Tuesday, 10 September 1996

The SPEAKER (Hon. S. J. Plowman) took the chair at 2.05 p.m. and read the prayer.

DISTINGUISHED VISITORS

The SPEAKER — Order! I welcome to the gallery seven visiting members from the Hong Kong Legislative Assembly. Members of the Hong Kong Parliament have been very generous to many visiting Victorian members of Parliament, particularly during their Commonwealth Parliamentary Association trips, so it is nice to be able, in a small way, to return that hospitality.

Honourable Members — Hear, hear!

CONDOLENCES

Andrew Arthur Hughes, Esq.

Mr KENNETT (Premier) — I move:

> That this house expresses its sincere sorrow at the death of Andrew Arthur Hughes, Esquire, and places on record its acknowledgment of the valuable services rendered by him to the Parliament and the people of Victoria as member of the Legislative Assembly for the electoral district of Caulfield from 1943 to 1945.

Throughout most of his 94 years Andrew Arthur Hughes was committed to helping others. Mr Hughes served the community both as a minister of religion and as a parliamentarian during the Second World War. He was also a missionary, a probation officer, a teacher, and a consultant.

Mr Hughes was born in South Yarra on 21 January 1902 and was educated at Brighton State School and the College of the Bible in Glen Iris, part of which is in my electorate. Before he became a minister of the Church of Christ he spent the years from 1926 to 1933 as a missionary in India. Following his return from India he worked as a probation officer with the Children's Court.

From 1939 to 1942 he was minister of the Church of Christ in Swanston Street, Melbourne. As a minister of religion he felt he wanted to do more for the community, and that motivated him to enter politics. Mr Hughes served as an Independent Socialist, representing Caulfield in the 34th Victorian Parliament from 1943 to 1945. He then joined the Black Rock branch of the Labor Party in 1946. Although he won preselection for the federal seat of Flinders in 1949, he was not endorsed by the state executive — and he was expelled after standing as an Independent Labor candidate. However, he was subsequently readmitted to the ALP in that infamous year, 1955.

Mr Hughes had a huge following as a minister of religion, and he was an extraordinarily charismatic speaker. After he left politics he moved to Japan, where he lived for many years working as a lecturer. His work led to his becoming a consultant to Japanese companies on how to adopt a Western approach to marketing in order to facilitate their business relationships with the West. He also worked with Japanese scholars, and together they were pioneers of the information society.

Mr Hughes moved to Japan to work with the Japanese community. His attempts to open doors so soon after the Second World War would have been, as we would all appreciate, a very challenging experience.

Mr Hughes returned to Melbourne to enjoy his retirement years. Andrew Hughes is survived by his wife, Tomoko, and his children, Ian, Elwynne, Gwynneth and Linley and their respective families, including 10 grandchildren and 13 great grandchildren. On behalf of my government, I extend condolences to each of them.

Mr BRUMBY (Leader of the Opposition) — On behalf of the parliamentary Labor Party I join with the Premier and honourable members in extending condolences to the family of the late Andrew Arthur Hughes.

Andrew Hughes was a member of this place from 1943 to 1945 and represented the district of Caulfield as an Independent member. But his contribution to this Parliament was only one aspect of his much wider service to the Victorian community.

In 1926, aged 24, he became a Church of Christ missionary in India, where he stayed for 7 years. It was in India that he married his first wife, Eleanor, with whom he had two daughters and two sons.

Andrew Hughes had a very interesting personal and political background. On his return to Australia in 1933 he worked in a wide variety of capacities. He was a probation officer with the Children's Courts, he worked with Toc H providing accommodation for needy ex-servicemen, and from 1939 until 1942

he was a minister at the Swanston Street Church of Christ.

He was also very active in the broader community. He was president of the Education Reform Association, president of the Children's Welfare Association, president of the Australia-India Association, president of the Melbourne Boys Club Association and president of Opportunity Clubs for boys and girls. He was also member of a wide variety of programs and clubs that assisted youth and peace organisations.

Andrew Hughes was elected as the member for Caulfield in 1943, and following his background of work in the broader community, he strongly pursued the issues of education and social justice in this Parliament. In particular, he paid attention to Victorian education issues, and consistently pursued them in this house. His inaugural speech focused on education and showed him to be ahead of his time in calling for educational reform. He called for smaller class sizes; upgraded classrooms and playgrounds; a much closer relationship between schools and the community, which has now become an accepted fact of life; and raising the minimum school leaving age to 16. He also called for increased support for adult education, which has consistently been a policy of modern governments.

I mentioned his interesting political background. Following his defeat in October 1945, Andrew Hughes farmed in Lyndhurst South and later joined the Australian Labor Party. He subsequently won and lost endorsement as a candidate, and then stood unsuccessfully as an Independent Labor candidate and was subsequently expelled from the ALP. However, in 1955 he was readmitted to the party and stood unsuccessfully for the federal seat of Flinders.

In 1957 Andrew Hughes travelled to Japan where he worked as a teacher, and it was in Japan that he met his second and surviving wife, Tomoko Matsuda, whom he married in 1963. It is interesting to note that during that time he was very active in the Japanese anti-war movement.

Andrew Arthur Hughes made a significant contribution not just to this Parliament in the short time he was here but also to the Victorian community through community development and education issues. On behalf of the opposition, I join members of this house in extending sincere condolences to his surviving family.

Mr McNAMARA (Minister for Agriculture and Resources) — I join with the Premier and the Leader of the Opposition in expressing condolences to the family of Andrew Arthur Hughes, who served in this chamber as the member for Caulfield from 1943 until 1945.

As has been mentioned by the Premier and the Leader of the Opposition, Mr Hughes was widely involved across the community. Prior to entering this house, he was a missionary in India from 1926 until 1933. He assisted in providing assistance to needy ex-servicemen, served on a range of charitable organisations and for an extended period was a minister of religion.

Andrew Hughes represented a range of political banners. In 1946 he joined the Black Rock branch of the Labor Party as an independent socialist. He also won preselection for the federal seat of Flinders but was disendorsed by the Labor Party because of his stand against an endorsed Labor candidate.

On behalf of the members of this Parliament, I join with the Premier and the Leader of the Opposition in expressing condolences to his wife, Tomoko, and his children, Ian, Elwynne, Gwynneth and Linley and their respective families, including numerous children and grandchildren.

Mrs SHARDEY (Caulfield) — I speak as the member for Caulfield on this condolence motion for Andrew Arthur Hughes, who served as the member for Caulfield from June 1943 until October 1945. I understand he made a valuable contribution to this Parliament and I convey my sincere condolences to his family.

The SPEAKER — Order! Like most members in this chamber — in fact, probably all members — I did not know Andrew Arthur Hughes, but obviously he contributed very sincerely and effectively in this chamber during his short period as a member. I wish to join other honourable members in sending condolences to his family.

Motion agreed to in silence, honourable members showing unanimous agreement by standing in their places.

The SPEAKER — Order! It may be appropriate to suggest to members, particularly the member whose pager went off during the moment of silence, that pagers should not be turned on while members are in the chamber.

QUESTIONS WITHOUT NOTICE

Employment: election promises

Mr BRUMBY (Leader of the Opposition) — I refer the Premier to the recent rise in the unemployment rate in Victoria from 8.1 to 8.6 per cent, and yesterday's ANZ Job Series, which showed a marked weakening of job advertisements in Victoria. Does the Premier stand by his election promise to generate at least 150 000 new jobs in Victoria by the year 2000?

Mr KENNETT (Premier) — I welcome the Leader of the Opposition back from his odyssey to Greece and Africa in search of a lasting vision for the Australian Labor Party. As the honourable member knows, I have always said that one should not be overly excited about whether one month's unemployment figures show an improvement or a decline. It is true to say that the last figures showed a decline in the number of people employed and our unemployment rate went — I think, from memory — from about 8.2 per cent up to 8.6 per cent. That was after we, on this side of the house, had brought it down from more than 12 per cent to under the national average for the first time in four years.

On not one of those occasions did the Leader of the Opposition raise the question of employment levels or opportunities. It was the policies of the Labor government prior to 1992 that generated so much unemployment, so much hardship and so much inequality in Victoria, and we on this side, with the public, have rebuilt confidence and pride and substantially added to the work force.

This government's policies continue to attract the support of not only Australian businesses as they increase their own activities but also of governments and private sector organisations outside Australia. There is no better example than the decision by the German company Robert Bosch to establish a mainstream part of its business outside Germany for the first time in its operations, which is also a first for any German business. What country did it choose? It chose Australia but, importantly, within Australia it chose Victoria. There are many such decisions we could mention, but that one will generate about 650 new jobs in and around the Clayton area.

Mr Bracks interjected.

Mr KENNETT — This is why the Labor Party has lost all relevance to the audience to which it preaches. While the Labor Party continues to bitch and moan and while it searches for a company that moves from one state to another, the government continues to attract genuine business — in addition to the $4 billion worth of investment it attracted during its first term in office. I expect that over the next four years we will not only attain our target of another 150 000 new jobs but surpass it. I hope the Labor Party will be a constructive partner in trying to build employment opportunities in Victoria and that it will not start the session as it finished the last and as it was rejected at the last election: by whingeing, moaning and groaning. Labor is a policy-free zone! There is nothing there at all.

Mr Brumby interjected.

Mr KENNETT — The Leader of the Opposition interjects, but as I said, when he went on his recent mission he was in search of that lasting vision. The only one he found was a conviction that his leadership was more enduring than the Parthenon. If that is the new Labor Party I assure you, Mr Speaker, that the government and the public have a great deal to fear.

Shop trading hours

Mr PATERSON (South Barwon) — Will the Premier outline to the house the government's decision to reform shop trading hours in Victoria and advise of the benefits to all Victorians as a result of those innovative changes?

Mr KENNETT (Premier) — That highlights the difference between questions asked by the Leader of the Opposition and questions asked by government backbenchers: one lot is negative and the other is positive. That is a good summation of what we offer.

Mr Batchelor — He was told to read it out!

Mr KENNETT — Our people are not told to do anything. We are a free party, a free spirit! We are not faction ridden! Over the past decade many changes have taken place in our society. One of the biggest, which is increasing as we go into the 21st century, is the number of women entering the work force and following careers. We welcome that move, and I am sure the house welcomes it too. However, it has brought about major social changes. There is recognition of the fact that from time to time some of

the laws Parliament passes become unenforceable, and if you cannot enforce a law you have to decide whether to withdraw the offending legislation or pour more resources into trying to police it.

Mr Cole interjected.

Mr KENNETT — Listen to the Labor Party! It is not really relevant. What is your position on shop trading hours? Have you got one? No position! They will all go away to a factional meeting in a telephone box and see whether they can get three different views to accommodate all their factional interests! In the meantime the government recognises that the time for change has come and that the law is not enforceable because of changes within the community. We believe the vast majority of Victorians are progressive and want to maximise choice and employment opportunities. It is clear that after its second electoral victory the government is still reforming some of the fundamentals in society. We are not complacent; we are putting in place policies that will drive opportunities in the 21st century. The Labor Party has no policy on this issue, which indicates yet again that it is simply without relevance.

St Vincent's Hospital

Mr BRUMBY (Leader of the Opposition) — I refer the Premier to the announcement by the government that St Vincent's Hospital will be retained on its present site. I refer the Premier also to the current 25-year agreement between the hospital and the government, and I ask: will the Premier guarantee funding for St Vincent's Hospital at current levels in real terms for the period of the 25-year agreement?

Mr KENNETT (Premier) — The one thing you can be sure of when dealing with this opposition is that it is predictable. We did not pick the first question, although one of my backbenchers could have asked it, but we did pick this one. How disappointing it must be for the Labor Party that it does not have the capacity to even imagine how we will be able to provide health services as we go into the 21st century. The honourable member for Albert Park went into the last election without a policy. You contributed to Labor's loss!

Mr Thwaites interjected.

Mr KENNETT — You were not even in the country when this was going on; you were preening yourself in Paris and showing everybody how pretty you were. You are too pretty! You were not even here!

The SPEAKER — Order! Let us have decorum in the chamber. The Premier on the question.

Mr KENNETT — I was trying to ignore the interjection from Pretty Boy over there, but it was difficult. We are successfully putting in place a relevant health system that will provide quality health care throughout Victoria. It is interesting that the Labor Party continues to turn its back on the eastern suburbs while we are trying to provide new facilities. The honourable member for Albert Park was wearing his white tuxedo the other day. He looks more conservative in it than Stanley Bruce! I think he is trying to outdo him. I thought I looked pretty good in my black tuxedo, but at Melbourne Grammar they tell you to wear white in the middle of winter. You did look pretty! You are the most beautiful member in the house, you really are!

The SPEAKER — Order! The Premier on the question.

Mr KENNETT — I am sorry. You probably saw him, did you, Mr Speaker? Didn't he look beautiful? While this debate has been going on the Labor Party has been ignoring the needs of people who live out of the inner city area. I do not know whether it hates the people in the eastern suburbs or whether it simply does not want to provide for their needs.

St Vincent's Hospital entered into an understanding with the previous Labor government and we honoured that on coming to office in 1992. That contract lasts for approximately 25 years and will be honoured by this government. We all have to understand, though, that we also have to look after the needs of people who will never use St Vincent's — that is, the people out in Knox whom the Labor Party has turned its back on year after year after year. The Labor Party doesn't care about the people who live in the east or the south.

Honourable members interjecting.

Mr KENNETT — And that's why you've got no members from there — because you are irrelevant. All you do — and this was the basis of the argument going into the last election — is whinge, moan and try to hang on to what is already there. You have no vision, and absolutely no policies.

The Leader of the Opposition interjects and asks whether we are going to keep St Vincent's. Yes, according to the contract, all right?

Education Victoria '96

Mrs PEULICH (Bentleigh) — Will the Minister for Education inform the house of the recent initiative to showcase Victoria's excellent education system?

Mr GUDE (Minister for Education) — I thank the honourable member for her question. In her previous life she was an educator. She has maintained that long and close interest as a member and represents not only this side of the house but also Parliament extremely well.

This morning my colleague the Minister for Tertiary Education and Training and I had the pleasure of officially opening Education Victoria '96, which is the largest international education conference, exhibition and site-visit program to have ever been held in this country. All three education sectors — that is, schools, universities and TAFE/training institutions — are taking part in this particular conference. It is expected to attract thousands of visitors and is catering to students, parents, educators, administrators and the wider community. It is a most exciting contribution being made by the government of Victoria to further education in this state and to work with our neighbours in the Asia-Pacific area.

An honourable member interjected.

Mr GUDE — A little cherub over there is interrupting. All that members of the Labor Party ever do is whine and carp, whinge and moan.

As Minister for Education, I have had the opportunity of going around the state and visiting close to 150 schools. Some of those schools need a lot of help, which this government is giving them. Who put them in that state? The Labor Party put the schools in that state. The Labor Party left education in the worst condition it has ever been in in the history of this state. They left schools at a level of disrepair that had never been reached before.

Now our schools are something to be proud of. We can be proud of the schools we have and of the teachers in those schools, and we can be proud of the education that is being offered to students in this state. A highlight for parents of younger children will be seminars and the government's program *Keys to Life — early years of schooling initiative* that was introduced by my predecessor in the previous term of the government. That program is bringing first-class educational outcomes to this state and the children of this state. The conference has attracted 85 international delegates from 14 countries in the Asia-Pacific region.

Honourable members interjecting.

Mr GUDE — Again, they knock, whinge and moan. I am especially pleased to be able to inform the house that the ministers for education from Cambodia and the Philippines are here to see first-hand the impressive range of educational programs that we have on offer in Victoria. Some of the Asia-Pacific's foremost educational experts are currently attending Education Victoria '96. I refer to some of them: Dr Victor Ordonez, Director, UNESCO, Asia-Pacific Region; Professor Zhou Nanzhou, Vice President, China National Institute of Educational Research; Mr Michael Yeoh, Executive Vice President, Asian Strategy and Leadership Institute, Malaysia; and Professor Kimio Uno, Dean, Faculty of Policy Management, Keio University, Japan.

In addition, the heads of education departments of Thailand, Fiji and Indonesia have travelled to Melbourne to witness the showcase and take part in this international interaction on education, to see the leadership role that Victoria is playing in education not just in this state or in Australia but in the region. It does not behove the opposition to knock such international recognition of quality outcomes in education in the state.

It is an outstanding conference that all Victorians ought to be proud of. Finally, I encourage all members of the Parliament, particularly the opposition spokesman on education, to spend some time at the exhibition to see some of the fine things on offer in education in this state.

Hospitals: emergency services

Mr THWAITES (Albert Park) — I refer the Premier to the appalling case of Mr Bill Cooper, highlighted on TV last Sunday, who was forced to lie on a trolley for more than 24 hours at St Vincent's Hospital because no bed was available because of the government's cutbacks, and to the fact that record numbers of patients are waiting on trolleys for long periods. Will the Premier guarantee that no further beds will be closed at St Vincent's and other

major teaching hospitals, and will he abandon plans to close or downgrade Melbourne's hospitals?

Mr KENNETT (Premier) — One of the things the Victorian public has come to expect of the member for Albert Park whenever they see him on television is that he looks angry and upset. Invariably we get another snippet of him seconds later, if the camera is still on him, as he breaks into laughter or is seen smiling. He has a double standard because he does not have a policy.

For the first time, unlike the previous Labor government, we in government regularly publish information about people in our hospital system. The Labor Party never did. We do it now and we do it on a regular basis. For example, from what I think is the latest information — that is for the month of March — in this state, 58 000 people were treated — —

Mr Thwaites — On a point of order, Mr Speaker, I ask you to ask the Premier to relate his reply to the question asked, which was whether he would give a guarantee that no further beds would be closed and no further hospitals would be closed. Figures for March, which are some six months out of date, are irrelevant to the question that has been asked.

The SPEAKER — Order! The question sought information to which the Premier I believe is developing a response. I dare say the Premier will be able to relate the figures for March to the question.

Mr KENNETT — What I am referring to is the hospital services report, which the honourable member will know comes out quarterly. The figures in the latest edition are for March. What the honourable member for Albert Park was saying is incorrect. In that month more than 58 000 people were treated.

Mr Brumby interjected.

Mr KENNETT — I can't do my job and the job for the Leader of the Opposition as well. You are either going to ask the question — —

Honourable members interjecting.

The SPEAKER — Order! If the Leader of the Opposition wants to question the Premier on his answer I will happily give him the next call. But in the meantime I would like him to let the Premier develop his answer and not waste any more time.

Mr KENNETT — In March more than 58 000 people were treated in emergency departments in this state. Of that number, only 847 stayed on trolleys for longer than 12 hours — that is, 1.4 per cent of all of those treated in emergency departments were kept on trolleys for longer than 12 hours.

Many of those people were not going to be admitted to hospitals because they were there in an observation environment. It is easy for opposition members to come in here and make statements, as they always do, particularly the honourable member for Albert Park who preens himself around the place from day to day looking terribly serious. You had the opportunity to put a policy into place and you failed to do it!

Mr Thwaites interjected.

Mr KENNETT — No, you didn't. You were defeated. You lost!

The SPEAKER — Order! The Premier will address the Chair.

Mr KENNETT — The reality is that this year the Victorian public hospital system is treating 150 000 more patients than it was when the government took office in 1992, and the number of people using emergency services is also rising. Some 1.4 per cent of the people who seek emergency treatment are on hospital trolleys for more than 12 hours, and many of those were never going to be admitted to the hospital system because they were there only for observation.

As the government tries to adjust the hospital system to make it more efficient it is not supported in any way by the opposition which simply wants to hang on to the existing practices. It backs those who want to retain the existing hospitals without allowing any capacity to consider a better system to be put in place in the future.

I advise the honourable member for Albert Park that through the networks the government will develop the hospital system in this state to give the vast majority of people absolute satisfaction in the service they receive. Unfortunately when you deal with 800 000 patients a year, as opposed to the 650 000 a year that Labor dealt with when it was in office, you will always find the odd case where a person is retained on a hospital trolley longer than before. The reality is that we are delivering a better system because we are prepared to get the mixes right and

we have a policy on which to base our changes. The Labor Party chases ambulances the whole time, all the time!

Mr Thwaites — On a point of order, Mr Speaker, the Premier is simply debating the question which is in breach of standing order 127. He seems more intent on attacking the Labor Party than on analysing what is happening in the hospital system today. He is more intent on providing figures for March than pointing out and taking action on the fact that more than 1000 people are waiting on trolleys for more than 12 hours.

The SPEAKER — Order! There is no point of order.

Victorian Women Lawyers Association

Ms McCALL (Frankston) — I refer the Attorney-General to statements made by the honourable member for Pascoe Vale about the recent establishment of the Victorian Women Lawyers Association and, in particular, her assertion that the association was launched by the Minister for Women's Affairs and Attorney-General for political purposes. What effect has the honourable member's comments had on women lawyers?

Mrs WADE (Attorney-General) — I thank the honourable member for her question because it is most important that the record be put straight on this matter. The honourable member for Pascoe Vale has gone overboard in more than one sense in her criticism of the new Victorian Women Lawyers Association. In a press release of 28 August the honourable member said:

> The Victorian Women Lawyers Association is nothing more than window dressing.

She questioned the independence of the association and said:

> This new body is being launched in a desperate but fruitless bid by Mrs Wade to overcome the Liberal Party's anti-women image in the law, politics and business.

Those comments have been greeted with a mixture of hilarity and anger by members of the Victorian Women Lawyers Association and its steering committee. They have angered members of the association who formerly supported the ALP and they have particularly antagonised the partners in one of the major Labor law firms in Melbourne. Members of that firm were angered by the comments of the honourable member because a partner in that Labor law firm was on the steering committee.

Mr Batchelor — On a point of order, Mr Speaker, the question fails to deal with an area of government administration and government responsibility and, accordingly, is outside the standing orders. I ask that you rule the question out of order.

Mrs WADE — On the point of order, Mr Speaker, as I have already mentioned, the honourable member for Pascoe Vale suggested that as Minister for Women's Affairs and Attorney-General I had launched this association. I believe it is part of my duties to explain that the association is a non-political body.

The SPEAKER — Order! I do not uphold the point of order.

