice does exist and the intention to prevent it is why it is referred to in the Bill.

I question whether Mr Mackenzie's amendment is the right way to control the practice because, in the amendment that he wishes to insert in the Bill, he has, first of all, included a third person. In other words, the amendment includes the words, "uses or permits the use of any live animal". Even in the area of criminal law, Mr Acting Chairman, we are always extremely careful about somebody permitting a robbery to take place. We try to make laws to control the robbery but really do not make laws to prohibit people permitting a robbery to take place. That is what this amendment tends to do. It refers to a third person adopting a practice which it is agreed is not wanted.

The second point is that in paragraph (1) (*d*) (*e*) of the amendment, Mr Mackenzie refers to "intends to use". He recognizes that "intends to use" is a difficult concept to put into law because, as he went on to add, the other clause is intended to prescribe what "intends to use" means in one particular category. In regard to the category to which the amendment refers—and I am paraphrasing the words contained in the proposed sub-section (2)—it will be prima facie evidence that a person in-

tends to use an animal for blooding if that person keeps one of these animals on his property.

I appreciate Mr Mackenzie's intention, but in practice the amendment would prevent anybody who keeps greyhounds from also keeping other pets. What the Opposition is saying is that, by law, a greyhound trainer or anyone who has greyhound racing dogs in his possession —and this could be anyone with a little backyard with two dogs—shall not keep on his premises a rabbit, a cat, a possum, a bird or a dog; nor shall his daughter or his sons keep these pets. This is the second absurd amendment proposed by the Opposition.

I am sure the Minister will be very interested in the reference to a possum, because the keeping of a possum is prohibited under the wildlife provisions of the Protection of Animals Act. Therefore, for a start, the reference to the possum should not be included.

The little child of a greyhound trainer is not allowed therefore to keep a possum. He is not allowed to keep a pet cat; nor is he allowed to keep a bird or a dog other than greyhounds. What Mr Mackenzie is saying is that the only dogs those people who happen to have greyhounds and are keen on racing them are allowed to keep are greyhounds. I appreciate the motive behind the amendment, but Mr Mackenzie has gone too far.

The amendment was negatived, and the clause was agreed to, as were clauses 5 and 6.

Clause 7 (Amendment of No. 7432, s. 12)

The Hon. R. A. MACKENZIE (Geelong Province)—I invite honorable members to vote against this clause. To explain why the Labor Party believes the clause should be negatived, it is necessary for me to refer to my amendment No. 9, which proposes the insertion of the following new clause to follow clause 6:

'E. for section 12 of the Principal Act there shall be substituted the following section:

"12. (1) Subject to sub-section (2), the foregoing provisions of this Act shall not apply to any act done—

(*a*) in the extermination of rabbits, foxes, wild dogs, wild cats or vermin;

(*b*) in the hunting, snaring, trapping, shooting or taking of any animal not in a domestic state; or

(*c*) in any experiment performed upon an animal for the purposes of scientific investigation or diagnostic procedure by—

(i) a legally qualified medical, dental or veterinary practitioner; or

(ii) a person holding a masters degree or a doctorate in the field of animal biology—

who is registered by the Animal Experimentation Control Board established pursuant to this section or by a person acting under the direction or supervision of any person so registered.

(2) The provisions of sub-section (1) shall not have effect—

(*a*) In any case of cruelty; or

(*b*) In the case of any experiment on an animal involving the infliction of pain unless—

(i) the operation is performed in accordance with the regulations made under this section;

(ii) the animal subject to the operation is, during the whole time thereof, so under the influence of some anaesthetic as to be insensible to pain; and

(iii) the animal is destroyed while still insensible where it has been so injured in the course of the operation that its recovery would involve serious suffering.

(3) There shall be established an Animal Experimentation Control Board consisting of six persons appointed by the Governor in Council.

(*a*) one of whom shall be a legally-qualified medical practitioner;

(*b*) one of whom shall be a registered veterinary surgeon;

(*c*) one of whom shall be a biological scientist;

(*d*) one of whom shall be a psychologist;

(*e*) one of whom shall be a person nominated by the Royal Society for the Prevention of Cruelty to Animals; and

(*f*) one of whom shall be a person nominated by the Minister.

(4) The Animal Experimentation Control Board shall have the following powers and duties:

(*a*) The Board may recommend to the Minister regulations for regulating the conduct of experiments performed upon animals for the purposes of scientific investigation or diagnostic procedure;

(*b*) The Board shall keep a register of persons who may perform experiments upon animals for the purposes of scientific investigation or diagnostic procedure;

(*c*) The Board may enter upon the register the name of any person who is qualified in a way mentioned in paragraph (*c*) of sub-

section (1) and whom the Board considers a fit and proper person to carry out experiments upon animals for the purposes of scientific investigation or diagnostic procedure;

(*d*) The Board may at any time and for any reason which it in its discretion thinks fit remove any name from the register and inform the person concerned that his name has been removed and of the reason for the removal of his name;

(*e*) The Board may inspect premises in which experiments on animals are conducted;

(*f*) The Board shall regulate its proceedings in such manner as it thinks fit;

(*g*) The Board shall report annually to the Minister on its activities.

(5) The Governor in Council may make regulations for the purposes of this section for or with respect to—

(*a*) prescribing fees, not exceeding $5, payable by a person to the Animal Experimentation Control Board for the registration of the person by the Board; and

(*b*) regulating the conduct of experiments performed upon animals for the purposes of scientific investigation or diagnostic procedure and requiring returns to be furnished to the Animal Experimentation Control Board in relation to such experiments."'

The new clause will enable the community to be completely protected in that those who are dealing with animals will be fully qualified and registered people. With regard to the proposed Animal Experimentation Control Board which will be established, the proposed new clause sets out whom the members of the board should be. This will take the steps mentioned by the Minister to provide that the board will have people who are qualified to investigate animal experimentation. However, there is no board as such. The new clause which will be proposed sets out the duties of the board and who shall comprise the board. The board shall consist of five members: A legally-qualified medical practitioner; a veterinary surgeon; a biological scientist; a psychologist and a person nominated by the Royal Society for the Prevention of Cruelty to Animals. It is self-explanatory. If the clause is omitted and the proposed new clause is inserted, the Bill will be immensely improved and broadened in scope. I therefore invite the Committee to negative clause 7.

The Hon. R. I. KNOWLES (Ballarat Province)—I speak against the proposal submitted by Mr Mackenzie. A lot of concern is felt among members of the farming community on the interpretation that will be placed upon the form of words. It is not a matter of the farming community being unreceptive to the need for minimizing cruelty to animals. However, there is a need to develop a code of practice for the treatment of animals and that code could be developed with wide consultation between the Department of Agriculture, the farming community, the Ministry for Conservation and the Royal Society for the Prevention of Cruelty to Animals.

The Department of Agriculture has a code of practice for the keeping of poultry and pigs and is currently working on developing a similar code for cattle and sheep. That is the approach which should be adopted because obviously practices in farming do change. Some years ago the de-horning of adult cattle was a wide practice. It is now accepted that that is a cruel practice unless the animal is anaesthetized before being de-horned. There may be many other practices which were cruel in the past but are no longer considered to be cruel in practice.

Parliament should approach the problem through a code of practice rather than specify practices in legislation. I oppose the omission of the clause and the insertion of the new clause to be proposed by Mr Mackenzie.

The Hon. D. M. EVANS (North Eastern Province)—The National Party opposes the amendment. Upon reading the Bill as presented and the Protection of Animals Act, I had some difficulty in trying to follow the debate because, what seemed to be a simple proposition according to the Bill, becomes a complex issue when it comes to the amendment suggested by Mr Mackenzie. Clause 7 of the Bill, as it presently stands, accords with accepted farming practices. Mr Knowles commented that a code of practice would be a far more sensible way of approaching accepted farming practices. Let Parliament define what accepted farming practices are.

The proposed new clause intends that there be a different set of circumstances between what is needed for the proper management, control and comfort of

animals under a domesticated farm situation. That is different from wanton or wilful, cruel practices on animals by people who do not have the responsibility or the need to control or look after animals in a similar way to the farming community.

The new clause to be proposed by Mr Mackenzie is not a substitute for clause 7 and there is no way in which the National Party could agree with the proposal. The National Party has already canvassed the enormous need of the farming community to have reasonable freedom in order to care for animals in a sensible and practical manner. Nothing further should be said.

I have given the reasons why the National Party cannot accept the amendment proposed by Mr Mackenzie. The other amendments suggested may be a separate argument but are not part of the argument so far as this amendment is concerned.

The Hon. W. V. HOUGHTON (Minister for Conservation)—I understand and appreciate the intent of the new clause to be proposed by Mr Mackenzie, but I am inclined to agree with Mr Knowles and Mr Evans. This is a rather complex way of going about it. It is a thoughtful attempt to provide exemptions but it delves into an extremely complicated set of examples. There are already examples in the principal Act and this exemption covers the cases of farming practices which would be controlled by codes of practice which are already being formulated; indeed, some have been formulated and the amendments in the Bill will deal with the problem.

Careful and thorough as the preparation of these amendments has been, Mr Mackenzie is using a sledge hammer to crack a nut. Therefore the Bill in its present form is better.

The Hon. J. W. S. RADFORD (Bendigo Province)—I speak against the proposed amendment and support the Bill as it stands. I support the comments made by Mr Knowles and Mr Evans. The word "accepted" does cause certain problems and Mr Knowles referred to one of those problems, that is, de-horning, which is a practice used widely in the cattle world. There is also the modified Mules' operation, which to many, originally, did seem a very cruel operation. However, those persons who have had a close acquaintance with the sheep industry and have witnessed the destructive effect of a prolonged fly-strike on sheep would realize that the Mules' operation provides a solution to fly-strike, and is more humane in the long term than the fatal effects of bad fly-strike.

Some honorable members may be concerned about when an experimental practice becomes accepted. The person who set up the operation in 1928 was a pioneer in his field. When does a practice become accepted—when it is done by four farmers or 100 farmers? Perhaps the Minister for Conservation could provide an explanation along the lines of what is really meant by the word "accepted" in this paragraph. The new clause proposed to be moved by Mr Mackenzie is far too sweeping and for that reason I oppose it and support the Bill as it presently stands.

The Hon. R. A. MACKENZIE (Geelong Province)—The term "accepted" farming practice is very vague, especially as to whom those practices are acceptable. My sister lives on a farm, my brother is a stock agent and I live in a farming community, so I know something about farming. What is accepted by one part of the farming community may not be accepted by another. I know certain farmers who remove the tails from their dairy cattle. A friend of mine takes the tails off with a pair of bolt cutters. That method is acceptable to him but it may not be acceptable to the Minister for Conservation. How does one define what is an accepted farming practice? Some practices cannot be defined and that is why the amendment is to be proposed.

The clause was agreed to.

Clause 8 (Spring-operated leghold trap)

The Hon. R. A. MACKENZIE (Geelong Province)—I invite the Committee to negative the clause. If this course is

adopted, I will later move for the insertion of the following new clauses F and G:

F. After section 12 of the principal Act there shall be inserted the following section:

"12A. A person shall not place, set or use any spring-operated leghold trap having steel jaws which close against one another when the mechanism of the trap is activated by the weight of an animal upon the pressure plate of the trap.

Penalty: $500.".

G. In section 13 of the principal Act the words "in any slaughter-yard, pen, cage, hutch, pound or receptacle of the like nature" shall be repealed and the words "or in the case of ruminants for more than thirty-six hours" shall be repealed.

In dealing with proposed new clauses F and G, I will have to refer to the original Bill, which raises the point that Mr Stacey spoke about earlier, that is, the holding of cattle in yards. The use of a spring-operated leghold trap is an act of cruelty whether it be in the country or the city. It subjects an animal to cruelty. One of the alternatives is the use of snares. How are wild animals caught? They do not arrive at the zoo with three legs and are obviously caught in proper caged traps. There are many alternatives to spring-operated leghold traps. As the Bill stands, there is one law for the city and one for the country, whereas the one law should apply to both the country and the city.

To explain the latter part of proposed new clause G, I shall read section 13 of the Act, which states, *inter alia*:

Where an animal is at any time impounded or confined in any slaughteryard pen cage hutch pound or receptacle of the like nature on any premises and continues confined without fit and sufficient food and water for more than twenty-four consecutive hours or in the case of ruminants for more than thirty-six hours, it shall be lawful for any person . . .

The words "in any slaughteryard pen cage hutch pound or receptacle" and "or in the case of ruminants for more than thirty-six hours" will be removed so that the section will then read, *inter alia*:

Where an animal is at any time impounded or confined on any premises and continues confined without fit and sufficient food and water for more than twenty-four consecutive hours it shall be lawful for any person . . .

The Hon. R. A. Mackenzie

That wording broadens the scope of the Act and does not confine the interpretation to "slaughteryard, pen, cage, hutch, pound or receptacle of like nature." Both proposed new clauses F and G are important, and I should like the Government to accept them.

The sitting was suspended at 6.32 *p.m. until* 8.3 *p.m.*

The Hon. R. J. LONG (Gippsland Province)—I understand that Mr Mackenzie has asked the Committee to negative clause 8. As I have said in the House on many occasions, it is not surprising that the Labor Party does not hold any country seats. The suggestion to omit this clause is ample illustration. The Labor Party spares no thought for the farmer who has to contend with the ravages of wild dingoes and feral dogs and so on that attack sheep and other animals.

The Hon. W. R. Baxter—And rabbits that eat the pasture.

The Hon. R. J. LONG—Yes, and other animals. It never ceases to amaze me that the Labor Party does not spare one thought for the animal that is attacked. Can any honorable member imagine the horror of a sheep or other animal that is being ravaged by wild dogs? If that is not cruelty, I do not know what is. Yet, the Labor Party talks of the steel-jawed trap as a cruel form of trapping. I do not know where the sense of balance is in the Labor Party.

The Hon. W. A. Landeryou—The extension of your argument is whether one hangs someone or shoots someone.

The Hon. R. J. LONG—Members of the Labor Party have no thought for the animals that are being ravaged and never will spare them a thought. They get carried away with ethereal thoughts on cruelty. I bitterly oppose the amendment.

The Hon. D. M. EVANS (North Eastern Province)—The National Party opposes the amendment. There is no reasonable, practical alternative to the steel-jawed trap, particularly for the taking of wild dogs. Under those circumstances, it would be foolish and wrong not to proceed with the clause of

the Bill. It allows for the use of the trap for any legitimate and reasonable purpose but disallows it for wanton or wilful cruelty.

The Hon. R. A. MACKENZIE (Geelong Province)—Mr Long fails to realize, as I said at the beginning of my speech on the Bill and in my remarks to the clause, that human beings are committing the cruelty. If a wild dog kills a sheep, that is certainly a cruel and natural act, and members of the Labor Party would wish that act to the prevented by wild dogs being trapped humanely and removed from the farmlands where they cause this cruel damage. But if one follows Mr Long's argument, one returns to the Middle Ages when bulls and other animals were tried in court for murder and hanged.

The Hon. R. J. Long—What is the practical alternative?

The Hon. R. A. MACKENZIE—Other traps can be used for trapping wild dogs. In Europe, a species of wolves attacking animals was in danger of extinction and to save the species the Government paid farmers compensation for the sheep or animals that the wolves took. That is one example of what other Governments do. I fail to follow the logic of the argument that animals are creating cruelty and therefore the steel-jawed trap should be allowed to be used. I urge the Government to accept the amendment.

The Hon. W. V. HOUGHTON (Minister for Conservation)—On the last occasion I accepted an amendment from the Opposition, indeed from Mr Elliot, a former member of Parliament, my action was misinterpreted. The next morning the press reported that the Opposition had forced an amendment on the Government. My political supporters, who are in the majority in the Templestowe Province, wanted to know what the dickens I was doing, and my opponents said that they had got that "so and so". It is therefore inexorably in the logic of theorem 29 that one cannot win.

The Hon. W. A. Landeryou—You made a lot more sense before the suspension of the sitting for dinner.

The Hon. W. V. HOUGHTON—Perhaps Mr Landeryou's understanding is slightly impaired. I am probably making more sense now.

The Hon. Joan Coxsedge—I do not know what you are talking about.

The Hon. W. V. HOUGHTON—Is there anything unusual about the honorable member not understanding what is being said? I thought it was being said in fairly simple terms and, what is more, I thought I was indicating that I was about to accept an amendment from the Opposition. If members of the Opposition wish to fight about it, they may go ahead.

The Hon. W. A. Landeryou—I thought you were about to tell the Committee about your passionate love for God's creatures—like snakes.

The Hon. W. V. HOUGHTON—Mr Landeryou's understanding has been slightly impaired. I agree with Mr Long on the amendment about steel-jawed traps but, on the proposal to insert a new clause to amend section 13 of the principal Act, I agree with the Opposition that the words "in any slaughteryard, pen, cage, hutch, pound or receptacle of the like nature" should be repealed. It simplifies the legislation and I am prepared to accept it, but only that part of the amendment.

I shall have to call on the assistance of the Acting Chairman on this matter, but if the honorable member wishes to amend his proposed new clause to read:

> In section 13 of the principal Act the words "In any slaughteryard, pen, cage, hutch, pound or receptacle of the like nature" shall be repealed

—and finish it at that, I am prepared to accept the proposed new clause, which means that I do not accept the latter part of the new clause, " 'or in the case of ruminants for more than thirty-six hours', shall be repealed".

The ACTING CHAIRMAN (the Hon. B. A. Chamberlain)—I shall invite the Committee to vote on clause 8 and, when dealing with the additional proposed new clauses, I will then ask Mr Mackenzie to move an amended amendment of proposed new clause G, No. 10 of the amendments circulated in his name.

The Hon. D. M. EVANS (North Eastern Province)—The attitude of the National Party is clear on any immediate proposal on steel-jawed traps. On the amendment proposed by Mr Mackenzie to repeal the words "slaughter-yard pen cage hutch pound or receptacle of the like nature" the National Party agrees with the Minister. As does the Minister, the National Party disagrees with the principle of reducing the holding period of ruminants from 36 hours to 24 hours. No great cruelty is involved in withholding water or food from a ruminant for 36 hours. In its wild condition the animal would probably go that long without water. I have known stock to have had food and water withheld for at least that long without any obvious signs of distress and that would be the general experience in farming practice. It is not unreasonable. Certainly, a shorter period would impose substantial difficulties in the sale, preparation, showing and transportation of livestock, even under good and humane conditions, and it would be restrictive on the livestock industry. It is also unnecessary.

The clause was agreed to, as was clause 9.

Clause 10 (Destruction of animals by proper officer of municipality)

The Hon. D. M. EVANS (North Eastern Province)—This is a sensible clause that widens the number of persons who can be responsible for the destruction of livestock in pain or distress. One of the problems is to decide whether, if one finds an animal in distress, one has the right to destroy it. By destroying an animal, one would be infringing on the rights of the owner and could be liable to legal action. As the Act stands, an officer of the Royal Society for the Prevention of Cruelty to Animals or a police officer can destroy such an animal. The clause widens the area of responsibility and gives an exemption from the results of such an action to municipal officers who can reasonably be regarded as responsible people. It is a reasonable and sensible way of ensuring that ruminants in distress which need to be destroyed can be destroyed as quickly as possible. It is a worthwhile step.

The clause was agreed, as was the remaining clause.

New clauses

The Hon. R. A. MACKENZIE (Geelong Province)—I move:

Insert the following new clauses to follow clause 4:

'A. (1) For section 8 of the Principal Act there shall be substituted the following section:

"8. (1) Where a justice is satisfied by information on oath that—

(*a*) there is reasonable ground for suspecting that an animal is kept in a place or in any premises; and

(*b*) there is reason to believe that an offence against this Act or any regulation made under this Act has been or is being committed on or in relation to the animal—

the justice may by warrant under his hand in the form contained in the Schedule or to the like effect authorize and direct—

(*c*) any member of the police force;

(*d*) any full-time officer of the Royal Society for the Prevention of Cruelty to Animals; or

(*e*) any registered veterinary surgeon—

to enter and search the place or premises.

(2) Any person to whom such a warrant is addressed may with such assistants as may be necessary and at any time—

(*a*) enter, if need be by force, the place or premises named in the warrant; and

(*b*) arrest and bring before a justice to be dealt with according to law all persons found therein who are offending or who have offended against any of the provisions of this Act or the regulations made under this Act."

(2) For the Schedule to the Principal Act there shall be substituted the following Schedule:

"SCHEDULE

WARRANT TO ENTER PREMISES, &c.

To a

Whereas it appears to me by the information on oath of a that there is reasonable ground for suspecting that an offence against the Protection of Animals Act 1966 (is being) (has been) committed on or in relation to an animal at (a place) (premises) situate at , this is therefore to authorize you with such assistants as you may find necessary to enter therein and if necessary to use force for making such entry, whether by breaking open doors or otherwise and to arrest all persons therein who

(are offending) (have offended) against any of the provisions of the Protection of Animals Act 1966.

Given under my hand at this day of 19 .

Justice of the Peace."

B. After section 8 of the Principal Act there shall be inserted the following section:

"8A. (1) An officer may—

(*a*) enter premises—

(i) which are used for the purpose of a sale-yard or an animal trade;

(ii) in which an animal is being used or kept for use in connection with a trade, business or profession;

(iii) in which he suspects, on reasonable grounds, that an animal is being kept for the purpose of being made the subject of a surgical operation or any experiment involving the infliction of pain; and

(*b*) inspect and examine—

(i) the premises;

(ii) any animal which is in the premises; and

(iii) any accommodation or shelter which is provided in the premises for any animal.

(2) For the purposes of this section, "officer" means—

(*a*) any member of the police force;

(*b*) any registered veterinary surgeon;

(*c*) any health officer within the meaning of the Health Act 1958; or

(*d*) any full-time member of the Royal Society for the Prevention of Cruelty to Animals authorized in writing for the purpose by the Minister.

(3) Where an officer, being a full-time officer of the Royal Society for the Prevention of Cruelty to Animals, exercises a power conferred upon him by this section he shall produce the authority given to him by the Minister, if requested to do so by an occupier of the premises, for inspection by that occupier."

C. After section 10 of the Principal Act there shall be inserted the following section:

"10A. (1) A person shall not keep or use any animal in connection with the conduct of any pet shop, market place, riding school, kennel, aviary or other commercial enterprise except subject to and in accordance with the regulations made under this section.

(2) The Governor in Council may make regulations for regulating and controlling the conduct of pet shops, market places, riding schools, kennels, aviaries or other commercial enterprises involving the use of animals and in particular, without limiting the generality of the foregoing, for or with respect to—

(*a*) the licensing of any person who keeps or uses any animal in connection with the conduct of any such commercial enterprise;

(*b*) imposing any conditions, limitations or restrictions on licences;

(*c*) prescribing fees not exceeding $20 to be paid in connection with the issue of any such licence;

(*d*) prescribing forms for the purposes of this section;

(*e*) prohibiting the keeping of any type or species of animal in connection with the conduct of any commercial enterprise or any commercial enterprise of a particular class;

(*f*) regulating the construction of buildings, fences, cages and other means for keeping animals in confinement for the purposes of a commercial enterprise;

(*g*) the provision of food and drink for animals kept in confinement for the purposes of a commercial enterprise;

(*h*) requiring the treatment of sick and disabled animals by veterinary surgeons or vaccination or treatment of animals offered for sale;

(*i*) regulating the transportation, management and confinement of animals kept in connection with the conduct of a commercial enterprise;

(*j*) prescribing penalties not exceeding $500 for any contravention of or failure to comply with the regulations; and

(*k*) prescribing any matter which is authorized or required or necessary or expedient to be prescribed for carrying this section into effect."

D. In section 11 of the Principal Act—

(*a*) for sub-section (1) there shall be substituted the following sub-section:

"(1) Where a person has been convicted under any of the provisions of this Act of an offence of cruelty to an animal, the court by which he is convicted may, if it thinks fit, in addition to or in substitution for any other penalty, order him to be disqualified for such period as it thinks fit from having custody or control of any animal of a kind specified in the order."; and

(*b*) in sub-section (2) the words "for a second or subsequent offence" shall be repealed.'

The proposed new clauses deal with the inspection of premises and the issuing of warrants. It is proposed to extend the Act to include a registered veterinary surgeon as well as members of the Police Force and a full-time officer of the Royal Society for the Prevention of Cruelty to Animals. The proposed clauses also contain a schedule showing the warrant to enter premises which is issued by a justice of the peace and sug-

gests that after section 8 of the principal Act an indication is given of when an officer as described, can enter premises.

I know that the Minister has fairly strong views on the entering of premises by unauthorized persons. I agree that this action should be limited because it is an invasion of civil rights. However, there are instances where people, apart from police officers, have the right to enter premises. I refer to such people as municipal officers, water trust inspectors and other inspectors representing statutory bodies. The Government would be wise to extend the Act to ensure that the people who are issued with warrants are at least in the employ of the Government. Perhaps, in some way, officers of the Royal Society for the Prevention of Cruelty to Animals could become employees of the Government.

The Hon. N. F. Stacey—Do you believe in the power of arrest?

The Hon. R. A. MACKENZIE—In this case the Opposition is asking that any person with a warrant can enter, if need be by force, the place named in the warrant, make an arrest and bring the matter before a justice to be dealt with according to the law.

The Hon. H. M. Hamilton—You do not mind the powers of forcible entry where you believe there is ill-treatment to animals, yet you vehemently oppose such entry where the security of the nation is at stake. That is incompatible.

The Hon. R. A. MACKENZIE—The honorable member is discussing Commonwealth matters and I believe he is out of order.

The Hon. W. V. HOUGHTON (Minister for Conservation)—The Government objects to the new clauses because the Government seeks to limit the powers of entry mainly to the members of the Police Force. Members of the Police Force have the ability to go to a magistrate and obtain a warrant for entry to private premises. The Government believes the right of entry should be strictly limited. I grant that it is extended to one or two other officials, but the less the power is extended the better it will be. Therefore, the Government opposes the new clauses proposed by the Opposition.

The Hon. D. M. EVANS (North Eastern Province)—The National Party has a similar view to that of the Government. When closely examined, what seems superficially to be a sensible proposition does rather extend the powers of entry of officials authorized by the Government and it goes against the trend towards greater civil liberties in the community. There is already a reasonable opportunity to examine and prove the case of cruelty by the issue of warrants. To extend it to a further range of officers would be undesirable and unnecessary.

The new clauses propose to extend the right of entry to any full-time officer of the Royal Society for the Prevention of Cruelty to Animals. I am not certain how one would judge the necessary fitness of such an officer to carry out these duties. Also, the clauses propose to add any registered veterinary surgeon and I doubt whether a registered veterinary surgeon would have the necessary expertise to enter, forcibly or otherwise, premises where he was unwelcome to carry out an investigation of a criminal matter. Although the clauses proposed by the Labor Party are no doubt sincere, they are not a practical solution and the Parliament should not agree to them. Therefore, the National Party does not support the new clauses.

The new clauses were negatived.

The ACTING CHAIRMAN (the Hon. B. A. Chamberlain)—In view of Mr Mackenzies' preceding remarks I presume that he will not proceed with proposed new clause E.

The Hon. R. A. MACKENZIE (Geelong Province)—This matter was dealt with earlier when the Opposition wished to omit clause 7. The arguments have already been put and there is no point in going on. I move:

Insert the following new clause to follow clause 8:

"G. In section 13 of the Principal Act the words 'in any slaughter-yard, pen, cage, hatch, pound or receptacle of the like nature' shall be repealed."

I am happy to have had one small victory with this proposed clause and that the Minister has seen fit to accept it.

The Hon. R. J. Long—Call it a concession!

The Hon. R. A. MACKENZIE—I shall not go into the reasons why the new clause will be accepted, but shall accept it in good faith. I accept the arguments put by honorable members that ruminants can tolerate a time lapse of 36 hours without being fed. That is all right theoretically but, before animals are penned, they should be provided with sufficient food and water in the 24 hours before being placed in the pen. It is all very well to allow 36 hours without providing food, but if the animals are not fed for 24 hours before penning, they could be in danger. However, I am willing to accept that point. I have therefore removed the words, "or in the case of ruminants for more than 36 hours" from the new clause that I originally proposed to move.

The new clause was agreed to.

The Hon. W. V. HOUGHTON (Minister for Conservation)—I move:

Insert the following new clause to follow clause 10:

"AA. In section 21 (1) of the Principal Act, after the words 'police force' there shall be inserted the expression, 'officer of the public service in the Ministry for Conservation'."

The object of the new clause is to make it possible for the Crown Prosecutor to prosecute a case of infringement against this Act. The Crown Prosecutor can act only after being briefed by a Government department and, for that reason, the Government proposes that the assistance which the Royal Society for the Prevention of Cruelty to Animals believes is appropriate for its inspectors to help them prosecute will be met by enabling them to prosecute through the office of the Crown Prosecutor on the initiative of an officer of the Ministry for Conservation.

The Hon. D. M. EVANS (North Eastern Province)—The Minister handed this proposed amendment to me yesterday. Perhaps I have been remiss, but I believe it would be desirable if the Minister could indicate to honorable members the qualifications of the officer of the Ministry for Conservation whose task it will be to carry out the duties envisaged by this alteration to the existing section. I would appreciate a full explanation.

The Hon. W. V. HOUGHTON (Minister for Conservation)—If I understand what Mr Evans is saying, I believe the second part of my explanation of the amendment will provide the explanation he seeks. Only the Crown Prosecutor can act for a Government department. If an inspector of the Royal Society for the Prevention of Cruelty to Animals wishes to have assistance to prosecute a case—and he usually does because such officers are not skilled in prosecuting in the courts—he should be able to obtain the assistance of the Crown Prosecutor. However, such assistance can be made available only through a request by an officer of a Government department. Such an officer needs no qualifications except to be an officer of the Public Service in the Ministry for Conservation. Obviously if he is requesting this sort of action from the Law Department, he would need to be an officer of some seniority. Such an officer may request the Law Department to provide the necessary assistance without qualification.

The Hon. R. A. MACKENZIE (Geelong Province)—The Opposition supports the amendment proposed by the Minister.

The new clause was agreed to.

The Hon. R. A. MACKENZIE (Geelong Province)—I move:

Insert the following new clause to follow clause 10:

"H. In section 18 of the Principal Act—

(*a*) at the end of paragraph (*c*) for the expression 'there shall be substituted the expression';" and

(*b*) after paragraph (c) there shall be inserted the following paragraph:

'(*d*) any person who obstructs, hinders, molests or assaults any person acting under any authority or power vested in him by or under this Act'."

This additional clause will make more sense if I read section 18 of the principal Act:

Where an offence is committed against any of the provisions of this Act the following persons shall, in addition to and without in

any way affecting the liability of the principal offender, be deemed to be guilty of that offence, namely—

(*a*) Any person who aids or abets the commission of the offence;

(*b*) Any person who directly or indirectly counsels or procures the commission of the offence;

(c) Any person who knowingly permits the offence to be committed with respect to an animal or a place under his control.

The new clause proposes a new paragraph (*d*) that carries the matter a little further. I hope the Minister will accept it. It states:

Any person who obstructs, hinders, molests or assaults any person acting under any authority or power vested in him by or under this Act.

That is a reasonable amendment to ask under the circumstances. It increases the scope further and adds a little protection to people carrying out their duties, whether they are Crown officers of the Ministry for Conservation or police officers.

The new clause was negatived.

The Hon. R. A. MACKENZIE (Geelong Province)—I move:

Insert the following new clause to follow clause 10:

I. In section 22 of the Principal Act—

(*a*) after the expression "22." there shall be inserted the expression "(1)"; and

(*b*) at the end of the section there shall be inserted the following sub-section:

"(2) Without derogating from any power conferred upon a court or justices by sub-section (1), where—

(*a*) an information or complaint has been laid in respect of an alleged offence against this Act by a person who is not a member of the police force;

(*b*) the person who laid the information or complaint fails to appear at the hearing or declines or neglects to proceed upon or prosecute the information or complaint; and

(*c*) there is in the place where the hearing is to take place or in the vicinity of that place a member of the police force who is in the opinion of the court or justices experienced in the prosecution of information or complaints (whether for offences against this Act or otherwise)—

the court or justices may order the member of the police force to prosecute the information or complaint."

Section 22 of the principal Act states that if a person who has laid an information or complaint in respect of an alleged offence against this Act does not appear at the hearing or declines or neglects to proceed upon or prosecute the information or complaint, the court or justices may authorize some other person to take proceedings. This proposed amendment will alter that to read, "the person who lodges the information or complaint fails to appear at the hearing or declines or neglects to proceed upon or prosecute the information or complaint". These amendments are put forward in an endeavour to strengthen the Act and to ensure that when there is a complaint, and the person who laid the complaint does not attend, at least the action is taken up by an experienced police officer who knows how to conduct the case. This will ensure that justice is done.

I did intend to move proposed new clause J, which relates to moneys recovered as penalties for offences against this Act. However, this becomes irrelevant now because it provides that the moneys should be paid to the Animal Experimentation Control Board, which was mentioned in an earlier clause, and that amendment was defeated. Therefore, this new clause J becomes irrelevant because there is no such board on the statute-book and I will not proceed with it.

I appreciate the manner in which the Government and the National Party have taken part in this debate. I am sorry that previous debates on this subject have been carried out in a light-hearted manner, but on this occasion the Government took the matter seriously, as did the National Party, and I voice my appreciation to them.

The new clause was negatived.

The Bill was reported to the House with amendments, and passed through its remaining stages.

MOTOR CAR (PAYMENTS BY PENSIONERS) BILL

This Bill was received from the Assembly and, on the motion of the Hon. HADDON STOREY (Attorney-General), was read a first time.

The Hon. HADDON STOREY (Attorney-General)—I move:

That this Bill be now read a second time.

The Bill provides for the extension to certain repatriation pensioners of the 50 per cent concessional rates of motor car registration fees and compulsory third-party insurance premiums currently available to aged, invalid and widow pensioners.

As honorable members will recall, the Motor Car Act was amended in the 1979 spring sessional period of Parliament, with effect from 1 January 1980, to provide that certain pensioners who own a motor car, which is used solely for social, domestic or pleasure purposes, may register such motor car upon the payment of half the normal registration fee.

Pensioners eligible for this concession are those persons who hold a "TC 1 Concession Card" issued by the Commonwealth Department of Social Security, and who are in receipt of an aged, invalid or widow pension under the Social Services Act.

The Motor Car Act was also amended in the 1979 spring sessional period of Parliament to empower the making of regulations in respect of the compulsory third-party insurance premiums applicable to pensioners.

Regulations made pursuant to that amendment provided that, from 1 January 1980, the same pensioners were also entitled to effect compulsory third-party insurance at half the normal premium in respect of motor cars having a private type or station wagon type body and self-propelled caravans, provided that such vehicles were used solely for social, domestic or pleasure purposes.

On 12 March 1980, with effect from that date, those regulations were amended to apply the 50 per cent insurance premium concession to all motor cars which are registered upon the payment by an eligible pensioner of the concessional registration fee.

Whilst the former regulations did not provide for concessional third-party insurance premiums in respect of vehicles such as utilities and motor cycles owned by pensioners, the latter regulations extended the concession to all vehicles, including utilities and motor cycles, which are owned by pensioners and used solely for social, domestic or pleasure purposes.

The Bill now before the House extends the category of pensioners eligible for both registration and third-party insurance purposes by providing that, in addition to the current category of pensioners, a 50 per cent reduction in registration fees and third-party insurance premiums will apply to those pensioners who own a motor car used solely for social, domestic and pleasure purposes and who:

(*a*) hold a "TC 1 Concession Card" and are in receipt of a service pension under Division 5 of Part III. of the Repatriation Act, or

(*b*) are in receipt of a maximum rate of pension under Part III. of the Repatriation Act as:

(i) the widow of a member of the Forces,

(ii) the unmarried mother of a deceased unmarried member of the Forces, or

(iii) the widowed mother of a deceased unmarried member of the Forces.

In addition, the Motor Car Act currently provides for the free registration of a motor car owned by an incapacitated discharged serviceman who is assessed as being totally incapacitated or seriously impeded in his powers of locomotion and incapacitated to an extent of not less than 75 per cent.

The "totally incapacitated" category includes TPI and blind pensioners.

The Bill provides for such incapacitated discharged servicemen to also receive the 50 per cent reduction in the third-party insurance premium normally payable.

The effect of the Bill is to provide concessional rates of registration and third-party insurance to all those pensioners who are entitled to receive municipal rates concessions. Some 60 000 repatriation pensioners, in addition to the existing categories of pensioners, will thus be entitled to the concessions.

Provision is also made in the Bill to limit the registration and insurance concessions to one motor car owned by all categories of pensioners.

The extended concessions will operate retrospectively to 1 January 1980; the registration concessions being operative by virtue of the Bill itself and the third-party insurance concessions by virtue of the exercise of powers already available. All eligible repatriation pensioners who have registered their motor cars since that date will be entitled to a refund of half the amount of registration fee and insurance premium paid. I commend the Bill to the House.

On the motion of the Hon. G. A. SGRO (Melbourne North Province), the debate was adjourned.

It was ordered that the debate be adjourned until the next day of meeting.

CENTRAL GIPPSLAND (BROWN COAL LAND COMPENSATION) BILL

The debate (adjourned from March 26) on the motion of the Hon. Haddon Storey (Attorney-General) for the second reading of this Bill was resumed.

The Hon. I. B. TRAYLING (Melbourne Province)—This Bill is another legislative manifestation of the Government's *ad hoc* and hastily conceived planning efforts. There is, within the Government, a feeling that planning should receive much more priority than it does. From receiving almost no priority, planning now receives some priority, but not enough.

This Bill is presented to Parliament in an effort to rectify the planning attempts of the Government in 1978 by placing an interim development order over an important area of Victoria that will serve a specific purpose in central Gippsland. The imposition of this interim development order is causing difficulties to landowners.

As I said, in 1978 the Government imposed an interim development order over 80 000 hectares of land overlying important brown coal deposits. No one is against the concept of planning to preserve an important energy resource, such as brown coal, but it is a matter of historical record that no matter how often the Government attempts to come to grips with planning by imposing interim development orders which relate to promises of compensation and land valuations, it somehow manages to bungle the job. There is no doubt that the Government has bungled by imposing an interim development order over this central Gippsland area.

The 80 000 hectares to which I referred were subsequently broken into two separate areas, one of approximately 30 000 hectares, which had a specific importance to the State Electricity Commission, and the other of approximately 50 000 hectares, which will be used for the extraction of brown coal for either domestic or export purposes.

In the area of specific interest to the State Electricity Commission, provision is made for compensation to be provided by purchasing the property if the landowner has difficulty in selling it but that does not apply to the major portion of land, namely, the area of 50 000 hectares.

This has caused a lot of bad feeling, sadness, unhappiness and uncertainty in central Gippsland, not only for landowners but also for the municipalities in the area. One suspects that they cannot all be wrong in having a grievance about the interim development order imposed in 1978 which has resulted in so much difficulty for the landowners who wish to sell their properties.

Property values in the area have fallen. Landowners who want to sell at reasonable prices—if they compare prices in other areas where prices might have fallen—are disadvantaged. The Government has acknowledged this fact. That is why the Bill is before the House tonight. This is a feeble attempt to rectify a situation caused by the Government when it imposed the interim development order.

Planning is necessary when important energy resources are involved but there is a right way to go about it. The Government must protect the rights of the landowners. The Government has a long history of making plans that adversely affect landowners. Landowners have

had no other recourse but to sit back and cop the lot. One would have thought that a Government which champions the rights of private enterprise would have recognized that landowners fall into that category and would expect the Government to protect their interests and assets in the land they occupy.

When the Government imposed the interim development order in 1978 many statements were made about protecting values and assisting landowners who would be placed in difficulty as a result of the order. Subsequently, the Government set up a hardship committee to look into cases of hardship of landowners who wanted to sell their property or had incurred expenses because of the imposition of the interim development order. Almost 50 applications were lodged but, in cases where the hardship committee approved the applications, the Government has not seen fit or been able to accept the claims of those unfortunate and disadvantaged landowners.

The fact is that the Government is not willing or is unable to provide the necessary funds to honour its promises made in 1978. As I said, land values have fallen and landowners cannot sell their properties. Who wants to buy a property which is threatened by a takeover by a Government utility which wants to excavate on the land? No planning can be done so long as an interim development order hangs over the heads of the landowners. I am sure all responsible people in the community, including the landowners, accept that there must be planning for important energy reserves in the State. They accept that fact, but do not accept that they have been sold down the drain by the Government when it comes to fair and reasonable compensation.

When the Government's hardship committee makes recommendations on assistance which the Government will not accept, that is sufficient indication to suggest a lack of sincerity and a lack of endeavour to meet the reasonable expectations of compensation the landowners concerned would have had from the promises made in 1978.

In a letter signed by the present Minister for Planning, Mr Lieberman, dated 4 January 1980, addressed to the honorable member for Morwell, when referring to the legislation, the Minister stated:

> . . . it is envisaged that this move will restore market confidence—

That is an acknowledgement that the interim development order has eroded market confidence—

> . . . and consequently prices and no purchaser should have any problems with subsequent resale as the guarantee will apply equally to present and future owners of property within the IDO area.
>
> Because of the above decisions it has been decided that no property will be purchased ahead of needs—

Of course, the need to purchase the land might not occur for 50 or 60 years, or it might occur in ten years. No one knows and the Government cannot tell when it will occur. That is why there is no market confidence. This is not an unnatural element in a market situation. The same would happen if any commodity were threatened with takeover at an unspecified time—there would be an erosion in market confidence.

This measure makes provision for matters perhaps 50 years hence. It provides that the market value, if the Government purchases the land, will be considered as if there were no interim development order or coal under the land or within close proximity to the land. In ten years' time, the Government could suddenly say that it will buy the land as if there were no coal there. That is nonsensical, because the coal is there, and so is the uncertainty. The Government and all honorable members know that.

It is a feeble attempt to pacify the landowners who occupy the area of 50 000 hectares in central Gippsland. Those landowners are not satisfied with the situation nor is the Labor Party. Any self-respecting member of Parliament on the Government side of the House with a conscience would hide his or her head in shame if he or she had to vote in support of this proposition. Earlier, I indicated that it is not only the people who live in central Gippsland and members of the Labor

Party side of the House who are concerned but also the municipalities are concerned.

I shall quote from a letter sent by the Shire of Traralgon to a colleague in another place commenting on the interim development order and on what was proposed to be done in the Bill, and on whether the Shire of Traralgon in an objective way sees any merit in the Bill. The letter refers to a public meeting of the Landowners' Protection Council and states that:

> Those present voted unanimously to continue the fight to get the Government to purchase their properties as the new proposals were of no help to them.

That is absolutely right. There would not be one dissident who could be declared sane or at least not philanthropic who would not have voted with this unanimous decision to fight the Government's proposal to erode people's land values and market prospects for selling their land if they wanted to do so, whether for themselves or for their children at some future time. Planning in this State is still in a mess. The letter dated 11 September, continues, *inter alia*:

> It is obvious from the recent statements made by Mr Lieberman that the recommendation of the Hardship Committee have been ignored. This leaves the people who wish to sell their property in a position of not being able to get a proper value for their land.

Of course they cannot do so because their property values are no longer there. The Government has taken action which has caused them to be seriously eroded and it has not had the decency to offer any compensation by way of purchase at market-related values if the property owners wished to sell.

Honorable members will recall cases in Wodonga where the Government spent millions of dollars on properties and let them out at peppercorn rents. I do not want to dwell on that subject. If the Government did that then, it can do something a little better with the taxpayers' money in central Gippsland. It has an obligation and responsibility to do it and this Bill is designed to dodge away and around it. Shame! I shall continue quoting from the letter. It states:

> Evidence given at the hardship hearings proved conclusively that it was practically impossible to sell farmlets in the Non State Electricity Commission Interim Development Order Area. Auctions were held at which there were no bidders. The same properties were advertised by several agents for months, and no one was interested enough to inspect these properties. So Council cannot see any value in releasing more Non State Electricity Commission Interim Development Order farmlets onto the market, and in fact, is of the opinion that it will worsen an already impossible situation.

These are not the words of an irresponsible organization of radicals; they are the words which the shire secretary was directed to send by a council of men of the community, tried, true and responsible, and quoting facts on behalf of ratepayers and members of the community, but this nonsense is served up to us. The pity of it is that the Bill will not worsen the people's situation, so the Opposition will not vote against it, but it does nothing for them. The Bill is candyfloss in their hands when they are looking for vitamins.

I shall conclude my remarks simply by saying that it is incontrovertible that the interim development order has caused land values to drop appreciably. It is also a fact that the people who own properties in that area cannot sell them, and equally certain that the provisions of this Bill, which are nothing more than a feeble token window-dressing attempt to appease people in the area, will have absolutely no effect, and will not assist them to overcome their problems nor, unfortunately, is it likely to assist their children and grandchildren, such is its anaemia.

One would have thought, after so many distressing years, as evidenced in this House and by a discerning public, of planning failures and window-dressing by the Government, particularly just before elections, that the Government would inject into planning sufficient funds so that when orders of this kind are imposed, they can be followed up and genuine assistance provided to those landowners who are

adversely affected and seriously disadvantaged. As we know, that is not the case.

One hopes that the Government will reconsider its attitude on central Gippsland and that after this harmless but non-productive Bill passes through the House, it may act to the advantage of the landowners in that area and introduce legislation which will be meaningful in its effect and will genuinely assist disadvantaged landowners in central Gippsland.

The Hon. K. I. WRIGHT (North Western Province)—This Bill deals with the basis of the valuation of property overlying brown coal if and when that land is acquired by the Crown or any public authority for the purposes of extraction. In that regard members of the National Party are in some agreement with what Mr Trayling said on behalf of the Opposition. We are inclined to agree with some of the trenchant criticism he made this evening.

The Bill rectifies a planning error which was made by the Government several years ago concerning an interim development order placed on 80 000 hectares to protect brown coal deposits. My energetic colleague in another place, Mr McInnes, has described the action of the Government as irresponsible, and said that the faith of the people had been broken down by what had happened over a wide area. As Mr Trayling stated, property values were reduced, and when sales were undertaken it was found that there was little demand for the property. This applied particularly to subdivisions which had been made, and it was virtually impossible to sell these allotments. I understand that at the moment the State Electricity Commission has an interim development order over some 30 000 hectares, which covers the area of particular interest to the commission. However, the National Party still has some concern because it may be 40 or 50 years before the commission needs to develop that land.

Nevertheless the National Party proposes to support the measure because it endeavours to overcome the problems that have arisen through lack of planning by the Government. It clarifies the situation to some extent, and the National Party supports the Bill.

The motion was agreed to.

The Bill was read a second time and committed.

Clause 1 was agreed to.

Clause 2 (Interpretation)

The Hon. A. J. HUNT (Minister of Education)—I thank the other speakers for their support of the measure, even if grudging. Mr Trayling made a number of comments on the measure which I do not think were justified. However, he gave away his argument in midstream when he acknowledged that the real cause of any loss in value was the fact that it was known that the Government would need at some time to acquire the land to utilize the brown coal underneath it. That is the real fact; it is not the interim development order. The real matter that has caused concern is the knowledge that at some future time there will be a Government acquisition.

The Hon. K. I. Wright—You should not have mentioned the words "brown coal".

The Hon. A. J. HUNT—No; Mr Wright is certainly correct. The interim development order does nothing more than place a restriction on subdivision of a kind that is common throughout the State. Its purpose is to reinforce the intention of protecting the area so that coal can ultimately be won, yet Mr Trayling and Mr Wright have acknowledged, as they could be expected to do, that that resource must be protected.

Unfortunately, however, there was a psychological effect, and when the interim development order was imposed, even though it were no more stringent in its operation than many throughout the State, people began to say, "My property values have been destroyed". One can be certain that as

soon as people start to say that their land values have been destroyed, they will be destroyed, and that is what has happened here. Assurances were given by the Government at the time that there was no intention in the future to acquire land on the cheap; that full value would be paid of the kind which would have existed had there been no notification of the Government's intent to protect the land for coal winning in the long term, but people did not believe it. The assurances were not accepted and property values did not recover.

The purpose of this Bill, therefore, is to give legislative effect to the intentions repeatedly announced by the Minister for Minerals and Energy and the Minister for Planning with a view to ensuring that the loss of confidence will disappear, as will the erosion of values, and that values will be restored. The statements that they made, unfortunately, did not have the effect of restoring confidence, and now it is sought to do so by providing a clear legislative guarantee. That is all the Bill sets out to do, and it is a worth-while step towards restoring those property values which, through some loss of confidence, are lower than they previously were.

I propose to move an amendment to clause 2, which arose solely from the fact that brown coal interim development orders have now been replaced by provisions in the interim development orders and planning schemes of the municipalities in the area. Therefore, a change is made in the reference in the Bill to orders enforced as at 12 December 1979.

I move, as an amendment:

Clause 2, lines 13-15, omit the words "to which the interim development orders mentioned in the Schedule apply at the commencement of this Act" and insert "in relation to which the interim development orders mentioned in the Schedule were in force on the 12th day of December, 1979".

The intention to preserve the land for ultimate coal winning still exists. The amendment merely recognizes that the original orders that are alleged to have given rise to the trouble have now disappeared.

The Hon. A. J. Hunt

The Hon. I. B. TRAYLING (Melbourne Province)—Can the Minister advise whether the amendment will alter any land area? Does it include any additional area or take away any land?

The Hon. A. J. HUNT (Minister of Education)—No, it neither adds to nor subtracts from the area of land affected. It merely recognizes that the provision formerly existing in the brown coal orders now exists in the planning schemes and interim development orders of the municipalities.

The amendment was agreed to, and the clause, as amended, was adopted, as were the remaining clause and the schedule.

The Bill was reported to the House with an amendment, and passed through its remaining stages.

AGRICULTURAL CHEMICALS BILL

The debate (adjourned from March 25) on the motion of the Hon. W. V. Houghton (Minister for Conservation) for the second reading of this Bill was resumed.

The Hon. R. A. MACKENZIE (Geelong Province)—The Bill seeks to introduce stricter controls over the use of pesticides in Victoria and improve registration procedures. It will also change the title of the Pesticides Act, which will become known as the Agricultural Chemicals Act. Its main purpose is to increase the options available to restrict the use of agricultural chemicals where necessary. The use of certain agricultural chemicals for specified purposes may be prohibited by the Governor in Council.

Pesticides, or agricultural chemicals as they will become known, have been the subject of enormous publicity recently. They have worried many people in the community and are still of major concern to many people. Like the average Victorian, when I learned that the Bill was to be introduced I thought the Government was acting responsibly and would take a stand to ensure that agricultural chemicals are used responsibly and impose stricter controls. The Bill will improve the

situation but, like so many Bills introduced by the Government—such as the Protection of Animals (Amendment) Bill that was debated earlier this evening—the approach is too timid. It does not go far enough. The Government just will not bite the bullet.

The Hon. B. P. Dunn—It depends what side of the fence you are on.

The Hon. R. A. MACKENZIE—It could be put that way, but I will prove that it is not just farmers and people in country areas who are affected by the Bill. A higher percentage of agricultural chemicals are used, on an area basis, in the city than in the country. People should not be misled by the title of the Bill, because the chemicals can be bought in almost any supermarket. Anyone can use them in his backyard and aerosol sprays containing them are advertised on television. People do not realize that many of the chemicals are volatile.

The community should be concerned about the direction in which civilization is going at present. Approximately 4 million chemicals have been isolated from natural products or have been synthesized. About 60 000 of them are in frequent use. Approximately 1500 active ingredients are used in pesticide formulations, 4000 are used in drugs and more than 5000 compounds are used as additives in the food industry. Wastes from power production, transport and industrial technology finish up as pollutants in the air, water, soil and food. Homes are flooded with chemicals in the form of cleaning agents and other consumer products. It is obvious that we live in a chemical-orientated world. We are surrounded by chemicals, and approximately 100 new ones come on to the market every year. It is therefore obvious that the Government must take steps to ensure that controls are placed on their use.

Controls are being introduced overseas and European countries are introducing legislation, which is long overdue, to control the use and marketing of pesticides in an effort to ensure that they can be used with some degree of safety. Unfortunately, in Victoria, anyone, be he a farmer or a home gardener, can walk into a local hardware store and buy large amounts of chemicals containing dangerous additives. He can use those sprays without any supervision. All he has to do is to read the instructions on the can. The label will tell him what the can contains, but he will have to have a degree in science of some sort to understand what he is using. It is imperative that the Government do something about the situation so that the responsibility is not placed solely on the user. The manufacturers and retailers must accept some responsibility, and the Government must also accept some responsibility in country areas where supervision of the use of chemicals must take place.

Chemicals are finding their way into every aspect of life. An article in the *Australian* newspaper of 18 January 1980, under the heading "The Growing Chemical Invasion" states:

> It now seems certain that every new baby born in Australia comes into the world with clearly discernible levels of pesticide in its body.
>
> This is not the view of some environmental crank—it is the opinion of Dr Jean McFarlane, Director of Maternal and Child Health in Queensland, based on scientific analysis by her department.
>
> . . . . .
>
> She believes Australia's women are contaminating themselves with household insecticides and garden sprays.
>
> . . . . .
>
> The controls are much stronger outside the home than inside. People think that because a pesticide is in a pressurised can they can use it with impunity.
>
> They treat them too lightly. What really gets me going are the TV advertisements for spray-on insect protectors which lead many people to spray themselves with the ones that aren't safe to spray on.
>
> Some people also improperly used surface sprays in the air and did not wash their hands after using grub-killing powder in the garden.
>
> . . . . .
>
> The thing that must be brought home to people is that these chemicals are really drugs in the broadest sense—that they can cause illness as well as get rid of wogs. They are dangerous chemicals.

Nowadays, people call in pest exterminators far too often. Years ago pest exterminators instructed their clients to remove everything from their cup-

boards to ensure that nothing was contaminated. That is no longer asked for. Dr McFarlane wants to know why. A survey carried out in 1978 in and around Brisbane revealed that 100 per cent of the mothers tested had pesticides in their breast milk.

The problem is grave and it is up to the Government, as the responsible body, to ensure that Victorians are protected from these dangerous chemicals. The responsibility cannot be left in the users' hands, as it is at present. Some responsibility must be taken by the manufacturers. I have obtained a list of chemicals and pesticides which can be obtained from one of Melbourne's leading urban shopping complexes and very few of those chemicals have a proper warning on them. The list contains 40 different products which can be bought.

In 1962 Rachel Carson stated:

> The chemical weed killers are a bright new toy. They work in a spectacular way; they give a giddy sense of power over nature to those who wield them, and as for the long-range and less obvious effects, they are easily brushed aside as the baseless imaginings of pessimists.

I do not believe they are the baseless imaginings of pessimists. More care and protection must be provided in the use of these agents.

It is very disturbing that misleading information is published by the Government. I refer to the pamphlet issued by the Forests Commission which indicates the recommended control to combat common garden pests attacking garden trees. There are sixteen different types of insects named, such as scales, emperor gum moth and others and then there are listed the recommended chemicals and they include dieldrin, maldison, metasystox, and rogar 40. Very rarely have garden trees been destroyed by these pests. Certainly the pests cause damage and this leads to another problem following the use of chemicals in gardens. I refer to the birds. I have a report written by a Mr W. R. Wheller and a Mrs B. Salter which appeared in the Bird Observers' Club magazine of August 1967. I shall quote from the report which indicates some of the chemicals which not only affect humans but have also affected many of our native birds. Mrs Salter states:

> In 1954 we built a home in Black Rock—a suburb 14 miles from the heart of Melbourne—on land which adjoined several hundred acres of golf courses. We retained as much of the native bush as possible, and planted hundreds more native shrubs, so that the native birds would be encouraged to come to the garden, and in proof of our success, since then we have recorded 121 species in or over the gardens.
>
> Up to 1962 I was not aware of any effect which poisonous pesticides might have had on my birds. I had no knowledge of pesticides in those days, but a record of their symptoms made at that time tallies exactly with those of what I now know to be pesticide poisoning. The Yellow-faced Honeyeaters were the earliest recognized victims; I found birds staggering about the garden, blundering into obstacles, unable to land or to remain perched, falling to the ground, screaming and in convulsion.
>
> . . . . .
>
> Since 1964, the bodies of a considerable number of honeyeaters have been supplied to the Fisheries and Wildlife Department, for analysis. The department has reported that all bodies examined contained a very high concentration of dieldrin.
>
> . . . . .
>
> The evidence which I have gathered in my close association with native birds, in one area, and over a period of 13 years, forces me to conclude that the use of modern poisonous pesticides is of great, continuing and incalculable harm, initially, to our innocent and defenceless wildlife, and in due course, to all forms of life.

Most honorable members receive the publication issued by the Monash University called *Monash Review* and in last month's issue there was an article on research conducted by the Monash University on the effect of 2,4,5-T and 2,4-D in chickens. Apparently the eggs were injected and the chickens which subsequently emerged experienced many behavioural problems and abnormalities.

Another disturbing feature concerning the control of chemicals is that we have to keep a balanced view because on the one hand we have the extremists who do not believe in the use of any chemicals whatsoever and on the other hand we have people who continually do not believe in the toxic effect of those chemicals. Men who occupy high positions in the scientific field are constantly putting forward the argument that these chemicals are not harmful at all. Such a person is Mr J.

T. Snelson who works in the pesticides section of the Department of Primary Industry in Canberra. In April 1979 he presented a paper to the RACI Seminar on toxic chemicals. The title of the paper was "Toxic Chemicals and the Body Politic". In that paper it was stated:

> The body politic is a heterogeneous mixture of activists, axe grinders, do-gooders, cranks, guilt complexes, profiteers and vested interests. We have seen all of these forces at work recently promoting the controversy over 2,4,5-T.

That is a statement by a man who advises the Government and who has been highly spoken of as an adviser to the Government. That was his attitude.

The Hon. W. V. Houghton—He advises the world, he is an international expert.

The Hon. R. A. MACKENZIE—There has been considerable discussion in this House on the effects of 2,4,5-T. I recently attended a meeting of Vietnam veterans in Geelong and it was one of the most depressing meetings I have ever attended. The tragedy is that these men have served their country and while doing so they were subjected to heavy spraying of 2,4,5-T and 2,4-D known as Agent Orange. Many of these men now realize that they are carrying symptoms which could affect their later life. Many of their children, although without visible abnormalities, are experiencing learning difficulties. Mr Jenkins was also at the meeting and I know he will agree with me that it was very depressing and one can only wonder what the outcome will be.

One of the worries concerning the use of these chemicals is that the symptoms do not develop for up to 30 years. It was stated at the meeting that most of the veterans believed they suffered from some form of cancer which would manifest itself in the near future. This is something which honorable members must remember. Some of the chemicals used in Vietnam such as herbicides and pesticides probably had a potentiating effect when used together or within a short time when used with other chemicals. I understand, according to *Blakistons Medical Dictionary*, potentiation means the effect of a substance, when added to another, of making the latter more potent as a drug. This is something we know very little about and it is something on which much research must be undertaken until we find out about these drugs and their effects.

I have tried to show that we are living in an era where there is an increasing need for Government controls over the manufacture and sale of these chemicals which are used every day. It is evident that they are not only used by people on the land. Farmers probably consider they have more to do with chemicals and I suppose individually they use greater quantities of chemicals than the average city dweller, but when considering the amount of pesticides used in a given area, the city dweller is probably subjected to a higher concentration than those on the land.

We have to move as they are moving overseas and provide strict regulations governing the manufacture of chemicals and to ensure that manufacturers accept that responsibility and conduct proper testing before a product is placed on the market. Even the chemical companies themselves know of the dangers. In 1973 Dow Chemical (Aust) Ltd and Du Pont (Australia) Ltd, two of the largest chemical companies in the world, admitted that they destroyed their employees' records, as a matter of policy, after ten years. Few companies maintain a detailed record to enable them to ascertain whether an employee may have encountered a certain chemical. Many workers engaged in these industries are now developing cancer and it would be extremely difficult to trace any exposure which they may have suffered and which may have been responsible for the cancer.

The chemical companies have indicated that they have endeavoured, as the Government has, to prepare legislation which will put some check or control on these toxic substances. There has been a flow of activity in the United States of America which passed the Toxic Substances Control Act which became law in 1976. Other coun-

tries, including Canada, Switzerland, Japan, France, Norway, Sweden and Italy, have at least introduced legislation along the same lines. In those countries, the companies have to carry out experimentation and evaluate the effect of toxic substances through these experiments, which are costly, to ensure that the products which they place on the market are not in any way endangering the public which uses them.

We have to accept the fact that manufacturers can place directions on a can but it is not always possible to follow them. I illustrate the case of my sister-in-law who for a short time lived in Queensland—this is going back several years—and on one occasion she purchased a can of 2,4-D on which appeared the instruction that the contents should not come in contact with the skin. She decided to spray some fruit trees on a very hot day. She put on long gloves and while spraying the fruit trees, an unpredictable gust of wind caused the spray to go over her. She was wearning a light summer frock at the time but she immediately went inside and had a shower. From that time on, and for a period of six months afterwards, she experienced considerable nausea at various times. A rash appeared on various parts of her body but she was informed by the doctors that she was suffering from an allergy. However, since reading reports of the effects of the spray, she believes what she suffered was caused by her use of the spray.

Members of the Labor Party believe the Bill is a step in the right direction, although it does not go far enough. As well as placing controls on the use of chemicals, the Government should be encouraging through an education system, the use of natural methods to control pests. Natural methods can be used, and although they may be called old-fashioned and may not be as effective, they may be a lot safer. A decision should be made one way or the other on which method is to be used. Much more control and superivsion should be provided over the transport, handling and use of agricultural chemicals. The safety of persons working with agricultural chemicals should also be ensured. I move:

That all the words after "That" be omitted with the view of inserting in place thereof "this Bill be withdrawn and re-drafted to provide greater control and supervision of the transport, handling and usage of agricultural chemicals in order to protect public health and ensure the safety of all persons working with or associated with the use of agricultural chemicals."

The DEPUTY PRESIDENT (the Hon. W. M. Campbell)—From now on honorable members will be speaking to the second reading and the reasoned amendment.

The Hon. D. M. EVANS (North Eastern Province)—Members of the National Party have studied this measure because they represent the rural areas of Victoria, and the subject is agricultural chemicals. Any change in the use of chemicals is of critical importance to the agricultural industries. For that reason it is important for members of the National Party to ensure that any initiatives taken are reasonable in every way. This is not to say that other honorable members are not concerned about substances coming on to the market for medicinal purposes, for the killing of weeds or insects or for the improvement of paintwork in houses and so forth, being deleterious to human life or its continual existence on earth.

The Bill is fairly simple. It sets out a number of rules and regulations for the formulation, mixing and guaranteed quality of production and purity of a number of substances and refers to the registration and re-registration and the use of various chemicals for experimental purposes during the work-up stage for agricultural and household use and so forth. The various propositions contained in the Bill seem fairly sensible, and the National Party supports the measure as generally presented to the House.

However, some comments should be made on the use and general pattern of chemicals in the community. What Mr Mackenzie said is true; there is an enormous number of new chemicals. I do not doubt what he said in the sense that many of the chemicals after

use can be detected on a continuing basis in the human body, in animal tissue or in vegetable matter. If one is not careful that can be used to paint a rather alarming picture of hormones or molecules of these chemicals moving around the body and lodging in the kidneys and so forth. It is also true that one of the reasons for having a number of functions and various mechanisms in the body is to ensure that substances which are not used in the body metabolism, digestion or functions are expelled from the body. It is probably also true that many substances that have not value to the body but are not dangerous to it are taken in and put out from time to time.

However, we must be aware of the substances which may be dangerous. As a general rule, because each person is an individual and can react differently to different chemicals, the substances used in everyday life, almost without exception, provided they are used according to direction and not used in too large a quantity, and are manufactured according to the necessary standards, are not harmful. It is true, of course, that nearly every substance can be harmful under certain conditions—through misuse, overdosage, impurity or in its effects on certain individuals.

I draw attention, for example, to penicillin which is one of the oldest anti-biotics and perhaps one of the most important substances in the saving of human life known to man. It is one of the wonder drugs. To some people that substance brings a strong allergic action, and in rare cases it can cause death. I do not think anybody would suggest that penicillin should be banned because it is of enormous benefit to the majority of the human race. The severe reaction that it causes in some people indicates that care should be used in its application, injection or dosage to the human being. That is the correct procedure to be taken with all chemicals.

Consideration must be given to whether chemicals are being used with a full understanding of the substances involved. Chemicals are complex and in many cases are not naturally occurring. Often they are forced-growth, naturally-occurring substances or, alternatively, they are synthetics of naturally-occurring substances. That is true of many of the hormone weedicides used in agriculture, particularly 2,4-D and 2,4,5-T which are growth hormones, and which produce a distorting growth pattern, making the leaves grow too quickly for the stem or the stem grow too quickly for the roots, thereby killing the plants. It should be appreciated that they are naturally occurring substances. The other day during another debate in this House I drew attention to 2,4,5-T being a constituent of many of the green vegetables that we eat. That is a reasonable way of setting the scene.

There is no doubt that many of the chemicals to which reference has been made are of enormous value in agriculture. It is not unreasonable to assert that without many of the chemicals available today, agriculture would be far more difficult, much less efficient, much less productive and it is fair to say that without many of the modern chemicals, larger numbers of people would unfortunately be starving to death in the world. If there are some side effects to individuals, distressing though they may be, they must be weighed against the extreme good that accrues to the vast majority. The motor car, for instance, kills approximately 900 people each year in Victoria, yet it is a tremendously good method of transportation. We have made a value judgment as to what is the more reasonable course of action to adopt, and have decided to take precautions to reduce the number of people who die as a result of motor car accidents.

Similarly, we should ensure that the people using agricultural or other chemicals are aware of and take account of the directions. Last week I drew attention to the highly emotional publicity and statements made by people who, I am certain, do not know what they are talking about regarding a number of substances. The chemical receiving publicity at present is Agent Orange which was used in Vietnam and

which contains 2,4,5-T and is believed by some people to contain 2,4-D, although it does not. It is an extremely emotional issue. The most serious point is that many people become frightened of the substance being available for use in the community. I submit that their fears are completely unnecessary. I have not yet seen any authoritative statements, papers or research indicating that 2,4,5-T in the pure form is dangerous or deleterious to man. Again there may be the reservation that in the individual case or as a result of gross overdose there could be danger. Everyone agrees that a contaminant of 2,4,5-T, namely, dioxin, TDDD, can be dangerous. It is recognized as being extremely potent. It is an impurity of 2,4,5-T. Therefore, the sensible course would be to ensure that in any 2,4,5-T sold in Australia the limits of dioxin are not dangerous. Australia sets a standard, as I indicated to the House two weeks ago, of about one-fifth of the contamination level for dioxin that the World Health Organization allows as a reasonable standard.

I referred to emotional propaganda because it is a prime example of the inaccurate comment that is made in newspapers. Regrettably, when making speeches in this House too many honorable members draw substantially on newspaper articles and files for research material. In an article by Phillip McIntosh which appeared in the *Age* in 1978 the following was stated:

> They found that 100 per cent of the injected solution was excreted in the urine after five days but an average of only 5·8 per cent was excreted five days after the skin application.

It sounds as though the chemical, if it is on the skin, cannot be removed. That is the inference contained in the article. A letter by Mr McIntosh to Mr Peter Cole-Adams who, I believe, works for the *Age*, about twelve months after he had been bullied into writing it, indicates that the studies show that only 5·8 per cent of 2,4-D administered topically was absorbed through the skin and that all of it was excreted and disappeared after five days. However, the inference in the article was that about eleven-twelfths of the amount remained in the body for more than five days, with all the deleterious effects associated therewith.

This type of highly emotional, highly inaccurate and, to my mind, dangerous propaganda leads to much public confusion. The facts should be faced. These substances can be dangerous if misused. If they are badly manufactured and contain impurities, again they can be dangerous. However, they are extremely valuable to agriculture. Wheat and other crops in Victoria and Australia would be one or two times as expensive to grow and would be raised in lower quantities without the aid of these chemicals. Therefore, they have enormous value. It is reasonable to ensure that the value of the chemicals and substances is realized, by using them correctly within the directions and in the correct quantities. Chemicals should be guaranteed to be sufficiently pure not to be dangerous.

I now deal with the interjection by Mrs Coxsedge: "How does one know that they are used in accordance with directions?"

The Hon. Joan Coxsedge—How do you ensure that?

The Hon. D. M. EVANS—What is likely to be dangerous about the use? Firstly, they could contaminate waterways or they could fall on the skin and not be washed off properly.

Indeed, those who use these chemicals do not do so unadvisedly. Any persons who do not realize that if they get one of these chemicals on their skin they should wash it off or wear protective clothing and do not do so, have no one but themselves to blame. A person who sprays chemicals on his property on a broad acre basis generally does so according to the directions to achieve a desired result. A person would not want to apply more than he needs to apply because that would be totally uneconomical.

The majority of farmers who use these chemicals are either skilled in their application and have the necessary scientific equipment or they engage a contractor who is skilled in this work. It is not a case of dabbing chem-

icals on here and there. That may be how insecticides are used in households but it is not how chemicals are used on a farm.

Many of the substances to which I have referred which are used in agriculture have been used for an extended period of time. So far as I am aware, there has not been a rush of people suffering abnormalities or deaths or anything of that nature over a long time because of the use of these chemicals.

A lot has been said about Vietnam veterans. My understanding of the situation is that the Federal Government has now set up an inquiry to inquire into this matter. I was interested to hear Sir Gustav Nossal of the Walter and Eliza Hall Institute of Medical Research on AM radio a couple of weeks ago saying that he believed that the inquiry should be able to produce the necessary information well within the required time span. The impression I gained from his speech was that he believed it was a reasonable inquiry and would produce the sort of results upon which reliance could be placed. He did not give any indication for concern that the results would not be accurate or reasonable but would be results in which the community should have confidence. I was heartened to hear a man of his reputation commenting in that fashion. Perhaps we should wait until the findings of that committee are known.

The Agent Orange issue is interesting because it appears that the chemical used in Vietnam was a dirty industrial chemical containing many times the normal quantity of dioxin impurities. It is recognized that dioxin is a dangerous substance. Agent Orange contained many times the recommended maximum limits of that chemical contaminant and was applied at many times the normal application rate. Without making a judgment as to whether Agent Orange, as such, was the cause of problems suffered by Vietnam veterans, for the reasons I have mentioned, there is certainly no reason to correlate it to the substances used in agriculture in Australia. In this country, an impure substance is not used at many times the normal application rate.

The Hon. R. A. Mackenzie—That has never been proved.

The Hon. D. M. EVANS—No doubt the Federal Government inquiry will determine such basic facts. I accept the opinion given to me by people in whom I have confidence. The clear position is that these substances have done a lot of good over a long period. It has been difficult to prove they have done any harm.

The report on birth abnormalities at Yarram showed no harm had been done as a result of the use of these chemicals. The real possibility is that it was a statistical occurrence which could occur, if I recall correctly, in 500 groups of a similar size in Australia in any one year. An accident happened. For thousands of years abnormalities in humans and animals have been known to occur for a vast number of reasons. But, suddenly, all of these occurrences seem to be the responsibility of weedicides or chemicals and it is claimed that just because someone sprayed 2,4-D or 2,4,5-T near people, that must be the problem.

Spina bifida, the disease involved at Yarram, was first discovered in the fifteenth century. I am reliably informed that there was no synthetic 2,4,5-T around at that time. The natural substance may have existed. There were natural causes. It is unreasonable to assume that because two things coincide—the spraying of weedicides and birth abnormalities—that that must be the cause. In many areas in Victoria these weedicides have been used without this result.

Often garbled newspaper articles or magazine reports are written about things that have occurred in the United States of America to back up arguments advanced in Australia regarding these chemicals. In my view, the American legal system appears to consist of every American suing every other American for every imaginable subject under the sun. That is probably an over-statement but the American legal system appears to use the suing for

damages system much more than it is used in Australia on far lesser pretext, so that everything that could possibly have caused damages to some individual is likely to be the subject of a law suit. That situation does not occur in Australia. One must bear that fact in mind.

The measure is reasonable. It attempts to guarantee the purity and continuity of purity of substances used in agriculture. It provides tests of the ability of firms to continue supplying goods of a reasonable quality and is generally a further advance into the safer use of chemicals.

My last point is that one of the most dangerous substances on a long-term basis may well be the product of normal combustion—of coal, natural gas or petrol—namely carbon dioxide. With the postulated possibility of what is known as the greenhouse effect on the earth, with the development of large quantities of carbon dioxide in the atmosphere because of the lack of timber growth, the trees are cut down in third world countries to supply the needs of other countries that will not grow their own timber, that means the eco-system can no longer handle the carbon dioxide as adequately as it should. The temperature of the earth's surface is likely to get warmer, as a result of the release of massive amounts of carbon dioxide, with a resultant change in the weather pattern which may melt the polar icecaps and flood the land and affect the food supply of the world. Yet we have difficulty in coming to terms with the way in which we provide the necessities for the earth. The world has perhaps more worries than simple chemicals that have been tested.

Many people have used these chemicals for many years without apparent sudden ill-effects. One could say that the evidence against damage being caused is at least as great and perhaps many times more than the suspicion of what damage may be caused.

Emotional alarmist statements are made by seemingly reputable newspapers and scientists in the community who would help more if they ceased scaring people to death, who do not understand the situation, just for the sake of headlines. A more responsible attitude should be adopted by members of the press and better research undertaken by newspapers like the *Age* and journalists like Peter Cole-Adams and Phillip McIntosh. This would be appreciated and would be a real public service.

The Hon. N. F. STACEY (Chelsea Province)—I wish to speak briefly on the Bill principally because Mr Evans has aroused my interest in some of the comments he made tonight. I compliment Mr Evans for having a comprehensive understanding of the subject of dangerous chemicals and their effect on society. To a large degree, I accept what he said.

The area on which I wish to concentrate is that there is current within the community—it has existed for some time—a fear of the unknown, a fear that seems to generate into scientists saying that this is harmful and that is harmful. I sometimes think it has reached the stage where scientists have proven that the only safe way to live is to stay in bed and if one indulges in exercise in bed that may also be harmful.

The Bill, in part, recognizes this general concern and endeavours to establish control. Twenty-five years ago there was general concern within the scientific world about the long term effects of DDT on the population. The result was that large farming communities throughout the world tended not to use DDT because of fear. The result was that the food production potential of South-East Asia was reduced considerably because farmers also took to heart the warning about DDT. This was at the time when scientists were saying that if new brands of rice were used twice as much would be produced an acre, so there was a serious fall-off in harvested crops in South-East Asia because of the refusal to use DDT. Since that time, reputable scientists have discovered that DDT has no residual effect and it is now being used in those grain producing countries and production has risen.

Mr Evans referred to the number of alarmist statements made by seemingly reputable newspapers and scientists. It is inevitable that scientists will disagree. That is part of their responsibility, but I believe there is an awesome responsibility on the media to try to inform people in the way that the old *Reader's Digest* used to inform people about basic medical facts.

I say that simply, but they were responsible. I shall give an illustration that is perhaps a small, classic example of the effect of scare publicity on one member of the community. In the *Age* of 12 April 1980, at page 18, in "Access Age", a person from South Oakleigh wrote an opinion which was reported in the column under the heading, "Why Spray?" which stated:

> The Dandenong Valley Authority is spraying areas of its 11 municipalities with the poisons 2, 4, 5-T and 2, 4-D. It ignores all information on the possible dangers of these two poisons.

The word "possible" shows the person is responsible—

> I live in Oakleigh. I work in Springvale, and I am pregnant. Why is this allowed to happen?

Since the Minister for Conservation some eighteen months ago banned the use of one of those chemicals in built-up areas, the Dandenong Valley Authority has not used either of the chemicals in any of its municipalities. That is a consequence of reports, whether true or false of possible dangers of the poisons. How many thousands of people in that region will read those reports and assume that the authority is irresponsible? In fact, the authority does not use these chemicals and has not done so for the past eighteen months. If the authority needs to use chemicals it requests the Lands Department to use a particular chemical. In the control of blackberries, the chemical used costs eight times as much. I support the Bill.

The Hon. E. H. WALKER (Melbourne Province)—The Bill is important. It introduces stricter controls over the uses of pesticides in two ways, namely, by prohibiting all uses of any unregistered agricultural chemicals except for experimental purposes and by prohibiting the use of any agricultural chemical for any particular purpose when so specified by proclamation of the Governor in Council. The Labor Party has said it is willing to support the Bill. I simply pose a few questions on an issue that concerns me. It concerns me that Mr Evans tends to take this issue too lightly. He has spoken on many occasions in an attempt to placate people who are responsibly objecting to the use of these chemicals.

The Hon. D. M. Evans—I do not take the subject lightly.

The Hon. E. H. WALKER—I have said Mr Evans tends to take the line that until it is proven that there are dangers in the uses of the chemicals in city and country areas, he will continue to advocate their use. That is wrong. He has suggested literature is not available but literature is available to suggest a relationship between the use of these chemicals and some specific human reactions which in many cases long-term scientific evidence has not proved; however, there is circumstantial evidence and in my view Mr Evans has overloked and made light of what is a serious issue.

One of the questions I wish to pose is: How effective are the controls that are being introduced and do they go far enough? For example, controls over storage and transport, of which debate has occurred in the House at length on liquid trade wastes, occupational health, safety aspects and so on, are important. I note that on page 7226 of *Hansard* of 19 March 1980 the Government has promised the introduction of a further Bill to deal with these issues, and I look forward to a Bill being introduced which will include those factors.

The Hon. D. M. Evans—Some of those factors are the responsibility of the Commonwealth Government.

The Hon. E. H. WALKER—It would have been appreciated if Mr Evans had mentioned that aspect in his comments during the debate.

The Hon. D. M. Evans—I overlooked that aspect in my remarks but I make the point now through interjection.

The Hon. E. H. WALKER—The second question, and most important, is that apparently there is no control over the actual use of the chemicals once they are bought. There is a real difference between agricultural and domestic use. The point has been well made by my colleague but it is clear that in domestic use—I refer to city use—as Mr Mackenzie suggested, the concentration of these chemicals is far greater. I add that there is an amateur status on the use of chemicals in city gardens because one can buy off the shelf highly dangerous chemicals in any hardware store. The directions on the container of the chemicals may read that one part in a hundred should be mixed but some people believe if they mix four parts in a hundred the mixture will do the job better. That is the extraordinary risk one runs with a highly dangerous chemical.

There is not nearly enough evidence of the controls needed over the use of chemicals after a sale is made in a shop. I accept some of Mr Evans' comments in that certain users of the chemicals are more knowledgeable than others because of the economic factor but even so there is probably an over-use and wrong use in many circumstances.

The third question I pose concerns problems about the chief chemist being the decision-maker. The Royal Australian Chemical Institute has suggested that an independent group of professional advisers should be used to provide independent expert advice. There have been other cases of one individual being put in a responsible position and in this case the chief chemist is given full responsibility. It would be preferable to have an independent group of advisers because the issue is probably too big for one person.

The fourth question I pose is that the increasing use of such chemicals has not been considered in relation to agricultural practice, the environment, or its effects on people. Some knowledge about present use is available but there is a vastly increasing use of these dangerous chemicals and the Bill does not give any real lead on that problem.

The fifth question is that there ought to be layers of control and better education for registered farmers. In other words, in an area of danger, it is necessary that there should be true professionalism. It is all right for Mr Evans to state that farmers are professionals. Of course, they are in the business of making a living and they are trying to do their job efficiently. However, there is a read need for education because there is enough evidence of the dangers that exist and one of the safeguards would be proper education. Full-time applicators should have medical checks. There should be a constant programme for medical checks for people in constant contact with chemicals.

It is not good enough to say that one should not worry about these chemicals until absolute scientific evidence proves otherwise. There is sufficient evidence to know how dangerous the chemicals are and that in too many cases they are not being used properly. I reiterate that city use is as dangerous as rural use and is probably more amateurish. Those five questions need to be considered, and I note the intention of the Government to introduce a further Bill to cover those points.

The House divided on the question that the words proposed by Mr Mackenzie to be omitted stand part of the motion (the Hon W. M. Campbell in the chair).

Ayes	23
Noes	11
Majority for the motion ..	12

AYES

Mr Baxter	Mr Knowles
Mr Bubb	Mr Lawson
Mr Chamberlain	Mr Long
Mr Dunn	Mr Radford
Mr Evans	Mr Stacey
Dr Foley	Mr Storey
Mr Granter	Mr Taylor
Mr Hauser	Mr Ward
Mr Hayward	Mr Wright
Mr Houghton	*Tellers*:
Dr Howard	Mr Reid
Mr Jenkins	Mr Saltmarsh

NOES

Mr Eddy	Mr Walker
Mr Kennedy	Mr Walton
Mr Kent	Mr White
Mr Landeryou	*Tellers:*
Mr Mackenzie	Mrs Coxsedge
Mr Trayling	Mr Sgro

PAIR

Mr Hunt	Mr Butler

The motion was agreed to.

The Bill was read a second time and committed.

Clause 1 was agreed to.

Clause 2 (Citation of Principal Act)

The Hon. W. V. HOUGHTON (Minister for Conservation)—I thank those honorable members who contributed to the serious debate on this serious subject. As was clearly indicated by the Minister of Agriculture in another place, this is the first of a number of Bills designed to deal with the problem of the ever-increasing use of chemicals and their dangers, particularly those chemicals used in agriculture.

Unfortunately, we have come to live with chemicals but we have done so because they can help us to produce larger food crops to feed the hungry world, although, despite them, many people still go hungry. When a method of biological control of the pests and fungi that affect food crops is found, everyone will be much happier, but that stage has not yet been reached.

There is an extremely wide range of types of chemicals involving different degrees of danger. They range from the systemic insecticides—and everyone who has used them and most other people would know that they are extremely dangerous—to harmless chemicals that can be used with impunity, even though they are sometimes abused because they are incorrectly diluted. Of course, the improper use of chemicals is dangerous. If everyday, harmless chemicals, such as common salt, are abused they can become poisonous, but the human body can stand small amounts of dangerous chemicals, such as dioxin, without damage. It is possible to kill oneself by drinking two bottles of whisky. The quantity poisons the human system. It is even possible to kill oneself with water.

Chemicals must be clearly labelled and must instruct the user on their correct use, and the Bill does something about that. Mr Walker suggested education campaigns are needed so that people can be made aware of the ways in which chemicals can be used. The labels are often used—and in my view they should be—to assist in that sort of education. The Bill is a start, but it is by no means the finish, of dealing with the entire problem.

The clause was agreed to, as were clauses 3 to 6.

Clause 7 (Amendment of No. 6257 s. 8A(1))

The Hon. R. A. MACKENZIE (Geelong Province)—The clause deals with the registration of chemicals. The present list of registered chemicals was prepared several years ago and although the *Government Gazette* keeps adding to it, it is hard to obtain the complete list. I should like the Minister of Agriculture to examine the matter and to ensure that a complete list of registered chemicals is published regularly, not only in the *Government Gazette* but also in the general press, so that people are aware of what chemicals are dangerous.

This is one of the main points members of the Opposition have tried to make; we are more concerned with the educated and responsible use of particular chemicals than in having them banned. If the complete list of registered chemicals were published frequently, it would be a step in the right direction.

The clause was agreed to, as was clause 8.

Clause 9 (New ss. 9A-9C inserted in No. 6257)

The Hon. R. A. MACKENZIE (Geelong Province)—The clause deals with the cancellation of registration at the request of the wholesale dealer. The area of registration of wholesalers and retailers should be examined. As I said earlier, it is possible for a person to buy dangerous chemicals at the local

supermarket and to go through the check-out counter without having a conversation about the chemicals he has purchased. If retailers and wholesalers had to be registered, people who purchase chemicals could be given instruction in their use and the dangers that might be involved.

I should like the Minister of Agriculture to examine the possibility of having regular training programmes for all retailers of agricultural chemicals so that they can be kept up to date. I realize that it would cause some inconvenience, but it is better to suffer a little inconvenience than to have sickness and deformity in the community, which can be caused by chemicals and their misuse. It may be a little bit of trouble, but it could be done and it would help to prevent problems connected with agricultural chemicals.

The clause was agreed to, as were clauses 10 to 12.

Clause 13 (Director-General to issue notices specifying possible usages for agricultural chemicals)

The Hon. W. R. BAXTER (North Eastern Province)—This clause deals with specifications which may be laid down by the Director-General of Agriculture for the use of a particular chemical. Some concern has been expressed that it may not be desirable to have the same specification right across the State, in that a chemical that might be unsuitable for use in a water catchment or irrigation area, may be suitable for use in broad-acre farming in, say, the Wimmera wheat belt.

I understand that the honorable member for Lowan adverted to that situation during the debate on the Bill in the Legislative Assembly, and the Minister of Agriculture considered the point had a good deal of merit. The honorable gentleman undertook to investigate whether the present wording of the clause covered the situation. I should like the Minister for Conservation to advise the Committee whether the Minister of Agriculture informed him that the clause, as it is now worded, covers that situation or whether amendments are required to meet the point raised by the honorable member for Lowan, which was endorsed by the Minister of Agriculture.

The Hon. W. V. HOUGHTON (Minister for Conservation)—I am aware that the Minister of Agriculture noted the points made by the honorable member for Lowan in relation to that situation, and other examples readily come to mind, such as aerial spraying in certain areas. The Minister of Agriculture has not spoken to me about an amendment, so I assume that the matter is covered by the present wording or that he intends to cover it in a subsequent Bill.

The clause was agreed to, as was clause 14.

Clause 15 (New ss. 17A-17B inserted in No. 6257)

The Hon. R. A. MACKENZIE (Geelong Province)—Proposed section 17A relates to samples for analysis and the explanatory memorandum states:

> There is often a need to conduct a survey of products of a particular type.

I suggest that Victoria should follow the overseas legislation, which puts the onus on the manufacturers who have to carry out a series of tests. Thirty days before they put a product on the market they have to show that certain tests and experiments have been carried out. That is better than placing the product on the market, having it cause problems and then having the chief chemist calling in the manufacturers so that analyses and checks can be carried out.

I should like to know whether the Government has considered putting the onus to carry out the tests on the manufacturers, rather than on the chief chemist.

The Hon. W. V. HOUGHTON (Minister for Conservation)—This clause is designed as a check on the constituency of any substance of a dangerous chemical and is not related to the standards that are required of the manufacturers, except in so far as they are required to observe those standards.

Most of the chemicals used have been developed overseas. The large overseas chemicals companies, like Dow and ICI, are well known to us, and they spend astronomical sums of money ensuring that their products are thoroughly tested and safe before putting them on the market. Thereafter, they are required to meet standards, particularly in regard to the different constituents of the chemical, and this clause is designed to test those standards. I do not know whether the matter Mr Mackenzie raised needs to be taken any further. I have given an explanation, but I will carry that on further with the Minister.

The clause was agreed to, as were the remaining clauses.

The Bill was reported to the House without amendment, and passed through its remaining stages.

CANCER (AMENDMENT) BILL

This Bill was received from the Assembly and, on the motion of the Hon. W. V. HOUGHTON (Minister for Conservation), was read a first time.

ADJOURNMENT

Section 120A schemes — Melbourne road and Bell Parade intersection, Geelong—Bicycle tracks—Passenger rail services—Water supply to country municipalities — Melbourne's water supply

The Hon. HADDON STOREY (Attorney-General)—By leave, I move:

That the Council, at its rising, adjourn until Tuesday, April 22.

The motion was agreed to.

The Hon. HADDON STOREY (Attorney-General)—I move:

That the House do now adjourn.

The Hon. D. R. WHITE (Doutta Galla Province)—I direct my remarks to the Minister of Water Supply. Last year, I raised the question of section 120A schemes in Mount Martha, Mount Helen, Chirnside Park and also in Geelong, and the Minister indicated to the House that there was a form of double payment involved in those proposed schemes and he would undertake a review. He indicated in the autumn sessional period that the review had been completed, but the committee that undertook that review was unable to come up with an equitable solution to the problem. He said that he would endeavour to find an equitable solution to the problem of 120A schemes.

In view of a number of representations that have been made to me since the Minister made those comments, I should be grateful if he would inform the House if the problem has been resolved to provide some relief to people currently affected by the section 120A schemes, and who are likely to be affected in the near future by those schemes.

The Hon. R. A. MACKENZIE (Geelong Province)—I raise a matter with the Minister representing the Minister of Transport. It concerns a corner on the Geelong-Melbourne highway, and I refer to the Melbourne road-Bell Parade intersection. For those who are familiar with the road, this is a major intersection at which traffic travelling from Melbourne can negotiate a left-hand turn and drive around the beach at Geelong. At this crossing there is a wide-sweeping curve that takes traffic around to the left. The traffic coming on to the Melbourne road has to negotiate traffic lights and also a pedestrian crossing.

The problem is that school children travelling parallel with the Melbourne road can cross with the lights to an island halfway across the road, but from that island to the other side there are no lights. This means that children have to wait on the island until the traffic is clear before crossing the road. This has created a dangerous situation.

The school has approached the Country Roads Board and it has taken a survey that indicated that this intersection was not used a great deal. I think the survey indicated that only twelve children crossed this intersection daily.

The point the school council is making is that if lights, or some form of traffic control, were installed, more children would use the crossing.

Many parents drive their children to school by car rather than have them cross this road.

I ask the Minister representing the Minister of Transport if he will investigate this matter further, because this intersection would be used a lot more if some traffic control device was installed. There have been a couple of dangerous incidents, but fortunately no child has been killed. The parents have expressed considerable concern about this matter.

The Hon. ROBERT LAWSON (Higinbotham Province)—I raise a matter with the Minister for Local Government, as representative of the Minister of Transport, and it concerns bicycle tracks. As the Minister is aware, the State Government is commissioning an extensive report on bicycle tracks, and auxiliary tracks of this nature, throughout the metropolitan area. The matter I raise with the Minister is the extension of bicycle tracks along freeways. If one drives along a freeway, one is aware of signs that state that bicycles, agricultural equipment, and cattle are forbidden on the freeways, or words to that effect. This is most disturbing as there are more cyclists in Victoria and in Melbourne than there are motorists.

I ask the Minister to take up with the Minister of Transport the incorporation of bicycle tracks into new freeway constructions and also building suitable bicycle tracks into existing freeways.

The Hon. JOAN COXSEDGE (Melbourne West Province)—I direct to the attention of the Minister representing the Minister of Transport the continuing run-down in passenger rail services. This run-down is contrary to Government promises made during the election, and comments made during the Budget debate, that there would be improvements in public transport.

I refer especially to recent reports that VicRail drivers have threatened to ban services to unmanned stations because of assaults by drunks and hooligans. Incidents involving threats and assaults on drivers or passengers have occurred recently at the Wattle Glen station, and on the Hurstbridge and Geelong lines. There was a most horrifying report in tonight's *Herald* of a young woman actually being thrown out of a speeding train. A report in today's *Age* refers to the last train to Geelong on Friday night as "the slops express". Youths and girls apparently have open slather, to drink themselves stupid on the train, and to harass and threaten the drivers, the guards and other passengers.

I ask the Minister to approach the Minister of Transport and ask him to take immediate steps to ensure that stations on this line are manned and that railway police are detailed to protect railmen and passengers.

The Hon. K. I. WRIGHT (North Western Province)—I direct a matter to the attention of the Minister of Water Supply concerning contact made to me in recent days by municipalities in country Victoria that are awaiting the provision of a water supply. Will the Minister indicate what steps he is taking to have water provided in the coming year.

The Hon. N. F. STACEY (Chelsea Province)—I raise a matter with the Minister of Water Supply and I refer him to the following article in today's *Sun*, on page 5:

> Drought: City Faces Crisis.
>
> In Melbourne where water restrictions have not been seen for seven years, the outlook is grim.

I ask the Minister, is that the true position? Is the position of domestic water supply in the Melbourne metropolitan area grim?

The Hon. F. J. GRANTER (Minister of Water Supply)—The first matter raised with me was by Mr White regarding the section 120A schemes. I know of Mr White's interest in these schemes on behalf of all constituents in Victoria, and they have also concerned me, as he recognizes. The committee carried out a survey and made certain recommendations to me, but my Cabinet colleagues and I are not satisfied that these recommendations will provide an equitable solution. It will probably be two or three weeks before I arrive at a final solution,

which I hope will be fair to all, but in a situation like this where people have to pay, I do not believe there can ever be an entirely equitable solution. However, I am endeavouring to obtain this.

I did not quite understand the matter raised by Mr Wright.

The Hon. K. I. Wright—The sewering of the townships of Minyip and Rupanyup.

The Hon. F. J. GRANTER—In respect of towns like Minyip and Rupanyup, the cost of sewerage is considerable, especially the township of Rupanyup where a number of people have requested that the scheme be not proceeded with at this stage. Whilst it is desirable to have all country towns sewered, the cost is rather exorbitant, especially where the population is not large.

The Hon. K. I. Wright—How many will be done next year?

The Hon. F. J. GRANTER—When Mr Wright says, "done", I suppose he means completed?

The Hon. K. I. Wright—Started.

The Hon. F. J. GRANTER—Four, I would hope. Mr Stacey raised a matter in respect of an article published in the *Sun* newspaper dealing with water restrictions in Melbourne. Melbourne has not had water restrictions since 1967–68 and for a short period in 1972, and the present situation is not grim, in my opinion. The Melbourne storages are 67 per cent full, and that is a rather satisfying situation at this time of the year. However, the system is dependent upon good winter and spring rains. The present situation demonstrates the value of the Thomson River system, the Cardinia system and Greenvale, all initiatives instituted by the Government and carried out by the Board of Works. The situation in Melbourne is most satisfying during a period of extreme drought. I think all honorable members recognize that it has been a period of extreme drought, especially in country Victoria.

The Hon. D. G. CROZIER (Minister for Local Government)—Three matters have been raised during the debate on the motion for the adjournment of the sitting which fall within the ambit of responsibility of the Minister of Transport.

Mr Mackenzie raised the question of the safety of school children traversing Bell Parade near the intersection of Bell Parade and Melbourne Road. Many honorable members will be familiar with this intersection which is an admirable piece of road engineering, but obviously there is a problem for pedestrians. I will have the matter taken up by the Minister with a view to determining whether the safety factors of that intersection which is used regularly by school children can be improved.

Mr Lawson has expressed his advocacy of the admirable concept of having bicycle tracks incorporated in the design of new freeways.

The Hon. E. H. Walker—It is a good idea.

The Hon. D. G. CROZIER—I am sure it is a good idea, as Mr Walker indicates, and I am sure that most honorable members would entirely agree, whether or not they are regular bicycle riders. Obviously, a cost is involved but, clearly, as the community becomes more aware of the advantages of using bicycles, not only in the metropolitan area, such proposals may become more popular. The cost benefit ratio presumably shifts in favour of such design features, and I would be happy to take this matter up with my colleague, the Minister of Transport.

Mrs Coxsedge has expressed concern about the safety not only of train travellers on some lines and on some trains but also of railways staff. She has directed the attention of the House specifically to a certain train on the Geelong-Melbourne run, which apparently is known as the "Slops Express". I can promise her that the question of safety and protection of train travellers and railways staff is of concern to the Victorian Railways and to the Government, and those regrettable incidents to which she referred are matters of concern to all honorable members. I

shall direct her concern and her suggestions for improved safety of both train users and railways staff on those trains to the attention of my colleague the Minister of Transport.

The motion was agreed to.

The House adjourned at 11.4 p.m.

QUESTIONS ON NOTICE

SCHOOLS IN PRESTON ELECTORATE

(Question No. 146)

The Hon. R. J. EDDY (Thomastown Province) asked the Minister of Education:

(*a*) How many pupils and teachers, respectively, are at each school in the electoral district of Preston?

(*b*) How many portable class-rooms are in use, indicating the schools and the number at each?

The Hon. A. J. HUNT (Minister of Education)—The answer is:

(*a*)

School		*Pupils*	*Teachers*
4309	Bell Primary School	447	24·5
4674	Gowerville Primary School ..	265	14·5
4646	Newlands Primary School ..	380	20·5
3806	Pender's Grove Primary School	308	18
4316	Preston East Primary School	407	22
4764	Preston North East Primary School	562	31
824	Preston South Primary School	376	20
3885	Preston West Primary School	421	23
	Preston East High School ..	622	51·7
	Preston Girls High School ..	739	54·4
	Preston East Technical School	666	77·65
	TAFE	360	
	Preston Technical School ..	782	76·5
	TAFE	350	..

(*b*)

School		*Portables*	
4309	Bell Primary School ..	General purpose class-room	2
		Art/Craft	1
		Commonwealth Migrant English	1
4674	Gowerville Primary School	Nil	
4646	Newlands Primary School	Nil	
3806	Pender's Grove Primary School	Commonwealth Migrant English	1
	Preston East High School	Commonwealth Migrant English	1
		General purpose class-room	2
4316	Preston East Primary School	Art/Craft	1
	Preston East Technical School	Music class-room ..	1
		Automotive	1
	Preston Girls High School	5 Modular General P. C.	3
		Commonwealth Migrant English	1
4764	Preston North East Primary School	Nil	
824	Preston South Primary School	Commonwealth Migrant English	1
	Preston Technical School	General purpose class-room	2
3885	Preston West Primary School	Art/Craft (fire reinstatement)	1
	Preston Technical College	General purpose class-room	5
		Multi-purpose	1

SCHOOL UNIFORMS

(Question No. 219)

The Hon. C. J. KENNEDY (Waverley Province) asked the Minister of Education:

Are school uniform manufacturers permitted to offer commissions to State secondary schools in return for the exclusive right to fit and sell uniforms to students on Education Department property?

The Hon. A. J. HUNT (Minister of Education)—The answer is:

Decisions on the wearing or non-wearing of school uniforms are matters for the councils and principals of the individual schools; so are any arrangements made for the supply of the uniforms. The sale of uniforms at schools is not recommended by the department.

The department can neither permit nor prohibit the offers manufacturers might submit to school councils for consideration. The acceptance or rejection of these offers, which may well be of advantage to parents and pupils in many cases, is again a local matter.

If commissions are obtained they would be paid to school funds, which are subject to yearly departmental audit.

SCHOOLS IN WAVERLEY AREA

(Question No. 223)

The Hon. C. J. KENNEDY (Waverley Province) asked the Minister of Education:

How many pupils and teachers, respectively, are at each school in Waverley Province and in the electoral districts of—(i) Noble Park; (ii) Syndal; and (iii) Wantirna?

The Hon. A. J. HUNT (Minister of Education)—The answer is:

The position at end of March 1980 was as follows:

WAVERLEY PROVINCE

School		*Pupils*	*Teachers*
4801	Amstel Primary School ..	499	25·5
5038	Brandon Park Primary School	978	44·5
	Brandon Park Technical School	439	..
	TAFE	..	38·6
	Brentwood High School ..	861	61·2
4984	Brentwood Primary School ..	614	27·5
3336	Clarinda Primary School ..	334	16·5
734	Clayton North Primary School	396	22
4747	Clayton Primary School ..	338	18
4384	Clayton South Primary School	689	36
	Clayton Technical School ..	719	..
	TAFE	145	73·5
4840	Clayton West Primary School	238	14
4712	Coatesville Primary School ..	582	27
5018	Cooinda Primary School ..	469	21·5
5108	Coomoora Primary School ..	834	40
4257	Dingley Primary School ..	531	23
4836	Glen Waverley Heights Primary School	378	17
	Glen Waverley High School..	777	61
2219	Glen Waverley Primary School	337	15·5
4968	Glen Waverley Special School	129	29 + 1
	Heatherhill High School ..	763	55·1
4802	Heatherhill Primary School ..	451	22
938	Heatherton Primary School ..	160	9·51
4841	Hillside Special School ..	25	6·5 + 1

School		Pupils	Teachers
4176	Hughesdale Primary School ..	327	27
	Huntingdale High School ..	748	56·5
4716	Huntingdale Primary School..	286	15
	Huntingdale Technical School	660	63·45
	TAFE	860	
5176	Jells Park Primary School ..	326	16
	Keysborough Technical School	680	63·3
	TAFE	..	
5101	Kingston Heath Primary School	377	18·5
5106	Kingswood Primary School ..	397	18
4955	Mentone Park Primary School	474	21·5
5052	Mimosa Primary School ..	470	25
	Monash High School ..	756	55·8
4951	Monash Primary School ..	373	17·5
4837	Moorabbin Heights Primary School	372	17
	Moorleigh High School ..	350	30·1
4923	Mount View Primary School	675	30·5
2172	Mulgrave Primary School ..	66	3
3449	Murrumbeena Primary School	518	24
5028	Northvale Primary School ..	779	35
4327	Oakleigh East Primary School	414	21
	Oakleigh High School ..	774	56·1
1601	Oakleigh Primary School ..	386	21
4823	Oakleigh South Primary School	368	18·5
5151	Oakleigh Special Development School	121	32
	Oakleigh Technical School ..	452	93·3
	TAFE	1043	
4874	Pinewood Primary School ..	608	27·5
3957	Powelltown Primary School ..	34	2
4909	Sandown Park Primary School	372	20
4859	Southvale Primary School ..	673	32
5070	Spring Valley Primary School	302	16
	Springvale High School ..	896	67·1
1658	Springvale North Primary School	380	18·5
3507	Springvale Primary School ..	448	26·5
	Springvale South High School	522	39
5015	Springvale South Primary School	623	29
4966	Springvale West Primary School	548	28·5
4832	Sussex Heights Primary School	357	16·5
	Waverley High School ..	634	50·1
5105	Waverley Meadows Primary School	578	26
4884	Waverley North Primary School	395	18·5
5085	Waverley Park Primary School	495	22·5
	Wellington High School ..	924	66·8
4947	Wellington Primary School ..	640	29
	Westall High School ..	925	79·1
4851	Westall Primary School ..	490	28·5
5094	Wheelers Hill Primary School	537	24
4785	Whiteside Primary School ..	265	14

NOBLE PARK ELECTORATE

School		Pupils	Teachers
3613	Carrum Downs Primary School	164	9
	Chandler High School ..	1106	78·1
4941	Chandler Primary School ..	660	32
3341	Chelsea Heights Primary School	478	23
5108	*Coomoora Primary School		
4257	*Dingley Primary School		
	*Heatherhill High School		
5192	Keysborough Park Primary School	310	16
1466	Keysborough Primary School	58	3
	*Keysborough Technical School		
3884	Bangholme Primary School ..	36	2
5106	*Kingswood Primary School		
5103	Maralinga Primary School ..	768	36·5
	Noble Park High School ..	746	56·5
3675	Noble Park Primary School ..	568	28
	Noble Park Technical School	651	112
	TAFE	1138	
4859	*Southvale Primary School		
5070	*Spring Valley Primary School		
	*Springvale South High School		
5015	*Springvale South Primary School		
5055	Wallarano Primary School ..	934	45
4807	Yarraman Park Primary School	347	17

SYNDAL ELECTORATE

School		Pupils	Teachers
4801	*Amstel Primary School		
4734	*Clayton North Primary School		
4747	*Clayton Primary School		
	*Clayton Technical School		
4840	*Clayton West Primary School		
5018	*Cooinda Primary School		
	*Glen Waverley High School		
4968	*Glen Waverley Special School		
4327	*Oakleigh East Primary School		
	*Oakleigh High School		
4874	*Pinewood Primary School		
4832	*Sussex Heights Primary School		
4924	Synbdal South Primary School	350	16
	Syndal Technical School ..	1178	111·1
	TAFE	606	
4305	Notting Hill Primary School (unstaffed)		

WANTIRNA ELECTORATE

School		Pupils	Teachers
2163	Bayswater Primary School ..	532	20
4973	Bayswater South Primary School	322	14·5
5039	Bayswater West Primary School	415	18·5
	*Brentwood High School		
4984	*Brentwood Primary School		
5111	Camelot Rise Primary School	579	26
4789	Eastmont Primary School ..	401	18
4836	*Glen Waverley Heights Primary School		
	Highvale High School ..	533	36·6
4986	Highvale Primary School ..	525	23·5
5176	*Jells Park Primary School		
	Knox Technical School ..	976	90·6
	TAFE	275	
4923	*Mount View Primary School		
5131	Regency Park Primary School	342	16
5058	Studfield East Primary School	600	27
4920	Studfield Primary School ..	556	25·5
	Vermont High School ..	1018	66·2
1022	Vermont Primary School ..	739	32·5
5078	Wantirna Heights Primary School	441	20
3709	Wantirna Primary School ..	171	8·5
4582	Wantirna South Primary School	196	9
5094	*Wheelers Hill Primary School		
4841	*Hillside Special School		

*These schools were listed above in Waverley Province.

SPECIAL TEACHERS FOR THE DEAF

(Question No. 316)

The Hon. K. I. WRIGHT (North Western Province) asked the Minister of Education:

Is it necessary for special teachers of the deaf to enter or re-enter the general teaching service to obtain promotion, thus restricting the total number of teachers of the deaf; if so, will the Minister take action to overcome this problem?

The Hon. A. J. HUNT (Minister of Education)—The answer is:

I am advised that it is not necessary for teachers of the deaf to enter or re-enter the general teaching service in order to obtain promotion.

An analysis of staff movements in 1979 for taking up in 1980 shows that two teachers sought and obtained promotion out of the

field of deaf education whilst two teachers sought and obtained promotion from the primary service to the field of the deaf.

Five senior teacher positions and two assistant with responsibility positions, available for promotion in schools for the deaf, remained unfilled due to lack of applicants.

Qualified teachers of the deaf are able to apply for and obtain promotion in both schools and services for the deaf and in mainstream primary schools.

Legislative Assembly

Wednesday, 16 April 1980

The SPEAKER (the Hon. S. J. Plowman) took the chair at 2.4 p.m. and read the prayer.

QUESTIONS WITHOUT NOTICE

INDUSTRIAL WASTE DISPOSAL

Mr WILKES (Leader of the Opposition)—Will the Minister of Health indicate what the Government's immediate plans are for the storage of toxic industrial trade waste, in view of its continuing failure to provide an adequate treatment plant for the control of industrial trade waste and to provide adequate temporary storage within the metropolitan area or beyond, as evidenced by the recent fiasco at Port Melbourne and the cancellation of the licence at Broadmeadows?

Mr BORTHWICK (Minister of Health)—I presume I am answering this question on behalf of a Minister in another place.

I am sure the latter part of the honorable member's question alludes to the situation at Port Melbourne and the bund which the Environment Protection Authority was endeavouring to establish on Public Works Department land. As I understand that situation, the authority is looking for an alternative to the Port Melbourne site.

On the general question of liquid industrial waste disposal, I understand that the authority is at present evaluating a variety of systems so that it can make a recommendation to the Government on which type would be preferable. The interesting part about toxic waste disposal is that no country in the world has the complete answer to the problem—that happens to be the truth. What many people will not acknowledge is that even with the most sophisticated forms of treatment, residues are left and must still be disposed of. Because of the manner in which certain people in the community operate, there will never be a place in the whole of Australia where the residues would be acceptable. The cold, hard facts of the matter are that in the type of technological industrial society that exists, this problem is extremely difficult to overcome.

Many people believe the answer is to use incineration, chemical or other processes, but that is not the complete answer, and honorable members ought to be made aware of it. Nobody has the answer to the problem that is left with the residues, which are still a substantial portion of the total load. It is because of that and the rapid changing of technology in this field that the Environment Protection Authority is examining ways and means by which the waste can be disposed of.

I might add also that many of the millions of gallons of waste to which the honorable member referred are not the total risk that he would have society believe.

HOUSING COMMISSION EMPLOYEES

Mr ROSS-EDWARDS (Leader of the National Party)—I refer the Minister of Housing to the prohibition which has been placed on employees, particularly senior employees, of the Housing Commission from communicating with or speaking to the media. Will the Minister give urgent consideration to relaxing these instructions, because the Housing Commission has suffered incalculable harm throughout Victoria as many of the good things it is doing and initiatives it is taking are not being made known to the public? This is a serious matter and is causing severe

embarrassment to senior regional officers of the commission throughout Victoria.

Mr DIXON (Minister of Housing)—I disagree with the Leader of the National Party.

An Honorable Member—That does not often happen!

Mr DIXON—It does not often happen, but on this occasion I do. I believe the media presentation of the Ministry of Housing and the Housing Commission is the responsibility of the Minister, and that statements which regional officers may wish to make ought to be submitted first to the Minister's office for approval. That will continue to be the state of affairs. There is no doubt that the Housing Ministry has achieved many good things which have not been appropriately presented to the media but the Ministry is working on that. Many of the matters are dependent upon the work of the Green Paper process but, nonetheless, there is a continuing story of works that are beneficial to the community and those works are being undertaken by the Housing Ministry and the Minister's office in conjunction with the regional offices, and those three bodies will do their best to convey the message.

VICRAIL

Mr COLLINS (Noble Park)—I refer the Minister of Transport to recent actions of the Opposition and the National Party in bringing about the defeat of the third reading of the Railways (Amendment) Bill which sought to bring about safer transportation for passengers on VicRail. Will the Minister inform the House what action he is now prepared to take in the light of the despicable attack which took place between Springvale and Westall stations last night whereby a young lady was not only attacked but forced out of the train on to the railway line? Is the Minister prepared to reintroduce the Bill in its previous form so that honorable members can recast their votes?

Mr MACLELLAN (Minister of Transport)—If there were any indication that either the National Party or the Opposition had second thoughts about their attitude to the Bill, I would certainly be willing to have it reintroduced even if it needed to be amended and if they have any constructive or unmentioned amendments they wish to propose I will be only too happy to discuss those amendments with them.

The Leader of the Opposition should not worry about what propositions are put in the House. The honorable gentleman ought to be worried about the propositions that are made in the corridors, not in the House.

I know the situation is embarrassing to the Labor Party because the trade union movement has decided that, since the Opposition was not prepared to support legislation which was intended to improve the trade union situation, the unions will now impose work bans. I understand the Leader of the Opposition did not receive his instructions from the trade union movement as to how he should have voted on the Bill. If the honorable member has second thoughts about it, Mr Speaker, I will do my best to help him save face.

Mr WILTON (Broadmeadows)—On a point of order, recently, the House made a decision upon a measure and the decision of the House is duly recorded. I ask whether the Minister of Transport is now having some rather detailed discussion which does, to some degree, impinge upon the decision of this House on that specific piece of proposed legislation?

Mr COLLINS (Noble Park)—On the point of order, the question I posed to the Minister of Transport relates to a despicable attack on a young lady travelling by way of VicRail last night and I asked the Minister whether he is prepared to reconsider reintroducing a particular Bill so honorable members can cast their votes again. It is a fresh issue.

The SPEAKER (the Hon. S. J. Plowman)—Order! On the question relating to the Bill that is now listed on the Notice Paper as a Dropped Order of the Day, some action must be taken by the Government to reintroduce the Bill to the House and, therefore, a question on this matter is in order and the question asked by the honorable member for Noble Park is acceptable.

Mr MACLELLAN (Minister of Transport)—As honorable members would be aware, there are existing powers. When the Bill was being discussed honorable members indicated that the system of allowing people who have not paid their fares but would be willing to pay $10 to be forgiven court action was not acceptable. I agree that it is an unpleasant system to have to fall back on.

VicRail is now taking action to increase the number of people employed in the enforcement section and to improve the inspection services on trains. If the 220-odd people now engaged in that activity cannot cope with the amount of public disorder on the railways system, additional assistance will be sought so that more people can be employed to do that work. Of course, those new positions will be created at the expense of existing positions and there will be some staff transfers. The railways will start issuing the $10 notices all over again and that process will continue until Parliament, the Government, the Opposition and the National Party can find the remedy.

LPG SUBSIDY

Mr AMOS (Morwell)—I preface my question to the Premier with a reminder to the honorable gentleman of his criticisms of the Fraser Government's energy pricing policy at the recent Federal Liberal Party meeting. What steps is the Victorian Government taking to ensure that the Fraser Government's liquefied petroleum gas subsidy is passed on to Victorians without delay? In providing the answer to that question, can the Premier indicate whether this Parliament will have to pass complementary legislation to enable the subsidy to be paid? Is the honorable gentleman aware that many distributors of LPG throughout Victoria are now being unfairly discriminated against because of their inability to carry the subsidy until the appropriate machinery is established?

Mr HAMER (Premier)—The policy enunciated by the Federal Minister was really in three parts. The first part involved the reduction of the domestic price of LPG to $205 a tonne, that is a reduction in the price of propane of $50 a tonne and a reduction in the price of butane of more than $100 a tonne. Every user of LPG is now receiving the benefit of that.

The second part concerned what is broadly called "autogas", which is LPG used in motor vehicles. The price of autogas is to remain at a level of approximately half the price of petrol. That has already occurred. There has been a reduction in the price of autogas, and motorists have already received that reduction.

The third part of the proposal involved a subsidy of $80 a tonne for LPG for domestic users—that is, people using the gas in their own homes. That will require both State and Federal legislation. However, the Gas and Fuel Corporation is retaining its tariffs at the present level for domestic users, even though it has not received the subsidy. The Gas and Fuel Corporation, in that respect, is showing a high sense of responsibility. However, it has been forced, because commercial and industrial users are not to receive the subsidy, to increase its prices for LPG used for those purposes, having regard to the fact that the price has risen from $67 a tonne to $205 a tonne in a little more than a year.

THIRD-PARTY INSURANCE REBATE

Mr JASPER (Murray Valley)—The Treasurer will be aware that most Victorians were extremely pleased to receive the 15·5 per cent reduction in motor car registration fees at the beginning of the year, but concern is now being expressed by many motorists and motoring organizations about the proposed 15 per cent increase in third-party insurance charges to take place on approximately 15 May. Has the Government given consideration to reimbursing the statutory authority for the approximately $5 million it will cost the authority in a full year to supply the rebates on third-party insurance to pensioners? If it has not considered this proposition, will it consider making that refund to the statutory authority?

Mr THOMPSON (Treasurer)—The 15 per cent increase in third-party insurance premiums was delayed as long as

possible. The last increase was in August 1976 and since that date there has been an increase in the consumer price indeex of approximately 37 per cent and a 46 per cent increase in the average number of claims paid out. The question of the honorable member was whether the Government was going to pay to the State Insurance Office the $5 million which the introduction of the 50 per cent concession in the payment of third-party insurance premiums for pensioner entails. As I explained to the honorable member during a previous debatee, the Government indirectly is doing that already inasmuch as there is very little likelihood of any profit coming from the State Insurance Office into the State Budget in the next financial year, whereas in the current financial year there was a payment of $16 million flowing into the Consolidated Fund. In that sense the Government is already subsidizing the State Insurance Office by reducing the amount of money which will comee from its funds into the State Budget.

INDUSTRIES ASSISTANCE COMMISSION

Mr MACKINNON (Box Hill)—Can the Premier indicate whether the Government has forwarded to the Federal Government its comments on the Industries Assistance Commission report on footwear, clothing and textiles. If so, what was the substance of the submission and when is the final report of the Industries Assistance Commission expected?

Mr HAMER (Premier)—The final report of the Industries Assistance Commission on clothing, textiles and footwear is expected about the end of this month. Those honorable members who know the procedure of the Industries Assistance Commission will recognize that when it has a reference given to it by the Federal Government, first of all it invites submissions from interested parties and then it produces a draft report for discussion and comment. In the light of that the Industries Assistance Commission then produces its final report. Therefore, we are between the last two stages in that there has been a draft report and the final report is due soon.

Therefore, it was important, if any useful comments were to be made, that they should be made before the final report goes to the Federal Government, and that is exactly what the Victorian Government has done. The Government called a meeting of 50 leaders of all three industries and trade union leaders involved in those three industries. It was a very useful meeting and it reached unanimous conclusions which were incorporated in a draft submission which again was circulated among those parties for comment, and finally the submission has gone to Canberra. Broadly, it invites and in fact insists upon the rejection of the draft proposals of the Industries Assistance Commission which would again upset those industries just when they are re-establishing themselves; would create uncertainty as to their future and inhibit investment in new plant and equipment and ultimately lead to loss of jobs.

The estimate on the loss of jobs which was contained in the submission came from the industries themselves and involved a possible loss of employment of up to 50 000 people throughout Australia of whom more than half would be in Victoria because of the concentration of those three industries in this State. It will be obvious, if the Industries Assistance Commission was not to agree with the Government's submission, that the impact would be felt very largely among women, migrants and people in country centres, where many centres are considerably dependent on industries of this type for employment opportunities.

It is a very important issue and I am glad to say that the submission which has now gone forward carries the unanimous support of all the industries in all their ramifications and I expect that the Industries Assistance Commission, in the first place, and if necessary, the Federal Government, would be very strongly influenced by it.

What we want is not further changes in these industries, but stability and sensible protection for our own well-

established industries; encouragement for them to be efficient in productivity, but above all, and certainly for the future, a climate for them to push ahead with the growth and development of which they are undoubtedly capable.

REPORT ON MALTREATING FAMILIES

Mr ROPER (Brunswick)—I ask the Assistant Minister of Health: When did he or his predecessor first receive the 200-page $100 000 report on maltreating families? Was it in 1977 or 1978? If so, why has it not been released until this morning and what action has been taken on its vital recommendations? Given that the Opposition has run out of copies, will the honorable gentleman make some of his copies available?

Mr LIEBERMAN (Assistant Minister of Health)—The question from the honorable member firstly attempts to elicit the date on which I first received the report. I am unable to say precisely except that it was some months ago and, since receiving the report, I am pleased to say that a considerable amount of work has been done in evaluating the report. In a way I am grateful to the Opposition for highlighting to the members of Parliament the action that the Government is taking, and that I have been taking, in conjunction with other Ministers concerning the report.

It is well known, I have made it well known, that the Government was arranging to release the report at a function that would include the presence of the authors of the report. I regard the report as one of the most significant——

Mr Fordham—It is old, though.

Mr LIEBERMAN—Why do you not keep quiet and listen to what I am saying? I regard this report as one of the most significant reports dealing with the vexed question of child maltreatment. I urge members of the Opposition to approach the issue of maltreatment as the Government is. The issue of maltreatment should not be a political matter.

The SPEAKER (the Hon. S. J. Plowman)—Order! A member of the Opposition has asked the question and I ask members of the Opposition to give the Minister the courtesy of listening to his reply.

Mr Remington—He is debating it.

The SPEAKER—Does the honorable member want to raise a point of order?

Mr LIEBERMAN—I suggest that all members of Parliament have a duty to work together on the question of maltreatment. It is a problem that affects modern society throughout the world and I am sure that honorable members would agree with me that maltreatment is not just the physical maltreatment of children.

The SPEAKER—Order! I advise the Minister that he may not debate the answer. He must give facts in his answer.

Mr LIEBERMAN—Over the past few months, the Attorney-General in relation to his responsibilities with law and law reform in Victoria, the Minister of Health in relation to his responsibilities with health and health services, and the Minister for Community Welfare Services and I, have been involved in an intensive evaluation of the report. The Government intends to arrange for the report to be presented by the authors to interested persons and I extend a warm invitation to the honorable member for Brunswick to attend so that the report can be discussed and evaluated.

I also mention, in the interests of honorable members of this House, that the report is certainly available and any one who wants a copy can approach me and I will arrange for them to have it, prior to the presentation with the authors. I will be able also to give them detailed information on how a number of the recommendations of the report have already been introduced into the system in Victoria, either by legislative action or policy action. There are a number of other recommendations that are not appropriate to be introduced at this stage, but which are being evaluated.

Again, if members of the Opposition are as interested as the Government is in the question of maltreatment, I invite

them to arrange to see me and I will be pleased to brief them on all these matters.

POLICE RECRUITMENT

Mr COLEMAN (Syndal)—Has the Minister for Police and Emergency Services seen reports that police recruitment is to decline and that the Glen Waverley Police Academy is to be closed down? Can the honorable gentleman advise whether the police recruitment is to decline and whether the academy is to be closed down?

Mr THOMPSON (Minister for Police and Emergency Services)—I saw the report, which is completely inaccurate. The police training academy at Glen Waverley, if it is not already, will, in the short course of time, become the best academy for training police anywhere in Australia. Some $7 million has already been spent on it. There is no intention whatsoever of closing this down. Two rumours were circulating, one being that there would be no further intake of trainees this year. In the Budget speech, I indicated that there would be a gross intake of 500 recruits. Outside the House later, I think I indicated that this would probably result in 200 additional members of the force after allowing for 300 to replace those retiring and resigning. The latest figures indicate that to date a little more than 300 have resigned, to the order of 330, and I have given instructions that additional recruits be taken in May and June to compensate for that and to compensate for the fact that some recruits have resigned during their training. Therefore, both of those deficiencies will be allowed for.

Finally, there is also a rumour that until the Budget for this year has been completed and brought down in this House in September, there will be no further recruit intakes at Glen Waverley. This is also completely untrue. There will be intakes of approximately 40 trainees in July and approximately 40 trainees in August. Generally, we are making adequate use of what is probably Australia's finest police training academy, and we will continue to do so.

EXPORT OF LIVE HORSES

Dr COGHILL (Werribee)—Following the recent controversy at the live export of horses from Melbourne to Japan for slaughter and processing for human consumption, will the Minister of Agriculture indicate whether relevant State and Federal controls affecting the live export of sheep for human consumption also apply to horses and, if not, why not, and in what way will the Government ensure that there is no repetition of the recent disgraceful performance regarding live horse exports?

Mr I. W. SMITH (Minister of Agriculture)—I am concerned, as everyone would be, to ensure that the export of live animals takes place in the most humane and sound condition. In the absence of any regulations or legislation covering this aspect, I have instructed veterinarians of the Department of Agriculture to attend at the loading of each live animal shipment, and any animals that are not sound and fit for the voyage are not to be loaded.

STUDENT CONVEYANCE ALLOWANCES

Mr McINNES (Gippsland South)—The Treasurer, in his former capacity of Minister of Education, will be aware of the importance of conveyance allowances to pupils attending registered schools in the country, where distances of up to 60 miles one way and 120 miles return are involved. The conveyance allowance of $231 annually has not been reviewed for many years. Has the Treasurer been approached by the Education Department to increase this allowance to more realistic proportions and if so, what action does he propose to take?

Mr THOMPSON (Treasurer)—I cannot recall any specific correspondence from the Education Department but there may have been some. Certainly there was a telephone call this morning from the Honorable Jim Taylor, representing Gippsland Province, pointing out the considerable difficulties experienced by pupils in certain areas of Gippsland because the allowance remains at $231 per annum. This matter

will be one of the first to be considered by the Government in preparing the forthcoming Budget.

EXPORT OF LIVE HORSES

Mr SKEGGS (Ivanhoe)—I ask a question of the Premier, supplementary to the question answered by the Minister of Agriculture. In view of recent attempts to export live horses in unsound condition for slaughter overseas, can the honorable gentleman advise the House what steps he has taken, also in consultation with the Commonwealth, to put an end to this inhumane practice?

The SPEAKER (the Hon. S. J. Plowman)—I am not sure that this is within the Premier's province. He may answer if he wishes.

Mr HAMER (Premier)—I had a discussion on this subject with the Prime Minister in Canberra at the week-end. It will be apparent that at least part of the control over the export of horses falls within the Commonwealth sphere. In fact, the Commonwealth has laid down certain guidelines to cover the export of horses. I put it to the Prime Minister that obviously the guidelines had in some respects been breached because an inspection of the horses in Sydney had shown that at least half of them should never have been shipped in the first place.

The House has heard from the Minister of Agriculture the steps which it is proposed should be taken for the future, and I was assured by the Prime Minister that the Federal Government would also tighten the provisions and ensure that they were observed so that there would not be any repetition of what occurred last week.

PERSONAL EXPLANATION

Mr CAIN (Bundoora)—I desire to make a personal explanation. I claim to have been misrepresented by the Minister of the Arts.

In answers to two questions yesterday, the Minister referred to the booking of 130 seats for a concert through the Bass agency and said, amongst other things, that the 130 seats had not been double booked. He said:

> There was a slight mistake in that 130 patrons were charged a dollar more than they should have been.

Later, in answer to another question, he offered the general statement that, whenever I want to make ill-informed statements, I do not bother to check with the administration of the Victorian Arts Centre, the administration of Bass or the Minister of the Arts.

The facts are that I have received a number of complaints from promoters regarding the capacity and ticketing arrangements of Bass. They include Paul Dainty, Stadiums Pty Ltd and Michael Edgeley, among others. I wrote to the Minister on 12 February this year concerning Bass and seeking statements of account having regard to the massive sums of money lost. In that letter I said:

> When responding could you also advise whether Bass has received complaints from a number of promoters in recent months. I understand these complaints relate to the sale of the same seats on more than one occasion, and have caused great confusion and embarrassment to promoters on many occasions recently.

Honorable members interjecting.

The SPEAKER (the Hon. S. J. Plowman)—Order! Honorable members are aware that a personal explanation is not undertaken lightly. It is a matter of putting the record right. I ask honorable members on both sides of the House to allow the honorable member for Bundoora to give his explanation without interjection.

Mr CAIN—Thank you for your concern, Mr Speaker. I received a reply from the Minister of the Arts dated 29 February, in the third paragraph of which he states:

> You have also asked about complaints to Bass from promoters. I understand that on one occasion at Festival Hall, and with 6 tickets for The Australian Opera, human error has caused double booking.

Honorable members interjecting.

The SPEAKER—Order! Will the honorable member for Bundoora please resume his seat? I shall call the honorable member for Bundoora again when the House is prepared to hear him.

Mr CAIN—I continue to quote from the Minister's letter:

Whilst this is regretted, it should be remembered that many "hard ticket" problems caused by human error in ticketing and accounting are minimised or eliminated under the computer ticket system.

I was not entirely clear which concert that related to, so I sought information from Stadiums Pty Ltd, who were concerned with the promotions at Festival Hall to which the Minister referred. I wrote to Stadiums Pty Ltd enclosing a copy of the Minister's letter, and received a reply dated 11 March, which reads, *inter alia*:

In the case of the DEMIS ROUSSOS concerts, Bass programmed the seat numbers incorrectly and consequently we had one hundred and thirty seats incorrectly allocated by the computer, even then there were seats vacant which would of covered the amount sold, but as you can imagine with a full house and you have two tickets for one hundred and thirty odd seats, complete confusion exists. Also there were some incorrectly priced seats. These were sold at $1.00 higher than the normal price in the area.

If the Minister is still unsatisfied as to the accuracy of what he said in his letter to me on 29 February last, I have obtained for him photocopies of tickets for the double booked seats, which he may inspect if he so desires.

PETITIONS

Steel spring leg traps

Mr EDMUNDS (Ascot Vale) presented a petition from certain citizens of Victoria praying that legislation be introduced to prohibit the use of the steel spring leg trap in the catching of animals and to provide for a suitable replacement. He stated that the petition was respectfully worded, in order, and bore 20 signatures.

It was ordered that the petition be laid on the table.

Mr SKEGGS (Ivanhoe) presented a petition from certain citizens of Victoria praying that legislation be introduced to prohibit the use of the steel spring leg trap in the catching of animals and to provide for a suitable replacement. He stated that the petition was respectfully worded, in order, and bore 20 signatures.

It was ordered that the petition be laid on the table.

Casinos

Mr DUNSTAN (Dromana) presented a petition from certain citizens of Victoria praying that the proposal to introduce casinos into Victoria be withdrawn. He stated that the petition was respectfully worded, in order, and bore 20 signatures.

It was ordered that the petition be laid on the table.

Meat industry at Donald

Mr McGRATH (Lowan)—I present a petition from certain citizens of Victoria praying that the House take such action as it may to ensure the continued operation of the meat industry at Donald. The petition is respectfully worded, in order, and bears 4039 signatures. I desire the petition to be read.

Mr MACLELLAN (Minister of Transport)—Leave is refused.

It was ordered that the petition be laid on the table.

Tram and bus services

Mr SIDIROPOULOS (Richmond) presented a petition from certain citizens of Victoria praying that the House take such action as it may to provide new tram and bus routes for the outer suburbs, lower fares and improved services. He stated that the petition was respectfully worded, in order, and bore 40 signatures.

It was ordered that the petition be laid on the table.

GOVERNMENT PRINTING OFFICE FEASIBILITY STUDY

Mr AUSTIN (Minister for Property and Services) (*By leave*)—I move:

That there be presented to this House a copy of the feasibility study 1979 on the Victorian Government Printing Office.

The motion was agreed to.

Mr AUSTIN (Minister for Property and Services) presented the study in compliance with the foregoing order.

It was ordered that the study be laid on the table.

PAPER

The following paper, pursuant to the direction of an Act of Parliament, was laid on the table by the Acting Clerk:

Railways Act 1958—Report on the Victorian Railways Board for the quarter ended 31 December, 1979.

LOCAL GOVERNMENT (GENERAL AMENDMENT) BILL

This Bill was received from the Council and, on the motion of Mr BALFOUR (Minister for Minerals and Energy), was read a first time.

DIETITIANS BILL

Mr BORTHWICK (Minister of Health) moved for leave to bring in a Bill to re-enact and amend the law relating to dietitians and the practice of dietetics, and for other purposes.

The motion was agreed to.

The Bill was brought in and read a first time.

WANGERRIP (LAND EXCHANGE) BILL

Mr BORTHWICK (Minister of Health) moved for leave to bring in a Bill to provide for the exchange of certain Crown land in the Parish of Wangerrip and certain land in the Parish of Barwongemoong and for other purposes.

The motion was agreed to.

The Bill was brought in and read a first time.

RAILWAYS (BRIDGES) BILL

Mr MACLELLAN (Minister of Transport) moved for leave to bring in a Bill to amend section 80 of the Railways Act 1958.

The motion was agreed to.

The Bill was brought in and read a first time.

COUNTRY FIRE AUTHORITY (AMENDMENT) BILL

Mr THOMPSON (Minister for Police and Emergency Services) moved for leave to bring in a Bill to amend the Country Fire Authority Act 1958.

The motion was agreed to.

The Bill was brought in and read a first time.

VICTORIAN SOLAR ENERGY COUNCIL BILL

Mr BALFOUR (Minister for Minerals and Energy) moved for leave to bring in a Bill to establish a Victorian Solar Energy Council to encourage, promote and review research into the development of the uses and potential uses of solar energy and for other purposes.

The motion was agreed to.

The Bill was brought in and read a first time.

TOWN AND COUNTRY PLANNING (AMALGAMATION) BILL

Mr LIEBERMAN (Minister for Planning) moved for leave to bring in a Bill to abolish the Town and Country Planning Board, to transfer the staff of the board into the Public Service, to establish a Planning Consultative Council, to repeal the Ministry for Planning Act 1973, to make certain consequential amendments to the Town and Country Planning Act 1961 and to various other Acts and for other purposes.

The motion was agreed to.

The Bill was brought in and read a first time.

UPPER YARRA VALLEY AND DANDENONG RANGES AUTHORITY (AMENDMENT) BILL

Mr LIEBERMAN (Minister for Planning) moved for leave to bring in a Bill to amend the Upper Yarra Valley and Dandenong Ranges Authority Act 1976.

The motion was agreed to.

The Bill was brought in and read a first time.

PENSIONERS' RATES REMISSION BILL

Mr THOMPSON (Treasurer) moved for leave to bring in a Bill to make further provision with respect to the payment of certain rates and charges.

The motion was agreed to.

The Bill was brought in and read a first time.

SECURITY IN PENAL INSTITUTIONS

Mrs TONER (Greensborough)—I move:

> That this House deplores the failure of the Government to maintain acceptable standards of security in Victorian penal institutions.

It is with regret that I move this motion, but the bombing last week in "A" division of Pentridge Prison is the last straw in a series of incidents which demonstrate a breakdown in Victoria's penal system. The Government should begin a serious re-examination of correctional services following recent events in Victorian prisons. Since last May there have been escapes, fires, feuds, stabbings, drug peddling and, finally, a bombing in a supposedly high-security gaol. Meanwhile, at Ararat prison there have been allegations of misappropriations of funds. Such suggestions certainly do not enhance confidence in prison security.

The call by the Minister for Community Welfare Services for a review of prison security smacks of another cover-up, because the public never hears the results of the investigations of these incidents. I am sure honorable members will recollect that last September the Minister promoted a crackdown policy concerning breaches of prison security. He made repeated Draconian statements but they have not been matched by a practical approach to prison reform. It is quite inappropriate that a Minister who is responsible for welfare should also be in charge of correctional services. The combination has proved too much for the present Minister, who has been unable to make a realistic examination of the security problems that are rife in Victorian prisons.

I remind honorable members that the annual report for the year ended 30 June 1978 of the then Social Welfare Department—which, sadly, is the latest annual report from the department—stated:

> High priority continues to be given to the maintenance of acceptable standards of security at all prisons.

The report spoke of electronic monitoring devices at Geelong and Ararat, closed circuit telephone and remote-controlled entrance barriers at Ararat, new firearms being issued to staff at all prisons and staff retraining programmes in their use, improved alarm and communication systems and routine searching of cells to be carried out regularly —but it could not have been too regular last week, when the bomb was under a prisoner's bed. The report also spoke about comprehensive emergency plans. All of those were commitments made in the annual report for the year ended 30 June 1978, but in reality a great deal has happened since last May, when the Minister took over, to indicate that those security commitments are inadequate.

On the television programme *Nationwide* on Monday night, Mr David Richards, a journalist, revealed that information about explosives being smuggled into Pentridge Prison had been conveyed to a Government official several weeks before. That information was not acted upon. After the bomb explosion last Thursday, Mr Richards gave further information to the police. As a result of that it was claimed that more bombs were found, although today's *Age* reveals that the explosive materials found in the second search were in fact clay. Apparently, the dogs in which the Minister has placed such great faith have good noses for drugs but their noses are not so good for explosives, as they are unable to distinguish between explosives and clay.

The Minister has admitted his concern about the lack of security in Pentridge Prison. He is aware of allegations that explosives have been smuggled into the gaol and he knows the names of the prison officers who were said to be involved. He is also aware of allegations that the activities of the Pentridge drama group have been used as a means of smuggling plastic explosives and drugs into the gaol. An audience of 5000 people attended the recent performances of the Pentridge drama group over the period for which the play ran, and I understand the vetting of the members of the audience was quite inadequate. Prisoners were able to mix freely with the audience and

it is on that basis that allegations of drugs being passed to prisoners were made.

I am very much in favour of modern methods of penology, but it should be kept in mind that Pentridge Prison is not a repertory society, it is a gaol, and certain basic security standards should be adopted. If 5000 people are going to the prison to view a play, they ought to be properly screened.

Another form of entertainment has taken place at Pentridge recently. I understand that on several occasions women wrestlers have gone to the gaol to put on a performance. I also understand that prisoners have been allowed to wrestle in the ring with the women wrestlers. I may be old fashioned, but I do not understand what rehabilitative purpose such an activity would serve. It is quite inappropriate for one of Her Majesty's prisons.

As I have said, the Minister is aware of the allegations about smuggling and of the allegations that the bomb was used to solve a feud between two groups of prisoners in "A" division—the solution being to eliminate one group. If the information about explosives was given to a Government official several weeks ago, I should like to know why the Minister was not informed at the time. From all this the Minister has to come up with another review of prison security. There seems to have been a review once a week since he took office last May, and once again we hear of dogs as the ultimate solution for prison security.

I draw the attention of the House to the editorial in the *Herald* of 14 April, which states:

> It will take more than two dogs trained to sniff out drugs and explosives to correct the sloppy security which, in the past, has allowed guns, drugs, explosives, money and other contraband to be smuggled into the prison, which accommodates many of the State's most violent criminals. If they aren't very careful, the prisoners will probably steal the dogs.

The editorial goes on:

> The public has long ago become weary of repeated plans, promises, inquiries and "shake-ups", at Pentridge, few of which seem to have achieved much.
>
> A change in attitudes is required as much as sophisticated equipment—and dogs. Tighter security precautions are needed, embracing all who enter and leave the jail, including visitors and staff.