Mrs WADE — The Victorian Women Lawyers Association is a non-political body that has been set up to fight the glass ceiling in the legal profession. My only involvement with the association has been to accept invitations to address members of the association at its launch a couple of years ago shortly after the steering committee was first established. The members of the association are well aware of my support for women lawyers. They also know that women in the legal profession have made dramatic progress under the Kennett government. I refer the house to the fact there were no women on the benches of our courts when we came to government in 1992 and since then there have been four appointments of women to the County Court and the first woman ever has been appointed to the Supreme Court.

The Victorian Women Lawyers Association aims to provide a common meeting ground for women lawyers. It proposes to be involved in continuing education for women lawyers. It intends to encourage women to enter and stay in the legal profession and also to promote the legal and human rights of women. I understand why the honourable member for Pascoe Vale thinks this might be a front organisation because of the number of front organisations that were established by the Labor Party when it was in government.

Honourable members interjecting.

Mrs WADE — As a prime example I was thinking of Carolyn Hirsh and her Home Interest

Association of Victoria. I know the honourable member for Mordialloc tried to join that association on a number of occasions. Of course front organisations play no part in this government.

I believe complaints may already have been lodged with ALP headquarters about the honourable member's comments. I wonder whether the Labor law firm is still a Labor law firm. I suggest that if the honourable member wants to have anything other than a short political career she should apologise.

Dental services: commonwealth funding

Mr THWAITES (Albert Park) — I refer the Premier to estimates that the waiting list for dental care will blow out from 6 months to 11 years following the federal Liberal government's decision to cut the commonwealth dental program. Will the Premier assure the house that his government will make up the shortfall in commonwealth funds to ensure that pensioners and unemployed Victorians maintain access to dental care?

Mr KENNETT (Premier) — One of the big differences between the honourable member for Albert Park's side of the house and this side is that for the past three or four months most of my colleagues have been here working while he has been tripping around the world. Had he been here he would recall my comments leading up to the federal budget, when I said that anything that was — —

Mr Haermeyer interjected.

The SPEAKER — Order! The honourable member should behave himself.

Mr KENNETT — There is a very good example of why the Labor Party will never be trusted with office! So long as they keep the honourable member for Yan Yean on the front bench the public will turn away from the Labor Party in droves.

Mr Haermeyer interjected.

The SPEAKER — Order! I have warned the honourable member for Yan Yean twice today, and I do not want to do so again. Remain silent!

Mr KENNETT — While the honourable member for Albert Park was preening himself down the Champs Elysées, I commented in advance of the federal budget that if there were any cuts that affected aspects of Victorian life, those aspects would stay cut. In other words, if we do not have the capacity, now that we are being called on to contribute almost $200 million a year to the black hole recovery program that the current federal government has in place to overcome the maladministration of the Keating government, we cannot be expected to meet any of the cuts that the federal government has made. That remains the case, and it applies to the dental hospital just as it does to any other area of government affected by the budget. The only way that could be overcome would be to lift taxes. If the honourable member for Albert Park is suggesting that he would want us to raise taxes — —

Mr Bracks — Haven't we got a surplus budget?

Mr KENNETT — The economic illiterate of the Labor Party asks, 'Haven't we got a surplus budget'. You will also have heard me say in the last few weeks that we have again managed the state's affairs very well. Yes, we do have a budget surplus, and you will see the extent of that tomorrow. That part of the budget which is associated with privatisation and the sale of assets goes to reducing debt and the interest payments that have been clocked up by your predecessors. You will find that what is left is very small indeed. When a federal government cuts funding for any program we are not in a position — nor should any state government be — to necessarily walk in and make up what the cut represents.

The reality is that the federal budget is of the order of $130 billion; ours is less than $15 billion. The state government does not have the capacity to pick up the things that are cut by the federal government, and the honourable member for Albert Park should know that. The only reason he asks the question is that, once again, he has been at a protest meeting today. All he does is go from one protest meeting to another, which gives him the coverage — —

Mr Thwaites interjected.

The SPEAKER — Order!

Mr KENNETT — It just proves that the Labor Party is totally without policy.

Mr Thwaites interjected.

The SPEAKER — Order!

Mr KENNETT — All his party ever does whenever there is a problem is promise money.

Mr Thwaites interjected.

The SPEAKER — Order! I have called the honourable member for Albert Park to order three times. I do not wish to do it again.

Mr KENNETT — All the Labor Party ever does when there is a problem in our society is promise money. It did that time and again going into the last election, and it did so to community after community. Once the election was called the Leader of the Opposition said, 'All the promises I have made over the past few years are off. Don't count on them'. What is the point of the Labor Party saying to us today: 'We'd give money to the dental health situation.'? The reality is that it will not. It cannot be trusted! The commitments it makes today will not be honoured — and that is based on the Leader of the Opposition's record.

Let's be totally honest about this. The member for Albert Park actually agrees with what we are doing in health. He agrees with the administration of our health policy because it is the only policy that exists in Victoria, although he will not say that publicly. Just as the Leader of the Opposition agrees with what we are doing on Albert Park and privatisation, so too does the Labor Party agree with us on health. Until the Labor Party develops a responsible policy that it is able to stick to, the Victorian public will continue to reject it and see its members as lightweights.

City Link: documents

Mr LEAN (Carrum) — In view of the commencement of construction work on the City Link, will the Minister for Planning and Local Government tell the house whether he wishes to release any further documentation in line with the government's position on the disclosure of documentation associated with the project?

Mr MACLELLAN (Minister for Planning and Local Government) — I will be releasing a further five documents relating to the City Link project, and I will be making them available in the parliamentary library for inspection by honourable members. This disclosure of documents is in addition to the full disclosure of the contract documents associated with the legislation when it went through Parliament and the documents which I have subsequently made available in the library. The government will continue to make as many documents public as is appropriate at any point in the project.

The documents to be made available in the library today are the project brief for the Southern and Western bypasses, subject though it is to some copyright; the deed poll for state works design and construct contract; the state works lenders' deal; the deed of appointment for the role of the independent reviewer; and the side deed for the role of the independent reviewer. I will briefly describe the contents of the document for honourable members.

Ms Garbutt interjected.

Mr MACLELLAN — Does the honourable member have any trouble with documents being released? I can understand that after 10 years in a Labor government the honourable member for Bundoora would find it unbelievable that any government would release documents and even more amazing that a minister would do so through the parliamentary process rather than by slipping it out through some faction.

The first document, the project brief, was released in September 1994 to both Transurban and Chart Roads, the two contenders for the project which were shortlisted by the former Labor government. The document established the government's framework within which the City Link project would be competed for by the private sector and would ultimately operate. Within that framework, Chart Roads and Transurban competitively bid for the right to construct, own, finance and operate the project for a concession period. The project brief sets and regulates the process for the lodgment of submissions, the selection of the preferred consortia and the conclusion of the transaction for the creation and operation of the City Link project. So it is a basic and fundamental document.

The deed poll for the state works design and construct contract confirms that the guarantee and indemnity between the state and Transfield Holdings Pty Ltd extends to the state works. The state works lenders' deed ensures that the risk allocation for the state works agreement is the same as it is for the rest of the project, particularly for lenders who are not direct parties to the state works agreement.

The deed of appointment for the role of the independent reviewer relates to the appointment of Sinclair Knight Merz Pty Ltd as the independent reviewer at a figure, to be paid by Transurban, of 0.4 per cent of the value of the project, or $8 million. Its role is to review design and construction programs, certify all works and assess claims.

Finally, the side deed for the role of the independent reviewer determines the allocation of payments for the independent review process. The documents will be made available in the library later this day.

Shop trading hours

Mr BRUMBY (Leader of the Opposition) — I refer the Premier to today's announcement about providing open slather shop trading hours and particularly — —

Mr Kennett — Are you opposed to it?

Mr BRUMBY — No, we are asking you a question. I refer particularly to its impact on small businesses and families. Why is the health and wealth of families less important today than it was some years ago when the Premier was the Minister for Housing and said:

> Most shopkeepers don't wish to open for longer hours because they have little enough time to spend with their families as it is ... This aspect of longer hours for traders can't be overstated; the health and wealth of our society depends on the success of the family unit as I have stated many times.

Why are those family values less important today than they were many years ago when the Premier made that statement as the Minister for Housing?

Mr KENNETT (Premier) — What a riveting question from this exciting Leader of the Opposition! I can only assume the opposition is opposed to what we have done today. Is that correct?

Mr Brumby interjected.

Mr KENNETT — Sorry, they have not seen the details! They know we are deregulating shop trading hours but they haven't seen the details. They don't know what it's about. You have no opinion! Is that true?

Mr Dollis — On a point of order, Mr Speaker, the Premier is very big on family values, but he has been asked a question and is refusing to answer it. I ask you, Sir, to call him back to order. If family values are part of your policy then you should answer your own contradiction!

The SPEAKER — Order! The question was clear.

Mr KENNETT — Yes, I am big on family values and the other thing I am big on is being able to make a decision. I would not have thought you would have to wait for more than 5 minutes after hearing the news today to know whether you were in favour of it or against it. You make policy on the run all the time. Goodness gracious — 'We support Albert Park. We support privatisation'. What is so hard about shop trading hours?

The underlying point reflected by the question is that the opposition just does not grow. If we were to follow the principle enunciated today by the Leader of the Opposition we would never have had motor cars, television or a whole range of things. Society changes and grows.

Increasing numbers of people, particularly women, are working and they are voting with their feet by saying that they want to be able to shop on their own, with their spouses or with their children on the weekend.

Mr Brumby interjected.

Mr KENNETT — Why is it you always have to prove what a big loser you are? Why are you such a big loser? I would trade in the majority we got in the last election for the majority of people who will support this move as opposed to those who will not, and there will be some who will not support it. The only reason the Labor Party does not have a position on this is that it is a very difficult issue and it probably has not consulted with what is left of the Trades Hall Council. It just cannot make up its mind.

This move reflects the changes in our society and the fact that we have legislation that is unenforceable. It was not enforced by the Labor Party when in government and it was not able to be enforced by our government. In that case it is better that we have workable legislation, which will be supported by the broad cross-section of the Victorian community.

PETITIONS

The Clerk — I have received the following petitions for presentation to Parliament:

Royal Melbourne Hospital

To the Honourable the Speaker and members of the Legislative Assembly in Parliament assembled:

The humble petition of the undersigned citizens of the state of Victoria showeth:

Evasion of responsibilities, assignation of those responsibilities to myself and my firm, negligent and careless preparation of documentation and trade coordination, delays to site occupation and delays in payment, have resulted in the liquidation of a family firm established in 1946 and the termination of employment of over 65 employees.

Your petitioners therefore pray that honourable members of the Legislative Assembly initiate an investigation into the building of the Royal Melbourne Hospital Stage 1B Development.

And your petitioners, as in duty bound, will ever pray.

By Mrs Shardey (2 signatures)

Coode Island chemical storage

To the Honourable the Speaker and members of the Legislative Assembly in Parliament assembled:

The humble petition of Geelong residents and the undersigned citizens of the state of Victoria sheweth concern at and opposition to the proposed relocation of the Coode Island hazardous chemical storage facility to Point Lillias, near Geelong.

Your petitioners therefore respectfully urge that the Victorian government does not relocate the Coode Island hazardous chemical storage facility to Point Lillias which as an area of international environmental significance is an inappropriate site for port and chemical storage facilities.

And your petitioners, as in duty bound, will ever pray.

By Mr Loney (134 signatures)

Mooroolbark railway station

To the Honourable the Speaker and members of the Legislative Assembly in Parliament assembled:

The humble petition of the undersigned citizens of the state of Victoria sheweth that in 1988 a new rail station was proposed to be built near the intersection of Mooroolbark and Hull roads, Mooroolbark. Your petitioners therefore pray that this rail station which was proposed be now built on the Lilydale rail line near the intersection of Mooroolbark and Hull roads, Mooroolbark.

And your petitioners, as in duty bound, will ever pray.

By Mrs Elliott (797 signatures)

Sandringham railway line

To the Honourable the Speaker and members of the Legislative Assembly in Parliament assembled:

The humble petition of citizens of Sandringham, users of the rail line to Melbourne Central sheweth the need for the rail loop to be accessible to them. Your petitioners therefore pray that the rail loop will become available always without changing trains.

And your petitioners, as in duty bound, will ever pray.

By Mr Thompson (56 signatures)

Laid on table.

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE

Alert Digest No. 4

Mr RYAN (Gippsland South) presented *Alert Digest* No. 4 of 1996 on:

Legal Practice Bill

Farm Produce Wholesale (Amendment) Bill

Melbourne Exhibition Centre (Amendment) Bill

Forestry Rights Bill

Transport (Rail Safety) Bill

together with appendix.

Laid on table.

Ordered to be printed.

PAPERS

Laid on table by Clerk:

Border Groundwater Agreement Review Committee — Report for the year 1994-95

Constitution Act Amendment Act 1958 — Statement of function conferred on the Electoral Commissioner, 25 June 1996

Drugs, Poisons and Controlled Substances Act 1981 — Documents pursuant to section 12H(1) Poisons Code

Amendment No. 3 to the Standard for the Uniform Scheduling of Drugs and Poisons No. 10, and Notice regarding the amendment, commencement and availability of the Poisons Code (two papers)

Amendment No. 4 to the Standard for the Uniform Scheduling of Drugs and Poisons No. 10, and Notice regarding the amendment, commencement and availability of the Poisons Code (two papers)

Electric Light and Power Act 1958 — Report of the Chief Electrical Inspector for the year 1995

Flora and Fauna Guarantee Act 1988 — Order in Council adding items to Schedule 2 — List of taxa and Communities of Flora or Fauna which are threatened and Schedule 3 — List of potentially threatening processes and repealing of an item in Schedule 2

Grampians Region Water Authority — Report for the year 1994-95, together with notification from the Minister for Agriculture and Resources of the failure to submit the annual report and the reasons therefore

Melbourne City Link Act 1995 —

Order pursuant to section 8(4) decreasing the Project area dated 16 July 1996 (four papers)

Order pursuant to section 8(4) decreasing the Project area dated 6 August 1996 (four papers)

National Parks Act 1975 — Order under section 19F amending Schedule Four

Parliamentary Committees Act 1968 — Response of the Minister for Industry, Science and Technology on action taken with respect to the recommendations made by the Economic Development Committee's Inquiry into the Export of Environmental Services and Associated Technologies

Pathology Services Accreditation Board — Report for the year 1994-95

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

All Planning Schemes — Nos S42, S45, S48, S61, S63

Bairnsdale (Shire) Planning Scheme — No. L55

Ballarat Planning Scheme — Nos L3, L4, L15, L17

Banyule Planning Scheme — Nos L1, L2

Berwick Planning Scheme — Nos L72, L83 Part 1, L98, L104, L111, L113, RL172

Boroondara Planning Scheme — Nos L5, L10

Brighton Planning Scheme — No. L30

Brimbank Planning Scheme — Nos L11, L23

Castlemaine City Planning Scheme — Nos L17, L20

Caulfield Planning Scheme — No. L35

Chiltern Planning Scheme — No. L27

Cranbourne Planning Scheme — Nos L135, L136, L150, L152, L158, L167, L172, L191, RL174

Croydon Planning Scheme — No. L75

Dandenong Planning Scheme — Nos L42, L47

Darebin Planning Scheme — Nos L17, L26

Delatite Planning Scheme — No. L5

Doncaster and Templestowe Planning Scheme — Nos L98, L100, L110

Flinders Planning Scheme — Nos L137, L142, L143, L152

Frankston Planning Scheme — No. L74

Glen Eira Consolidation Amendment

Golden Plains Planning Scheme — No. RL4

Greater Bendigo Planning Scheme — Nos L48, L53

Greater Dandenong Amalgamation Amendment

Greater Dandenong Planning Scheme — No. R173

Greater Geelong Planning Scheme — Nos L150, L158, R118 Part 3, R139, R148, RL15

Hastings Planning Scheme — No. L96

Hume Planning Scheme — Nos L2, L4, L7, L8, L9

Kingston Planning Scheme — Nos L4, L8, L14

Knox Planning Scheme — Nos L52, L61, L90, L105, L111, L114

Lillydale Planning Scheme — Nos L160, L161, L170

Maffra Planning Scheme — No. L30

Maroondah Consolidation Amendment

Maroondah Planning Scheme — No. L1

Melbourne Planning Scheme — Nos L167, L171, L206, L212, L217, L218, L220, L221, L222, L223

Melton Planning Scheme — Nos L58, L66, L68, L70

Mitchell Planning Scheme — No. L19

Moira Planning Scheme — No. L13

Monash Planning Scheme — Nos L1, L2, L10

Moonee Valley Planning Scheme — Nos L2, L5, L7, L11, L12, L13, L16

Moorabbin Planning Scheme — No. L60

Moreland Planning Scheme — Nos L19, L21

Mornington Planning Scheme — Nos L56, L64

Pakenham Planning Scheme — No. L117

Port Phillip Planning Scheme — Nos L7, L18, L21, L26, L28, L29

Port of Melbourne Planning Scheme — No. L16

Ringwood Planning Scheme — No. L49

Rodney Planning Scheme — Nos L90, L91

Sale Planning Scheme — No. L27

Shepparton City Planning Scheme — No. L59

Shepparton Shire Planning Scheme — No. L80

Sherbrooke Planning Scheme — Nos L100, L124

South Gippsland Planning Scheme — No. L36

Springvale Planning Scheme — Nos L98, L109

Stawell (Shire) Planning Scheme — No. L15

Stonnington Planning Scheme — No. L13

Surf Coast Planning Scheme — No. RL36

Swan Hill (Shire) Planning Scheme — No. L23

Traralgon (City) Planning Scheme — No. L65

Traralgon (Shire) Planning Scheme — Nos L49 Part 1, L51 Part 1

Warracknabeal Planning Scheme — No. L8

Warragul Planning Scheme — No. L32 Part 2

Warrnambool Planning Scheme — No. L14

Werribee Planning Scheme — Nos L91, L98

Whitehorse Planning Scheme — No. L1

Woorayl Planning Scheme — No. L50

Yarra Planning Scheme — Nos L9, L10, L23

Yarra Ranges Amalgamation Amendment

Yarra Ranges Planning Scheme — Nos L3, L5, L21

Project Development and Construction Management Act 1994 — Orders in Council under sections 6 and 8 respectively, relating to the National Gallery of Victoria Upgrade

State Employees Retirement Benefits Fund — Report of the actuarial investigation as at 30 June 1995

Statutory Rules under the following Acts:

Administrative Appeals Tribunal Act 1984 — S.R. No. 70

Agricultural and Veterinary Chemicals (Control of Use) Act 1992 — S.R. No. 71

Alpine Resorts Act 1983 — S.R. No. 43

Cemeteries Act 1958 — S.R. No. 48

Conservation, Forests and Lands Act 1987 — S.R. No. 78

County Court Act 1958 — S.R. No. 56

Drugs, Poisons and Controlled Substances Act 1981 — S.R. No. 47

Education Act 1958 — S.R. No. 54

Electricity Industry Act 1993 — S.R. No. 72

Environment Protection Act 1970 — S.R. No. 66

Financial Institutions Duty Act 1982 — S.R. No. 61

Firearms Act 1958 — S.R. Nos 76, 77

Health Act 1958 — S.R. Nos 49, 50

Local Government Act 1989 — S.R. No. 55

Magistrates' Court Act 1989 — S.R. No. 73

Mental Health Act 1986 — S.R. No. 51

Parliamentary Salaries and Superannuation Act 1968 — S.R. Nos 64, 74, 75

Prevention of Cruelty to Animals Act 1986 — S.R. No. 52

Sentencing Act 1991 — S.R. No. 46

Subdivision Act 1988 — S.R. No. 65

Supreme Court Act 1986 — S.R. Nos 57, 58, 59

Treasury Corporation of Victoria Act 1992 — S.R. No. 45

Wildlife Act 1975 — S.R. No. 60

Zoological Parks and Gardens Act 1995 — S.R. No. 53

Subordinate Legislation Act 1994 —

Ministers' exemption certificates in relation to Statutory Rule Nos 47, 51, 52, 55, 60, 61, 64, 65, 74, 75, 76, 77, 78

Ministers' exception certificates in relation to Statutory Rule Nos 46, 48, 49, 50, 56, 57, 58, 59, 70, 73

Transport Act 1983 — Order for Transfer of Assets and Liabilities pursuant to section 81 (two papers)

Victorian Psychological Council and Psychologists Registration Board — Report and Financial Statement for the year 1995

The following proclamations fixing operative dates were laid upon the Table by the Clerk pursuant to an Order of the House dated 14 May 1996:

Accident Compensation (Amendment) Act 1996 — Sections 3(1), (4) and (5), 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 22, 25, 26, 28, 30, 34, 35, 36, 37, 39, 41, 43, 44, 45, 46, 48, 49, 50, 52, 53, 54, 55(1) and 58 on 25 June 1996. Sections 20, 21, 24, 29, 31, 38, 47, 51, 55(2), 56 and 57 on 1 July 1996. Section 19 on 1 August 1996 (Gazette No. S71, 25 June 1996)

Accident Compensation (Occupational Health and Safety) Act 1996 — Remaining provisions on 2 July 1996 (Gazette No. S75, 2 July 1996) (Gazette No. G26, 4 July 1996)

Agricultural and Veterinary Chemicals (Control of Use) Act 1992 — Remaining provisions (except for sections 41 and 78(4)(a)(b) and (c) on 1 August 1996 (Gazette No. S89, 1 August 1996)

Consumer Credit (Victoria) Act 1995 — Remaining provisions on 1 November 1996 (Gazette No. G34, 29 August 1996)

Dangerous Goods Act 1985 — Item 7 of Schedule 1 on 22 August 1996 (Gazette No. G33, 22 August 1996)

Fisheries Act 1995 — Sections 90, 91, 92, 93, 94, 160(1) and (2), 160(3)(c), 160(4), (5), (6), (7), (8) and (9), 160(11) and Schedule 1 on 1 August 1996 (Gazette No. G30, 1 August 1996)

Land Revocations (And Other Matters) Act 1995 — Part 4 on 27 June 1996 (Gazette No. G25, 27 June 1996)

Land Revocations (And Other Matters) Act 1995 — Sections 16, 17, 18 and 19 on 1 August 1996 (Gazette No. G30, 1 August 1996)

Mental Health (Amendment) Act 1995 — Remaining provisions on 1 July 1996 (Gazette No. G25, 27 June 1996)

Planning Authorities Repeal Act 1994 — Section 7 on 1 July 1996 (Gazette No. G25, 27 June 1996)

Police Regulation (Selection and Review) Act 1996 — Remaining provisions on 2 August 1996 (Gazette No. G30, 1 August 1996)

Port Services Act 1995 — Sections 145(1), 152(1), 152(4)-152(7), 152(10)-152(13), 144(9) on 26 June 1996 (Gazette No. S71, 25 June 1996)

Road Safety (Wheel Clamping) Act 1996 — Whole Act (except for Sections 1 and 2 which are already in operation) on 1 August 1996 (Gazette No. G30, 1 August 1996).

ROYAL ASSENT

Message read advising royal assent to:

25 June

Appropriation (Interim 1996/97) Bill

Appropriation (Parliament) (Interim 1996/97) Bill

Accident Compensation (Amendment) Bill

Electricity Industry (Amendment) Bill

Parliament House Completion Authority Bill

State Taxation (Omnibus Amendment) Bill

Victorian Managed Insurance Authority Bill

Water Acts (Amendment) Bill

28 June

Accident Compensation (Occupational Health and Safety) Bill

2 July

Ballarat Lands (Lakeside Development) Bill

Firearms (Prohibited Firearms) Bill

Forests (Wood Pulp Agreement) Bill

Gaming Acts (Amendment) Bill

Gaming Machine Control (Community Support Fund) Bill

Health Acts (Amendment) Bill

Housing (Amendment) Bill

Melbourne City Link (Amendment) Bill

Miscellaneous Acts (Omnibus Amendments) Bill

Police Regulation (Selection and Review) Bill

Public Sector Management and Parliamentary Officers (Amendment) Bill

Road Safety (Wheel Clamping) Bill

Westpac and Bank of Melbourne (Challenge Bank) Bill

APPROPRIATION MESSAGES

Messages read recommending appropriations for:

Legal Practice Bill

Melbourne Exhibition Centre (Amendment) Bill

Transport (Rail Safety) Bill

BUSINESS OF THE HOUSE

Grievances

Mr GUDE (Minister for Education) — By leave, I move:

That, for the purposes of sessional order no. 4(1), Wednesday, 11 September 1996, and Wednesday, 20 November 1996, be appointed days upon which the question 'That grievances be noted' may be put.

Motion agreed to.

Program

Mr GUDE (Minister for Education) — I move:

That, pursuant to sessional order no. 6(3), the orders of the day, government business, relating to the following bills be considered and completed by 4.00 p.m. on Thursday, 12 September 1996:

Melbourne Exhibition Centre (Amendment) Bill

Forestry Rights Bill

Legal Practice Bill

Transport (Rail Safety) Bill

Statute Law Revision (Marine) Bill

Children's Services Bill

Local Government (Amendment) Bill

Motion agreed to.

MELBOURNE EXHIBITION CENTRE (AMENDMENT) BILL

Second reading

Debate resumed from 20 June; motion of Mr GUDE (Minister for Education).

Mr DOLLIS (Richmond) — The bill amends the Melbourne Exhibition Centre Act to make further provision for Exhibition Centre land. The opposition does not oppose the bill. The bill repeals section 23(1), which precludes the trust from leasing or licensing land that is not vested in the trust and provides for the revocation of portion of the historic interest reserve — now accommodating the *Polly Woodside* — required for the operation of the Exhibition Centre.

Although the opposition does not oppose the bill, it is appropriate that I should comment on it. The opposition supported the passage of the Melbourne Exhibition Centre Act and earlier this year its members were pleased to be present at the opening of the Melbourne Exhibition Centre. Because of the demand for additional exhibition space at the centre, it is necessary to make extra land available if the Melbourne Exhibition Centre is to remain superior to similar centres in other states.

The centre has an interest in land that extends from Clarendon to Montague streets, South Melbourne, between the Yarra River and the freeway. The act currently restricts the trust to using only land that is vested in the trust by way of freehold title — that is, what is known as the footprint of the building — for exhibition and other purposes. The repeal of section 23(1) allows the trust the option to lease or license the land known as the Melbourne Exhibition Centre land, as described in schedule 1 of the bill. The uses could include a further expansion of the centre and land for car parking, setting up marquees on the promenades and so on.

The Department of State Development has said there are no immediate plans for an extension of the Melbourne Exhibition Centre. It has not yet specified or decided any purpose for which the new powers to lease or license the land would be used. If the government changes its mind, the opposition expects to be informed accordingly.

It was implied in the second-reading speech that the need for the revocation of part of the historic interest

land was due to a surveying error resulting in part of the Exhibition Centre being constructed over part of that reservation. It is hard to believe that a genuine surveying error of that sort has led to the revocation of 3248 square metres. We are not talking about a small area of land about which a surveying mistake could easily be made.

The opposition is concerned that a surveying mistake of that magnitude occurred. If private rather than public land had been involved, there could have been a real mess: litigation against the surveying firm could have resulted. I am glad that is not the case. The government should take note that errors of that magnitude should not be allowed to occur.

The land the subject of the legislation represents more than 30 per cent of the original historic maritime reserve land set aside in 1984. Many people would describe this bill as another attempt by the government to use land for commercial purposes. In this instance the government can strongly argue in favour of correcting the error, but the circumstances lead to debate about the establishment of a government policy to divest itself of unused or underused Crown land and the increased revocation of heritage land.

This is another case of land with some heritage interest being divested. It would be helpful if the government were to establish a register so that it can monitor what is happening with its Crown land. Much government land has not been assessed for its heritage value; yet it has been transferred or sold for other uses. The government has no overview of lands in its possession or of their heritage value. Victoria's history is the loser as a result of this land revocation. A register would make us confident about the usefulness or otherwise of land to be disposed of by a government because a minister could make a decision on a properly informed basis. Every time a perceived need to dispose of or revoke a land reservation leads to the introduction of the necessary bill, we argue about the historical significance of the land. However, if a register were in existence it would be clear to anyone concerned, and the minister will understand the significance of that.

I have been told that the National Trust, which is the committee of management for reserved land and which is aware of the situation, is very happy with the proposed changes. The Polly Woodside land has been extended westward along the Yarra River to take in three additional buildings. I do not know whether that is in some way intended to be compensation for the arrangement but it will significantly enhance the ability of the public to see the *Polly Woodside* and the adjacent maritime museum.

The opposition consulted the National Trust, Mazda, which is the largest private freehold land-holder within the Melbourne Exhibition Centre area of interest, and the Law Institute, and found no reason for opposing the bill. Although the opposition has been eager to assist with most legislation of this sort, I put the government on notice that it would strenuously oppose any attempt to deal with public land in an uninformed way. The opposition has suggested to the minister that the appropriate department consider establishing a register to allow these matters to be dealt with on an informed basis and to make certain that the minister is provided with a considerable amount of information on any proposed legislation.

Mr GUDE (Minister for Education) — I thank the honourable member for Richmond for his support, on behalf of the opposition, of the Melbourne Exhibition Centre (Amendment) Bill. The honourable member referred to the revocation of a small portion of the Polly Woodside permanent reservation adjoining the Melbourne Exhibition Centre over which the centre has been partly constructed, as was revealed by recent surveys. As the honourable member for Richmond said, the area to be revoked is described by the plan in the schedule to the bill.

The bill is necessary because the status of permanently reserved land can be changed only by legislation. As a result of the amendment, the subject land will revert to ordinary Crown land and will be vested in the trust through a simple order made under the Land Act.

The honourable member for Richmond made a constructive suggestion concerning the establishment of a register of Crown land. I understand such a register was put in place by the former Minister for Finance in the Kennett government, and perhaps the status and exact detail of what is retained on the register is more to the point in the context of the suggestion. I shall pass on the suggestion to the Minister for Finance in another place, and no doubt it will be examined. The honourable member for Richmond may care to consult the minister directly on the matter.

During its short history the Melbourne Exhibition Centre has proved to be an outstanding public facility for the people of Victoria. As I stated in question time, I had the privilege earlier today of opening a major education conference that will use two pods of the centre's 30 000 square metres of space. The facility is unique in Australia. Its roof appears to be unsupported, in the sense that no supporting pillars occupy floor space, and its design allows easy access by semitrailers to load and unload exhibition materials.

The existence of the Melbourne Exhibition Centre means Victoria is extraordinarily well placed to take advantage of exhibition opportunities into the next century. The government will not rest on its laurels but will do all it can to take advantage of this wonderful facility. I thank the opposition for its support of the amendment, which will add further value to a marvellous Victorian facility.

Motion agreed to.

Read second time.

Remaining stages

Passed remaining stages.

FORESTRY RIGHTS BILL

Second reading

Debate resumed from 20 June; motion of Dr NAPTHINE (Minister for Youth and Community Services).

Ms GARBUTT (Bundoora) — The opposition will not oppose this important but straightforward bill. The bill provides for recognition of the ownership of timber resources separately from the ownership of the land on which they are grown.

I turn to the most important of the bill's few clauses. Clause 5 talks about a forest property right granted by the owner of the land to the person who intends to grow and harvest the timber. Clause 6 specifies what has to be included in that agreement. Clause 7 allows it to be terminated or amended in some way by agreement. Clause 8 sets out how that agreement may be registered on the title of the land.

Clause 9 provides that the ownership follows the land title in the same way as a covenant does, so that the owner of the timber can enforce the covenant even if the title to the land has changed. That is a very important legal point and a positive step that will bring certainty to plantation owners and encourage the expansion of plantations in the timber industry.

The opposition has for a long time recognised that plantations are a way of addressing land degradation, particularly salinity problems, on both public and private land. The opposition developed and released the first farm forestry policy in Victoria, and the bill picks up some of that initiative. For that reason, we are not opposing the bill.

Mr Steggall interjected.

Ms GARBUTT — Because it is the first time you have heard of something does not mean it has not happened before, it just means you are not listening.

The SPEAKER — Order! The honourable member should indicate to whom she is referring, otherwise she is referring to the Chair, and I have been listening very carefully.

Ms GARBUTT — I could say if the cap fits, wear it; but I was looking clearly at the honourable member for Swan Hill.

The SPEAKER — Order! That would also be a reflection on the Chair, which might be disorderly.

Ms GARBUTT — It would be disorderly, and I was certainly not reflecting on the Chair. As I said, the Labor Party has a proud environmental record, particularly when in government. It initiated the Landcare program, which has been picked up around Australia and internationally. In government it was the leader in forestry policy when it introduced the timber industry strategy and the Code of Forest Practices.

Both of those remain cornerstones of the current government's forestry policies. However, unfortunately it has not supported them with the necessary commitment, resources or staff, and I shall talk about that a bit later.

In contrast to the present conservative governments in this state and elsewhere around Australia, the previous Victorian Labor government had a proud record on greenhouse initiatives, resource management, energy conservation and a whole range of environmental initiatives. Therefore, it is not surprising that the Labor Party released the first farm forestry policy some time ago. The wood and paper industry strategy of the previous Federal

Labor government was contained in a discussion paper released some 18 months ago. It noted that increased investment in plantation resources, especially hardwood plantations, is essential if Australia is to position itself to take advantage of emerging market opportunities and take pressure off native forests. The strategy set out a direction for the whole country to take and recognised the absolute necessity of an increase in plantation resources.

It has long been recognised that one of the impediments to increased investment in farm forestry has been the legal nightmare surrounding the ownership of the forest product on private land. This is what the bill addresses. Difficulties are faced when a person plants timber product on someone else's land because many years pass before the product can be harvested and ownership can change; the land can be passed from one person to another and the rights of the timber owner/grower can be lost through the passage of time and change of land ownership. It is about time the government got around to sorting out those legal impediments to plantation development.

Victoria signed a national forest policy in 1992, committing the government to establishing a sound legal basis for the separation of the forest asset component from the land asset for the purpose of selling timber. The need for separate ownership of the two different assets was recognised four years ago, yet we are only now debating this bill. It was obvious four years ago that such legal clarification was necessary. In fact, it has happened in other states well before now.

I refer to the *Australian Farm Journal* of January this year which mentions the work being done in Western Australia by South Coast Share Farms. It refers to the success in encouraging a great increase in the number of hectares under farm forestry by encouraging forestry rights and also refers to the different share agreements that need to be entered into between farmers and foresters, with each contract tailored to meet each farmer's needs. It states:

> In the first share agreement, the farmer provides suitable fenced-off land and helps minimise the fire risk (by strategic grazing surrounding paddocks). In return the farmer receives a lump sum payment after each harvest, receiving 28 per cent of the total stumpage value.

In another form of contract the farmer may receive up to 33 per cent of the harvest value if he or she does more work in maintaining the resource, such as maintaining fences, constructing firebreaks and monitoring insects during the first 18 months of the growing period. For even more work, such as ripping or mounding, the farmer can take up to 61 per cent of the total stumpage value.

In order for those sorts of share arrangements to be entered into it is necessary for farmers and plantation growers to have absolute legal rights to their particular part of the asset. The comment from the farmers involved in South Coast Share Farms is:

> Forestry rights is a critical and integral part of this whole opportunity.

It has been recognised for a long time that the sort of right to be enacted by this legislation is absolutely necessary for the expansion of plantations. In fact, it leads one to wonder how many investment opportunities have been lost in Victoria because of the government's failure to act on its obligation under the national forest policy statement signed in 1992. We are entitled to ask how much we have lost in the intervening four years. How many opportunities went down the drain because the government did not have these sorts of rights in place?

Further figures and initiatives, this time from Western Australia, put the situation in perspective. The *Bulletin* of 28 February 1995 contains comments on the activity undertaken by the Western Australian government. It is not a government that I usually like to praise or promote, but it has been very active in this area and has produced far more results than the Victorian government has. The *Bulletin* article comments that the Western Australian government:

> ... has brokered partnerships worth $3 million with Japanese and Korean paper companies to establish blue gum plantations through joint venture arrangements with farmers in the south west of the state.

Some activity was undertaken long ago by a different government, and it concerns me that the Victorian government is behind the eight ball in this case.

One of the reasons for the delays may be the massive staff cutbacks in the department. We have only just realised the full extent of those cutbacks and what they have meant. Documents recently obtained

under FOI show the extent of the cutbacks of staff who would have monitored the operations of people in forests and administratively supported the expansion of plantations.

The documentation reveals the massive number of staff cuts in the former Department of Conservation and Natural Resources, the predecessor of the current department. It shows that in October 1992 the department had 4567 equivalent full-time (EFT) positions — in other words, just over 4500 positions; in June 1993 the figure was down to 3300 EFT positions; and by 1995 it was down to 2723 EFT positions. According to the calculations in one of the documents — they were done on the same basis as the others — it was estimated that in June this year there were only 2400 EFT positions.

Based on what I am hearing from departmental staff throughout the state the staff cuts are continuing and we will very quickly reach the position of having less than half the staff the previous department had in October 1992. We are already down from 4500 to fewer than 2500, and the cuts are continuing. The staff affected are those needed in our forests to monitor forestry practices and promote the expansion of plantations. The figures were made available only through FOI, and they show the consistent pattern of this government — it is not telling us what it is doing.

Mr Thwaites interjected.

Ms GARBUTT — This is a minister that covers up, and there have been a number of instances where the department's failure has affected forests and the environment.

Logging of the protected habitat of the endangered Leadbeater's possum, Victoria's faunal emblem, has occurred on several occasions and continues. A recent case before a panel hearing evidences the department's failure to carry out adequate pre-logging flora and fauna surveys in the Gippsland area.

Mr Steggall — On a point of order, Mr Acting Speaker, I raise the point with you that the bill is about forestry rights legislation, not the forestry operations of Victoria. I suggest to you that at the moment the member is wishing to get into a debate on timber forestry, which is not covered in this bill. I suggest the honourable member steer her comments towards the bill.

Ms GARBUTT — On the point of order, in her introductory speech the minister said that one of the purposes of the bill was to move from native forests into plantations. She quite clearly laid out forestry and its associated practices as one of the government's aims, so that is an integral issue in the bill.

Mr Thwaites — On the point of order, traditionally the opposition's lead speaker is entitled to take part in a wide-ranging debate. Any other course would be a change in the practices of this house.

The ACTING SPEAKER (Mr A. F. Plowman) — Order! I noted earlier the point of order made by the member for Swan Hill. I also note that the member for Bundoora is straying from the true concept of the bill before the house. However, I believe she is still in order because her remarks relate to the bill. I advise her to stay within the context of the bill.

Ms GARBUTT — It concerns me that one of the reasons for the delay in clearing up this issue is a legal matter. Massive staff cuts have occurred at the department and this has had an impact on this sort of legislation and on the monitoring of forestry practices around the state. It may reflect the government's lack of commitment to the establishment of a successful farm forestry industry; it may reflect a lack of commitment to the proper management of our forests.

I refer to another Administrative Appeals Tribunal ruling in relation to private land. The company involved was associated with one of the members of this house, Mr Pescott, the member for Mitcham, formerly Minister for Industry Services. The AAT found that the company associated with the honourable member had contravened planning permit conditions in several areas. This was in the McCrae's Creek catchment, where the serious contraventions included logging within 60 metres of a watercourse within the catchment; logging on land with slope greater than 32 per cent; failure to construct properly and maintain three creek crossings; and failure to construct proper logging roads, table drains and cross-pavement culverts. Such a record by a minister of the government reflects a lack of government commitment to proper forest management. The honourable member claimed he did not know anything about the matter. Where were the departmental officers while this was going on?

Mr Thwaites interjected.

Ms GARBUTT — These breaches were brought to attention by Friends of the Earth, one of the conservation groups, taking the matter to the AAT and winning. Where were officers of the department when all this was happening? They were not around. They should have been protecting our forest resources. That is a typical example of the lack of commitment by the government and the impact of massive staff cutbacks in the department.

More recently we saw another admission of lack of forest management where the sustainable timber yield in the Wombat Forest was cut back by 17 per cent.

Mr Steggall — On a point of order, Mr Acting Speaker, the bill is not about the forests of Victoria. It is about forestry rights for plantation forests, which the member was talking about in the early part of her contribution, and she was completely right and spot on. Now she is way off the beam. This is not a debate about the forests. The point of order is so important because the bill tries to get away from the confusion of forests, native forests and plantation forestry. This is not a bill linking them; it is a bill building our plantation forests. It must not be confused with native forest issues.

The ACTING SPEAKER (Mr A. F. Plowman) — Order! The member for Swan Hill raises a point of order. I brought the attention of the member for Bundoora to the fact that she was straying before. I believe she is now outside the context of the bill. I ask her to return to the bill and to the debate on the bill.

Ms GARBUTT — I think we have hit a raw nerve. The government is sensitive about this issue; it does not want to be told about its record because it is miserable. I wouldn't want to own it, either. I would try to shut people up, too, if I had the government's record on matters concerning our forests. It is awful. The government really screams when we hit that sensitive nerve.

Whatever the reasons for the delay, we can be thankful that this bill has finally got to the Parliament. It just shows what a lack of commitment the government has.

Mr Leigh interjected.

Ms GARBUTT — You have never made a positive contribution to a debate. I have never been in this house when you have said something sensible.

The ACTING SPEAKER — Order! The member for Bundoora should return to the bill.

Ms GARBUTT — There are a number of issues and concerns about the practical operation of the bill, and I seek the minister's comment on some of these. One is about the impact of large-scale plantations on stream flows and catchment areas.

Mr Leigh interjected.

The ACTING SPEAKER — Order! The member for Mordialloc is out of his place. I have given him a lot of free range. I ask him to resume his seat or be quiet.

Ms GARBUTT — The impact of any large-scale plantations on stream flows should be referred to the catchment and land management board so that it can assess and advise on any impact that such large-scale plantations would have on catchment stream flows: that is its job. We should allow the board to comment on any proposals there through the planning process.

Another question is what condition the land should be left in after the whole process is finished and the forest agreement comes to a conclusion and whether the owner of the trees or the timber will be required to leave the land without stumps or with stumps and in what condition, because that will have a huge impact on the future use of that land.

Some people have commented to me that the bill is different from the original bill that came before this house last year and that this one does not apply to Crown land. That is some relief, since there are some concerns about the impact on the native vegetation clearance controls and the permit process and there are rumours around that those are about to be changed. I seek the minister's comments on that matter.

Mr STEGGALL (Swan Hill) — I am pleased to see the bill being debated in Parliament — at long last — because the government has been moving to have it debated for some time. The bill was introduced towards the end of the last Parliament, but it went out with the election. Its reintroduction was reshuffled just a bit too late to allow it to be debated in the first sittings of this Parliament. However, it is now being debated. The Forestry Rights Bill is vital to rural Victoria, particularly because it gives us a mechanism by which we can work to establish plantation forestry as an investment in conjunction with farming our lands.

One of the issues we face in this country of ours, and in particular in this state, is the amount of land held by farmers and primary producers. People from the outside who are looking to invest in plantation forestry find it difficult to put packages of land together. Given the long lead time for returns on the money they invest, some form of tenure or ownership was seen to be necessary to assist both landholders and investors in starting plantation forests throughout Victoria.

Victoria is an interesting place for plantations. There is now a high demand for timber in the south-west — that is, Portland and Hamilton. Because the wool and grazing cattle industries are not in such good shape, many landowners are taking up the timber option as part of their overall farm operations.

The Forestry Rights Bill provides for agreements between investors and landowners for the production of timber. Investors will be able to invest in plantations and, under servicing agreements, landowners will be able to receive both rent for the land based on the amount of work done on the forests and, depending on the agreements that are entered into, some percentage share of the final harvests. The concept allows for the registration of any area covered by an ownership agreement that a landowner and an investor may reach so the investor can have more security over the investment than he or she would have today.

As I mentioned, the south-west is a positive place, with its high rainfall and good soil. We also have the Otways, which are attractive for forestry. Gippsland, and South Gippsland in particular, also has plantations, as do some parts of East Gippsland. Shepparton and the north-east are starting to become irrigation areas. Forestry can play an environmental role by fitting into the salinity programs in those areas.