A change in attitudes is stressed. The Minister needs to look at that seriously. I will be exploring this throughout my speech because anyone who has had an association with Pentridge Prison in recent months is conscious of the terror that prisoners feel because of the lack of security in the gaol. The notion of rehabilitation is a bad joke in Victorian prisons. Pentridge Prison is a living proof of Charles Darwin's theory of the survival of the fittest. Prisoners are so busy protecting their backs that there is no possibility of showing that they want to conform to acceptable standards.

Anyone associated with Pentridge Prison in recent months will be aware of the terror that prisoners' families are feeling, knowing that guerilla warfare is operating in the gaol. Anyone associated with Pentridge in recent months knows the dismay of prison officers.

Mr Jasper—Have you been there?

Mrs TONER—Yes, I was there last Friday. The majority of prison officers are honest, decent and kindly men. The Minister, it appears, is not running our gaols; the Department of Community Welfare Services is not running our gaols; the Division of Correctional Services is not running our gaols. David Richards alleges that the gaols are being run by a few corrupt prison officers. He alleges that the gaols are being run by the worst elements amongst our prisoners. I do not know whether David Richards is right, but I do know that the gaols seem to be out of control. I also know that the Minister's solutions have not worked so far nor will they, not with 1000 dogs, double the staff or the most up-to-date monitoring devices, unless he looks at some new solutions.

One of the solutions could be useful productive work. Boredom is a significant factor in security problems. I remind the Minister of the report about the future of social welfare in Victoria that was tabled in this House in Nov-

ember 1978. It pointed out the United Nationals minimum standards of work in prisons, and those standards indicate that sufficient work of a useful nature should be provided to keep prisoners actively employed for a normal working day. There are other recommendations in the report that I advise the Minister to look at, and to think through carefully, if he is genuinely concerned about prison security, which I believe he is, though he has not found the right solution so far.

The report then refers to Victorian practice, as it relates to work in the prisons. It states:

Work is provided in all Victorian prisons but its sufficiency and usefulness seems questionable. In the whole of Pentridge there would seem to be only 200 real or useful jobs, the remainder of the population spending their time on such chores as cleaning. Even where jobs exist within the system the productivity seems very low, and motivation is neither present nor nurtured.

Mr Jona—You told me that before.

Mrs TONER—I have not the Minister's statement before me. No doubt the people who wrote this report also wrote the Minister's statement, so what I am reading from the report talks about the future of social welfare in Victoria, and certain recommendations are made. The major recommendations that were made in relation to Victorian gaols have not been followed through, and I will itemize them later on.

The Minister has not been able to unite his divided department, and the divisions and tensions that exist among the prisoners, the officers and the administrative staff, compound the problems of prison security.

I wish to read an unsigned letter, from a group of prison officers, that I received yesterday. I do not know the accuracy of their comments but I believe the letter highlights the low morale that exists in Corrections Divisions. It states:

A group of Pentridge Prison officers—

Mr JONA (Minister for Community Welfare Services)—On a point of order, Mr Acting Speaker. Could I ask the honorable member to inform the House of the precise source of her information. It is normal practice in this House, when a quotation is read, that the author of that statement is named.

Mr WILKES (Leader of the Opposition)—On the point of order, Mr Acting Speaker, the honorable member for Greensborough has already informed the House of the source of the letter. It is an anonymous, unsigned letter, from a group of prison officers. That designates the source quite clearly.

The ACTING SPEAKER (Mr Birrell)—In this case it has been openly stated that the document has come to the honorable member without any authority, without any address, and so on, and that is quite adequate.

Mrs TONER (Greensborough)—I was trying to make the point that tensions exist in the gaol. These are the sorts of statements that prison officers make about the administrative staff. I would not make those statements myself, but I am using this example to indicate that this is what some prison officers feel about the administrative staff. This letter contains comments similar to those I have heard from officers of the gaol quite frequently. It reads:

Dear Mrs Toner,

Another round of violence at Pentridge, and yet another round of 'official' excuses on their occurance.

The Minister and the Officers of the Community Welfare Services Department have once again blamed the problems on the lack of staff and equipment. They have further given to the public figures supporting their 'claims'. They have stated that the number of violent prisoners has increased from 25 per cent to 50 per cent this is downright deceptive. True, 50 per cent of todays Pentridge Prisoners are serving time for violent crimes, but the actual number of violent prisoners has not increased at all. The total number of persons confined today has decreased thus making this deceptive statement possible. Further, the increase in staff numbers was not mentioned. While we don't have the exact percentage it would be greater than the 50 per cent increase of violent prisoners mentioned by the minister. Total effect the staff to prisoner ratio has increased significantly over the past few years.

I think even the honorable member for Burwood would agree with that.

We put it to you that the real problem is 'staff', but not uniformed staff, rather the so called professional staff. We challenge you to

look into the qualifications of all the staff who are now involved with the making of policies in the department.

The Director General and the Deputy Director General are absolutely lacking in correctional experience. The present Director of Correctional Services has never had any correctional experience. He spent three months at Pentridge as the Superintendent, whilst his Deputy (Van Groningan) ran the institution. The present Deputy Director (Room) is an absolute disgrace to the system.

Mr COLLINS (Noble Park)—I seek your guidance, Mr Acting Speaker. I do not know all the forms of the House, but the honorable member for Greensborough is now getting into some detail from a piece of paper that is unsigned. It could have been acquired from anywhere, and she is now starting to slander, by virtue of what she is saying, the reputation of senior public servants in this State. My point of order is this: If, in fact, the honorable member can do this without naming or revealing the source, at the very least she should table the document so that honorable members can check the handwriting and find out who this character is.

Mr JONA (Minister for Community Welfare Services)—On a further point of order on the same subject.

The ACTING SPEAKER (Mr Birrell)—Order! I would like to rule on the point of order raised by the honorable member for Noble Park. Honorable members who are listening to the debate can assess the usefulness or otherwise of the remarks made by the honorable member for Greensborough.

Mr Dixon—It is a misuse of the Parliament—that is what it is—to slander innocent public servants—absolute slander.

The ACTING SPEAKER—Honorable members understand the nature of the remarks being made. It is up to them whether they accept those statements or not.

Mr JONA (Minister for Community Welfare Services)—On a further point of order, and I think this is a most important point because it relates to the ancient traditions and precedents that have been followed in the Westminster system for a long time, and they are what the honorable member is breaching. Under that tradition, the Minister accepts responsibility for actions in his department, and if the honorable member wants to attack me she can do so to her heart's delight, and I will defend myself. However, I do not think the House should tolerate the honorable member for Greensborough attacking the professional status, the personal capacity, ability and attitudes of members of my department from the Director-General down. They are not here to defend themselves. I am responsible for their actions and I ask you, Mr Acting Speaker, to rule that the honorable member's statements are completely out of order and out of character with the traditional Westminster system.

The ACTING SPEAKER (Mr Birrell)—That is really a statement of hearsay. There is no point of order.

Mrs TONER (Greensborough)—I would appreciate it if the Government members would listen to what I have to say. I prefaced my remarks——

Mr Jona—On the basis of an unsigned letter.

The ACTING SPEAKER—We are all aware that this is an unsigned letter. Surely our judgmental faculties can cope with that fact.

Mrs TONER—I would appreciate it if the Minister would now listen. The fact of his inability to listen, to understand what I have to say, shows why he is a bad Minister. I ask the Minister to think back on how I prefaced this letter. I said that this is an indication of the tensions in his department, and the sort of comments that prison officers make about administrative staff all the time. I indicated quite clearly, and the Minister would have been aware of this had he listened, that I do not agree with them.

The ACTING SPEAKER (Mr Birrell)—Order! In this House honorable members debate one at a time. It is not a mass debate and I want it to remain one speaker at a time.

Mrs TONER—Thank you, Mr Acting Speaker. The former Minister for Community Welfare Services also knows the tensions which exist between pri-

son officers and the administrative staff. I would have hoped that the present Minister could have resolved those tensions.

Mr Dixon—Don't slander any more public servants.

Mrs TONER—I will proceed. This is one prison officer's comment on the present Superintendent of Pentridge Prison: They are his comments, not mine: "I have found him a charming man". This is what one hears when one visits the gaol. This is what is said when one talks to the prison officers. The letter continues:

> The present Superintendent of Pentridge has only the experience he gained at Pentridge, and is out of touch with his staff. He has spent a great deal of time on leave, pursuing his other 'duties' as administrator of The Church of the Latter Day Saints—

of which he is a bishop—

> In fact, many of our members state that is his purpose for being in Australia.

Mr KENNETT (Burwood)—On a point of order, Mr Acting Speaker, there are illustrated in *May's Parliamentary Practice* areas of traditions and forms of this House which it is expected that honorable members will uphold in a responsible approach to the administration of this State. Already the honorable member for Greensborough is before a Select Committee of this House for having breached those traditions and forms.

I put it to you, Mr Acting Speaker, that using an unsigned document to slander people who are doing their jobs and who are in no position whatsoever to respond is in incredibly bad taste, is out of order and is certainly not in keeping with the codes and ethics of this House. The honorable member for Greensborough should be ruled out of order. If she is not, she should have the decency not to continue.

The ACTING SPEAKER (Mr Birrell)—Order! I have already ruled on this point. I do not uphold the point of order although it may appear to some honorable members that it is unfortunate that this has been brought up.

Mrs TONER (Greensborough)—The letter concludes by saying:

> We may sound as if we are bitter and unhappy, and we are.

Mr Kennett—Who are they? Name them.

Mrs TONER—A group of Pentridge Prison officers. Anyone can go out there and ask them, and they will say that they are bitter and unhappy. They are bitter about the Minister and they are bitter about the Government. They say:

> We only ask one thing of you. That you ascertain for yourself the correctness and accuracy of our allegations and then expose them to the Victorian ratepayers, for it is they who are the losers in this situation.

I should like the Government to consider that.

By admission, the Minister has demonstrated every few weeks since he has been in office that something is very wrong with security in Victorian gaols. Each time an incident has occurred, the Minister has made Draconian statements, but those statements have not been matched by a practical approach to solving the problems of prison security. I do not believe the Minister understands the complexity of the problem confronting him. The question is one of management, not of reintroducing the thumb screw and the rack.

Has the Minister studied the Report on the Future of Social Welfare in Victoria presented to this House in 1978? Not one of the commitments made in respect of correctional services has been implemented.

Mr Jona—That is completely untrue and you know it. You are lying again.

Mrs TONER—Prison security is a disgrace.

Mr CATHIE (Carrum)—On a point of order, Mr Acting Speaker. The Minister has accused the honorable member for Greensborough of lying again. I find that term unparliamentary and I ask that the Minister withdraw it.

The ACTING SPEAKER (Mr Birrell)—The term is unparliamentary and I ask the Minister to withdraw it.

Mr JONA (Minister for Community Welfare Services)—The honorable member is making statements which in no way resemble the truth. I withdraw the allegation that she is lying.

Mrs TONER (Greensborough)—Prisoners, officers and administrators know this is a Government which breaks its promises. There should be some continuity of commitment from the former Minister to the present Minister. I remind the present Minister that the former Minister, in the Report on the Future of Social Welfare, said:

> The Government will reorganize correctional services in Victoria to separate first offenders, with sentences of less than 12 months.

Mr MACKINNON (Box Hill)—On a point of order, Mr Acting Speaker, I am becoming slightly confused. Is the honorable member for Greensborough still quoting or is she now reading her speech? I am not sure where the quotations begin and end.

The ACTING SPEAKER (Mr Birrell)—Would the honorable member inform the House whether the quotation is still continuing or is it near the end?

Mrs TONER (Greensborough)—I have just begun that particular quotation.

The ACTING SPEAKER—Is this a new quotation?

Mr Roper—She said where it came from, if you had been listening.

The ACTING SPEAKER—For the benefit of the honorable member for Box Hill, the quotation is proceeding.

Mrs TONER—The Minister is the one who is confused. His department is confused and he is making a most confused mess of the management of Victorian prisons. To quote from the report, this is a commitment made by the Government:

> The Government will re-organize correctional services in Victoria to separate first offenders . . .

It has not been done. Quoting again from the report:

> There will be greater emphasis on promoting alternatives to institution penalties.

That has not occurred in recent times. The commitments already made by the Government have not been expanded and extended because the Governmnt has cut back in that area. The report states further:

> Work release schemes and attendance centres will be expanded.

People are presently in gaol because those facilities have not been expanded, and that is one of the problems at Pentridge, too. The report continues:

> Community service orders will be developed.

They have not been. The report continues:

> There will be a Commissioner of Correctional Services within the Community Welfare Services Department to identify the specialist nature of the Correctional Service Division.

That has not happened either.

Mr JONA (Minister for Community Welfare Services)—On a point of order, Mr Acting Speaker.

Mr Cathie—Not again!

Mr JONA—Yes, again. The honorable member's motion refers to standards of security in Victorian penal institutions. She is now entering into a debate on the whole wide area of correctional services, and the matters to which she is referring have no relationship to prison security. If she wants a debate on correctional services, I will give her one any time, but this is not the time. This is a debate on security.

The ACTING SPEAKER (Mr Birrell)—I am inclined to accept the point of order from the Minister. The motion reads:

> That this House deplores the failure of the Government to maintain acceptable standards of security in Victorian penal institutions.

It obviously needs some elaboration broadly, but I am inclined to believe the House would probably prefer, and I would probably prefer, to keep fairly strictly to the term "standards of security".

Mr ROPER (Brunswick)—On a point of order, Mr Acting Speaker, the particular remark being made by my col-

league, the next Minister for Community Welfare Services, was that there would be——

The ACTING SPEAKER (Mr Birrell)—Order! Is this a completely fresh point of order?

Mr ROPER—My point of order is—and I quote from the document from which my colleague was quoting—

> There will be a commissioner of Correctional Services within the Community Welfare Services Department to identify the specialist nature of the Correctional Service Division.

If that person is not a key to the development of security services, not only in Pentridge but throughout the State, one wonders why that recommendation would have been made in the first place. The point being made is that, without that appointment, there cannot be adequate security at Pentridge and any reference, for instance, to the failure to appoint a Commissioner for Correctional Services——

The ACTING SPEAKER (Mr Birrell)—I accept the point of order but from here on I shall expect to vet the course of the debate.

Mrs TONER (Greensborough)—Thank you, Mr Acting Speaker. The next item goes on to say:

> High security accommodation will be extended.

Does that fit? "High security" refers to security in our gaols, high security accommodation. The Jika Jika wing has still not been finished. Castlemaine is still on the drawing board, but the Government cannot get its act together to finish the project. The report continues:

> Prison industries and farms will be reorganized.

They have not been, although the Minister knows they were pretty well organized at Ararat and there is some answering to do in respect of that. The report continues:

> A prison industry corporation will be established. Increaseing emphasis will be placed on programme development within prisons, and more accredited volunteers. . .

Volunteers in respect of probation and parole have just gone by the board under the present Minister.

Last year a comprehensive report on classifications was prepared for the department by David Biles. Correct classification is one of the most vital elements of security in gaols, but the recommendations of the report have not been implemented. Not even a small minibus has been purchased to move prisoners quickly out of Pentridge to country gaols and so they are left there, crowding the accommodation. It is very difficult indeed to classify prisoners and place them correctly relative to their particular problems in an overcrowded gaol. If the Minister listened to the people at the gaol and to people who have been around prisons for a while, he would know the importance of classification, but he still thinks it is possible to solve security by razor ribbons and dogs. The previous Minister at least made the right noises, even if he did not manage to persuade the Government to carry out his recommendations. At Pentridge natural enemies are placed together in the same division and this was the cause of last week's problem.

According to the report I am quoting:

> The purposes of classifications shall be to separate from others those persons who, by reason of their criminal records or bad characters, are likely to exercise a bad influence.

That simply has not been done. It has been a bad year for the Minister. Starting from soon after he became the Minister, on 25 May fire wrecked a gaol block at Pentridge. On 6 June more than twenty police were guarding Ararat gaol after a threat that it would be bombed. Last August a television set was used in an electrocution by a prisoner. Then there was the stabbing incident. I placed on notice a question about that incident last September and I received yesterday a reply to the question on how the prisoner in "H" division obtained the knife used in the stabbing of Mark Reid at Pentridge and whether the knife was of the type normally used for hobby activities in the prison or was identifiable as being from a source outside the prison. The answer I received after a nine-month wait was:

> Although it cannot be stated with certainty, it is believed that the knife used in the stabbing of "H" division prisoner Mark Reid was smuggled into the division, minus its handle, secreted inside the spine of a large book. Such

books were used by certain "H" Division prisoners as part of their educational programme.

Apparently certain "H" division prisoners knew of the plan to introduce the knife to the division and when it arrived it was fitted with a handle and then concealed behind lining boards in the labour yard where the stabbing later took place.

The knife used was a butcher's knife and was of the type used as a part of the culinary education programme in the Northern Prison, Pentridge. Therefore, it had been legitimately brought into the prison for educational purposes. However, it had been removed from the education centre some five months before the stabbing and considerable efforts made during that time had failed to locate it.

So much for security in the gaol. Then at Ararat warders were injured in prison attacks, so there was no problem with the security there, according to the honorable member for Burwood. The prison officers at Ararat have indicated that they are in a gaol where the guards go around in fear. Then the situation at Pentridge occurred where a prisoner sliced off his ear.

Mr Kennett—Whose fault is that?

Mrs TONER—If the prison had adequate security, a psychologically disturbed prisoner would not be able to obtain a weapon to cut his ear off.

In October another security problem occurred and the police were probing a drug find in Pentridge Prison. Also in October a prisoner was wounded, and according to an article in the *Toorak Times*, the Minister stated:

Security fencing of Victorian prisons will be strengthened by the use of a new "fence topping".

According to the Minister, the razor ribbon protection wire and the Dog Squad will fix it up. In November there were bashings at Pentridge, and in December three prisoners were stabbed in a brawl at the gaol.

In January a blaze occurred at Fairlea Female Prison, as I had predicted several months earlier and as had been feared for many years. I have seen Fairlea, and the danger is perfectly obvious.

Feuds, fighting and knifings occurred in "H" division during January; a drug overdose occurred in January, and what did the police have to say?

Mr Kennett—You are not slandering them?

Mrs TONER—No, they are right on the ball. The headline in the *Age* of 15 January was, "'Jail a joke', say police", and the article stated, *inter alia*:

Prisoners can get razor blades to slice off their ears; they get knives to stab each other; they get hypodermic needles and drugs to inject each other; they concoct home-made brew to knock themselves senseless.

That is what the police say about the security in the Victorian gaols. A headline in the *Sun* on 15 January was "Danger 4 high on drugs in "H" division". This is an example of the splendid security. Another headline appeared in the *Herald* stating "Knife, lock picks in jail", and in the *Sunday Observer* it was stated that the Minister would move "H" division warders. The Minister finally conceded in January that something may be wrong in "H" division, and he was prepared to move some warders.

A report was made by Mrs Quinn, who said that her son is on the Pentridge death list. Honorable members will recall that the motion I moved points out the that standards of security in Victorian gaols are not all they should be. The prisoner Eastwood was hurt in a gaol fight and newspaper articles stated:

Jail row may go on.

It stated that officers were dissatisfied and planned to adopt a "work to rules" campaign.

They are not quite happy with the administration of the department and the gaol.

An article appeared in the *Ararat Advertiser* last week about the events there. This is a bad situation, and I have been waiting to hear from the Minister. The article stated, under the heading, "Inquiry about prison's finances":

The State Government has called in the police to investigate allegations that Ararat prison officers have conspired with prisoners to defraud the government.

That article was published on 10 April, and on the following day, 11 April, the report was supposed to have been

completed. We have not heard anything yet, but it does not inspire confidence in security in gaols when these allegations are made. The Minister should deal with them quickly.

The finale to all this is why we are debating this motion today; the headline in the *Sun* of 11 April was:

Bomb rips jail cell; four hurt.

Mr Jona—You are going to tell us where it came from, are you?

Mrs TONER—I am not going to attempt to say where it came from. All I am indicating is that the standards of security are not acceptable to the Victorian public, and the Minister has some answering to do, not just in respect of what occurred last Thursday, but in respect of the Government's mismanagement and neglect of Victorian gaols.

Mr JONA (Minister for Community Welfare Services)—The House has just been subjected to one of the most unprecedented speeches ever given by a member of Parliament in the Westminster system. By quoting from a letter sent by one or more anonymous people—we do not know how many—the honorable member for Greensborough has made one of the most serious possible breaches of Parliamentary privilege, and has abused the forms of the House to the maximum degree by attacking departmental officers in the most extreme and savage terms.

It is all right for the honorable member for Bundoora to stand there; he is one of the first people in the State to rush to defend the rights of the citizens of Victoria. Four or five senior officers of the Department of Community Welfare Services have been attacked on a wide range of matters associated with their personal characteristics, religious beliefs, and goodness knows what, and they are not able to defend themselves. The matters are completely unrelated to their performance in the department, and the honorable member for Bundoora nods his head in full support of the Leader of the Opposition and the honorable member for Greensborough.

Mr CAIN (Bundoora)—On a point of order, I think you, Mr Acting Speaker, should control what the Minister is saying in the Chamber, because I was having a private conversation. He has no right to make the comments that he is making.

Mr JONA (Minister for Community Welfare Services)—I will withdraw, because I am delighted to know that the honorable member for Bundoora dissociates himself from the honorable member for Greensborough.

The ACTING SPEAKER (Mr Birrell)—Order! The point has been made. I think it was unfair of the Minister for Community Welfare Services, at the point of entry of the honorable member for Bundoora, to make allegations against him when he was not present to hear what he said earlier.

Mr JONA—I certainly wish that more members of the Opposition would join with members on this side of the House in dissociating themselves from the type of attack that the honorable member for Greensborough made on senior officers of my department, from the director-general downwards. She also circulated copies of her statement to the press in advance.

Let us quickly look at some of the criticisms the honorable member made about security in the prison system. In her speech of 20 minutes or so she mentioned only about three matters of criticism, and I shall refer to them in order. Firstly, the honorable member strongly opposed the existence of the drama activities at Pentridge Prison. In case she doubts the words she used, I quote from the honorable member's press release, which states:

Pentridge is still a prison, not a repertory group.

That was the basis of her attack on the existence of the drama group in Pentridge Prison.

Mrs TONER (Greensborough)—On a point of order, it appears that the Minister is maintaining that Pentridge is a repertory group.

Mr Jona—I am saying that there is a repertory group in Pentridge. You are making the statement that Pent-

ridge is a repertory group, and I am dissociating myself from your attack on the drama group.

The ACTING SPEAKER (Mr Birrell)—I do not think there is any point of order.

Mr JONA (Minister for Community Welfare Services)—I can refer only to frivolous matters, because they are the only matters to which the honorable member for Greensborough alluded in her attack on the security at Pentridge Prison. I do not think they are worth repeating, but they are the only arguments she used. From my point of view and that of the department drama is an important and useful activity as a form of therapy by way of entertainment in Pentridge Prison, and will be continued despite what the honorable member for Greensborough says.

Secondly, she made a strong criticism of the limited amount of work provided in Pentridge and spoke of the need for proper vocational training. She made that reference without giving any consideration to the recent announcement in which I indicated the establishment of a steering committee following the recommendations of the White Paper. A steering committee is to be set up under the chairmanship of a distinguished employer in this State and will consist of representatives from the Trades Hall Council, the chairman of the State Tender Board and the Director of Correctional Services of the Department of Community Welfare Services. The committee will report to me on the best ways and means of establishing a prison industry corporation.

As I pointed out in the statement announcing the appointment of the committee, one of the reasons for the proposed establishment of that corporation is so that we can better encourage, not only the establishment of a more effective prison industry in Victoria, but also the development of the types of jobs and vocational training that can be geared to the usefulness of prisoners both while they are in prison and for their potential employment outside. That was one of the aspects, and the honorable member is quite aware, although it has no relation to security, of what the Government is doing in this regard.

Finally, the honorable member dealt with the security measures which have been undertaken. At the beginning of the debate she attacked the Government for failing, as her motion states, to introduce adequate security measures into Victorian prisons, but she has strongly and vocally opposed every security measure introduced into Victorian prisons over the past twelve months since I have been the responsible Minister. These measures do not relate only to the use of razor edged ribbon protection wire for the perimeters of prisons, which will continue to be put in. No one will get hurt unless attempting unlawfully to get in or out of the prison. The honorable member strongly opposed the use of the razor ribbon. She strongly opposed the security measures which were introduced into the high security sections of prisons, although the security measures did nothing more than to provide for more efficient and effective checks to be made by prison and security officers in areas, in which the most violent criminals were housed, particularly at Pentridge Prison.

The honorable member opposed the ban which I placed on prisoners in "H" division, where trouble had occurred because of weapons concealed in papers and hobby materials kept in cells. She opposed the bans I placed on the housing of material in excessive quantity, by limiting the amount of paper and personal properties that could be used in "H" division cells. She opposed the introduction of changed hours for professional visits which I introduced to ensure that they occurred at times when prison staff could best cope with the required traffic of prisoners.

The honorable member has opposed every security measure that has been introduced or sought to be introduced into prisons. She conveniently omitted from her address the facts and figures which, contrary to her belief that security has broken down and that there

are more crimes and problems in Pentridge Prison, show significant improvements in the whole of the system.

I shall quote a number of relevant facts. I refer first to escapes, which the honorable member did not mention. In the year 1974–75, 57 prisoners were involved in 39 incidents of escape from Victorian prisons. In the year 1978–79, four years later, the number of escapes had been reduced from 57 to 21—hardly a breakdown in security. It was brought about as a result of things such as greater perimeter security, more dedication by prison officers and more resources and facilities being made available to them.

I refer next to attempted escapes by prisoners. These are the people whom the honorable member is so anxious to visit at Pentridge on frequent occasions. In 1978 there were nine attempted escapes, and in 1979 there were fifteen. We had managed as a result of security measures to prevent six additional prisoners from escaping compared with the previous year, again, because of the security measures which were introduced into the prisons.

Let us look at the number of offences committed in prisons so that events such as the explosion last Thursday at Pentridge can be seen in their proper perspective and not in isolation.

Honorable members should remember that the explosions at Pentridge Prison in 1976 and 1977 were of far greater potential danger than the explosion which occurred last Thursday. Honorable members should not reach the conclusion that the explosion last Thursday occurred as a result of any breakdown in security measures. The real facts should be examined. The honorable member for Greensborough, who is interjecting, made enough untrue statements in her speech and she should now sit back and listen to the truth.

Honorable members interjecting.

The ACTING SPEAKER (Mr Birrell)—Order! I tried to give protection to the honorable member for Greensborough when she was on her feet and I would like her to remember that and to give the Minister the opportunity of contributing to the debate unhindered.

Mr JONA—The number of offences committed by prisoners within correctional services institutions and which were of such a nature to be dealt with by a prison governor in 1974–75 was 1108; in 1975–76 it was 702; in 1976–77 it was 595—the number of offences is decreasing as a result of better security—and by 1977–78 it was reduced to 465. The fiugres are not available to me for this year but that trend is undoubtedly continuing. The number of offences committed in prisons which were heard by the prison governor has shown a steady decline over the years as a result of increased security measures.

I draw the attention of the House to some interesting trends in the change of prison population to which the honorable member for Greensborough referred and of which I shall give details shortly. While the number of offences which has occurred—those serious enough to be heard by visiting magistrates, those for which criminal charges were laid and those which were even more serious—has increased over the past five years, the number of persons committing the offences has shown a very minor increase. In other words, fewer persons are involved in a greater number of offences now than five years ago. That is not a reflection on any lack of security but rather on the composition of the prison population.

Honorable members ought to appreciate that since 1970 the official statistics taken by the Office of Research and Social Policy of my department—and I am glad the director of that division was not the subject of a brutal and vicious attack by the honorable member for Greensborough—show that in 1970 the number of violent prisoners in the adult correctional services institutions was a little less than 25 per cent. By 1978 this figure had increased to a little more than 50 per cent. This is a reflection on the general incidence and nature of crimes in the community be-

cause we in the correctional services get the end results of what happens in courts.

Over the ten-year period 1968–1978 serious assaults increased by 207 per cent to 1400, rape increased by 130 per cent to 330, larceny, which is an offence of non-violence, increased by only 6 per cent, motor vehicle theft, some of which would be associated with crimes of violence but which in a sense is not a violent crime against a person in itself increased by only 13 per cent and drug offences increased by 2500 per cent from 200 to 5300 a year.

The incidence of violent crime in the community is reflected within the prison community but the incidence of offences within the prison system has nowhere near increased with the incidence of offences outside the gaols. This is because, despite obvious deficiencies to which I shall refer later in the security system——

Honorable members interjecting.

Mr JONA—Some members of the Opposition seem to treat a debate about events which have led to an explosion at Pentridge Prison with hilarity. This is disturbing when the events that are debated today are most serious and are not an occasion of jocularity or mirth. Honorable members are debating a matter with facts, figures and statements about the situation and, as a Parliament, trying to resolve the approach that should be taken in the prison system.

The honorable member for Greensborough is more concerned with playing politics, even at the expense of senior members of my department, in order to obtain cheap publicity amongst unnamed prison officers who represent the smallest possible minority among a highly reputable and respected prison service which is one of the finest services in the country. The honorable member for Greensborough consistently wants to quote a handful of people who are not game to have their names quoted. I assure the honorable member that many people will speak highly of the people whom she condemns in my department.

Mrs TONER (Greensborough)—On a point of order, during the debate I in no way condemned any administrative officer. You, Mr Acting Speaker, upheld that when the Minister made an allegation that that was what I had done. I in no way condemned——

Honorable members interjecting.

The ACTING SPEAKER (Mr Birrell)—Order! It is very hard to judge the point of order by the honorable member for Greensborough as a point of order. It is a statement. The Minister should resume his speech.

Mr JONA (Minister for Community Welfare Services)—It is good to know, after an hour of debate, that the honorable member for Greensborough has dissociated herself from a statement by an anonymous prison officer which she took up so much time of the House quoting and which she has already circulated to the press. I ask the honorable member to retrieve the press statement from the press now. She took up twenty minutes of the time of the House to smear and slander these people. Honorable members need only to study the material she quoted to verify that. I have visited prisons more often than the honorable member for Greensborough and I have to go to the prisons after she has visited them because of the trouble she causes. Wherever she goes in the State, whether to prisons, youth training centres or any sections of my department, I have to go because of the trouble she has caused against the public interest.

The ACTING SPEAKER (Mr Birrell)—Order! I suggest that the Minister proceed with his reply to the motion on the Notice Paper.

Mr JONA—I indicate that the importance of reclassification within the prisons was recognized in the White Paper and the Government is proceeding with it in haste to the extent of having completed, ready for opening in June of this year, the new Jika Jika prison which will house 54 prisoners in a high security containment which is the envy of any correctional services establishment anywhere

in the world. It has the latest developments and approaches for high security containment.

I remind the honorable member for Greensborough of the extent of the plans for the completion of the high security containment at Castlemaine and of the enormous growth in capital expenditure which the former Minister for Community Welfare Services announced and which is now coming to fruition. This will enable much more effective classification. It will cream off from other divisions of Pentridge and other gaols, those prisoners who ought not to be in the medium to maximum security containment but in high security containment so that other prisoners can be more appropriately reclassified.

The honorable member for Greensborough fails to understand—although she talks about them as though they are some of her best friends—that those prisoners within the system, that small group of violent prisoners—and I have quoted those figures to the House previously—are exceptionally devious, ingenious and violent people. The vast majority of prisoners want to serve their time as quickly as possible and qualify for parole entitlement quickly, and get out. I ask the honorable member for Greensborough, who is interjecting again, to keep quiet. She has been inciting these people ever since she has been the Opposition spokesman and has a lot to answer for to the people of Victoria. The honorable member for Greensborough is well aware of the extent of the drug problem in the community. The increased incidence of drug abuse is reflected in the prison system to a greater degree than outside.

Mr Roper—How widely spread?

Mr JONA—Would you like me to give you the facts?

Mr Roper—Yes.

Mr JONA—I assure the honorable member for Brunswick that he is now treading on dangerous ground and I expect that when I give these facts and figures he will rise on a point of order to stop me talking further. I do not bandy names around the House, even if they were members of the Opposition, without at the appropriate time being able to pinpoint the evidence to such a factual degree that there will be no doubt about it. I do not propose to abuse the privileges of the House by slandering people. When I have names to give, I will give them outside this House. The honorable member for Greensborough, who is now interjecting, is becoming imaginative about someone in her party setting her up. Which honorable member is it? I emphasize to honorable members that the honorable member for Greensborough is demanding that the Government, through myself as the responsible Minister, discontinue with the programmes that are designed to bring about a more enlightened approach to prison containment. The Government does not propose to lock up prisoners for 22 hours a day. It does not propose to take away their normal basic rights provided for in the United Nations charter, such as the opportunity of engaging in repertory work, participating in entertainment, and so on.

Mrs Toner—I am not suggesting that.

Mr JONA—This is what the honorable member is talking about. She is now saying the Labor Party will not take away prisoners' rights, after giving a speech in which she suggests taking away security measures. She opposes perimeter wiring. She opposes checks being made on the amount of material for hobbies that can be contained in prison cells and she opposes restricting visiting hours to those times when the maximum number of prison officers are on duty. Now she wants to reduce security measures. How illogical and misleading can the honorable member be, not only to the Labor Party, but through the Labor Party, to its supporters. The people of this State are entitled to know the truth of what is happening in our prisons and not, under these circumstances, to have thrust upon them a lot of misleading information which tends to incite a small minority. It should not be made to appear to the vast majority that they are wasting their time by using their own

potential and capacity for the betterment of others, for that is what the honorable member has done.

The answer does not simply lie in absolute security involving a harsh clamp on prisoners. It does not involve the removal of all the security provisions which the honorable member has been attacking ever since the Government introduced them. The answer is to provide and maintain adequate security arrangements and this entails the provision of adequate equipment and resources, together with the continued discipline and management of prisoners within existing international standards, and that is what the Government has committed itself to maintain. Those ideals are consistent with its plans to provide prisoners with rights under these international laws and the Government will be updating these security provisions to enable them to be carried out.

One of the difficulties under which the Government has been working in the past is that many security provisions which it has introduced for prisoners have, by necessity, to be carried out in buildings constructed a long time ago. They have to be carried out with resources and facilities geared for an old penal code system, but the Government has had to go along with that difficulty in trying to maintain a balance between the type of security that is acceptable and the degree of its implementation so prisoners will not lose their self esteem as people. Once they lose their self esteem, that is when trouble arises, and that is what would happen if the Government adopted some of the suggestions advocated by the honorable member for Greensborough. If prisoners lose their self esteem, they will not take an interest in their personal hygiene and they lose all motivation and then there would be far greater problems in the prison system than if there was a total lack of security. We need to have these adequate balances and that is precisely the way in which the Government has been tackling the problem over the past few years.

In recent times the Government has had that concept in mind in the new measures it has introduced. The Government will not scrap contact visits. The Government intends to allow contact visits to take place but it will use the most up-to-date electronic detection and X-ray equipment on those people moving in and out of prison. We do not propose to ban the use of hobby material or reading material in cells. There will be comparative freedom of movement within the limited restrictions which must be placed on prisoners and the Government proposes to allow that to continue, but at the same time it proposes to introduce further preventative measures which will include the use of a prison dog squad, which the honorable member opposes. Last year a dog squad was approved for Ararat Prison and that is now getting under way but in the case of Pentridge Prison it was approved this week. That is the type of control which will continue to be introduced and it is consistent with everything that was spelt out in the White Paper. There is not one matter contained in the White Paper upon which there has not been some progress. Since my predecessor introduced the White Paper in 1978 many things have been implemented.

Mr Remington—It is still crook though—the system is still bad.

Mr JONA—If the honorable member for Melbourne thinks the White Paper is crook and wants to have it changed—

Mr Remington—I am referring to your Ministerial work at the prison.

Mr JONA—Despite what happened on Thursday of last week, the security measures within the prison system have been such that if one looks at them from the point of view of statistics, mere observation or factual examination, one realizes that there have been fewer problems and fewer incidents in our prisons over the past year or two than there were 7, 8 or 9 years ago. The facts are that there have been some serious incidents occurring with a fewer number of prisoners. Perhaps as a result of their ingenuity, the prisoners have been able to take greater advantage of the general knowledge gained in the community in respect of matters such as drugs and explosives. It is significant that in a whole wide range of matters,

problems are occurring in our prisons but the honorable member has not referred to them.

Mr Remington—Such as?

Mr JONA—I would go into them but I have already been ruled out of order because the House is dealing with security. However, at the appropriate time, when I make a Ministerial statement on these related matters, I will be happy to enter into a debate with the honorable member on what is being achieved in this area.

The motion moved by the honorable member for Greensborough falls flat on its face because she has been unable to substantiate it in any shape or form or has not been able to produce any factual figures to indicate that a series of incidents, particularly serious incidents, are any more of a problem now than they were four or five years ago. I have been able to clearly indicate that they are very much fewer. I have been able to indicate the circumstances which brought about the change in the composition of the prisoner population and which required the Government to adopt entirely different methods towards security.

I have indicated that the Government is completely committed to a general policy directed towards the implementation of well-known standards for the containment of prisoners. Above all, I regret that the debate has almost gone into history by the tabling and reading of statements made by anonymous people about some of the most highly accepted, qualified and efficient correctional service officers anywhere in Australia. The honorable member for Greensborough ought to be ashamed of herself, and the Labor Party, if she will not withdraw her remarks, ought to dissociate itself from them. Certainly the Government will indicate where it stands when it votes on this motion.

I plead with the honorable member for Greensborough to make a public apology here and now, by leave, which I will give to her, to enable a public apology to be made to the director——

Mrs Toner—How decent of you!

Mr JONA—I do not know whether the honorable member is being sarcastic or facetious, but I hope she will take up my suggestion. I plead with her to make a public apology in this Parliament to those persons, but if she does not make a public apology, she stands condemned for all time as well as for the argument that she has put forward on this motion.

Mr ROPER (Brunswick)—After my colleague, the honorable member for Bundoora, had made his personal explanation today and demolished the Minister of the Arts, I expected or thought that the Minister for Community Welfare Services might also make a personal explanation claiming that he had been misrepresented in the *Bulletin*. It is significant that in this debate the Minister did not take the opportunity—the first available opportunity—of getting up and claiming that he had been misrepresented in the *Bulletin*, in the issue that came out yesterday. As the Minister well knows, it is claimed in the *Bulletin*, and I quote from the article written by David Richards:

> Six weeks before last week's blast which ripped apart Cell 51 in Melbourne's Pentridge jail, I told the Victorian Minister for Community Welfare Services, Walter Jona, that explosives were being smuggled in.
>
> I also told him that certain prison officers were assisting in the smuggling.
>
> At that meeting, Jona expressed concern at my allegations and said he would investigate them.

Mr JONA (Minister for Community Welfare Services)—On a point of order, Mr Acting Speaker, I am not sure whether I am correct in raising this as a point of order, but at least I am entitled to make a personal explanation and I do it by way of a point of order.

The ACTING SPEAKER (Mr Birrell)—Order! At this stage there is no point of order in the way the Minister has raised this matter.

Mr JONA—Mr Acting Speaker, I have another point of order. The honorable member for Brunswick is claiming that in an article, which I have not seen, it is stated that I was given the names of prisoners, but I make it abundantly

clear to the House that no names had been given to me and the first names I received were at 6.50 p.m. last Sunday.

The ACTING SPEAKER—Order! That is not a point of order. There is provision for the making of a personal explanation under the forms of the House.

Mr ROPER (Brunswick)—That is the point I was making; I should have thought that the Minister for Community Welfare Services would have taken the first opportunity provided under the Standing Orders to make a personal explanation, because this is what David Richards went on to say:

> In an exclusive interview he gave me, Jona said: "I know that I have a problem at Pentridge. I want to co-operate with you in trying to solve the problem. If you have any additional information relating to Pentridge I would be grateful if it could be forwarded to me."
>
> Over the weekend I sent to the Minister a document containing the names of prison warders who are alleged to be involved in smuggling explosives and fire-arms as well as drugs. The document also included the names of solicitors and others who have helped to smuggle or who have organized the smuggling of illegal goods into Pentridge. My dossier, discussed at Monday's Victorian Cabinet meeting, also alleges that prison warders are meeting with known crime bosses outside the jail.

Here we have a reputable journalist in a reputable journal making the point that six weeks ago he alerted the Minister for Community Welfare Services to this problem and that last week-end he provided him with detailed information. The Minister might have recalled, while he was going through his speech, that there was an explosion in 1976, another explosion in 1977 and I suppose the honorable gentleman can be grateful that there was not an explosion in 1978 or 1979, but there certainly was one in 1980. No one can suggest that gaol security is adequate when an explosion such as that occurred and there can be a danger of further explosions occurring. An explosion can occur whether or not there are visitors and other people going into Pentridge Prison, and anyone who suggests that that is not a grave breach of security really needs to have his mind read because what has occurred represents a grave breach of security and if people do not accept that argument, then they do not possess their full mental faculties. What does the Minister for Community Welfare Services do? The honorable gentleman comes out and accuses Labor Party members of smuggling drugs.

Mr Jona—I did not accuse Labor members of smuggling drugs.

Mr ROPER—That is what you said, and you said you would be giving details to back up the allegation later. You are a known liar and a fool.

Mr JONA (Minister for Community Welfare Services)—The honorable member for Brunswick accuses me of being a known liar and a fool. The people of Victoria can make their own judgment on whether I am a fool at the appropriate time, but I ask the honorable member to withdraw without qualification the remarks that I am a liar.

The ACTING SPEAKER (Mr Birrell)—I ask the honorable member for Brunswick for a withdrawal without qualifications.

Mr ROPER (Brunswick)—I withdraw those words if the Minister thinks that they are offensive, but it has been indicated time and again that the Government does not believe that he is capable.

Mr COLLINS (Noble Park)—Mr Acting Speaker, you gave a direction to the honorable member for Brunswick to withdraw a statement, and he then proceeded to add to his initial statement. I suggest that the honorable member should withdraw the words without qualification, as he was directed.

The ACTING SPEAKER (Mr Birrell)—The withdrawal was as adequate as the previous withdrawal that took place from the other side of the House earlier in the debate.

Mr ROPER (Brunswick)—The point I make is that the Minister for Community Welfare Services used this place to try to suggest that my colleagues were involved in smuggling these kinds of things into the gaol. The honorable gentleman knows that that allegation is unfounded yet he went on the make it on quite a number of occasions. The Minister also admitted, and this

is a grave reflection on the security for which he is responsible, that more drugs are now coming into the gaols than ever before. Certainly there are more drugs in the community than ever before. Perhaps the Minister will say how that reflects on his Government.

The drugs are in the community to a greater extent because of the failure of the Government's policy on drugs, and they are in the gaols to a greater extent because of the Minister's inability to determine how he can prevent them coming into the gaols. Although the Minister may believe drugs being brought into Pentridge is an acceptable standard of security, members of the Opposition do not. The Minister should explain how this has occurred and what he is doing about it. When I asked the Minister to explain what he was doing about it, all he said was that Labor Party members were bringing them in. The Minister knows that that statement is inaccurate in every way and he should withdraw the remarks.

This Minister and his predecessors have over the years had a sorry reputation in relation to gaol security. One has only to look at the press clipping relating to prisons and particularly Pentridge Prison over the past three years to realize what goes on. On 1 February 1977 there was an alarm over a bomb, and the following was reported in the *Sun*:

> Visitors to Pentridge jail may have to undergo a personal search following the discovery of explosives in a cell.
>
> The Social Welfare Minister, Mr Dixon, has called for a review of the search procedure for visitors at Pentridge.

On 27 February 1977, an article appeared in the *Age* as follows:

> Jails to get tighter security.
>
> . . . . .
>
> The Minister for Social Welfare, Mr Dixon, said yesterday his department planned to build four security units in the State.

I do not know whether that is still the plan. The Minister proposed a new remand section near the Royal Melbourne Institute of Technology.

Mr Jasper—What about the remand section at Beechworth?

Mr ROPER—It is interesting to note the Minister saying that one should be careful, because that is what he says to people trying to smuggle drugs into Pentridge. He says that they should be careful because if they are careless, they might be caught. I am sure the honorable member for Murray Valley can make up his own mind about the matter of with whom he would like to discuss this subject. I know that at present only one Minister, the Minister for Community Welfare Services, is available to discuss the problems at Beechworth which are numerous. Time after time over the past three years there has been a security drive.

On 4 March 1977 the following appeared in the *Australian*, under the heading "Security drive after jail violence".

> Metal-detecting electronic arches will be used at Melbourne's Pentridge prison.

On 2 October 1978 the following appeared in the *Herald*:

> Dixon calls jail check.

The Minister was proposing to check classification systems. In October 1977 the following appeared in the *Age*, under the heading "Pentridge Drug Probe":

> Syringes found in yards.
>
> The Minister for Social Welfare, Mr Dixon has called for a report on drug smuggling at Pentridge.

If calling for reports was effective action, there would be no problems at Pentridge. The Minister and his predecessor have called for inquiry after inquiry and report after report. They regarded that as a substitute for action. The Minister admitted that there are probably more syringes in Pentridge now than in September 1977. He admitted that in that area there has been a lamentable failure for which he and his predecessor are responsible. Another article in the *Age* of 30 October 1978, under the heading, "Dixon acts on jail rules", read:

> The State Government yesterday ordered another review of its prisoner-classification system—the third in three years.

There has been another report and there will be another and another. Every time there is a problem, there is a report. It certainly avoids making

decisions. I remind the honorable member for Noble Park who is interjecting that the Minister said he would set up a steering committee to look into gaol industries. This was after a White Paper and a Green Paper and community consultation. There are no more gaol industries but we do have a larger vocabulary. Many inquiries have been made and presumably fees paid to worthy people to sit on committees, but we have not progressed much further than when the Minister made his statement four or five years ago, and I notice that the Minister probably agrees that that is the case.

One of the other mechanisms is to call in the dogs. In October 1978 the following article appeared in the *Sun*, under the heading, "Prison security tightens":

> Armed men, dogs to patrol jails.

On 15 September 1978 the following appeared in the *Age*:

> The Minister for Social Welfare, Mr Dixon, yesterday launched the "prison dog squad" after visiting the Westmeadows dog squad centre.

Regrettably the dogs are obviously of the same sex because they have not reproduced. There are now no more dogs than when the Minister made the announcement.

Mr Collins—They are all in isolation.

Mr ROPER—Perhaps somebody, possibly the Minister of Agriculture, could advise the Minister for Social Welfare on the breeding habits of dogs so that an adequate dog squad will be available. I refer to another press statement. The Minister is not as photogenic as his predecessor. The press releases have been used to cover up for lack of policy. From the beginning the Minister has been calling for inquiries, conducting probes, calling for reviews and suggesting that he would tighten this and this.

Mr Jona—And doing things.

Mr ROPER—This powder-puff storm trooper was reported in the *Age* of September 1979 as saying that the State would toughen the warder assault law. That has not occurred. The Minister also said, as reported in the *Sun* of 11 September 1979:

> Dog Squads will be introduced as part of a major shake-up in Victorian prison security announced yesterday.
>
> The get-tough orders by the Community Welfare Services Minister, Mr Jona, follow violent incidents at Pentridge and Ararat jails.

The Minister knows the speed with which that has occurred. It was announced twelve months ago but has not occurred. The services are still not adequate.

Mr Jona—I announced it last Monday.

Mr ROPER—The Minister's predecessor announced it in September 1978. The Minister announced it in 1979 and again last Monday. He signed the necessary papers on Tuesday. Presumably the paper work will be done and eventually the dogs will be provided.

Mr Jona—I hope so.

Mr ROPER—We all hope so, but it is certainly longer than the normal breeding and training time from the beginning to the end.

In the announcements made by the Minister the one thing to which the honorable gentleman can point is the security fencing. We are privileged to find that the Minister stated, as reported in the *Toorak Times* of 9 October—the Minister has a column in that paper——

Mr Jona—Would you like it?

Mr ROPER—If I had a column in any paper, I hope I would write more productive material than the Minister does. A new photograph of the Minister would not go astray.

Mr B. J. Evans—Mr Acting Speaker, I draw your attention to the state of the House.

A quorum was formed.

Mr ROPER—It is significant that Government supporters do not have the interests of this Minister at heart, let alone the problems of the gaol security. The Minister does not have the confidence of his party and did not have it at the party election. Members of the Labor Party have little confidence in

the Minister, whose only effort, apart from announcing this and that which never happens, is to write an article in the *Toorak Times*. The Minister cannot be regarded as capable enough to take responsibility for security in Victorian penal institutions. The Minister has a sorry record in all his portfolios; it does not matter to which portfolio one turns. He knows that he was fortunate to get out of the health and immigration portfolios but unfortunately he tumbled into an important area—community welfare services, which involves prisons.

My colleague, the shadow Minister for Community Welfare Services, and the newspapers have time and again chided the Minister over gaol security. The Minister has done little or nothing to improve gaol security. On his own admission, more drugs are getting into gaols now than ever before. The Minister boasted about the reduced number of offences. I suggest that one of the reasons for that is that many offenders are not being caught and charged as they were in the past.

I am glad the honorable member for Sandringham is present because he can advise the Minister about dog squads and how long it takes to train them. I hope the Minister will take some advice because I am sure the honorable member for Sandringham would find it intolerable that it takes more than eighteen months from the time a dog squad is decided upon until it occurs. The Minister has not been able to do much. He suggests that members of the Opposition are concerned about plays and other activities such as women's wrestling going on at the gaol. That is not the point about which the Opposition is concerned.

The screening of visitors was inadequate because it was possible for material such as drugs to be slipped into a gaol. The Minister has not explained the screening devices used and whether they were effective. He should have provided an explanation, but avoided doing so.

The last matter I wish to raise relates to the problems of security throughout related areas of prison activity in Victoria. The parole and probation services are in grievous difficulties. Officers of the Department of Community Welfare Services are unable to properly supervise people. Most of the recommendations contained in the White Paper which was delivered to Parliament a number of years ago have still not been put into effect. All these things suggest that the Minister is incapable of carrying out his responsibilities at Victorian prisons, particularly in matters of security. I commend the motion to the House.

The ACTING SPEAKER (Mr Birrell)—At this stage, I grant permission to the Minister to make a statement regarding misrepresentation of himself in a press release.

Mr Roper—That will take up some of the two hours allocated for the debate. The statement should be made after the motion has been put.

Mr JONA (Minister for Community Welfare Services)—I will be happy to make a statement after the motion has been put. I understood that I had to do so at the earliest opportunity.

The ACTING SPEAKER—I will give the Minister the opportunity of doing so, if he so desires.

Mr JONA—I do not wish to take up the time allocated for the debate but I will make a statement at the completion of the debate.

Mr JASPER (Murray Valley)—Today's debate on this most important issue was of great interest to me. It was also interesting to note the lack of members in the House to hear debate on a big social problem in Victoria. The Minister presented some interesting figures on the problems within the gaol system and the work that has been done to improve the system. I was also interested to hear the accusations of the Opposition. Honorable members witnessed the disgraceful performance of a slanging match across the Chamber without honorable mem-

bers coming to grips with the major problem. There was considerable digression to many side issues.

On many issues that are debated in Parliament, the Leader of the National Party, as the speaker representing the third party, usually presents a balanced view at the end of the debate. Many supporters of the Government and the Opposition have told me that they support that contention. Honorable members heard from the Opposition a dramatized view of the security of Victoria's penal institutions, and the defence from the Minister which, to some extent, has been glossed over.

I am not a criminologist and have not visited Pentridge Prison recently. But I do not believe that at this point of time one or two visits to Pentridge will get to the bottom of the situation or solve the problems. In the past few days I have discussed this matter with people involved in the penal system in Victoria and at Pentridge in an effort to determine what the problems are and how they might be corrected. I have tried to assess the situation and make a judgment on the facts presented. The position in Victoria today is grave.

Questions must be asked as to who is running the prisons in Victoria, particularly Pentridge. An investigation must take place into the prison and corrective services system in Victoria. I do not doubt for one minute—nor does the National Party—the sincerity of the Minister for Community Welfare Services. There are substantial and definite problems at Pentridge gaol. The situation is confused. Statements made by the Minister have been backed by facts, but perhaps they are not so relevant to what is happening now.

Honorable members know that the problems in the prison system right throughout the world are not new, but have existed for many years. One need only look at the cartoons that appear in newspapers to know that these problems have existed for a long time. I recall the occasion when the former Minister for Social Welfare made an explanation about the escape of a prisoner from Pentridge. A cartoon appeared in the *Age* showing one prisoner saying, "Follow the dotted line for the escape route". Later, when another prisoner was found in Pentridge who should have been in a South Australian gaol, a cartoon depicted one prisoner going through a door marked, "Pentridge Prison" with another saying, "Hide in here—no one will know". At Ararat prison when a prisoner left after seemingly playing golf near the prison, a cartoon next day showed a prisoner lying on a bed with a putter behind the bed and a caption on the wall reading, "Guests are reminded to notify the management by 10 a.m. on day of leaving".

It is a continuing problem. The Government needs to come to grips with it. The current problem requires special attention. It is clear from the investigation I have undertaken and from my discussions with various people that the prison authorities have lost control of Pentridge Prison. Problems exist in relation to staff, unions and types of prisoners. I do not underestimate the problems of operating, managing and running prisons.

I now refer to the annual report of the Social Welfare Department for the year ended 30 June 1978 which was presented to Parliament in mid-1979. If one took notice of that report, one would believe that the department is in control of the situation and is making progress in improving the situation that has been continuing for a long time. I shall read a couple of paragraphs from the report referring to correctional services. At page 67 the report states:

> The name change recognizes that the Division is responsible for a broader range of correctional programmes than simply the administration of prisons.

Changing a name will not help to solve a problem. On numerous occasions the Government has changed the name of a department or an organization within a department, but that has not changed the situation that existed. The report continues:

> It is maintained that the correctional system shares common objectives with the social welfare system in the promotion of individual,

family and community well-being and in the development of programmes to reduce social problems.

I agree with that statement, and I know every honorable member would agree with it, but I do not agree that the problem has been completely attacked. It certainly has not been overcome. On the same page, the report also states:

In the corrections area, the Department has a responsibility to ensure that the community is protected from people who threaten the safety of its members and, at the same time, to prepare offenders who have been isolated from the community for their successful re-integration into community living after completing their sentence.

That is a fine statement, and I would like to think it is being put into practice, but I do not believe it is. The problems exist. The department recognizes the problems but has not come to grips with them and tried to attack and overcome them in a practical way.

In all business organizations, including Government departments, the basis of effective operation is top management. Honorable members know that in private enterprise the most successful businesses have the best administration, particularly at the top. With efficient and good management at the top level, one can hope for a system that will work. Some Government departments operate better than others. The most successful departments are well recognized because they operate with the best top management. At page 68, the report states:

Administration

The senior administration of the new Correctional Services Division has been strengthened under the re-organization.

If the department has been reorganized it needs to be reorganized again because its effectiveness is not evident. I am informed that the top people at Pentridge have lost control. If it means, from the Minister's point of view, that he must replace those people with better officers who understand the situation, he should do so as soon as possible. At page 70 the following comment is made:

Classification

The Central Classification Committee is responsible for allocating prisoners to the most appropriate institution taking into account security, risk to the community and the general well-being of the prisoner.

The classification system is definitely falling down at present. There must be a complete overhaul of the classification system and its operation within the Department of Community Welfare Services and the prison system. At page 71 the following statement is made:

Security

High priority continued to be given to the maintenance of acceptable standards of security at all prisons.

The report then mentions specific improvements which will be undertaken in the prisons to aid security.

Many improvements mentioned in the report tabled in mid-1979 have not been undertaken. That is an indictment on the administration of the department. The Minister should make an assessment of the situation and then take appropriate action.

It is easy to say what is needed and to over-simplify the situation. It is easy for an outsider and a member of Parliament to say what should be done in an area that is hard to manage and very sensitive, but it must be attacked.

I hope the Minister will take note of what I am about to say, because I will suggest action which the National Party thinks should be taken to improve the existing situation. As a result of my investigation, I believe a complete overhaul of the administration of corrective services is needed, and that means, from the top. If the people at the top are not producing the goods, are not educated to the system and are not trained to correct the problems, they should be removed, and those who can act more effectively to control prisons in Victoria should be appointed.

There needs to be more effective training methods for prison officers. I am informed that many of them are appointed to prisons after a short training period and are not versed or adequately trained to handle a confrontation situation with prisoners.

There is a staff shortage. However, staff should operate more effectively and efficiently.

There is need for a better system and division of authority. Perhaps the division of Pentridge Prison into three areas would be a good idea, but the persons involved in running those areas would need to be able to suggest to the Minister for Community Welfare Services what could be done. However, more importantly, if those officers are good enough, are trained for the position and know what they are doing, they should be able to assess the situation and take corrective action.

There is a need for better classification. I spoke about classification but I will mention some areas of classification which would be of assistance. There is a need for a distinction to be drawn between the "mad" and "bad" prisoners. Pentridge holds prisoners who should be in other institutions. A proper assessment of prisoners should determine if they can be effectively held at Pentridge Prison.

At page 69 of the annual report of the Social Welfare Department for 1978 mention is made of the development of a high security unit at Castlemaine gaol to house 36 prisoners. That would be an effective method of getting management back into Pentridge so that the problems that have arisen in the past do not arise again. The unit at Castlemaine is still not operative. However, three or four high security sections are needed throughout the prison system and perhaps the development of a maximum security section at Beechworth prison would be desirable so that high risk prisoners can be moved at various times to such sections to maintain security within the prison system. Also at page 69 of the report mention is made of "J" division which was originally a 120-bed dormitory. That has been converted to individual cell blocks to house 35 prisoners.

It is absolutely essential that individual cells be created. Many problems have been created by a dormitory type situation thus allowing prisoners to congregate in groups whereby a person within a group takes charge of the prison and unfortunate incidents occur.

There is also a need for better accommodation with the development of single cells. It is not good enough merely to have a cell. I am not suggesting motel-type accommodation, but these days most persons would accept that prisoners should have television and electric blankets—things that would be acceptable outside in a prisoner's normal living environment. These matters need to be examined so as to provide the most balanced accommodation for the prisoners.

There is a need for further development of better work release programmes. Those programmes are not working effectively; if they were they would help the prisoners adjust to a more realistic situation instead of being couped up inside prison. The programme would be especially beneficial for minimum security prisoners who would not be involved with the more dangerous prisoners.

Improved work and recreational activities are also needed to occupy prisoners' minds and help them readjust to society. However, above all, tighter control of the prisoners is needed to provide restraint and, if necessary, even loss of privileges should be enforced. The loss of privileges and enforcement of discipline within the prison system is certainly not good enough and those two factors need tightening up.

Prisons should be useful places for suitable punishment and rehabilitation. The Minister for Community Welfare Services faces a big problem. Enormous problems exist within the prison system and it is to be hoped that the Minister can attack the problem and achieve results. However, that may mean major changes within the Corrective Services Division. It is to be hoped that the Minister will be strong enough to effect those changes where necessary, especially at top management level and throughout the whole system so that prison officers are better able and trained to handle the situation.

The National Party believes the Government has failed to maintain acceptable standards of security within the penal system, and accordingly it supports the motion. It is a major problem which needs to be attacked by the Minister. The honorable gentleman should institute a complete reorganization starting at top management level and flowing right through. It is to be hoped that the Minister will take note of the comments I have made on behalf of the National Party because they present a balanced view of what is needed to achieve a better system for the housing and control of prisoners.

Mr COLLINS (Noble Park)—Once again, the debate proves my point concerning the manner in which debates take place in this House. There is one speaker for and one against and the corner party comes in again and, with 30 seconds to go, it doubles up on a speaker for the motion. The order should be brought forward, but, so far as I am concerned, the House has heard a good 50 bob each way from the honorable member for Murray Valley. In view of the time limit, I conclude with the comment that it is about time the Government took the gloves off and acted a darn sight tougher and harder with many of the prisoners in Victorian gaols.

The House divided on the motion (the Hon. S. J. Plowman in the chair).

Ayes	38
Noes	40
Majority against the motion	2

AYES

Mr Amos	Mr Mathews
Mr Cain	Mr Miller
Mr Cathie	Mr Remington
Dr Coghill	Mr Roper
Mr Crabb	Mr Ross-Edwards
Mr Culpin	Mr Rowe
Mr Edmunds	Mr Sidiropoulos
Mr Ernst	Mr Simmonds
Mr Evans (*Gippsland East*)	Mr Simpson
	Mr Spyker
Mr Fordham	Mr Stirling
Mr Gavin	Mrs Toner
Mr Hann	Mr Trewin
Mr Hockley	Mr Trezise
Mr Jasper	Mr Whiting
Mr Jolly	Mr Wilkes
Mr King	Mr Wilton
Mr Kirkwood	*Tellers*:
Mr McGrath	Dr Vaughan
Mr McInnes	Mr Walsh

NOES

Mr Austin	Mr McCance
Mr Balfour	Mr McClure
Mr Birrell	Mr McKellar
Mr Borthwick	Mr Mackinnon
Mr Brown	Mr Maclellan
Mr Burgin	Mrs Patrick
Mrs Chambers	Mr Ramsay
Mr Coleman	Mr Richardson
Mr Collins	Mr Skeggs
Mr Crellin	Mr Smith (*South Barwon*)
Mr Dixon	
Mr Dunstan	Mr Smith (*Warrnambool*)
Mr Ebery	
Mr Evans (*Ballarat North*)	Mr Tanner
	Mr Templeton
Mr Hamer	Mr Thompson
Mr Hayes	Mr Weideman
Mr Jona	Mr Williams
Mr Kennett	Mr Wood
Mr Lacy	*Tellers*:
Mr Lieberman	Mr Cox
Mr McArthur	Mr Reynolds

PERSONAL EXPLANATION

Mr JONA (Minister for Community Welfare Services)—I desire to make a personal explanation.

The SPEAKER (the Hon. S. J. Plowman)—Does the Minister claim to have been misrepresented?

Mr JONA—Yes. During the course of the previous debate when the honorable member for Brunswick was quoting from an article in the *Bulletin* of 22 April 1980, which was available for sale only yesterday, at page 22 under the section, "Crime" by David Richards with the main article headed, "Minister told of explosives weeks before jail blasts", the honorable member for Brunswick read accurately from the article but I do owe a personal explanation to the House to indicate how I have been misrepresented by the words by David Richards reported in the *Bulletin* in that article. The second paragraph states:

> Six weeks before last week's blast which ripped apart Cell 51 in Melbourne's Pentridge jail, I told the Victorian Minister for Community Welfare Services, Walter Jona, that explosives were being smuggled in.
>
> I also told him that certain prison officers were assisting in the smuggling.

It was quite reasonable for the honorable member for Brunswick or for any other reader of the article to presume that the reporter had given me the names of the prison officers and it

could be assumed that I may not have taken action that might have avoided that nasty incident.

I assure the House that no names of any prison officers or any other persons were given to me at the time. I was given only the general allegation that explosives were coming into the prison, which is an allegation that comes from many sources on many occasions. There is a further inaccuracy in the second column, which reads:

> Shortly afterwards—

That is, shortly after David Richards took some action in relation to his reporting—

> . . . Jona announced that additional explosives had been found in the jail.

I correct that impression also. I did announce afterwards that a large amount of unidentified material had been sniffed out by the dogs but the material was unable to be identified as explosives or otherwise until tests were carried out on it. Finally, it would also be fair to include a further quote from the article in the column which states:

> My dossier—

That is, the dossier he handed to me on Sunday night last at 6.50 p.m., the first occasion on which any names were given to me, some four or five days after the explosion—

> . . . discussed at Monday's Victorian Cabinet meeting, also alleges that prison warders are meeting with known crime bosses outside the jail.

While it is not normal to divulge Cabinet discussions, that document was not discussed at the Cabinet meeting simply because the information contained in it was vague and it was essential that I had further discussions with David Richards and had the information he conveyed evaluated before I was able to convey it to my colleagues.

GEELONG PERFORMING ARTS CENTRE TRUST BILL

Mr LACY (Minister of the Arts)—I move:

> That this Bill be now read a second time.

The main purpose of the Bill is to make provision for the appointment of the Geelong Performing Arts Centre Trust. The objective is for the construction, management and operation of the Geelong Performing Arts Centre to be achieved without disruption through a developmental process during which this new trust will commence its role as operator of the centre.

The value of providing for operating powers as well as the opportunity for special staff recruitment considerably in advance of the Geelong centre being opened for public use is therefore recognized by the advent of the Bill.

The powers of the trust are so established to provide eligibility to attract tax deductible gifts or bequests. It is intended that the trust will be the successor to the Geelong and District Cultural Institute, which was established by an Act of Parliament in 1954. The institute was the successor to the Geelong Mechanics Institute which was incorporated in 1899 for the purpose of establishing and maintaining a cultural centre for the benefit of the inhabitants of the city of Geelong and the surrounding district. This objective embraced the provision of libraries, museums, concert halls, meeting rooms and lecture theatres for public use.

There are numerous cultural organizations which have been long established and active in the Geelong district. These include the Geelong Association of Music and Art, the Geelong Society of Operatic and Dramatic Art, the Gilbert and Sullivan Light Opera Company, the Geelong Schools Music Festival and several ballet schools. Of more recent origin is the Mill Theatre at Deakin University.

It is significant that many of these organizations carried out their activities for many years in two of the buildings on the site selected for the new centre: I refer to the Plaza Theatre, which was originally a Mechanics Institute, and to the Gama Theatre, originally a church but for many years used as a space for drama activity. A small section of the Plaza Theatre has been retained to be incorporated in the new main theatre of the centre.

In keeping with the Government's policy of assisting in the development of regional arts centres the need has been recognized for the provision of a performing arts centre for the people of Geelong and the surrounding district. The Government has provided assistance by way of capital subsidies in order to improve the standard of facilities in which the arts are either displayed or performed outside the metropolitan region. The Government is contributing $5·796 million towards the building programme of the Geelong Performing Arts Centre project. This amount includes an allocation of $775 000 from the Gold Lottery Consultation.

The building programme commenced in April 1978 after a lengthy period of planning and significant revisions in design. It is expected that the centre will open in late 1980. It will be a complete venue for the performing and visual arts, catering to the requirements of local and visiting cultural organizations. It will include some excellent facilities:

1. The main theatre is multipurpose, seating 812 in continental style seating, full light and sound facilities, 35 mm and 16 mm projection, dressing room, wardrobe room, performers' green room all of which are fully air-conditioned.

2. The smaller theatre is completely flexible and seats up to 250 on movable bleachers. The overhead grid provides full light and sound variability.

3. Theatre 3, as it is described, is an open space with a vaulted ceiling. It was as I have already said, the home of the Gama Theatre and has been completely refurbished. Seating and other equipment will be hired as required by user groups.

4. The foyers are spacious and will include an area designed for informal productions as well as display areas. Considerable emphasis has been placed upon the potential of these open public spaces.

5. Catering facilities—There is to be a bar in the main foyer and a coffee shop and bistro beneath theatre 3 which will serve lunches and pre-theatre dinners.

The Geelong District Cultural Institute has served its purpose well, and as the construction of the Geelong Performing Arts Centre approaches completion, it is now the appropriate time to establish the new management structure which will ultimately control and manage the operations of the new centre. It is proposed that the Geelong Performing Arts Centre Trust will be structured along similar lines to the Victorian Arts Centre Trust, for which legislation was recently passed by this Parliament.

The Bill provides for the establishment of a permanent body with responsibility for completion of construction and the effective operation of the Geelong Performing Arts Centre. Three members of the trust shall be appointed from a panel comprising persons nominated by municipal councils in the Geelong area.

Clause 3 of the Bill establishes the Geelong Performing Arts Centre Trust as a body corporate, being the successor in law of the Geelong and District Cultural Institute.

Clause 4 provides for the repeal of the Geelong and District Cultural Institute Act 1954, the membership of the council of the institute to be disbanded and the institute to be dissolved. This clause further provides for all property vested in the institute to be transferred to the trust and for the trust to have the power to continue any matters vested in the institute. Provision is made for this proposed Act to be scheduled to the Ministry for the Arts Act 1972.