Shepparton is an interesting area. Any honourable members interested in forestry should look at the forest that has been established on the Shepparton sewerage farm at Goulburn Valley Water to see just what can be done through an investment in trees. I am sure they would appreciate the speed at which those plantations have grown. I believe that over the past five or six years Goulburn Valley Water has proved its case to the extent that investors should be ready to go into partnership with the company and establish the forestry-rights concept on a large scale. The people involved should be congratulated on their experimental work over the years. They have also been working on different varieties and species. I believe enough is now known to promote that type of investment.

I shall digress from my trip around Victoria to point out that many of our regional centres have problems with sewage and waste water. Shepparton people are interested in forestry because the area occasionally has a big problem with overflows into the Goulburn, which cause some problems for those of us who live down river.

We are far enough along the way to see companies take up the legislation and use it to invest in many of those places that have surplus waste water. I refer to towns and cities such as Shepparton, Glengarry, Tatura, Kyabram, Echuca, Bendigo and all those other places that are experiencing huge investments in the food industry. Bendigo is finding it difficult to get rid of its waste water properly. I am a recipient of Bendigo's waste water, which comes through to my electorate. Although we do not want it, we do not have a mechanism by which it can be put to proper use.

The Forestry Rights Bill is designed to give a community and its water board the opportunity to work with a company that invests in farm forestry to put waste water to proper uses. Other areas that are ripe for the picking are my electorate of Swan Hill, Kerang, Echuca, and the food factory areas of Leitchville and Rochester. Many communities are looking to the forest industry to help them put their waste water to good use.

The government has been encouraging companies to invest in timber production because although there might be a surplus at the moment there will be a big shortage of timber products in the Asian region in the next century. Australia, and Victoria in particular, is well placed to attract the type of investment that today is flowing into New Zealand and Chile. We are not sharing in that investment, so the legislation is part of a scheme to attract joint venture operations under which investors will have a little more surety than they would with straight contracts. In the event that land is sold, the ownership of the trees will remain with the investors or investing groups. Agreements reached between landowners and investors can vary according to their needs and wants.

I refer to the catchment and land protection boards, which were mentioned earlier by the honourable member for Bundoora. I hope the 10 boards will use the legislation to look at their areas. You do not need

to have high rainfall to introduce forestry as part of your land use. We could have it in the Mallee and in the northern areas rather than irrigation. But if we did that, we would have a far longer wait before harvesting because it would involve different types of trees and a different operation. Farmers in some parts of Victoria have been planting trees on their properties for many years now. In many of those areas there are now more trees than there were when the white man arrived.

The bill gives young farmers the opportunity to plant 10 or 12 acres of trees on their properties every year, so that when it comes to retiring they can sell the timber, use the proceeds for their superannuation and hand the properties over to their sons and their families, knowing that the ownership of the land is safe and secure. They will be able to get out of farming with superannuation gained from their investments in forestry over their working lives.

That is something we have enormous trouble with now as generations change on farms the older generation usually goes out strapped for cash with no real assets other than the land base. Things are changing in many ways, and the changes we have introduced to water, water management and the transferability of water entitlements have made a huge difference to the ability of farmers to make those sorts of decisions. The definition of 'trees' in the bill states:

> 'trees' means trees, shrubs, bushes, seedlings, saplings and reshoots, whether alive or dead.

Mr Batchelor interjected.

Mr STEGGALL — That's good; I am glad the honourable member for Thomastown is here, because I will now help him out with a few things. We have a lot of interest in this, particularly those of us in northern Victoria.

While we talk about hardwood and softwood timber plantations, we should also be aware that plantations can also be used for investment in stone fruit, olives and carobs. We are interested in establishing carobs, which can be used as a substitute for chocolate, in the central ranges. We cannot produce chocolate in Australia but, if we put our minds to it, we have the opportunity to use plantations for carob production in the central ranges, and possibly in the north with irrigation.

You would also have heard the Premier and the Minister for Industry, Science and Technology, the Honourable Mark Birrell, speak of tea and green tea investment in this state. Green tea could also be covered by the reference to shrubs in the definition of 'trees' in this bill. We are currently trying to introduce large-area green tea plantations. The people who want to invest in green tea do not want to own the land — and we do not particularly want them to because we would sooner have a share-farming approach involving a joint venture between the investors and the landowners. That is how we hope to attract the investment we need to develop the Victorian food industry. That is the big production drive we must have in this state if we are to be responsible and effective food traders in the future. At the moment, we are commodity producers, particularly with big commodity items such as grain, sugar and meat — especially Queensland meat. This legislation will open up the possibility for joint venture operations in tree and tea products.

Since the bill was introduced I have had discussions with the department about an issue the minister may consider later — that is, the possibility of including in the legislation other investments operating on the same principle of the investor owning the infrastructure that goes on the property. The investments I considered for inclusion in the bill — which would have meant having to change the name of the bill, which is fair enough — included greenhouse production, so that investors wishing to enter into joint venture operations in greenhouse production of fruit or vegetables would be able to register their ownership of the infrastructure they bring to the property on the title to the land.

In the strongly growing ostrich and emu industries in Victoria — the ostrich industry, in particular — investors now invest in the structures and fences. Legislation with this principle would work very well there. An investor coming in to work in partnership with a landowner would have more security if the investor's interest were registered in the same way as forestry rights.

The ACTING SPEAKER (Mr A. F. Plowman) — Order! In a point of order the honourable member for Swan Hill said the honourable member for Bundoora was straying from the bill. I ask him on the same basis to return to the bill.

Mr STEGGALL — Thank you, Mr Acting Speaker. The principle this legislation introduces gives us the opportunity of really looking at joint

venture operations involving investors and farmers who own the land. The Forestry Rights Bill covers all the things I have mentioned, other than greenhouses. The same could apply to structures such as the fences and what-have-you that go with ostriches, emus, pigs and all the other things. I suggest that joint ventures are something this minister or other ministers should consider to encourage investment on farms for the production of food and fibre in Victoria. The concept and the principles we are putting in place here are very important.

Another area of Victoria that people should look at in connection with forestry is Mildura. The Lower Murray Region Water Authority has planted a large area of land with trees, not necessarily as plantation trees but to absorb water. Forestry-type trees are included in that operation. If you want to see what this state can do in the Mallee and along the Murray Valley, you should look at Mildura or the Lower Murray Water sewage operation at Koorlong just out of Mildura. The growth is fantastic and the production is first class. We are now running tests on the timber to determine its suitability for drying and use in the various timber industries. We are looking at veneers and value-added timbers — and it is coming along very well. The CSIRO is running those tests and the projects are something that everyone should go and look at. It gives us the opportunity to make a huge asset out of what has been a problem — that is, sewerage, waste water and drainage.

Another thing the Mildura community has created for itself, which it has not promoted — I am sure it will — is a shortage of waste water. It is one of the few communities in Victoria that has done so. It could do with more waste water, because of the trees that are going so well and the investment they represent. Where does this legislation fit into that argument? It fits in — —

Mr Hamilton interjected.

Mr STEGGALL — Just relax. It relates to the fact that at any time the Lower Murray Water could sell that timber in a growing or harvested form and still maintain the land without any hassle. If it wanted to expand to a greater area it would not have to put up the capital investment itself if others in the timber industry wanted to come in and share it. It is all there, but it is new to us. It has been going for only a few years, but you should see the growth and investment that is there — and the possibilities.

Let us move to some of the harder areas to be tackled. In my electorate the Tragowel Plains and Pyramid Hill are high-saline water table areas. A lot of people in those areas are vitally interested in that saline content because they grow trees. The scientists are scared and because of the high-saline water underneath cannot guarantee that trees being planted in those areas will last the distance and be harvestable.

This year — probably this month — we are introducing the first of the planting trials on the water in the Tragowel Plains. The area has been properly prepared over the past year. The investment will be there for everyone to see. I think 64 different species will be tested on that trial plantation. It will give us the knowledge and, I hope, the confidence in the next five or six years to try to coax big commercial plantings to the area, which it desperately needs.

People in the area north of Bendigo are very keen to use the legislation. Earlier I mentioned the sewage problems at Bendigo: it all goes into the creek! Leaving that aside, the area from Bendigo to the Tragowel Plains and Boort has highly skilled tree-growers. The government needs to link the opportunities for establishing plantations with investment in the land base to bring farmers into large-scale share plantation farming. It has taken some time but we have begun to learn about the species that are needed for certain areas.

Last year we ran into problems involving the right to harvest. The environmental movement was radical then, but it has come along with us in our approach to sustainable agriculture. Now the environmentalists and the farmers are almost as one, and it is a good partnership. Any member who would like to come with me to Echuca tomorrow to hear the debate on water rights will be welcome. There has been a huge change in the mind-set of the people involved in sustainable land use. The government is doing a great deal of work in this area, particularly with respect to food production. It is what salinity programs, Landcare, the catchment and land protection boards and the changes to local government are all about.

The legislation creates the right to harvest. It is a big issue throughout the world, as we are discovering with Chile, New Zealand and other countries that have the land and the drive to make the investments. There is also the issue of the right to export. If forestry rights legislation is to work, the right to export the product is required. Before the last

election we asked the then federal government and opposition for their respective views on the right to export, and both said they were keen to see it happen. Perhaps the Minister for Conservation and Land Management will consider mentioning export rights at the next ministerial council meeting. It is the only missing link in the program of proper industry investment in Victoria.

Before I conclude I should like to stress some aspects of the creation of the catchment and land protection boards. They will be key areas of not only advice but also influence for rural communities, so I hope they will take the legislation on board. Many have examined it and are looking to drive it forward. However, to make the legislation work the government has to find the investors and work with them to marry the investment with the land for plantation forestry. That is possible, and the legislation will make it a lot easier. I hope the large investments in red gum around Deniliquin in New South Wales will spread the length of the Murray Valley until it is a land use option that Victorian farmers will use. I hope they will work with investors to plant hundreds of thousands of hectares of much-needed forests.

As honourable members have probably noticed, I am pleased that the legislation is being debated. I hope people will understand its true value, because it will add enormous value to our land base, our environmental operations and our waste water. In northern Victoria a concerted effort has been made to persuade factories to work with forestry companies to rid themselves of their waste water, which is an enormous asset to others. Nutrients are a huge problem in all areas. Until a tree is about 10 years old it is a big user of nutrients, but after that age its nutrient use decreases. Old trees are not much good for getting rid of nutrients but fast-growing young trees are, which is where we can turn over many different types of trees.

The legislation can be put to other uses. In my electorate I have been trying to establish trials with the eucalyptus industry. We are still net importers of eucalyptus, which in this state we get from the Inglewood and Wedderburn areas at the bottom end of the Swan Hill electorate. The eucalyptus industry could use the legislation if ever we tackled the production of eucalyptus, the investment that is required and the advantages it would give our land users. It could provide the option to manage land on big rotations.

Ours will be the first generation to hand over this land base to the next generation. We are in the 10th year of tackling the salinity problem and the 8th year of working with Landcare, so totally different sets of land users are out there concentrating on creating sustainable land bases that can be handed over to the next generation — and the legislation is vital to that end. It will take us some time to train and teach people what the legislation will give us and what opportunities it will open up for the community, so I hope the minister and her department will consider using TAFE colleges and other educational facilities in rural areas to teach people what the legislation can do for them. It can be made to work well in the country. I am delighted to see the bill being debated, and I wish it a speedy passage.

Mr HAMILTON (Morwell) — After that speech I am convinced that the honourable member for Swan Hill is a real greenie. I do not often agree with what the honourable member for Swan Hill says in the house. Although he made a very wide-ranging speech on a fairly narrow bill, he demonstrated the growing understanding on both sides of the house of the importance of such measures as the Forestry Rights Bill. I support the bill because it is one of the important steps on the way to addressing a large number of environmental problems in the state. In particular the bill offers opportunities for considering the important forestry and pulp and paper-making industries in my electorate.

I agree with the honourable member for Swan Hill that the community needs to be educated and that in particular the farming community and investors need to be educated about how the proposed legislation can work for them. The bill has great potential. I would not be in the least surprised if in the not-too-distant future the resulting act has to be amended when we start to implement the measure and work our way through this long-term proposition. The bill is addressing an investment in crops that will not be harvested for 15, 20 or perhaps 30 years. The bill represents a complete rethinking of how agriculture has been carried out in the state ever since we have had formalised agriculture. We are used to annual cropping and in some cases biannual cropping. We will need to educate people so that landowners commit their land to crops that will not be harvested for years.

A large number of plantations have been established by Amcor and the Department of Natural Resources and Environment and an increased importance has been attached to eucalyptus plantations for

hardwood, which is an important part of the white pulp paper production industry. A number of farmers have been suspicious, reticent and perhaps uncertain about the likely impact of establishing plantations over large areas, particularly when they are close to traditional farming land. Some fear the spread of fire through eucalyptus plantations; they believe they present a hazard. As you know, Mr Acting Speaker, some farmers work with the Country Fire Authority. In the Latrobe Valley and central Gippsland there has been a clear demonstration that plantations can be grown successfully and safely. Fire control procedures in the forests established by Amcor, the Department of Natural Resources and Environment, the CFA and local communities have demonstrated that planting can be undertaken safely. However, the idea has not yet been sold. We still need to educate the community, particularly the farming community, and to assure people that plantations can be safe because they can be controlled so that they are not fire hazards.

As the honourable member for Swan Hill said, the Forestry Rights Bill is being introduced at a time when we have extra knowledge about species and their requirements — that is, that some species grow better in particular climates, soils, subsoils and rainfall areas. That knowledge is a thousandfold greater than it was 10 or 15 years ago. Now it is possible to select species for particular plantations and that will encourage farmers and investors to enter into the spirit of the bill — that is, to establish some plantation industries. For example, the Tasmanian blue gum has proved to be a very successful and fast grower. The rates of production now are something like four or five times greater than the rates of growth of the species used in the original eucalyptus plantations started by Amcor a few years ago.

There has been tremendous development in the way species are cultivated and the way they grow. As an aside, one of the problems in our area has been the attack by animals — kangaroos and wallabies in particular — on the young seedlings. Currently 1080 poison is not used to control that problem. Instead a grit is put on the young seedlings and that tends to deter the animals from attacking the seedlings before they become established, so we have developed some biological controls to allow the seedlings to grow. Such important developments are not going to continue unless all parties can see some advantage in them. Most of us like to eat and to do so we must have an income, so there has to be an economic advantage for the investor and the farmer. But there are also environmental advantages, which were explained in some detail by the honourable member for Swan Hill, and I support them.

One of the important developments will be in community education about forest products as a natural and viable agricultural product. That has not been understood very well by the general community. We understand that we can grow a crop of potatoes, oats or wheat — and even that we can grow wool, because that is part of our heritage — but people have to accept that we can grow wood and use it for a number of different end products. All of these things are important in helping us to understand our environment.

Finally, the Forestry Rights Bill is important in taking the pressure off harvesting in our native forests. That is an extremely important part of the equation. It seems that every year we have conflict, certainly debate and sometimes protest and violent protest about harvesting in the native forests in Victoria and New South Wales.

A very important environmental message is being sent through this sort of legislation. I know the bill is supported by the pulp and paper industry. We have certainly discussed it with Amcor in the area I represent, and with Australian Paper. This sort of legislation will send an important message to the whole community that we do care about our native forests and that we are serious about conserving and preserving our native forests and the heritage which exists and which everyone intends should be available for our children and our children's children. Measures such as this bill will enable us to continue with the production of forest products and the forestry industry and all the work associated with it. Australian Paper is now the biggest employer in my area, so this is a very important industry. I want to see the industry flourish. I want to support legislation that will help it flourish. There are very important social as well as economic reasons for development to take place.

For all those reasons, the bill is good legislation. I have no doubt we will need to amend it as we learn more about the pitfalls that are there, but in spirit it will help us proceed a long way along a number of avenues, not the least being the continuation of the pulp and paper industry in the Latrobe Valley.

Mr PERRIN (Bulleen) — I support the important Forestry Rights Bill. It is good to see there is bipartisan support for it.

Mrs Tehan interjected.

Mr PERRIN — The minister has made the point that some members on the other side support it but we are not quite sure about some of the others, particularly the lead speaker for the opposition.

The purpose of the bill is to provide for the creation of forest property rights. I congratulate the government on an excellent initiative that we should all support. Many benefits will flow to the Victorian community: to land-holders, the forest industry, the environment and the economy. The most significant employment benefit will be the creation of new jobs. The legislation will attract more investment to Victoria.

The bill has been held over from the autumn session. It has been around since the last election; in fact, my speech has been around since the last election, too. Nevertheless it is a good bill. It has been in the public domain for a long time and has widespread support.

I should point out that my entry in the pecuniary interests register refers to an investment in SEAS Sapfor Ltd, which is a timber plantation company. I have held a covenant in that organisation for some 35 years, so I have had an ongoing involvement in the plantation industry for a long time. When I first became involved it was estimated that it would be 20 to 25 years before I got a reasonable return on my investment; but even now I am still receiving returns as a covenant holder from the clear felling of the remnant of the pine plantations that were planted by SEAS Sapfor.

The concept of a covenant is not new. SEAS Sapfor has had pine plantations for many decades, and most of the company's plantations are in South Australia. My plantation is at Penola in South Australia. Both the South Australian community and I have benefited from that investment. The key to it is that I own the trees and somebody else owns the land. I pay the land-holder to grow the trees for me. Over a period as thinnings and clear felling occur distribution dividends are paid to covenant holders like me. Now after a 35-year investment I believe I have probably had the last distribution. I might receive one further small distribution but I believe I have just about finished my involvement in that industry.

Mr Hamilton — Has it been a good investment?

Mr PERRIN — It has been a good investment and I would like such opportunities to come to Victoria. I know SEAS Sapfor has leased some Crown land for plantations in the Portland area, which is great. I would like to see more of it in Victoria because it will create new jobs, new sawmills and new investment. It will have a tremendous impact.

If we are to attract investments we must provide surety, and the recording of these agreements on the registration title is important. Because my covenant involved a scheme, a trustee company was appointed to look after my interests. As the majority of the agreements will be single plantation agreements we must ensure that both parties are protected. I am pleased that the bill will provide for agreements to be registered on the title so that both parties are protected — the landowner and the tree owner.

I turn to the benefits that will be gained by the forest industry. I believe more and more Australians will move away from using hardwoods to softwoods. That has certainly been evident to me over the past 30 years that I have had investments in the softwood industry. I am well aware of many cases where softwoods have taken over from hardwoods.

The increased use of softwoods also protects native forests. In many areas our timber source has moved from hardwood to softwood. Although Australia still needs hardwood it takes off the pressure. As we create more and more softwood forest plantations we will find that fewer calls will be made on our native forests. That is a good result for the people of Victoria because it allows those lands to be used for parks and for other recreational purposes. It also leaves a stock of hardwoods for the future. It allows them to be expanded as they are called on less, which is good for our children and grandchildren.

I remind the house and members of the conservation movement that timber is a renewable resource. Many people apparently forget that trees keep growing; we are not dealing with a static situation. In both pine plantations and native forests there is constant renewal as the old timber gives way or logging occurs and the new timber comes in to replace it. That is certainly good for the environment. Softwoods grow much faster than hardwoods, which makes the economic return easier to obtain. That is why most people are planting softwoods. As the honourable members for Swan Hill and Morwell said, more and more new species will be planted and harvested in the future.

I must point out that softwoods cannot replace all hardwoods. With many housing timber grains, flooring and fencing we have moved from hardwoods to softwoods. But there are still many uses for hardwoods. We must never forget that we need to call on the hardwood resource for various uses. We must not think that softwoods can solve all our problems.

I turn now to the economic benefits that will flow to Victoria from this investment. In the past there have been large investments in South Australian forests. I believe that investment climate will come to Victoria. The new investment will have tremendous benefits for this state. It will encourage many private plantations. Many of the softwood plantations are on Crown land; they are government-owned and managed by the Victorian Plantations Corporation. The government will be encouraging farmers and land-holders to move towards private plantations on some of their land — perhaps not all of it — and to have a mixed use that provides adequate benefits.

As an encouragement the commonwealth government gives tax breaks to people who invest in pine plantations. There are many income tax exemptions such as accelerated depreciation and accelerated claiming of costs. The commonwealth government provides many benefits to those who move from hardwood to softwood plantations. The new plantations will also provide an excellent form of revenue for landowners. Although it may take some time for the dividend to be paid the most important aspect — it will not be lost on many government members or on the honourable member for Morwell — is that it creates jobs in country Victoria. That is where the plantations will be. Although I represent a city electorate I like to see economic development occurring in country areas.

Mr Hamilton — So do we!

Mr PERRIN — The honourable member for Morwell agrees with me. The bill is a clear indication that both sides of the house will be encouraging more development in country Victoria. The value-adding aspect of the forestry industry is very important because the decision to plant new trees gives surety to organisations such as sawmillers who will invest in new sawmilling equipment, kilns and other equipment, again all in country Victoria. The bill will provide Victorians with enormous economic benefits.

I now turn to the many environmental benefits in the bill. Firstly, forestry is an alternative land use, and we need to be smart in our use of land. I understand the argument put in some communities, that not all land is suitable for plantations and that if too much land is used for that purpose other parts of the economy will suffer. Nevertheless, plantations should be encouraged as an alternative land use.

Secondly, plantations help reduce soil salinity, as the honourable member for Swan Hill said. Although pine trees are not useful in saline areas, plantations are helpful to Landcare programs and they encourage a cooperative approach among farmers, land-holders and the wider community. Some folk do not like pine plantations, particularly in the Benambra area, where there was a kerfuffle about them, but the trees that were planted near Beechworth prior to the Second World War have recently been harvested. I am sure that will begin a recycling process which will put softwoods in their place.

Investment in softwoods is not risk free. A fire recently went through my plantation, which meant the trees had to be harvested earlier than they would otherwise have been. That wood will not fetch the anticipated full dollar amount because the trees are not fully mature, but there are ways of overcoming the spread of those risks to all covenant holders. Fire is a great hazard and it must be taken into account in any calculations.

Another hazard that comes readily to mind is the sirex wood wasp, which infested pine plantations a few years ago. The Commonwealth Scientific and Industrial Research Organisation was able to conquer that pest; however, people with investments in pine plantations were concerned about it so extensive spraying was done to ensure that the wood wasp was eliminated wherever it cropped up.

I congratulate the minister on the bill. It is great to see Victoria leading the way. This bill will have a great impact on the forestry industry; and although it will take a while for some of the benefits to come to fruition, as the honourable member for Morwell said, we are growing trees more quickly than we have ever done. It will be many years before some of the benefits flow, but the bill is a great initiative and should be supported by all. I wish the bill a speedy passage through Parliament.

Mrs TEHAN (Minister for Conservation and Land Management) — I thank honourable members for their contributions, and I am pleased that the opposition supports the bill. The contribution of the honourable member for Morwell was positive and

recognised the full value of the legislation. However, the contribution of the opposition spokesperson was disappointing and, dare I say, almost embarrassing. Although she supported the bill, she was incredibly negative and did not take the opportunity of pointing out its advantages, which are really quite remarkable. It is the first legislation of its kind in Australia and follows similar legislation passed in New Zealand. Again, Victoria is leading the way in breaking barriers in the commitment to and support for plantations and private forestry in Australia.

Victoria and Australia are dependent on forest products. Our current trade deficit in forest products is almost $2000 million a year, and we import over one-third of our wood requirements. Any legislation that helps Australia — and Victoria — become self-sufficient in wood requirements and meet a growing demand for export opportunities should be supported. Fortunately, the bill is supported by both sides of the house.

By the year 2010 the world's deficit in wood and wood products is projected to be more than 32 times current Australian production. In other words, in the year 2010 Australia will be providing only one thirty-second of the world's demand for wood. A huge potential exists for us to become self-sufficient and meet the growth requirements of the rest of the world. Because we can do it so well, responsibly and with proper support, that can be achieved in part through using plantations rather than native forests. Everything possible should be done to encourage the growth of plantations and private forestry throughout Victoria.

The Victorian Plantation Corporation has sown approximately 120 000 hectares for wood production. In Victoria 115 000 hectares is used for industrial and investment production while 15 000 hectares is used for farm forestry and agroforestry. As the honourable member for Morwell said, a considerable part of that is in his electorate and involves many major investors. There is a total estimated area of 250 000 hectares, but at this stage only 15 000 acres of that is devoted to smaller farm forestry and agroforestry. The challenge is to increase that substantially.

At a ministerial council for forestry, fisheries and aquaculture that I attended in Brisbane in August and September, a commitment was made to treble Australia's plantation estate by the year 2020. That means increasing the total number of hectares sown each year from between 2000 and 5000 to 20 000. So that considerable target must be met in the next 22 or 23 years.

We must also meet the challenge thrown out by New Zealand, which had 70 000 hectares of new private plantings in 1995 — and in 1994 there were 98 000 hectares of private plantings. In New Zealand large areas of land are planted for a number of reasons, including high rainfall, rapid tree growth, marginal agriculture and land protection needs. But those are not inconsistent with conditions in Victoria, so we should be considering major increases in private sector planting.

The honourable member for Swan Hill referred to Chile, where each year 60 000 hectares of new plantations are planted. As I have said, Victoria can meet those challenges. There is a total of 6.2 million hectares of cleared agricultural land in Victoria which has rainfall above 600 millimetres a year and which would be suitable for private forestry. If Australia needs 20 000 hectares, Victoria can provide 10 000 hectares. That is still a small percentage of the cleared agricultural land that is available in Victoria that has an annual rainfall requirement of 600 millimetres.

By world standards our transport and processing infrastructures are good. A land capability database is being set up to ascertain the use of the land. As the honourable member for Bulleen indicated, major plantations will receive economic benefits. It has been estimated that Victoria's long-term income could increase by up to $3000 million per annum. The regional industry employment factor, which the honourable member for Bulleen also referred to, could have a multiplier effect of up to 10.

There will be environmental benefits in relation to salinity and erosion with targets for tree planting in regional salinity plans totalling 500 000 hectares. Additional plantations will be a major step forward in controlling salinity. There will be benefits to agriculture in dairying and sheep country through the provision of shelter for crops and livestock. This measure provides huge opportunities for the state. As the honourable member for Swan Hill said, it will create long-term benefits for the next generation of farmers.

Mr Hamilton interjected.

Mrs TEHAN — As the honourable member for Morwell said, we are now in a position to move forward. If it were not for the past mistakes and failures in agricultural investment we would be in a

much better position. I shall stray from the point slightly — I am often asked what the government is doing about the eradication of weeds in Victoria. I remind the house that the first bill dealing with the eradication of foreign weeds in Victoria was introduced 10 years after this Parliament dealt with its first piece of legislation. We have been making mistakes for a long time and we have been seeking to address them, but now we must look forward. The legislation provides a real opportunity to do that, and I am pleased that both sides of Parliament support it. The honourable members for Morwell, Swan Hill, Bulleen — and I am sure other honourable members who have not spoken — can appreciate the huge advantages and the historic impact of the bill.

Not only is better information now available but funding for farm forestry is also now available. The commonwealth has a farm forestry program to which it has committed $5 million over the next four years to be spent in Victoria. I take up the suggestion made by honourable members that much of that funding has to be spent on training and education. One of the major barriers against the advancement of farm forestry is the lack of a cultural understanding about tree plantations and their potential in farming. We need a better understanding of and we need to change the culture by providing training and research in terms of types of trees, where they should be planted, suitability and short, medium and long-term planting.

We also need training for foresters in the agricultural sector. Until recently there was a division between agriculture and forestry. In 1996 the government brought together those two areas under one department and agricultural extension officers now have an opportunity of learning from and working with foresters to change the culture of tree planting on agricultural land in Victoria.

I thank honourable members for their contributions; the majority of them were positive. Opportunities will be provided for the ongoing education of landowners and investors. We are looking and will continue to look at taxation arrangements for plantations. I understand we have made an application to the Australian Taxation Office to review the treatment of softwood and hardwood plantations.

The environmental movement supports the initiative of farm forestry and agroforestry to address some of the problems we have inherited in our land and water management areas. The honourable member for Swan Hill indicated that we need the right to export from farm forestry programs, and that is currently being examined by the federal minister.

Generations will look back on this legislation as a major component in the development of an important new agroforestry industry. I once again thank honourable members for their contributions, and I look forward in the foreseeable future to the benefits that will flow from this very important measure.

Motion agreed to.

Read second time.

Remaining stages

Passed remaining stages.

LEGAL PRACTICE BILL

Message read recommending further appropriation.

Government amendments circulated by Mrs WADE (Attorney-General) pursuant to sessional orders.

TRANSPORT (RAIL SAFETY) BILL

Government amendments circulated by Mr W. D. McGRATH (Minister for Police and Emergency Services) pursuant to sessional orders.

Second reading

Debate resumed from 20 June; motion of Mr BROWN (Minister for Transport).

Mr BATCHELOR (Thomastown) — The opposition will not oppose the bill because it believes the bill is long overdue. Safety on the rail system is of the upmost and highest priority for the opposition. The opposition has pursued the issue over a number of years and has sought from the government a higher commitment to rail safety than it has demonstrated.

Rail safety is an important issue. You cannot have doubts about the safety or future safety of the public transport system. In recent years the structure and administration of rail-based public transport, including passenger and freight services, has changed dramatically. Under the new regime no longer do we have a single operator. In the past most of the rail services in Victoria were provided by the

Public Transport Corporation. Of course, there were some minor tourist-type operations, but the bulk of the passenger and freight movements through and around Victoria were controlled by the corporation or its predecessors.

The bill will apply to 26 rail organisations. Admittedly, many are small tourist-type operations, but a large number of key players are involved in the economic side of the rail industry that were not previously involved in the active operations of the industry.

The Public Transport Corporation provides the bulk of metropolitan rail services, but in rural Victoria private operators such as West Coast Railway and Hoys Roadlines operate services to Warrnambool and Shepparton. The State Rail Authority of New South Wales, Australian National and the National Rail Corporation also operate services. It will not be long before we have private freight operators carrying freight within and through Victoria as part of their access to the national grid. In these circumstances the environment has changed dramatically and the opposition is pleased that the bill has come before the house.

In essence, the bill gives legislative backup to a system of rail accreditation that is largely in place. Under the administrative arrangements the Department of Infrastructure has taken over the administration of rail safety from the Public Transport Corporation, and the government has recently established the Public Transport Safety Directorate, which is responsible for the management of a system of rail accreditation for public and private rail providers. The Public Transport Safety Directorate was established to provide specialised advice to the Minister for Transport on operational and technical matters. The directorate will also monitor incidents and accidents and provide Victorian input into the development of a national rail safety system.

The other major activity of the directorate, in addition to what can be described as operational aspects, is to give effect to the COAG agreements — an initiative of the former federal Labor government to establish areas of mutual recognition that are of national significance, and the safety of our rail system, both interstate and intrastate, should come under the aegis of COAG agreements that will be put into effect and monitored by the directorate.

The bill will provide the accreditation mechanisms for the managers or owners of our rail infrastructure; its provisions will apply to the operators and providers of our rolling stock. At all operational levels — whether it be the manufacture, the operations or the maintenance of rolling stock — this bill will impact on those companies and businesses that seek to be active players.

Companies or interests that wish to engage in any of those areas or a combination of them will need to be accredited, otherwise they will not be able to operate in Victoria or in other states because of the mutual recognition component of this legislation. The government has said that once accreditation has been agreed to, a system of regular compliance audits and inspections will be instituted. If an accreditation system is to be viable and fair dinkum and is to work properly it must be backed up by a system of regular compliance audits and inspections and by graduated penalties, which can range from fines to a penalty with the greatest impact — that is, the withdrawal of accreditation.

The bill sets out in an a conceptual framework the method by which our rail network will be provided with safe working systems, but the real proof of the pudding will be in the eating. If the responsibility now faced by the government is not met, the safety of Victoria's rail system cannot be assured.

It is worth noting that the initiative does not stand alone: it cannot or should not be seen in isolation. It is one of a series of administrative changes at that level that are backed by government legislation. Examined in isolation, as in this bill, many of the changes seem to concern straightforward administrative matters which will not be opposed by the opposition. However, this is another piece of the administrative jigsaw puzzle being set in place by the government to allow for the future partial or complete privatisation of the rail system; that could happen in the early part of the next calendar year. In some respects the Treasurer recently let the cat out of the bag when he was quoted in the press as having told a public forum that the passenger services in the public transport system would be privatised: that caused much consternation.

The Treasurer did a Senator Richard Alston: the senator was not expected to let his cat out of the bag so early when he said the federal government intended to privatise the whole of Telstra. Victoria's Treasurer said the government intended to privatise key parts of the public transport system. The Treasurer spoke too early because the Minister for Transport wants to keep it quiet so that future negotiations with the trade unions for the next

period of the rail agreement will not be clouded by the prospect of privatisation.

This is a government of privatisation: in the months ahead it will seek to privatise aspects of our public transport system. This bill, a piece of the administrative jigsaw puzzle, will allow the easy and smooth administrative component of that privatisation, irrespective of its merits. The government wants to have the necessary administrative mechanisms and its tiers of legislation in place because it hopes to introduce its privatisation program without any administrative encumbrances.

This bill has been a long time in gestation. One must ask: why has it taken so long for it to be introduced? The legislation is about rail safety; the minister acknowledges in correspondence that it should have been debated in this place a long time ago. He said that the former transport department had been tardy in bringing those matters to attention.

Mr Brown interjected.

Mr BATCHELOR — That is the implication of what you said in writing. It is quite straightforward.

Mr Brown — Read it out.

Mr BATCHELOR — Don't worry, I will read it out.

Mr Cooper — Read the letter, go on!

The ACTING SPEAKER (Mr A. F. Plowman) — Order! The honourable member for Mornington will get the call.

Mr BATCHELOR — We can hardly wait! Before I read the minister's letter, I refer to confidential advice dated 3 December 1992 about rail safety issues; that advice was given to the minister by his legal adviser. In a confidential three-page memo to the minister and the then acting secretary of the transport department, the departmental legal officer, Mr Ian Shepherd, makes a number of comments. The key thrust of the memo is that he believes the matter should be dealt with quickly. Under the heading 'Background' Mr Shepherd states:

> There is a need to establish an independent body to oversee PTC safety matters. Proper oversight of rail safety issues can only be taken by a body with the power to audit and inquire into safety issues and incidents. The PTC or any other rail body should not solely judge its own safety performance.

Later in the memo he says it was his intention to have those sorts of safety issues in operation from 1 July 1993. Now the minister is listening to a second-reading debate about a legislative provision that his own legal officer recommended should have been instituted from July 1993!

The lateness in taking action represents a three-year gap that is very similar to the three-year delay in the introduction of automatic ticketing — it is a fiasco. It seems a three-year delay is regarded as acceptable in the administration of public transport under the current minister. Although his legal officer said rail safety was an important issue which ought to be dealt with quickly and a body should be in operation from 1 July 1993, the issue has actually come before Parliament on 10 September 1996.

In a memorandum to the minister, under the heading 'What should Victoria do?', Mr Shepherd states:

> My strong view is that Victoria need not reinvent the wheel.

Further on in the memo, Mr Shepherd states:

> Thus I believe we should seek to establish a similar regime in a new act of Parliament in Victoria.

Back in the very early days of the government and the earliest days of his stewardship, the Minister for Transport was being advised in confidential internal memorandums that the establishment of an independent rail safety body was needed and that the government should get on with it quickly and have it implemented by 1993.

That a rail safety body was needed was not just an isolated view of Mr Shepherd's which lacked support. On 20 May 1993 Mr Ian Dobbs, the then chief executive of the Public Transport Corporation, made a number of important comments about this matter in a letter to the minister. The letter states:

> It is my belief that we could institute this panel quickly consisting of PTC and Department of Transport staff and I would suggest that an independent, external chairman be appointed to safeguard the interests of all operators concerned.

The next sentence is of particular interest and importance:

> If we do not undertake this course of action it is my belief, based on previous experiences, that we will leave ourselves wide open to public criticism should an accident involving a private operator occur.

Five months into 1993, some six months after the legal officer had written to the minister, the chief executive of the PTC also wrote to the minister asking for quick and decisive action and pointing out that if it were not forthcoming the government could be left wide open to public criticism if an accident should occur involving a private operator. And that is exactly what happened.

Since 1993 a number of safety issues have arisen concerning the rail system that would properly come within the purview of a rail safety authority or review body of the kind being set up by the bill. It is surprising, perhaps even amazing or astounding, that the government did not move earlier on this matter. It received advice on the matter from a departmental legal officer in 1992 and the chief executive of the PTC in 1993, and it has gone burning into action some three years later with this bill!

The government stands condemned for not wanting to take the question of rail safety seriously. To realise that one has only to consider some of the important public safety issues which have arisen since 1993 and which would have been better handled had a properly constituted body already been in place. The warning that criticism could be directed at the government proved to be correct because that is exactly what happened. However, it is not only in relation to accidents involving private operators that the government has been brought into disrepute over rail safety issues, and I will refer to a range of other issues.

I remind the minister that Mr Dobbs's worst fears were realised when a number of incidents took place, including a serious accident on the Werribee line in September 1995 involving a service operated by West Coast Railway and a derailment near Warrnambool. Mr Dobbs had warned that there would be public concern and criticism, and one wonders why the government waited 12 months to introduce needed and long-overdue legislative support in the form of the Transport (Rail Safety) Bill rather than moving promptly in 1995.

Honourable members will recall that in May 1995 a number of incidents took place involving mothers with babies in prams becoming caught in the doors of suburban trains. The problem arose because the inadequacy of the warning system on trains and the de-staffing of railway stations left the travelling public in a vulnerable and dangerous position. Much more serious problems were avoided only through a combination of good luck and the alertness of the commuters involved in the incidents or those around them. Women with prams were caught in the automatic doors of trains and in some instances the prams were dragged along platforms.

In other incidents children were separated from their parents when the doors closed, leaving the parents either on the platform or inside the carriage. The problems caused by automatic doors were made worse because staff had been removed from the stations in anticipation of the automatic ticketing system; but, that system was not supplied. It has not yet been supplied and one wonders when it will be. Nevertheless, they are the sorts of issues the Public Transport Safety Directorate should have been addressing.

There have also been problems in rural Victoria with a high incidence of accidents at level crossings not controlled by boom gates. An article in the Sunday *Herald Sun* of 17 December 1995 reported a higher number of level crossing accidents in Victoria than in other states. The article demanded an explanation. The bill is an attempt to handle the monitoring of incidents and accidents to see whether trends and patterns are emerging, yet the *Herald Sun* carried out its own investigation and examined patterns that have been emerging. Legislation dealing with these issues should have been in place a long time ago.

In more recent times problems have plagued our Sprinter services. The examination of level crossing accidents also revealed that on some lines where locomotives may have run frequently in the past the warning mechanisms for the Sprinters did not work as well. These sorts of issues will be dealt with by the directorate, which should have been able to deal with them already with the full legislative backing that the bill now provides.

Most recently there have been problems at urban level crossings. In August this year at a level crossing in Bell Street on the Epping line, which is not far from my electorate, a serious accident occurred when a semitrailer did not allow sufficient space on the other side of the intersection to enable it to get over the railway line and clear of any oncoming trains. Without sufficient space to manoeuvre the inevitable happened — a train came along, a serious accident occurred and people were hospitalised. It was very lucky that nobody died on that occasion.

Everyone in Parliament realises rail safety is of the utmost importance and that dire consequences will follow unless we have a rail system in which members of the public have complete confidence. We want people to return to the public transport system. We want to see the rail freight system better utilised. By not addressing the issues of structure and form enthusiastically, systematically and quickly and by not providing the full legislative backing for the directorate, the government has let down not only our rail system but ultimately Victoria's people and economy.

The opposition welcomes the bill and will not oppose it. However, it is saddened that it has taken the government so long to introduce it. It is not just an idea or proposal the government has come to think about recently as a result of the spate of serious rail accidents and incidents that have occurred. The government has known about the problems for more than three years. It has received advice from its legal officers that this is an important issue that needs urgent attention. It has also received advice from the head of the biggest provider of public transport rail services in the state, Ian Dobbs of the Public Transport Corporation, who foreshadowed the problems the government would face if it did not address these issues.

The opposition wants to know why the government failed to act on the advice it received in 1992 and 1993. Why did it not act before September 1996? It is not good enough to come into the house and say rail safety is an important issue, as I am sure the minister will endeavour to do along with other members of the government. I am sure rail safety is important to them. However, the opposition wants to know why the government has been so tardy and why it failed to act earlier given that it is setting up a new structure in Victoria, which includes a multiplicity of providers of rail services and which accordingly needs the new independent directorate to oversee not only the PTC but the other providers.

The real issue in this debate is whether any government member, or indeed the Minister for Transport, is capable of explaining the three-year delay. I do not think any of them is able to do so, just as none is capable of explaining the three-year delay that has plagued our automatic ticketing system.

Mrs MADDIGAN (Essendon) — It is fair to say that my colleague from Thomastown has adequately covered the delay in the state government taking action — action that we approve of because of the importance of rail safety in this state. Perhaps it might even be fair to suggest that it may have taken even longer than three years if it were not for the government's desire to further privatise the rail providers in this state. Perhaps there is something to be grateful for in privatisation, although one would be hard pressed to find anything else!

Victoria has public and private transport providers as well as a public infrastructure for the provision of lines, railway stations and so on. That raises very serious problems in relation to responsibilities for the safety of not only the conduct of the trains and carriages but also of the people using the railway system. I am concerned, as I know many people involved in the transport system are, about some of the serious safety problems which have been clearly illustrated in the past few years, and indeed quite recently, but which have not been addressed. One hopes they will be addressed by the new directorate.

The honourable member for Thomastown mentioned some of the issues, particularly the problems relating to Sprinter trains, and many of them result from the downgrading of the number of staff in the public transport system.

In many ways the removal of staff from stations has led to a serious safety situation, one that presumably will increase as the move to privatisation develops. Obviously when you are running train systems to make a profit you are going to cut your staff to a minimum, as they are increasing recurrent expenditure.

I use the public transport system a lot so some of the matters I raise are anecdotal, but they are the sorts of problems that regular train travellers experience. I am particularly concerned that my local railway station, Kensington, is staffed for only a short period in the morning. I am also concerned about the tendency of young students, particularly male students, to stand on the railway lines rather than on the platforms. As there are never any staff members on the stations this goes on without restraint and is inherently dangerous. It is hardly surprising that we read frequently about people being hit by trains.

Last week there were about 10 youths standing on the tracks of the Kensington railway station at about 3.30 in the afternoon; they had just left school and had congregated there to have a smoke. What is particularly worrying is the number of much younger children who stand on the railway lines with them. While I hope teenage boys can get off the lines quickly, the problem becomes serious when young students are encouraged to think it is safe to

stand on railway lines when there is no-one to keep an eye on them. When I was at Kensington station two trains passed each other as they came into the station, so it is a potentially serious and certainly not unusual situation.

Mr Cooper interjected.

Mrs MADDIGAN — I am surprised that the member for Mornington seems to find this humorous. I am sure if it were his son standing down on the railway line he might think the situation was more serious. These problems are occurring because of the lack of staff on railway stations.

Mr Cooper — Don't misrepresent me. I know you are struggling for content.

Mrs MADDIGAN — I would not misrepresent you under any circumstances, Sir, I can assure you.

Only this week a staff member at Parliament was late for work because someone was hit near Clayton railway station. An increasing number of people are being hit either through acts of suicide or because there are just not enough staff to ensure that adequate safety provisions are in place along railway lines.

The infrastructure along metropolitan railway lines demonstrates that the fencing, which was previously of a high order, has broken down. There is not enough maintenance along the lines to ensure that people cannot just run across the tracks whenever it suits them. While it might be reasonable to say that people should have more sense, unfortunately this is not the case. This sort of infrastructure must be maintained to protect the community.