The functions of the trust as defined in clause 5 are to complete the construction of the Geelong Performing Arts Centre, to care for, improve and maintain the centre, to control and manage the centre, to present and produce various performances and entertainment in the centre and to promote the use of the centre.

Clause 6(1) provides the trust with the necessary general powers to enable it to perform its functions. These powers are more specifically detailed

in clause 6(2) under the following headings:

(*a*) Permanent or temporary acquisition of any personal property for the centre.

(*b*) Granting of leases or licences to use any part of the centre.

(*c*) General ability to contract or make arrangements to improve facilities.

(*d*) Acquisition and installation of equipment.

(*e*) Acquisition of liquor licence.

(*f*) Registration or purchase of inventions, copyrights, trademarks, patents, and so on, if appropriate, and ability to develop or dispose of these.

(*g*) Broad contractual ability for the general operation of the centre.

(*h*) Installation, use and maintenance of media equipment and the ability to grant these rights under terms, conditions and charges as determined by the trust.

(*i*) General control of the printing, reproduction or publishing of any material relevant to the functions of the trust.

(*j*) The commissioning of theatrical works.

(*k*) Purchase, operation or letting on hire of theatre cinema or other equipment.

(*l*) To establish and operate a public museum of the performing arts and a public music library.

(*m*) The ability to purchase or lease any land to facilitate the carrying out of the functions of the trust.

(*n*) The ability to seek or administer all forms of donations.

Clauses 7 and 8 provide for, and state the terms and conditions of the appointment of, nine members of the Geelong Performing Arts Centre Trust by the Governor in Council to carry out the functions defined earlier in the Bill.

Clauses 9 to 12 enable the appointment of a chairman and deputy chairman and outline procedural and mechanical matters including the initial constitution of the trust and the provision of travelling expenses.

Clause 13 enables the trust to appoint committees, to delegate powers and functions to such committees and to control the exercise of powers and functions so delegated. It further establishes the continuity of the Building Committee, appointed by the Geelong and District Cultural Institute. Clause 14 enables the trust to employ such officers and employees as are necessary for the purposes of the Bill.

Clauses 15 to 17 provide for the establishment of the Geelong Performing Arts Centre account, the power of the trust to borrow moneys on overdraft or otherwise with the Treasurer's approval and for the audit of the accounts of the trust annually by the Auditor-General.

Clause 18 requires the trust to provide an annual report to the Minister of the Arts and provides for such report to be tabled in both Houses of Parliament.

Clause 19 enables the Governor in Council to make regulations for the purposes of the Bill. I commend the Bill to the House.

On the motion of Mr ERNST (Geelong East), the debate was adjourned.

Mr LACY (Minister of the Arts)—I move:

That the debate be adjourned until Wednesday next.

Mr ROPER (Brunswick)—On the period of adjournment, I would be pleased if the Minister could indicate that the Government is prepared to allow an additional week if it is required. This will still allow time for the Bill to be passed by this House and by the other House during this sessional period. There may be some matters in the Bill which require additional investigation and consultation with the people of Geelong. While some copies of the Minister's second-reading notes have been made available, the *Hansard* report will not be available for some time. The Opposition would be grateful if the Minister could indicate that the Government is prepared to allow an additional week if it is required.

Mr LACY (Minister of the Arts)—There is no shortage of second-reading notes as I have produced plenty of copies and more are available if required. I will make officers from the Ministry available, tomorrow if necessary, and I will not inhibit the opportunity for the Opposition to discuss the Bill with municipalities in the Geelong area. This has been a contentious issue for some time but the point of contention has been resolved. However, if the Opposition requires additional time beyond a one week adjournment, I am sure that additional time will be made available if that is considered necessary.

The motion was agreed to, and the debate was adjourned until Wednesday, April 23.

MOTOR CAR (PAYMENTS BY PENSIONERS) BILL

The debate (adjourned from April 2) on the motion of Mr Thompson (Minister for Police and Emergency Services) for the second reading of this Bill was resumed.

Mrs TONER (Greensborough)—The Opposition is happy to support the Bill which provides an extension of concessions, already granted to social service pensioners in respect of motor car registration and third party insurance, to 60 000 repatriation pensioners who had previously missed out when the Motor Car Act was amended during the spring sessional period in 1979.

While supporting the Bill, the Opposition still wishes to express some concern over the confusion which has surrounded it. Prior to and following the State election in May 1979, honorable members have received more telephone calls about the concessions granted to pensioners in respect of motor registration fees and third-party insurance than on any other matter, particularly from elderly people living in the electorates of honorable members.

In the first instance, when the Premier made his commitment prior to the May State election to introduce these concessions people were delighted, but it was not made clear which pensioners would receive these concessions. The matter was raised on several occasions before the Premier finally indicated that the proposal covered all pensioners rather than just those dependent on a motor vehicle for transport.

A Bill was introduced during the last spring sessional period but it was subsequently discovered that its provisions excluded repatriation pensioners from receiving the benefit of the concession. This Bill now extends the concessions to TC1 concession card holders and to those people who hold similar cards under Part III. of the Social Service Act or Part II. of the Repatriation Act. The Bill also extends the concessions to widows and the mothers of deceased servicemen. The Bill also extends the concession to those people in receipt of the maximum rate of pension payable under Part III. of the Repatriation Act and to widows of those members of the forces, unmarried widows of members of the forces and to widowed mothers of members of the forces.

It is pleasing to note that the concession will apply to those people, but since it was announced, honorable members have been plagued with telephone calls as people were uncertain and confused about the legislation. It was not until late January, after the Leader of the Opposition had raised the matter in the media, that the Premier made a commitment to extend the concessional rates to repatriation pensioners.

Mr Jasper—Everyone was making representations to the Government.

Mrs TONER—No doubt members of the National Party were, along with Opposition members, but nevertheless it was the Leader of the Opposition who raised the matter when other honorable members were on holidays. Finally, perhaps after listening to the Leader of the Opposition, the Leader of the National Party or other honorable members, the Premier changed his mind and indicated that the Government would extend these concessions to repatriation pensioners. However, once again the concession has been slow in coming and meanwhile people

have not known what to do, whether they should pay the full amount of registration and third-party insurance now and get back 50 per cent later or wait until the necessary legislation had been passed. They have been uncertain because the concession has taken so long to be implemented and much concern and confusion has arisen. Even honorable members who support the Government have been confused so it is understandable why the ordinary person in the street has been confused.

I shall read a letter which has been passed on to me by my colleague, the honorable member for Bentleigh. It was received from a person who had approached her local member, the honorable member for Burwood, about this matter and she received this reply:

> I am sorry that I was not in my office when you called the other day. However, I have discussed your problem with my assistant who had already tried to make enquiries on your behalf.
>
> It seems to me best to forward your query as to why Veteran Affairs pensioners do not appear to be receiving motor car concessions to your Federal Member, Mr Roger Shipton, M.P., 31 Beatty Avenue, Armadale....

Mr COX (Mitcham)—Could I request that the letter be tabled, Mr Speaker?

The SPEAKER (the Hon. S. J. Plowman)—I ask the honorable member for Greensborough to make the letter available to the House.

Mrs TONER (Greensborough)—Yes, Mr Speaker. It continues:

> ....as this matter really comes under Federal Affairs. I would gladly pursue it for you but feel that if Mr Shipton's office deals with you directly a good deal of time may be saved.

That is an example of the confusion experienced by Government members, so goodness knows how the poor person in the community, who is not privy to direct information, felt in this situation. I hope the proposals will be hurried through the Parliament so that the pensioners concerned do not have to wait any longer.

Even since the concessions were announced, honorable members have had people coming into their offices not knowing how to go about applying for the concessions. I suggest to the Treasurer that the Motor Registration Branch could easily send out directions to those entitled pensioners when motor registration renewals are forwarded to them. It is very confusing for elderly people who are pensioners and it should not be beyond the realms of possibility for the Motor Registration Branch to include directions when it issues notices for renewal of registration, as this would save many problems which honorable members have had to deal with concerning these concessions.

At present pensioners have to go along to the police station and sign an affidavit. That is a fairly complicated process so directions issued with the renewal of registration, similar to what occurs with respect to the payment of rates and other charges which elderly people have to make in organizing their finances, would help to make the position as uncomplicated as possible.

Whilst the Opposition is supporting the Bill, it is critical of the red tape that has to be cut. It is approximately eleven months since the concession was first announced by the Premier and by the time this Bill is proclaimed, approximately a year will have elapsed. A lengthy period has gone by and I commend the alterations to procedures I have suggested which would make things a little easier for the pensioners concerned.

Mr JASPER (Murray Valley)—The National Party also supports the passage of this measure. I wish to mention some general issues relating to concessional motor registration and third-party insurance premiums. As I indicated when I supported a comparable Bill during the last sessional period, I believe the Government got itself into a bind over this issue. I do not believe for one moment, under the original concept of providing concessional registration for pensioners, that the Government intended that there would be a concession for pensioners to cover both motor registration and third-party insurance. When the Premier made his statement before the State election in May last year, he inadvertently indicated that motor registration and third-party insurance concessions would be provided for pensioners. At that time I believe the Government was looking only at pro-

viding a concession for motor registration fees and not for third-party insurance.

Following the statement, I believe the Premier and the Government were in a *Catch* 22 situation where they were also obliged to provide for a 50 per cent reduction in third-party insurance premiums payable by pensioners. The National Party is not opposed to a concession for third-party insurance but we now have a situation where the Government is virtually giving away money from a State authority. It is not Government money as such—not money collected directly by the Treasury.

Honorable members need to examine the figures on this situation and analyse them to understand the exact position. I have obtained some figures but I bring to the attention of the Treasurer the figure which he mentioned to me today in reply to a question asked without notice. The honorable gentleman indicated that the State Insurance Office had a profit in the last financial year of approximately $16 million. My information reveals that the figure is approximately correct. The figures I was given were $15 million last year and $16 million the year before, so the figure mentioned by the Treasurer was fairly accurate.

That profit relates to the total operation of the State Insurance Office, but honorable members need to look at the third-party insurance aspect of that operation. The State Insurance Office is in a loss situation on third-party insurance and it is that loss situation which must bear the further concession granted to pensioners. I have been informed that the concession will cost the State Insurance Office approximately $5 million in a full year. I have been further informed that the loss situation resulting from third-party insurance in the current twelve months, the 1979-80 financial year, will be about $10 million of which approximately $2·5 million will be attributable to the concession granted to pensioners on third-party insurance premiums.

If the Government is sincere in providing what is a social welfare concession to pensioners, then it should reimburse the State Insurance Office for the loss it will suffer. Under the circumstances what is expected is that the insurance premiums collected by the State Insurance Office in other areas will have to carry the loss that is created by this concession for pensioners.

I reiterate that the National Party is not opposed to pensioners receiving this concession and I refer particularly to the assistance that it will provide to country pensioners who need to have a motor vehicle, especially if they are in an area where public transport is not accessible.

The Treasurer should examine this closely and if he is sincere in providing this concession to pensioners, the Government should reimburse the State Insurance Office the amount of money it will lose on the third-party insurance aspect. It will mean that other people who pay the full amount of third-party insurance will have to subsidize a concession being given by the Government. In other words, the Government is giving nothing to the people of Victoria by way of a third-party insurance concession. It is being given by the State Insurance Office. That should be brought to the attention of the Victorian public. The policy holders and the people who take out insurance with the State Insurance Office will pay for the concession. We will all have to pay higher premiums and that will occur when the new premiums come into operation on 12 May.

A confused situation arose with the introduction of concessions for motor registration and third-party insurance. As the honorable member for Greensborough commented, problems were created. When the Bill was drafted, the officers concerned were not able to pick up the problems that would be created. Members of Parliament should have been more vigilant in investigating the measure to ensure that the problems that arose did not arise. Prior to 1 January I discussed this

matter with officers of the Motor Registration Branch and was aware of the problems they were facing. Excess work was created for the officers at the branch, firstly because the motor registration concession could not be brought into operation effectively on renewals sent out to people who were renewing registration on their motor vehicles until after 21 January. This meant that those registering cars prior to that date had to pay the full registration fee and then obtain forms from a police station, fill them out and return them to the Motor Registration Branch to obtain the concession.

Then people who were driving utility-type motor vehicles were not able to obtain the concession on third-party insurance. That was corrected by regulation, to commence from 12 March. Next was the problem which the Treasurer mentioned, of people owning a number of vehicles and taking advantage of a concession for one vehicle ownership by a pensioner. The closing of that loophole is justified and members of the National Party support it.

It is timely that service pensioners have been allowed the concession for registration and third-party insurance. Members of the National Party also support that. I realize that it will mean further headaches for the Motor Registration Branch but I hope that after a short time the people who are entitled and eligible will receive this concession without many problems to the operations of the branch. The National Party supports the Bill.

Mr HOCKLEY (Bentleigh)—I support the Bill and I do not want to delay its passage any longer than necessary. As a returned serviceman I was appalled when the full ramifications of the amendments of 1979 became clear. They were regarded by veterans in the area that I represent and by the public generally as discriminatory.

The earlier measure discriminated against men and women who had served their country and who are now reduced to living on pensions. The most charitable construction that one could put on the 1979 amendments was that they represented a regrettable oversight on the part of the Minister. It is perhaps less forgivable because he is a returned serviceman. There followed weeks of confusion in the electorate and hundreds of inquiries from the 60 000 returned service pensioners who should have been entitled to a concession. This has been dealt with in a letter that was read to the House by the honorable member for Burwood. I have provided my electorate office with a supply of statutory declaration forms to meet the demands when the legislation is finally proclaimed. I commend the Government for recognizing its mistake.

Mr BIRRELL (Geelong West)—I have listened to the words of the honorable member for Bentleigh, and it is true that this matter got through the net of the party room and then of the Cabinet and then was overlooked by members on both sides of the Parliament. It is a wonder that the drag net did not pull the shortcomings out of the hat somewhere along the line. For that reason all honorable members to a greater or lesser degree are responsible. However, it is being remedied here and now and that is the right thing to do.

Like other honorable members, I have received representations, particularly when it was announced in the press that those entitled to the normal rate concessions would be entitled to these concessions.

I believe the Government meant to allow the third-party and motor registration concessions in the Budget speech. The cloud on the horizon was that during the election campaign there was a letter stating that this would be a selective concession on third-party insurance and motor registration fees, and not across the board. It was to be allowed to those in necessitous circumstances who needed a car for their travel. The letter was not signed by a Minister or by the Premier but by someone in the department answering a query.

The letter was circulated around amongst the branches of the pensioner association and caused much conster-

nation. I immediately had the matter clarified. It was clarified forthwith by the Premier who stated that the concession was to be available to all pensioners who had entitlement cards, all pensioners who were gaining entitlement in other areas of State administration.

I raise a couple of queries with the Treasurer. The honorable member for Murray Valley made an interesting observation about who would pay the concession. Will it be by Treasury grant? Is it to be a transfer of some of the funds raised by the 1 cent a litre increase in the price of petrol of last year, or is it to be carried by the State Insurance Office? It would be worth while having that clarified. The House deserves some clarification of that point.

As this Bill deals with a couple of Commonwealth Acts, I raise the query regarding pensioners now called veterans affairs pensioners—the old repatriation pensioners—who are on a 75 per cent or higher rate of disability. Where in the Bill do they come into consideration for this third-party insurance concession? I gather that it is in part of one of the Commonwealth repatriation Acts nominated to which honorable members cannot refer.

Mr Thompson—3(1)(c).

Mr BIRRELL—I mention those two matters for the attention of the Minister.

Mr SPYKER (Heatherton)—Along with a number of other honorable members I received many queries immediately after Christmas. My electorate office was besieged when the publicity came out that the provision excluded ex-service people. There is a large number of returned servicemen in the area that I represent; the returned servicemen's village is close to my electorate office. My office was manned over Christmas, when people were knocking on the doors asking why they were not entitled to the concession. I am concerned that the matter was overlooked. The whole issue was handled badly from the word "Go".

People who came to my office were concerned firstly that the concession applied only to third-party insurance and then that it applied only to registration fees. Nobody knew what was going on. There was also mention of the fact that one would qualify only if one did not live within reasonable distance of public transport. That caused confusion because who would decide whether one lived within reasonable distance of public transport?

Also, where the male person was receiving a TC1 service pension and his wife was receiving a social security pension, and the car was registered in his wife's name, she would qualify for the concession. If it was registered under the serviceman's name, he would not qualify for it. Obviously that was a ludicrous situation.

This matter was of great concern. Honorable members tend to underestimate the need by elderly people of a motor car. In the area that I represent the public transport is deplorable and one needs a car to get around. People of a certain age find their enjoyment in doing their shopping and visiting their relatives. They are not in a position to walk miles to a railway station. I do not care where the money comes from, whether from the State Insurance Office or the Treasury, or whatever; that is irrelevant. Someone must pay for it somewhere down the line. Someone has to pay. The community shares the responsibility. I do not think one should quibble about where the money comes from because the community has the responsibility of ensuring that the aged in the community who receive low pensions are looked after. That is also a responsibility of members of Parliament.

I ask the Treasurer to simplify procedures because there is confusion about who does or does not qualify for this concession. Perhaps a note could be added to motor registration renewal notices stating that pensioners are entitled to a concession. Many pensioners are unaware of these concessions and must make inquiries at the police station. Even when pensioners

know they are entitled to a concession they are confused and send payments for only half the amount payable for motor registration, third-party insurance, and the levy. The form should show that they are entitled to a 50 per cent reduction on motor registration and third-party fees, but must pay the full levy.

That would cut down a lot of the work of the Motor Registration Branch which has to return accounts and make adjustments. Perhaps a form could be enclosed for those who are eligible for pensioner concessions. I ask the Treasurer to do something to clear up the confusion. This also applies to other areas. Simplification of procedures would cut down the work of members of Parliament who would receive fewer complaints. It is also the duty of members of Parliament to ensure that the procedures of Government departments and instrumentalities are made as streamlined as possible.

I am sure that the returned servicemen and women in the electorate I represent will welcome this measure. Many have been telephoning my office to ensure that the measure was backdated to 1 January and inquiring when they will qualify. I commend the Bill to the House.

Mr GAVIN (Coburg)—Like other honorable members who have spoken in the debate tonight, I have been confused about concessions available to pensioners. I telephoned the Motor Registration Branch to find out the ramifications of the 1979 measure and I thank the members of that branch for their prompt courtesy. I can assure the Treasurer that the Motor Registration Branch does a fine job in informing the public of what is going on.

A list of all available concessions for pensioners could cut out the anomalies that exist. From memory, either on the first or second day of this sessional period the Treasurer said he would try to have such a list compiled. If the Treasurer made that commitment I ask him to stand by it. Members of Parliament should know what concessions are available, and what categories of pensioners are entitled to receive concessions.

A list of transport concessions was compiled as an appendix to the Bland report in 1971 but a lot has happened in nine years and some concessions have been abolished while others have been increased. I suggest to the Treasurer that he make arrangements for the preparation of a list not only for members of Parliament but also for the community to see what concessions are available. I am sure the Treasurer will agree that anomalies exist regarding concessions and if a list were available a debate could be conducted about a more equitable system of determining who is eligible to receive concessions. Pensioners would also be aware of their entitlements. Pensioners have done enough for society and should be given any possible benefits. The production of such a list might cost money but it would be of assistance. I hope the Treasurer will note my comments and answer them.

Dr VAUGHAN (Glenhuntly)—I support the Motor Car (Payments by Pensioners) Bill. One could not have predicted the degree of annoyance of those ex-service pensioners who thought they were eligible to receive concessions and discovered they might have been conned again by the Government. These people have had to suffer too many broken promises, too many half-truths by the Government, and it is pleasing to see that at least in this case the situation has been remedied.

My final point concerns the motor registration and third-party insurance form which all owners of motor cars receive. Over the years, I have noticed that every year the form is poorly laid out, poorly worded and at times incomprehensible even to those people who fill in Government forms daily in their jobs. I know the Premier has long had an interest in clear English in the administration of Victoria. I wish his interest in clear English was directed to registration and third-party forms because those forms confuse many people. In-

deed, as a member of Parliament I have learned that people approach their local member for assistance with this matter.

Mrs PATRICK (Brighton)—I did not intend to take part in this debate, but rise to refute the comments made by the honorable member for Glenhuntly. An explanation has already been given to the House that an oversight was made and there was no intention to cheat pensioners who were rightly entitled to receive a concession. The honorable member for Geelong West pointed out that this is one of the rare occasions when such an oversight has not been picked up by Parliament or the Government in both Houses.

The first I knew about the Act being incorrect was when I received numerous telephone calls about the matter. I expressed my astonishment, not having read the Bill, which was careless of me. I am certain that it was the intention of the Government to include these veteran's affairs pensioners and I am pleased that the error is now being rectified.

Mr JOLLY (Dandenong)—I am pleased to support this measure because I was most concerned when the original Act excluded veteran's affairs pensioners from this concession. It should have been available to all TC1 concession card holders. It was unfortunate that they were excluded from the original Act.

I refer to the comment made by the honorable member for Murray Valley about finance. It is a matter of concern when the State Insurance Office is already operating at a loss on third-party insurance policy arrangements. This will add to the loss. The degree of cross-subsidization within the State Insurance Office does not contribute to the efficiency or effectiveness of that organization, so it would be wise to look for other areas where this concession can be financed.

I am concerned about the delay in introducing this measure. It is obviously a relatively simple measure and one would have thought it should have taken top priority at the beginning of the sessional period because every member of the House must have been contacted by numerous citizens regarding veterans' affairs pensioners being excluded.

I am also concerned about those pensioners who have paid third-party insurance premiums since 1 January 1980, because I understand there will not be an automatic notification to those TC1 concession card holders who have not as yet received the benefit of the concession. It would be appropriate for the Motor Registration Branch to take that course of action. I favour procedures which make it simple for people to apply for such concessions. The Bill makes it clear that all TC1 card holders will be entitled to the concession. It seems to me a relatively simple matter to make forms available at the local police station so that on production of a TC1 concession card a person can qualify for this concession. The police could issue a form which would be distributed with the application to the Motor Registration Branch. That would simplify procedures. It appears unnecessary to make people go to a justice of the peace or a commissioner to make a statutory declaration.

I support any procedures to simplify the manner in which people can apply for the concession. I support the Bill and wish it a speedy passage.

Mr ROPER (Brunswick)—I support my colleagues who have talked about the difficulties of people coping with forms. All those people who are entitled to the benefit should be informed as early as possible. Some may not know about the introduction of this measure. Therefore, I suggest that the Treasury contact the Department of Veterans' Affairs and ensure that an appropriate note be sent to those who are eligible for the concession informing them of their rights. It would not be difficult for the Department of Veterans' Affairs to send a circular to those people, and it would overcome a lot of difficulties.

It is easy to say that people can read about the concession in the newspapers or that a notice can be posted at the local RSL club but I suspect this measure will not receive

much coverage in the newspapers. There are many things that have occurred today and this evening, not only in this House, but elsewhere, which the newspapers might regard as more important.

The same thing applies in these cases as when one is dealing with social security pensioners. The best way is to communicate with representatives of the Federal department, who are generally helpful in providing assistance and will make sure that notices go out in the mail with cheques. Everyone opens cheques with enthusiasm, and when they see the other notice in the envelope it is hoped that they will be similarly enthusiastic.

Mr THOMPSON (Minister for Police and Emergency Services)—I thank honorable members for their contributions. This is an important Bill which means a lot to many elderly people, particularly repatriation pensioners, who have now come to be known as veterans affairs pensioners. Action will be taken to notify those qualifying for concessions of their entitlements under this proposed legislation both through advertisements in the press and through notifications sent out with motor registration renewal forms.

I assure the House that this has been a complicated Bill to draft because of the many different types of pensioners. To illustrate that, I point out that under the Motor Car Act through the years people on a disability pension in excess of 75 per cent who were able to produce evidence that they were limited in their ability to move about—which I understand is a section that has been interpreted fairly liberally—were entitled to a 100 per cent concession in motor registration fees. In other words, they paid no registration fees. However, a person on a 70 per cent war disability pension paid the full rates.

To complicate matters, there is another group called war service pensioners; they are really old age pensioners whose pensions were originally paid through the Repatriation Department and are now paid through the Department of Veterans' Affairs. The cross-reference in the Act to the Federal Act did not pick them up. They are people who since the late 1920s have been able to obtain the equivalent of an old age pension at the age of 60 years, and that pension is not paid through the Department of Social Security, but through the Department of Veterans' Affairs.

In the legislation that was introduced in the last sessional period the Government retrospectively picked up a group of 75 per cent disability pensioners who had been reclassified under the Federal Act and suddenly found that after years of paying no motor registration fees, they were obliged to pay the full fees.

The undertaking of the Government was to provide a 50 per cent concession in motor registration fees and a 50 per cent concession in third-party insurance premiums for all pensioners who qualified for municipal rate concessions. This measure will ensure that that promise is honoured to the full. However, we also found that there would still be an anomaly because those on a disability pension of between 75 per cent and 100 per cent who are not totally and permanently incapacitated pensioners did not qualify for the municipal rate concession, yet they qualified under the existing Act for a 100 per cent concession in motor registration fees. It would have been anomalous for them to receive a 100 per cent concession in motor registration fees and not receive any reduction in third-party premiums, so the Government has gone further than the original undertaking and has removed what would have been an unfair anomaly.

Another point was raised by the honorable members for Murray Valley and Geelong West. It was the method of financing the concessions. It is true that the concessions in the third-party insurance field totalling some $5 million have been financed from the Third Party Premium Fund. This would have been unfair if it had been a private company where the State did not share directly in the profits, but actually it is a semi-statutory authority of the State Government. Where profits are

made, a three-man group decides how they will be split up. The group consists of the Auditor-General, the Insurance Commissioner and the Director of Finance. They meet and decide what proportion of the profits will be allocated to the reserve fund of the State Insurance Office. Anything left over that is not allocated by them may be appropriated as the Governor in Council determines. In other words, it is sent through the Consolidated Fund to help balance the Budget.

As I indicated this morning, when last year's Budget applying to this current financial year was introduced, some $16 million was allocated to the State Budget from the profits made by the State Insurance Office, but there will be no profits for next year. Hence, indirectly the taxpayer is sitll funding the third-party concessions. I emphasize the word "indirectly", but that is the manner in which they are being financed.

The concessions in the motor registration field, which total about $2 million, are being financed as a result of legislation passed last year which imposed a tax on petroleum. The total cost, as I mentioned, is about $2 million, but the concession over and above those amounts will be financed from Treasury funds. That is the one I have just described, which is relatively small, but nevertheless because it is an additional burden it will be financed by the Treasury.

Because of the complex nature of the various classes of pensioners and the benefits to which they are entitled, we will be issuing a form to honorable members indicating the various classes of pensioners who receive benefits under any form of State legislation. This will be of considerable assistance, because I know it is not easy to answer questions off the cuff from people who come in from the street and describe themselves, for instance, as TCI pensioners. There are also some people who are repatriation pensioners on war service disability pensions as distinct from war service old age pensions, and the wives of some of these people receive portion of the pension and are in doubt about whether they are classified as pensioners.

There is a good case for bringing out a document which explains clearly to all honorable members exactly what concessions are available for the various classes of pensioners so that they can answer the many queries about penisoners concessions. Meanwhile, the Government will be taking care to ensure that all people receiving benefits under this legislation will be notified as clearly as possible of their entitlements, either through press advertisements or notices sent out with motor registration renewal forms.

The motion was agreed to.

The Bill was read a second time, and passed through its remaining stages.

The sitting was suspended at 6.10 *p.m. until* 8.3 *p.m.*

CANCER (AMENDMENT) BILL

The debate (adjourned from April 1) on the motion of Mr Borthwick (Minister of Health) for the second reading of this Bill was resumed.

Mr ROPER (Brunswick)—Although this is a minor Bill, it gives honorable members an opportunity of debating the work of the Cancer Institute and the whole problem of cancer, which is becoming the scourge of the last third of the twentieth century. Cancers affecting various parts of the body are now the major cause of death in Victoria and will become more prevalent during the 1980s and 1990s.

Mr Whiting—Why is that so?

Mr ROPER—It is so for a variety of reasons, but the debate on the Bill does not provide the opportunity of discussing the whole question of cancer in the community. Much about cancer is not understood, in connection with both its causes and its management. There is also a great fear of cancer that surpasses almost any other fear held by members of the community. One of the main tasks of the Cancer Institute, the Anti-Cancer Council of Victoria and the Health Commission must be to educate the commun-

ity about cancer in general and different types of cancers in particular, so that it is no longer a case of diagnosis followed by giving up all hope.

Victoria does not have a number of the basic tools needed to assist in the investigation of cancer. Alone, of all the Australian States, Victoria does not have a central cancer registry. The debate on the Bill gives honorable members the opportunity of examining the need for such a registry. I move:

> That all the words after "That" be omitted with the view of inserting in place thereof the words "this Bill be withdrawn and redrafted to provide for the establishment in Victoria of a central cancer registry and the notification of cancers to such registry."

The amendment is moved deliberately and one of the basic reasons for doing so is that without such a registry much of the epidemiological study that is required to combat cancer cannot be performed. It is necessary to build up the information available so that studies and surveys of cancer can be carried out adequately. Such a central cancer registry—and they exist in many countries—would mean that doctors, hospitals and pathologists would be required to inform the registry of details about patients, abstracts of histories and other relevant information that would then be placed in computer storage so that it could be used as the basis for all manner of research. It would provide a basic tool.

The New South Wales Health Commission has been operating a central registry for some time and useful papers are being produced. It can produce information that is valuable to the Health Commission and to the people of the State much more readily than it could several years ago because it now has the basic information. Every other State in Australia has established a central registry, although, because of teething problems and the difficulty of obtaining information from the different sources, they are not as advanced as the New South Wales registry. Nonetheless, they are starting to provide effective information.

In Victoria, for a number of years a number of people have believed a registry is essential. The most recent annual report of the Cancer Institute, in the fourth paragraph on the fifth page states:

> To provide the most effective cancer treatment service requires not only medical knowledge but also the assistance of wider statistics and general information. In line with this has been the continuing concern related to the compulsory notification of cancer. The Board put forward this matter on several occasions since 1975, and it is hoped that in this coming year there will be general acceptance of this proposal, which is a logical extension of the fine work in gathering voluntary information by the Central Cancer Registry conducted by the Anti-Cancer Council of Victoria

Since 1975 submissions to and correspondence with the Health Commission and various Ministers of Health—there have been three Ministers of Health in that time—have sought the establishment of a registry as the basis for attack on cancer in Victoria. At present a voluntary system is run by the Anti-Cancer Council of Victoria, at considerable expense. It is fairly effective but it has limitations. Cancer is not a notifiable disease, so material does not automatically go to the council. Hospitals are not obliged to provide the information. The system was started with ten teaching hospitals in the Melbourne metropolitan area voluntarily providing information. The last three annual reports of the Anti-Cancer Council of Victoria reflect the development of the service. Although the ten teaching hospitals in Melbourne would certainly deal with a large proportion of cancer cases in Victoria, some of them supply information relating only to public patients and not to private patients. That presents an interesting view of the activities and policies of those hospitals, because there is no reason, in law, why the information relating to private patients should be withheld from the voluntary registry. It should be just as available as the information relating to public patients.

Notification compliance varies; presumably, it means that notifications of venereal disease are sent only in connection with public patients, not private patients. That might explain Victoria's poor performance in that area, or perhaps the notifications are not sent for any patients. One would certainly pre-

sume that there is a vast under-notification of venereal disease in Victoria because the incidence in this State is very much lower than that in any of the other States, but no one could suggest the situation in Victoria is any different from the situation in the other States. Notifications are not made and not enough efforts are made to ensure that they are.

Making cancer a notifiable disease would be simple and easy, and it should be done. It would require only the making of a regulation under the Health Act. It would be the start of a range of information collection procedures. The next step would be to expand on the number of hospitals providing the information. The Anti-Cancer Council of Victoria, with the diligence for which it is known, has been able to obtain information regularly from ten teaching hospitals, and from more hospitals recently, but when one considers the wide range of information that is needed, one realizes that the limitations become obvious.

Much of the basic information that is needed is not coming in and a great deal of the data is stored on punch cards. Some of the information is computerized, but a great proportion is not. Punch cards were fine in the 1950s and early 1960s, but they have been replaced by other methods in the 1970s and 1980s. I am sure the honorable member for Doncaster, who is most interested in these matters, would be aware of what has taken place in the development of computers.

The register that is held at the Anti-Cancer Council provides basic data that can be used for studies of the incidence of cancer at various sites, but cannot be used with full efficiency or with complete accuracy because the register does not in any way cover all the cases that are involved.

It was perturbing to receive an answer such as I received on 9 October last concerning cancer statistics. I asked:

> What is the incidence of the various types of cancer in Victoria, specifying fatality rates?

The Minister's answer was:

> The incidence (i.e. the number of new cases occurring each year) of various types of cancer is not known in Victoria at present.

There is no need for that kind of answer to be given if a central cancer registry is provided. That answer would not be given in any other State in Australia or very few countries in the Western World and, indeed in the developed world. There are quite a number of countries which are normally classed as under-developed which are doing more in this area, simply obtaining and providing the basic data which is required to carry out research. The answer continued:

> In co-operation with the Anti-Cancer Council of Victoria a mechanism for measuring the incidence in Melbourne Statistical Division was recently put into operation. This procedure will be extended to cover the remainder of the State.
>
> So far as fatality rates are concerned, they measure the number of deaths of different types of cancer expressed as a rate per 1 million of the population.
>
> The latest rates available for Victoria are those for 1977 which are expressed as follows:

These are by no means accurate and the Minister admitted that fact at the beginning of his answer. However, we do have major cancer problems and like most western societies, although we get carried away by the number of deaths arising from cancer of lung, testes and so on, the fact is that the digestive organs and the peritoneum are the main areas from which people die of cancer.

For the last year for which figures are available, 1977, 572 males and 482 females fell into that category, whereas for lung cancer, there were 548 males and only 118 females. The information should be available for the whole State and with much greater accuracy than is available at present. The Government must ensure that these statistics are collected and that something is done with them.

It is the view of the Opposition that the Anti-Cancer Council should remain the central registry. It seems ludicrous to set up a separate registry in the Health Commission when there is a voluntary organization presently carrying out most of the work that needs

to be done effectively. With additional grants, the Anti-Cancer Council could be able to carry out the full job and provide such a registry.

Some people might object and claim that it should be performed by the Health Commission, but it would be much cheaper and more effective if it was carried out by a voluntary organization, such as the Anti-Cancer Council. There has been a suggestion that the Cancer Institute should do the work but that would entail starting all over again, whereas there is already a system which has been set up, although in a limited way, but it would be easier to expand that system rather than start all over again under some other hospital operation.

Leaving that aside, if the programme was to be undertaken at the Peter MacCallum Hospital, it would not be performed on the basis of cost sharing, because the Commonwealth Government would not agree to a cost-sharing programme.

Honorable members who examine some of the areas of cancer research will see the value of a central registry. One example is shown by the production of a paper by the New South Wales Health Commission concerning cancer mortality in selected New South Wales localities with fluoridated and non-fluoridated water supplies. They were able to use the information which they had been collecting for some years to examine the current health of the community and it came up with this finding, and I quote:

> The standardized cancer mortality ratios for selected localities in New South Wales with fluoridated and non-fluoridated water supplies were examined. The cancer mortality ratios for both fluoridated localities were spread along a continuum. Two localities (one fluoridated, one non-fluoridated) had standardized mortality ratios significantly lower than the New South Wales State average. No relationship was found between cancer deaths and whether water supplies had been fluoridated or not.

That quotation indicates that basic information is useful for a Government, especially when it is being asked about fluoride or some other industrial processes in the community. Basic information means that a large part of the job of researching the problem has been covered. The private committee set up in the Health Commission to look at fluoride in Victoria—of course, one has not yet seen its report—would have been considerably assisted if it had access to a central registry with figures and statistics covering a number of years. It could have looked at that information as part of its over-all process of inquiry because various types of cancer are supposedly claimed or levelled against the use of fluoride, whether or not fluoride is in the water supply.

Mr Williams—Be reasonable; do not give those fanatics free space.

Mr ROPER—I find it interesting to hear the suggestion about fanatics coming from the honorable member for Doncaster. I heard him on the ABC radio only the other morning and he was certainly very fanatical and desperate in his views on that occasion. Having the information available means that when a study is undertaken, the initial information can be found comparatively easily and we need to have that information available. It becomes increasingly important as the form of cancers change, as they do.

It was interesting to note when examining the latest figures available from the Anti-Cancer Council that comparatively few females die from lung cancer compared with males. However, that position is changing and the Minister of Health indicates that it is rising. I quote from the *New England Journal of Medicine* of 20 October 1977 which points out that in a study undertaken by Lewis and Lewis, a change in female smoking habits has in fact started to eliminate, in certain age groups, the difference between male and female deaths arising from lung cancer. The article states:

> The age-adjusted death rate for lung cancer for females in the United States doubled over the short period 1965–74, so that the secular mortality trend for females is beginning to look similar to that of males four decades earlier.

That is an area where having accurate statistics would indicate the changes which are occurring.

Mr Dunstan—Is that in the United States or Australia?

Mr ROPER—That appears in the United States, in the *New England Journal of Medicine*, but the Minister of Health has indicated that it is starting to happen here. It is believed that one of the results of women taking up cigarette smoking to a much greater extent than previously has been the increase in their mortality rate from lung cancer which in the past appeared more in men. However, no longer do women have an advantage in this area because more women are now dying from lung cancer.

If these statistics are collected and predictions are made, they may suggest an area of importance we should act on. When one thinks about it, there are all kinds of cancers which kill us; for example, the colorectal cancers are the main killers and there is the specific suggestion that a person's diet contributes more to that form of cancer than any other factor.

I will be interested to hear the second-reading speech of the Minister of Health tomorrow on dietetics which the honorable gentleman has indicated will provide a new structure for dietetics in Victoria. That is certainly very much required for we need to place far more emphasis on diet than we have in the past.

Responding to an interjection of the Deputy Leader of the National Party, I point out that he may take the view that it means, for example, that orange juice should become a compulsory drink for all people, but there are some honorable members who would not adopt that view. There is a mass of medical research which supports the view that an adequate diet is essential for good health.

The Opposition is suggesting that one must first collect the statistics from hospitals covering the people who suffer from various forms of cancer and then use that information for research. I urge the Minister of Health, during the debate, to indicate where his Government stands on this matter. The Peter MacCallum Hospital has been writing for years to him and his two predecessors, who had undistinguished careers in that portfolio, on this subject and it is to be hoped that on this issue the honorable gentleman can do better than they did.

Turning to the Bill, it is a fairly minor one and the Opposition agrees with the provisions contained in it. However, during the course of his response on the Bill, the Opposition would like the Minister of Health to answer a number of questions about the Cancer Institute. The major question concerns the Smorgon family trust donation.

Mr Williams—You are scraping the bottom of the barrel now.

Mr ROPER—The honorable member for Doncaster was happy to talk about these matters until a moment ago but all of a sudden he is indicating that I am scraping the bottom of the barrel. I know that the honorable member would not have better information because of his laziness, but I invite him to examine the last report of the Cancer Institute. All I can do is to quote from that report because these problems were referred to in that report. The honorable member may be good with radio interviews but he is not so good when it comes to detailed work.

Mr Dunstan—He is not lazy.

Mr ROPER—I am relieved to hear that from the honorable member for Dromana. Referring to the over-all problems concerning the building of the institute—any one who has visited the hospital would be aware of this—the report indicated:

> This concern may be partly resolved in the near future because of a proposal for support generated by a donation from the Smorgon Family Trust. Negotiations have been proceeding for some time with regard to this matter following a request from the Department of Health and it is hoped that Government agreement will be obtained shortly. This proposal is related to the Stage II development of the Institute and provides for the construction on an adjacent site of a multi-storey building providing patient facilities.

The Opposition would like to hear the current state of the negotiations concerning the Cancer Institute. Honorable members are aware of a Bill passed during the last sessional period and the suggestion that a certain commercial organization had robbed the State of some hundred of thousands of dollars. That might or might not be correct. The Premier would not indicate which company was involved, but the Government had to amend the Pay-roll Tax Act because of the actions of a company.

Mr Borthwick—Who made that suggestion?

Mr ROPER—That suggestion was made, but I would be pleased to hear it denied by a member of the Government because, despite attempts by members of the Opposition to get the Premier to name the company concerned so that other companies could be spared the accusation——

Mr Dunstan—That would be a bit of a wild guess.

Mr ROPER—I do not know the situation in Dromana, but it was generally accepted by many people that was the situation and the Opposition asked the Premier to name the organization. After all, it had robbed the State of $500 000 and it should have been named.

Mrs Patrick—What has this to do with the Cancer (Amendment) Bill?

Mr ROPER—Again the honorable member for Brighton might not be aware that at the moment there is a major proposal that the Cancer Institute receive a gift from the Smorgon family trust. If that was the firm involved, surely the honorable member for Brighton would be concerned about the State receiving ill-gotten gains in this way. That is the first concern of the Opposition.

The second is that the long-term plans of the institute were changed because of this proposed gift so that the building would be free standing. Presumably that was so that it could be called the Smorgon building, or words to that effect. The Government provides funds on the ratio of $4 to $1. It would therefore be more rightly known as the Hamer building, the Houghton building, the Borthwick building, or the Victorian building. It was suggested that for $1 million the plans would be changed. The State provides almost all the money for the building and almost all the recurring costs. If private companies were to put in for the recurring costs of facilities, there would be greater justification for naming those facilities after them. It is of concern to the Opposition that the statement appeared in the last annual report of the Cancer Institute and I should like the Minister to explain what is currently occurring in relation to this building facility.

The Opposition does not oppose the Bill. It believes the State should be doing far more than it is in collecting statistics for cancer research and in managing the long-term hospital building programme of this State. It does not in any way suggest that the Cancer Institute has not been doing its work. I am well aware of the institute's activities. It is run extremely efficiently. I hope it will continue to be in that situation and that the Anti-Cancer Council, for the addition of $60 000 a year, can become the home of a central cancer registry, backed up by a notification provision as a result of the Health Act which will mean that in the long term not so much is our health protected but that of our children and grandchildren.

Mr WHITING (Mildura)—This is a comparatively small Bill and in spite of the fact that the honorable member for Brunswick did his usual around the world trip on it, it is extremely important. It concerns, as the honorable member pointed out, a series of diseases that affect a large proportion of the community of Victoria. The Bill is minor in its context. Clause 2 merely transfers a sub-section that somehow got into section 33 of the Act instead of into section 34. Already today the House has dealt with one Bill that reflected on the perspicacity of honorable members in this House and in another place, and here is another such measure.

The major portion of the Bill is a new provision which will allow for the Cancer Institute Board to borrow money

from a bank by way of overdraft or to obtain temporary financial accommodation secured and arranged in such a manner as the Treasurer in each case approves. From the investigations that I have made, I have found that the Cancer Institute Board in running the Peter MacCallum Hospital at present does not have this facility and at times with the fluctuations of revenue and expenditure, it could be placed in an embarrassing situation. Victoria would be in big trouble if the general hospitals did not have overdraft facilities at their disposal in the periods when Government funding was slow in coming forward or when there had been rapid increases in salaries of staff or in the cost of goods and services. It is obvious that this provision must be provided for the Cancer Institute Board.

The other provision contained in the Bill is consequential on amendments to the Health Commission Act. From 7 December this year membership of the board will change drastically from the present number of 22 to somewhere of the order of 10 or 12. There is a flexibility in the new provision under section 51 of the Health Commission Act which will be proclaimed on 7 December this year, which was decided when that Act went through Parliament. The provision will allow for a member appointed by the Governor in Council from a panel of three names submitted by the Council of the University of Melbourne, not less than six and not more than eleven members appointed by the Governor in Council and two representatives from Tasmania. Naturally, when the number of members of a board is reduced from 22 to perhaps 14, the number required for a quorum should also be reduced. Instead of a fixed quorum of four members, the Bill provides for three members or not less than half the membership of the committee at that time. It is only a minor matter but a machinery provision that obviously should be considered when the reduction in the size of the board takes place later this year.

The motion moved by the honorable member for Brunswick represents an interesting concept and I am attracted to the proposal. The present cancer registry in Victoria is voluntarily conducted and will need additional funding and provisions to ensure that it is a complete register of all the cancer cases that occur with as much categorization as can be provided within the facilities at present available. It is a reflection on the Government that Victoria has had to rely on a voluntary organization such as the Anti-Cancer Council. When such an organization has to go to the public every year to raise additional funds just to scratch the surface of the problem, the Government is not providing sufficient money for a register of all cancer cases that occur in this State or for the preventive medicine that the council endeavours to carry out. I am strongly inclined, unless the Minister has some good facts as to why the situation should not be changed, to indicate that the National Party will support the amendment moved by the honorable member for Brunswick.

The operations of the Peter MacCallum Hospital and the amount of work that it does in the curative field are outstanding. Every person in Victoria would compliment the staff and research facilities at the hospital, as well as everybody concerned with that hospital, who are dedicated and pull their weight under difficult circumstances. One can have nothing but admiration for the whole operation and for the Cancer Institute Board, which must be struggling under enormous difficulties. I am not particularly concerned about the comments by the honorable member for Brunswick regarding the Smorgon gift that is to be made, presumably to that hospital, because there is far more room for any number of philanthropic organizations to provide additional funds in the area. No doubt the people who are affected or whose families and friends may be afflicted by the disease must be extremely concerned at the number of cases occurring in Victoria for which there is yet no cure or for which the cure is so costly and highly intensive that it is almost out of consideration.

The Government must take much more interest, particularly financial interest, in what is happening in this area.

I hope further experimentation and research work will take place and that periodically we will hear of partial cures or complete cures in this field. If that occurs we will have gone a long way. A full and adequate register of all the cases will be a start, particularly for the research people who have the problem of trying to decide where their activities will be directed in the future.

The Bill, although small, brings about some machinery matters affecting the Cancer Institute Board which will help it in the smoother running of the operations of the Peter MacCallum Hospital particularly, and further research may provide some of the answers which all members of the community seek.

Dr VAUGHAN (Glenhuntly)—I support the amendment moved by the honorable member for Brunswick. I shall begin by stating how pleased I was with the constructive contribution to the debate from the honorable member for Mildura. His points were brief but very much to the point.

I shall read from a preface of a book, written by Samuel S. Epstein, about the American scene basically but relevant to ours, and published in 1978. It is entitled *The Politics of Cancer*. The preface to this text reads:

If one thousand people died every day of cholera, swine flu, or food poisoning, an epidemic of major proportions would be at hand and the entire country would mobilize against it. Yet cancer claims that many lives daily, often in prolonged and agonizing pain, and most people believe they can do nothing about it. Cancer, they think, strikes where it will, with no apparent cause. Some take out a cancer insurance policy, all hope not to be one of its victims.

But cancer has distinct, identifiable causes. It is not just another degenerative disease associated with aging. It can largely be prevented, but this requires more than just scientific effort or individual action. The control and prevention of cancer will require a concerted national effort. This book is offered as a contribution to that essentially political process.

There are four basic axioms of cancer causation which will be continually referred to:

1. *Cancer is caused mainly by exposure to chemical or physical agents in the environment.* To be sure, there are genetic aspects to cancer; and some cancers are suspected to be caused by viruses, but these factors account for only a small fraction of all cases. Just as germs cause infections, so do certain chemical and physical agents, *carcinogens*, cause cancer. While some carcinogens, such as arsenic, asbestos, aflatoxins, and ionizing radiation, occur naturally, there is increasing recognition of the dangers of synthetic petrochemical carcinogens, such as vinyl chloride and bischloromethylether, which have been introduced into the workplace and environment in growing numbers over the last few decades.

2. *The more of a carcinogen present in the human environment, hence the greater the exposure to it, the greater is the chance of developing cancer from it.*

3. *Although environmental carcinogens are the predominant causes of human cancer, the incidence of cancer in any population of animals or humans exposed to a carcinogen may be influenced by a variety of factors.* The development of cancer is of course profoundly influenced by genetic, endocrine, immunological, viral, biochemical and possibly even psychological factors. Additionally, there are a wide range of other external factors which can increase individual sensitivity to a given carcinogen or carcinogens. Among these are excesses or deficiencies in certain dietary components, exposure to other carcinogens which enhance the effects of a particular carcinogen, and exposure to *promoting* (or *co-carcinogenic*) agents which, while not carcinogenic in themselves, may enhance the effect of an already present carcinogen. These factors do not themselves cause cancer, but they can and do affect when a certain carcinogen will trigger cancer in an individual and how rapidly or slowly the course of the clinical symptoms and the disease will progress.

4. *There is no known method for measuring or predicting a "safe" level of exposure to any carcinogen below which cancer will not result in any individual or population group.*

Those remarks appear in the preface to a most interesting book, which I recommend to honorable members and, in particular, the Minister of Health.

I have a personal interest in environmentally-induced or work-induced cancer in that I come from a professional group which runs a high risk. These people are research scientists working in research laboratories. If honorable members are familiar with research laboratories, I need say no more. I do not confidently predict for myself or for any of my colleagues, a very long life, but one does not know.

I now wish to refer briefly to one man's personal story or one man's personal tragedy. I quote from an article written by John A. Mills which was published in *Chemistry in Australia* in December 1977, Vol. 44, No. 12. The

article is entitled *Cancer in the Chemical Laboratory* and I shall read from the introduction:

About a year ago I was found to have lung cancer. It was an adeno-carcinoma deep down in one lung and said to be of a type not usually associated with cigarette smoking (which I had given up in 1970).

Since lung cancer not associated with smoking is thought to be rare, and since most cancers have an environmental origin, there must be some suspicion that it is connected with my profession of organic chemist.

It would be impossible to prove this but I have thought a great deal about some dangers of chemistry and cancer, which may interest others. I have concentrated on the danger of noxious particulate matter rather than specific carcinogens.

Dr Mills went on to say this about practices in a research laboratory:

The big danger I see in Australian laboratories is dust. Many I know are not washed or redecorated very often, or even swept out well, so that they contain an astonishing variety of dust. Solids from fretting of masonry, asbestos, aluminium window frames, and rusty pipes all tend to be amphoteric—

that is, exhibiting acidic and basic properties:

and well suited to absorb a wide range of chemicals.

These get carried up on to walls by fuming-off operations, steam from water baths, and sweeping. Fume cupboards can provide a horrific combination—lead compounds from the tray, asbestos from the walls, and every chemical ever used in them. The variety of compounds used in sprays for chromatograms and tlc plates has widened the risks. It must be remembered that there is no certainty that older asbestos may not contain some of the very dangerous crocidolite (blue asbestos), even though this is now prohibited in many countries. *All* asbestos should be handled with great care.

Another little-regarded risk is droplet-borne infection. Public health officials are aware of the danger of public urinals and toilet-pans; splashes fly up, dry out quickly, and leave suspended particles of toxins that are more likely to be dangerous when they lodge in the lung than other parts of the body.

The first laboratories I worked in contained open, lead-lined launders and narrow, high-pressure taps. Turning a tap incautiously gave a wide spray containing lead compounds and a selection of sludge from the launder. Most laboratories contain at least one large sink that tends to accumulate dead algae, dust, chemical residues, and bacterial slime in one corner, just waiting to be dispersed by a good jet from a tap.

Natural products chemists take unjustified risks. I have handled dry dusty and crumbling plants that I knew contained cytotoxic alkaloids without making any attempt to keep particles out of my lungs. Large quantities of such materials are handled and extracted under very primitive conditions of hygiene. The thought that particles of some of the resinous extracts that are described in the literature might enter the lungs is rather daunting.

Every laboratory I have used has been cleaned by sweeping and dusting, rather than by a vacuum-cleaner. This seems to be quite wrong; the type of dust that accumulates in chemical laboratories needs to be removed quickly, not chased from place to place.

If this article sounds alarmist it has served its purpose. I am indeed astonished that so few chemists get lung cancer, but I assure you that the effort that prevents even one more case is well worth while.

That is one man's story, one man's tragedy—or perhaps more than his own.

That article has prompted an article in the latest issue of *Chemistry in Australia,* volume 47, No. 4, and I also refer that to the Minister. It is entitled *Toxic Hazards in the Chemical Laboratory—the need for rethinking,* by T. I. Quickenden. It is very much the scientific paper. It is logically argued, well written and it presents a most coherent case. It presents the arguments for a change; it presents the arguments against change, and an evaluation of the pros and cons; finally, it makes some suggestions. I wish to dwell briefly on the suggestions and to put them on the record, but I shall abbreviate them to some extent.

In Dr Quickenden's opinion, the most important single requirement, which is long overdue in most laboratories, is the provision of adequate ventilation systems. He goes on to suggest the second requirement:

It is suggested that the Royal Australian Chemical Institute should:

(i) Commission a survey of the mean life-spans and causes of death of professional chemists in Australia and seek to encourage sister chemical groups in other countries to do likewise.

Here the Royal Australian Chemical Institute is realizing the need to do research to protect not only its present membership's health but also the health of future generations of scientists in the community. The Victorian Government should see the need for such information for all Victorians and that

is the thrust of the Opposition's amendment, which I am pleased is supported by the National Party.

I should also like to put on the record certain other recommendations made by this particular author. These are:

(ii) Conduct a survey of employers of laboratory chemists (including universities, colleges and state and federal Government laboratories as well as the industrial sector)—

I would hope the Minister would include those under his own control in that—

to ascertain how many organizations provide blood tests or other medical examinations for their employees and students.

(iii) Conduct a survey of the employers cited in (ii), in order to ascertain what warnings are issued to storemen and users of the prime carcinogens.

(iv) Encourage the publication in This Journal of regular features which deal with the toxic hazards associated with selected chemicals and the appropriate methods for handling these substances.

I would hope such information reached the work place, and I know it does not do so adequately at present.

(v) In the absence of adequate protective legislation, set up a committee which will hear and deal with complaints from members relating to chemical hazards which may endanger employees and which have not been rectified despite due representations to the employer.

(vi) Set up a committee to make recommendations to the Institute on the desirability of recommending to state and federal Governments, amending legislation which would provide more adequate protection for employees and students subjected to toxic hazards in the course of their work. While it is envisaged that the United States and British legislation on this matter would be examined by the committee, it is not envisaged that the committee would necessarily feel bound in any way to follow the policies in those countries.

(vii) Press on the federal and state Governments, the serious need to provide funds to properly upgrade ventilation and fume removal systems in universities, colleges, schools and government laboratories and to take action to rectify the serious dangers to health which may arise in such institutions, when airconditioning systems which recirculate air are used in laboratories.

I recommend to the Minister and his advisers a thorough examination of the paper.

Dr Vaughan

Honorable members are discussing a cancer register of a general type, but interest has been shown by the medical profession in voluntary national registers of particular types of cancer. One of which the Minister may or may not know is the mesothelioma register, work on which has been going on for some two years now. For the enlightenment of the Minister, I quote briefly from a paper entitled *Australian Mesothelioma Register* by David Ferguson and Thomas Ng published in the *Medical Journal of Australia* dated 23 February 1980:

Generally, these activities of a register provide a basis for epidemiological research. However, the register itself is a register and no more. For example, establishment of a dose-effect relationship is not attainable merely by implementing a register alone, though dose-response study oportunities flow from it. A register constitutes a data bank which generates information on which hypotheses can be tested by research projects organized directly or indirectly by the register committee. The projects can include co-ordination of treatment trials. If information on cases is first collected, many opportunities for research will follow.

It concludes:

The register is developing into a complex national project involving many health bodies. If its scope is not to be severely restricted it will need ongoing financial support. The question, often debated in the two year lead-up period, now that the register is ready to go on trial, is whether the project should be formally adopted or supported at national level.

A cancer register is needed in this State to assist this project and others like it. While canvassing the general matter of research as it relates to cancer research, I direct the attention of the Minister to another paper in the same journal, *the Medical Journal of Australia,* dated 23 February 1980, and an article writted by Professor A. E. Doyle of the Department of Medicine, Austin Hospital, Heidelberg. The article is entitled *Government Funding for Medical Research.* It would be useful for all honorable members to ponder on Professor Doyle's words, even though at times they sound a little cynical:

The level of funding for medical research by the Australian Government continues to be a matter for concern. Some of the facts are well known, including the fact that compared with similarly affluent countries, Government support for medical research has always been lower in terms of contribution *per capita.* The United

States of America funds medical research at 12 times the Australian allocation *per capita*, and Canada funds it between two and three times the Australian allocation.

The conclusion of the article will be of interest to honorable members. It states:

It is not the purpose of this paper to discuss the intrinsic merits of supporting scientific and medical research. It has to be stated, however, that medical graduates engaged in research, as a rule, do not generate heavy costs in patient care, do not have and do not seek large personal incomes and serve, if nothing else, as a means of soaking up medical manpower which might otherwise be contributing to the expansion of the costs of health care. It is to be hoped that, even if the politicians choose to reject the concept that good may come of research, they may accept it as a cost-containing measure which is in itself innocuous, and which is by any standard inexpensive. Perhaps they may also reflect that, in addition to these tangible advantages, there may be something in it in the way of benefit to humanity, or of political advantage for them.

In conclusion, the Minister of Health has no option but to accept the amendment, which I expect him to do as a reasonable man. Victoria should not be the only State without a cancer register. The Government has no case on which to justify its stand if it chooses not to accept the amendment. I commend the amendment to the House.

Mr BORTHWICK (Minister of Health)—It was made quite clear to the House last night by a colleague of mine that I was a fairly unreasonable person.

Mr Dunstan—The word was "inflexible".

Mr BORTHWICK—Thank you. The word was inflexible. Therefore, maybe I will not respond very sympathetically to the impassioned plea made by the honorable member for Glenhuntly. I was extremely interested to hear the comments of the honorable member for Brunswick about the Central Cancer Registry. I admit that it has been only in the past several weeks that the question of a central registry for cancer has been brought to my attention. It has been brought to my attention by a concerted drive by local government.

I have received many letters in the past fortnight from different municipalities supporting the view that has obviously been expressed to them by a leader in the research field wanting a more detailed central registry established. I openly state that I am sympathetic to that view, but I have no intention of accepting the amendment.

However, the honorable member for Brunswick has been quite right, as have other honorable members, in drawing to the attention of the Government the inadequacies of the existing voluntary system. However, I place on record the views of the Anti-Cancer Council of Victoria as stated in its annual report dated June 1979. It commented upon the central registry and I would not like any honorable member to under-estimate what the Anti-Cancer Council has achieved. It is important for the House to note that it is my view that when the service is expanded, it should be through the Anti-Cancer Council. The annual report deals specifically with the Central Cancern Registry and states:

This has been a development year for the registry. For the first time it covers most cancer patients in the Melbourne metropolitan area and, also for the first time, all the accumulated data have been checked and fed into its computer system.

We now receive details of cancer patients from most public and private hospitals in Melbourne likely to treat the disease. In addition, many private pathologists in the metropolitan area provide data for the registry. From the original 10 hospitals contributing information when the registry was inaugurated in 1940, we now receive data from more than 60. Some country hospitals already provide information as well, and we are extending the range to enlarge the number of these country contributors. Ultimately the registry will measure incidence and prevalence of cancer in the whole State, in parallel to its present function of providing treatment and survival data on hospital patients.

As a result of this comprehensive base being established, we will soon be able to begin providing feed-back information to the pathologists and hospitals, whose co-operation has been so important to this work. They have done this in a purely voluntary capacity and the Council is most grateful to them for the significant contribution they have made to the registry's success.

Our computer now contains relevant details of more than 140 000 cancer patients, some of them going back over almost 40 years. More than 45 000 patients listed, however, are still alive and we continue to receive details of any hospital treatment they receive. The information held is confidential and is processed in such a way that statistical analysis do not allow personal identification.

Presentation of the accumulated information for computer analysis has been a time consuming and complex job.

The State owes a great debt to that body of people. It is something I am extremely interested in. During the debate, the Government has become aware of the support of all sides of the House for the concept and I give an undertaking to the House that I will explore in detail the whole question. I can do no better than that at this stage. I am not sufficiently well advised of the problems, if any, there may be and, as yet, I have not received any report on the correspondence that I have received on the subject. I have been receiving correspondence from municipalities on the subject, frequently supported by local members.

Victoria probably has a more detailed service operating than honorable members may have initially realized. I will certainly examine what the Government can do to ensure that this is a better service.

As a passing reference, I am not absolutely certain of making the supply of information mandatory. I would like the honorable member for Brunswick to listen to what I am saying because I am not certain that endeavouring to force people to provide statistics will provide a completely accurate result anyway. It may possibly provide one with a better and more detailed result. However, the reporting of venereal disease is compulsory and the honorable member for Brunswick seemed to suggest before that, despite the fact that it is compulsory, the statistics are not as good as they ought to be.

The Government is not prepared to accept the amendment. I have given an assurance to the House that I will examine the matter closely and I do not believe the House should hold up the passage of the Bill, minor as the amendments are, but are of some immediate advantage. It may well be of advantage before the end of the financial year; the Bill should be passed.

On the question of the Smorgon family trust, it was not raised in the best of manners. Further negotiations have been occurring and certain additional moves to ensure the completion of the gift are currently being discussed. I will not say more than that. One of the problems that that family trust has faced, however, is the difficulties of providing free stand buildings for $5 million in this day and age. That is an argument I have adopted in reviewing negotiations.

I am convinced that Victoria will have that money made available to it in due course. I thank honorable members for their contributions to the debate on the Bill. I have never ceased to be interested in the speeches made by the honorable member for Glenhuntly. I commend him for his sensitive approach to the subject. I thank honorable members and advise them that the Government is not prepared to accept the amendment.

The amendment was negatived, and the motion was agreed to.

The Bill was read a second time and committed.

Clauses 1 and 2 were agreed to.

Clause 3 (No. 6213 New s. 34a)

Mr ROPER (Brunswick)—Clause 3 provides that there will be an ability for the Cancer Institute to obtain money by way of overdraft and temporary financial accommodation. The concern of the Opposition is that such a special provision needs to be made for all hospitals not only in terms of this provision but also in terms of capital funds. A hospital may have a specific capital work proceeding or one that needs to be done, sometimes to obtain medium and long-term recurrent savings, which cannot proceed because of the generally chaotic state of the over-all hospital building programme and the fact that funds are not available for years ahead because of previous decisions that have been taken.

It is interesting to reflect that when the Health Commission Bill was before Parliament, the Labor Party proposed that hospital boards, subject to the approval of the Treasurer, should be empowered to borrow on terms and conditions that the Treasurer might

determine. Such a power would certainly assist the Cancer Institute Board and all other hospital boards in the State. It exists and works well in New South Wales and a number of other States.

During the debate, the Government rejected that proposition, and I suspect narrowly. When I say "narrowly", because of a narrow view of the best way to ensure that one recovers most money for hospital expenditure in any one year. I commend that point as a future amendment to the Act.

In general, the Labor Party has no opposition to the Bill. It would be stupid to oppose a proposition that the Cancer Institute should be able to borrow by way of overdraft; everyone else in the health field does and they should be able to receive temporary financial accommodation. However, the greater problem of long-term or medium-term loans so that they can carry out capital works needs to be examined and should have been examined years ago.

The clause was agreed to, as was the remaining clause.

The Bill was reported to the House without amendment, and passed through its remaining stages.

HEALTH (SPECIAL ACCOMMODATION HOUSES) BILL

The debate (adjourned from April 2) on the motion of Mr Borthwick (Minister of Health) for the second reading of this Bill was resumed.

Mr ROPER (Brunswick)—The Bill is important and the Opposition welcomes it, even though it is somewhat belated and is the result of a massive public and media pressure over the past few weeks. It demonstrates that Australian society is totally unprepared to meet the dramatic change in the proportion of aged persons in the community. With Australia's declining birth rate, the proportion of aged people in the community is increasing and yet there have been only piecemeal attempts to plan for the change. The Bill is one example.

The current system is haphazard, expensive, inadequate and dominated by high-cost institutional care. A marked proportion of public money goes towards nursing and hospital care for elderly people and not the same organizational effort goes into the other levels of domiciliary health care which could assist special accommodation houses in their functions. To make matters worse, policies of administration are jumbled between Federal and State Governments and local government. The Labor Party advocates a review of all services for the aged and semi-invalid persons rather than making reforms in bits and pieces. At present, the major Government emphasis is on the provision of high-cost institutional care which ranges from aged persons' homes to nursing homes. Much greater emphasis must be placed on maintaining aged and handicapped persons comfortably in their own homes as long as possible.

Statistics reveal the massive numbers of aged persons in the community: 501 300 over the age of 60, 222 700 over the age of 70 and 62 100 over the age of 80 years. More importantly, those are the figures of the moment. In 1978, the figures last available, the population of Victoria was 3 818 400, of which the 45 to 64 years age group was 753 200, or 19·7 per cent of the population, and the 65 and over age group was 350 300, or 9·2 per cent of the population. It is estimated that in 1991 there will be an increase in the over 65 years age group of 99 000 or more than 25 per cent which will move to 10·4 per cent of the population and a further increase of 40 300 in that age group between 1991 and the year 2001. That will be a future increase of 33 per cent of elderly people between now and the end of the century. The Government must provide for the elderly with a more comprehensive range of services.

With the absence of co-ordination one has a major difficulty that any decision on special accommodation houses can change the way in which

other segments operate without any corresponding change in Federal, State Government or local government policies. In special accommodation and in all other services for the elderly, an organization of services that is regionalized, comprehensive and which ranges from geriatric accommodation through to domiciliary services, such as home help, meals-on-wheels, the home handyman service, a travelling library service, and a shopping service and so on is needed. It should be a regionalized service of which special accommodation houses are a part and provide the personalized service necessary to maintain the effectiveness and the dignity—which I stress—of the individual.

Systematic regionalization would also remove the existing disparities between the provision of services in different areas. For example, many more services are provided in affluent areas. A suggestion contained in the Federal Government's report on care of the aged produced in August 1975 is the creation of a range of services ranging from home help and domiciliary services and independent living facilities for persons who must or desire to move out of their own homes to special accommodation houses, hostels and finally nursing homes and with the provision of rehabilitation services at all levels. Victoria falls down on this aspect at present. On special accommodation houses, Victoria falls short of what it should be doing, especially when those persons have only the pension available to them to pay for the service. Approximately 11 per cent of Victorians are aged and 10 per cent of them are institutionalized, 4 per cent in nursing homes and the remainder in hostels or special accommodation homes.

The problems are well-known. Urgently needed is a system of regional planning for geriatric services for the aged and for services to the handicapped to include domiciliary care services. We should not tolerate the Premier calling for a report once every three years and ignoring that report. A system needs to be devised to assess whether people are being properly sent to one organization or another. Millions of dollars throughout Australia are being wasted because people in nursing homes are receiving nursing care on an intensive care basis when in fact they could be catered for with less intensive care more comfortably for them and for those who supply the taxes for those services, which can then be spent on other services for those people.

It would be highly desirable if Australian people were encouraged to move back to the times when families looked after their aged members, but regrettably, an increasing percentage of families do not do so, not necessarily because of selfishness but because they have been persuaded that looking after their parents and grandparents is someone else's job. I am unsure of who has done the persuading; it might be that families have become convinced that people must look after themselves and who cares about anyone else. I am sure that attitude becomes an evasive mechanism.

It is interesting that some of the ethnic communities which have previously looked after their elderly people are now wanting hostels, aged persons' villages, special accommodation houses, nursing homes and geriatric hospitals, whereas ten years ago that proposition would not have been countenanced in those communities. That is one of the more unfortunate aspects of assimilation. It is not necessarily the good habits of the community that an incoming group gets; they also get some of the bad habits. I certainly agree that the Government should persuade people to look after their aged. Governments have the capacity to do that through the programmes they operate.

Elderly people need an advocacy system. One of the problems in special accommodation for the elderly is the lack of advocacy. I quote from an article by *Shelter*:

> Many residents have neither friends nor relatives, and are often confused and therefore unable to handle their own affairs. Once lodged in a nursing home or special accommodation house, they come totally under the control of the proprietor. There is no one to voice their complaints to. These people need an

advocate; and clarification as to who in the community could carry out such a task is needed.