Obviously the safety provisions in the bill could work towards that, and we hope there will be strong government support for such measures. I refer to an article about transport safety reported in the *Herald Sun* of 1 August. Rail safety is a matter of concern for older people who regularly use rail transport, particularly in the afternoons and evenings. The report relates to transport assaults. It mentions that 767 assaults were reported up to 30 June this year. A survey conducted by the transit police community consultative committee reveals that the number is more likely to be about 3650 — an excessively high number in one year. Once again it demonstrates the lack of adequate staffing at stations or on trains.

I know police are rostered on train stations from time to time, but the people interviewed in the survey said the assaults were not reported because they were considered to be of little importance and that nothing would be done about them when in fact there was no-one to whom to report the incident. Obviously my train travel is not a problem because Kensington is close to the city, but from speaking to transit police I understand this is not the case on the Broadmeadows line. When a train reaches the end of the line at the weekend or in the evening the problem becomes serious. It means that many people are frightened of catching trains at night. For young people in particular and people without access to motor vehicles this is a serious problem and one that has not been addressed so far.

As we move towards privatisation it is important to address the problem of staffing levels not only because of the concern to users of the train system but also to ensure the welfare of the staff employed by the railways and private providers. The trauma and shock experienced by train drivers and staff having to deal with people who have been run over by trains or people leaping across the lines in front of them is severe. It is a health problem and costs the railway system a significant amount each year. Having fewer staff at railway stations has a multiplying effect on the sorts of people it will affect in the long run.

Earlier my colleague from Thomastown mentioned the Sprinter trains and the country routes. In March, a number of trains were removed from the country lines. As I understand it, they started being returned to the lines only in July this year. I think the Melbourne-Ballarat line was the first line to continue with Sprinter trains after some of the technical faults had been overcome. In the meantime railway staff had to be re-employed or put back on those stations. It makes you wonder if this desire to cut railway staff has been premature and has led to some quite unsafe practices in cases when staff really are important to the quality of the system. Not everything can be left to mechanical devices.

I am particularly concerned about the proposal to install automatic ticketing machines in the future and the effect that will have on safety for train travellers if more staff are removed from railway stations. As I understand at this stage, the government has not made any definite statement about retaining railway staff, but the community will be looking for further assurances that railway stations will be adequately staffed in the future and that safety will be inherent by having stations fully

staffed, particularly during the daytime and during off-peak hours. The off-peak times when stations are not staffed are a more serious safety risk because that is when there are a lot of young people alone at stations. Older people may have a restraining influence on them, but I am not sure if that is always true. There are real dangers for some of the staff and some of the people using the trains. For many young people there is no other form of transport so they are required to catch trains.

One of the other safety aspects arises from stations not being manned. Information about assaults revealed that large groups of youths pick on other youths. Obviously young people are less likely than more experienced people to report assaults that may have been perpetuated on them. Certainly there have been recorded instances of intimidation of quite young children by other groups on stations. Once again this is as a result of station staff being removed from suburban stations.

In the long run the establishment of the Public Transport Safety Directorate is an excellent idea. I concur with my colleague from Thomastown in supporting the legislation. Even if perhaps it has only been inspired because of the government's desire to further privatise railways, this body could look at other issues.

The Traffic Accident Commission has been responsible for some well publicised advertisements through television, radio and newspapers. Although there are various views on the effect and significance of those advertisements on the community, everyone who sees them always seems to remember them so they obviously have a strong impact.

Perhaps the commission could start looking at ways of making the community aware of the dangers of some people's behaviour in rail traffic. One severe safety concern, which can be traced back to the lack of station staff, is surfing on trains, which is the habit of some young men. I do not need to go into great detail, because the practice has been extensively documented in the daily press. The deaths that have been caused by train surfing are a tragedy for the community. Once again, the lack of station staff means that there is little opportunity to prevent the behaviour. I presume that, unless you are particularly agile, the most likely time to get on top of a train is when it has stopped at a station. If the newspaper reports are true, the removal of station staff appears to have led to an increase in that sort of behaviour. It is a negative for the community and has given rise to grave concerns.

The publicity surrounding train surfing indicates that many youths still do not understand its dangers. Some honourable members may recall articles in the *Herald Sun* shortly after a young male train surfer died earlier this year. The articles quoted a number of youths who frequently surfed on train roofs as saying they would continue doing so. Perhaps when you are young you do not fully understand the consequences of your actions, so those dangers need to be pointed out to young people.

Mr Cooper interjected.

Mrs MADDIGAN — Thank you very much! Obviously the government should not move away from meeting its responsibility by establishing a committee made up of various private and government operators. Instead, it must take on board the fact that employing fewer station staff can lead to an increase in some of the dangerous and unsafe practices that are happening at our railway stations and on our trains at the moment. Although I agree with the main provisions of the bill I would like to see the government undertake further work by advertising the dangers of some of these practices, aiming in particular at teenage males. I believe a lot more can be done to ensure that our trains are a lot safer for young people.

I referred earlier to the many safety problems associated with Sprinter trains in country areas. Once again, that can be traced back to the downgrading of staff at stations along part of those routes. Even though the government is actively supporting the privatisation of rail providers, I hope that through the safety committee and other mechanisms it will ensure that staff levels are maintained. I also hope the government will take active measures to increase the safety of both rail users and rail staff.

Mr COOPER (Mornington) — I am pleased the opposition has welcomed the introduction of the legislation, which I, too, support. The Transport (Rail Safety) Bill had its genesis in the Transport Act of 1983. It places an obligation on the secretary of the department to ensure that the public transport system is efficient, effective, safe and reliable. The existing rail safety accreditation system is administratively based; it has no legislative backing, which is why the legislation has been introduced.

The government has recognised the need for a comprehensive legislative basis for a safety accreditation system which is similar to the existing

administratively based scheme but which provides for the safe operation of all public and private rail-based services in Victoria — and that includes tourist railways. The need for the legislation also stems from Victoria's obligations under the Australian Transport Council intergovernmental agreement on rail safety. On 5 January this year cabinet was finally able to approve in principle a bill to establish a legislative basis for the safety accreditation system.

I will touch on a question posed by the honourable member for Thomastown, which was: having known of the need for the legislation, why did the government delay? The answer is simple. The delay in getting intergovernmental agreement from the federal government lasted from early 1993 through to late 1995. I do not need to point out to the house which government was in power in Canberra during that period. Certainly the various federal ministers for transport during that time, including the Honourable Laurie Brereton, were the reasons for the delay. If the honourable member for Thomastown checked up with his federal colleagues who were in power during that time, particularly the various transport ministers, he would find the answer to his question inside his own party rather than anywhere else. Perhaps that answers the honourable gentleman's question!

The scheme proposed in the bill is based on the safety accreditation of railway owners and operators and on the mutual recognition of accreditation authorities. It is also based on the development and implementation of performance-based standards, greater accountability and transparency, which will facilitate competition and encourage technical and commercial innovations consistent with safe practice. The scheme extends to the construction and maintenance of rail infrastructure and rolling stock. The bill requires three categories of persons to obtain accreditation. They are managers of rail infrastructure and operators and providers of rolling stock. Before the legislation comes into effect regulations will be required to provide for the registration of private sidings, the specifying of notifiable occurrences and the setting of fees other than those that are strictly fees for service.

All of that would come as a significant shock to the honourable for Essendon, because she did not touch on the major points of the bill at all. She talked about a whole range of issues, none of which addressed the provisions of the Transport (Rail Safety) Bill. I understand the pressure she was probably under, because content has never been her strong point. However, having made her speech she might do us all a favour by now going back and reading the bill. She might then understand, in a moment of severe embarrassment, that her speech should go into the shredder. It is certainly not one she should distribute around her community, let alone anybody else's — although she can leave that to us, because we will do it for her. Once we do, her reputation will probably become even more tarnished than it is at present.

When I talk about tarnished reputations I need go no further than the reputation of the man sitting alongside the honourable member for Essendon. Honourable members will recall that only a short while ago the honourable member for Thomastown made the claim — it is in *Hansard*; the bottle of white-out will not put that one out, Pete — that the minister was so worried about rail safety that he had written a letter outlining his concerns. He was challenged by both the minister and me to read the letter. Time and again we asked him to read the letter. He said, 'I will read the letter, but before I do I would like to mention a couple of other points'. Finally, as we sat on the edge of our seats, he got around to reading the letter. Shock, horror! He found it was not a letter written by the Minister for Transport; instead, it was written by the chief executive officer of the Public Transport Corporation. Once again we had another instance of the honourable member for Thomastown misleading the house.

There he was, yet again misleading the house! The member for Thomastown cannot even come in here and support a piece of legislation openly and honestly!

The DEPUTY SPEAKER — Order! The house is whipping itself into quite a frenzy so early in the spring session. The Chair could become very intolerant as we progress towards the end if this is to be the procedure. We might now restrain our enthusiasm. The honourable member for Thomastown on a point of order.

Mr Batchelor — On a point of order, Mr Deputy Speaker, during my speech I indicated that the letter had not come from the minister, and clearly the minister has no concern for rail safety at all.

The DEPUTY SPEAKER — Order! The honourable member for Thomastown has been in this place long enough to know the forums that are made available in this house for members to use for specific purposes are not to be abused. His attempt to use a point of order for a personal explanation is

an abuse of that particular forum of the house, and I ask him, as well as other members in the house, to take note of that.

Mr COOPER — The honourable member for Thomastown said that the opposition would not oppose the bill — in fact he used the words, 'We welcome the bill'. But then he went on with a paean of criticism and tried to dredge out every kind of nasty incident he could in order to qualify his support for the legislation.

With a most amazing statement made right from the word go he has again come up with the conspiracy theory. This is the tried and true situation with the Labor Party: if it cannot say something nice, it comes up with a conspiracy — because people are likely to believe it.

The honourable member said that the bill is part of a jigsaw puzzle, which would lead to the eventual privatisation of the rail system. Well, that came as a complete shock to the minister and me! We understood that the honourable member for Thomastown had read our policy — but it appears he has not, because our policy actually says that. He said he had a real, big secret to share with the house and the people of Victoria, although it appeared that the media did not want to have the secret shared with them. He said that the big secret was that there will be a drive by the coalition government to eventually privatise the rail system. Now if he had read our policy he would know that this is no secret and that it is there in black and white — as the minister at the time interjected.

Of course we want to get things right in the system. Of course we want to make the system safe and secure, and of course we want to get it absolutely right so that when — if and when — there is a privatisation of segments of the system, it will go smoothly. But it appears the honourable member for Thomastown hopes things do not go smoothly. He wants things to run as roughly as possible. He wants things to be unsafe, and does not want people on the system. When he says, 'We really want people to come onto the system; we want to see improved patronage', that is not what he really means. He would love to be able to stand up here and criticise this government over falls in patronage. What a shame and a personal disappointment it must be for him to have seen the figures that show that not only this year, but in the previous year, there have been increases in patronage. The facts are that people are returning to the rail system, not because it is perfect, but because it is a damn sight better than it used to be — and it is getting better all the time.

I am a regular user of the rail system, the honourable member for Essendon says she is, and I know a lot of other members, including the honourable members for Glen Waverley and Tullamarine and many other members on all sides of the house, are also regular users of the rail system.

Those who use the rail system regularly are aware of its deficiencies, but they are also aware of its strengths. They are that it is now far more reliable, far safer and far cleaner than it used to be. Before anybody jumps in — as the honourable member for Thomastown was about to — and says that I have to be joking because it is no good, I indicate that we are not claiming that it is perfect and we are not claiming that it is anywhere near perfect or anywhere near as good as it should be. But if you compare it with the system of five or six years ago you will see that it is a damn sight better.

Mr E. R. Smith interjected.

Mr COOPER — As the honourable member for Glen Waverley interjects, it is a damn sight better. It is a tribute to the people, not just at the top level, but right through the system, who are running the system and making it safer and better for the customers. That is why we are getting more people back into the system.

I want to concentrate on the bill, but there are a few matters that cannot go unanswered. The honourable member for Thomastown, in particular, listed a series of criticisms regarding rail accidents, level crossing accidents and equipment failures, as if they suddenly started occurring in 1992, when this government came to power. According to the honourable member it was almost as if when 1992 arrived the system became less safe — when in actual fact these accidents have been occurring in all sorts of ways over a great many years. It is up to the authorities, whether it be the government or the bureaucrats running the system, to address the issues as they come along and to deal with them. I am of the view that the system is safer because the people who are operating it are aware of these incidents. The door and pram incidents that the honourable member for Thomastown mentioned were horrific and should never have occurred, but action has since taken place to remove the opportunity for them to occur in future.

For the honourable member to say that the incidents of themselves are a reason for condemnation shows up the weakness of his arguments. He says the government and the Public Transport Corporation should be condemned because of the incidents. However, he does not go on to praise, or to at least comment on the fact that the incidents have created a better system and that the results of investigations into the incidents has created a system which is safer and under which the incidents will not be repeated.

Both the honourable members for Thomastown and Essendon mentioned that the Sprinter trains had a serious fault and had been removed from and had only recently been put back on to the system. They are quite right about that — it was a very serious fault. The fault was that the activating system on the Sprinter trains was not activating the boom gates — and one does not have to go into any detail to understand what could arise from such an incident. Level crossing accidents occur even when the systems operate; if a train did not activate the boom gates on the system, clearly the risk to life would be significant.

When the fault became known the government took the only action possible: it removed the Sprinter trains until the fault could be corrected. And it has been corrected — by Goninans, the builders of the trains. They are now satisfied, the Public Transport Corporation is now satisfied and the Public Transport Union is now satisfied that the Sprinter trains are operating safely.

It is worth while recalling that the Sprinter trains were contracted and signed off by Peter Spyker when he was the Minister for Transport.

Mr Batchelor — In which government?

Mr COOPER — The previous Labor government. It is all very well for the honourable member for Thomastown to make political points here and elsewhere about the Sprinter trains, but we inherited them from Mr Spyker and his Labor government. Neither I nor the minister intended to make political points out of this issue, but because the honourable members for Thomastown and Essendon have raised it in a political context and have pointed the finger of blame at this government, I remind the house that we inherited defective equipment from the previous Labor government. When the defect became known to this government we took the proper action and the trains were removed from service until the defect was corrected. They are now back in service and are operating properly. If the honourable member for Thomastown wants to point the finger he should find Peter Spyker, who now lives in my electorate — unfortunately. The other 33 000 are decent people! The honourable member for Thomastown should ask Mr Spyker what he was thinking about when he signed off on a defective rail system. He should have known better.

Between 1982 and 1992 there were four Labor transport ministers: Steve Crabb, Tom Roper, Jim Kennan and Peter Spyker. Apparently rail safety has become an issue for Labor only since 1992. Between 1982 and 1992 Labor was not really concerned about it, but now years of rail deficiencies are being blamed on this government, which has been in power a shade under four years. More people are using the system now than ever before and it is a lot safer than it used to be. Through this bill the government is continuing to address rail safety and the many public transport issues that have an impact on users of the system. We hold safety in high regard, and if the previous federal Labor government had regarded it just as highly the intergovernmental agreement might have happened a lot faster. Accusations of inefficiency and the use of defective equipment are unfounded.

In commending this bill I should like to use the words used by the honourable member for Thomastown: I welcome the bill. I had hoped it would receive a genuine welcome from the opposition, but it has received only mealy-mouthed hypocrisy from the two opposition speakers.

Mr BROWN (Minister for Transport) — I thank all who contributed to the debate, including members of the opposition, for their support of this measure. The opposition's spokesman made it clear that the introduction of the rail safety measures is long overdue, and I agree. However, the point needs to be made that although Labor was in office for more than 10 years it did not do it. Therefore it is hypocritical for the opposition to say it stinks that we have not done it in three years. Labor did not even consider it.

One of the delays in bringing on this legislation was the three failed federal colleagues of the honourable member for Thomastown. I am Australia's longest serving transport minister.

Mr Finn — And the best!

Mr BROWN — I am too modest to make such a claim, but I am certainly the longest serving transport minister in this country. While I have been

in this position — it is a relatively short time — I have seen four federal transport ministers: Bob Brown, Bob Collins, Laurie Brereton and the recently appointed John Sharp, who is doing a superb job. His performance contrasts sharply with the performances of the other three.

Mr Batchelor — I've never heard of him!

Mr BROWN — You've never heard of him? That is amazing! The honourable member for Thomastown is the opposition spokesman for transport in Victoria but he has never heard of the federal transport minister, who has been in the job for some months. What an admission of incompetence by Labor's transport spokesman in Victoria. He does not even know who calls the shots in relation to investigations that are under way into transport's failure to reform at the federal level. The honourable member for Thomastown is not aware of who is running the changed agenda from Canberra. I should have thought that six months after the appointment of a new federal minister the honourable member would have found out who he is, and yet he says he has never heard of him.

Mr Batchelor interjected.

Mr BROWN — You said it, all right. The honourable member is trying to misrepresent me again! Three times in one debate is new even for him. It is normally only twice. There are several reasons for the long gestation period. We desired to work with the federal Labor government and the other states to give effect to the intergovernmental agreement on rail safety which was to operate from 1 July 1996. At the heart of the agreement is endorsement by the commonwealth, the mainland states and the Australian Capital Territory of the need for a cost-effective, nationally consistent approach to rail safety which ensures that there is no barrier to the entry of third-party operators. The scheme is based on safety accreditation of railway owners and operators, mutual recognition of accreditation between accrediting authorities, the development and implementation of performance-based standards, greater accountability and transparency and the facilitation of competition and technical and commercial innovation consistent with safe practice.

The intergovernmental agreement on rail safety had a long gestation. The recommendations in the Hilmer report have had a major impact on the legislation, which is to be mirrored in other states and territories, and it took time to bring about national standardisation. In the good old days of Labor the state owned and operated everything in a totalitarian regime, but we now have competition. We have the National Rail Corporation, in which Victoria is a shareholder and which runs trains through this state and carries freight from one side of the country to the other.

The Victorian government worked with the commonwealth to standardise the line between Melbourne and Adelaide, so that through the National Rail Corporation we can now run one freight train from Perth to Adelaide to Melbourne, up the eastern seaboard to Sydney and through to Brisbane. We now have one train, one track and in effect one operator. That was not the case when Labor was in government four years ago.

Specialised Container Transport, a new privately owned and operated company in Victoria, now runs nightly freight trains across the southern seaboard — and from all reports that company is going very well. TNT, a major Australian-owned company operating worldwide, with the cooperation of the Victorian government, now also runs regular freight trains along the southern seaboard — on, I think, a nightly basis.

Victoria has Australia's only privately operated passenger rail services. Hoys runs an extremely good service to Shepparton. The company has operated that service for a lot less than the government did in the past. West Coast Railway, likewise, is operating an excellent standard of service.

Sitting suspended 6.32 p.m. until 8.03 p.m.

Mr BROWN — Prior to the suspension of the sitting I was advising the house that Victoria now has the only two privately operated passenger rail services in the nation. Although the opposition, as is its wont, was critical of the move towards privatisation of rail services, the reality is that both services are operating efficiently. Hoys, a long-established road haulage firm, has operated a magnificent passenger service to Shepparton for almost three years. The taxpayer was footing the bill for a loss of $4 million a year on that line, but since the service has been privatised the annual subsidy is closer to $1 million a year. The service is still running at a loss, and it probably will forever more, but the government sees public transport as an essential service. It is not a question of whether it will run at a profit or loss in all circumstances; it is a matter of what is reasonable for the community to

subsidise on an ongoing basis. Hoys, this long-established trucking firm that has been in the ownership of one family in Victoria for more than 40 years, is now running a successful rail service at reasonable cost to the taxpayer.

Mr Maughan — An excellent service!

Mr Kilgour — It is an excellent service.

Mr BROWN — I am getting supportive comments from two of the local members. Last week when I was in Echuca the new Sprinter trains returned the first passenger rail service to that city in more than 17 years. I got nothing but praise for what the government has done in the four years it has been in office and nothing but continuous badmouthing and criticism of what the former Labor government did while it was in office.

The second privately operated passenger rail service in the state, from Melbourne to Warrnambool, is run by West Coast Railway. That company is saving Victorian taxpayers amounts of money similar to the savings being made on the Shepparton service. The bottom line is that privatisation is not a swear word: it is a reality. Other states are now considering privatisation along the lines of those two highly successful passenger rail services. Basically we are now running 26 separate rail organisations that are operating under interim accreditation arrangements. There was a clear need for change, and that is what the Transport (Rail Safety) Bill addresses.

The opposition also said that in 1995 a pram was caught between the doors of a suburban passenger train. That is true. It is also true that it also happened in the past under the Labor government. But there is one subtle difference: this government moved to do something about that regularly occurring, ongoing problem. This government has installed on the leading edges of the doors on trains a device that notifies the driver whether the door has shut properly. In addition, we have modified the trains so that if the doors are not shut — in other words, if a pram, an arm, a leg or anything else is caught in the door — the train cannot power up. The driver literally cannot drive off.

Did the Labor Party do that in its 10 years? No, it did not. Yet Labor members have the gall to criticise this government. The opposition also raised the issue of Sprinter trains.

Mr Cooper — What a disgrace that was!

Mr BROWN — I cannot say the honourable member for Thomastown is a hypocrite because that would be unparliamentary. If I could I would, but I can't so I won't. However, it is hypocritical of both him and the honourable member for Essendon to raise in this house problems with Sprinter trains because they were also problems the Labor government left the new coalition government. The former government ordered the Sprinter trains. It specified the designs. The former government was incompetent to the degree that the problem with the Sprinter trains not activating signals correctly was a design fault.

The Labor Party left the new government with two legacies with Sprinter trains. We were left with the bill, which is nothing new because I as minister have been left with thousands of bills, but this $64 million bill was another amount we had to find and pay out. The coalition government quickly acted to overcome the problem and the Sprinter trains, having been fixed, are now back in operation and working in a spectacularly successful way.

The former Labor government did much to ruin transport. This government has done much to fix it. That is the case particularly with the staff we now have operating on the system. Did the opposition mention the customer service employees? No, it did not. Those men and women are working so successfully on the system that they are getting awards, not from the transport area but from the tourism industry.

The highest award granted at the annual awards dinner at the World Congress Centre two weeks ago went to a customer service employee for his dedicated work and award-winning service on the City Circle trams.

Did opposition members mention the reduction in crime on the system since the introduction of Victoria Police on trams, trains and stations during the day and night? No, they did not. All they have done during this debate is whinge, carp and moan. There was not one mention of or pat on the back for the real achievement, which is that in four years we have fixed up what they left behind after a decade of mismanagement. The Labor Party was in office for 10 years and did not do a damn thing!

Motion agreed to.

Read second time.

Committed.

Committee

Clauses 1 to 10 agreed to.

Clause 11

Mr BROWN (Minister for Transport) — I move:

1. Clause 11, line 17, omit "219" and insert "247".

This is a minor amendment which fixes up a typographical error.

Amendment agreed to; amended clause agreed to; clauses 12 to 15 agreed to.

Clause 16

Mr BROWN (Minister for Transport) — I move:

2. Clause 16, after line 12 insert —

   '(3) In section 32(12) of the **Public Transport Competition Act 1995**, for "sub-section(1)" **substitute** "sub-section (11)".'.

This amendment also rectifies a small typographical error.

Amendment agreed to; amended clause agreed to.

Reported to house with amendments.

Remaining stages

Passed remaining stages.

GOVERNOR'S SPEECH

Address-in-reply

Debate resumed from 6 June; motion of Mr DIXON (Dromana) for adoption of address-in-reply.

Mr PERRIN (Bulleen) — I am pleased to respond to the speech of His Excellency the Governor and to take this opportunity to pledge my loyalty and the loyalty of the people of Bulleen to the Governor and Her Majesty the Queen. I also congratulate you, Mr Speaker, on your appointment. The address-in-reply debate follows the record-breaking election in March this year of the Liberal and National Party coalition. The Victorian people have once again given the government a massive majority and mandate to govern.

I could wax lyrical about many parts of His Excellency's speech, but I will confine my comments to two particular areas, the first of which is the environment. I am very pleased to be the Chairman of the all-party Environment and Natural Resources Committee for the second term of the Kennett government. Much needs to be done on the environment, so I am pleased His Excellency said that the government believes environmental protection and the conservation of Victoria's natural assets are a vital community responsibility. However, we in Victoria cannot tackle the many environmental problems without help from other jurisdictions. The policy of the Howard government, which promises $1 billion for the environment, will be particularly helpful.

Mr E. R. Smith — It is unprecedented.

Mr PERRIN — As the honourable member for Glen Waverley says, it is unprecedented. The Governor also pointed to the problems of soil degradation, water quality and salinity and said we need to preserve our biodiversity. Maintaining a wide variety of species will help to improve the environment. The government has in place a number of very good environmental programs, including the salinity management program targeted at the Murray-Darling Basin. South Australia and New South Wales are badly affected by salinity problems, as is Victoria.

We also strongly support Landcare, which involves a cooperative approach between land-holders, government and the community to improve the environment and, in particular, to overcome soil degradation. Landcare is now starting to have a significant impact.

Coastwatch is another important program which will improve Victoria's coastline and ensure that our beaches, oceans and bays are in the best possible condition. A recent study of Port Phillip Bay indicates that it is in good order although it has a few problems. The water quality is reasonably good apart from the flow of some residual soil and nutrients into the bay. Coastwatch is an important program because it ensures that we look after the Victorian coastline, including our bays.

Finally, I refer to the Land for Wildlife program, which preserves remnant bushland so that native animals can live in their natural habitats to ensure their survival long into the future so that our children and grandchildren can appreciate them.

I shall now concentrate on comments made by the Governor about families. His Excellency referred to:

> ... maintaining the fundamentally harmonious mould of our society and delivering quality services which are attuned to the needs of modern families.

In other words, our government will put forward some pro-family policies. I believe the family should be a focus of government, and I direct to the attention of the house the effects of dysfunctional families on our community. It should be reinforced that good families equal fewer problems. Functioning families mean we are able to provide a wider range of services to our community. I am pleased that His Excellency made that point in his contribution.

Recently a book by David Blankenhorn entitled *Fatherless America* came to my attention. It is about the United States, but Victoria's problems parallel many of America's problems. I shall quote a couple of points made in a review of the book in the *News Weekly* of 24 February 1996:

> In October 1993, sociologist Charles Murray wrote an important article for *The Wall Street Journal* on the disintegration of the family in America.

Australia is going down the same path as the United States of America, so when we see evidence of the disintegration of the family in the United States we can anticipate it will happen here. The Charles Murray article, entitled 'The coming white underclass', published in *The Wall Street Journal* of 29 October 1993 warns:

> Illegitimacy ... is the single most important social problem of our time — more important than crime, drugs, poverty, illiteracy, welfare or homelessness because it drives everything else.

The book by David Blankenhorn suggests that good families provide good societies. It is important that we in Victoria ensure we maintain support for families in every possible way. Some disturbing statistics are referred to in *Fatherless America*:

> ... tonight, about 40 per cent of American children will go to sleep in homes in which their fathers do not live.

Fatherlessness, according to Mr Blankenhorn, is the most harmful aspect of today's society. I am concerned that there is an increase in the number of fatherless families in Victoria. We must realise that fathers are essential to families and that intact families are essential to the health and wellbeing of our state. Mr Blankenhorn continues:

> The problem is not just that of the absence of fathers but the absence of our belief in fathers.

In other words, people believe they can get away without having fathers in their families. I am associated with an organisation called Big Brothers/Big Sisters, which is an excellent organisation supported by our government. The organisation provides big brothers or what you might call stepfathers to families who have no father figures as role models for the young males.

We need innovative programs to ensure that we provide support to fatherless families. The interesting thing about the David Blankenhorn book is that it says fatherlessness is a major factor in the incidence of crime in society — in other words, there is an increase in crime in families with no fathers. Mr Blankenhorn says fatherless families lead to an increase in domestic violence and that children without fathers have a greater likelihood of suffering violence.

Brian Burdekin, the former human rights commissioner, stated that children were at a 600 per cent greater risk of sexual abuse from non-married and non-biological fathers than from their biological fathers. I am sure the house will agree that Brian Burdekin is a reputable figure and that his statements can be relied upon. Fathers are important in our families. This book should be read by a wide cross-section of people so that they can understand the results of the lack of a male role model in the family environment.

Another book along the same lines is written by George Gilder and is entitled *Men and Marriage*. George Gilder says that where a male and female are married to each other their family will achieve more than a family with only one parent. He makes a similar suggestion to that made by David Blankenhorn:

> ... the provider role of men counterbalancing the sexual and domestic superiority of women is important.

Families need balance; they need the male and female parents to provide different role models to ensure that they are healthy.

We know the incidence of domestic violence and violence throughout our society is increasing, yet more and more families are breaking up. Marriage is crucial, and as a society — in particular as a Parliament — we should do everything we can to preserve marriage and strengthen it. We must do

everything we can to provide support for families and to ensure that they function in the best possible way. The circumstances described in the books I have referred to make it obvious that Australia is following the American model, and we will pay dearly if we do not strengthen our families. As I said, I was pleased to hear the comments in His Excellency's speech in support of families. Policy initiatives supporting families will be developed by the government.

The Australian Institute of Criminology published a paper in March 1996 entitled *Children as Victims of Homicide*. To some extent the paper reinforces what I have been saying — that is, when you have healthy, functioning families society has fewer problems. The paper states:

> 1 in 12 homicides in Australia involves a child under the age of 15.

In other words, children are major victims of homicide. The paper further states:

> Many of these homicides occurred in circumstances of poverty and an unstable family environment. Obviously it is not possible to predict in which families homicide may occur, but this trends and issues paper identifies some patterns in the circumstances surrounding these incidents and suggests strategies for the prevention of child abuse, often the forerunner of child homicide incident ...
>
> Most research indicates that the greatest risk of homicide to children is from members of their own family, primarily a parent, and that stranger killings are relatively rare.

In other words, most homicides of children under the age of 15 years occur because of dysfunctional families. The paper further states:

> It is notable that the great majority of these fatal disputes occurred in 'conventional' families, that is where the parents were married rather than in de facto relationships, and the children were almost always the offspring of both parents.

Usually stress and family problems bring on these homicides. I commend the paper to members of the house because it indicates the importance of functional families. The paper states in conclusion:

> We know that many of these child victims died in family disputes in which they became caught up in lethal violence ensuing from a breakdown in their parents' relationship. Others, especially the very young, have been victims of fatal abuse often inflicted by their mother's new partner.

It is clear from the conclusion that dysfunctional families are often the source of homicides among young people. The quotes from the books I referred to earlier and the paper from the Australian Institute of Criminology have a similar message — namely, that functional families are the cornerstone of our society and a good government should do everything it can to support families. As I said, I was pleased to hear His Excellency refer to the government's support for families.

During the last election campaign the government said to the people of Victoria that it would survey the population regarding the adequacy of sentencing laws. I congratulate the Attorney-General on initiating the survey because it is an important issue. I will be one member of Parliament who will look closely at the results of the survey. I welcome a review of the sentencing laws. It is important for all Victorians to understand that the government will review the sentences handed down by the judiciary.

I direct to the attention of the house an article in the *Victoria Police Association Journal* of April 1996 in which the secretary of the association, Mr Danny Walsh, states:

> The Denyer saga has resurrected the question that your association has been putting forward for some time. That is, there are some crimes or series of crimes in which the Parliament of Victoria should allow the judiciary only limited discretion by setting minimum terms which must be imposed for each of the offences with which the person is convicted.

The secretary is saying that Parliament should take a leadership role and set minimum sentences for certain crimes. He also states:

> ... increasing the maximum sentence available to our judiciary is a meaningless exercise as no individual receives the maximum sentence available.

Maximum sentences are not being used so it is not effective just to increase maximum sentences. Mr Walsh continues:

> Therefore, because no offender receives the maximum sentence, no matter how horrific the crime, increasing the maximum sentence available and not setting a mandatory minimum sentence is shirking responsibility and not reinforcing community

> expectations of the sentencing process. Mandatory minimum sentences for serious crimes send a clear community message to offenders and can only serve as a true deterrent!!!

Mr Walsh suggests the types of crimes where Parliament should set mandatory minimum sentences and further states:

> ... the returned Kennett government will introduce mandatory minimum sentences for some crimes.

He goes on to say what those crimes are:

> ... sex offences and other offences of violence committed against the elderly, disabled or children must carry a mandatory, lengthy prison sentence.

> ... your association will be taking very close interest in this issue.

Mandatory minimum sentences will be discussed in Parliament when the Attorney-General has completed her review of the community response to the survey. I agree with the police association that sex offences and offences of violence against the elderly, disabled or children must carry a lengthy mandatory minimum sentence. We should listen to the Victoria Police Association and ensure that our courts act in accordance with the intention of this state's legislation.

During my contribution to the debate I have drawn together a number of disparate aspects of His Excellency's speech: the environment, the importance of healthy families and the way dysfunctional families can cause societal problems, and the importance of mandatory minimum sentences and sentencing per se. When Parliament eventually debates some of those issues I hope its members will have listened to the wider community and representatives of organisations such as the Australian Institute of Criminology and the Police Association. We should take heed of their research; otherwise society will not be worth living in. We must ensure the standards of society improve so that it is a better place for our children; if it continues to become dysfunctional, our children will pay the penalty.

I again congratulate His Excellency the Governor. On behalf of my constituents I pledge my support to him and to Her Majesty the Queen. I will do everything possible to implement programs that will make society more stable and functional. I hope that the mandate given to the government by Victorians will be used wisely to introduce good legislation to improve the lot of the ordinary Victorian.

Mr MICALLEF (Springvale) — It is always hard for me to follow a God, king and country speech, especially when it is full of empty rhetoric, but I will do my best! The contribution by the honourable member for Bulleen was accompanied by clichés about the sanctity of the family, mandatory sentencing and a society worth living in. The words may be fine, but they are hollow rhetoric.

After the fading vision of the Governor's speech and the garden party under the marquee — with the terrible sandwiches and cream cakes, with the champagne and the glossy government publication — the words uttered tonight by the honourable member were still better than the address of the Governor. I know the Governor must deliver the address of the government of the day, and he did that professionally. I have no problem with the Governor himself, but I had a problem with the content of his speech. It added nothing to the delivery of a good message for families and the community, nor will it lead to a better society.

Since the government came to power in 1992 there has been a definite lowering in the quality of life of all Victorians. I pledge to fight that trend, while respecting the wishes of the constituents of Springvale who elected me to fight to improve their living standards. I am very proud to represent an area like Springvale whose residents can see through the hollow rhetoric of the government and its programs.

Mrs Wade interjected.

Mr MICALLEF — The Attorney-General occasionally visits Springvale, and I acknowledge good work when it is done: she must be impressed with the programs, the networking and the people in that electorate. The type of society that has been built up over many years in my electorate is now being tested through state and federal government cutbacks.

I am grateful for the work of those on my campaign committee who had me re-elected, and I thank all the community groups who supported me in that campaign. As honourable members realise, when one stands for Parliament one does not just win a seat through one's efforts during only a couple of weeks prior to the election — unless one happens to be part of a tidal wave result, as happened in the last election. Unfortunately, many members of

Australian parliaments have been elected through the support of rednecks: people like the Bob Katters of the world and others who espoused racist comments were swept into Parliament on the tidal wave of opposition to political correctness. That is sad, but the wheel continues to turn and people may yet come to understand the difficulties involved in supporting those sorts of policies. Eventually their representatives will be swept out of power.

The electorate of Springvale is very diverse. It has 140 different national groups who speak more than 45 languages. It is a challenge to represent those constituents. I am proud to have been involved with them; it has been and is a broadening experience to come to terms with each of the different cultures and, in trying to do so, to draw a line so that I do not favour any particular group.

When I go to functions I do not say I am a fundamentalist, a Muslim, a Buddhist or a Christian. I attempt to represent everybody without fear or favour. I do not accept the nonsense of saying that one has to believe in one particular culture, God or aspect of society: one can represent a diverse society in a particular way, but one must respond positively while representing the aspirations of those who live within the confines of an area.

The importance of racial integration or multiculturalism, as the conservatives call it these days, has been part of the central political platform of the ALP and the coalition government. The Premier is also the Minister for Multicultural Affairs: therefore, I take it the government has broad support for the thrust of multiculturalism in this state. I undertake to support the many aspects of our multicultural society, which adds to the strengths of society in general.

All Victorian political parties realise that a great asset of the state is the people who make it so strong. Often the Premier talks about the people being the great asset of this state, but it is a pity he does not respond to their needs positively because they need much support from the government. The cutbacks in various government programs do not lead to the provision of the support the community deserves. The people of my electorate who come from many backgrounds bring to our society a range of skills and cultures that help to make Victoria one of the great states and to make Melbourne one of the most livable cities in the world.

We can all be particularly proud of that and should respect how it came about rather than simply saying Victoria belongs to the establishment or to any particular group. We should all acknowledge and respect the fact that Victoria is a diverse multicultural state. In many ways my electorate is a celebration of Victoria's rich diversity. As I said earlier, Victoria has 140 different cultural groupings living in a harmonious, supportive and positive environment. It is a great achievement.

Early last year a global cultural diversity conference was held in Sydney. Delegates on a pre-conference tour of Victoria were very impressed with what they saw of the way diversity works and how people live together in a harmonious way in the electorate of Springvale.

Mr E. R. Smith — Do you live there?

Mr MICALLEF — I live at 45 Windsor Avenue, Springvale. The honourable member for Glen Waverley is welcome to come around and have a cup of coffee. I will drink with anyone; it is one of my principal problems.

The Chinese leaders who were part of the delegation were extremely impressed with the multiculturalism they saw in Australia and have invited members of the multicultural foundation, including former Supreme Court judge Jim Gobbo and the Lord Mayor, to see China and talk about how multiculturalism works in Australia. We have much to be proud of and it is extremely important to retain and develop multiculturalism in a positive way.

My representation of the diverse multicultural electorate of Springvale complements my role as the shadow minister for ethnic affairs and provides me with a great deal of understanding of and confidence in dealing with issues concerning ethnic communities. My long association with many of the groups in my electorate is important to me in the formation of attitudes to and the determination of policies in my portfolio area.

The multicultural significance of Springvale is highlighted in a recent report of the Office of Ethnic Affairs entitled *Counting on Diversity*, which states that Springvale has the state's highest rate of migrant settlement. The 1995 annual report of the Ethnic Affairs Commission states that the City of Greater Dandenong is the local government area with the highest number of children from non-English-speaking backgrounds, and 60 per cent of that city's population are either from overseas or have a parent from a non-English-speaking background.

In the past four years Victoria has accepted 35 000 migrants on humanitarian grounds, 4479 going to Springvale. The significant number of refugees who have settled in my electorate has placed a lot of stress on services in the area, and the government must understand that they need to be weighted to provide an appropriate level of service to such people. Refugees require immediate assistance, and services must be targeted to meet their particular needs.

The manager of the Springvale Community Aid and Advice Bureau, Ms Therese Bednall, was quoted in a recent local newspaper article as saying that Springvale was a favoured area for settlement because race relations were relatively good and there was a traditional abundance of unskilled jobs. Traditionally those jobs have been available but, as has happened everywhere, Springvale has suffered dramatically as a result of the economic downturn. The key point made in the article was that Springvale is a favoured area for settlement because of its relatively good race relations, something of which we should be very proud.

Springvale boasts a range of tourist activities and cultural festivals. The Lunar festival draws up to 50 000 people and the Latin American, Dutch and Greek communities all regularly run festivals. The local members of Parliament are kept extremely busy attending the various festivals, and those festivals have helped me to develop a close association with groups such as the Springvale-Asia Business Association. The association's annual dinner, which took place last Saturday night and which was attended by a number of members of Parliament from both sides of politics, was an interesting and positive occasion which indicated that SABA is trying to become involved in mainstream community activities.

A delegation from the City of Greater Dandenong left for China today and had Parliament not been sitting I may have joined it. I had the opportunity of visiting China 10 years ago with a parliamentary delegation from Victoria, and it would have been a good opportunity to reaquaint myself with that country. In cooperation with the City of Greater Dandenong, SABA, as a business association, is trying to develop better trade links with China. I think it will do extremely well.

I am actively involved with the mainstream Dandenong Chamber of Business and Commerce and sit on the access and equity committee of the City of Greater Dandenong. My involvement in the infrastructure of the city helps me to perform effectively as the local member, and I will continue to do so.

The Kennett government came to power in 1992 promising to upgrade the position of ethnic affairs in government. As with many other areas of government, that promise has not materialised — the track record on ethnic affairs shows it is not one of the government's priorities. The government's contribution is very much a matter of rhetoric rather than the delivery of effective support for ethnic communities.

The Premier likes to strut around the international stage pretending he is the Prime Minister of Australia, as he did when he was in Greece with the Deputy Leader of the Opposition, and present a high profile, but his understanding of the issues facing ethnic communities leaves a lot to be desired. His track record in developing community and racial harmony in Victoria is deplorable.

I will not go into the details of his partisan positions in support of conflicts between certain cultures where he has played favourites and created divisions. It has been very unhelpful and not very profitable for a Minister for Multicultural Affairs to behave in that way. I hope the Premier will try to conduct himself in the manner in which a multicultural affairs minister should conduct himself and that he will perform effectively rather than create divisions. If he cannot do that he should stand down and let his assistant minister, Phil Honeywood — who does quite an effective job — do that work for him. The government would be in a mess in multicultural affairs if it were not for the work of the assistant minister. It is very fortunate that there is someone in the government who has an understanding of ethnic affairs and does the job very effectively for the government.

I attend many functions — sometimes five or six a week — and I rarely see the Premier, although I read about his attendances at some high-profile dinners. He never gets around to visiting ethnic communities; he never listens to them and they complain they are not receiving support. In its first year in office the government provided zilch in grants to ethnic communities; in the second year it provided $200 000; and in the third year it provided $300 000. Mr Premier, you have not done justice to those people.

Mr Kennett interjected.

Mr MICALLEF — The reason they keep voting for you is very complex. They may be masochists, Mr Acting Speaker, like you — you have tolerated this leader for so long and yet you still survive! I mean, you amaze me.

The ACTING SPEAKER (Mr Richardson) — Order! There will be no reflection on the Chair.

Mr MICALLEF — That was not a reflection on the Chair, Mr Acting Speaker. I was complimenting you; it was not a reflection on you. Everybody knows the main priority of this government leaves much to be desired. The government's key policy is a gambling-led recovery. It has introduced 27 000 gaming machines in Victoria; it has flooded the community with them. It has attempted to put gaming machines in shopping centres. It really has done a lot of damage to the fabric of society.

Earlier, members of the house heard the honourable member for Bulleen talk about crime and family values, yet the government is pursuing and promoting gambling as a way of life. Someone interjected at the time about the Labor Party wanting to introduce 35 000 machines; that is a lot of nonsense. We attempted to bring gaming machines into this state in an orderly way, but the idea was taken over and exploited by this government as a way of raising revenue.

Where is the revenue from this gaming venture? Some of it is going into consolidated revenue and some into the Premier's personal slush fund, the Community Support Fund, which he has used disgracefully. In the early days the money from that fund was supposed to be targeted to assisting problem gamblers, but instead it was going towards yacht races, the Grollos and people like that. It is disgraceful that this Premier and this government have promoted gambling in such a way.

Some 4 per cent of the state's population is of Asian background, yet those people constitute some 60 per cent of the customers at Crown Casino. If the government does not think that is a problem, there is something wrong with it. These issues are creating divisions in the community and breaking down family values. We hear the nonsense from the conservatives that they support family values, yet they go about promoting gambling and creating divisions in the community. If government members talk to the Chinese Mutual Assistance Association or the Cambodian Association they will learn of marriage breakdowns and loss of jobs, cars and so on in those communities; they will learn of suicide and of people turning to crime. This is a disgraceful situation.

The government should be absolutely ashamed of itself for promoting gambling without providing adequate support services. The Chinese community had to set up its own gambling help line. Friends of my family who were involved in gambling in the first two years of gaming and became addicted could not find any services in the community to help them overcome their gambling addiction.

While the Premier is in the chamber I shall quote from a Cambodian social worker, Mr Phang Heng, who says in his annual report:

> Since the opening of the casino, I have been seeing clients who have lost their jobs, money, savings, cars and houses because of their gambling habits.