The view of the Labor Party is that the regional geriatric planning in each of the State's regions and the provision of services, not necessarily of an institutional kind, can provide advocacy for people in need. To do that, special accommodation houses need to be run properly. It is my view and that of the Labor Party that the Bill is not nearly tough enough and that, under the present Act, it took some crooks 30 minutes to discover loopholes, but with the Bill it may take those crooks an hour. The Labor Party is concerned about many of the clauses in the Bill, to which I shall refer shortly.

I suppose one must accept that it had not been the intention of the Minister to introduce the Bill and that he had intended to propose new regulations under the old and totally inadequate Act until Sister Blanton blew the whistle on television on 24 March. I remind the Minister of what she said on that night:

> I think that the Health Commission are negligent because they haven't appointed enough people to administer these regulations, there isn't enough support within the Commission.
>
> These people have no one to speak for them, no one who cares about them. They are forgotten by the people who make legislation, by our Health Commission, by placement officers, doctors and families. They're just forgotten, pushed away because they're useless, no one wants them.

She said many other things as well. The newspapers and members of the public have been drawing these problems, revealed on 24 March, to the attention of the Government for many years. There have been other articles in the papers in past years about these problems, but the Government's action has not been very vigorous. I suppose one could say that I am being uncharitable, but this Government has allowed thousands of elderly people to be substantially, and to a recognizable degree, maltreated in special accommodation houses since 1973 when the original Bill was introduced. The then Minister, Mr Scanlan, said that he would have a review made of the Bill within twelve months. The Minister's predecessor, or a spokesman for him, then promised a review of the Bill in July 1978. The Minister knows that his predecessor, his spokesman, the commission, the then department, did nothing about that review. It was not carried out.

The Minister would be aware that the senior social worker of the then Mental Health Authority was extremely critical of the Act a day later, on 22 July that year. A year later on 23 July, Mrs Marion Shaw, the principal geriatric officer, said that the unscrupulous may be taking advantage of elderly people. That was an understatement because she knew, and the officers of the committee knew, that the unscrupulous were taking advantage of elderly people and handicapped people as well. This present Minister of Health seems to be better at hearing than his predecessor; he heard things from members of the staff that his two predecessors had been unable to hear.

The Minister went on a raid—that is the word he used—and visited four establishments. Of those four, three are still operating today, and the Opposition does not believe there is any reason why they should be still operating. I pointed that out to the Parliament a couple of weeks ago, but the Minister set up a committee to urgently examine it. The Opposition would like to hear from the Minister why that committee did not meet until August. Sister Blanton gave evidence in the County Court to that effect in July.

Secondly, when the committee met in August, and completed the regulations in December, nothing happened. I have searched the statutory rules for December, January, February, March and April, and nothing has occurred. It was not that the committee was addressing itself to the great terms of reference that the Minister suggested to the Parliament a couple of weeks ago. It was dealing almost totally with a new set of regulations under the previous Act. When the regulations were completed in December, and the committee thought it had presented them to the commission, nothing occurred until late February when it

was called again to consider two minor amendments. If they were as urgent as the Minister said, and as the Opposition believed they were last June when the Minister made his maiden press release, then they were urgent in December, January, February and March.

Members of the Opposition again say, if it had not been for the Willesee show, we would not have seen this Bill or probably not have seen the regulations under the old Act for a considerable time. I think Sister Blanton was the cause of it, and it was her dramatic demonstration on the Willesee show that motivated the Government.

Since the original regulations were introduced in 1974, the only amendments that have been put up are those raising fees. Powers given by this Parliament have never been spelt out in regulations, and the regulations have not gone as far as the Act passed by this Parliament in 1973 provided, nor do they deal with the problems that have emerged since then.

From letters I have received from the Minister, and from answers I have received to questions on notice, there seems to have been a lack of urgency by the Government, and by the commission. I received an answer from the Minister in October last year that clearly shows that the Government was not proposing to take any urgent action. I received a letter on 22 February which confirmed that, and the Minister's own view, as expressed in March on the Willesee show, was that the commission was not able to sheet home charges in the court. That is an interesting excuse, but the reason was a deficiency in the Act. If the Act had been amended, and the regulations consequently fixed up, a great number of those problems would not have occurred. But no action was taken, even though there were deficiencies known to the Minister—and he has been the quickest to act of the past three Ministers.

On the Willesee programme the Minister talked about the staff. I do not know who provided him with the information for that programme, but he said there were three inspectors. Of course there have never been three inspectors. The Minister will recall that the Opposition raised this issue about the slowness of bringing in the new Act and regulations, but some time after the Act and the regulations were promulgated the majority of special accommodation houses in the State were unregistered and not inspected. The Opposition raised that matter before, but the commission, or the then department, did not pay attention to this area when it should have. There are probably other areas that were rather similar. That meant that there was a feast for crooks, not only in relation to the elderly but also in relation to the handicapped.

When this matter was last before the Parliament, I raised the question of a woman called Matron Miller and an establishment that she ran in Tooronga Road, and I suggested that her place was anything but adequate. The courts have found this to be so, and Dr Trevor Nelson-Hatfield, who spoke in her defence, was called a thoroughly unsatisfactory witness by a judge of the County Court. Matron Miller's response on Channel 10 was:

> I've been set up, badly set up, both by the inspectors, by people that are placing old people, as you could say, on a conveyor belt to national multi-million dollar homes that are all hiding in the background, and there's a tremendous amount of graft going on within the Government circles.

The reporter said:

> Are there any of these homes, any Special Accommodation Homes, which do rip off old people?

And Matron Miller said:

> None to my knowledge whatsoever. The people that I know that have been in the industry a long time run good, clean homely homes.

This woman claimed there was graft in the commission. The only problem was good old-fashioned sloth and laziness in the commission. The inspectors, who have held these positions since the establishment of the commission, have worked flat out to cover the whole of the State to overcome many of the problems created by their scarce resources and the inadequacy of the

Act, and here is Matron Miller suggesting it is a matter of graft and multi-million nationals. That is a lovely excuse. There might have been others, but that is one which is put forward in the transcript. Matron Miller had people in her special accommodation houses who developed gangrene, and died of gangrene, and she stated that the problems have to do with graft in the commission.

I know that the honorable member for Frankston has a love for multinational drug companies and may have a different view on this subject. He might believe that multi-nationals have an interest in special accommodation houses, but that is not the case. It is the Australians who provide good special accommodation houses, and it is Australians, like Matron Miller, who provide places for people to die from gangrene. She needs the greatest censure of all members of this place or anywhere else.

I was amazed to find that Channel 10 ran that comment without running others. It suggests to me that for once it made a major mistake. The honorable member for Frankston said that it makes a number of mistakes, but that certainly was a major one.

Worse than that, the Mental Health Authority, or the Mental Health Division, as it is now is, knowingly sent people to places that were not registered, and that were, in the view of many people, including officers of the commission, totally inadequate. There is a place in Canterbury Road, that I referred to in the last debate, run by a Mrs Owens. According to the reports I have, it is substandard, dirty and untidy; it has bad food, and has totally inadequate heating. That place is called Weller Lodge, and the Mental Health Division was sending people there. When complaints were made by one section of the commission, the response was, "We have to send people somewhere". That again reflects on the total provision of services for the elderly and handicapped in the State.

Since I made those remarks in the Parliament, I have been astounded by the material I have received, by what people have told me, and written to me. I understand that the Minister has a detailed file containing a number of cases. A person called McNamara, it is claimed, was severely maltreated at Weller Lodge. There have been other similar cases. The allegations are horrendous. In general they concern property not being returned, lack of care, misuse of pension cheques, difficulties in obtaining receipts. I suppose that benefits the proprietors, not the taxation commissioner. The allegation of property not being returned seemed to have been made on a number of occasions. I understand the difficulties of parents of mentally retarded people, and how they might react about a proprietor or a nurse, and the circumstances are difficult to weigh up. However, I have detailed information that I will be happy to hand to the Minister. I think he probably has got most of it concerning the places that his department has been sending people. When the Minister of Consumer Affairs has to be brought in to obtain the return of belongings to people placed in these accommodation houses by the Mental Health Division, there must be cause for concern.

Mr Brian Smith of Carnegie received a letter from the Consumer Affairs Bureau dated 18 March by which, after representations to the Ministry of Consumer Affairs, he was given assistance and finally got some of this lad's materials returned.

In response to the Minister's interjection, I have seen a copy of a record of interview; I do not know whether he has. The lad was first placed at Weller Lodge and subsequently at another place. Leaving aside almost everything else, the tragedy was that this retarded child was issued with a Bankcard by a number of the major banks. How they can allow that kind of thing to happen, I do not know; but it should be of concern to all honorable members that the only way this lad and his guardian could get back a number of his belongings—and they could not get a suggested $400 that was stolen from him, and I use the word "suggested" deliberately—was

through the intervention of the Minister of Consumer Affairs, not the Mental Health Authority, now the Mental Health Division, which had to use these particular facilities.

As I said, I have had a number of these cases directed to my attention. I have received complaints from parents whose children have been transferred out of mental hospitals such as Hobson's Park, Traralgon, to what they regarded as quite inadequate facilities. Sometimes it may boil down to a view of what is adequate; and sometimes, for the price, things may not be as adequate as people would like. However, the complaints I have received have been too broadly based to do anything but arouse deep concern. Again, it is something of which the Minister is aware.

The Minister was contacted by the official visitors to the Mont Park and Plenty hospitals who expressed their concern about the situation last July. The matter had been raised previously at conferences of the official visitors held at the Larundel Hospital back in 1977. Quite a number of official visitors have made these kinds of complaints. If people in mental hospitals and training centres are to be protected, these complaints should be acted upon when they are received, but that action did not occur. My colleague, the honorable member for Bundoora, will mention those matters.

The Bill does not deal with all those problems. It is not tough enough and, in the view of the Opposition, it will not ensure that adequate provision is made to protect the elderly and the handicapped. As I mentioned before, it took 30 minutes for some crooks to find loopholes in the previous Act. This Bill may take them an hour.

The Opposition is concerned about changes allowing the Health Commission to grant exceptions from the regulations. At the appropriate time, I shall be raising that matter specifically with the Minister and moving a number of amendments to try to improve that clause. The Labor Party does not believe that clause should be included in the Bill. The argument that the Minister has advanced that it should be there to cover the situation of families does not hold good. If he looks at the original Act, the Minister will find that among the provisions for regulations there is a proposed definition of "family" and there is no reason why the regulation-making power should not be wide enough to include the extended family. Like the Minister, I am aware of some of the kinds of extended family situations one can get into.

The fact is that that clause could well result in places being registered that should not be registered or in places that should be registered being exempted and people being able to get away with the kind of situation that currently exists.

In addition, Opposition members believe the penalties are insufficient. The proposed maximum penalties of $5000 and $2000, depending on the offence, are not by themselves sufficient because of the profits obtainable in the special accommodation industry. It is quite possible—it already occurs with smaller fines and it could occur with larger fines—that a proprietor will simply keep his place running, knowing full well that his legal costs and his fines will be less than the profit he can make from keeping his place running. The Opposition will propose that there be a continuing offence provision included in the Bill providing a penalty of up to $500 a day for the continuaance of an offence.

The Opposition believes courts should be empowered to direct the cancellation of a special accommodation house licence or to vary the terms and conditions of its registration. At present, all that a court can do is impose a fine. No matter what evidence is placed before it by the Health Commission, a court cannot impose any penalty other than a monetary fine. The Labor Party believes that a magistrate, and subsequently the County Court, should be able to order the cancellation of the licence or the variation of the terms of the licence, and that a court should be given power to order

that a person found guilty of major breaches be prohibited from managing or controlling a special accommodation house for up to twelve months. Such a provision would be aimed at persons who bash elderly people—the Labor Party knows of cases and the Health Commission has evidence of that—who under-feed them and who should not be allowed near elderly or handicapped people. At present, there is no way in which that can be done. They can, in one way or another, continue their activities. The Opposition believes a court should be able to prohibit them from continuing their activities. If these people persist, the Labor Party would provide that they could be sentenced to three months' gaol. If they attempt to run a special accommodation house after having been prohibited by a court, they should be sentenced to three months' gaol.

The Opposition also believes that the Health Commission must accept some responsibility in this area for people affected by its decisions. One of the problems at present—I suspect most honorable members have been confronted by it because they have an inadequate place in their electorate or have known of an inadequate place—is that, until one can say where those old or handicapped people are to go, little can be done. The same thing applies with Housing Commission demolition orders and removals. The Labor Party believes it should be the responsibility of the Health Commission to find alternative accommodation when a special accommodation house is closed as a result of court proceedings.

In reply to the Minister's interjection, that it is not done in all instances. The Labor Party would propose that the Health Commission should have a specific responsibility to protect elderly people. It has no power to pick them up and take them away, nor any obligation to do so. The Opposition believes that a purpose would be served by imposing a statutory obligation on Government departments to protect people when, as a result of reasonable actions taken by that Government department, elderly or handicapped persons are so affected. If the Minister says that that is already being done, he can have no objection to the proposal that it should occur.

The Labor Party contends that that procedure should be adopted where a special accommodation house is closed, but the Opposition will also propose additional provisions to cover the situation where a person is in need of medical care for which previously people were not supposed to be in a special accommodation house and because of that should not remain in that house. The proprietor should have an obligation to notify the Health Commission, which would then conduct an assessment and make appropriate arrangements.

The Labor Party believes that the proposed legislation is belated, that it is not strong enough and that only with tougher legislation will these problems be overcome.

Finally, may I say that tougher legislation without adequate inspection is not worth a cracker and is not worth the attention of Parliament. Until the Minister is prepared to delegate inspectorial authority to local government, not only in this area but in other areas, inefficient inspection systems will persist in this State. That does not mean that special accommodation houses would be registered by local government. It means that, when there is a complaint, local health surveyors can be used as the troops of the inspectors housed at 555 Collins Street; and the Labor Party hopes that will occur.

The Opposition believes far more must be done to protect elderly people and looks forward to the Government presenting an over-all view of geriatric services in the State so that people know that, no matter where they live or what their condition, they can be properly looked after. The Labor Party looks forward to better boarding house legislation which may perhaps include special accommodation houses as part of the over-all sheltered accommodation procedure.

Mr WHITING (Mildura)—This Bill is a step towards an improvement in conditions within special accommodation houses in Victoria. I agree with the honorable member for Brunswick that there is no doubt that some events which have taken place in the past few months——

The DEPUTY SPEAKER (Mr A. T. Evans)—Order! For quite some time now there has been a rising tempo in conversations around the House and it has now reached quite a disorderly state. Would honorable members please hear the Deputy Leader of the National Party in silence?

Mr WHITING—Improvements have been brought about as a result of events which have taken place within this State over the past few months and by the adverse publicity in some sections of the media which has highlighted those events. The Minister is to be congratulated on the speed with which he has introduced this Bill, although it will be interesting to see how it works in the long run, because here again there will be a number of areas which will be difficult to define.

It is all very well to reduce the number of persons officially in a special accommodation house from six to two, as the Bill does——

Mr Roper—It does not even do that.

Mr WHITING—Apart from the owner's family. It is all very well to do that and then hope to have the situation effectively policed. The obvious effect of the proposed legislation will be to provide an additional number of special accommodation houses throughout the State, and, therefore, it will be necessary to have additional policing of the conditions within those places if the abuses of the present system are to be reduced. Although the Minister's intentions are good, he will have to ensure that officers of the Health Commission inspect these premises, and he pointed out that additional persons with some expertise in this field have been appointed recently. They will have their work really cut out if they are to police the provisions of the Bill and the original Act as effectively as is necessary to ensure that abuses do not occur.

While wishing the Minister well, I have some reservations as to who, as the honorable member for Brunswick interjects, may be doing the inspection work in the more remote parts of the State.

Mr Roper—It won't be done.

Mr WHITING—In his second-reading speech the Minister pointed out that that was only the first leg of a three-legged situation which he hopes will be implemented to improve conditions for the people who are required to be housed in these special accommodation houses. The second leg is the introduction of complementary regulations to improve the standard of accommodation and care, and that will come back to the policing that I have already described. If regulations are altered to provide for a different set of conditions and improvements are made to the present conditions, obviously every special accommodation house that does not already have this provision built into its everyday running will have to be inspected by somebody from the Health Commission, and a regular inspection will have to be made by the special officers who are at present on the staff and those who are to be appointed in the not-too-distant future.

That leads me to what the Minister described as the third leg, the enforcement staff. He pointed out that the inspectorial staff consists of only three at present and that two additional nursing inspectors and an investigational officer will be appointed. That is commendable, but again it means that the whole system of special accommodation houses policing and the regulatory powers of these officers will need to be expanded a great deal to catch up with the problems that have arisen and to cope with the new provisions in the Bill.

Because it is urgent that this type of proposed legislation pass through both Houses of Parliament before the end of this sessional period, I will confine my remarks at this stage to saying that the National Party supports

the Bill, but that I will have further comments to make in the Committee stage because I believe there are areas that can either be open to misconstruction or that may militate against the smooth working of the Bill and this division of the Act unless they are fully clarified by the Minister. I hope he will have all the necessary answers for me and other honorable members at that stage.

Mr CAIN (Bundoora)—I wish to make a few general comments about the background to this measure. Over the past three or four weeks, there has been a flurry of activity in this matter. Honorable members could be excused for thinking that this sudden apparent concern is the result of matters that have only recently become known to the Minister and to the Health Commission. They could be excused for thinking the conditions that prevail in some of these places were not known for a long time to those responsible for their care and management. Nothing could be further from the truth in at least one part of Victoria, and that is the electorate I represent. It was brought to the attention of the Minister of Health personally on 11 July 1979 in a letter to him from Councillor Tom Rossell, the chairman of the Mont Park and Plenty Hospitals Official Visitors Panel. It stated:

On behalf of the Official Visitors Panel for Mont Park and Plenty Hospitals, I wish to congratulate you on your appointment to the position of Minister for Health.

The panel at its annual meeting 29.6.79 requested me to write to you concerning the care of patients referred from these hospitals to special accommodation outside the hospitals.

The concern stems from reports we have received re inspection and supervision of these establishments particularly on bedding, linen, clothing and also the division on pensions.

The panel would be pleased to hear from you as to what arrangements are made re this matter.

The chairman's address is attached to the letter. The Minister responded to the letter on 21 September 1979 stating:

Thank you for your letter reporting your panel's concern about conditions in special accommodation houses.

These houses are regularly inspected by members of the Health Commission's Extended Care Section who pay special attention to the conditions provided for the people who live in them.

You will be pleased to learn too that a committee appointed for the purpose is at present preparing new regulations for special accommodation houses which, I am certain, will remedy any deficiencies that exist.

I thank your panel for their congratulations on my appointment and for the splendid work they are doing for the patients in the Mont Park and Plenty hospitals.

The group brought to the notice of the Minister these matters about which it was concerned, not just in a general sense but with some particularity about the persons who came under their care. The Minister's response as far back as September acknowledged that he had received the letter, and he said that some steps were being taken.

I endorse the remarks of the honorable member for Brunswick as to the concern that the Opposition feels about the tardiness of the Government in this regard. It is not just a case of the Minister or the Health Commission relying upon what it was able to learn from its own staff; it has been suggested that it is deficient in numbers and capacity and cannot do all the things it would wish to do, but in this case specific complaints regarding matters in this area were brought to the Minister's attention as long ago as July last year.

Mr WEIDEMAN (Frankston)—I wish to add to the debate one or two points which have not been covered. I congratulate the Minister of Health on the action he has taken over recent months in this area, which is one of tremendous need, as has been highlighted during the debate.

The people involved in this industry —the honorable member for Brunswick described it as an industry—have little educational background, advice or instruction on how to conduct the houses about which we are speaking tonight. An investigation has been carried out and there is no major course available in Victoria to instruct

people in the care of the aged other than normal medical courses or those in the highly academic field.

Dr Scott and other people at the hospital at Mount Eliza are deeply involved in the care and treatment of the aged. Recently Mr Frank Walker, a lecturer at the State College of Victoria Rusden, put to me a proposal which I forwarded for consideration to the Minister of Health and Assistant Minister of Health in reference to a course in gerontology, or the treatment of the aged. Similar courses are conducted in America and are usually given to people who are qualified as nurses or who are involved in the care of the aged. If a course of this kind had been running for some years, we would not now be in the current situation.

Another aspect of the issue is that from some of the complaints I have received I understand that people who want to invest in special accommodation houses put a proposal to the Health Commission for consideration. Apparently they receive a permit to establish the house, then the inspector outlines what improvements must be made. That seems to be putting the cart before the horse, because the inspections should be carried out first and the permit should not be issued until the accommodation is up to a suitable standard. These are two areas in which some work can be done.

The honorable member for Brunswick mentioned that I was the dupe of the multi-nationals; I think he was talking about multi-national corporations running these houses. I challenged him to name one, but he did not take the opportunity of doing so. This apparently referred to my last contribution to a debate when I referred to drugs and drug monopolies and said that the drugs seconal and tuinal should be banned. I am sure that policy is in complete opposition to that of the multi-nationals because it would not work in their favour, so in that regard the honorable member's remarks were unwarranted.

Mr Whiting—Did you have any success?

Mr WEIDEMAN—I have yet to hear what success it might have had. I have not heard from the multi-nationals, either.

I understand extensive amendments are to be proposed during the Committee stage. I hope the Bill will have a swift passage through the House, because the legislation is necessary to improve the situation of the aged in the community.

Mr MATHEWS (Oakleigh)—It should be common ground on both sides of the House that the area of special accommodation has been one of the disaster areas of the health administration of this State. Of course, it is not alone in that respect; episodes of inaction, incompetence and total disaster have been characteristic of the broad administration of health in Victoria for as long as most members of the House can remember.

The Government has developed a system for dealing with these episodes. That system does not revolve around making good the errors of the past but around changing the Minister of Health every three years. That is the Government's equivalent of Pontius Pilate washing his hands. It is the Government's theory that, by changing the Minister of Health every three years, all will be forgotten and forgiven, and that people will believe there is new hope simply because there is a new Minister. Over and again those hopes have been disappointed and I know of no reason this occasion to believe that we are going to be any better off.

As the honorable member for Brunswick said, on two previous occasions since the previous legislation on this matter was introduced, the House has been promised reviews of the effectiveness of that legislation. On neither occasion were those undertaking carried out, and for good reason, because each successive Minister of Health has been well aware of the can of worms which would be exposed if it did so, and what a can of worms it has been!

We have been told in the course of this debate and through the public media how frail and elderly people, given over to the care of the wolves

of this community, have suffered from gangrene under the care of these wolves to the point where their lives have been lost. We have been told how these people have been systematically underfed until they died of malnutrition. We have been told how the declining years of their lives have been made a misery by the unsanitary conditions in which they have been obliged to live. We have been told how many of them have been kept under constant medication to control their behaviour because no staff was available for that purpose.

It is a sickening picture but it is not a new one, or one of which the Government can claim ignorance. It is a picture which the Government has gone out of its way to keep from the knowledge of the community, because the Government has not been prepared to take any effective action to put an end to the problems which have prompted the debate.

I said that many of the episodes which have prompted the debate tonight come under the heading of frail, elderly, confused, handicapped, defenceless persons being turned over to the wolves of the community, the criminals who have moved in to fill the vacuum which has been left because of the Government's neglect of its responsibility to provide special accommodation. However, it would be a mistake if the House were to focus its indignation, contempt and legislative action upon the criminal fringe which is involved because the criminal fringe is not the principal problem involved.

The principal problem is, on the one hand, the abdication of responsibility by the Government not over 1, 2, 3, 4, 5, 10 or 15, but 25 years, in moving into the area where special accommodation is needed for the persons concerned. Equally, on the other hand, it is the failure of the Government to provide proper inspection services.

What a pathetic tale the House hears from honorable members of the frustrations that official bodies, and indeed inspectors appointed pursuant to the legislation which is being amended by the Bill, have had to endure, as a result of the inadequacies of the legislation, recognized as they have been over a period of years stretching back into the past and the recognition by these inspectors, visiting committees and social workers connected with the mental health authorities that the Government's inaction in providing proper special accommodation has resulted in there being nowhere to send the retarded persons of the State for whom no longer places were available in acute institutions.

There has been a movement into the special accommodation field by what must and can only be fairly described as criminal elements who have fleeced, neglected, abused and brutalized elderly and handicapped people in the way that has been described tonight. There has also been a movement into that field of incompetent operators who are not so much ill-disposed or criminally disposed towards their charges, but are simply all at sea in the responsibilities that they assume in pursuit of a legitimate income from the care of these persons for whom the Government itself is not prepared to provide care.

There has been a gross over-all shortage of places for these frail, elderly and handicapped persons whose needs can be met only in the special accommodation field. I, for one, take no reassurance from yet another piece of paper appearing before the House, well disposed though the intentions that the Minister of Health expresses may seem, adequate in some respects and, let it be noted, inadequate in other respects, as it has already been noted by the honorable member for Brunswick. Unless there is a determination on the part of the Government to follow up the legislation and police and enforce its provisions, the proposed legislation will be as worthless as the paper on which it is printed and as worthless as the protestations on the same subject which the House has heard from the two predecessors of the Minister, removed as they were at three-yearly intervals.

I have no doubt that what I have to say will be equally applicable to the Minister's successors, appearing at three-yearly intervals because there is

not the philosophical commitment by the Government to care for this group of unhappy and disadvantaged persons.

There has never been any demonstration by the Government of a concern with the persons who find their accommodation in the special accommodation field. For that reason, despite what the honorable member for Mitcham may think on the subject, there have never been enough inspectors appointed in this field to enforce such regulations and legislation as should have existed in the past.

The Opposition should not allow the Government to get away indefinitely with the Pontius Pilate tactic that it adopts. I do not believe that a new Minister in this field should be given the benefit of the doubt simply because he is a new Minister. The Minister should not be congratulated, as the honorable members for Mildura and Frankston congratulated him, on taking action on a running sore of Government health administration, eight months after he was appointed to his present position.

If it is going to take eight months for the Minister to clear up the open, running and patent sores of health administration, how long will it take him to come to grips with the problems that are festering below the surface and which do not erupt into the public view in the way that this problem has? What hope have the disadvantaged and defenceless sections of the community who are dependent on the vigilance and the promptness of action by a Minister of Health got if a problem of the order of the one under discussion allows an eight months lag in action after all the promises made in the past.

I, too, wish the Bill a speedy passage. However, I wish the Government would follow up swiftly with the appointment of adequate inspectorial staff to enforce the legislation. It is to be hoped that there will be a proper review of the effectiveness of the legislation within a period of no more than 12 months. It is to be hoped that at long last there will be action by the Government, for the first time in a quarter of a century, to ensure that the needs for special accommodation units within the public sector are adequately met.

Mr COLLINS (Noble Park)—I want to speak briefly because I will confine most of my comments to the Committee stage. The one point that I would make is that no congratulations are due to anybody for a piece of legislation like this. I know that the Minister of Health would not seek those congratulations and that his term will be longer than three years. The Minister deserves that opportunity, as does the community, because he is a Minister who will do the job that is needed.

However, one point that the honorable member for Oakleigh, and most honorable members, failed to address themselves to was the responsibilities of all honorable members as so-called elected representatives. When was the last time individual or collective honorable members visited local special accommodation premises, geriatric centres, or nursing homes just to say hello and provide a friendly face to someone? The magical solution that the honorable member for Oakleigh would always suggest is that if one waves the magical wand called "Government" it provides everything to solve all problems. It does not.

The problem is related to the real needs of persons who are vulnerable. The honorable member for Brunswick has again spoken well on the matter and I would rather take his approach than that of the honorable member for Oakleigh. Let us seriously cut out the point scoring. If honorable members want to score points, that will not help one aged or frail person. All honorable members have an individual responsiblity to take a personal interest in their own electorates. If all honorable members did that, the problem would not exist.

It is a community responsiblity. Merely to say that the Government, by providing funds and inspectors, would solve the problem is absolute nonsense and humbug and the honorable member for Oakleigh knows that. Where there are councillors on the ball, community organizations, parents, and sons and daughters concerned for their parents, the problem will be solved.

However, to suggest that the problem can be remedied by Government action is sheer nonsense. I am sure that the Committee stage will come up with some ideas, but the point should be made that the community has a responsibility and all honorable members are responsible for the current state of affairs which exists.

Mr AMOS (Morwell)—I take up the remarks of the honorable member for Noble Park because earlier I did not intend to enter the debate. However, the honorable member has stung me to refute some of the ill-conceived statements he has made, especially about the honorable member for Oakleigh.

I would put honorable members opposite at rest so far as an understanding of what the Government has done for special accommodation residents are concerned. The honorable member for Frankston knew so little about the subject-matter when he spoke that he had to be corrected about the terminology.

Mr Roper—You mean, gerontology.

Mr AMOS—"Gerontology" was the word that the honorable member for Frankston used. He knew so little about the subject-matter that he had to be corrected and he deserved to be corrected. For the second time today, the House has heard a Government supporter appeal for a cessation to point scoring, almost as if politics did not exist. Honorable members opposite, like the honorable member for Oakleigh said, are acting like Pontius Pilate, and wiping their hands of the Government, the Minister of Health and his predecessor's misdeeds.

The Minister for Planning appealed to the House not to talk about point scoring, but rather get together as good buddies in some school and now the honorable member for Noble Park talks about the same thing. The Government is hoping against hope that the public at large will forget that for 25 years the Government has had the opportunity of doing something about the situation of special accommodation houses and those poor unfortunate persons who have to put up with them.

The DEPUTY SPEAKER (Mr A. T. Evans)—The time appointed by Sessional Orders for me to interrupt business has now arrived.

On the motion of Mr MACLELLAN (Minister of Transport), the sitting was continued.

Mr AMOS (Morwell)—So far as these poor unfortunate people are concerned, somebody has to speak on their behalf. The honorable member for Noble Park spoke about the responsibilities of members of this House calling in and saying hello. What about the responsibility of the Ministers of Health that the Liberal Party has had in Government not merely calling in and saying "hello" but having their responsible departmental officers calling in and assessing the position of these people and taking action to ensure that they are being properly catered for, looked after and accommodated with dignity. Those Ministers have failed miserably, and their failure is akin to criminal neglect.

We come to the most recent situation where the Government decided to appoint a special committee to examine the needs of these people living in special accommodation houses. Honorable members know that a number of these poor unfortunate people happen to be intellectually handicapped. I challenge the Minister of Health and the Government to correct me if I am wrong in asserting that not one member of the Mental Health Division took part in the inquiry set up by the Government to look into accommodation houses. No special emphasis or significance was given to the special needs of the intellectually handicapped.

The Minister of Health asks whether I read his memorandum to the Health Commission. I concede that the honorable gentleman has shown more concern about the matter than his predecessors. Nevertheless and notwithstanding the concession I grant the Minister, honorable members cannot get

away from the fact that he is part of and has been party to a Government that has completely neglected these poor unfortunate people—and neglected them for 25 years. That ought to go on the record and not go unnoticed, desipte the humbug put forward by the honorable member for Noble Park.

Mr BORTHWICK (Minister of Health)—For reasons which I shall elaborate on later, at this stage I shall briefly comment on some of the general philosophical approaches put forward by the honorable member for Brunswick. There is no doubt that in Australia insufficient thought has been given to the care of the aged. I know that honorable members seem to be emphasizing the aged tonight but for the first time the Bill covers areas other than the aged and the obviously physically handicapped. It goes into the area of those who are mentally handicapped and overcomes some of the problems concerning those people. I do not apologize for speaking on the problems of the aged and the lack of planning in the past, not only in this State but also throughout Australia.

It seems that the philsophy that has developed in Australia within the past has been to get any aged person into a bed somewhere. There is a tremendous and successful drive being undertaken by the Commonwealth Government financially to establish nursing homes throughout the country.

It is an extraordinarily expensive programme and one on which this State, at least philosophically, does not completely agree with the Commonwealth Government. It should be made clear that at present permits are being granted in Australia for the provision of nursing home beds for aged people at the rate of 50 beds per 1000 of population over 65 years of age. It is the belief of this State that that is too many. One reason is that it means those beds will be occupied by people who in many cases should not be in nursing homes. The figure which the Government believes is more appropriate, and even by the most advanced standards in the world it is excessive, is 30 beds per 1000 of population over 65 years of age. If additional beds over and above that are needed, they should be provided in the category of hostel accommodation rather than nursing home beds.

There is no doubt that if nursing home beds are provided they will be filled, and frequently filled for the wrong reasons. In my view so long as the Commonwealth Government underwrites the day-to-day operations of nursing homes, as it does by providing financial support on a daily basis, then it should ensure or make it a requirement, if necessary through the Health Commissions in the States of Australia, that the people occupying these beds are independently and properly assessed to determine their needs and then ascertain whether those needs are being adequately met in a nursing home.

Frequently, services for the aged which have been developed in Australia, have largely grown out of the activities of geriatricians in particular hospitals. The two notable leaders in this field in Victoria are Dr Sheppard at Mount Royal Hospital in conjunction with his board of management and Dr Ford at Caulfield Hospital and his board of management.

Recently the Health Commission appointed a geriatrician, initially part-time, to look into the total question of providing an integrated service for the aged, a service which is properly planned rather than leaving it to individual boards of management. This is the first time it has happened and the study will probably take something like a year to complete but at least an effort has been commenced in that direction.

I shall not speak about that in detail but I am prompted to mention it because of the statements made by the honorable member for Brunswick concerning the high cost of institutional care and the need for an integrated plan and for extensive domicilliary services. That is exactly what the Government is endeavouring to bring about.

The honorable member for Brunswick has provided me with a copy of his proposed amendments. I have some amendments of my own. Many of them are purely drafting amendments but there are one or two which are important. Despite what the honorable member for Morwell has said, I do not wish to treat the debate along political lines. This topic has stirred the emotions of the people in this State but I certainly would not want to proceed to debate the individual clauses without properly assessing the various amendments which will be circulated at the Committee stage. It is my proposal to allow the Bill to go into Committee and then to report progress and resume the debate on the individual clauses tomorrow.

I thank the honorable member for Brunswick for giving me the courtesy of allowing me to see his proposed amendments, and I hope through the action I have proposed and a proper contribution by all honorable members tomorrow, the Parliament will end up with a Bill which will genuinely help the people about whom honorable members have been speaking.

The motion was agreed to.

The Bill was read a second time and committed.

Clause 1 was agreed to.

Clause 2 (Interpretation)

Progress was reported.

PROTECTION OF ANIMALS (AMENDMENT) BILL

This Bill was received from the Council and, on the motion of Mr BORTHWICK (Minister of Health), was read a first time.

CENTRAL GIPPSLAND (BROWN COAL LAND COMPENSATION) BILL

This Bill was returned from the Council with a message relating to an amendment.

It was ordered that the message be taken into consideration next day.

ADJOURNMENT

Aboriginal health services — Bass agency—Outreach worker—Olympic Games boycott—Protean Enterprises —Frankston licence testing station—Education maintenance allowance—Importing of guns—Fire restrictions —Standard breed stake racing— —Scope—Shareholding in cigarette company

Mr MACLELLAN (Minister of Transport)—I move:

That the House do now adjourn.

Mr MATHEWS (Oakleigh)—I raise a matter for the attention of the Minister of Health. The honorable gentleman will recall that recently he gave me an answer to a question on notice, indicating that in four of the past five years an amount equal to 20 per cent of the sum received from the Australian Government for Aboriginal health services has been returned unspent to the Australian Treasury and that in the fifth of those five years an amount equal to 10 per cent of the sum received from the Australian Government for Aboriginal health services was returned to the Australian Treasury.

The Minister would agree that the return of these large sums of money is in no way a faithful reflection of the state of health of the great bulk of the Aboriginal population in Victoria or a reflection of the adequacy of the health services made available to that population in this State. Will the Minister explain why these large sums of Australian Government money have had to be returned to Canberra and what steps are in hand to ensure that a similar contingency will not again occur this year?

Mr COX (Mitcham)—I raise for the attention of the Minister of the Arts the bad publicity that the Bass ticketing system is receiving because of assertions by the honorable member for Bundoora that the system is unreliable. The honorable member suggested that the computer system has a great rate of mistakes in bookings. In consideration of the available evidence in this regard, taking into consideration the old style of ticket sales that was

previously used and the errors that must have occurred with that system, can the Minister advise whether there is any justification for these continuous attacks?

I am concerned that the future of the sales and the computer system is being put in jeopardy by this relentless campaign which highlights only minor problems in ticketing. I ask the Minister whether he will take steps to encourage confidence in the use of the Bass system. It has been vigorously undermined by the honorable member for Bundoora. Will the business of other organizations which may be potential clients for Bass and the profitability of Bass be jeopardized?

Mr AMOS (Morwell)—I raise with the Minister for Youth, Sport and Recreation the matter of a submission made to his department for funding of an Outreach worker by the Latrobe Valley Young Men's Christian Association. The submission was originally forwarded to his department and supported by the Shire of Morwell in June of last year. However, that submission was not accepted by the department, and during October-November of last year, a further, more embracing, submission was made direct to the department by the Latrobe Valley Young Men's Christian Association. I understand that it is that submission that is now receiving some consideration.

I ask the Minister to give every possible support to the request by the Latrobe Valley Young Men's Christian Association for an Outreach worker. I understand that funds are available for the provision of recreation officers within municipalities but funds are not available for the occupation of Outreach worker positions within municipalities.

The Minister would be aware of the special significance of the town of Churchill in the Latrobe Valley because of the Government's programme of accelerated development and of sponsoring of that town. The Minister would also be aware of some of the special problems associated with the treatment of youth and young people's affairs in Churchill. I remind the Minister of his consent some two or three years ago to a grant towards a young people's house, to be called at the time a coach house project, which in itself was an acceptance of the special needs of young people in the town of Churchill.

The grant being sought by the Latrobe Valley YMCA is not large. It is to cover the cost of a special social worker to look after the needs and to design programmes to assist young people in the area and it has the full support of the local community. As it is understood that certain funds are available because Wodonga does not now need the services and the grant money associated with an Outreach worker, those funds could be redirected to fill the need that exists in the Churchill area of the Latrobe Valley.

Mr EBERY (Midlands)—I raise a matter for the attention of the Minister of Youth, Sport and Recreation concerning the funds allocated by the Government to the Australian Olympic Federation. I know that the Minister for Youth, Sport and Recreation is taking a leading part in assisting the federation. The question that is in everybody's mind is how the funds will be allocated and whether they will continue to be given to the Australian Olympic Federation.

I believe a boycott of the Olympic Games would effectively indicate to the Russians that Australia is not prepared to agree to the continuation of the Afghanistan situation. Trade sanctions would be ineffective because, of the 17 million tonnes of wheat necessary for the Russian people to continue, Argentina has already contributed about 12 million tonnes. There is therefore evidence that trade sanctions would not be as effective as a boycott of the Olympic Games.

It must be taken into consideration that many athletes have trained vigorously and hard over the past few years. It also must be remembered that many hundreds of young people may be killed and maimed in Afghanistan. We should get our priorities right. I ask the Minister for Youth, Sport and

Recreation what is the intention regarding the provision of funds to the Australian Olympic Federation and what is the proposal to continue to assist the federation?

Mr FOGARTY (Sunshine)—I raise a matter for the attention of the Minister for Planning. Recently he visited the Sunshine electorate and was thus one of the three Ministers for Planning who have visited the electorate in the past four years. However, a problem still remains, that Protean Enterprises has permission to build an abattoir in the Derrimut area. The Minister is aware of what is going on. The Melbourne and Metropolitan Board of Works has granted a permit. The matter has been referred to the Town Planning Appeals Tribunal. The City of Sunshine and the City of Altona have appealed. The West Sunshine Action Committee has taken up a petition with some 10 000 signatures which has been presented to the Melbourne and Metropolitan Board of Works. Now the Minister of Planning, through the Town Planning Appeals Tribunal, will not allow the West Sunshine Action Committee to act on behalf of individuals. In other words, the committee cannot act on behalf of residents before the appeals tribunal. Instead of hundreds of people appearing before that tribunal, an authority or progress association that is not registered could act on behalf of a number of people interested in this important subject.

I ask the Minister to consider, through his Ministerial responsibility, allowing the West Sunshine Action Committee to act on behalf of people who wish to object to Protean Enterprises erecting another meat works which would be one more too many in the western areas of Melbourne.

Mr WEIDEMAN (Frankston)—The Minister for Police and Emergency Services would be aware that the honorable member for Prahran raised the issue of learner driver licences and how to obtain them in Melbourne, stating that it took some 4 hours to do so. One gentleman went from Frankston to the city to obtain such a licence and had to wait 4 hours. This prompted me to investigate why he could not obtain a licence in Frankston.

It appears that the licence testing station and motor registration section in Frankston have been divided as from late last year, the police being responsible for the motor registration section and the testers being responsible for the testing for licences. When the police oversaw the whole operation, about $1·8 million was taken annually. A lot of money was banked and much documentation was necessary. The senior officer in control of the two sections spent much of his time in tedious documentation. The sections have now been divided, with the senior licence testing officer carrying out this function. The result is that the number of tests have dropped from eleven to seven a day and there is a delay of up to seven weeks in taking a test.

The branch now does not have time to issue learner permits. Requests have been made that people go to Melbourne for learner driver permits because it would be quicker to do so. Officers at the station have requested the appointment of a junior clerk to work on the counter so that the testing officers can be released to take tests. This would increase their capabilities from seven to eleven tests a day and would enable the issuing of learner-driver permits. If the branch was able to open on one Saturday in two it could put through about 25 learner permits each Saturday. Will the Minister consider the appointment of a junior clerk for the testing unit at Frankston to take up duties on the counter and make bookings so that the officers can be used for testing and so that the period of seven weeks delay can be reduced?

Mr JOLLY (Dandenong)—I raise with the Assistant Minister of Education the matter of maintenance allowance paid by the Education Department to low-income earners in this State. In particular I refer to the miserly and disturbing procedures relating to the permissible income level before the maintenance cuts out. A constituent of mine is on an income of $135 a week and has two secondary school students

to support. If she had been eligible for the allowance she would have received in a full year $712. However, the permissible income in the case of this constituent was $129.80. In other words, she was $5.20 above the permissible income limit. It is an extremely disturbing and ludicrous situation. She does not lose only part of that allowance; she loses the whole allowance because she earns $5 a week above the permissible income limit. In other words, if her income were $5 less, she would receive $712 a year from the Education Department. Her income in excess of the permissible limit is $270.40 so, as a result of her earning marginally above the permissible income limit, she is $441.60 worse off. That is a disturbing situation for a low income family. That means that she is paying a marginal tax rate of 260 per cent.

This case highlights the need for a tapering scale because it is absurd to cut out the allowance completely if the income received is $1 above the limit. That is how the system operates at present. There is clearly an urgent need for reform. I strongly request the Minister to investigate the possibility of introducing a tapering scale for permissible incomes.

Mr McINNES (Gippsland South)—I raise a matter for the attention of the Minister for Police and Emergency Services. A few weeks ago the police stopped a car containing three men on a traffic infringement in the Latrobe Valley. The police later discovered the men had four weapons which appeared to be heavy calibre revolvers which had been stolen from a gun fanatic—I suppose that is the right word—from a Volkswagen combi van at Sale.

Upon close examination, these weapons were found to be cut-down weapons made by the Modern American Carbine company but on the barrel there appeared, "Made by A. Liberti and C. Gardoni, VT Italy".

I understand from the police that these weapons are on sale at any gun shop. It is legal to buy them. They vary in calibre from being able to use a ·357 hollow point bullets to ·22. They have what is obviously an artificial, temporary stock which would not stand up to firing. The gun has been manufactured to allow the stock to be removed. It only needs that stock to be removed and the barrel sawn off and one is left with a ·44 revolving chamber revolver, something like a Smith and Wesson revolver.

It is obvious that these weapons have arrived in Australia, probably from Italy but sold under an American name. They are being sold publicly and are falling into the hands of members of the underworld. The men who were apprehended had previous convictions for varied offences. These are extremely lethal weapons.

I ask the Minister for Police and Emergency Services to look into the importing, through the Federal Government, of these weapons and their sale in gun shops in Victoria to ascertain whether action can be taken to ensure that they are not a means of illicit entry of what is an extremely lethal weapon.

I am advised by the police that the bullets will go through a quarter-inch steel plate. It is an exceedingly dangerous weapon. I am also concerned about advertisements that appear in magazines for weapons which are replicas of small arms and which fire blanks with noises. The weapon to which I referred is extremely dangerous and should be banned.

Mr SIMPSON (Niddrie)—I bring a matter to the attention of the Minister for Police and Emergency Services in his capacity and role of responsibility for the Country Fire Authority. Because of the continued dry spell Victoria is experiencing, almost to drought conditions, and as it is normal for fire restrictions to be lifted at the end of April, I ask the Minister to reappraise the situation in relation to the Dandenong area and in particular the Cockatoo area. It has been brought to my attention that there is apparently a sparse supply of water and many of the residents believe if the restrictions are lifted as is normal at the end of April in the event of an outbreak of fire, as the whole area is tinder dry and there is a shortage of water, there could be a catastrophe. I

ask the Minister to look into the matter in consultation with senior officers of the Country Fire Authority.

Mr JASPER (Murray Valley)—I direct a matter to the attention of the Minister for Youth, Sport and Recreation. The Minister will be aware that last year in Parliament on two occasions I raised the matter of developing standard breed stake racing for the trotting industry. In reply the Minister indicated that he was well aware of this suggestion and that investigations had been carried out within the department and that the trotting industry had also done a lot of work on this development. Apparently the Department of Youth, Sport and Recreation was happy to receive a recommendation that this type of racing should be developed within Victoria which would assist in promoting the trotting industry.

On 13 November 1979 in reply to my question the Minister indicated that he would be visiting New York and would look at developments which have taken place in the United States of America in this type of racing. He further indicated that submissions had been made to Treasury for funds and he would make further submissions following his trip to America. I then had correspondence with the Treasurer. I wrote to him during February and on 3 March the Treasurer indicated that he had not yet received advice from the Minister for Youth, Sport and Recreation in this matter.

He further stated that when he does receive advice he will be prepared to consider it to see whether it could be included in the Budget for the coming year. I ask the Minister whether he has as yet made a submission to the Treasurer. If he has not made a submission will he immediately investigate the matter to see whether that submission is made because of the great advantage to the trotting industry and Victoria if this standard breed stake racing is developed? If the Minister has not made those representations I ask that he look to his department to have those representations made to the Treasurer immediately.

Mr HOCKLEY (Bentleigh)—I raise a matter with the Minister for Community Welfare Services. I draw his attention to the severe financial difficulties which face the local community development organization in the electorate I represent known as Scope. Scope applied for $15 000 to finance its services this year but only received $10 000, the same as in the previous year.

Taking into account the inflation rate, this is an effective cut of 10 per cent. Rising costs for postage and stationery represent a further cut in Scope's ability to provide services. At present Scope has funds for only two part-time employees—one three days a week, and one two days a week. The Scope staff occupy a small room which was made available by the Uniting Church at 501 Centre Road, Bentleigh, for which they pay $500 a year to the church in rent.

This organization is operating on a shoestring budget but is providing many services, such as a handyman repair services for the frail and aged, youth drop-in centres, organizing holiday camps for underprivileged children in the area, the establishment of a toy library for local children, a club for parents without partners and a pre-school child care co-operative.

Scope recently organized a highly successful international festival—the first ever of its kind in Moorabbin. It was attended by more than 10 000 people. Scope made no profit from this mammoth exercise but covered its costs from grants and donations. Scope staff put in many hours of voluntary, unpaid time into their community work.

There is urgent need for an immediate interim grant of $4900 so that Scope staff can carry on their excellent community work. It is essential that sufficient funds be made available so that at least one of the Scope staff can work a full week and the other at least three days each week. This would be the minimum amount of hours necessary for the organization to continue to function effectively.

It is also essential that continuity be maintained, especially in the area of voluntary emergency repair services for the frail and aged.

Scope was originally intended to provide services for the entire southern region, but because of its budgetary limitations it is hard pressed to serve the Moorabbin municipality.

I ask the Minister, in the interests of the people in most need of these services, to make this small additional grant available before this fine community service organization is forced to curtail its services, or, worse still, to close its doors. It is false economy to keep such an organization short of funds.

Mr McARTHUR (Ringwood)—I wish to bring a matter to the attention of the Premier, and it also covers areas under the control of the Minister of Health and the Minister for Minerals and Energy. I refer to the well established and uniform belief by members of the medical profession and society today that cigarette smoking is dangerous to people's health. This has been established fairly widely, and there is very little objection to the belief.

I quote the words of Senator Peter Baume in an article in the *Weekend Australian* of 5 April, which states, *inter alia*:

"Of the 20 largest stock-holders in Philip Morris (Aust.) Ltd., eight were large insurance companies and pension funds or statutory organizations.

"The major shareholders included the Reserve Bank of Australia and the State Electricity Commission of Victoria, linking Commonwealth and State Governments commercially with the health-destroying activities of the tobacco industry.

Senator Baume is a former medical practitioner and he puts the point—and I agree with him—that in today's atmosphere it is the uniformly established opinion in the medical profession that smoking is more than a health hazard; it is extremely dangerous to health. I ask the Premier whether he will have investigations made to study the morality of a Government statutory organization being a major shareholder in a leading Australian cigarette company.

Mr LIEBERMAN (Assistant Minister of Health)—The honorable member for Oakleigh raised a matter for the attention of the Minister of Health concerning Aboriginal health services. I will take up the matter with my colleague and ask him to give attention to the request made by the honorable member.

Mr LACY (Minister of the Arts)—The honorable member for Dandenong raised a matter with me in my capacity as Assistant Minister of Education. It concerned a case where a family in his electorate has lost a maintenance allowance of over $700 as low-income parents of children attending school because their income was $6 a week above the permissible level. I will take that up with the Minister of Education, who is responsible for that area, and have it investigated to see whether some other arrangement might be possible.

The honorable member for Mitcham raised his concern at the ongoing attacks of the honorable member for Bundoora on Bass, the computerized ticketing agency. His concern relates to an article by Geoff Strong that appeared in the *Age* of 9 April headed "Bass Sold Tickets Twice: MP." The article states:

A State Labor frontbencher has claimed that the Government's Bass computer ticket selling agency double-booked about 130 seats at a sellout concert last year.

Because of my concern at the honorable member's remarks earlier today I approached him to discuss whether he was still prepared to make the statement that 130 seats were double-booked at a concert at Festival Hall last year.

Mr Cathie—Were they?

Mr LACY—No, 130 tickets were not double-booked.

The DEPUTY SPEAKER (Mr A. T. Evans)—Order! I remind the honorable member for Carrum that incessant interjection is not tolerated in this House, particularly at this hour of the night during the adjournment debate. Many members of the House value this time to submit their cases and wish to listen to the Ministers' replies, and I am sure they do not appreciate his continual interjections.

Mr LACY—I tried to ascertain from the honorable member some common ground, but he was unwilling to discuss the matter, although he indicated that he may be willing to discuss it later. I should be interested to discuss it with him.

The honorable member for Bundoora refused, firstly, to deny that he stated to *Age* journalist Geoff Strong that 130 seats for the Demis Roussos Concert at Festival Hall on 3 November last year were double-booked. Secondly, he refused to deny, because I put the question directly to him, that he did not check with Bass, with the Arts Centre administration or with me on the accuracy or otherwise of that precise allegation. Thirdly, he refused to repeat the statement that 130 seats for that concert on 3 November were double-booked. The honorable member admitted that his sole source of information was a letter he received from Stadiums Pty Ltd on the matter, but he refused to supply a copy of that letter to me when I requested it. That is the only evidence upon which he based this allegation and this attack.

The honorable member claimed in his comments earlier today to have checked the facts on this issue, but the only evidence he supplied to the House relates to a different concert held three months later on 2 February 1980. The only evidence he supplied was a copy of a letter from me relating to a different incident about which he specifically wrote to me and to which I replied. That concerned a concert three months later and in the letter I admitted that six tickets had been double-booked. These were two separate incidents.

In respect of the six seats that were double-booked for the Charlie Pride concert at Festival Hall on 2 February, it should be pointed out that at that same concert Stadiums Pty Ltd, the honorable member's source of information, issued to Bass ticket computing agency nine tickets for three seats at the theatre. Then Stadiums Pty Ltd had the audacity to write letters and pass on information to the honorable member for Bundoora which he used in an attack on Bass because six seats were double-booked at that concert. I am concerned, as is the honorable member for Mitcham, that the honorable member for Bundoora is hell bent on a campaign of vilification against the Bass computerized ticket agency. The honorable member for Bundoora knows that Government money is invested in that agency. The honorable member knows that the viability of the agency, which he constantly attacks, is dependent upon confidence of patrons, theatrical organizations, entertainers and entrepreneurs.

Every time the honorable member for Bundoora attacks the agency as the prophet of doom that he is, the honorable member creates precisely or provides the situation which would precisely create the doom he predicts and that is the sort of person he is. To deceive the House in the way he has by using information that does not relate to the allegations he makes and to continue his vile attacks upon an organization that deserves the support of the Opposition in the interest of art patrons is disgraceful. It is to be hoped that in future the honorable member will show much greater concern about the sort of institutions in society that he chooses to attack and will be much more willing to discuss with me, when I approach him for the purpose, areas of honesty and truth in respect of this matter.

Mr DIXON (Minister for Youth, Sport and Recreation)—The honorable member for Morwell has raised the issue of funding for an Outreach youth worker in the Latrobe Valley Young Men's Christian Association. I appreciate the comments made by the honorable member because what he said implies that the Opposition recognizes that the Outreach worker scheme initiated by the Government has been reasonably successful.

The Government is funding 32 Outreach workers. My department is the only recreation department in Australia that has such a comprehensive scheme. The department does not provide the salaries but a subsidy of $9000 per annum. The honorable member for Carrum should be aware that

it is not a matter of providing the salary but a subsidy towards the operation of the Outreach youth workers scheme.

This afternoon, by some coincidence I met John Embling, who, honorable members would be aware, wrote the book *Tom* which was a very moving account of one adult person's experiences with a young juvenile and the enormous difficulties that exist in trying to assist a young person, who, for a variety of reasons, is confused as to how to operate in today's society.

Mr Embling raised the point about the effectiveness and the need for evaluation of the work that is being done by the Outreach youth workers. I would like the department to have an independent evaluation of the work of those 32 Outreach youth workers. That is not to say that I am casting any doubts upon the scheme, but it does need to be independently evaluated.

Like all Government departments, my department has a problem with resources. I would like more funds made available for more than 32 workers. The fact raised by the honorable member that the subsidy has not been taken up in Wodonga is such that I can assure him that there are many applications for Outreach youth workers. There are two applications for the St. Kilda area concerning drug prevention but many others are needed throughout the State. An honorable member is saying that applications have been received from Waverley. There have been many applications beyond the existing 32 subsidies and I will continue to have the matter reviewed. I cannot promise the honorable member for Morwell that the resources are there to make a decision on Churchill. I am well aware of the special needs of Churchill and I can assure the honorable member that it will receive serious consideration and that the entire matter will be evaluated by the State Youth Council.

The honorable member for Midlands referred to the Government's attitude towards the boycott of the Olympic Games. It is of interest that this House unanimously supported the motion that Australian athletes should participate in the 1980 Olympic Games if Russia withdraws its armed forces from Afghanistan. That is the appropriate view that ought to be taken by the Australian Olympic Federation. The Opposition agreed to the motion.

Honorable members ought to be aware that the Tasmanian Olympic Council today came out in support of the boycott. They held a meeting of 25 delegates representing 15 sports and those delegates voted 2 to 1 to support the boycott. That result is similar to the vote taken in the United States of America where the American Olympic Federation also voted 2 to 1 to support the boycott.

The importance of the matter is starting to seep through to the entire world. Notwithstanding the tremendous importance of the Olympic movement and the athletes competing, some things transcend those matters, such as the destiny of the world in terms of peace.

Admittedly the Victorian Government has made funds available to the Australian Olympic Federation for the Olympic Games, but that money was made available in good faith. The Government has no intention of asking for the return of those funds, nor will it apply any restriction on their use. I remind honorable members that the statements made by the Prime Minister have been along the lines that the moneys that have been made available by the Federal Government for the Olympic Games will not have to be returned but that the funds ought not be made available to directly send Australian Olympic athletes to Moscow.

What is likely to happen is that the Australian Olympic Federation will vote to attend the Olympic Games with the qualification that they will reserve their judgment until 24 May, which is the deadline, to see what happens in other countries. I reiterate my belief that West Germany, China, Japan, and many other countries throughout the world will exercise an effective boycott.

Honorable members will be aware that the Australian Olympic Federation has said that if an effective boycott can be mounted, they will reserve their

judgment and would wish to join in an effective boycott. It is to be hoped that the Australian Olympic Federation will take notice of the expression of attitude by the Tasmanian Olympic Council and that other States will follow suit.

It is of interest to note that the honorable member for Melbourne released some sort of statement saying that the Minister for Youth, Sport and Recreation was the only State Minister to support that view. All honorable members know that Liberal Premiers supported the Prime Minister at the last conference held on the weekend and now know that the Tasmanian Olympic Council has come out in support of the boycott.

On the matter raised by the honorable member for Murray Valley, I made substantial investigations in New York. I met with members of the trotting federation in New York and spent about three hours with them. I received an enormous amount of literature that showed, in my view, the success of the State's programme in New York. I have made all those papers available to my department. It has taken a long time to analyse the papers and further representations are currently being prepared for submission to the Treasurer.

Mr LIEBERMAN (Minister for Planning)—The honorable member for Sunshine raised an issue relating to an application by Protean Enterprises to establish a killing centre in Derrimut. The honorable member stated that the enterprise has apparently received a town planning permit for its application and that the matter has now gone before the Town and Country Planning Appeals Tribunal.

Honorable members will appreciate that since the matter has gone to the tribunal—the tribunal is an independent authority—the outcome of the appeal will, of course, be a matter for the tribunal. However, the honorable member informs me that a group of citizens in West Sunshine wish to put a point of view to the tribunal under the auspices of an organization known as the West Sunshine Action Committee. One of the most vexed questions in Australia, let alone Victoria, in courts of law and tribunals is how much notice should be taken of groups of people who do not have legal status —who are not companies or incorporated bodies.

Honorable members will appreciate that if courts of law in Australia were required to give recognition to every group which was not incorporated, chaos would ensue. However, the honorable member correctly pointed out that a group of citizens in the area should not be put to the trouble—and it would be impractical to consider 10 000 people appearing before one tribunal at one time, although it is true that each individual would have the right of audience if that were sought and an individual appeal was lodged.

The honorable member's concern is whether groups of people, through a spokesman, could have at least some input into questions such as this. I have some sympathy for the proposition put forward by the honorable member and he will be aware that the Government intends to initiate legislation—hopefully this sessional period—that will alter the appeals tribunal procedures in Victoria. One of the provisions which I hope Parliament will consider is one to enable the new tribunal, in certain circumstances, to permit groups of people who are not incorporated bodies to put a point of view through an approved spokesperson.

The comments made by the honorable member for Sunshine will be relevant when Parliament considers that part of the proposed new legislation. In the meantime, I shall consider the request of the honorable member and determine whether it will be possible for the point of view of these people to be taken into account.

Mr THOMPSON (Minister for Police and Emergency Services)—The honorable member for Frankston pointed out that some younger members of his electorate have had to wait four weeks

or more to obtain learner-driver permits. I am sorry this deficiency has developed in the electorate represented by the honorable member with characteristic Weideman vigour. I shall examine the situation in conjunction with the Police Force to determine whether any administrative changes need to be made or additional personnel appointed to overcome the problem.

The honorable member for Cockatoo —rather, the honorable member for Niddrie—with a senatorial sweep, drew attention to the fact that the Government should be considering the interests of Cockatoo carefully and the possible water shortage in that area when declaring the end of the summer fire season. In the meantime, I have conferred with the real honorable member for Cockatoo—the Minister of Transport—who has a deep knowledge of the problems in his own area and the action being taken to overcome them and I understand that a new dam is being constructed which is almost three-quarters completed, so that the deficiency will be shortly overcome. If the dam is not completed within the next few weeks, the Government will study the Cockatoo area and other parts of the Dandenong Ranges with interest in declaring the end of the summer fire season.

The honorable member for Gippsland South raised the question of the danger to human life brought about by the importation of Italian guns which will penetrate a half-inch steel plate. I shall be happy to take up that matter with the Federal Government to determine whether these guns are being imported legally or illegally and, if legally, to take administrative action to stop them from being imported into Australia. Our existing firearms are damaging enough without importing those types of guns.

Mr JONA (Minister for Community Welfare Services)—The honorable member for Bentleigh referred to the Scope organization in his area. I concur with his commendation of the excellent work done in that area. He will appreciate that the financial resources of my department or of any department are not unlimited in giving financial assistance to an organization. Scope has been generously funded by $10 000 in the current year which was a community service provided under the Family and Community Services programme. In the light of the remarks of the honorable member I shall examine the financial position of the organization and keep him informed.

Mr HAMER (Premier)—I shall be glad to examine the problem raised by the honorable member for Ringwood about the State Electricity Commission holding shares in Philip Morris Ltd. I know nothing about it and I shall investigate the matter.

The motion was agreed to.

The House adjourned at 11.38 *p.m.*

QUESTIONS ON NOTICE

The following answers to questions on notice were circulated—

PROPOSED QUEEN VICTORIA MEDICAL CENTRE

(Question No. 121)

Mr MATHEWS (Oakleigh) asked the Minister of Health:

In respect of the decision to replace the proposed 1000-bed Clayton–Burwood Queen Victoria Medical Centre with a proposed 310-bed centre at Clayton, what was the—(*a*) date; and (*b*) substance of each consultation with representatives of adjacent hospitals, indicating the—(i) names; and (ii) positions of the participants in each case?

Mr BORTHWICK (Minister of Health) —The answer is:

In relation to building a proposed 310-bed hospital at Clayton, neither the Health Commission nor the Hospitals and Charities Commission had consultations with adjacent hospitals.

(Question No. 122)

Mr MATHEWS (Oakleigh) asked the Minister of Health:

In respect of the decision to replace the proposed 1000-bed Clayton–Burwood Queen Victoria Medical Centre with a proposed 310-bed centre at Clayton, what was the—(*a*) date; and (*b*) substance of each consultation which was held with representatives of municipal councils in the hospital region, indicating the—(i) names; and (ii) positions of the participants in each case?

Mr BORTHWICK (Minister of Health)—The answer is:

In relation to building a proposed 310-bed hospital at Clayton, neither the Health Commission nor the Hospitals and Charities Commission had consultations with representatives of municipal councils in the hospital region.

FIRE PROTECTION FOR SCHOOLS

(Question No. 168)

Mr MATHEWS (Oakleigh) asked the Assistant Minister of Education, for the Minister of Education:

In respect of Jordanville primary, Waverley high, Chadstone high, Chadstone Park primary, Oakleigh primary, Huntingdale primary, Oakleigh technical, Huntingdale technical, Huntingdale high, and Oakleigh South primary schools, in what way existing fire protection measures differ from those prescribed under the new schools fire code, and what plans there are for up-grading fire protection in each case?

Mr LACY (Assistant Minister of Education)—The answer supplied by the Minister of Education is:

The reports from the Public Works Department are at hand. Separate architectural, electrical, mechanical and civil engineering reports with estimates of cost have been forwarded to the regions for consideration by the respective priority review committees. The Director-General of Public Works Department has advised that the code in question applies only to new schools and existing school buildings where proposed alterations are substantial.

A summary of the reports setting out the position at respective schools is shown on the schedule below. The total estimated cost of all works is $435 100.

Additional reports on Hughesdale and Murrumbeena Primary Schools are being obtained and I shall advise the honorable member further when these are available.

SUMMARY FIRE PROTECTION REPORTS FOR EDUCATION DEPARTMENT—JANUARY 1980

		Architectural												*Electrical*		*Mechanical*		*Civil*		
	School	Escape Routes	Stairs	Doors	Passage Ways	Smoke Doors	Fire Doors	Extinguishers	Floors, Ceilings	Walls	Storage	Signs	Drapes, Blinds, etc.	Alarms	General	Sprinklers	Genera	General	Hydrants	Hoses, Reel
1 ..	Chadstone High School ..	FS	FS	FS	FS	US	FS	PS	FS	FS	FS	US	GS	US	US	GS	GS	FS	US	US
2 ..	Chadstone Park Primary School	FS	N/A	FS	FS	US	N/A	GS	GS	GS	FS	PS	N/A	US	US	N/A	GS	GS	US	US
3 ..	Huntingdale High School ..	FS	N/A	FS	GS	US	FS	FS	GS	FS	FS	PS	N/A	US	PS	GS	GS	PS	FS	PS
4 ..	Huntingdale Primary School ..	FS	N/A	FS	FS	PS	FS	FS	GS	FS	FS	PS	N/A	PS	PS	N/A	GS	PS	US	US
5 ..	Huntingdale Technical School ..	FS	FS	FS	FS	FS	FS	GS	GS	FS	FS	PS	N/A	US	GS	GS	FS	FS	FS	FS
6 ..	Jordanville South Primary School	FS	N/A	FS	PS	US	N/A	FS	GS	GS	FS	US	N/A	GS	PS	N/A	GS	GS	GS	US
7 ..	Oakleigh Primary School ..	PS	N/A	PS	FS	PS	N/A	FS	FS	GS	GS	US	N/A	PS	PS	N/A	GS	FS	FS	US
8 ..	Oakleigh Technical School ..	PS	FS	FS	GS	PS	PS	FS	GS	GS	FS	PS	PS	US	PS	US	GS	FS	FS	FS
9 ..	Oakleigh South Primary School	FS	N/A	FS	FS	PS	N/A	GS	GS	GS	GS	US	N/A	PS	PS	N/A	GS	FS	US	US
10 ..	Waverley High School ..	FS	GS	FS	FS	PS	FS	FS	FS	FS	PS	US	US	US	US	GS	GS	FS	FS	US

Legend—

FS Fully Satisfactory
GS Generally Satisfactory
PS Partly Satisfactory
US Unsatisfactory
N/A Not Applicable

SCHOOLS IN RESERVOIR DISTRICT

(Question No. 488)

Mr SIMMONDS (Reservoir) asked the Assistant Minister of Education:

In respect of dental clinics established at schools in the electoral district of Reservoir:

1. Which schools have had clinics built since 1975, indicating when?

2. What staff are currently employed at each?

3. What is the annual cost of servicing each building?

4. What security arrangements have been made in respect of each clinic, indicating at what cost?

5. In each year since 1975 how many students have—(*a*) been screened; and (*b*) received dental treatment?

Mr LACY (Assistant Minister of Education)—The answer is:

The Assistant Minister of Health has provided the following information:

1.

		Commenced operation
Preston Primary School 1494	1978	February 1979
Reservoir East Primary School 4686	1978	February 1979
Ruthven Primary School 4956	1978/79	December 1979

2.

Preston Dental Clinic—
Two Dental Therapists.
One Dental Attendant.

Reservoir East Dental Clinic—
One Dental Therapist.
One Dental Attendant.

Ruthven Dental Clinic—
One Dental Therapist.
One Dental Attendant.

3.

	State Electricity Commission	*Telecom*
Preston Dental Clinic	$875 (5 January 1979 to 23 January 1980)	$422 to 31 January 1980
Reservoir East Dental Clinic	$744 (30 January 1979 to 9 January 1980)	$166 to 3 January 1980
Ruthven ..	$65	$33 to 8 January 1980

4. All clinics have external security lights which operate automatically. There are no other security arrangements except for that provided by the Education Department.

5. All children examined with parental consent receive treatment, including dental health education.

The range of treatment includes extractions, fillings, prophylaxis, endodonture, oral surgery, periodontal treatment, treatment of fractured incisors, topical fluoride.

		Period covered
Preston Dental Clinic..	434	February 1979 to January 1980 inclusive
Reservoir East Dental Clinic	327	February 1979 to January 1980 inclusive
Ruthven Dental Clinic	47	December 1979 to January 1980 inclusive.

NIGHT CLASSES IN OAKLEIGH ELECTORATE

(Question No. 912)

Mr MATHEWS (Oakleigh) asked the Assistant Minister of Education, for the Minister of Education:

Whether he will bring up to date and consolidate in *Hansard* the answer on night classes in the electoral district of Oakleigh which his predecessor gave to the Member for Footscray on 27 October 1977 in response to question No. 258 and reported in *Hansard* at page 10927?

Mr LACY (Assistant Minister of Education)—The answer supplied by the Minister of Education is:

Following the tabulation as given by the Minister of Education in 1977 the position in 1979 was as follows:

Huntingdale Technical School Recreational programmes	*Number of evening students for* 1979
Advanced Woodwork	30
Basic Mechanics	31
Beginners Woodwork	28
Bookkeeping	10
Cake Decorating	45
Chinese Cooking	34
Dressmaking Craft	54
German Beginners	21
German Advanced	13
Greek Beginners	8
Greek Advanced	10
Italian Beginners	19
Italian Advanced	10
Journalism	11
Leather Craft	12
Plant Propagation	46
Photography	30
Pottery	27
Shorthand	43
Surfing	16
Typing	65
The Way to Natural Health ..	7
Welding	32
Total	602

Oakleigh Technical School	*Number of evening students for* 1979
Apprenticeship Courses	
Repeat Modules	28
Post-Apprentice Course	
Tree Surgery—Grade I ..	21
Basic Vocational Courses	
Landscape Certificate	20
Gardening Certificate	25
Adult Trainees Courses	
Gardening—Grade I	25
Nursery—Grade I	12
Landscape—Grade I	6
Turf Management I	6
Recreational Programs	
Propagating Home Garden Plants	30
Propagating Indoor Plants ..	30
Total	203

SCHOOL STUDENT CLASS AND TEACHER RATIO

(Question No. 914)

Mr MATHEWS (Oakleigh) asked the Assistant Minister of Education, for the Minister of Education:

Whether the Minister will bring up to date and consolidated in *Hansard* the question on student-teacher ratios which his predecessor gave the then Leader of the Opposition on 16 March 1977 in response to question No. 1535 and reported in *Hansard* at page 6505?

Mr LACY (Assistant Minister of Education)—The answer supplied by the Minister of Education is:

Continuing the tabulation as set out by my predecessor in the answer to the original question, the position in respect of years 1977–79 is as follows:

1. (*a*) Ratio of students to all teaching staff.

Comparable figures are:

	Pupil-teacher ratio		
Year	*Primary* (1)	*Secondary High*	*Secondary Technical* (2)
1977	17·4	12·0	10·1
1978	17·1	11·3	9·8
1979	17·0	10·7	9·6

(1) "Primary" includes special schools teachers and students.

(2) "Secondary Technical" refers to August figures rather than February as for the other two and includes teachers on leave—it is therefore not comparable with the Secondary High figures.

(*b*) Average class size.

(i) Primary.

Year	*Average class size*
1977 ..	28·1
1978 ..	27·9
1979 ..	27·6

(ii) Secondary—average size of English classes.

Year	*High schools*	*Technical schools*
1977 ..	25·9	21·9
1978 ..	25·2	20·8
1979 ..	24·6	20·0

2. Pupil-teacher ratios for other States and Territories.

The information provided in the following tables is drawn from the Schools Commission publication "Australian Students and their Schools" published during 1979. The figures presented will not be comparable with the figures provided to question No. 1535, 1977, *Hansard* page 6505 because of the variation in the dates in which the information was provided and in the variation of definitions used.

Table 1—Pupil-teacher ratios in Government schools by systems, 1978.

System	*Primary schools*	*Secondary schools*
New South Wales ..	22·8	13·6
Victoria	19·4	11·5
Queensland ..	20·9	14·3
South Australia ..	18·8	12·4
Western Australia ..	23·1	13·4
Tasmania ..	21·6	12·8

Table 2—Pupil-teacher ratios in Government schools for Australia, 1975–1978.

Year	*Primary*	*Secondary*
1975	22·7	14·2
1976	22·0	13·7
1977	21·3	13·1
1978	21·1	12·8

STUDENT COMPLETION OF SIXTH YEAR OF SECONDARY EDUCATION

(Question No. 916)

Mr MATHEWS (Oakleigh) asked the Assistant Minister of Education, for the Minister of Education:

Whether the Minister will bring up to date and consolidate in *Hansard* the answer on school retention rates which his predecessor gave the then Leader of the Opposition on 8 March 1977 in response to question No. 1534 and reported in *Hansard* at page 6158?

Mr LACY (Assistant Minister of Education)—The answer supplied by the Minister of Education is:

Continuing the tabulation as set out by my predecessor in the answer to the original question, the position in respect of years 1977–79 is as follows:—

Year	Government Schools Based on February enrolments		Government Schools Based on August enrolments		Non-government schools based on August enrolment: Catholic schools		Non-government schools based on August enrolment: Other Non-government schools	
		(per cent)		(per cent)		(per cent)		(per cent)
1977	14 347	(39)	12 799	(35·5)	5096	(44·6)	4718	(100·8)
1978	14 037	(37)	12 646	(34·5)	5292	(44·9)	4917	(95·9)
1979	13 421	(36)	11 983	(32·9)	5341	(44·1)	4816	(94·2)

NOTE—While footnotes 1 and 2 to the response to question No. 1534 and reported in *Hansard* at page 6158, 8 March 1977 remain comparable, information from other States and Territories was published in Schools Commission publication "Australian students and their schools, 1979".

Table 3.32 from this publication is:—

"Trends in government school retention rates.

Percentage of secondary school entrants apparently remaining to Year 12 in government schools, by State or Territory, 1972 to 1978.

Year	New South Wales	Victoria	Queensland	South Australia	Western Australia	Tasmania	Northern Territory	Australian Capital Territory
1972	30·9	25·2	26·1	27·7	24·4	20·4	24·3	64·2
1973	31·0	25·5	26·0	27·6	26·7	20·6	28·4	57·5
1974	29·8	24·7	26·5	26·7	27·1	19·8	26·8	60·4
1975	30·1	26·4	26·9	30·3	28·5	23·5	20·3	63·1
1976	31·3	26·4	29·5	31·1	30·2	23·4	22·6	60·2
1977	32·2	25·5	30·9	29·5	29·3	24·4	21·9	65·9
1978	32·4	24·3	31·5	30·1	28·8	23·1	19·2	67·8

(*a*) In Victoria students may undertake a tertiary orientation year programme in the technical and further education sector after Year 11*.

Source Australian Bureau of Statistics."

* For 1978 it was calculated that of the 5709 T.O.P. students 4167 were within the age range of students who study H.S.C. If these students are then included with the Year 12 students the Victorian percentage would become 32·3 per cent, i.e. it equates with New South Wales.

SCHOOL PRINCIPALS AND TEACHERS

(Question No. 918)

Mr MATHEWS (Oakleigh) asked the Assistant Minister of Education, for the Minister of Education:

Whether the Minister will now provide the answer on periods of service at schools which his predecessor told the then Leader of the Opposition on 8 March 1977 in response to question No. 1532 and reported in *Hansard* at page 6157 would become available once the new Education Department computer system on personnel was fully programmed?

Mr LACY (Assistant Minister of Education)—The answer supplied by the Minister of Education is:

Although major sections of the department's data base computer systems have been progressively implemented, they contain only basic information at this stage.

To provide a satisfactory answer to the question requires the availability of service and employment history for teachers during the period concerned—a task which because of its size and complexity has been assigned a relatively low priority in the development of the overall personnel system.

Computer systems allocated higher priorities, which are either completed or in progress, include Stores and Inventory Control, Teaching Service and Ancillary Staff Pay-rolls, Properties and Projects, Furniture Requisition and Budgeting, and Regional Requirements.

It is expected that development of the subsystem for service and employment history will be commenced during 1981. During the development phase, a decision will be made as to the amount of retrospective data to be collected.

STUDENT ENROLMENT

(Question No. 1199)

Mr HANN (Rodney) asked the Assistant Minister of Education, for the Minister of Education:

1. How many students from New South Wales attend schools in Victoria, giving details of the number of students attending each Victorian school?

2. Whether Victoria receives any special financial allocation from the Commonwealth Government for the education of these students and what are the details?

3. How many Victorian students attend schools in New South Wales, indicating the number at each school and other relevant details?

Mr LACY (Assistant Minister of Education)—The answer supplied by the Minister of Education is:

Reports received from the regional directors in respect of Parts 1 and 3 of the question indicate the following:

Benalla Region—

1. 348 New South Wales children cross the border to attend schools in Victoria. The numbers for each school are given below:

Wodonga Technical School	19
Cobram High School	74
Wodonga West High School	2
Wodonga High School	12
Yarrawonga High School	29
Corryong Cons. Primary School	29
Granya Primary School	1
Mitta Junction Primary School	6
Wodonga Primary School	5
Wodonga South Primary School	5
Wodonga West Primary School	5
Cobram Cons. School	6
Yarrawonga Primary School	10
Sacred Heart School, Corryong	6
St. Mary's School, Rutherglen	2
Wahgunyah Primary School	3
St. Joseph's School, Cobram	33
Sacred Heart High School, Yarrawonga	6
Wodonga Catholic College	3
Corryong High School	92

3. 45 Victorian students cross the border to attend school in New South Wales. The following details for each school are provided:

Yarrawonga High School—
2 Victorian children attending Corowa High School.

Wodonga Primary School—
7 Victorian children to Private School.
2 Victorian children to Albury Public.

Wahgunyah Primary School—
11 Victorian children to New South Wales.

Corryong High School—
11 Victorian children to Walla.
3 Victorian children to Walla (?)
2 Victorian children to Albury Private.
1 Victorian child to Albury Tech.
1 Victorian child to Canberra.

Yarrawonga—
5 Victorian children go to Mulwala.

Bendigo Region—

1. Numbers of New South Wales pupils attending Victorian schools.

Echuca Inspectorate—

Echuca Primary School 208	6
Nathalia Primary School	4
St. Joseph's School	40
St. Mary's School	30
Echuca Technical School	90
Echuca High School	90

Swan Hill Inspectorate—

Robinvale Consolidated School	3
Nyah Primary School	5
Speewa Primary School	16
Murrabit Group School	4
Swan Hill High School	26
Swan Hill Technical School	50
Kerang High/Technical School	22
Robinvale High School	53

3. Numbers of Victorian Pupils attending N.S.W. schools:

Echuca Inspectorate—

Moama Public School	13
Barham Public School	25
Barham Catholic School	8.

Gippsland Region—

1. N.S.W. students attending Victorian Schools—I primary.

3. Victorian students attending N.S.W. schools:

Bendoc Primary School—11 primary, 4 secondary.

Mallacoota C.C.—9 secondary.

Tubbutt Primary School—8 pre-school, 1 primary, 9 secondary.

Horsham (North West) Region—

1. A total of 78 students from N.S.W. attend the following Victorian schools:

Mildura High School	20
Mildura Technical School	35
Mildura North Primary School	3
Mildura West Primary School	9
Merbein South Primary School	1
Merbein West Primary School	1
Nicholls Point Primary School	2
Sacred Heart	7

3. A total of 24 students from Victoria attend the following schools in N.S.W.:

Dareton Primary School	1
Gol Gol Primary School	7
Buronga Primary School	6
Wentworth Registered	1
Coomealla	9

2. No special financial allocation is received by Victoria.

SCHOOL STUDENTS

(Question No. 1557)

Mr GAVIN (Coburg) asked the Assistant Minister of Education, for the Minister of Education:

In respect of each region in the State, what is the number of students in primary, secondary and technical schools, respectively?

Mr LACY (Assistant Minister of Education)—The answer supplied by the Minister of Education is:

Region	*Number of pupils*			
	Primary	*High*	*Technical*	*Primary–Secondary*
Western	40 823	18 849	6 078	130
Northern	54 421	27 014	11 106	..
Central	24 409	15 434	2 259	246
Eastern	73 748	30 743	10 952	..
Southern	66 980	29 116	10 646	143
Gippsland	22 241	9 833	4 416	104
Benalla	21 020	10 308	3 529	144
Bendigo	20 401	10 204	3 672	178
Geelong	30 489	12 541	7 211	297
Ballarat	14 522	4 699	4 341	..
Horsham	9 031	4 688	1 824	149

WILD DEER

(Question No. 1699)

Dr COGHILL (Werribee) asked the Minister for Youth, Sport and Recreation:

Whether he or the Department of Youth, Sport and Recreation has made any submissions related to recreational shooting of Sambar and each other species of deer and the effects of trapping wild deer; if so, what was the date and what were the major recommendations of each submission?

Mr DIXON (Minister for Youth, Sport and Recreation)—The answer is:

No. However, I have received correspondence from the Australian Deer Association on the law relating to field shooting on Sundays.

When the correspondence has been referred to the Chief Secretary for comment, the advice has been that it was considered that the removal of the prohibition on Sunday shooting would not find favour with the majority of the community.

STATE AGRICULTURAL COLLEGES

(Question No. 1840)

Dr COGHILL (Werribee) asked the Minister of Agriculture:

In respect of the State agricultural colleges and education centres estimates of expenditure for 1979–80 as compared to payments to 1978–79, what is the reason for the variation in each case, indicating the changes in activity which will accompany the change in expenditure?

Mr I. W. SMITH (Minister of Agriculture)—the answer is:

The estimates of expenditure for 1979–80 took into account the Government's decision to contain total departmental spending, apart from increases in allocations to cover costs of wage awards and cost increases of goods and services.

Allocation of funds to individual colleges was made taking into account the likely number of students in courses, the level of staff vacancies and long service leave payments.

Changes in allocations to individual colleges can be made during the financial year if circumstances such as adjustment of student numbers, warrant such changes.

The major demand for courses is occurring at Burnley Horticultural College and it is Government policy to upgrade this College to meet the demands of the community.

VETERINARY RESEARCH STATION

(Question No. 1842)

Dr COGHILL (Werribee) asked the Minister of Agriculture:

In respect of each Veterinary Research Station and laboratory, what is the reason for the difference between the estimates of expenditure for 1979–80 and the payments in 1978–79, indicating in each case the changes in activity associated with the changes in expenditure?

Mr I. W. SMITH (Minister of Agriculture)—The answer is:

There were no significant changes in the activities of the Veterinary Research Institute or laboratories for 1979–80 compared with 1978–79. The estimates of expenditure for 1979–80 took into account the Government's decision to contain total Departmental expenditure, apart from increases in allocations to cover the cost of wage awards and cost increases for goods and services.

ANIMAL INDUSTRIES RESEARCH INSTITUTES

(Question No. 1845)

Dr COGHILL (Werribee) asked the Minister of Agriculture:

In respect of Animal Industries Research Institutes and Stations, what are the reasons for the differences between the estimates of

expenditure in 1979–80 and in payments in 1978–79, indicating in each case, the changes in activity associated with the changes in expenditure?

Mr I. W. SMITH (Minister of Agriculture)—The answer is:

The estimates of expenditure for 1979–80 took into account the Government's decision to contain total Departmental expenditure, apart from increases in allocations to cover the cost of wage awards and cost increases for goods and services.

Institutes and stations have generally maintained their level of research, but usually with a consequent reduction in stores, general maintenance, deferred replacement of staff etc. to compensate for the reduced funding.

The Animal and Irrigated Pastures Research Institute, Kyabram, is making major adjustments to its research direction and in the current financial year is able to accommodate to the reduced funding (no increase over 1978–79).

The Gilbert Chandler Institute of Dairy Technology had an increased allocation (17·2 per cent) to develop the program of work on Salmonella contamination in processing plants.

PLANT SERVICES AGRICULTURAL RESEARCH STATIONS

(Question No. 1846)

Dr COGHILL (Werribee) asked the Minister of Agriculture:

In respect of each Plant Services Agricultural Research Station, what is the reason for the difference between the estimate of expenditure in 1979–80 and the payments for 1978–79, indicating in each case, the changes in activity which will be associated with the change in expenditure?

Mr I. W. SMITH (Minister of Agriculture)—The answer is:

The estimates of expenditure for 1979–80 took into account the Government's decision to contain total departmental expenditure, apart from increases in allocations to cover the cost of wage awards, and cost increases for goods and services.

At the Horticultural Research Institute, Knoxfield, the reduction in estimated expenditure is associated with reduced activity on field research in horticulture.

At the Research Station, Irymple, the estimated increase in expenditure is due to increased research on grapevine and citrus production.

At the Mallee Research Station at Walpeup, the increase in the estimated expenditure is due to increased wage and operating costs and also to increased research on field crops.

At the Plant Research Institute, Burnley, the increase in estimated expenditure is due to increased wages and operating costs in plant, pest and disease research (including an additional $4000 specifically for control of field crickets).

There is no significant change in the main activities at the other plant services research stations.

EFFECTS ON AGRICULTURE FROM ALUMINIUM SMELTERS

(Question No. 1851)

Dr COGHILL (Werribee) asked the Minister of Agriculture:

Whether the Department of Agriculture has made any assessment as to the possible effects on agriculture production and productivity of emissions from the proposed aluminium smelters in Victoria?

Mr I. W. SMITH (Minister of Agriculture)—The answer is:

No assessment has been made by the Department of Agriculture of possible effects on agricultural production of emissions from the proposed aluminium smelters. Effects on agriculture depend on the type and quantity of emissions and the control of these is subject to licensing by the Environment Protection Authority. My department will be in communication with the Environment Protection Authority, as necessary, to ensure that licensing conditions associated with discharge to air and water as laid down by the authority will take into account any possible hazard to agriculture.

EQUAL OPPORTUNITY IN SCHOOLS

(Question No. 1971)

Mr GAVIN (Coburg) asked the Assistant Minister of Education, for the Minister of Education:

1. How many of the 40 recommendations made by the Victorian Committee on Equal Opportunity in Schools have been implemented?

2. Which recommendations have not been implemented and why?

Mr LACY (Assistant Minister of Education)—The answer supplied by the Minister of Education is:

1 and 2. Of the 40 recommendations, 20 were directed to the Education Department. The Education Department has endorsed for implementation most of these recommendations. However, implementation in many cases must be progressive and in respect of recommendations 1, 2, 4, 27, 37 and 39 implementation is a matter for individual schools rather than for the central administration of the Education Department. Since the appearance of the Report of the Equal Opportuntiy in Schools Committee, the Government has issued a policy statement on equal opportunity and the elimination of sexist practices in schools, and has established an Equal Opportunity Advisory Committee. This committee has been asked to advise the Minister on steps to be

taken to ensure the early implementation of the recommendations. The following list includes examples of recommendations that have been implemented in accordance with the policy.

Recommendation 1—The Publications Branch continues to make a positive effort to exclude sexist language and attitudes in the production of a wide range of materials which it provides for use in schools.

Recommendation 5—Full-time Careers Officers are available for all post-primary schools. A four-week training course is provided for careers officers, and includes a section on the special problems of girls.

Recommendation 8—Work experience programmes for both sexes are being encouraged by the Education Department.

Recommendation 15—A professional officer was appointed in July 1977 as Co-ordinator for the Elimination of Sexism in Schools.

Recommendation 25—It is Education Department policy that technical schools become co-educational as quickly as financial constraints allow. At least five schools each year are currently being converted to co-education.

Recommendation 29—An advisory committee has been set up to recommend guidelines for the teaching of Health and Human Relations education.

HOUSING COMMISSION TENANTS

(Question No. 1995)

Mr CATHIE (Carrum) asked the Minister of Housing:

1. How many Housing Commission tenants have received rental rebates, indicating the total amount and the source of these funds in each of the past three years?

2. How many applicants have applied for and received retrospective payments since the changed policy allowing rental rebates to be made retrospective for twelve months, indicating the amount in each case?

Mr DIXON (Minister of Housing)—The answer is:

1. Rental rebates are a charge against the commission's Rental Revenue Account.

The number of commission tenants in receipt of rental rebates at 30 June and the total cost for the past three years is as follows:

	Number	*Amount*
1976–77	7 846	$4 694 640
1977–78	9 136	$5 620 808
1978–79	13 311	$9 777 951

2. The information requested is not readily available and would involve a check of thousands of rebate files.

However, I am able to advise, a check of tenants' accounts which have received a rebate credit of over $200 has been made. This search has revealed that 143 applicants have applied for and received retrospective rental rebate credits varying from $200 to $1353.

EDUCATION DEPARTMENT STORES BRANCH

(Question No. 2024)

Mr FORDHAM (Footscray) asked the Assistant Minister of Education, for the Minister of Education:

Whether a decision has been made on the future operation of the Stores Branch of the Education Department; if so, what alterations to existing purchasing procedures are to be made?

Mr LACY (Assistant Minister of Education)—The answer supplied by the Minister of Education is:

At this stage, no alterations to existing purchasing procedures in the Stores Branch are contemplated.

DEPARTMENT OF AGRICULTURE STAFF

(Question No. 2054)

Dr COGHILL (Werribee) asked the Minister of Agriculture:

What changes are proposed to the deployment of Department of Agriculture staff and facilities as a result of progress in the control and eradication of Bovine Brucellosis in Victoria, indicating changes proposed to the duties of each category of affected staff, changes proposed to the staffing and activity of each veterinary laboratory and the number of staff positions in each category to be terminated in or transferred from each animal health officer district?

Mr I. W. SMITH (Minister of Agriculture)—The answer is:

There are no changes proposed for the duties of staff employed on the eradication of Bovine Brucellosis. Many of the staff appointed were temporary employees engaged on the basis of need. This will continue to apply from July 1980.

It is anticipated that there will be fewer blood samples for Brucellosis testing, and the consequential reductions in temporary staff at the veterinary laboratories will be as follows:

Hamilton	6
Bendigo	4
Benalla	4
Bairnsdale	6
Westmeadows	8
V.R.I.	6

Management of field activities in the eradication campaign is regionalized and the number of temporary staff engaged on administrative and field duties for brucellosis

eradication will be reduced in the regions as follows: South-west 17, North-west 13, North-east 4, South-east 24 and Metropolitan 9.

COUNCIL OF ADULT EDUCATION

(Question No. 2091)

Mr FORDHAM (Footscray) asked the Assistant Minister of Education, for the Minister of Education:

1. What was the annual budget of the Council of Adult Education in 1978–79 and what is the budget for the year 1979–80?

2. What proportion of the 1978–79 and 1979–80 budget was spent in the area of the adult education needs of ethnic communities?

Mr LACY (Assistant Minister of Education)—The answer supplied by the Minister of Education is:

1.	1978–79	1979–80
	$2893 043	$3075 000

2. It is not possible to ascertain what portion of the respective budgets was spent in the area of the adult education needs of ethnic communities as council's budgetary system is related to internal departments and then subdivisions within those. These subdivisions cover such items as tutors fees, materials, equipment, expenses, publicity and rents.

As all programming departments provide adult education for the ethnic population there has never been any requirement to itemize that expenditure, nor has there been any analysis of the adult student population along ethnic lines. Such an analysis—of both funding and students—would no doubt be useful but is beyond the present means of the council to mount as a research project.

DIVIDEND ADVERTISING AT WIN COLLECTING LOCATIONS

(Question No. 2176)

Mr CULPIN (Glenroy) asked the Minister for Youth, Sport and Recreation:

Whether he will take action to ensure that results and dividends are advertised at win collecting locations at all horse racing, trotting and dog racing venues where the totalizator is in operation; if not, why?

Mr DIXON (Minister for Youth, Sport and Recreation)—The answer is:

The Totalizator Regulations provide that every club conducting an on-course totalizator is responsible, immediately after the declaration of a dividend, to exhibit a notice, in places appointed by the Committee of the club, of the amount of the dividend payable which must remain exhibited until the last race.

I have instructed all totalizator inspectors to take particular note of any venue where regulations relating to the display of dividends are not being observed and to take any appropriate action.

QUARTER HORSE RACE MEETINGS

(Question No. 2213)

Mr GAVIN (Coburg) asked the Minister for Youth, Sport and Recreation:

1. How many quarter horse race meetings were held in 1979, indicating where they were held?

2. Where such race meetings are scheduled in 1980?

Mr DIXON (Minister for Youth, Sport and Recreation)—The answer is:

1. Two sprint horse race meetings were held in 1979, both at the Bacchus Marsh Racecourse.

2. Bacchus Marsh Racecourse.

Legislative Assembly

Thursday, 17 April 1980

The SPEAKER (the Hon. S. J. Plowman) took the chair at 11.5 a.m. and read the prayer.

ABSENCE OF MINISTER

The SPEAKER (the Hon. S. J. Plowman)—Order! I have been advised that the Minister of Immigration and Ethnic Affairs will not be present at question time today.

QUESTIONS WITHOUT NOTICE

INTEREST RATES

Mr WILKES (Leader of the Opposition)—In view of the fact that the Government of New South Wales has decided not to allow an increase in building society interest rates, will the Treasurer and the Victorian Government take similar steps to control interest rates in Victoria?

Mr THOMPSON (Treasurer)—The question of interest rates is under review at present. I spent some time this

morning discussing the question and a statement will be made at the appropriate time.

MERINO POLICE STATION

Mr WHITING (Mildura)—In the light of the statement made by the Minister for Police and Emergency Services that he does not intend to close any one-man police stations in Victoria at present, can the honorable gentleman indicate whether the Merino police station has been brought to his notice as yet? I understand the policeman from that station is to be transferred to another area and, to date, no indication has been given that a replacement will be brought into the Merino police station. I ask the Minister to investigate the situation and to ensure that no one-man police stations are closed in Victoria at this stage.

Mr THOMPSON (Minister for Police and Emergency Services)—There are 357 police stations in Victoria, of which about one-third are one-man stations. After a detailed study, the Chief Commissioner of Police believes some changes could be made to more effectively use the current strength of the Victoria Police Force. However, I said in the House on a previous occasion that no changes would be made without consultation with local people and local members of Parliament. I shall certainly make inquiries about the position of the Merino station.

PROPOSED RACING CLUB MERGER

Mr COLLINS (Noble Park)—I refer the Minister of Youth, Sport and Recreation to the apparent failure of discussions between the Victoria Racing Club and the Moonee Valley Racing Club over a proposal to merge their interests. Can the honorable gentleman advise whether the object of the exercise was to rationalize the racing industry in Victoria wherever possible and, in the event that the talks do not come to fruition or cannot be revamped to bring about a successful solution to the problems of the racing industry in Victoria, where that will leave the future development of trotting, in view of the Minister's statement that trotting would eventually take over the Moonee Valley course if such a merger were to come about?

Mr DIXON (Minister for Youth, Sport and Recreation)—The feasibility study announced earlier this year was to cover a possible merger, and it involved the Moonee Valley Racing Club, the Victoria Racing Club and the Trotting Control Board, with Mr Bert Keddie, the Chairman of the Racecourses Licences Board, acting as chairman of the study. A great deal of preliminary work was carried out by the people involved in the study but, unfortunately, I have to announce that the study can no longer continue.

The reasons for this are that the committee of the Moonee Valley Racing Club has stated that there has been an overwhelming reaction against the proposed merger, involving the termination of thoroughbred racing at Moonee Valley, and members of that committee voted unanimously against a full merger, including the transfer of the property to the Trotting Control Board.

The positions taken by the various parties are that the Moonee Valley Racing Club believes there could be good reasons for minor thoroughbred racing meetings to continue at the Moonee Valley course and it does not want any alterations to the existing thoroughbred track or to the trotting track. The Victoria Racing Club believes a merger ought to be along the lines of the original proposal—that is, that thoroughbred racing ought to go to the Victorian Racing Club with the feasibility study examining the possibility of the Trotting Control Board running trotting meetings exclusively at Moonee Valley.

The Trotting Control Board believes the proposal would only be acceptable to it on the grounds that trotting would have the exclusive use of the Moonee Valley course and it would be able to move the trotting track to better facilitate trotting at Moonee Valley. I believe in all these circumstances, and

given that the Moonee Valley Racing Club is not prepared to look at the feasibility study in the terms under which it was previously announced, that to continue with the feasibility study is not a very hopeful exercise.

The Leader of the Opposition says that there must be an area of compromise. As he would well know, Mr Bert Keddie has spent a lot of his life facilitating worth-while compromises—I think that is part of what we are all on about in this House, to facilitate worth-while compromises—and Mr Bert Keddie has been unable, despite all his diplomatic capacities, to bring the parties to an area where the feasibility study under the terms of reference announced by me can continue.

I still believe the principles contained within the proposal need some future study, and I do not rule out altogether that in the future there could be a reconvening of the parties. For the time being, the feasibility study has to be closed off. I must say I am disappointed. I feel sorry for Bill Stutt, who came to the original meeting with the full backing of his committee, but after the announcement of the proposal there is no doubt that the committee has been under a lot of pressure from members and, according to the committee, from people who regularly attend race meetings at Moonee Valley, who have said they do not want the proposal to proceed. That is the view of the various parties, and under those circumstances it is no use the feasibility study continuing at present.

STATE ELECTRICITY COMMISSION CHARGES

Mr AMOS (Morwell)—I ask the Premier, as the price for electricity charged by the State Electricity Commission to Alcoa is critical in assessing the adequacy of the Government's proposed arrangements with that company, has an examination been made by the economic section of the Department of the Premier of tariff M option 5 to ascertain whether it is sufficient to meet the full marginal costs of providing electricity to Alcoa? If so, will the Premier make available a copy of this examination? If not, can the Premier inform the House whether an examination will be undertaken and whether that will be made available to members of this House?

Mr HAMER (Premier)—The State Electricity Commission is charged by an Act of Parliament with conducting the electricity undertaking, and I believe most honorable members would support the proposition that the commission does that extremely well. It is part of its charter to arrive at a tariff structure and as part of that tariff structure it introduced some years ago the industrial tariff that the honorable member referred to, in order to encourage industry to establish itself in Victoria. That tariff is open to all industries in that category and it would and will be applied universally to any industry that comes to Victoria and falls within the principles laid down by the State Electricity Commission. Apparently the suggestion is that the State Electricity Commission does not know its job and that somehow it has constructed a tariff which fails to give it an adequate measure of operating profit. It is not the job of the economic section of my department to check on the operations of the State Electricity Commission.

The SPEAKER (the Hon. S. J. Plowman)—Order! I ask the member of the Opposition who is interjecting to give the Premier the opportunity of answering the question asked by the honorable member for Morwell without a barrage of interjections. If the Premier is given half a chance, he may give the answer that is sought.

Mr HAMER—It is not the job of the economic section of my department to do that. It has made a study of the Alcoa proposal as a whole which has shown that it is economically well justified. I have a copy of that evaluation and the honorable member can have it if he wants it. It takes into account the existing tariff structure.

Honorable members interjecting.

The SPEAKER—Order! I suggest that the Premier should round off his answer as it appears that the Opposition does not wish to have the answer to the question asked.

Mr HAMER—I shall round off my answer in deference to you, Mr Speaker. I believe the State Electricity Commission has a tariff which is effective and fair. It has not been evaluated by the economic section because that is not its job.

MASTER PLAN FOR SPORT

Mr McGRATH (Lowan)—Is the Minister for Youth, Sport and Recreation aware of a master plan for sport in Australia that was recently presented to the Federal Government? If so, will his department have a part to play in that plan and what will that part be?

Mr DIXON (Minister for Youth, Sport and Recreation)—I read about the master plan in the press. To the best of my knowledge, I have not been sent a copy of that master plan. If my department has received one, it has not been drawn to my attention. Naturally I am interested in the views of the Confederation of Australian Sport with respect to the master plan.

I noted from the comments in the press that most of the points made had already been espoused by the Victorian Government to the Federal Government. I suppose the outstanding area is the need for further funds. Victoria has consistently stressed to the Federal Government that the funds made available for sport and recreation are inadequate. The importance of funds which could be used to offset health problems by preventive medicine in the form of sport and recreation facilities could be under-estimated by the Federal Government. The suggestion that sales tax on sporting commodities could be used by the Federal Government to provide further funds for the State has received continued emphasis by the Victorian Government. The suggestion that there should be at least one Minister especially responsible for sport and recreation——

Mr Trezise—As there was under Mr Whitlam.

Mr DIXON—That is not true. There was a Minister for Recreation and Tourism under the Federal Labor Government. The suggestion made by the Confederation of Australian Sport that there should be a single Minister for Sport and Recreation is worthy of consideration. The current Minister for Home Affairs, Mr Bob Ellicott, is doing a tremendous job on behalf of sport and recreation in Australia. He has a better grasp of what is required in sport and recreation in Australia than any of his predecessors, including my good friend, Ray Groom.

The other principal recommendation for the accredition of coaches, administrators and sporting directors has always been strongly stressed by my department with the Federal Government. Indeed, my department initiated the programmes in Victoria and has prevailed upon the Federal Government to support the initiative that is now occuring.

I will certainly read the master plan with interest when I receive it. However, from what I have seen of the press reports, almost all of the matters contained in the master plan are matters which the Victorian Government has already taken up or tried to initiate with the Federal Government.

DROUGHT CONDITIONS

Mr BURGIN (Polwarth)—In the light of the continuing dry spell being experienced throughout Victoria, which is now approaching drought proportions, has the Minister of Agriculture taken any action to enable farmers throughout the State to make the best commercial judgments to ensure that valuable livestock are saved?

Mr I. W. SMITH (Minister of Agriculture)—This week my colleague, the Minister of Lands, and I met with the Drought Advisory Committee and discussed action which could be taken by the Government to assist and advise the farming community in particular. That action will take the form of expenditures which have been available in past dry periods. The criterion for receiving assistance is that a municipality must apply to the Department of

the Premier for the declaration of all or part of the municipality as a drought area. When this declaration has been made, then the traditional Government assistance in drought periods will be available.

In addition, the Department of Agriculture has produced kits of *Agnotes* dealing with all subjects in which farmers would be interested during a drought, particularly the feeding of livestock. These kits are available from district regional offices as well as from headquarters in Melbourne, and farmers are availing themselves of those notes so that they can make the best economic use of available fodder and water.

As most honorable members present are not from rural areas but from urban areas and have shown no interest in my answer, I would add that the Government's policy on water storages for the Melbourne and metropolitan area is clearly vindicated by the current dry spell. It will interest honorable members to know that current water usage is approximately double its level at this time last year. On the hottest day this week, on Tuesday, water consumption rose to 2 million megalitres, more than double the consumption at this time last year. The storages are currently of the order of 65 per cent of capacity——

The SPEAKER (the Hon. S. J. Plowman)—Order! The Minister seems to be straying somewhat wide of the question.

Mr I. W. SMITH—Honorable members will be interested to know that water storages are currently at about 65 per cent of their capacity, and that the Sugarloaf reservoir—

The SPEAKER—Order! Can the Minister relate this part of his answer to the question asked?

Mr I. W. SMITH—The relativity of the answer?

The SPEAKER—Order! Can the Minister relate this part of the answer to the question asked, which relates to the efforts that he and his department have made to advise farmers on economic judgments in saving valuable livestock?

Mr I. W. SMITH—The most important economic factor in farming is the consumer. I was going to finish by saying that the Sugarloaf reservoir will be commissioned next month and useful water supplies will be available from it for the northern and western suburbs next year. Not only has the Government been looking after people who live in rural areas but also metropolitan residents.

REPORT ON MALTREATING FAMILIES

Mr ROPER (Brunswick)—I ask the Assistant Minister of Health whether he is aware of a memorandum from the Assistant Director of Maternal and Child Health dated 7 March 1978 on the subject of the long overdue maltreating families report which was released yesterday. If he has, do the contents of the memorandum reflect the views of the Minister and his department, particularly in relation to the weaknesses of child maltreatment legislation. Will the Minister lay on the table of the Library all files and memoranda relating to the maltreating families report, particularly to action taken since the Health Commission received it? If not, why not?

Mr LIEBERMAN (Assistant Minister of Health)—The report referred to by the honorable member for Brunswick, prepared by the Royal Children's Hospital, is a valuable report and a substantial contribution to the studies in respect to maltreatment. It was printed in 1979 and the printed copies were received by the Health Commision in August 1979.

Since that time, the report has been assessed by me and my advisers and has been the subject of detailed consideration at my request by other Ministers involved in the vexed question of maltreatment; for example, in respect to law reform, the Attorney-General; health care, my colleague the Minister of Health; and, of course, the protection of children generally, the Minister for Community Welfare Services. The report was made available to those Ministers by me and they have responded

from the points of view of the different departments on the various recommendations.

As a matter of interest—I am sure that the honorable member for Brunswick will be interested—many of the recommendations contained in the report were the subject of amendments to the community welfare services legislation. One particular aspect of the report which raises apprehension concerns the safety of children who might be placed in hospitals, some having been subjected to some form of traumatic injury. The report raises concern that there is no adequate way of holding a child and not releasing the child to the family environment. The position, of course, is that the legislation which was enacted at the behest of my colleague, the Minister for Community Welfare Services, provides a means by which a child can be held in hospital by a series of adjournment proceedings in court and thus providing an effective means of protection.

There are many aspects of the report which require further evaluation and study and that is what is occurring.

Mrs Toner—Don't you believe in open government?

Mr LIEBERMAN—Yes. I am sure the honorable member for Greensborough will accept the invitation I extend to her to attend the presentation of the report. The Government intends that the authors of the report will participate in an information session concerning the contents of the report. As well as the presentation, it is the intention of the Government at that time to report on the various recommendations and to bring up to date those members in the community who are interested in progress. I am sure some members of the Opposition will be interested.

Mr ROPER (Brunswick)—On a point of order, the question I asked was specific. It related to a memorandum from a senior officer of the Minister's department and whether the memorandum reflected the views of the Minister and his department. The Minister is currently canvassing the general question of how the report will be handled now that it has been released. The question was specific and requires a specific reply.

The SPEAKER (the Hon. S. J. Plowman)—Order! I uphold the point of order. I ask the Minister to answer the specific question asked by the honorable member for Brunswick.

Mr LIEBERMAN (Assistant Minister of Health)—As part of the evaluation of the report I have encouraged discussion in the Health Commission by officers of their views on various aspects of the report and recommendations. Part of that discussion involves a response from one of the officers referred to by the honorable member for Brunswick as having produced a memorandum. Incidentally, the ownership of the memorandum is a matter between that officer and the Health Commission, and it may be reasonable for the honorable member to explain how he came to be in possession of that report.

Be that as it may, the comments made by the officer are of assistance to me and will be of assistance to the Government in evaluating the report. The nexus of the comments made by the officer is that in considering the question of maltreatment and the policies that can be introduced or reinforced by the Government to overcome it, one must consider that maltreatment is a many-faceted problem which involves neglect and trauma.

The SPEAKER—Order! I ask the Minister to complete his answer.

Mr LIEBERMAN—It also involves consideration of the social as well as the health aspects of the care of the child. Above all, it involves consideration of how we can all together take action to reinforce the strength of the family in Victoria. I regard the comments of the officer as being helpful, and they will be taken into account.

In regard to the honorable member's last request about whether I will table the memorandum, files and so on, I inform him that I will be available at any time he likes to give him a full briefing on the report and on the action

being taken by the Government. I invite the honorable member after that briefing to be specific as to the areas in which he believes he has not been adequately briefed, and I will give further consideration to his request then.

ELECTRICITY SUPPLY AGREEMENT

Mr SKEGGS (Ivanhoe)—Is the Minister for Minerals and Energy in a position to report progress on discussions between the State Electricity Commission and the Association of Municipal Electricity Authorities towards an agreement between those two bodies regarding the supply of bulk power and other matters?

Mr BALFOUR (Minister for Minerals and Energy)—Discussions on this matter have been going on for quite a long time, as people know, and faults have occurred on both sides. The situation has been arrived at when agreement has been reached on every point with the exception of an arrangement for depreciation of assets. This is rather a technical accounting procedure.

However, some four or five weeks ago I presented to the secretary of the association, Mr Jim Black, who comes from Footscray, a proposition that if the councils could agree to the agreement, the State Electricity Commission would be willing to sign it. That proposition was put to the association's accounting advisers and is being looked at by some of the municipal councils.

Yesterday morning I spent an hour and a half with Mr Black and Councillor Bill Davies, the president of the association, and I believe some progress was made. Although they did not totally agree with the proposition which I had put to them, it was still under consideration.

Mr Amos—Why don't you get them to accept the Premier's direction to the State Electricity Commission?

Mr BALFOUR—The honorable member for Morwell does not know what he is talking about.

Mr SPEAKER (the Hon. S. J. Plowman)—Order! There seems to be something about Thursday morning that affects the behaviour of honorable members at question time. There have and that is largely the fault of honorable members interjecting and delaying answers to questions. Honorable members simply waste their own time by interjecting, thus causing Ministers to make longer answers than might otherwise be the case. I ask the House to come to order and listen to the reply been only eight questions this morning of the Minister for Minerals and Energy.

Mr BALFOUR—In reply to the interjection of the honorable member for Morwell, I point out that both the State Electricity Commission and the councils are endeavouring to keep within the instructions issued by the Premier. One of those instructions was that proper accounting methods must be agreed to.

In the earlier undertaking there was a provision for depreciation of between 3 per cent and 3·5 per cent per annum to be allowed on assets. I understand the difficulties which the municipalities have with short-term loans and rates of interest. That matter has been discussed with the Director of Finance and help can be provided.

A suitable suggestion has been made; the limit of interest on depreciation can be achieved. Councillor Davies and Mr Black have had to visit eleven municipalities. Hence, it is understandable why they could not give me an answer yesterday. However, it is to be hoped that by the end of next week, if the necessary consultations have been carried out, both sides can reach an agreement, have a document signed and both sides can continue to work out the more difficult and intricate——

Mr Wilkes—Why is it taking so long?

Mr BALFOUR—There have been problems on both sides and the Leader of the Opposition will realize that when persons are involved in a stand-off position, it takes time to reach agreement. The Local Government Department and Treasury are involved. The Association of Municipal Electricity Authorities has hired an accounting firm to provide advice because a technical accounting proposition is involved.

When one has eleven municipalities carrying out their accountancy work in a different manner, it is difficult to write a solution into an agreement which will satisfy everyone. It is hoped that if all views are obtained at the end of next week, as was suggested, the matter can be satisfactorily resolved.

TRANSPORT (ROAD FUNDS) BILL

Mr MACLELLAN (Minister of Transport), by leave, moved for leave to bring in a Bill to validate certain payments made out of the Roads (Special Projects) Fund to close the road maintenance account in the Country Roads Board Fund, to abolish the Roads (Special Projects) Fund, to amend the Business Franchise (Petroleum Products) Act 1979, the Commercial Goods Vehicles Act 1958, the Country Roads Act 1958, the Motor Car Act 1958 and for other purposes.

The motion was agreed to.

The Bill was brought in and read a first time.

NEW SOUTH WALES ROAD FREIGHT INQUIRY

Mr MACLELLAN (Minister of Transport)—I desire to move, by leave:

That there be presented to the House copies of the first and second reports of the Commission of Inquiry into the Road Freight Industry in New South Wales.

The report is referred to as the McDonell report. It has been tabled in the New South Wales Parliament and I have the permission of Mr Cox, the Minister for Transport in that State, to table it in the Victorian Parliament. I believe it will become a useful document of reference and it ought to be made available to members of Parliament. I shall make arrangements for it to be available in the Parliamentary Library. If any honorable member wishes to pursue the report in detail and wishes to obtain further information from the New South Wales Government, I shall assist.

The motion was agreed to.

Mr MACLELLAN (Minister of Transport) presented the reports in compliance with the foregoing order.

It was ordered that the reports be laid on the table.

CENTRAL GIPPSLAND (BROWN COAL LAND COMPENSATION) BILL

The message from the Council relating to the amendment in this Bill was taken into consideration.

Council's amendment:

Clause 2, lines 13-15, omit the words "to which the interim development orders mentioned in the Schedule apply at the commencement of this Act" and insert "in relation to which the interim development orders mentioned in the Schedule were in force on the 12th day of December, 1979".

Mr LIEBERMAN (Minister for Planning)—I move:

That the amendment be agreed to.

The Bill is intended to provide a set of guarantees to landowners that certain principles relating to valuation of their lands, if and when required for coal purposes, shall apply. In clause 2 "brown coal area" is defined as an area that is affected by certain interim development orders described in the schedule to the Bill. The reason for the amendment is to ensure that, if the interim development orders referred to in the schedule cease to apply, the areas affected by them will continue to be subject to the guarantees provided for in the Bill. The amendment says, in effect, that the interim development orders shall be those interim development orders that were in force on 12 December 1979, which was when the Bill was first introduced into the House.

For the information of honorable members, I advise that the interim development orders have now largely been revoked because their planning provisions have been adopted by the municipalities involved. The amendment is simple and will guarantee the effectiveness of the provisions of the Bill.

On the motion of Mr AMOS (Morwell), the debate was adjourned.

It was ordered that the debate be adjourned until Tuesday, April 22.

VICTORIAN SOLAR ENERGY COUNCIL BILL

Mr BALFOUR (Minister for Minerals and Energy)—I move:

That this Bill be now read a second time.

Its purpose is to establish an organization to be called the Victorian Solar Energy Council to promote research into and develop the use of solar energy.

In May 1977 the Government formed the Victorian Solar Energy Research Committee to review solar energy research in Australia, and advise as to how it should be supported. It acts as the official Government body for publicizing ways in which solar energy can be used now by the public and industry. It demonstrates practical applications and supports the development of technology but does not promote or encourage wide-scale use of solar energy in Victoria, nor is its composition suited to this task.

Solar energy research and development has been undertaken in Victoria for more than 25 years. The pioneering work which the Commonwealth Scientific and Research Organization started, from which its Division of Mechanical Engineering at Highett has achieved international recognition, led to the establishment of the Australian solar water heating industry. This was one of the first in the world to build solar water heaters on a significant scale, and is currently producing equipment to the value of some $20 million annually.

The market in Australia for solar hardware is predominantly for water heating for residential purposes, and for the heating of swimming pools, but there is a growing recognition of the need to expand the technology to industrial applications. Solar energy utilization on a scale which would have a significant impact on the energy economy of the country will require a wide range of research, development and demonstration, and the emerging technology will need encouragement and support in its early stages.

The Victorian Solar Energy Council will provide this support and encouragement so that this new industry can be developed in the State to make solar energy available for a wide range of industrial, commercial, community and domestic applications.

The Australian usage pattern for energy varies between States and is influenced both by climate and the nature of industrial development, but about 50 per cent is used in the form of heat, 40 per cent as fuel for transportation, and 10 per cent is required as electric power. In Victoria the end usage pattern is as follows: 40 per cent for heating, 50 per cent for transportation and 10 per cent for electric power.

The SPEAKER (the Hon. S. J. Plowman)—Order! There is too much audible conversation in the Chamber. I ask honorable members to listen to the Minister in silence.

Mr BALFOUR—In Victoria, we are fortunate that our coal resources ensure that the primary energy needed for the generation of electricity will be available for the foreseeable future. On the other hand, in our modern society, a liquid fuel is required to provide the primary energy for transportation, and industry still uses large quantities of oil, particularly in those parts of Australia where it is difficult or impracticable to convert to natural gas or coal. It will therefore become increasingly important to develop alternative sources of energy to replace oil.

Because so much of our energy usage is in the form of heat, solar heating systems in industry, commerce and homes are the most practicable way of making use of solar energy on a large scale.

Systems are available now which combine solar collectors, thermal storages and an auxiliary fuel to produce a dependable source of heat for industrial processes and domestic hot water. Combined solar-gas, solar-oil and solar-

electric heat generating systems form an important part of the Victorian Solar Energy Research Committee's development and demonstration programme. The new Solar Energy Council will continue and expand this work.

The extent to which solar energy can contribute to the energy economy depends on the actual application. Where this is a process heating system operating at temperatures up to about 80°C, the technology in many cases is already available. There is good reason to believe that within the next decade, solar heat generation will be practicable for processes which operate at temperatures up to about 150°C, which opens up exciting new possibilities. In Australia alone, the investment in new industrial solar heating systems over the next fifteen to twenty years could be potentially capable of supporting a major new manufacturing industry to supply the components and maintain the investment. Prospects for the export of both technology and hardware are very attractive.

One of the ways of producing liquid and gaseous fuel from solar energy is to produce these fuels from biomass and wastes. The term "biomass" is used to describe plant material which is produced by photosynthesis from carbon dioxide and water in the atmosphere together with vegetable and animal wastes which are produced from this plant material.

The SPEAKER (the Hon. S. J. Plowman)—Order! Only a while ago I said that there was too much audible conversation in the Chamber. I can clearly hear the honorable member for Burwood from here. I ask him to keep his conversation at a lower pitch. I am having difficulty in hearing the Minister.

The comment I heard was "unbelievable". I ask the honorable member for Burwood whether that was a reflection on the Chair.

Mr KENNETT (Burwood)—Mr Speaker, the word was not used. You did not hear the word "unbelievable".

The SPEAKER—That is what I heard from the chair. If the honorable member for Burwood wishes to have conversations that are clearly audible from the chair, I ask him to have them outside the Chamber.

Mr BALFOUR (Minister for Minerals and Energy)—Research in a number of countries has led to the development of processes for the production of methane from animal wastes, alcohol from a variety of plant inputs and even hydrocarbons directly from photosynthesis.

The Victorian Solar Energy Council will maintain effective liaison with research workers in Australia and other countries in all the fields of solar energy utilization which could have significant applications in Victoria. It will encourage promising developments and demonstrate and support their application when it becomes appropriate to do so.

There is now evidence that solar energy has the potential of becoming an increasing source of primary energy in the United States of America, Japan, Canada and much of Europe, and the Governments of those countries are actively encouraging the development and use of solar technology and the manufacture of equipment.

Victoria is in an excellent position to lead the way in solar energy in Australia, just as it has been in the forefront with the development of electric power, natural and liquid petroleum gas, and brown coal. It will, however, need a statutory body with a single minded objective of encouraging the development and utilization of solar energy including the research, development and demonstration on which it will be based. An independent statutory body will be able to attract and manage funds from both the private and public sector to promote solar energy utilization in Victoria.

Clause 5 empowers the Victorian Solar Energy Council to promote solar energy utilization as well as to encourage and promote the manufacture in Victoria of components and systems for this purpose. It will also continue the work of the Victorian Solar Energy Research Committee.

The large-scale use of solar energy results from a large number of relatively small installations, each one being located close to the load which it serves. The collectors can usually be located on the roofs of buildings and the skills and trades involved in their installation are very similar to those available in the building industry. Solar energy utilization on a large scale will therefore provide employment. It differs from many of the other new technologies which tend to reduce employment.

The Solar Energy Council is the logical extension of the Victorian Solar Energy Research Committee, which it is intended would be reconstituted with substantially its present membership to form the Victorian Solar Energy Advisory Committee, to advise the council as provided for in clause 11. This will ensure that the expertise and experience possessed by that committee will not be lost.

The Government believes that because of the permanent nature of the Victorian Solar Energy Council, it will be able to attract staff with suitable skills and qualifications to form a centre of excellence for the utilization of solar energy in this State. It will be a source of expert advice to the Government and will become the focus for assistance to both individuals and industry.

The benefits to Victoria of the progressive introduction of solar energy into the State's energy economy are three-fold. Firstly, it benefits the users by providing them with a renewable source of energy which is permanent and clean. Secondly, it provides a home consumption market for the new industries required to manufacture and install the equipment needed, which boosts employment. These industries can supply a potentially large export market as well as the needs of Victoria and other Australian States. Thirdly, it will stimulate innovation and initiative in Australian research and development in the solar energy field, which has already demonstrated its ability to generate new ideas and interact with research work in other countries.

The Government intends to provide the council with the resources needed to perform its tasks, and is aware of the need to appoint as members of the council, people of vision with experience in the management of large enterprises. This Bill indicates that the Government is taking an important initiative in moving Victoria into a new age where an increasing proportion of its primary energy will be generated from a renewable permanent source.

I shall summarize the proposals contained in the clauses. Clause 1 describes the Act as the Victorian Solar Energy Council Act 1980. Clause 2 interprets the terms used. Clause 3 covers the establishment of the Victorian Solar Energy Council as a body corporate and outlines its scope. Clause 4 describes solar energy and includes other indirect forms such as wind energy and biomass.

Clause 5 lists the functions of the council which in summary are:

The encouragement and promotion of solar energy in Victoria including the manufacture of systems and components;

the review, evaluation and encouragement of research, development and demonstration;

liaison with any organization concerned with research, development and demonstration or the manufacture of systems and components for the utilization of solar energy;

informing the public on ways in which solar energy can be used industrially, commercially and domestically, and the contribution it can make to our energy resources.

Clause 6 provides for the council to consist of a chairman and three members appointed by the Governor in Council for terms not exceeding five years. Clause 7 provides for their remuneration. Clause 8 governs the conduct of meetings.

Clause 9 provides for the employment of staff and their conditions of service. Persons employed by the council shall not, in respect of their employment, be subject to the provisions of the Public

Service Act 1974, but provision is made to protect the rights of officers who were previously members of the Public Service. Clause 10 provides for the secondment of staff from universities, industry or elsewhere.

Clause 11 authorizes the Minister to appoint advisory committees. As mentioned earlier, it is intended that a Solar Energy Advisory Committee be appointed, consisting substantially of the members of the present Solar Energy Research Committee. Clause 12 sets out the powers of the council. These include the power to lease but not purchase land, to purchase and dispose of plant and so forth, to enter into agreements, to handle patents, and, with the Minister's approval, to make loans or grants and to enter into contracts the value of which exceed $50 000 or which extend over the period exceeding three years. Naturally, in considering loans for new business establishments the council will be expected to liaise with the Department of State Development Decentralization and Tourism and the Victorian Development Corporation.

Clause 13 provides for the establishment of a general fund which is to be used by the council for its financial operations. Any moneys standing to the credit of the Victorian Solar Energy Research Committee Trust Account are to be paid into the General Fund. Clause 14 authorizes the council, with the approval of the Treasurer, to borrow moneys.

Clause 15 gives power to the Treasurer to execute in favour of a person lending money to the council, a guarantee guaranteeing payment of the loan. It further sets out the conditions in relation to such a guarantee. Clause 16 requires the council to keep proper accounts and records of its transactions and affairs and provides for the statement of accounts to be audited by the Auditor-General whose costs and expenses are to be met by the council.

Clause 17 gives power to the council to acquire property and to accept conditional gifts. The council is thereby enabled to accept land, equipment, instruments or any other property by way of a gift, grant, bequest or demise. Clause 18 requires the council to submit to the Minister an annual report and an audited statement of accounts not later than 1 November each year. The Minister is required to cause the report and the audited statement of accounts to be laid before both Houses of Parliament within three weeks after receiving them if the Parliament is sitting, or within three weeks after the next meeting of Parliament.

Clause 19 provides for the Governor in Council to make regulations which are necessary to prescribe for carrying this Act into effect. Clause 20 states that the council shall be deemed to have been nominated for review by the Public Bodies Review Committee on 1 July 1990, and stipulates that this requirement is in addition to and not in derogation from the powers conferred on the Legislative Council, the Legislative Assembly and the Governor in Council to nominate a public body for review by the Public Bodies Review Committee. I commend the Bill to the House.

On the motion of Mr AMOS (Morwell), the debate was adjourned.

Mr BALFOUR (Minister for Minerals and Energy)—I move:

That the debate be adjourned until Tuesday, April 29.

I give a guarantee to the honorable member for Morwell that if further time is required, it will be made available. I also extend to members of the Opposition and of the National Party the facilities of Mr Roger Morse or anyone else they may wish, to enable them to obtain a full understanding of this Bill.

Mr AMOS (Morwell)—I accept the assurance given by the Minister and thank him for offering the services of Mr Roger Morse and other officers.

The motion was agreed to, and the debate was adjourned until Tuesday, April 29.

TOWN AND COUNTRY PLANNING (AMALGAMATION) BILL

Mr LIEBERMAN (Minister for Planning)—I move:

That this Bill be now read a second time.

The Bill will implement the Government's decision to amalgamate the Ministry for Planning and the Town and Country Planning Board as a new Department of Planning. It will streamline planning administration to make best and most economic use of talent and resources.

When I introduced the Town and Country Planning (General Amendment) Bill during the previous sessional period of Parliament, I informed the House that some of the provisions incorporated recommendations of the final report of the Building and Development Approvals Committee, which is referred to as BADAC. I told the Parliament that other BADAC recommendations relating to the amalgamation of the land use appeals system into a single tribunal would be included in the Planning Appeals Board Bill; and subsequently, I introduced that Bill during the last sessional period to lie over for study and submission. The revised legislation will be submitted in this session of Parliament. The Town and Country Planning (General Amendment) Act and the Planning Appeals Board Bill embody major parts of the BADAC recommendations dealing with the streamlining of the administration of planning and appeals.

The Bill now before the House, the Town and Country Planning (Amalgamation) Bill, will implement BADAC's recommendations on the consolidation of State planning resources. The recommendation that the Ministry for Planning and the Town and Country Planning Board be amalgamated involved policy decisions of major significance, so the BADAC recommendations were widely circulated for comment and suggestion. With the introduction of this Bill the only major BADAC recommendation still outstanding is the one on subdivision law and the BADAC steering committee is giving this priority consideration.

The first three BADAC recommendations implemented by this Bill are summarized as:

1. There should be a new Department of Planning amalgamating the Ministry for Planning and the Town and Country Planning Board;

2. While the duties and staff of the board should be absorbed in the new department, the board itself or a similar body should continue to act as independent adviser to the Government on policy matters. Such an advisory body would have not more than one full-time member and a small tightly-knit staff;

3. There should be an advisory committee to advise the Secretary for Planning and the Minister on matters affecting the development industry referred to it by them. The committee would be representative of the building and planning industries and departments and authorities involved in processing approvals.

These BADAC recommendations and the submissions received were assessed by the independent steering committee headed by the Chairman of the Building and Development Control Administration, and including the Secretary for Planning, the chairmen of the Town and Country Planning Board and the Public Service Board, the Secretary for Local Government and the Chief Parliamentary Counsel. They also came under independent scrutiny from a Public Service Board Management Review Team, which did in-house appraisals of the work and duties of both the Ministry and the Town and Country Planning Board.

Each of these independent assessments strongly supported the recommendations, but with reservations on the manner in which recommendations 2 and 3, to which I have just referred, may be implemented.

The Bill proposes the establishment of a consultative council whose role will be:

(*a*) to advise the Minister, at his request, on any matter relating to the use and development of land;

(*b*) to advise the Minister in relation to statements of planning policy, and also on strategy plans prepared by the

Upper Yarra Valley and Dandenong Ranges Authority.

The Bill proposes a consultative council of seven members appointed by the Governor in Council on the recommendation of the Minister. The chairman, who will be the only full-time member, will be an experienced town planner. The Minister will choose two members with experience in local government and community affairs; two will be chosen from names submitted by planning organizations; one from names submitted by industrial or commercial organizations; and one from the land development field.

The idea of a planning consultative council is to provide the Minister with a broadly based second opinion, where he considers this necessary. In addition, the chairman will have the job of co-ordinating independent panels to consider submissions on planning schemes. There is provision for these panels in the Town and Country Planning (General Amendment) Act passed during the last sessional period.

This Bill will also empower the Minister to appoint specialist committees to advise on specific matters, similar to those that can be established now under section 7 (4) (*e*) of the Town and Country Planning Act. For example, such a committee may embrace all sections of the building and planning industries. It is intended that these specialist committees be able to advise on a wide range of matters as referred by the Minister, and that they be a source of input, specialist expertise and local knowledge.

Formation of the new Department of Planning will be a two-part process, because the Ministry comes within the Public Service, while the board is a statutory authority. Initially, the new department will be set up under the Public Service Act, and the staff of the Town and Country Planning Board will be transferred to the Public Service by proclamation of Parts I and II of this Bill, and the organizational structure will be established. Work has already begun on arrangements for the transfer and on the organization structure. The second step, the transfer of the board's statutory functions to the Minister and the new department, the dissolution of the board and repeal of the Ministry for Planning Act, will be effected by proclamation of Parts III, IV and V of this Bill.

The Public Service Board's Management Review Team that I mentioned earlier, is assisting in the large amount of work already being done on structuring the organization of the new department on corporate planning lines. Necessarily there will be what I may term a priming period between proclamation of the parts of the Bill to allow the new organizational structure to be set and ready to become operative. In other words, Parts I and II transferring board staff to the Public Service will be proclaimed first. When the transfer is effected and the organization is operable, Parts III, IV and V will be proclaimed putting the new department into gear and dissolving the Ministry and the board. I anticipate that this new Department of Planning will be operational early in 1981.

I emphasize that it will be a new department, not merely an amalgamation of existing organizations. The establishment of a new department on corporate planning lines will wipe out duplication and bring our resources together as the strongest body of planning expertise in the State. To maximize efficiency and service to the public, the new department's Melbourne staff will eventually be housed under the one roof, instead of being dispersed as at present. Branch offices of the department will be deployed at key centres throughout the State, so that State planning can get as close as possible to the people.

When I spoke to the Town and Country Planning (General Amendment) Bill, I foreshadowed the overhaul of the Town and Country Planning Act to simplify and update it. The proposed legislation that the House is considering now will permit this work to go forward with regard to the new structure of State planning, and I hope that legislation will be ready for presentation to Parliament in the autumn sessional period next year.

The foundations have already been set to ensure that the new Department of Planning has at the outset procedures that have been reviewed, revised and updated to meet efficiently the needs of planning in the 1980s. This legislation should be enacted during this session, so that we can look forward to the Department of Planning being in operation in the early part of 1981. I commend the Bill to the House.

Mr CAIN (Bundoora)—I move:

That the debate be now adjourned.

This matter has been discussed between us and the period of adjournment agreed upon was two weeks. The Minister indicated that, if further time was considered necessary, he would consider that. I point out that it is a Bill of considerable consequence, as the Minister has said quite forthrightly in his second-reading speech, and it has been brought in very late in the sessional period. I note from a comment from the Deputy Leader of the National Party that he would have wished for a longer adjournment. I stand by what the Minister and I agreed upon and I simply indicate that it was said by the Minister that if there were any difficulties more time could be arranged.

Mr WHITING (Mildura)—The Minister did not indicate to the House whether he intended to have the Bill passed through both Houses of Parliament during this sessional period.

Because of the major nature of the Bill and its being introduced late in a sessional period, it would normally be held over until next session. If the Minister intends the Bill to be passed during this sessional period, members of the National Party will need to receive feedback from municipal councils and it is difficult to fully consider the measure in the time that is available. There are only two weeks remaining, from today. Does the Minister intend to continue with the Bill during this sessional period and will additional time be provided, if necessary? I do not know whether he spelt that out clearly.

Mr LIEBERMAN (Minister for Planning)—I thank honorable members who commented that this is an important Bill. Substantial consultation has taken place. In my second-reading speech I referred to the BADAC report and recommendations which have been circulated to members of Parliament and interested groups in the community. Submissions have been made by a number of people and an enormous amount of work has already been done.

However, it is my wish that, if possible and reasonable, the Bill should be dealt with during this sessional period. The suggestion that the debate be adjourned for two weeks is to enable members of the two parties to assess their position. As I said, officers of my department and I will make ourselves available for a reasonable briefing session and if at the end of two weeks there is grave difficulty in proceeding, then I will take action, but at this stage I will be seeking to have the Bill dealt with during this session.

Mr McINNES (Gippsland South)—The Bill is extremely important. In his second-reading speech the Minister referred to the BADAC report. Some time has elapsed since that study was made and there is evidence that there is still some measure of disagreement on it.

Although not at this stage forecasting any attitude on the Bill, I believe substantial time is needed to consider it. The Minister indicated this measure should pass through this House—presumably both Houses—in the course of this sessional period which allows only another two or three weeks for consideration.

I join with my Deputy Leader in saying that I should like to receive feedback from the people who are most affected, namely, municipal councils and others in the industry. Although I appreciate the offer of consultation with officers of the Minister's department, I am hesitant to say that it should be limited to two weeks when there are such important and wide-ranging ramifications in an area of administration that has traditionally caused lots of headaches.

The motion for the adjournment of the debate was agreed to, and it was ordered that the debate be adjourned until Thursday, May 1.

UPPER YARRA VALLEY AND DANDENONG RANGES AUTHORITY (AMENDMENT) BILL

Mr LIEBERMAN (Minister for Planning)—I move:

That this Bill be now read a second time.

The Bill, which provides the first amendments to the Upper Yarra Valley and Dandenong Ranges Authority Act 1976, deals with several routine matters and arises out of the experiences of the authority over the past few years since it commenced operations.

The principal feature of the Bill is to provide for the authority's accounts to be audited by a municipal auditor instead of the Auditor-General. The Auditor-General has been consulted in this respect.

This measure is designed to bring the audit provisions of the authority into line with other agencies which have a responsibility in relation to regional planning under the Town and Country Planning Act 1961 and the Geelong Regional Commission Act 1977. The amendment, therefore, will enable the audit of the authority's accounts on a similar basis to audits of these agencies. The provision for municipal audit also will overcome specific difficulties experienced in procedural matters concerning the maintenance of the authority's accounting records.

The opportunity has been taken to make some minor changes to the Act. In particular, section 8 (5) is to be amended to clarify that a substitute member may be appointed by a municipal council to attend authority meetings in respect to each authority member which the council may appoint. This will overcome doubt as to how many members a council may appoint as substitute members.

Section 27 (3) is to be amended to provide for a time to be specified for the issue of a precept by the authority, namely, not later than 31 October in each year. At present no time is specified and such a provision will accord with similar provisions in the Town and Country Planning Act 1961 and provide certainty to member councils represented on the authority.

The proposed amendment to section 29 (5) repeals the words "building or" for consistency with section 29 (2) so that any member of the authority or an authorized officer of the authority shall not enter any building. It was not intended when the Act was prepared that members or officers should enter buildings.

The remaining changes to the Act are consequential upon the altered audit provisions and are detailed in the explanatory memorandum which accompanies the Bill. I commend the Bill to the House.

On the motion of Mr CAIN (Bundoora), the debate was adjourned.

It was ordered that the debate be adjourned until Thursday, May 1.

PENSIONERS' RATES REMISSION BILL

Mr THOMPSON (Treasurer)—I move:

That this Bill be now read a second time.

The Bill has a delightfully vague short title, namely, "To make further provision with respect to the payment of certain rates and charges". Nevertheless, it has a specific intent and carries out an undertaking made in the Budget speech of September 1979. The aim of the proposed legislation is to place an upper limit on concessions granted to pensioners in the payment of municipal rates. The proposal was raised by the Municipal Association of Victoria, which suggested that consideration might be given to it by the Government.

The rates adopted are in line with the levels operating in the sister State of New South Wales. When the scheme was introduced in 1976, it cost the Government some $6 million for a full year. In the current year the subsidy is costing the State $27 million, so it can be seen from those figures that the cost is growing at a somewhat worrying rate.

The aim of the Bill is to place an upper limit or ceiling on the concessions to be granted, and it provides that in the case of the payment of municipal rates, the concession will be 50 per cent or $120, whichever is the lesser, and in the case of water and sewerage rates, it will be 50 per cent or $60, whichever is the lesser. Where in each case a pensioner and spouse are jointly liable for the payment of rates, they will be treated as one unit. As I mentioned, the level in New South Wales has been the level adopted in Victoria. The case of a pan system operating in a country area will be treated in the same way as the sewerage rate, so that the compensation will be $60 or 50 per cent, whichever is the lesser.

There were some worries about people living in outback areas, and for that reason, to make sure that they were not unfairly treated, the Bill has been amended to ensure that they are placed on the same basis as people living in a sewered area.

The major aim of the Government in introducing proposed legislation of this type is to ensure that scarce funds are used in the areas where the greatest need exists. I commend the Bill to the House.

On the motion of Mr FORDHAM (Footscray), the debate was adjourned.

It was ordered that the debate be adjourned until Tuesday, April 29.

WANGERRIP (LAND EXCHANGE) BILL

Mr BORTHWICK (Minister of Health) —I move:

That this Bill be now read a second time.

The purpose of the Bill is to enable an exchange of 35·04 hectares of Crown land being allotments 126 and 127, Parish of Wangerrip, for an area of 30·82 hectares of freehold land being allotment 77, Parish of Barwongemoong owned by Mr and Mrs Bryce Leslie Johnson of Devondale. The exchange was suggested by those landowners during investigations conducted by the Land Conservation Council with respect to the use of public land in the Corangamite study area. The council in its final recommendations considered that the exchange should be effected in the interests of both the Crown and the Johnsons.

The freehold land is a steeply sloping area of bushland which should be conserved by adding it to an adjoining area of Crown land proposed for streamside amenity. The Crown land is undulating country contiguous to the Johnson's dairy farming property and which rather intrudes into that property. An area of 26 hectares of the Crown land is being grazed by them under licence. Further, the local dairy inspector has requested that the Johnsons erect a new dairy and the most suitable site for the new dairy is on the Crown land.

Valuations of both parcels of land have been obtained from the Valuer-General, the Crown land being valued at $17 500 and the freehold land at $19 000. However, as the Department of Crown Lands and Survey has carried out the survey of both parcels of land at its expense, the exchange is being effected without payment of monetary consideration by either party. I commend the Bill to the House.

On the motion of Mr FORDHAM (Footscray), the debate was adjourned.

It was ordered that the debate be adjourned until Thursday, April 24.

DIETITIANS BILL

Mr BORTHWICK (Minister of Health) —I move:

That this Bill be now read a second time.

All honorable members will be aware of the importance of a proper and balanced diet and good nutrition in promoting the health and the well-being of the members of our community. Accordingly, it is essential that not only are people who give dietary advice on a professional basis qualified to do so but also that the high standards of training required of dietitians and, indeed, the integrity of the profession, are maintained.

Legislation requiring the registration of dietitians was first enacted in Victoria in 1942. The Dietitians Registration Act of that year constituted a Dietitians Registration Board of Victoria and, among other things, required registration with the board as a prerequisite for any person wishing to practise as a dietitian in this State. Although various amendments have been made from time to time to the original Dietitians Registration Act, the Bill before the House represents the first complete redrafting of the legislation for nearly 40 years.

The effect of the Bill will be to constitute a new board, which is to be known as the Dietitians Board of Victoria, and generally to update the provisions relating to the registration and practice of dietitians and to present the legislation in a more logical form. A number of obsolete provisions, such as the automatic right of registration of a person who had been engaged before 1943 in the practice of consultant or institutional dietetics for at least three of the four years immediately prior to his beginning war service, are to be repealed.

The Bill contains 30 clauses and, for the assistance of the House, I now propose to comment on each clause in turn.

Clause 1 is the usual citation clause and provides that the Act shall come into operation on a day to be fixed by proclamation of the Governor in Council. Clause 2 is the interpretative provision and defines the meanings of various terms used in the Bill.

Clause 3 constitutes the new Dietitians Board of Victoria. The board is to have seven members appointed for a maximum term of three years.

It is to comprise a chairman; a person engaged in the teaching of human nutrition or dietetics at a university in Victoria; a suitably qualified officer nominated by the Health Commission; a registered dietitian concerned with the training of dietitians in a hospital appointed from a panel of names submitted by the Victorian Hospitals Association; a registered dietitian appointed from a panel submitted by the Dietetic Association Victoria; and two other members who, initially, will be persons holding degrees, diplomas or other qualifications relating wholly or mainly to dietetics but who, in the case of future appointments, will be registered dietitians elected by dietitians.

The composition of the new board reflects changes in the profession and the teaching of dietetics which have taken place over the years and will ensure that those bodies which are currently interested or involved in the training and welfare of dietitians are represented on the board. Provision is being made for the payment of fees, expenses and allowances to members who are not public servants.

Clause 4 deals with the filling of vacancies on the board. Clause 5 sets out the procedures to be followed at meetings of the board and gives the chairman, or person presiding at the meeting, a second or casting vote in the event of a deadlock.

Clause 6 specifies the powers and duties of the board. These, generally, are similar to the powers given to the former board under section 5 (1) of the Dietitians Registration Act 1958, although the new board is to be given the additional and necessary responsibility of proposing the prescribing of degrees, diplomas and other qualifications for the purpose of the qualification of persons for registration under the Act.

Clause 7 empowers the board to appoint examiners for the purpose of the Act. Clause 8 provides for the appointment of a registrar and such other officers as are necessary for the purposes of the Act. These appointments are to be subject to the Public Service Act.

Clause 9 requires the board to maintain a register of dietitians. Clause 10 goes on to require either a copy of the register or amendments made to the register to be published each year in the *Government Gazette*. Clause 11 provides that a copy of the register published under the Act or a certificate

signed or purporting to be signed by the registrar shall be prima facie evidence of the facts stated therein. Clause 12 deals with the registration of applicants to practise as a dietitian in the State of Victoria and sets out the qualifications required for registration.

Clause 13 will empower the board to grant temporary registration. This power does not exist in the current legislation and will enable the board to grant temporary registration in two sets of circumstances. The first is the case of a person who already holds a dietetic qualification which, for some good reason or other, is not recognized in Victoria. In such instances, the board will be able to grant temporary registration to such a person while, say, he or she undertakes the additional study necessary to qualify for full registration.

The second is to cover the situation where a person who has qualified overseas or interstate is in, or is coming to, Victoria for the purpose of teaching or carrying out research in dietetics. The board is to have power to grant temporary registration to such person on the application of the governing body of an approved teaching or research institution.

Clause 14 requires a person registered under the Act to renew his registration each year in order to remain on the register of dietitians. Clause 15 empowers the board to cancel or suspend the registration of a person in certain circumstances such as the fact that registration was obtained by fraud or misrepresentation or the person has been convicted of an offence under the Act. The clause goes on to require the board to hold an inquiry before any registration is cancelled or suspended and gives the person concerned an opportunity to give an explanation personally or in writing.

Clause 16 confers on the board some of the powers of a board of inquiry when it is carrying out an investigation or inquiry under the Act. The powers concerned are the power to summons persons and papers and the power to administer on oath and examine on oath.

Clause 17 gives any person aggrieved by the refusal of the board to register him, or by the cancellation or suspension of his registration, a right of appeal to a judge of the Supreme Court. Clause 18 requires any person whose registration has been cancelled or suspended to surrender his certificates to the board.

Clause 19 makes it an offence to obtain or to try to obtain registration by fraud. Clause 20 fixes a penalty of $400 for failing to comply with lawful orders of the board, failing to surrender a certificate to the board within fourteen days after his registration has been cancelled or suspended, or contravening any of the regulations.

Clause 21 confers upon registered dietitians the right to practise dietetics in any part of Victoria. Clause 22 in effect, exempts medical practitioners, dentists, domestic science teachers and nurses in the ordinary course of their duties from any requirement to register under the Act.

Clause 23 enables a practice to be carried on for a period in the name of a registered dietitian following the death of a dietitian provided that the business is conducted in good faith by a registered dietitian. This clause will allow, among other things, a business to be carried on after the death of a dietitian pending the finalization of his estate or the sale of the practice.

Clause 24 prohibits a registered dietitian from practising in other than his own name and also prohibits the use of a number of terms. The clause also prohibits the use of certain terms by a person who is not registered under the Act which could imply that he or she is a registered dietitian.

Clause 25 provides that all fees and penalties paid or recovered under the Act shall be paid to the board and that the board shall apply the fees and penalties to the general expenses of the board. The clause also requires the board to prepare a financial statement as soon as practicable after 30 June each year and for the statement to be audited by the Auditor-General.

Clause 26 requires the board to submit an annual report to the Minister and for the report to be tabled in both Houses of Parliament. Clause 27 fixes a penalty of $2000 for offences against the Act. Clause 28 empowers the board to authorize persons to prosecute on its behalf.

Clause 29 provides the heads of power for the making of regulations under the Act. Clauses 30 and 31 contain the transitory provisions necessary and consequential upon the repeal of the Dietitians Registration Act and the constitution of the new Dietitians Board of Victoria.

As I indicated earlier, the Bill will update the existing legislation relating to the registration and practice of dietitians in the State of Victoria and the changes being made will help maintain the standard of dietary and nutritional advice given in Victoria and promote the welfare of the profession. I commend the Bill to the House.

On the motion of Mr ROPER (Brunswick), the debate was adjourned.

It was ordered that the debate be adjourned until Thursday, May 1.

COUNTRY FIRE AUTHORITY (AMENDMENT) BILL

Mr THOMPSON (Minister for Police and Emergency Services)—I move:

That this Bill be now read a second time.

In so doing, I compliment my officer who compiled the notes attached to the front of the Bill explaining its provisions. They have been set out succintly and will be a valuable aid to honorable members who would otherwise have difficulty in interpreting the various clauses.

The Bill has three significant operations and makes a few minor drafting amendments. Firstly, it enables the Country Fire Authority to declare a day of total fire ban after the commencement of that particular day because of prevailing climatic conditions. Secondly, it enables the authority to revoke a total fire ban declaration before the completion of the particular day because of changing climatic conditions. Over the years, it has often been desirable to either declare a total fire ban day on the day or to revoke the ban before the completion of the day because of changed weather patterns and it has not been possible to do so. Sometimes the best of forecasts will indicate that the day will not cause great concern about fires but a strong north wind may blow up suddenly to make that day susceptible to fire danger.

To overcome the difficulty some people may experience in determining whether the day has been declared a day of total fire ban, clause 2 (c) makes it clear that in proceedings against an offence, a reasonable defence is provided if the defendant proves that he did not know or could not have reasonably known that the day had been so declared and if he had taken all necessary precautions to prevent the spread of the fire.

Mr Whiting—The provisions of the Bill could be extended to introduce regionalization.

Mr THOMPSON—Lengthy discussions have ensued on the value and practicality of regionalization and there is apparently considerable division of opinion on its desirability. Many members of the Country Fire Authority and urban and rural units believe it could cause confusion, especially to travellers and picnickers who would not be sure of the fire region they were in. The Government has not dismissed the thought of giving the authority power to regionalize fire bans but it will require much more examination and discussion before any legislative change can be introduced.

The third aspect of the Bill is to allow funds from fines imposed by municipal authorities as a result of failure to clear fire hazards to go to the municipal council to contribute towards expenses. At present, the money goes into the Consolidated Fund. Over the years, requests have been made for this provision and in a burst of generosity the Government has agreed to this change. A total fine of $1000 can be imposed and last year the sum collected in this way was only

$2000 or $3000. Nevertheless, the request has been made; it has been acceded to, and the Bill carries out that undertaking.

The other minor points covered in the Bill are referred to in clause 4. Paragraph (*a*) changes the definition of Minister from the Chief Secretary to the Minister for Police and Emergency Services, and (*b*) substitutes the words "a Minister" for "the Minister". Where action has been taken by a Minister to clear a fire hazard, there is a right for this to be funded from public funds. At present the Act allows only the Minister for Police and Emergency Services to carry out this work. Other Ministers, such as the Minister of Lands and possibly the Minister of Forests, may want to have fire hazards cleared and they shall now be able to do so with the use of public funds.

Paragraph (*c*) inserts after the words "regional officer" the expression "assistant regional officer". Where action has been taken to carry out the functions of a proper officer because of the failure of a particular officer to carry out his duties and where this action has been taken by a regional officer, any expense incurred can be funded from council funds. Provision is now made for the assistant regional officer as well as the regional officer and the assistant chief officer to do this type of work. It seldom occurs, but on some occasions regional officers are obliged to take over the role of the proper officer of the local authority and this minor amendment in the Bill allows for any expenditure incurred in funding. Paragraph (*d*) stems from an amendment to the Stamps Act. Paragraph (*e*) is a drafting omission that was detected by a legal person.

The Bill gives greater flexibility to the Country Fire Authority and makes allowance for the fact that, at least for part of the year, Victoria's weather conditions are subject to climatic change. I commend the Bill to the House.

On the motion of Mr SIMPSON (Niddrie), the debate was adjourned.

It was ordered that the debate be adjourned until Tuesday, April 29.

RAILWAYS (BRIDGES) BILL

Mr MACLELLAN (Minister of Transport)—I move:

That this Bill be now read a second time.

The Bill seeks to amend the Railways Act 1958 to empower the board to construct additional or substitute bridges within 40 metres of an existing line of railway. Where an old railway bridge must be replaced it is often necessary to build the new structure nearby and retain the old bridge until the new one is completed so that rail services can be maintained without interruption.

The board has no general powers to construct railways; there must always be an enabling Act. The Railways Act however, in section 79, empowers the board to do certain things in respect of making railways, and contains the general power that "it may do all other things necessary or convenient for making, maintaining, altering or repairing and using the railways".

This general power, however, is limited to some extent by section 80 of the Railways Act which requires Ministerial sanction for the construction of certain works and imposes a limitation on the amount of land which may be acquired for the purpose of constructing those works. Section 80 specifically limits the board's powers in respect of bridges so that it may only "widen bridges or raise or lower bridges".

This inadequacy was brought to my attention by legal advice in relation to the contemplated replacement of the timber bridge over the Koroit Creek between Mobiltown and Seaholme.

There are many other old timber bridges around the Victorian Railways system approaching the end of their economic lives and, accordingly, it is desirable that the board's powers be widened to enable the board to construct additional or substitute bridges. Naturally, if it were desired to build a bridge outside the 40-metre limit, special enabling legislation would be sought. I commend the Bill to the House.

On the motion of Mr WALSH (Albert Park), the debate was adjourned.

It was ordered that the debate be adjourned until Thursday, April 24.

The sitting was suspended at 1 *p.m. until* 2.3 *p.m.*

TRANSPORT (ROAD FUNDS) BILL

Mr MACLELLAN (Minister of Transport)—I move:

That this Bill be now read a second time.

It seeks to validate the purchase of properties in Alexandra Parade and to simplify the structure of funding for the Country Roads Board.

As honorable members will know, the Government announced in December 1977 its decision to offer to "buy out" any resident who wanted to leave Alexandra Parade, between Gold and Brunswick streets. Since that time, 23 properties in the area have been purchased by the Crown involving the expenditure of some $800 000.

The Government also agreed to provide noise buffers and sound-proofing on properties still in private ownership and funds have been made available for these purposes. Funds have been provided for noise reducing measures on a number of properties purchased, including fitting double glazed windows, heavier front doors, roof insulation and forced ventilation. The costs incurred in the property purchases and for noise amelioration have been met from funds provided by the Treasurer from the Roads (Special Projects) Fund for the Eastern Freeway special project.

The Roads (Special Projects) Fund was established under section 7A of the Motor Car Act in 1965, and various proportions of registration fees are paid into the fund. Out of the fund there may be paid such sums as the Treasurer thinks fit for or towards the cost of such special projects for the construction and improvement of roads as are approved by the Governor in Council on the recommendation of the Treasurer. There is now doubt as to whether these costs could be validly charged against the fund. One of the purposes of the Bill is to remove any doubts concerning the validity of those past expenditures for property purchases and noise amelioration measures.

Clause 3 provides for the validation of payments made out of the Roads (Special Projects) Fund in the purchase of properties in Alexandra Parade between Gold and Brunswick streets, and for anti-noise measures in that part of Alexandra Parade. To enable the Government's original commitment to continue, clause 4 will enable the Country Roads Board to complete property purchases requested by residents and to undertake noise amelioration work.

Clause 5 provides for payment to the Country Roads Board Fund of proceeds from the sale or lease of any property purchased by the Crown in Alexandra Parade between Gold and Brunswick streets. As the cost of the property purchases by the Crown has been met from the Roads (Special Projects) Fund, it is appropriate that proceeds from disposal of the properties be made available for Country Roads Board purposes.

I turn now to the further purposes of the Bill concerning changes to simplify the existing arrangement of road funds. As honorable members will know, the arrangement of road funds is complex. The basic reason for this complexity is the multiplicity of separate funds that are involved. I am bound to say that the Commonwealth Government adds very substantially to this complexity with the number of categories of roads for which it provides financial assistance to the State and the approvals that must be obtained for the granting of those funds.

One of the separate funds is the Roads (Special Projects) Fund, which was set up by the Roads (Special Projects) Act 1965. Money was provided by the Treasurer from the fund for special projects undertaken in the metropolitan area by the Melbourne and Metropolitan Board of Works. Honorable members will recall that under the provisions of the Metropolitan Bridges Highways and Foreshores Act 1974, the responsibilities of the Melbourne and Metropolitan Board of Works for metropolitan bridges and highways were transferred to the Country Roads Board. The purpose of the fund has run its course.

The Bill seeks, from 1 July 1980, to abolish the Roads (Special Projects) Fund established under the Motor Car Act and to redirect moneys via the Consolidated Fund to the Roads and Special Projects Fund under the control of the Minister of Transport and established under the Business Franchise (Petroleum Products) Act. This will bring into the one fund the franchise licence fees on the sale of petroleum products and that part of motor registration fee collections that under section 7A of the Motor Car Act now goes to the Roads (Special Projects) Fund.

In its new form the Roads and Special Projects Fund will provide payments to the Country Roads Board Fund for road works previously funded from the Roads (Special Projects) Fund; replacement of revenues lost to the board through the recent reductions in motor vehicle registration fees for pensioners, 50 per cent; taxis, 50 per cent; general reductions, approximately 15 per cent; replacement of revenues lost through the abolition of road maintenance charges; allocations for special impact works; and supplementary allocations to municipalities for road works.

The Government proposes that this 25 per cent be increased to 75 per cent. The existing provisions of section 11 of the Business Franchise (Petroleum Products) Act are amended by clause 6 (*b*) to ensure that the Country Roads Board receives no less than 75 per cent of the Roads and Special Projects Fund.

I now turn to further provisions of the Bill aimed at simplifying the structure of accounts kept by the Country Roads Board. The board is required to keep a road maintenance account in the Country Roads Board Fund to receive road maintenance charges and channel these funds to road maintenance.

Honorable members will recall that the road maintenance charges scheme was introduced in 1955 in an attempt to obtain a reasonable contribution from operators of heavier commercial goods vehicles towards the cost of maintenance of the roads. Honorable members will be aware that in addition to payments to the Country Roads Board this fund currently meets subsidy payments to private enterprise route bus operators.

Clauses 6 and 8 make provisions for the abolition of the Roads (Special Projects) Fund and for redirection of net revenues to the Roads and Special Projects Fund through the Consolidated Fund. With the changes in revenues to the Roads and Special Projects Fund and the commitments for providing finance for roads, it is appropriate to restate the proportion of the fund guaranteed for the Country Roads Board.

Under section 11 of the Business Franchise (Petroleum Products) Act the Country Roads Board Fund is guaranteed 25 per cent or $10 million from the Roads and Special Projects Fund.

The introduction of this scheme followed judicial interpretation of questions arising under section 92 of the Commonwealth Constitution.

The road maintenance charges scheme withstood constitutional challenges in the High Court on the basis that the charges were directly related to the use and wear and tear of roads by vehicles and the charges did not discriminate between intrastate and interstate operators.

An essential element of the scheme was the use of collections solely for road maintenance purposes and the Commercial Goods Vehicles Act, which introduced the charges, specifically provided that collections were to be paid into a Road Maintenance Account kept in the Country Roads Board Fund. In practice the scheme did not operate after 30 June 1979 and as part of the action to restructure and simplify funds, the statutory requirement to keep the account can be deleted. As with the Roads (Special Projects) Fund, the necessity for this separate account no longer exists.

Provisions have been included in clause 7 of the Bill to amend the Commercial Goods Vehicles Act to delete reference to the Road Maintenance Account in the Country Roads Board Fund. The Country Roads Board will

ensure that it meets any requirement regarding the handling of any late payments.

The Bill also deletes reference to the account from the Business Franchise (Petroleum Products) Act.

This measure will not only take away any doubts concerning property purchases and noise reduction works that have been or are to be made in the Alexandra Parade area, but also takes a step towards simplifying the complex area of road funding.

I apologize to honorable members for the complicated nature of the Bill. However, it does seek to achieve three purposes. I offer to my friends from the Opposition and from the National Party the opportunity to consult with officers of the Country Roads Board on the Bill to enable them to be briefed on its impact and purposes. If they are concerned with any other areas, such as the acquisition of properties that involves Crown land, then they will have to consult other Ministers. However, as I understand the position, there is no information that cannot be made available and if honorable members would indicate to me the aspects they are interested in pursuing, whether they are the Country Roads Board aspects, the property purchases aspect, or the combination of a number of aspects which are of interest to them, then I shall make the necessary arrangements for them to be briefed by appropriate officers who might be able to explain the details of those matters to them. I make that offer quite willingly, and I commend the Bill to the House.

On the motion of Mr CRABB (Knox), the debate was adjourned.

It was ordered that the debate be adjourned until Tuesday, April 29.

PROTECTION OF ANIMALS (AMENDMENT) BILL

Mr BORTHWICK (Minister of Health) —I move:

That this Bill be now read a second time.

Since the Protection of Animals Act 1966 was transferred to the administration of the Minister for Conservation in July 1979, departmental officers have had long and detailed discussions with officers of the Royal Society for the Prevention of Cruelty to Animals on the problems which the society has met in operating under the provisions of the present Act.

Honorable members will be aware of the magnificent job which the Royal Society for the Prevention of Cruelty to Animals has done, and in recognition of these efforts, the Government makes a significant annual contribution to the cost of the society's enforcement activities.

As the major animal welfare organization in Victoria, the Royal Society for the Prevention of Cruelty to Animals is well placed to monitor community attitudes and advise the Government on changes which it considers necessary in the legislation from time to time.

In fact, one of the jobs of the society is detailed in the schedule to the Royal Society for the Prevention of Cruelty to Animals Act 1966 as "procuring the passage of such legislation as may be thought expedient", and therefore it is competent for the society to make recommendations to the Government on amendments to animal welfare legislation.

The views of other organizations in the animal welfare field which have been put to the Government in recent times were also examined. Other views have also been received from the Municipal Saleyards Association (Vic.) and local government organizations.

When all these views were synthesized, it became evident that there is a growing community awareness and changing attitudes in the field of animal welfare. This indicated to the Government that considerable changes were required to update the Protection of Animals Act.

The recommendations of the Statute Law Revision Committee on the destruction of unwanted animals and steel-jawed traps have also been taken into consideration. Clause 4 will give effect to the Government's policy on this issue. Further changes to the legislation are proposed as a consequence of

the transfer of the administration of the legislation from the Chief Secretary to the Ministry for Conservation.

The Bill contains eleven clauses, and I now propose to comment on each of these provisions in turn.

Clause 1 is the usual citation clause. Clause 2 amends the principal Act by varying the definition of "animal" in section 3 of the Act to include any species of the sub-phylum *vertabrata*. This brings marine animals such as whales and porpoises within the scope of the Act. Fish, human beings and venomous reptiles are specifically excluded.

Clause 3 amends the principal Act by repealing the previous interpretation of cruelty in section 3 and for sections 4 and 5 substitutes several interpretations covering acts of cruelty. A number of specific acts are now deemed to be cruel. This variation of the definition will now relate to the ill-treatment of an animal rather than the previous infliction of pain. Provision is made for religious rites killings.

Clause 4 amends the principal Act in section 6 (*b*) and (*c*) by repealing and substituting various words relating to baiting, fighting and procuring of animals and adds paragraph (*d*) in respect to blooding greyhounds, inasmuch as any person using a live animal as a lure or killing for that purpose is guilty of an offence. It also repeals section 48 of the Wildlife Act as it relates to the blooding of greyhounds which as a result of this amendment becomes unnecessary. Previously, it was only an offence in respect of wildlife and this provision now extends to cover animals such as rabbits, dogs and cats.

Clause 5 proposes an amendment to section 11A (5) of the principal Act in paragraph (*b*) by expanding the term "calf dogging" to the broader definition "animal dogging, roping or tying". This interpretation more adequately describes events on current rodeo programmes.

Clause 6 inserts a section 11B following section 11A of the principal Act where the Minister may delegate the power to grant an application and issue a permit under sections 9 and 11A as they relate to private zoos and rodeos.

Clause 7 amends the principal Act in section 12 (1) after paragraph (*a*) by inserting a paragraph (*aa*) providing for any act being done in accordance with accepted farming practices not to be subject to the provisions of the Act.

Clause 8 amends the principal Act by inserting a section 12A (1) after section 12 prohibiting the use of steel-jawed traps in cities, towns and populous places.

Clause 8 (2) provides for owners or occupiers of land not being subject to restrictions on setting out traps where it relates to the protection of his commercial livestock or cropping operations.

Clause 9 amends the principal Act in sections 6, 7 (1), 9 (1), 9 (4) (*h*), 10 (2) (*i*), 11 (5) and 20A in paragraphs (*a*), (*b*), (*c*), (*d*) and (*e*) in respect of amounts of money as they apply to penalties. The ratio of increases are in the order of 4:1 to 10:1 with the purpose of bringing penalties into keeping with current money values and the seriousness of the offence.

Clause 10 amends the principal Act in section 14 (1) (*a*) and 14 (2) as it relates to municipal proper officers, empowering them along with veterinary surgeons, members of the Police Force or full-time officers of the Royal Society for the Prevention of Cruelty to Animals to destroy abandoned, distressed or dangerous animals.

Clause 11 makes an insertion to the schedule of the Ministry for Conservation Act to include the Protection of Animals Act 1966, No. 7342. I commend the Bill to the House.

On the motion of Mr MATHEWS (Oakleigh), the debate was adjourned.

It was ordered that the debate be adjourned until Tuesday, April 29.

HEALTH (SPECIAL ACCOMMODATION HOUSES) BILL

The House went into Committee for the further consideration of this Bill.

Discussion was resumed of clause 2 (Interpretation)

Mr BORTHWICK (Minister of Health) —I move:

Clause 2, line 4, omit "not less" and insert "more".

This part of the Bill differs in principle from the definition in clause 2 (5). The intention was to alter the provision relating to special accommodation houses with five and fewer aged or incapacitated persons to cover a maximum of two persons. The effect in the sub-section that is being amended would have brought the number to an effective one which differs from the intention later in the definition.

Mr ROPER (Brunswick)—The Opposition supports the amendment. It had intended asking the Minister the purpose of the provision. In Tasmania the figure is one and it is believed that that situation works effectively. It is therefore reasonable for Victoria to consider making the number two. If it is found that abuses are occurring, the provision can be subsequently amended. An administrative burden for comparatively little result could have been created if an accommodation house with one casual boarder over the age of 60 years or mentally handicapped had to be registered. Problems might arise and if they do, an appropriate amendment can be introduced. The Opposition does not oppose the amendment.

Mr WHITING (Mildura)—I am confused about whether the Minister indicated that the definition of special accommodation house would be one which had two persons boarded, or whatever the terminology is. As I read the provision, it would be three. If the amendment is carried, it will mean that special accommodation houses are boarding houses in which more than two aged or disabled persons, exclusive of the family, are lodged. My interpretation of more than two persons would be three.

Mr Borthwick—The houses may have two persons without registration.

Mr WHITING—I am happy with that.

The amendment was agreed to.

Mr ROPER (Brunswick)—I move:

Clause 2, line 25, after "impaired" insert—"(c) a person is in receipt of a pension under the Commonwealth law relating to repatriation at the rate applicable to persons who are totally and permanently incapacitated is prima facie evidence that that person is physically or mentally handicapped to the extent that his ability is significantly impaired."

Members of the Opposition have other questions to raise about proposed new sub-sections (4) (*a*) and (*b*) as contained in clause 2 (4) of the Bill, after clause 2, as amended, is agreed to. The reason for moving the amendment is that a category of persons who are in need of sheltered accommodation and who need special attention do not come under categories (*a*) and (*b*). One large group includes those in receipt of repatriation pensions, TPI pensioners and the like.

Mr BORTHWICK (Minister of Health) —The Government accepts the amendment. The purpose of introducing the concept of prima facie evidence is not to establish categories of people from the point of view of better protection or otherwise under the Act; it is purely to establish a convenience for the prosecuting officer in the court. Under the definition he is required to be able to produce evidence that a person is either over the age of 60 years or is incapacitated in some way. In cases where a person receives an old age pension or an invalid pension or now, with the amendment from the Opposition, has a repatriation equivalent to the TPI pension, it will be easier for the person prosecuting for the Crown to establish the fact of age or incapacity. It does not lessen in any way the protection that the Act gives to people who do not fall into one of those three categories. It is just harder to create a prima facie case, and for people who are not covered by those provisions, the prosecuting officer for the Crown will have to go through the normal procedure of establishment of age or incapacity.

The amendment was agreed to.

Mr BORTHWICK (Minister of Health) —I move:

Clause 2, line 37, after "boarded" insert "for hire or reward".

This amendment inserts in the new definition of "boarding-house" as proposed by clause 2 (5) to be inserted in section 3 of the principal Act the words "for hire or reward". The purpose of

the amendment is to exclude from the definition of "boarding-house", as it relates to special accommodation houses, any premises where elderly or incapacitated people are accommodated without payment. An example would be a private home where a person is accommodating three or four elderly friends who are visiting her for a few days. Unless the words "for hire or reward" are added, each time elderly friends or relatives visit a person, technically that person will be required to register his private home as a special accommodation house. Naturally the Government is not endeavouring to introduce such a situation.

The amendment was agreed to.

Mr WHITING (Mildura)—I ask the Minister to clarify just who will be required to register and be subject to inspection from time to time concerning the various requirements of special accommodation houses. In the present situation, there can be a special accommodation house with a proprietor, his wife, four or five children, perhaps the wife's parents and maybe a couple of elderly aunts who are not being accommodated for hire or reward, and then three other people who are paying for their accommodation. There will be tremendous difficulties in policing these provisions. With the six inmates provided for in the principal Act, the situation was fairly definite. If six elderly or handicapped persons were being accommodated on the premises for hire or reward, that is, paying some remuneration for staying there, it was quite obvious that that house had to be registered and that inspections would be carried out by the Health Commission. Now, with three or more persons in this category, there could well be an increase of some 50 per cent in the number of these special accommodation houses, provided that they have the necessary facilities. No doubt residences throughout Victoria would have those facilities and would come easily into this category.

I wonder whether the commission and the Minister have given sufficient thought to just what difference this amendment will make and how it will affect those people who may, in some circumstances, quite unwittingly hear that they are allowed to have two elderly persons paying for accommodation in that residence, in addition to the family of the owner, and that if they increase the number to three for the same purpose they must immediately register and come within the conditions stipulated by the Act. There will be a grey area for some time and a lot of education of the public will be necessary.

I hope that the Minister and the commission have given sufficient thought to this area, as it does cause concern at the moment by way of the policing or of the conditions. When the new situation comes into being, it will be doubly difficult for those people who are not fully aware of the requirements imposed by the amended Act. I hope that the Minister and the commission will publicize the new provisions so that people will not unwittingly contravene the Act and render themselves liable to a penalty of up to $2000 or $5000 or whatever it may be. I believe this situation will arise from time to time.

Mr ROPER (Brunswick)—I am sure that the initial difficulty raised by the Deputy Leader of the National Party will arise. Whenever any new provision is introduced, teething problems occur. There certainly were a lot when the original Act was brought in. It must have been a good three or four years before all of those places which were supposed to be registered were in fact inspected and registered. I hope that wider publicity will be given to the situation this time and, consequently, that many more people will approach the Health Commission than might otherwise have been the case. All honorable members must recognize that some teething problems will arise and that there will always be problems in the area where families are involved, especially as the Government has not been able or has not wished to use its regulation-making power to define what a family is. In fact, the original Act contained a definition. However, it is extremely difficult to define with any accuracy who is a member of a family. As all honorable members are aware,

there can be relatives who are extremely distant. When one looks at the blood relationship, it can be almost non-existent but one has often called a person "uncle" or "aunt" all through one's life and the relationship may be far closer than the blood relationship that exists with another person. There are difficulties in covering that situation and it will be one of the long-term problems that inspectors under the Act will face and will continue to face because there is no easy way of coping with the situation.

The matter I wish to raise is a more general question about the way Bills come before Parliament, and the need for honorable members to examine carefully the Commonwealth Government's social security legislation. Time and again social security legislation is adopted and simply put into the nearest State Act, whether it be registration, rates, fishing licences or whatever, without adequate examination by any Government department or the Government itself of how it can best be done so as to avoid the kind of problem which arose in relation to car registration.

I direct to the attention of the Committee the problem of the groups who will require to have demonstrated on their behalf that they are over 60 years of age or are physically or mentally handicapped, as required by proposed section 220AA (4) of the principal Act. There are many people aged between 60 and 70 years who are not in receipt of an age pension—for instance, people on superannuation and, because of the discrimination in the Social Security Act in favour of women, most men are not in receipt of an age pension. It is discrimination in favour of women and that is odd when in fact women live longer. There is that group aged between 60 and 70 years who are not in receipt of an age pension and for whom such proof will still be necessary, even if they do not have superannuation or money in the bank. It will not be necessary to produce evidence that they are in receipt of a pension, but evidence will have to be produced that they are aged between 60 and 70.

Mr Roper

Sometimes, especially with elderly people, and particularly if someone's memory is not quite as good as it might previously have been, there are difficulties. Difficulties can arise in obtaining birth certificates when people have come from overseas. Getting a birth certificate from the Turkish occupied part of Cyprus for a Greek Cypriot is not the easiest task.

Migrants are also not eligible, under the provisions of the Commonwealth Social Security Act, to receive an age pension unless they have lived in Australia for ten years. I will not go into the problems and difficulties experienced by some Yugoslav migrants.

Clause 2 (4) (*b*) refers to persons receiving invalid pensions. There are problems because of the way in which the question of invalidity is determined by the Department of Social Security. I have drawn the attention of the Premier to pensioner concessions for invalid pensioners and the problems of people who, because of the tightening of invalid and unemployment requirements, are becoming long-term sickness beneficiaries because they are physically or mentally handicapped but who cannot satisfy the provisions laid down from time to time.

It is necessary not only to consider this measure, but the over-all attitude of the Social Security Act relating to long-term sickness benefits because a percentage of sickness beneficiaries will probably receive sickness benefits until they are eligible for the age pension. That problem is not easily overcome. It is probably not absolutely necessary to overcome that problem in this Bill.

Discussions should take place between the Attorney-General, the Parliamentary draftsmen and Government departments, such as the Health Commission and the Department of Community Welfare Services to get an over-all view of how the Commonwealth Act should be used for State purposes. There are problems connected with people who come from overseas, because they have to live in Australia for some time before they are eligible to receive a pension which creates problems for the communities that have to look after those people.

Mr BORTHWICK (Minister of Health) —The honorable member for Mildura rightly raised the question of the possibility of confusion connected with the introduction of this measure. Initially, the only change is that special accommodation houses will have to obtain registration to accommodate not fewer than two elderly or physically handicapped persons. In the past the legislation provided for a minimum of five persons. On the other hand, the Government did recognize the need for a number of legitimate family situations that ought to be examined.

There is provision in clause 3, which will be discussed later, to give the Health Commission a power of exemption when between two and four people, excluding the family of the proprietor, are being accommodated in a special accommodation house provided that the proprietor has no interest in any other special accommodation house. This provision is included knowing that there will be situations which could be included but which one would not want to include because of the personal home situation.

During discussions with the Victorian Council of the Aged, I was told that people who are maltreated are not all in special accommodation homes, but that there are probably more people, on a percentage basis, accommodated in private family situations who are maltreated. That is a damnable thought. It does not necessarily mean that because an aged person is not paying money or may be living in what one would regard as a private situation, that person is not under some sort of pressure.

The honorable member for Brunswick raised the question about making it easier for prosecution to be established on prima facie evidence of age or incapacity and the necessity for the Government to look at this matter with a wider view. I agree with that concept. It is difficult to envisage all the different situations where special assistance is given. I am reminded that the honorable member for Syndal has been speaking to me about that category of persons who are not eligible to receive social welfare benefits but are paid a special benefit. It is difficult to draft legislation to describe those matters. In this day and age legislation is an aid to prosecution.

The clause was verbally amended, and, as amended, was adopted.

Clause 3 (Operation of Division)

Mr BORTHWICK (Minister of Health) I move:

Clause 3, line 9, omit "thereunder" and insert "under Division 1, 2 or 3A of this Part".

At present this section only applies to special accommodation houses, and this amendment will make it apply to boarding houses and lodging houses. This amendment is necessary so that there will be no difference between the three types of accommodation.

The amendment was agreed to.

Mr ROPER (Brunswick)—The Opposition does not see any need for clause 3 and believes it should not be a part of the Bill. There are other methods of ensuring that people are protected. Exemptions can be granted, apart from this provision. The Opposition is concerned that this clause presents a loophole for crooks who have previously mistreated elderly people. The commission now has to make a determination. Honorable members know that from time to time officers of Government departments are not as efficient as they might be. One example is the allegations that have been made about officers of the Housing Commission. The Opposition is concerned that it would be possible for proprietors to use this provision to obtain a benefit for themselves at the expense of the elderly. Although the Opposition believes the Bill would be better without clause 3, it believes that two amendments could solve the problem.

The first amendment relates to a proprietor who may have an interest in a variety of houses, sometimes personal and sometimes by way of a business arrangement. The second amendment which I will move later relates to the question of exemption appearing in the *Government Gazette* so that it is a matter of public record that an exemption has been granted, giving the terms and conditions of that exemption. I move:

Clause 3, line 13, after "house" insert "or in any company which is the proprietor of any other special accommodation house".

Mr COLEMAN (Syndal)—The clause gives effect to the point raised by the honorable member for Mildura that people in ethnic communities, although some criticism has been made of them, at least look after their own. The provision now to be made will enable them to provide board for members of their immediate families or in-laws. Thus where two groups of parents are living with one family, they will now be covered by this exemption. That is an appropriate provision to include in this type of legislation.

Mr BORTHWICK (Minister of Health) —I agree with the honorable member for Syndal that the clause was framed with ethnic communities specifically in mind, because it is well known that people from particular villages in central Europe tend to remain close when living in this country, at least in the first generation. It is common for friends from the same village to live together, and this incidence would tend to increase with age.

However, I take the point made by the honorable member for Brunswick of the need for additional protection which he is endeavouring to provide by means of the proposed amendment. Initially I had some doubts about the amendment which the Committee is now discussing, because I believe if one gets into an involved legal argument, the clause as framed would cover the intent of the proposed amendment. I have a minor doubt in my mind, because clarifying the provision to the degree proposed in the amendment could lead to a situation where a person with shares in a company such as the Myer Emporium Ltd which may provide an accommodation home for its retired employees could be affected in that way.

However, that is a minor matter, and the odds against its happening are 1000 to 1, so I accept the proposed amendment for the reasons I have explained. It makes it abundantly clear to anyone who has to administer the provisions of this Act that the Government will not tolerate an exemption being granted to a person who has any connection with any other accommodation house for fair reward.

The amendment was agreed to.

Mr ROPER (Brunswick)—I move:

Clause 3, line 18, after "Commission." insert —"(5) Notice of any exemption and of the terms, conditions and restrictions subject to which the exemption is granted shall be published in the *Government Gazette*."

I realize that the *Government Gazette* is not one of the most widely read publications in Victoria, but it is available and I know that members of this place read it when they have time to do so. One often finds interesting and enlightening snippets in the *Government Gazette*, such as reports of various boards.

The proposed amendment, if adopted, would mean that when an exemption was granted it would be possible for people to find out about it, and one can be sure that the people who are concerned in this area would arrange for a regular examination to be made of the *Government Gazette*. If they found anything untoward they would be able to alert the appropriate authorities, the commission, the Minister and the media, if necessary. Unless this provision were included there would be no way for them to know what kinds of exemptions were being granted and to whom, so I commend the proposed amendment.

Mr BORTHWICK (Minister of Health) —I intend to accept this proposed amendment, but I am not very happy about accepting it on the terms in which the honorable member for Brunswick presented it because he implied that its purpose is to keep officers of the commission honest. I make it quite clear that in this unhappy interlude there has not been any evidence to suggest that inspectors who have had the responsibility of carrying out the intention of the Act have been guilty of dishonesty, despite the allegations made by people who do not like to be subject to control under this type of legislation and who claim to have been hounded by inspectors.

I accept the proposed amendment, probably for a different reason from that given by the honorable member for Brunswick, although it will have the effect which the honorable member intended. The fact that notice needs to be published in the *Government Gazette*, although of little moment in itself, will cause people who must make decisions on whether or not to grant exemptions to be a little more cautious. It is an indication from the Committee and the Parliament that it wants this provision to be administered sensibly and wisely and in the interests of the people we are endeavouring to protect, and on that basis I accept the proposal.

Mr ROPER (Brunswick)—I refer to current officers of the commission, and point out that I am not suggesting in any way that there are any dishonest officers in that area of the commission. What I was alluding to was that one cannot speak for future officers, and this amendment will provide a protection.

I take the point made by the Minister that it will also cause people to think twice because they must go through the procedure of placing a notice in the *Government Gazette*. The Opposition is pleased that the Government has accepted this proposed amendment.

The amendment was agreed to, and the clause, as amended, was adopted.

Clause 4 (Offences)

Mr BORTHWICK (Minister of Health) —I move:

Clause 4, line 26, after "regulations" insert "or the terms or conditions subject to which the registration operates".

This provision deals with penalties. Clause 4 (3) of the Bill at present reads:

If there is in respect of a special accommodation house any contravention of or failure to comply with this Act or the regulations, the proprietor shall be guilty of an offence against this Act and liable to a penalty of $2000.

In drafting the clause it was overlooked that terms and conditions are attached to the registration of a special accommodation house. Just as vital and important as any other matters in the conduct of a special accommodation house is the registration itself, and breaches of the terms and conditions should be able to be punished with the same severity as a breach of the Act or regulations.

The amendment was agreed to.

Mr ROPER (Brunswick)—I move:

Clause 4, after line 32 insert—

"(5) Where a person is convicted of any offence against any of the provisions of this Division he shall be guilty of a further offence against this Act if the offence continues after he is so convicted and he shall be liable to an additional penalty for each day during which the offence so continues of not more than—

(*a*) In the case of an offence under sub-section (2)—$500; and

(*b*) in the case of offences under sub-sections (3) and (4)—$200.

(6) Where any offence is committed by a person by reason of his failure to comply with any provision of this Division by or under which he is required or directed to do anything within a particular period that offence for the purposes of sub-section (5) shall be deemed to continue so long as the thing so required or directed to be done by him remains undone notwithstanding that such period has elapsed."

The acceptance of this proposed amendment would provide for a continuing penalty. It has been the experience under the previous Act, and, I understand, it is the experience under a number of other Acts, that there is a class of offender who will commit an offence against the Act, be taken to the Magistrates Court, found guilty and fined; he will then appeal, go to the County Court, the guilty decision will be upheld and the person will then have to pay that fine. However, because of the incredible delays in the hearing of cases before the courts, it can take from nine to twelve months between when the person is originally charged and a final decision is made. In that period it is possible, and it is the case, that the person concerned could continue to operate.

Although a person can be fined $5000 for the more serious classes of offence, and $2000 for various other offences, which may be major offences, a person may not be fined the whole amount, especially the first time and may well be fined only $200 or $500. That is, $500 for not being registered or $200 for failing to provide adequate food for

those persons occupying the accommodation. A fine of $200 could be imposed on a proprietor in the case mentioned last night of a person who should not have but did develop gangrene in a special accommodation house and eventually went to hospital where that person died. That is a specific case but there could be general offences under those provisions.

The proposed non-registration provision could be a general offence of enormous significance yet a fine of only $500 or $1000 may apply. After the guilty decision is made by the higher court and the fine is paid, there is no provision for further pressure to have the accommodation registered. The offender might say, "We will just keep on operating. The amounts we are deriving from these elderly or handicapped persons are sufficient for us to pay the fines until those fines reach an extreme amount." Accordingly, the Opposition believes a penalty should be provided for a continuing offence after a person has been convicted, as that penalty would act as a major discouragement to the continuing operation of the offending accommodation because, if a proprietor were fined $1000 for failure to register an accommodation house but continued to operate without having it registered and was fined an additional $500 per day, that person would certainly register or go out of business.

However, if a person were able to use the law, as wealthy and powerful persons can, a person might be able to thumb his nose, at least for some time, at the Health Commission and the Government's proposed amendment.

The Opposition's proposed new clause provides the appropriate penalties for the crooks and rogues who are involved with special accommodation. The penalties and punishments provided by the Government should be much larger.

Mr BORTHWICK (Minister of Health) —For reasons that I will endeavour to explain, the Government does not accept the proposed amendment. The Government, in consultation with health officers, gave detailed thought to the proposal. However, it has been rejected because it does not, in any way, achieve anything along the lines suggested by the honorable member for Brunswick.

On-going penalties in the Health Act came up in 1978 and were removed from that Act in 1978. There is no provision for those penalties today. The suggestion made by the honorable member for Brunswick is that, once a fine has been levied, an on-going penalty automatically attracts, day by day, an additional fine. That is not true.

The evidence has to be collected day by day just as accurately and as provable as was the original offence. The penalty involved is infinitesimal in comparison with the penalties for a breach of the Act. It is the Government's view that it would rather prosecute with the full weight of the Act for subsequent offences rather than apply an on-going fine. The Government's proposed amendments will have wider effect upon the person involved than the penalties proposed by the Opposition.

I have consulted Parliamentary Counsel. The Environment Protection Act is an example of where the penalties proposed by the Opposition have never been used and that has been the problem. On-going offence provisions appear attractive and effective but in practice have proven to be otherwise. The reason is that the entire legal procedures have to start again as a new prosecution and the later prosecution has to be just as provable.

The Government's proposed amendment will hit the offenders with the full weight of the Act, that is, the maximum penalty, rather than a $500 or $200 fine for a recurring offence.

During the differences of opinion and public debate that occurred some weeks ago, I explained the difficulties that the Government faced in bringing about a cancellation of registration. I have subsequently explained the new procedures that the Government, with the assistance of the Attorney-General, is adopting. There is no doubt that the proper procedure to deal with a person who does not comply with the Act, after being dealt with by the courts, is to have the licence immediately cancelled.

Frequently prosecutions involve eight and nine points, all of which, individually, are subject to a maximum fine. It is not proposed that a $2000 or $5000 maximum fine apply for one prosecution. Rather, it would be $2000 or $5000 for each charge. A person who defied the court and initially attracted a fine of $500, that fine increasing per item, would know full well that if he or she were brought before the court again, as would happen, he or she would be really hit hard on the second occasion. It is for that reason, after a lot of thought, that the Government has decided not to proceed with the proposal put forward by the Opposition.

Mr ROPER (Brunswick)—The Opposition persists with its amendment, because of the advice it has received from a variety of persons which suggests that there is much to be gained by a continuing offence mechanism, if it is effectively used and policed and if the courts can ensure that any charge would be more effectively heard than is now the case.

One of the difficulties in this area is the delays that occur in the hearing of cases before the courts. That applies to any procedure that is laid down. However, it is no more attractive to have to prove a new offence every time and the Opposition's amendment, for that reason, is more attractive. The appropriate expression in the amendment is:

> He shall be guilty of a further offence under this Act if the offence continues after he is so convicted.

The Labor Party realizes that there are still substantial difficulties.

Mr Borthwick—If the offender could be got on that, he could be got on a much bigger offence.

Mr ROPER—It would be easier in many of these cases to have a provision relating to continuing offences. The same argument was used by the Ministers' predecessor on food legislation. Parliamentary Counsel prefer the clauses the Minister has used in the Bill, but the Labor Party has discussed the matter with many legal practitioners who believe the way of the Labor Party is better in ensuring that offenders are thumped hard and frequently if they persist. Other action needs to be taken also. This is not a magical solution. It will serve a useful purpose. It will not prevent new charges being laid for new offences, but it will ensure that an offender already before the court and is fined can continue to be prosecuted if the offence is continued.

Dr COGHILL (Werribee)—Until this stage of the debate, there has been a welcome bi-partisan approach to this serious problem and it is disappointing that the Minister has now departed from that approach in the concern of Parliament to effectively control the illegal practices of some special accommodation houses. The Minister has not argued against the aims of the amendment; he has simply said that if the power were there he would not use it or he would be advised not to use it. That is a completely separate matter from saying that the power should be deliberately excluded from the Act.

Honorable members who examine the provisions closely will understand that there are circumstances in which this power could well be used. The Minister suggests that it would be better if a new prosecution were launched every time a continuing offence was detected, but clearly the inspectors will not be going back every day after a conviction to collect evidence or to determine whether the offence is being continued. It would be far more effective for the inspectors to return to the premises once a week, a fortnight or a month to determine whether the offence is continuing. If that were the case much higher penalties would be imposed under the continuing offences provision than for the collection of evidence accrued only once a fortnight and after a new conviction was obtained on the evidence of an inspection once a fortnight. If the continuing offence could be proved in those circumstances, the amount of the fine could be fourteen times $500 rather than the maximum of $5000. Obviously the penalty will be heavier if the continuing offence were proved.

Mr COLEMAN (Syndal)—As the honorable member for Werribee stated, unless an inspector is visiting the premises daily—and inspections must be carried out daily to be effective should the Government accept the Opposition's amendment—difficulties are created. An officer need not carry out the inspections daily but let the matter drag on so that the fine builds up to a sum large enough to force the place to be shut down. If action is to be taken after a conviction for a continuing offence, an inspector would need to visit the premises daily to bring those fresh charges. Although I do not disagree with the amendment, the proposal of the Minister is more logical.

Mr Roper—He could do both.

Mr COLEMAN—Yes.

Mr WHITING (Mildura)—In the amendment, the honorable member for Brunswick is theoretically trying to help a person who deliberately sets out to beat the commission on a matter that should have been attended to or overcome. The amendment would be far better if it were to apply to the period between the charge being laid and the conviction, because that is when it is wanted.

Mr Roper—That cannot be done.

Mr WHITING—That is obvious, but that is when it should apply. I prefer the Minister's idea.

Mr Roper—In fact, one could have both.

Mr WHITING—Under the provisions of the Bill, the offences can easily be referred to the courts because a charge will be laid and if a few days or a week later the offence is still occurring at the special accommodation house, a further charge can be prepared. That should make the person concerned—if he is of a mind to do so—to stop and think about incurring a $5000 penalty followed by another penalty for a second offence. For that reason the National Party cannot support the amendment.

Dr COGHILL (Werribee)—With due respect to the honorable member for Syndal, it is absurd to suggest that premises would need to be visited daily to ensure that there had been a continuing offence. Clearly, it would be possible for an officer to visit the premises and collect evidence from persons and his own observations during the inspection to establish to the satisfaction of the court that the offences were continuing during the period between inspections. The amendment should be accepted by the Minister.

The Committee divided on the amendment (Mr A. T. Evans in the chair).

Ayes	32
Noes	38
Majority against the amendment	6

AYES

Mr Amos	Mr Remington
Mr Cain	Mr Roper
Mr Cathie	Mr Rowe
Mr Crabb	Mr Sidiropoulos
Mr Culpin	Mr Simmonds
Mr Edmunds	Mr Simpson
Mr Ernst	Mr Stirling
Mr Fogarty	Mrs Toner
Mr Fordham	Mr Trezise
Mr Gavin	Dr Vaughan
Mr Ginifer	Mr Walsh
Mr Hockley	Mr Wilkes
Mr Jolly	Mr Wilton
Mr King	
Mr Kirkwood	*Tellers:*
Mr Mathews	Dr Coghill
Mr Miller	Mr Spyker

NOES

Mr Balfour	Mr McInnes
Mr Birrell	Mr Mackinnon
Mr Borthwick	Mr Maclellan
Mr Brown	Mrs Patrick
Mr Burgin	Mr Ramsay
Mrs Chambers	Mr Reynolds
Mr Collins	Mr Richardson
Mr Crellin	Mr Skeggs
Mr Dixon	Mr Smith (*South Barwon*)
Mr Dunstan	Mr Smith (*Warrnambool*)
Mr Ebery	Mr Tanner
Mr Evans (*Gippsland East*)	Mr Templeton
Mr Hamer	Mr Thompson
Mr Hann	Mr Weideman
Mr Jona	Mr Whiting
Mr Kennett	Mr Williams
Mr Lacy	*Tellers:*
Mr McArthur	Mr Coleman
Mr McCance	Mr Cox
Mr McClure	

Mr BORTHWICK (Minister of Health)—I move:

Clause 4, at the end of the clause insert—

'(2) In section 220c (6) of the Principal Act after the words "boarding house" there

shall be inserted the words "or as a common lodging house".'

The purpose of the amendment is to exempt a "special accommodation house" which is registered as such with the Health Commission from any requirement to register with a local council as "a common lodging house". A "special accommodation house" is already exempt from any requirement to register as a "boarding house".

Boarding houses, including special accommodation houses, and common lodging houses are largely distinguished under the Health Act by the periods for which they are normally used for the lodging of residents. Boarding houses are on a week-to-week or for more than a week basis, while common lodging houses are on a single night or for less than a week basis. Because the period of stay in a special accommodation house is being reduced from, "week-to-week or for more than a week" to overnight, that is, the same as a common lodging house, dual registration as a special accommodation house with the commission, and as a common lodging house with the council would be required unless some statutory exemption was included in the legislation. The amendment provides this statutory exemption.

The amendment was agreed to, as was a consequential amendment, and the clause, as amended, was adopted.

Clause 5 (Regulations)

Mr ROPER (Brunswick)—I move:

Clause 5, page 4, line 3, after "baths" insert "shower recesses and other bathing facilities".

Dictionary definitions can be and are used by the courts to describe particular items and a "bath" is also a "shower recess", but it has always been my view that laws passed by Parliament should, wherever possible, be readily understood by the ordinary citizen, and they should say what they mean. If baths, shower recesses and other bathing facilities are meant, that is what the Bill should say. It is pointless to expect everyone to have to go to the *Oxford Dictionary* to find out that the word "baths" covers other bathing facilities. That merely confuses the law.

In reply to the interjection, I point out that the Bill contains regulation-making powers and regulations will be made about all of those things. I should not imagine that there will be one regulation about baths and another regulation about shower recesses. The amendment has been moved simply because the Opposition believes the law should be, whenever it is possible, understandable to the people.

Mr BORTHWICK (Minister of Health)—For many years the words that appear in the Bill have been the basis on which regulations have been drawn for boarding houses, lodging houses, apartment houses and accommodation houses. There has never been a problem. As the honorable member for Brunswick said, there are many interpretations of different words, and it would be impossible for every individual, let alone all lawyers, to know all the interpretations.

On the question of the word "bath", a shower and showering facilities are covered by the word "bath".

It is made quite clear in the *Shorter Oxford Dictionary* that the word "shower", established in 1889, is short for shower-bath. It sounds like Jack Rossiter. Then back in 1803, again according to the *Shorter Oxford Dictionary*, the word "shower-bath" means a bath in which water from above is poured in a shower upon the person; also an apparatus for producing such a bath. I never thought I would get into an argument of this type, but it is clear that the Bill covers the point that the honorable member for Brunswick mentioned. It is in other provisions of the same Act, and has been for many years. I do not see any purpose in accepting the amendment.

Mr ROPER (Brunswick)—It is interesting that the former Chief Secretary, Jack Rossiter, was mentioned. I am sure he is presently having a pleasant time in the Pacific, but if he were here he would take the attitude, as he always did, that legislation should be understandable without having to go to a dictionary for some additional information.

The wording of the Health Act is, in some ways, quite antiquated and I suspect this is another example of that. The Opposition is of the view that legislation should be readily understandable and it should state what is meant by it.

The amendment was negatived, and the clause was agreed to.

New clauses

Mr BORTHWICK (Minister of Health) —I move:

Insert the following new clause to follow clause 4:

'AA. After section 220E of the Principal Act there shall be inserted the following section:

"220EA. All members of the police force are required on the request of an authorized person to assist that authorized person in the execution of his duty under Divisions 1, 2 and 3A of this Part."'

Inspectors have regularly needed the assistance of a member of the Police Force. Police have been questioned, when arriving at a place, whether they have a right of entry. They have used other sections of the Act to demonstrate that they have. This new clause makes it abundantly clear that an inspector, who in many cases is a nurse, can call on a member of the Police Force, if need be. Recently women members of the Police Force have frequently been used. This new clause makes it clear to any recalcitrant house owner that the police have a right in the normal course of their duties to assist an inspector under this Act.

Mr ROPER (Brunswick)—The Opposition does not oppose this provision. It also is concerned that inspectors have all the assistance that can possibly be given to them. There have been instances of inspectors being assaulted, or threatened with assault, by proprietors or other staff and, as a result, they have not been able to carry out their inspection duties. In that situation it is important that any State servant should be able to call on the aid of the police. It might say something about the shortage of police, when we, as a Parliament, are instructing the police to do what should be their job anyway. The Opposition has no objection to Parliament laying down this particular instruction. One only hopes that proprietors of establishments in the State will know that if they buck a reasonable inspection or requirement of this Parliament, the police will come down on their heads like a ton of bricks.

The new clause was agreed to.

Mr ROPER (Brunswick)—I move:

Insert the following new clause to follow clause 4:

'A. Before section 220F of the Principal Act there shall be inserted the following sections:

"220EB (1) Where a person is convicted of any offence under this Division the court may in addition to any other penalty—

(*a*) direct that the Commission cancel the registration of the special accommodation house in relation to which the offence was committed;

(*b*) direct the Commission to vary the terms and conditions to which the registration of the special accommodation house is subject;

(*c*) direct the Commission to make such arrangements as are necessary for the proper accommodation of residents affected by such direction made pursuant to paragraphs (*a*) or (*b*); or

(*d*) order that the person convicted of the offence take no part in the management or control of a special accommodation house for such period not exceeding 12 months as the court thinks fit.

(2) Any person who fails to comply with an order of the court made under paragraph (*d*) of sub-section (1) shall be guilty of an offence against this Act and liable to imprisonment for a term of not more than three months.

220EC. (1) Where the proprietor of a special accommodation house is or ought reasonably to be aware that a resident in the house is in need of more treatment, care or attention than can be provided for him at the house he shall forthwith notify the Commission.

(2) On receipt of a notice under sub-section (1) the Commission shall forthwith cause the resident to be examined and if the Commission is of the opinion that the resident cannot be adequately cared for in the special accommodation house, it shall make such arrangements as are necessary for the resident's proper treatment, care and attention."'

There is a problem in my moving this new clause A. for the addition of sections 220EB and 220EC, because of the procedures of this place. They are two separate ideas, and really two separate matters of legislation, but because of our system they are lumped together in the one clause when they should be treated separately. I hope there will be an opportunity to vote on them separately.

The first part of the new clause is an important aspect of the Parliamentary Labor Party's view of what needs to be done in this area, and it gives additional powers and responsibilities to the courts when confronted by particularly bad cases.

Proposed section 220EB (1), if adopted by the Committee, would provide, in addition to any other penalty a court may levy, as determined by Parliament, —a fine up to $2000 or $5000—for the commission to cancel the registration of the special accommodation house in relation to which the offence was committed. Honorable members know of offences that have been reported in the press, and also mentioned in the House, where a fine is not sufficient. Sometimes the offence is so horrendous that additional action is required and this part of the new clause gives the court that power. It would mean an instant cancellation of the registration of the special accommodation house. No procedures could hold this up, except an appeal, but the decision of the higher court would be final and a licence would be so cancelled. The penalty for a grievous offence is a fine, but cancellation is a separate matter.

Secondly, this new clause would direct the commission to vary the terms and conditions to which the registration of the special accommodation house is subject. That would allow the court to impose additional penalties, but only on behalf of and in defence of the people who are living inside the special accommodation house.

The Opposition is aware that sometimes decisions are not taken to their logical conclusion because of what will happen to people, but proposed section 220EB (1) (*c*) directs the commission to make such arrangements as are necessary for the proper accommodation of residents affected by such direction made pursuant to paragraphs (*a*) or (*b*). If a registration is cancelled and the commission is involved in that procedure, the commission staff should then obtain other accommodation for the residents affected by such direction.

Paragraph (*d*) empowers the court to order that the person convicted of the offence take no part in the management or control of a special accommodation house for such period not exceeding twelve months as the court thinks fit. There could be an additional time of two or three years, but the Opposition believes twelve months would be a sufficient penalty. There have been examples of people who should not be in charge of elderly and handicapped people. The numbers of cases of bashings of elderly and handicapped people should alarm members of this Parliament. Evidence has been given to the courts that a fine is not enough. The court should be able to use its powers to enjoin that person not to continue to control or manage that accommodation house or any other accommodation house for a period, and the period thought reasonable is twelve months. The power of the court in relation to proposed section 220EB (1) (*d*) is laid out strongly in proposed section 220EB (2) which reads:

> Any person who fails to comply with an order of the court made under paragraph (d) of sub-section (1) shall be guilty of an offence against this Act and liable to imprisonment for a term of not more than three months.

If a person persists with the control of management of a special accommodation house against the wishes of the court and, I believe, against the wishes of every member of this Parliament, that person should have a more severe penalty than a fine levelled against him. The suggestion is imprisonment for not more than three months.

There have been cases where additional penalties have needed to be determined. The court is the best place to determine them, and this is provided for in proposed section 220EB (1) (*a*) and (*b*). However, for some people a fine is not enough and a *cordon sanitaire* needs to be developed between them and the elderly or disabled person. This is why members of the Opposition believe proposed new section 220EB (1) (*d*) would substantially strengthen the legislation in a positive way and act as an enormous protection.

It could be said that this gives the courts undue powers. The courts already have substantial powers and this adds to them, but it is not just a matter for the Magistrates Courts. If a peculiar decision were made by a magistrate, an appeal would naturally be made to the County Court. This is a necessary process. Proposed section 220EC reads:

(1) Where the proprietor of a special accommodation house is or ought reasonably to be aware that a resident in the house is in need of more treatment, care or attention than can be provided for him at the house he shall forthwith notify the Commission.

(2) On receipt of a notice under sub-section (1) the Commission shall forthwith cause the resident to be examined and if the Commission is of the opinion that the resident cannot be adequately cared for in the special accommodation house, it shall make such arrangements as are necessary for the resident's proper treatment, care and attention.

It provides additional protection for the elderly person. Honorable members will remember the case of Mrs Miller of Tooronga Road, who had women in her establishment who were virtually tied to the bed, who suffered gangrenous sores and whose legs were flexed finally when they were admitted to the hospital just briefly before they died. We should be ensuring that such things will not occur and we should be encouraging the proprietors of special accommodation houses to keep that in mind. The provision was wrongly included in the clause which the Minister repealed. The suggestions by the Opposition will protect and assist old and disabled people and the management of special accommodation houses in carrying out their roles and responsibilities.

Mr BORTHWICK (Minister of Health) —The first part of this amendment makes a suggestion with which honorable members shoud not agree. The honorable member is proposing the establishment of a second system of registering and licensing of people. He appears to believe it is an additional power but I point out that the power to cancel licences already exists.

My fear is giving two separate bodies in an unrelated way the power to do this, to veto people who might work in these houses and to cancel licences. Both powers already exist with the commission, either under regulations or the Act. The end result would be that an inappropriate body would have the power to cancel. I say "inappropriate" because the Magistrates Court will make decisions purely of a legal nature and will give interpretations for cancellation based on legal decision, whereas the commission with its wide range of interests, concerns and disciplines, has the ability to investigate and has broader, expert knowledge on this matter than an individual Magistrates Court.

As an illustration I use the kind of appeal bodies that exist in Victoria. The people who hear town planning appeals are specialists in the subject. Although the chairman might frequently be a legal person, he is assisted by people with specialist knowledge. The people involved in special accommodation homes have little money. In many instances the accommodation that is provided, even in good and well-run places, by average standards is rather rudimentary. That must be understood. One of the fears that has been expressed to me in recent weeks by the Victorian Council for the Aged and by social welfare worker groups who work under the term RATS is that the people at the bottom end of the financial scale may not be able to expect and obtain reasonable accommodation within their means. They have implored me, and through me this Parliament, not to develop that situation.

A thorough understanding of the problem is required by both the inspectors and the commission. When the House in the original Bill gave the power of cancellation exclusively to the commission, it was not by accident or without reason. I believe there needs to be a wider ability than just that of interpreting the law when this scene is being handled.

It is not the intention of the Government to accept the first part of this proposed new clause. However, it will accept the second part for the reasons explained by the honorable member for Brunswick. The Government rejects the first part relating to the power for cancellation which already exists. The

power of registration of managers and assistant managers and employees is provided in the regulation. Those things vest with the commission and it would not be of assistance in the administration of this Act or in the penalizing of people under the Act to have two parallel systems of cancellation and through that, registration and all licensing of people. Accordingly, I move an amendment to the amendment moved by the honorable member for Brunswick. I move:

> That in proposed new clause A omit all words and expressions commencing with "220EB (1)" and ending with "220EC" and insert "220EB".

In effect, all that the honorable member for Brunswick proposed under 220EC stands, if the Government's amendment is accepted to the amendment as a clause in its own right under 220EB. I support the Government's proposals.

Mr WHITING (Mildura)—I have been convinced by the explanation of the Minister that the amendment proposed by the honorable member for Brunswick could result in quite severe hardship to people who are not in a position to be prosecuted under the Health Act but who could then face a court penalty by way of the proposed section 220EB and then have to face an appeal to a higher court—for instance, if a penalty were imposed by a Magistrates Court and they then had to face an appeal to the County Court and so on. It may well be that time will prove either that there is need for that type of provision to be included or that there is not.

If the Minister's argument that the present provisions are quite strict and will be enforced with regard to people who do give special accommodation houses a very bad name indeed, proves to be ill-founded, consideration of the point made by the honorable member for Brunswick may well be necessary. I have no doubt that, at that stage, the kinds of things included in his proposed amendment would be appropriate. At this stage, however, time ought to be allowed to see whether the present provisions of the Health Act are satisfactory and whether the need for proposed section 220EB will occur. I believe it is not necessary at this stage but it may become necessary in the future.

The provision contained in proposed section 220EC is a good one. The honorable member for Brunswick and his party ought to be congratulated on the number of amendments they have proposed which have been accepted by the Minister. It is quite a compliment to them.

Mr ROPER (Brunswick)—The Labor Party is somewhat disappointed that the Government has not accepted the additional proposed provision. My interpretation would probably be different from that of the Deputy Leader of the National Party who says it may become necessary in the future. I believe it is necessary to include in the Bill as many powers as possible and it then becomes a matter of their usage.

The cancellation power is at present contained in section 220D (1) which provides:

> Subject to sub-section (2) the Commission may in its discretion at any time cancel the registration of a special accommodation house or vary the terms and conditions to which such a registration is subject.

It then goes on:

> (2) Before the Commission takes action as permitted by sub-section (1) the Commission shall inform the proprietor of the action intended to be taken and shall give him the opportunity to place before the Commission any matters he considers necessary.

Honorable members all know that that can sometimes be a lengthy procedure.

In response to the Minister, who interjects, the proposed amendment does not remove that clause. That would continue to be the manner in which most cancellations or variations of the terms of registrations would occur. However, there can be situations where immediate cancellation is desirable as a result of evidence that comes before a court under this Act. In that situation it is important that the provisions of section 220D (2) should not apply, and that is the situation my proposed amendment is attempting to get at—that there can be situations where the time delay required under section 220D (2) should be abolished. That would be overcome by

my proposed amendment. That is the way in which I would see the proposed provision working.

I am also a little disappointed that the Minister did not comment on the suggestion that a person convicted of an offence can be ordered to take no part in the control or management of a special accommodation house for a period not exceeding twelve months, as the court sees fit. There are provisions concerning the licensing of people but, as honorable members all know, people breach those provisions. There is no better deterrent than a potential prison term to convince people that it is not worth the risk. Of course, the other effective deterrent is the surety that one will be picked up in the long run. I suspect that that is a stronger deterrent but it is not a matter on which Parliament can legislate.

As the Labor Party sees it, the normal process for the cancellation or variation of the terms of registration would be those laid down in section 220D (1) and (2) of the principal Act. The Labor Party's one regret about that provision is that the former Commission of Public Health conducted a public activity; whereas the Health Commission's activity is not public. It was useful for the education of the community to be able to read about those matters in the newspaper, but now there is no press coverage of that kind of activity. At the time the Labor Party suggested to the then Minister that some consideration should be given to retaining some functions of the old Commission of Public Health as public functions in this particular area.

However, there are cases where evidence that comes before a court may be of such severity that the time that elapses under section 220D (2) should not be allowed and the court should be able to direct in the matter. Presumably, the court would also be advised by the commission. The magistrate or the County Court would ask for the advice of officers of the commission before taking any action. That is how courts normally operate in these matters: Before imposing an additional penalty, they ask for the opinions of the parties. Because the Labor Party wishes to enable more speedy action than is possible under section 220D (1), which is subject to the restriction contained in section 220D (2), that provision was proposed.

The Labor Party is pleased that the Minister is prepared to adopt section 220EC because, in the long run, that will be of advantage to the elderly.

The Committee divided on the question that the expressions proposed by Mr Borthwick to be omitted stand part of proposed new clause A (Mr A. T. Evans in the chair).

Ayes	32
Noes	39
Majority for the omission of the expressions ..	7

AYES

Mr Amos	Mr Remington
Mr Cain	Mr Roper
Mr Cathie	Mr Rowe
Mr Crabb	Mr Sidiropoulos
Mr Culpin	Mr Simmonds
Mr Edmunds	Mr Simpson
Mr Ernst	Mr Stirling
Mr Fogarty	Mrs Toner
Mr Fordham	Mr Trezise
Mr Gavin	Dr Vaughan
Mr Ginifer	Mr Walsh
Mr Hockley	Mr Wilkes
Mr Jolly	Mr Wilton
Mr King	
Mr Kirkwood	*Tellers:*
Mr Mathews	Dr Coghill
Mr Miller	Mr Spyker

NOES

Mr Balfour	Mr McInnes
Mr Birrell	Mr Mackinnon
Mr Borthwick	Mr Maclellan
Mr Brown	Mrs Patrick
Mr Burgin	Mr Ramsay
Mrs Chambers	Mr Reynolds
Mr Coleman	Mr Richardson
Mr Crellin	Mr Skeggs
Mr Dixon	Mr Smith (*South Barwon*)
Mr Dunstan	Mr Smith (*Warrnambool*)
Mr Ebery	Mr Tanner
Mr Evans (*Gippsland East*)	Mr Templeton
Mr Hamer	Mr Thompson
Mr Jona	Mr Weideman
Mr Kennett	Mr Whiting
Mr Lacy	Mr Williams
Mr Lieberman	
Mr McArthur	
Mr McCance	*Tellers:*
Mr McClure	Mr Collins
Mr McGrath	Mr Cox

The expression proposed by Mr Borthwick to be inserted was so inserted.

The new clause, as amended, was agreed to.

The Bill was reported to the House with amendments, and the amendments were adopted.

Mr BORTHWICK (Minister of Health) —I move:

That this Bill be now read a third time.

Mr ROPER (Brunswick)—I hope that sometime in the next year there is no urgent need to cancel the legislation when Parliament is not sitting and nothing can be done but wait. A person can take a matter to court if the provisions of the legislation are not complied with but that is a separate argument to whether it should or should not be cancelled.

I wish to make three brief points. The first is that this measure is about to pass through this House, so a special system other than currently exists must be developed that does not entail the creation of positions for vast numbers of additional inspectors at 555 Collins Street, Melbourne. That must mean that inspectorial powers be delegated to the municipal and shire health inspectors throughout Victoria so that, when a problem arises in Ballarat, Bendigo, Warragul, Mildura or Dandenong, a person will be on the spot who can ensure that the provisions of this measure are carried out. That is how the inspection system, not only in this case but also in many others, should operate.

I do not suggest that that would necessarily be the only inspection that would be carried out. It may well be that what the shire health surveyor finds out is whether there is a case to answer, and then the highly qualified expert inspector from 555 Collins Street, Melbourne, will go out. In the first instance it would be a waste of someone's time to send him to Warragul or Mildura simply to do the initial inspection, because that can be more quickly and better done by a local resident. It also brings all those kinds of things within the purview of the Health Commission, and matters can be discovered locally that would not become known to someone in the city. That applies in metropolitan as well as non-metropolitan areas.

The second point is that, I hope, when the regulations are being redrafted, a careful balance will be struck between what is financially practicable and what is economically possible. A set of regulations should not be brought in if they cannot be enforced because all the people currently engaged in this industry would be forced out of business. That is a difficult judgment to make. I have heard many claims made that only registered nurses should be put in charge of people in special accommodation houses. If that proposal were adopted, in many cases it would make it financially impossible for that type of accommodation to be provided. As I said, a careful judgment must be made in the drawing up of the regulations. It must be recognized that this is not a State-run system; it is a system provided through the private sector, and the private sector must make sufficient money from it or it will not be able to stay in that sector and the service will not be provided.

The third point is that encouragement must be provided for those operators to improve their skills in running special accommodation houses. Courses could be undertaken at the Mayfield Centre, and people should be positively encouraged to undertake them; I am sure ways of assisting them could be found. Inspectors should be used for the preparation of material to assist the good proprietors—who comprise 90 per cent or more of all the proprietors—to provide the best possible care for the people living in their special accommodation houses.

A close friend of our family owns a special accommodation house; it is certainly a fairly expensive one, but she has been able, in conjunction with a local school, to arrange for some of the senior boys to come to the house and mix with some of the elderly people there. It is important to encourage the elderly and the young to mix and to provide some benefits to one another, and there are many benefits to be gained.

Occupational therapists and others can contribute excellent ideas in this regard, and we should be using the resources of the Health Commission to assist the proprietors who want to improve the quality of life for people in special accommodation houses. There could be nothing worse than seeing out one's life by sitting in a room and staring at four walls. The same principle applies to people who are physically and mentally handicapped.

I hope those three matters will be taken into account now, as it appears the measure is going to pass through Parliament.

Mr BORTHWICK (Minister of Health) —Quite a lot of discussion has taken place about the use of municipal health surveyors. The drafting of the new regulations dealing with who is to be an authorized officer under the regulations was done in a way that would allow the Health Commission to appoint any person, not just an employee of the commission, as an authorized officer. That will enable it, when the need arises, to appoint people from a variety of fields. The officer could be a doctor, the medical superintendent of a hospital, a district nurse, a professional staff member of a community health centre, or the health surveyor of a municipality. Rather than endeavouring to designate all the possible appointees in the Act, the Minister has been given broad powers under the new regulations—although they are not a matter for debate here, the House ought to know this—to do so and to take any action necessary to discipline an authorized officer.

I also take up the point made by the honorable member of the need for a careful balance when drawing up the regulations. It is essential to bear in mind always, when dealing with this matter, that, apart from dealing with the expensive special accommodation house, this Act and its provisions are directed mainly towards caring for people who can rarely pay more than minimal charges, and frequently can pay little other than their pensions.

The recent controversy has caused concern and worry to the proprietors of a number of very well-run special accommodation homes, and I place on record that the concern of this House is not with the majority of them. I echo what the honorable member for Brunswick said, that numbers of proprietors of well-run establishments have contacted me recently asking for that to be made clear. It has been made clear in the media from time to time, but I suppose it is not really newsworthy. I hope that if anyone's business has been temporarily affected by the publicity given to the shortcomings of the legislation, the confidence of the people in the proposed new legislation will be quickly re-established.

A couple of excellent initiatives have come to attention in the past two weeks. One is the survey conducted by the City of Broadmeadows, which demonstrates that cities are now taking an interest in the affairs of people in special accommodation homes. An excellent town planning proposal was also made to show how people in special accommodation homes can be assisted. This has been examined by the Malvern City Council.

Municipalities can do a great deal to ensure that facilities for the aged in the municipality are easily available to people in special accommodation homes. Many municipalities now employ social workers, and it would be of tremendous advantage to people in special accommodation homes if the municipalities went out of their way to ensure that people living in the municipality became aware of the available facilities and were assisted to enjoy them.

The staffing situation in this section of the Health Commission has been grievous, and it is true that we got down to having only one inspector. Two additional inspectors have since been appointed. They are now to be assisted by a retired police inspector and by medical staff from the Public Health Division. In addition, a clearance has just been received from the Treasury for the appointment of two additional nursing inspectors, which will bring the total to five, and of a special investigator to that division. Those appoint-

ments, allied to the power to appoint people other than public servants as authorized officers, will certainly enable a far better inspectorial service to be provided for the State.

Lastly, I should like to think that this debate has demonstrated to the public of Victoria that this House, either as a House or in Committee, can act in a united way in the best interests of people. There has been a great deal of give and take during the debate. I am pleased that the Government has seen fit to accept so many of the amendments proposed by the Opposition, and I believe the Opposition would echo the sentiment that in the past couple of hours the House or Committee has functioned in a way in which people outside would wish it always to function.

I commend the honorable members who participated in the debate—the honorable members for Brunswick, Mildura, Syndal and Werribee—and I hope the Bill will have a speedy passage to another place.

The motion was agreed to, and the Bill was read a third time.

WORKERS COMPENSATION (GENERAL AMENDMENT) BILL

The debate (adjourned from April 15) on the motion of Mr Ramsay (Minister of Labour and Industry) for the second reading of this Bill was resumed.

Mr SIMMONDS (Reservoir)—The Opposition welcomes the Bill which has been wrung from the Government by the most concerted industrial campaign ever waged in Victoria, not only by the organized trade union movement through the Trades Hall Council, but by all workers who, through the course of the campaign, achieved a level of understanding of workers compensation never before achieved. The fact that the Government sought to match that understanding with an indoctrination campaign conducted through the radio, press and television, paid for by the community, and the fact that it culminated in the total defeat of the Government by the introduction of the Bill before the House, simply states the historical position the community is in on workers compensation.

Mr GINIFER (Keilor)—On a point of order, Mr Acting Speaker, as the Deputy Speaker is in the House, should he not take the chair?

The ACTING SPEAKER (Mr Birrell)—Does the honorable member for Ballarat North intend to take the chair?

Mr A. T. EVANS (Ballarat North)—No, I am leaving the Chamber.

Mr SIMMONDS (Reservoir)—The Opposition supports the Bill and rejects the Minister's second-reading speech. The relationship that usually exists between a second-reading speech and the presentation of a Bill is that the second-reading speech is an explanation of the contents of the proposed Bill. On this occasion the first four pages of the Minister's second-reading speech have nothing to do with the Bill but are the Minister's explanation of events, while the fifth page gives effect to the matters agreed upon which require immediate legislation. Item 1 of the agreement relates to injury and the definition thereof. Item 2 establishes a new method of assessing the compensation due to the dependent children of a deceased worker. Item 3 deals with retrospectivity of the Act to 1 December 1979. That was the agreed position achieved as a result of an industrial campaign which culminated in the severing of the employer-Government front by the actions of Ansett Transport Industries Ltd which entered into an agreement with the Trades Hall Council to restore the rights of workers employed by that company.

The 5000 employees of Ansett had their rights restored. Hence, the Government had to legislate to codify and make general application of the position or, alternatively, face an industrial campaign which would place the Government in an untenable position. The Opposition understands why the Minister of Labour and Industry has had to face the House and try to turn the workers' massive victory into some sort of a victory for the Government.

Mr Ramsay—An intelligent compromise!

Mr SIMMONDS—The Minister describes it as an intelligent compromise. The Minister's intelligence ought to be applied to the new definition. The pre-1979 definition required a factor of work contribution to injury or disease. The proposed definition requires that there shall be a work contribution of a recognizable degree.

The House would be indebted if the Minister could explain where a worker who had entitlement under the old definition because of a work contribution, and who, under the proposed definition, would not now be eligible for workers compensation on the basis of work contribution to a recognizable degree, stands. The House would also be indebted if the Minister would explain how the level of claims will be reduced because of the new agreed definition.

There is no question that the Government's intention to introduce the words "substantial" or "greater" was designed to limit the number of successful claims for workers compensation. That concept was rejected. The Opposition supports the Bill because it restores some of the right of workers for workers compensation. Those rights have existed for a long time.

When I say that the Bill "restores" some of those rights, I am cognizant of the fact that there are still areas that need to be dealt with. The Trades Hall Council, under the guidance of Mr Stone, conducted an extensive campaign, trying at first to convince the Government by representation and determinedly trying to consult with the Government through the consultative process. The Workers Compensation Consultative Council was set up to improve the position but, ultimately, Mr Stone was forced to withdraw from the council when it was addressed by the Minister who indicated that the Government would take certain action. The consultative process finished at the point when Mr Stone and his assistant left the consultative council. They have not and will not return to the council until the Government changes its attitude.

Mr Stone told me this morning that he has not yet indicated his willingness to continue on a consultative committee unless there is a changed basis upon which real consultation shall take place. It is not a question of consultation if the mere appearance of representatives of the Trades Hall Council is subsequently used to endorse legislation which is not supported. That is a misuse of the word "consultation".

The Bill still leaves the table of maims unsettled and unresolved. A worker who becomes blind this week will still suffer a loss of 44 per cent of his entitlements. If a worker became blind today as a result of an initial injury received in 1975, prior to the changes to the legislation in 1975, his compensation for loss of sight would be reduced by 69 per cent because of the Government's failure to make compensation retrospective from the time of payment to the time of entitlement, or the time of the injury in 1975. In 1975 the Government failed to bring about a full indexation of the table of maims. Hence, because of the Government's actions and policy, many workers will suffer a level of disadvantage.

It is in the area of maims that there is still so much injustice. A worker who suffers the loss of a limb or a permanent or partial hearing disability will suffer financial loss. That is because the Minister does not understand what the table of maims is about. The Government was so overwhelmed by the Harris report and so keen to adopt the recommendations contained therein that it has failed to extend the principles of workers compensation as those principles existed since the introduction of the original principles in 1948 and subsequently in 1953.

A number of factors are involved The Government claims one can bury a worker for $750. It has not declared how it will establish a premiums committee. The Minister has claimed that the insurance companies have given him an understanding that there will be no increase in premiums. However, he has failed to explain how

the Government will ensure that position is carried out without providing any machinery for policing the insurance companies' assurances. The Bill will provide a partial restoration of rights but it needs to be adjusted and extended to restore the rights that have been lost. That will be the subject of further disputation and action by the trade union movement unless the Government is prepared to set up a consultative committee and a premiums committee as a continuation of the consultative process.

These are real problems. There is no doubt about the higher incidence of cancer amongst workers as a result of exposure to chemicals used in industry. The use of chemicals in industry is increasing. Some risks from those chemicals cannot be identified. It is no solution for the Minister of Labour and Industry to remark that 95 per cent of all workers compensation cases are settled at the court door and that lawyers are to blame. There cannot be a legal element without a denial of liability from the insurance companies.

In the latest data collected, the Australian Bureau of Census and Statistics stated that there are 96 insurance companies operating in this field. The bureau recently advised that it will no longer publish reports of accident and injury statistics because the insurance companies are required to report the statistics and cannot be relied upon to tell the truth. A statistical document can be accurate and of value only if the information is factual. It is appalling that insurance companies in Victoria cannot accurately report statistics of injuries and disease on which they write business. Industrial accidents in Victoria cost approximately $400 million and the fact that that estimate is rising should encourage the Government to take positive steps. The Government should consider occupational health and industrial safety aspects as an important priority to assist in the reduction of accidents and disease in industry. The Industrial Hygiene Section of the Health Commission is a condemnation of the Government. The few people in that section have tried over the years to do a proper job but, today, they are completely incapable of dealing with it because of lack of Government support.

Of the many chemicals being used in industry today, many lack proper labelling of contents, usage and warnings. My attention was drawn to one tube of liquid produced in Germany which is in common use in industry and which contains a warning in English that it is a dangerous substance—that is the only advice given on the tube in English; the remainder of the instructions are in German. Workers are suffering skin irritation as a result of exposure to that chemical. The difficulty of foreign products used in industry for English-speaking workers can be extended to the problems confronting migrant workers who are unable to read English and yet must use these products in the work place. Approximately 12 000 toxic chemicals are used in industry today and all pose a risk to the worker. Some of the risks will not be apparent until 5, 10 or 15 years later when workers may develop cancer from the use of those chemicals. Chemicals are being introduced to industry without proper information being given about them and without proper investigation of the risks involved in their use.

Proper investigation of these chemicals should be carried out, and I will raise this question in the House in more detail in the future. The trade union movement made a proposition to the Minister of Labour and Industry in August last year to deal with this aspect but the Minister responded that there was no money for this work. At a cost of $400 million a year in industrial accidents, money should be found for prevention of the factors that lead to workers compensation. The trade union movement should be encouraged and financially assisted in that project. An inquiry similar to the New South Wales inquiry should be established so that the problems are evaluated properly. An investigation could lead to the development of cures and remedies. The Government should not respond to demands of insurance companies as it does now without also making effective efforts to prevent industrial accidents, injury

and disease. The Government cannot continue to condone the methods practised by insurance companies.

The Minister's claim that 95 per cent of all workers compensation cases are settled at the court door does nothing to help the problem. I remind the honorable gentleman, firstly, that there would be no legal action without a denial of liability by the insurance companies and, secondly, that in many cases insurance companies rely on the ignorance of the worker to settle a claim by accepting an amount far less than the courts, with proper investigation and consideration, would have granted. A worker may be offered $2000 initially yet could receive $12 000 months or years later at the door of the court. That is one explanation of why cases may take 12, 15 or 18 months of negotiation and are often settled at the court door. When the Minister talks of litigation, he should remember that the prime responsibility rests with the insurance companies which are denying liability.

The activities of the insurance companies in denying liability do not cease at that point. They employ agents known as loss adjusters whose methods of operation amount to an invasion of privacy. Their activities should be scrutinized carefully. The Ford Motor Company of Australia Ltd has 2000 workers compensation claims annually—an enormous number—and 50 per cent of those cases in which liability is denied are handed to loss adjusters for investigation. One of the practices of loss adjusters is to film workers—sometimes on the pretext of making a documentary on how well migrants are settling into the community and by posing as immigration officers. However, the purpose of the film is to record the movements of a worker who has claimed workers compensation for an injury. The film ends up before the Workers Compensation Board and the worker often loses his claim.

Mr McCance—Why should he not suffer?

Mr SIMMONDS—I shall give two illustrations. On one occasion when I was in the Chamber, I received a telephone call asking me to see a Spanish worker because a desperate situation had developed. To my regret, I did not manage to get there and only 24 hours later that worker, because he had been so harassed by these people, went berserk and finished up in Pentridge Prison as a result of being charged with contempt of court and various other matters. He was driven out of his mind.

What did he do? What happened was that because he had an injured back and was unable to drive a motor car he was anxious to sell his vehicle. He advertised it and, before making an offer, a person who replied to the advertisement pointed out a spot of oil. At first the worker refused to get down to look at the spot because of his back injury. However, because he was so desperate to sell the car, he eventually got down on his hands and knees to look at the spot of oil. That action was filmed and used against him in the hearing of his compensation case. He was a Spaniard and did not understand the processes. As a result, he virtually became a mental case. That is typical of the actions of loss adjusters in these cases.

Another example concerns a woman who was followed regularly, and as a result of this intimidation lost her baby. Her pregnancy was terminated. I do not believe those sorts of actions should be tolerated, because workers are being further hurt after they have already suffered injuries. There ought to be a better way of deciding the legitimacy of claims. In most cases that go before the Workers Compensation Board the argument is not based on the eligibility of the claim; it is based on the degree of incapacity. It is the degree of incapacity that determines the amount of compensation paid and it is in deciding that degree of incapacity that these difficulties arise.

The constant delays are not a result of the system, they are a result of the way in which the system is used by people who are seeking to maximize the profits they gain from the misery of workers who have been unfortunate enough to be injured in their work

places. It is not necessary to be reminded of the incidence of death and injury in the work place to realize that there is a lot to be done in the field of workers compensation as well as industrial safety and occupational health. The House ought to be able to debate workers compensation and the extension of the cover it provides based on the proposition that in this technologically advanced society we ought to be using that advancement to provide a better cover. The House ought not to be contemplating limiting the present cover.

There are people available within the trade union movement who could provide the advice that is needed. For example, Mr Garry Jones, who is employed by the Shell Company of Australia Ltd, is one of the few industrial hygiene officers in Victoria. There are only 50 qualified industrial hygiene officers throughout Australia. More people who are able to supply the sort of expertise Mr Jones has acquired are needed to deal with the problem. Mr Jones had experience with the asbestos in trains problem in Britain, worked for the West Australian Government and is now working with a multi-national company, but he, and many others like him, ought to be free of obligation to employers, to some extent, so that a pool of experts can be built up to provide information to assist Governments to attack the problem. The resources could be brought together so that the problem could be dealt with, but those resources are not being tapped because of the complete lack of interest that has long been a feature of the problem.

If anything has been gained from this exercise, the Government should at least be thanked for what it has done through its obstinancy. It has raised the level of understanding of workers compensation, industrial safety and occupational health to a greater level than ever before. That understanding should be extended and built on. We should not move backwards and argue about the rights of insurance companies to increase their profits. The Government ought to accept the fact that the State Insurance Office is capable of writing all the workers compensation insurance in Victoria. If the profit motive were eliminated, much of the delay in litigation would be eliminated. After all, if the delay were not profitable, it would not exist. If there is a need for analysis of particular kinds of injuries, there are competent people within the trade union movement and industry who have developed expertise in recognizing—I am not talking about the "blood and guts" injuries, which are easily recognizable, but the less obvious ones—injuries, and these could be built up on a case basis.

Trade unions are employing workers compensation officers who are also developing expertise and they would be delighted to give the Minister their knowledge to enable a more comprehensive approach to the problem to be taken. I am sure that just as many people exist on the managerial side of industry who would be prepared to do the same. That would be the correct approach. We cannot afford the continuation of declarations about reductions in premiums resulting in reducing the scope of the cover.

On the Minister's own admission, approximately $80 000 was spent on an advertising campaign in an exercise that cost $146 million in loss of production and lost wages. Make no mistake, Victorian workers do not enjoy striking to defend their rights. It is difficult for country workers to strike, because they are often hostages to their employers, but 1000 workers in Bendigo stopped work, as did 2000 workers in Geelong and workers in the food industry in Shepparton. The fact that they took that action is an indication of their concern. It would have done the Minister good to have listened to them. If the Government believes the trade union movement and the Labor Party can convince people to act against their own interests on a question such as this, it is an indication of its lack of appreciation of what this matter is all about.

The Government, largely as a result of industrial action by the trade union movement, organized by the Trades Hall Council, realized that the workers were serious. More can be done in the field

of workers compensation and that will be followed up by other means, if it is not achieved by legislation. There is a possibility of developing a responsible attitude to workers compensation and I hope the workers of Victoria will enjoy better workers compensation coverage as a result of what has happened during the past twelve months.

Mr SPYKER (Heatherton)—As it is now becoming late, it is unfortunate that the real importance of the Bill will not be highlighted. When I spoke in the original debate on the Workers Compensation Bill last year I said it was disgraceful than in 1979 the House should be considering such a disastrous measure. The legislation proved to be unacceptable to the people of Victoria. I regard this Bill as a great victory for the people of Victoria, regardless of their income or their position. Wherever I spoke on the workers compensation legislation there was a wide understanding of what the Government was determined to do. People were aware of how they were being ripped off, and concerned with what would happen to them if they had an industrial accident.

Congratulations ought to be extended to Ken Stone, the Trades Hall Council, and the people who come under that umbrella, who defeated the Government on this issue. I told the people when I spoke to them on the earlier Bill that the Labor Party could not win in the Parliament as it had only 32 members, and there were 48 members in the Government and the National Party. I told them that they had to defeat the measure in their factories, workshops, offices, police stations, and ambulance stations, and that they should discuss it and make representations to their members of Parliament. The strength of this campaign was that the people wanted some assurance that, if they were killed or seriously injured in industrial accidents, their dependants would not be left destitute.

I also urge the Minister to take up the issue of long delays in claims before the Workers Compensation Board. It takes up to two years before a claim for a death or injury comes before the board. This is causing hardship to families who are purchasing their homes and who have children attending school. Most of these problems could be overcome. It has been pointed out to me time and again that many workers compensation cases are now being challenged that never were previously.

I worked in industry for twenty years, and ten years ago I found that cases that used to be automatically paid were being challenged because of the deliberate policy of some insurance companies to challenge every case, whether or not it was proved. This must increase the premiums for workers compensation. It also causes a lot of hardship. Discussions should be held to eliminate this.

There is a lesson in all this for members of Parliament. People will accept only so much, and then they will say, "That is enough". They know when they are being taken for a ride. The Government, with all its publicity and resources, including the media, was not able to win this fight. It is significant that the trade union movement and the people of Victoria, with very little resources, were able to mount a campaign by going around to workshops and offices. When I put my argument about the earlier Bill to people, they quickly understood that the Government was taking something off them that they had had for many years.

Years ago, Victoria was the pioneer in workers compensation. It is not a luxury entitlement; it is a right.

Mr Ramsay—You mean work is not responsible for the injury?

Mr SPYKER—Workers compensation is a right. As I indicated previously, I worked in industry for twenty years—and it was dangerous work. I was fortunate never to have to claim workers compensation, but having four dependants I had the assurance that if I were injured, my family would be protected. Workers did not have that assurance in the Bill that was introduced last year. The Minister's attitude is deplorable. One would have thought he would have learned his lesson by now. The Victorian Government has been defeated by people who would normally vote for it. The people realized

that the Government was wrong, and they wanted some protection if they were injured at work.

I am very happy that this Bill has been introduced. It has whet the appetites of the people on the whole area of workers compensation, but it covers only the bare essentials. The next Bill should be improved to give Victorian workers a comparable position to workers in other States, as the coverage in other States is much better than that in Victoria.

The hour is late, but I commend the Bill to the House. The Government can take no pride from the way it has conducted itself, and it should openly admit that it was defeated by the people of Victoria. It is a good thing for democracy that the people are able to defeat this arrogant Government.

Mr B. J. EVANS (Gippsland East)—It seems to me that the honorable member for Heatherton has a fairly vivid imagination, because it has yet to be known who has won and who has lost in this argument. After all, the whole contention concerned the use of the word "substantially", and this amendment is intended to delete the words "contributed substantially" and insert in their place the words "was a contributing factor and contributed to a recognizable degree". The whole thing is an exercise in semantics. I suggest each individual case will depend on the person making the final judgment. I cannot understand how anyone can claim a great victory out of this amending Bill. It is extraordinary that the Labor Party was prepared to allow the whole of the State to be held to ransom over this issue.

The honorable member for Heatherton said that he had been engaged in industry for a number of years and he had to put up with the risk of being injured, and what would happen to his dependants. I was a dairy farmer for sixteen years before I came into this place, and I had six dependants. Nobody protected me. I had far more risk, and I had to protect myself. My average income over those years, relative to the standard of living at the respective times, was far below that which the honorable member for Heatherton was able to earn.

The Opposition is constantly overlooking the effect that this legislation is having on the small farmer who employs one or two people. He has to pay substantial premiums for workers compensation to cover an employee who is often earning more than the farmer is from his property. The farmer has to protect his employee, and yet he is running greater risks of injury. That is where the injustice is.

Mr Spyker—Tell the Minister, not me.

Mr B. J. EVANS—I am glad the honorable member has conceded the point. Members of the Opposition should get it out of their minds that the only workers in this State are the people who are paid wages. There are plenty of other workers in the State who are not paid wages; they get a little return for their investment and labour. I am talking of people working in agriculture, such as farmers, and they are reimbursed less for their investment and their labour than any other section of the community.

By interjection the Deputy Leader of the Opposition has said that the people in corner stores and the small businessmen are really the meat in the sandwich in the issue, not the insurance companies or the big business people. Honorable members should seriously consider the effect of workers compensation premiums on the employment opportunities available in the community. Many small businessmen, who are the largest employers in the State, cannot continue to employ people although they would like to do so, because they cannot afford the workers compensation premiums in addition to the wages. Those aspects should be examined. I suggest to the honorable members for Heatherton and Reservoir that they should bide their time before making any claims about the wonderful victory for the workers of this State. Time has yet to prove whether that is the case.

However, I concede many of the arguments put forward by the honorable member for Reservoir who has certainly

studied this question thoroughly. Many of those points are worthy of much fuller consideration than has been given in the past. Honorable members must consider the cost of running the workers compensation system and whether insurance companies are administering it effectively. I understand that the amount per dollar premium paid which goes back to the worker by way of benefit is down to 45 cents in the dollar and that to me represents a poor situation. It indicates the inefficient system of operation and it is time those aspects were examined.

Honorable members must also consider the effect of workers compensation premiums on the general level of employment opportunities available. A more thorough investigation of workers compensation should be carried out. Although this has been promised for fifteen years, it has not taken place. The National Party is prepared to support the Bill which is just a sop to the trade union movement. In this case it represents face saving on both sides and will not make any material difference to the workers compensation situation. There will still be problems in this field in the years to come until a thorough examination is made of the whole subject.

Mr WALSH (Albert Park)—I hope the Bill passes all stages in this House today. Common sense has prevailed after some months of confrontation which should never have occurred. Negotiations should have taken place around the table with the Trades Hall Council officials prior to the last Bill coming before the House in November 1979. That would have avoided the confrontation which occurred in January, February and early March. A working committee has been set up to study the workers compensation legislation for the future. All should go well now, provided that the working party listens to the side of those who represent the workers of this State.

I hope that in the near future another Bill will be introduced into this House. That will be the case if common sense continues to prevail. The Government has now possibly learnt that Trades Hall Council officials do not have two heads and are not determined to destroy the economy but rather to look after the interests of the workers.

The employers were hurt. They had nothing to do with the Bill and did not like it and when it was introduced into the House they were told that the pressure would be on them. The result was that the first employer to cave in was Ansett Airlines of Australia which decided that its workers should have the same workers compensation rights as they had prior to the Act being proclaimed. There is no doubt that other employers would have followed suit. However, common sense prevailed and it was possible for the parties to get together and work out a system acceptable to both sides. I wish the Bill a speedy passage through all stages and hope it will be proclaimed next Tuesday night and implemented.

Mr RAMSAY (Minister of Labour and Industry)—This Bill is a small document. The discussion that it has evoked in the House tonight has extended far and away from the subject-matter of the measure but I should like to thank particularly the honorable member for Reservoir for his colourful and heartfelt contribution. I appreciate the manner in which he has highlighted the number of problems and difficulties that exist in this extremely important area of legislation. The Government has never pretended that it is an easy area to deal with and that the solutions are simple; they certainly are not. However, I remind the House of the particular matters in the Bill rather than canvass the many issues that have been raised in the workers compensation field tonight, both accurately and inaccurately by several of the speakers.

The main point in the Bill is the amendment contained to clause 3, to the definition of injury. The wording now proposed is new wording in the Act; it is not a repeal or return to the old

wording. It has been accepted by the Opposition as satisfactory and has been accepted by the National Party and the Government. It is wording, the impact of which will only be known when it is tested by the board. I expect that the effect at the board will not be very different from that which would have taken place if the word "substantially" had remained in the Bill. The effect of that amendment, as I have indicated time and again, is that no genuine work-based injury would be denied proper and fair compensation under the Workers Compensation Act. That was the claim made by the Government then and it is the claim that it makes now. However, in the absence of an actual hearing before the board, to argue this is rather pointless because whatever is said here will make no difference. The matter will be finally determined by the board.

The Government will continue in its endeavours to ensure that workers compensation in Victoria provides adequate and fair compensation to all injuries when the work has really been the cause of the injuries. That was the Government's objective and it will continue to be. I look forward to working with the honorable member for Reservoir and any other member of the Opposition who cares to join the Government in this endeavour, to develop a better, more efficient and fairer system of workers compensation than that which has been able to be achieved to this date.

It is a complicated and difficult area in which to come up with the perfect answer and the Government does not believe it has reached that situation. However, it is prepared to keep on trying to produce legislation of which it and the State of Victoria can be proud.

The motion was agreed to.

The Bill was read a second time, and passed through its remaining stages.

ADJOURNMENT

Northern Brite Industries—Industrial relations with teachers—Sale of human blood—Unemployment in Heatherton electorate—Victorian Secondary Teachers Association policies—Export of live horses—Staffing of Frankston police station—Queen Victoria Market—Bicycle path for proposed Gardiners Valley freeway —Work experience for secondary school students

Mr RAMSAY (Minister of Labour and Industry)—I move:

That the House do now adjourn.

Mr WILTON (Broadmeadows)—As a result of a recent visit by the Assistant Minister of Education to a sheltered workshop in my electorate, known as Northern Brite Industries, and as a result of the discussions which took place between the Assistant Minister, the senior staff at that workshop and myself, is the honorable gentleman now in a position to indicate what steps have been taken to implement the assistance which he indicated he would provide in the education programme being conducted at that workshop?

Mr FORDHAM (Footscray)—I raise with the Assistant Minister of Education the prospect of yet a further major round of industrial confrontation involving the Victorian Government and Victoria's teachers. The majority of people in the State are fed up at the prospect of further confrontation emerging over the next few weeks. As an honorable member interjects, we should indeed stop the rot; and I look forward to an indication from the Government that it is prepared to review the stand it has taken on this important matter.

My concern is that the real victim in any continuing battle will be the State education system. There is no doubt in my mind that parents and the wider community have lost their trust and confidence in the State school system or are beginning to do so. It would be a tragedy if that occurred because it has taken many years to build up and nurture the system to the strength it has developed, and I hope steps will be taken by both the Government and

the teachers to ensure that that trust and confidence, so painstakingly developed, is not lost.

It is quite clear—and I am sure that, on reflection, the Minister and the Assistant Minister will realize—that threats of action against individual teachers and talk of strike bans is not the way to resolve important matters of difference between the Government, the Education Department and the teacher unions; that, rather, the only way of resolving those matters is by sensible negotiation, difficult though that may be, if agreement is to be reached on the matters at stake. It is provocative of the Government to take the action it has taken. Honorable members all know that the industrial relations system has failed. That has been admitted by the Government and it is now attempting to introduce a new system. In the interim, it is essential that sanity prevail in the interests of the children of this State.

Similarly, I am sure the teachers will recognize that public accountability of the school system is unquestionably a tenet which the community at large requests and demands; and I am sure the teachers of Victoria will play their part in that accountability, which will require their own involvement, at the school level.

I am sure the major issues of dispute between the Government and the teachers can be settled. The conditions case was almost settled last Friday when the Government, represented by the Minister, and the unions, reached verbal agreement. It was only when, for reasons best known to themselves—and probably, on reflection, they were unwise—the parties decided to reflect over the week-end on that verbal agreement that the Government decided they could not proceed with the earlier decisions. I now make available to any interested honorable member a copy of the agreement which was put in writing by the teachers and re-presented last Monday. The document indicates that there is significant common ground between the parties concerned. In that spirit, I hope they will agree to come together.

Mr Fordham

Similarly, in terms of the other matter which will emerge over the next week, that is, the limited tenure issue, I hope the Government will not take provocative steps which will inevitably lead to further industrial action. Once again, there is common ground between the unions and the Minister on the issue. It is quite apparent, for example, that short-term vacancies, such as vacancies caused by long service leave in second term, in the present circumstances of enrolments cannot be filled by permanent tenure appointments. On the other hand, the case for permanent tenure appointments to replace teachers who resign or die or similarly have to be replaced seems obvious.

The ingredients for a settlement are there, so long as goodwill is demonstrated on both sides and so long as there is not an attempt to score political points for one motive or another. I hope the Assistant Minister can give an assurance that the Government will cast aside any notion of prejudice and the problems of the past and enter into a proper spirit of negotiation over the next few days so that these matters can be settled, not only in the interests of the Government or the teachers, but also in the interests of the children of Victoria.

Mr COLEMAN (Syndal)—I raise with the Minister of Health the proposed purchase by American companies of blood in the United Kingdom. A fortnight ago in this House I raised the matter of the purchase by British companies of human organs in third world countries. In this instance, American companies are proposing to buy blood under the same scheme. One case that has been quoted is of a woman in America who, on the basis of the contribution of six pints of blood every month, has raised something like $230 000.

All honorable members recognize that the voluntary scheme operating in this country is highly satisfactory. I put it to the Minister that, if there are people who are preparing to purchase organs and blood, the voluntary scheme which exists in Australia ought to be protected in some way. I ask that he investigate

the matter and possibly introduce legislation to enshrine the system which currently prevails.

Mr SPYKER (Heatherton)—I direct the attention of the Minister representing the Minister of Labour and Industry to a matter of concern in the Heatherton electorate. Because of the downturn in the vehicle industry and the vehicle component industry and because of the decline in the television market, many redundancies have been created in the Heatherton electorate. In the present instance, the situation is highlighted by the dismissal of employees with a number of years service—seven, eight, nine years. One employee concerned had nine years and nine months' service; another had nine years, eleven months and three days' service. The Minister is probably well aware that those employees are not entitled to long service leave.

It is a matter of concern to me that people have almost qualified for long service leave and have then been dismissed. I have spoken with a number of employees about the matter and they say that the dismissals have either been directed from top management or it has been stated that the employee concerned has not been suitable.

It is a sad state of affairs if it takes eight or nine years for an employer to wake up to the fact that an employee is not suitable for a job. I urge the Minister to take action.

I have been advised that in South Australia long service leave entitlements apply after five years of service and on a *pro rata* basis after two years if dismissal is due to redundancy. It is important that the Minister should take action so that this trend does not continue.

If a person is entitled to seven or eight weeks' pay and after nine years he is sacked it is a shock, because most men would consider that, having worked for a company for eight or nine years, if redundancy action were taken they would not be the first to be dismissed. I understand the difficulties experienced by some companies in the vehicle and colour television industries. The companies should be humane, particularly when employees of many years standing are involved.

I urge the Minister to take the necessary action to bring Victoria into line with other States regarding long service leave.

Mr RICHARDSON (Forest Hill)—I draw to the attention of the Assistant Minister of Education a matter which is causing considerable concern in the electorate I represent and in fact in every electorate in Victoria. It relates to the attitudes and policies of the Victorian Secondary Teachers Association.

In essence, the Victorian Secondary Teachers Association has two objectives. The first is that members of that union who work in high schools in this State should work the hours which the union decides they should work and not the hours the employer employs them to work.

The second objective which causes disruption, and which will cause more disruption if it is allowed to move along a path of success, is the objective to take over the running of the schools, to take control of schools away from the principal, the Education Department and public scrutiny and to place the management of schools in the hands of staff executives.

On the first point I made, that is described by the Victorian Secondary Teachers Association as its conditions policy. That conditions policy states that the total weekly workload for a teacher should be 26 and two-thirds hours. It is stated that in those 26 and two-thirds hours there should be face-to-face teaching time of only fourteen or fifteen hours a week and half of those hours of face-to-face teaching should be allowed for preparation and correction and that the remainder of the 26 and two-thirds hours, which will make up the full weekly workload for the overworked teacher, should be devoted to other duties, such as conducting the football club and drama club, yard duty and even an allowance for attending union meetings.

I draw these demands to the attention of the House and, through the House, to the public of Victoria. Many people in the community who work 40 hours or more a week would look at the demands of school teachers who already receive ten weeks' paid holiday a year and draw their own conclusion about how realistic the Victorian Secondary Teachers Association is in putting these demands.

Mr FORDHAM (Footscray)—On a point of order, I have listened to what the honorable member for Forest Hill has said with humour. I would be interested to hear how the honorable member relates this matter to the Minister. He has not said what action he expects the Government to take. He has given a not too accurate description of what is happening in some schools and the alleged actions of the teacher union but has not directed his remarks to what is required of the Minister.

The SPEAKER (the Hon. S. J. Plowman)—I accept the point of order. I am still waiting for the honorable member for Forest Hill to come to the specific point. The honorable member has 30 seconds to finish his question.

Mr RICHARDSON (Forest Hill)—In the 30 seconds remaining, I will be delighted to refer these remarks to the activities of the Assistant Minister of Education. I draw to the attention of the House the demands of the teacher union that the schools should be run by a staff executive appointed by the staff and not by the principal and the Education Department.

Mr TREZISE (Geelong North)—I raise a matter with the Premier and/or the Minister of Agriculture. As neither honorable gentleman is present perhaps the matter can be passed on to them. In reply to two questions asked yesterday about the present controversy about horses being shipped to Japan the Premier said that he had spoken with the Prime Minister on the matter and the Minister of Agriculture said that he would ensure that veterinary surgeons go on the ships to make sure that the horses leave here in a healthy condition. That is not good enough. They should ensure that the horses will be well cared for on the way to Japan.

Last week horses were loaded into a space smaller than a single horse float, which meant that if healthy or unhealthy horses fell down they would not be able to get to their feet and would either be dead or near dead when they arrived in Japan. Presumably the same will happen in future.

I ask the Premier to do what he was reported in the newspaper last weekend as saying he would do, namely, to call for a full report and advise the Parliament and public of Victoria why the horses could not be put down before they are exported. Will he ensure that veterinary surgeons examine the horses before they leave Victoria to ensure they have plenty of room to move around during the voyage and to ensure the horses can be looked after on the voyage? There are many people, including horse lovers, in Victoria who believe the present situation is not good enough.

I ask the Premier to ensure that a report is made in three or four weeks setting out what legislation will be passed or what action will be taken to ensure that horses are protected, not only when they go on the ship but also on the way to Japan if they are to arrive there alive.

Mr WEIDEMAN (Frankston)—I raise a matter with the Minister for Police and Emergency Services. The Minister will be aware that before Christmas there was a riot in the Frankston area and that recently four young men who were involved in that riot were committed to prison. The Minister decided to provide more staff at the Frankston police station and staff normally involved in court duty were sent to work at the Frankston police station while the courts were shut down over Christmas and January. Ten constables worked at Frankston police station until Easter. Their services were a big advantage to the area.

The peninsula and Frankston area attracts many young people and visitors at week-ends and holidays. Obviously Christmas and Easter are high population intake times.

The area is also highly populated; it is one of the few areas in Victoria with an increasing growth pattern, whereas many other areas have a declining population. I understand that the Knox and Frankston regions are the only two that have an increasing school population.

I understand from the local police station that the ten constables who were on duty since Christmas were removed after Easter and that there will now be a shortage of staff again. The police also had the advantage of having some probationary constables who had just come out of the Glen Waverley Police Training Academy. Unfortunately, when a young constable goes to a station from the academy, he must work in areas where he will gain experience in the type of work he is to undertake in the future. It is not conducive to good training at Frankston, because he will not obtain the one-to-one experience that he would find at a quieter station. I understand that in the future the younger police will not be sent to Frankston because it is difficult for them to settle down in the Police Force when they are subjected to the strains that exist in a difficult area like Frankston.

In areas like South Melbourne, Carlton and Richmond, where extra men are stationed, staff can be brought quickly to deal with disturbances. This applies also to the Melbourne Cricket Ground, Swanston Street, the universities and similar places. However, because Frankston is 30 miles from Melbourne, it is difficult to transport a group of police quickly to the city.

Even so, I ask the Minister to look into the possibility of providing additional staff for the Police Force in the Frankston area and the peninsula region. The staff have been doing their level best to keep up the standard, but, as Mr Miller pointed out, policemen should become much more "customer orientated", and it is difficult for constables and sergeants of police in the Frankston area to comply with that requirement because they are pushed for time and space. I ask the Minister to look into the possibility of bringing in more police to Frankston, because although we were very happy with the ten constables who were there from Christmas to Easter, the problems exist for the full twelve months of the year.

Mr REMINGTON (Melbourne)—I draw a matter to the attention of the Minister of the Arts. I have a petition signed by 43 000 citizens of Victoria —not quite as many as those who signed the workers compensation petition—expressing their concern at the proposed encroachment on the Queen Victoria Market area by the redevelopment of the State Library and National Museum. The petition asks that all endeavours be made to persuade the State Government to withdraw its intention to demolish half of the historical Queen Victoria Market area bounded by Peel, Queen, Franklin and Victoria streets, and to allow the market to continue to serve the people of Victoria in its present form. Obviously deep concern is expressed by the people who have signed that petition.

The Minister would be aware that the market site was donated to the growers of Victoria some 100 years ago. A minimum of 75 000 people would use the facilities of the Queen Victoria Market each week. Recently the market has been successfully opened for Sunday trading, which is extremely popular amongst people throughout the whole of Melbourne, and provides a type of tourist attraction in a city which is devoid of other tourist attractions.

I know the Minister will say that adequate parking space will be provided in the new development. The concern of people is that it will take at least three to six years to develop the new museum and library, and it is doubtful whether any business could survive over that period with the removal of the present car parking facilities at the market.

The Queen Victoria Market fulfils a number of roles; it provides low cost fruit and vegetables to, as I said, 75 000

people each week throughout metropolitan Melbourne. It is an ethnic centre to which people from all countries can come with a reasonable chance of being served by someone who speaks their own tongue. It provides elderly people and those who live in Housing Commission areas such as Carlton, Flemington, North Melbourne, Fitzroy, and other similar localities with access to reasonably cheap and good food.

It is up to the Government to clarify its position on this proposed encroachment on the site of the Queen Victoria Market and to give an unequivocal undertaking that any proposed development will not jeopardize the viability of the market as we now know it. For the Minister to give that undertaking, he must take into consideration the interruption to car parking that must occur, when and if the proposed redevelopment takes place.

Mr COX (Mitcham)—I draw to the attention of the Minister of Transport the proposed Gardiners Valley freeway scheme. I am concerned and would like to exert pressure on the pedals for the cycling fraternity, because I recently read a report that the proposed cycle path to adjoin the freeway is to be scrapped. I am concerned about that because, in the construction of freeways where it is possible to incorporate a cycle path, the cost of putting in this extra facility is minimal compared with the total cost of the freeway.

Some confusion exists about the article that was written on the subject, and I ask the Minister to clarify with the Country Roads Board what its intentions are and the reasons why it believes it cannot fit a cycle path within the boundaries of the freeway. It has been suggested that one of the reasons is to provide extra open space, but that open space would be quite narrow. If it is going to be so narrow, one useful purpose to which it could be put is to incorporate a cycle path, because the gradients on which freeways are developed are ideal for cycle paths.

I ask the Minister to take up this matter with the Country Roads Board because the cost of incorporating a cycle path into the total complex would be minimal.

Dr COGHILL (Werribee)—I raise a matter for the attention of the Assistant Minister of Education. It relates to the work experience programme for senior students at secondary schools. The scheme is commendable and overall it is very successful, but it raises some problems which affect my electorate and other parts of Victoria. I refer to the opportunity for students to undertake work experience in Australian Government instrumentalities and departments.

At present those departments will not take on students in Victoria for work experience, and they claim it is because they are not protected by indemnity in case the students suffer injury or have some other cause to make a claim during his or her work experience. I understand that in New South Wales arrangements have been made by the State Government to ensure that Australian Government departments are indemnified in such cases.

In the Werribee area and, indeed, in much of the western suburbs, this is particularly important, because there are large employers in the Federal Government sphere that apparently would be willing to take on students for work experience. These include the Royal Australian Air Force at Point Cook, Laverton and Tottenham, and Telecom Australia. I ask that the Minister take the necessary action to ensure that Commonwealth authorities are able to take on students for work experience.

Mr LACY (Assistant Minister of Education)—If I could deal with the matters not related to my portfolio first. The honorable member for Geelong North raised with the Premier the matter of cruelty to horses on ships travelling to Japan. I will direct his remarks to the Premier for his attention.

The honorable member for Broadmeadows raised a matter that was raised with me first by the honorable member at a very pleasant visit I had to Northern Brite Industries where the honorable member is chairman of the

committee of management of that organization. I was tremendously impressed with the work of that organization in providing a sheltered workshop for more than 100 handicapped young adults.

In the course of our inspection it became quite clear that there was a need for not only an education programme which is under way but some form of assistance for that education programme. There is a teacher appointed under the technical and further education scheme who visits Northern Brite Industries for one and a half days a week to conduct courses for those young persons and assist them in continuing their education programme at the workplace.

I have undertaken to provide, by way of assistance to that organization, a portable class-room which will be located and serviced on site. The management will arrange for a work programme for the young persons there to refurbish and redecorate the portable class-room.

I have also undertaken to provide an establishment grant for library books and aids through the Special Services Division to assist in establishing that as a learning centre for Northern Brite Industries so that those young handicapped persons can continue their education. I assure the honorable member that those matters have been put in train and he has my assurance that they will be effected as soon as my department can make the necessary arrangements.

The honorable member for Werribee referred to work experience for senior students at technical schools and the difficulties being experienced by teachers in arranging suitable programmes in Commonwealth instrumentalities and departments. In view of the problem relating to the provision of indemnity in the case of injury of students, I will take that matter up with the Minister of Education to see whether arrangements can be made to assist teachers to arrange programmes with Commonwealth instrumentalities and departments in a similar way that work experience is provided in State Government instrumentalities and departments. I thank the honorable member for raising the matter.

The honorable member for Melbourne referred to a petition containing 43 000 signatures of persons expressing concern against the use of the Queen Victoria Market site for the proposed new buildings to house the State Library and the National Museum of Victoria. I appreciate the expressed concern but I assure the honorable member for Melbourne that he will be one of the first to support the proposition that the State Library and the National Museum urgently need new accommodation to allow the Science Museum to take over that accommodation currently occupied by the State Library and the National Museum.

After extensive review, investigation and report, it was decided that the Queen Victoria Market was the best and most suitable site in the city of Melbourne. I share that view. The Government intends to proceed with the development of that site. Nevertheless, the concern the honorable member raised that adequate car parking needs to be provided is pertinent and I will direct the attention of the building committee to the problems raised by the petition.

The Deputy Leader of the Opposition and the honorable member for Forest Hill raised, in two separate ways, issues related to the current strikes organized and proposed by the Victorian Secondary Teachers Association. Obviously they both approached the subject from different points of view. The Deputy Leader of the Opposition seemed to take the view that the Government is acting in a rough-handed way in making threats of strike bans. That is precisely the attitude of the Victorian Secondary Teachers Association referred to by the honorable member for Forest Hill.

The association would like the issue at dispute to be interpreted as simply an issue of the right to strike. I assure the Deputy Leader of the Opposition that his request that the Minister of Education meet and make himself available is being met.

The Minister of Education met representatives of the Victorian Secondary Teachers Association on Friday last at 4 p.m. for a number of hours; on Monday of this week for three hours; on Tuesday from 10 a.m. until after lunch; again on Thursday and at this very hour, I suspect a meeting which started at 4.30 p.m. is still proceeding. I expect the Minister has had time to do nothing else but meet with the association to consider the matters raised at those meetings. I also understand that the Trades Hall Council will tonight discuss the issue at its meeting.

Apparently, if one takes the words of the Deputy Leader of the Opposition, the Victorian Secondary Teachers Association and the Opposition take the view that this is a matter of the right to strike, quite apart from the rights of parents to have their children taught in schools and the rights of children to be taught in those schools. The association is ignorant of a number of other rights that are relevant to the issue.

The right to strike, as interpreted by the Victorian Secondary Teachers Association, means the right of teachers to avoid making information related to their teaching in the form of observation of what they are actually doing in schools and in classes and their work produced as a result of this interaction available to officers of the Education Department. It also means the right of teachers to prevent principals from holding meetings of their staffs is at stake.

Principals appointed under the statutes of Parliament who hold responsibility for the total programme of the school to which they have been assigned must be able to exercise that responsibility in supervising the schools' teaching staff and ensuring that the schools' curriculums are in fact being effectively implemented at the school.

Meetings of school staff are an essential part of the principal's involvement in the responsibility of fulfilling his duties. What has happened is that the Victorian Secondary Teachers Association has used the right to strike to prevent principals holding meetings of staff. That is what the right to strike means in a number of schools.

The right to strike as interpreted by the VSTA further means the right of teacher to determine their own working hours. At Thomastown High School a resolution was taken to strike half a day a week so as to ensure that, by strike action, they would reduce their working hours to Victorian Secondary Teachers Association conditions. Of course, the teachers rescinded the resolution, but nevertheless continued to make themselves unavailable for half a day a week, and as a result of withdrawing their salaries, they have now over the past couple of weeks not only rescinded the resolution but returned to working the hours prescribed for them by the timetable. As a result of their action, their salaries have been reinstated.

The electors also have some rights. They have a right to the information on the product arising from the expenditure of Government funds on education; where those funds are expended in the interests of childrens' education as measured in qualitative terms.

The electors have a right to expect that the hours and conditions of employment of teachers appointed under the statutes of Parliament are the hours and conditions of employment actually worked by those employees and that teachers so employed in good faith do not avoid the requirements of their employment and conditions as determined by the proper statutory tribunals and do not waste the taxpayers' money —money appropriated by Treasury by means of Bills which are passed with the support of all parties in this House.

The Deputy Leader of the Opposition made available a document which represents an agreement presented by the Victorian Secondary Teachers Association as the basis of its negotiation in this issue. I want to direct the attention of honorable members to page two, which reveals the sorts of deal that the Victorian Secondary Teachers Association believes is a reasonable proposition in negotiations. The document, under

the heading, "Action Moratorium", discusses the part of the Victorian Secondary Teachers Association and states:

> As a sign of its good faith participation, the Association hereby agrees to suspend, for the duration of the negotiations, the use of strikes (whether school-based or more widely based) over the VSTA members' working conditions as sought by the Association in its publication, "The Secondary Teacher Documents", No, 1, February 1980 at pp. 12–15 inclusive.

The association is offering not to have any strikes on those conditions as prescribed in those pages of the document. In other words, if the document is ever rescinded by the Victorian Secondary Teachers Association, the association would be free to call its members out on a strike. That is the clear meaning of that statement. The association is offering to avoid strikes only on the conditions as published in that document on those pages. That is the offer. On everything else its members can strike and even on those matters they can take any other action they want. The Victorian Secondary Teachers Association is asking the Government, in response to that miniscule offer, to take no other disciplinary action on industrial action by the Victorian Secondary Teachers Association—not just changing the tribunal, but no other disciplinary action on any sort of industrial action by Victorian Secondary Teachers Association members.

What sort of basis of agreement is that? Members of the Opposition endorse that as a reasonable approach to industrial relations. That is further evidence of the integration of the membership of the Victorian Secondary Teachers Association and the Australian Labor Party. That integration is so profound that the Leader and Deputy Leader of the Opposition and their colleagues are prepared to say that the document, on behalf of the Victorian Secondary Teachers Association, as reflected in what I have said about it, is a reflection of sound industrial relations with teachers. That is a reflection of their attitude and the attitude of the Victorian Secondary Teachers Association; it is not a reflection of the attitude of the Minister of Education.

The Minister of Education produced two additional documents of amendments to those words which were objected to, but they were rejected by the Victorian Secondary Teachers Association. He also provided another document which outlined the principles on which he was prepared to continue negotiations. That was rejected. Everything other than on the basis of its own document that has been suggested to members of the Victorian Secondary Teachers Association on this issue has been rejected. The Government and the Minister of Education have done everything possible to reach a settlement of this matter in the interests of children's education. The Minister of Education is continuing to do so.

Honorable members interjecting.

The SPEAKER (the Hon. S. J. Plowman)—Order! I ask the Minister to take no notice of the interjections and to address to the Chair.

Mr LACY—Provocations of the Opposition have led me to enlarging my remarks. The issue is in the hands of the Minister of Education. He is continuing to meet with the Victorian Secondary Teachers Association and I hope the association will be prepared to make some advance on the most ridiculous position that has been presented in that proposed agreement.

Mr LIEBERMAN (Assistant Minister of Health)—The matter raised by the honorable member for Syndal concerned the desire of an overseas company to purchase human blood for transfusion purposes in other countries. I shall draw the matter to the attention of the Minister of Health. I am sure all Australians support the view that the voluntary giving of blood by one citizen to another citizen is worth while and ought to be preserved. Any attempt to commercialize that practice or to erode the basic Australian belief that Australians should help their fellow man should be resisted.

Mr THOMPSON (Minister for Police and Emergency Services)—The honorable member for Frankston spoke of the

possible shortage of police officers in the law-abiding area of Frankston. I shall be pleased to examine the point he made.

Mr MACLELLAN (Minister of Transport)—The honorable member for Mitcham raised the matter of the bicycle path along the Freeway C3 near Gardiner's Creek as proposed and presently being examined. The article to which the honorable member referred was written by Tim Colebatch and appeared in the *Age* of 7 April. Mr Colebatch, with his usual dexterity, has produced an article of great interest but less than fulsome accuracy.

I am advised by the Country Roads Board that the bicycle path which he suggests has been eliminated has not been eliminated from the proposal. The honorable member should correct the impression he has obviously gained, along with many other people, that this has been eliminated. At present, town planning procedures are at work—there is some sign of movement—on the project which calls for the exhibition of the proposals. This will allow for objections to be lodged and they will be considered by the Town and Country Planning Board.

The final design of the freeway has not been completed and it will not be until all proposals and objections are considered. The proposal which is being developed and which is before the town planning procedures is for the freeway and associated works that are proposed to be constructed and the reservations required. The paths and trails referred to have not yet been finalized and they will not be finalized until there is a decision on what the reservation will be. The article states, *inter alia*:

> The proposed bike path has been axed from the new plans. It proposes merely to build sections of isolated "pedestrian or multi-purpose paths or trails".

These are the very factors under discussion. There is no need for those paths to be exclusively bike paths. It is not proposed that bicycles will be ridden at 70 miles an hour in competition with traffic on Freeway C3. The article states further:

> Country Roads Board officials said on Thursday that the decision to fill in the creek . . .

The article continues in that general, "We have a leak" manner. The author of the article did not approach me about the matter and I understand he has not approached the Country Roads Board. He has used the well-worn paths of, "An official said", "We have heard" and so on. I regret to say that he has produced an article that is not entirely accurate in its assumptions or in the way in which it has interpreted those items of information it brings to the attention of the public.

Mr Remington—Is it substantially accurate?

Mr MACLELLAN—The honorable member for Melbourne believes it is substantially correct. That is an interesting interjection and the sort of thing one would expect from the honorable member, who has made no inquiries but has decided it is substantially correct. He says that in the face of someone telling him that the Country Roads Board, after serious discussion, said differently.

The Country Roads Board is the authority responsible for the design, but I suppose the honorable member for Melbourne, with his usual predeliction for knowing everything, would know more than anyone else. I can only say the honorable member for Melbourne is likely to get tangled up in the barrel drain and I hope he has a minor accident when he is run down by one of the bicycles.

Mr LACY (Assistant Minister for Education)—I will refer the matter raised by the honorable member for Heatherton to the Minister of Labour and Industry and ask him to reply to the honorable member directly.

The motion was agreed to.

The House adjourned at 6.2 p.m. until Tuesday, April 22.

QUESTIONS ON NOTICE

The following answers to questions on notice were circulated—

DAY HOSPITAL FOR KYABRAM

(Question No. 1229)

Mr ROPER (Brunswick) asked the Minister of Health:

In respect of the proposed day hospital at Kyambram:

1. Whether his predecessor gave an assurance during a visit to Kyabram that approval would be given for stage I to commence?

2. Whether there has been any progress in the approval of stage I; if not, why?

3. When it is expected that a decision will be made on the commencement of the project?

Mr BORTHWICK (Minister of Health) —The answer is:

1. I am unaware of any such assurance.

2. Yes. Approval has been given for the Committee of the Kyabram and District Memorial Community Hospital to proceed with the planning and construction of a day hospital.

ANIMAL HEALTH

(Question No. 1843)

Dr COGHILL (Werribee) asked the Minister of Agriculture:

In respect of animal health experimental and extension work:

1. What were the purposes for which the vote was used in 1978–79?

2. What was the expenditure from the vote in each month of 1978–79?

Mr I. W. SMITH (Minister of Agriculture)—The answer is:

1. The animal health experimental and extension vote was used for the following purposes:

(*a*) Purchase of experimental animals for disease investigations.

(*b*) Purchase of stores and equipment associated with disease investigation in animals and bees.

2. The expenditure from the vote in each month of 1978–79 was as follows:

	$
July	202.50
August	35.70
September	72.80
October	118.02
November	375.01
December	55.02
January	110.67
February	86.29
March	25.08
April	186.35
May	203.24
June	1 503.69
Total	2 974.37

PASTURE EXTENSION WORK

(Question No. 1847)

Dr COGHILL (Werribee) asked the Minister of Agriculture:

In respect of pasture experimental and extension work:

1. What are the purposes for which the vote was used in 1978–79?

2. What was the expenditure in each month of 1978–79?

Mr I. W. SMITH (Minister of Agriculture)—The answer is:

1. This vote was used in 1978–79 to fund research/development and extension projects in pasture improvement in many districts throughout the State.

Expenditure included capital items and operating expenses, including wages for exempt employees who assist in field experiments.

The main thrusts of these projects in 1978–79 were:

(*a*) Development and testing of improved pasture cultivars in many different environments;

(*b*) making best use of applied fertilizers; and

(*c*) control of weeds, diseases and insect pests of pastures (including aphids).

2. The expenditure in each month of 1978–79 was:

	$
July 1978	1 071.81
August	1 681.03
September	1 029.67
October	3 163.81
November	2 554.01
December	2 850.83
January 1979	7 810.32
February	5 268.96
March	4 167.55
April	4 220.54
May	2 635.10
June	4 906.37
Total	41 360.00

POULTRY INVESTIGATIONS AND ADVISORY WORK

(Question No. 1848)

Dr COGHILL (Werribee) asked the Minister of Agriculture:

In respect of poultry investigations and advisory work:

1. What are the purposes for which the vote was used in 1978–79?

2. What was the expenditure in each month of 1978–79?

Mr I. W. SMITH (Minister of Agriculture)—The answer is:

1. This vote was used in 1978–79 to operate the poultry Random Sample Laying Test, Burnley. The main components of expenditure were for exempt employees and poulty feed.

The aims of random sample testing are:

(*a*) To enable individual breeders to measure their progress relative to other breeders and to assess the effectiveness of their breeding programmes; and

(*b*) To enable commercial poultry farmers to compare the relative merits of breeding stock offered for sale.

This project has recently been reviewed in co-operation with representatives of the poultry industry and is receiving increasing support from industry.

2. The expenditure in each month of 1978–79 was:

	$
July 1978	2 554.85
August	4 175.65
September	3 694.17
October	3 105.32
November	4 965.05
December	2 609.09
January 1979	4 356.23
February	4 567.96
March	6 002.98
April	2 938.70
May	1 881.03
June	6 348.97
Total	47 200.00

EXPENDITURE FOR PLANT SERVICES

(Question No. 1952)

Dr COGHILL (Werribee) asked the Minister of Agriculture:

In respect of vote expenditure for Plant Services—experimental and extension work:

1. What were the purposes for which the vote was expended in 1978–79?

2. What was the amount expended from the vote in each month of 1978–79?

3. What were the reasons for the reduction in the estimate of expenditure in 1979–80 as compared with payments in 1978–79, indicating the activities funded in 1978–79 which will not be met from this vote in 1979–80?

Mr I. W. SMITH (Minister of Agriculture—The answer is:

1. The purposes for which the vote was expended in 1978–79 were for experimental and extension work on field crops, fruit crops, vegetable crops, irrigated pastures, pasture seeds and ornamentals.

2. The amount expended in each month of 1978–79 was:

	$
July	12 666
August	20 520
September	13 347
October	12 747
November	13 306
December	11 788
January	7 179
February	11 182
March	25 852
April	11 663
May	8 001
June	27 369
Total	175 620

3. The main reason for the reduction in the estimate of expenditure in 1979–80 compared with payments in 1978–79 was a reduction in bean and tomato breeding and variety evaluation.

MARKETING OF UNBRANDED MEAT

(Question No. 2052)

Dr COGHILL (Werribee) asked the Minister of Agriculture:

How many cases were detected in 1977–78, 1978–79 and since 1 July 1979 in which meat which was not branded as having been subject to meat inspections was being used or prepared for human consumption or in the preparation of products for human consumption, indicating in each case, the name and address of the premises involved and the form in which the unbranded meat was to be marketed for human consumption?

Mr I. W. SMITH (Minister of Agriculture)—The answer is:

Officers of my department investigated premises and properties on 59 occasions in 1977–78 and 35 occasions in 1978–79 and 30 occasions to 14 March 1980 to determine whether uninspected and unbranded meat was used or handled for human consumption outside of legal requirements.

Prosecutions were initiated on 3 occasions in 1977–78, 4 occasions in 1978–79 and 3 cases for 1979–80 have been referred to the Crown Solicitor for prosecution. All prosecutions determined have been successful.

I am not prepared to make publicly known the names of the persons concerned. In some cases they have already been dealt with by the courts and in other cases, the courts have yet to reach a decision regarding their guilt or otherwise.

MEAT INSPECTION SERVICES

(Question No. 2053)

Dr COGHILL (Werribee) asked the Minister of Agriculture:

In respect of meat inspection services in Victoria for each category of animal slaughtered and processed:

1. What charges are made for meat inspection services by the Department of Agriculture per animal and per kilogram of product?

2. What charges are made for meat inspection services by the Commonwealth Department of Primary Industries per animal and per kilogram of product in premises subject to meat inspection by that department?

3. What staffing ratios for—(*a*) meat inspectors; (*b*) veterinary officers; and (*c*) other staff are used by the Department of Agriculture and the Department of Primary Industry, respectively?

4. What comparisons of meat inspection charges and meat inspection costs borne by Government have been made between meat inspection services operated by the Department of Agriculture, the Department of Primary Industry and other Australian State meat inspection services, indicating the findings of such comparisons?

Mr I. W. SMITH (Minister of Agriculture)—The answer is:

1. The charges made for meat inspection services in Victoria are laid down in the Abattoir and Meat Inspection (Fees) Regulations 1980. The charges levied are for each sheep, lamb, goat or deer 26 cents, for each pig $1.30, for each calf not more than 50 kg weight 26 cents and for each other head of cattle $2.08. The charge levied for boneless meat is $1.30 per 100 kilogram weight.

2. I am advised that the charges made for meat inspection services by the Commonwealth Department of Primary Industry are for each head of cattle and buffalo $1.80, for each calf 41 to 90 kg 60 cents, for each calf less than 41 kg 18 cents and each sheep, lamb and goat 18 cents, and for each pig 60 cents. There is no charge made on meat on a weight basis by the Commonwealth.

3. The numbers of meat inspectors, veterinary officers and administrative officers employed by my department in connection with meat inspection services are 245, 6 and 14 respectively for 130 slaughtering establishments and 308 other establishments. I am advised that the numbers for the Commonwealth Department of Primary Industry in Victoria are 479, 35 and 32 respectively for 18 slaughtering establishments and 110 other establishments, but the 32 administrative staff also service the needs of the poultry, fish, wool and fruit branches.

4. I am unaware of any comparisons of meat inspection charges and meat inspection costs between the various governments of Australia.

Legislative Council

Tuesday, 22 April 1980

The PRESIDENT (the Hon. F. S. Grimwade) took the chair at 4.49 p.m. and read the prayer.

HEALTH (SPECIAL ACCOMMODATION HOUSES) BILL

This Bill was received from the Assembly and, on the motion of the Hon. W. V. HOUGHTON (Minister for Conservation), was read a first time.

WORKERS COMPENSATION (GENERAL AMENDMENT) BILL

This Bill was received from the Assembly and, on the motion of the Hon. HADDON STOREY (Attorney-General), was read a first time.

QUESTIONS WITHOUT NOTICE

LOCAL GOVERNMENT (VALIDATION) BILL

The Hon. W. A. LANDERYOU (Doutta Galla Province)—Is the Minister for Local Government aware of allegations—and I put them no higher than that—that certain Melbourne city councillors voted recently for a significant departure from the Melbourne strategy plan knowing that they would be substantial beneficiaries of such a departure and justified their action because of the dispensation granted by the former Minister for Local Government, Mr Hunt, in April 1976? If so, will the Minister assure the House that he will delay passage of the Local Government (Validation) Bill, which purports to validate that dispensation, among others, until a satisfactory investigation has been conducted?

The Hon. D. G. CROZIER (Minister for Local Government)—I am aware of the allegations, although I reject the inference. Therefore, the answer to the first part of the question is, "Yes". I reject the inference because the actions taken by any councillor so protected, or deemed to be protected, by that instrument or similar instruments were taken in good faith. I pointed out in my second-reading speech the purpose of the Bill when I stated:

> It is therefore proposed by means of this Bill that the validity of all dispensations executed by the Minister before the commencement of this Act should be put beyond doubt so that the position of any councillors who, and councils which have, in good faith relied on their efficacy are protected.