If you are not concerned about that, Mr Premier, you should be ashamed of yourself. As I said earlier, of most concern is the breakdown of families. The government's nonsense about supporting family values rings a little hollow. It is absolutely disgraceful.

So far the government has spent a lot of money promoting gambling. It has set up a smokescreen as to the affects of gambling and the community's concerns. Money has been thrown around and used on glossy advertising and promotion campaigns to cover up a real community problem. The government has told us it has been putting in place services to assist gamblers, but they are too little, too late. It is a real problem.

The government should be about promoting a responsible approach to gambling. It should acknowledge there are certain ethnic communities in this state that have a cultural predisposition to gambling and that support services should be targeted towards those communities.

It is a matter of public record that moneys have come from the Community Support Fund to back the failed $1.5 million *oneAustralia* challenge. The Grollos received $1 million for their theatrette on the top of the Rialto. It has been an absolute disgrace. The government has a responsibility to govern for all the people of the state.

Some of the schools in my electorate have been totally neglected by this government. The Noble Park English Language School is one of the better examples of places where refugees and others, new

arrivals in this country, have their first experience of learning English at primary and secondary levels. That school does an excellent job. I am particularly concerned about the students of such schools going into mainstream schools. It is good to see the Minister for Education in the chamber. I have written to him about the Noble Park Primary School, which is in a disgraceful state. It has water leaking from the roof, and rotting windows. It seems that the needs of the schools in the areas represented by the nine coalition members at the lower house level are not being responded to.

I am talking to you face to face, Minister. I have also written to you a number of times about the South Vale Primary School. Both these schools are doing an excellent job under difficult conditions. The teachers are dedicated, the parents are supportive, the Liberal members in Parliament in the upper house seats have been supportive, but we are still waiting for a response. I put it to you that both schools need some urgent assistance, and I will go back to them. I can see you nodding your head indicating that that assistance is on the way.

We are in for a long, hard haul over the three years before the next election but we will take you all back seat by seat.

The ACTING SPEAKER (Mr Richardson) — Order! The honourable member's time has expired.

Mr JASPER (Murray Valley) — I have listened with a great deal of interest to the contribution by the member for Springvale. When he opened he talked about the hollow rhetoric of the previous speaker. That is the greatest load of garbage I have heard since I came into Parliament in 1976. The results are on the board. What the member for Springvale does not understand is that in 1992 there was a change of government, a record result for the coalition. What happened in 1996? Another record result. What he does not understand is that we live in a democratic society. People went to the polls and voted in 1992 and again in 1996, and resoundingly they have returned the coalition to government. The member for Springvale is trying to say that the coalition government has handled everything badly.

I remind the house that on many occasions in 1992 Victoria was in a diabolical financial situation. Everybody recognised that, even the members of the opposition and the people of Victoria. In 1996 they said the government had turned the state around. There is a new sense of confidence in Victoria's future, and that has been expressed by the Premier in cabinet and right down through the coalition members representing various seats across Victoria.

I listened with interest to the comments made by the member for Springvale. For instance, he never mentioned country Victoria once, which disappointed me greatly. I suggest that perhaps he journey into country Victoria and take a look at what is going on, particularly up in the northern part of the state. Mind you, he might get lost getting there, but let him come up and he will understand what is going on.

One of the issues raised by the member for Springvale related to schools in his electorate. He criticised the Minister for Education. I suggest to the member for Springvale that if he has problems and is not getting results for his schools he is not giving proper representation to his electorate. Perhaps members of the government can suggest to him what should be done to get results in his electorate. If he does not say that in his local papers his vote might go down; he might even lose in the next election. Might I suggest that the member for Springvale talk to the Minister for Education. He might be able to get some results. He might get the sorts of results the member for Shepparton and I get in our electorates in the Goulburn Valley, in North Eastern Province and in Tullamarine by representation. It is all about representing your electorate.

If you are going to represent your electorate as the member for Springvale does, coming into this house with the sort of rhetoric and garbage that he brings, criticising everybody, never giving the government credit for anything, you will not get results. Through you, Mr Acting Speaker, I ask the member for Springvale: has the government done anything good from 1992 to 1996? We can think of thousands of things that have been done to turn around the state of Victoria, yet not once do we hear the member for Springvale stand up in this house and congratulate the government for doing anything right. Even the Leader of the Opposition grudgingly gives credit where it is due. He even recognises that the grand prix has been a great success, and he has changed his mind on the City Link. Being a practical Leader of the Opposition he acknowledges that something is being done. He acknowledges that the people of Victoria recognise that there have been results and that Victoria is definitely on the move.

All you need to do is talk to the people in the street. They will tell you what it is all about; they will tell you about this new-found confidence in Victoria and

the new-found aggression the government has adopted in giving leadership and ensuring that private enterprise will be a success in the development of Victoria. The member for Springvale never recognises the success in the development of jobs and the welfare of Victoria that has come about with help and development through private enterprise and encouragement through large and small business to develop, to be profitable and to be able to employ more people. Fortunately, Mr Acting Speaker, the change of government at a federal level early in 1996 is at last starting to take effect.

The federal coalition government is also putting into effect the sorts of policies that will give confidence to the rest of Australia — confidence in the prospect of development and in the future. People have a new confidence that large and small business as well as industry can be profitable and that the government can create wealth and jobs, because that is where we are going to get the development in Australia, and not through governments increasing employment as we saw through the 1980s. Government at that time sought to overcome the unemployment problem by increasing the number of people employed by government. I suggest to you, Mr Acting Speaker, that there is no way that you would get out of any financial problem by increasing employment and the number of people employed through governments.

It is interesting to have listened to the member for Springvale, who never once since I have been in this Parliament has said anything positive about the coalition and the people on this side of the house. He has usually been extremely critical. As far as I am concerned the runs are on the board. In 1996 he talked about hollow rhetoric, but it is no hollow victory. They are words that you have quoted to me in the past, Mr Acting Speaker, when we saw the results for the coalition in 1996. The election result right across the board was excellent, and the results in the Murray Valley electorate in north-eastern Victoria were great. We were able to achieve over 70 per cent of the primary vote and achieve the highest vote of any of the coalition members in Victoria in 1996.

I am certainly proud that the people of Murray Valley have given me a further vote of confidence by electing me to represent them in the Victorian Parliament for another four years. I offer my congratulations to the Governor of Victoria, the Honourable Richard McGarvie, and Mrs McGarvie for the excellent job they are doing. The Governor has journeyed into country Victoria on many occasions, including north-eastern Victoria and my electorate. It is interesting to note that in general he has not stopped at the major accommodation houses in my electorate but has opted instead for bed and breakfast accommodation. In doing so he has gained a better idea of the diverse accommodation that is available in north-eastern Victoria. He has been able to enjoy staying at some of the region's older homes which have been renovated and made available not only for the family but for bed and breakfast accommodation. I congratulate the Governor on the job he has done, and I hope that, together with Mrs McGarvie, he continues to represent us as the Governor of Victoria for a long time.

I indicate that I am a strong supporter of the constitutional monarchy. The Governor represents the Queen, and I support the Queen and the role she plays in Australia — and, indeed, in Victoria.

An honourable member interjected.

Mr JASPER — Why should we change a system that operates effectively? Ours is one of the best democracies in the world. If you are involved in an institution such as this and can see that it works effectively and produces what I regard as the best democratic system in the world, you should strongly oppose any action that would change it. We live in a great democracy, one in which people can live in freedom and can develop their talents in whatever fields they want. Our system of government has been effective in the past and will continue to be effective, and we should think long and hard before we consider any major changes to it. I refer to the three tiers of government, federal, state and local, and indicate my support for federalism and for the strong part played by the states.

Earlier I expressed my concern about comments made by the honourable member for Springvale, who talked about the results he had received from the schools in his electorate. I suggest he should talk directly to the Minister for Education. If the honourable member has specific problems with a school he would get a better result if he raised them directly with the minister instead of moaning, groaning and carping to the Legislative Assembly.

I have been able to achieve positive results for schools in my electorate over the past four years. More than $5 million in capital works has been spent on schools in Murray Valley in that time.

Mr W. D. McGrath — How much?

Mr JASPER — More than $5 million. I understand the minister finds it difficult to get back to his Wimmera electorate these days because of the important role he plays as Minister for Police and Emergency Services and Minister for Corrections. Although we should not compare electorate with electorate, I invite you, Mr Acting Speaker, to consider the results I have been able to achieve in Murray Valley. The government has been able to implement many improvements because of the quality of its representatives. That is what it all comes back to: representing the electorate and making sure you get results for the people you represent. If you have a look at the primary vote I have achieved since I entered Parliament in 1976, I believe the record speaks for itself.

I congratulate the new Minister for Education on the role he has played in making available additional funds for capital works. Since the election Yarrawonga Primary School has received around $800 000, and Numurkah Secondary College will receive $316 000. Wangaratta Primary School, at Chisholm, is to receive $127 000 and Milawa Primary School is to receive $73 000 — just to name a few. Those allocations were announced on 15 July, but I shall go back to 19 June, when it was announced that eight smaller schools would receive grants of between $2500 up to $30 000. In total some $140 000 has been allocated to those small primary schools in my electorate.

The house needs to understand that each country electorate contains a large number of schools. There are well over 30 schools, both large and small, in my electorate. Wangaratta High School, which has 13 000 pupils, is one of the biggest secondary schools in the state; and I have also visited a school that has as few as 14 pupils.

I also refer to the devastating fire at Yarrawonga High School, which was deliberately lit. It was the first time during my 20 years in Parliament that there had been a major fire in a school in Murray Valley. The fire certainly devastated the people in my electorate. In response to the need for additional funds, the government has provided $1.5 million for a renovation program, which is an excellent outcome. The high school was one of the great secondary schools in my electorate, and Yarrawonga Secondary School will match the facilities and services it provided. I highlight the way education funding is being spent because it typifies what is happening right across Victoria, particularly when country members seek to get the best results for their constituents by making representations to ministers to ensure that they respond to the requirements of country Victoria.

Another major issue which has been highlighted by the opposition is hospitals. In particular, the Leader of the Opposition and the shadow minister for health, the honourable member for Albert Park, continually express their concern. I have four hospitals in my electorate. The Yarrawonga hospital, the Cobram hospital and the Numurkah hospital each has 30 to 40 acute beds. All those hospitals, which are in the Shire of Moira, are operating effectively and are providing a high standard of health service. The Wangaratta District Base Hospital, which services north-eastern Victoria, is one of the largest base hospitals in country Victoria. It offers a high standard of service, which will continue into the future.

Unfortunately, earlier this year the Wangaratta District Base Hospital was one of three hospitals in country Victoria — the others were the Sale and Mildura hospitals — that struck difficulties with specialists who work on a fee-for-service basis. Their contracts expired on 30 June and changes had to be implemented. In recent years the management of the hospital has undertaken expensive work in undertaking economies of scale and looking to make the hospital more efficient. The management has been most effective in ensuring that the hospital maintains services within the constraints imposed by reduced funding. The specialist doctors withdrew their services on 30 June 1996, which resulted in great problems for the hospital.

I worked very hard with the Minister for Health, representatives of the health department, representatives of the hospital and the chief executive officer, Mr Robert Bulmer, in trying to resolve this difficult problem, particularly before 30 June, and I have assisted in the negotiations since.

The Minister for Health agreed that the additional funds would be provided, and $50 000 for each of the specialties, amounting to $450 000 in additional funding, was approved to assist the hospital in the negotiations with the specialists.

The Minister for Health came to north-eastern Victoria. He visited the hospital, met with senior staff, and took the opportunity of meeting with the specialist doctors. In total there are two groups: those who are specialists living in the Wangaratta area and servicing the hospital, and those from the Albury/Wodonga area who are visiting specialists

to the hospital providing specialist services in the areas of ear, nose and throat and neurology.

The visit by the Minister for Health ensured that he was aware of the difficult problem faced by management in negotiating with the specialist doctors and he was able to assure the people of north-eastern Victoria and the specialists that there was no suggestion of there being a reduction in the operation of the base hospital and that it would remain as a major business hospital servicing north-eastern Victoria, providing a large range of specialty services.

Over the period of approximately seven weeks that the specialists withdrew their services from the hospital, extensive negotiations took place. I have been involved in extensive discussions with the specialists and with management of the hospital to assist where I could to bring the parties together to negotiate.

Management of the hospital provided new contracts for the specialists. These were negotiated individually — but often collectively — in a very difficult situation to meet their demands and their requirements to return to work. Suffice to say, at the end of the seven-week period the negotiations were successful; many of the specialists signed their contracts, and most of the specialists have now returned on new contracts that are a combination of a fee-for-service and sessional work.

It was a big issue to the people of Wangaratta. They saw the Wangaratta District Base Hospital as a key element in the health facilities provided to the city for the people of north-eastern Victoria. It was important for the employment it provided, and for its image as a major specialist base hospital in north-eastern Victoria. That concern went right through to the patients that were being looked after. I received extensive representations from a range of people who were not able to receive appropriate specialist requirements at the hospital and who needed to go to Albury/Wodonga, Shepparton and Melbourne to receive specialist attention. That was of great concern.

But in the seventh week, after all the anguish, when we virtually had the problem solved — and it was an enormous problem — the member for Albert Park visited Wangaratta. But the problem had been solved! He went on the local television stations criticising — —

Honourable members interjecting.

Mr JASPER — Yes, he had the cheek to go to the television station servicing my electorate of Murray Valley and criticise everybody for not bringing the parties together and achieving an earlier result! As far as I am concerned it was an outrageous situation: he came into the hospital, was televised walking through the hospital, and was then televised outside the hospital saying what a dreadful situation it was that the people of Wangaratta did not have these specialist services. He did not come in in the early part; he waited until the problem had been solved, until we had worked on it — very assiduously, I might add — to get a result. So the Johnny-come-lately came in and told us how to solve our problem. I must say that I was outraged at the cheek of this metropolitan member of Parliament coming to my electorate of Murray Valley and telling me what to do in my electorate — after the problem had been solved! So I appropriately responded.

But one issue that I do agree with him on is the removal of funds for the dental health service that is being provided across Australia. I hope the federal coalition government rethinks the withdrawal of funds to that service. Across Victoria in 1995-96, $27.1 million was provided, which was matched by the state government with $25 million. However, from 1 January next year the federal funds will be removed. In fact, Wangaratta received a total of $622 600 for the dental health service provided at the Wangaratta District Base Hospital, and some of those funds went out to private practitioners in the rural city of Wangaratta. Of those funds, $325 000 was provided by the federal government to the dental health service at Wangaratta. I am concerned that the federal government is saying unilaterally that it is withdrawing its funds from that service. I hope that with the representations I am making, and those that members of Parliament from both sides of the house and others are making — we are making the strongest possible representations — the federal government will change its attitude to this issue.

About 20 per cent of the Wangaratta area population are cardholders who should be able to receive continuing free dental health service. Since its operation the dental health service has raised the standard of dental health markedly, and the doctors involved with the program at Wangaratta have expressed to me their great concern about the reduction in funding and the consequent reduction in the service. Even now people requiring new dentures have to wait up to four years, and those requiring fillings may have to wait up to 12 months. In fact, the story was related to me that one

pensioner, when told that he may have to wait up to four years to get his dentures, said, 'I think I'll be dead before I get the dentures'.

We have heard comments from the federal government that the problem has been solved, that it has been overcome, that it has had its input into the program and that it is now up to the states to maintain the program. On many occasions, federal governments from both sides of the political spectrum have introduced and supported programs, only to say, 'We'll leave the states to carry on; we will withdraw our funding from that'. It is imperative that the federal government reconsiders its policy on the dental health program and ensures that it receives the appropriate response and adequate support so that funding for the programs within Victoria and right across Australia continue and the standard of dental health in Australia is improved.

I understand the financial constraints on the federal government and what it is trying to do. I know that it came in, as the Victorian government did in 1992, with a massive debt problem — and that has to be addressed — but it needs to be addressed carefully so programs are not removed that should be maintained.

There are many other areas that I would like to cover. However, in the short time I have left I would not be able to do justice to the tourism industry — for instance, the importance of tourism, its development in the state of Victoria, and its importance to north-eastern Victoria. I would also like to cover agriculture and its importance to country Victoria, its greater recognition since 1992 and the increased funding that has been provided.

I pay tribute to the former Minister for Agriculture, now the Minister for Police and Emergency Services, for his dedication as Minister for Agriculture from 1992 to 1996. He understood agriculture and what we are on about and changes were implemented which will be to the great benefit of country Victoria. The new Minister for Agriculture and Resources has taken over that mantle and is seeking to produce equally as good results.

I should like to make a commercial, if I can put it that way, and inform the house that in early October the research institute at Rutherglen will be celebrating its centenary and will highlight some of its work. It used to be a research station but now it is an institute and has a new name. Unfortunately 'Rutherglen' is not part of the name, so we may have to do something about that. I confirm that $1.5 million has been spent in redeveloping facilities at the institute. Had Labor remained in power the institute would have closed. The previous Labor minister, the honourable member for Sunshine, decided that the institute was going to go. The institute undertakes work that is valuable to Victorian farmers, and its research has been used to advantage throughout Australia.

I wanted to mention the wine industry, which is one of the most important agricultural industries and which will be increasingly important to the development of country Victoria, but I will save that for another time. I conclude by saying that Victoria is on the move and that the coalition government will continue to see that Victoria develops to 2000 and beyond.

Mr DOLLIS (Richmond) — I congratulate the honourable member for Murray Valley on totally failing in his attempt to demonise Labor once more. Our history — good, better or indifferent — is our history; we will write it, and we will write it correctly. It is important that generations to come read it and make up their own minds about the positives or otherwise of the previous Labor government.

I should like to deal with some of the important issues that confront society today. I suggest to my conservative colleagues opposite that we live in an economic, political and social reality of unprecedented complexity.

Mr W. D. McGrath interjected.

Mr DOLLIS — If you bothered to read more you would be able to construct a sentence of that sort yourself, Minister. That complexity means, among other things, that the level of knowledge and sophistication required of society and its politicians is much higher than it was previously. The understanding of the dynamics of contemporary society and the contemporary world needs to be based more than ever before on sophisticated knowledge and commonsense. The corollary is that policies should be animated by their awareness of the extraordinary complexity of the things that surround our world.

Ideologies no longer occupy a prominent place in many modern societies, yet no society can do without the guide of philosophy, even though it needs to be non-dogmatic and pluralistic. Moreover, it is evident that the recent successes of Australian

conservatism are due to some extent to the fact that they appear to have a philosophy underlying them. At one level public perception is not wrong, because the Liberal Party does have a philosophy. However, it is a crude, simplistic philosophy based on the idea that in an increasingly competitive world everything should be run like a business and that only business and economic values and a very crude, old-fashioned conception of the business economy should be at the basis of social and economic policy. Social justice, equality of opportunity and moral values are, if not totally rejected, at least suspended or bracketed. Once business flourishes, everything else will look after itself.

This vision appears to be the base on which the conservatives have built the world in which we live. It is immensely dangerous because ultimately it can lead to disastrous economic and social effects. Nevertheless, it is a vision of some type. It is too crude to be considered a realistic philosophy, but it has managed to deceive many people into believing that behind the anti-welfare, cost-costing obsessions of the Kennett government there are at least the glimmers and fragments of a vision. I suggest that that vision is not apparent in the speech the Governor made to Parliament.

Inevitably, politics involves a good dose of pragmatism, but I have no doubt that, ultimately, people are not satisfied with just pragmatism. Unless governments are able to consider a larger vision for life and understand the forces that operate within society, it is only a matter of time before society stops being satisfied with what they have to offer. One of the things this government has not attempted to deal with is how the forces of globalisation operate and the effect they are having on the lives of ordinary Victorians.

In the past two decades the revolution that began with some rapidity after the Second World War has reached a point of no return. That revolution involves the move towards a global economy and the overcoming of national boundaries. Several factors are involved in the process, but I suspect that most of my conservative colleagues would have no idea of the global forces that are operating in society. We live in a federation that is very much part of a global economy, yet the crude nature of your ideology, Minister, and the beliefs for which you will be remembered are forces that you need to understand if you are to govern compassionately and in a way that gives society the opportunity to grow and become richer rather than poorer.

Mr W. D. McGrath interjected.

Mr DOLLIS — We have to live within our means, but we must do so compassionately because there are winners and losers. The point about losers in society is that their losses are very much the result of government policies. Governments are not elected just to collect taxes; they have to handle those taxes compassionately and to understand the forces that drive society forward. If you want to — —

The ACTING SPEAKER (Mr Cunningham) — Order! The honourable member will address the Chair.

Mr DOLLIS — If this government drives society forward in a crude manner, it will fail miserably. That goes back to my suggestion that the Governor's speech does not display the slightest bit of compassion. The ideology this government has displayed over the past four years is so crude that it will inevitably fail. Politics is about successes and failures, and they are measured on the values you hold. The values of this government are foreign to the majority of us because they are not caring values. If the irreversible revolution that is taking place as we move towards a global economy is to succeed, this government will have to learn how to put compassion back into politics and how to allow society to grow in a caring and compassionate way.

The Minister for Police and Emergency Services obviously needs to be educated about this. Globalisation develops as a result of conscious policies adopted by governments such as his and as a result of a more structurally based determinism; but I suspect the minister will have a great deal of difficulty understanding any of those things. He would have difficulty understanding the liberal international economic order that developed or some of the factors that brought about world economic interdependence, among other things. I shall provide the minister with some information to read after the debate in order to open up his mind.

National economies are being eroded in a radical way, and this erosion will more and more affect the political processes and ideologies that have been displayed.

Mr W. D. McGrath interjected.

Mr DOLLIS — I would like the minister to realise that every now and then even politicians can display a glimmer of thought. Above all, it will lead to a revision of the concept of nation which is in most

countries, including Australia, and notwithstanding its multiculturalism, a 19th-century concept. Unless the minister can understand that the concept of nation is beginning to alter he will never be able to understand how a state economy can fit within a national economy and how a national economy can fit within a global economy. If that is so, he will always be unable to be a participant in any of the changes that are taking place.

This process towards globalisation is irreversible. It is true that the institutions that have been created over a number of years are undergoing severe strains. Nevertheless, they have the strength to resist protectionist reactions and revivals and attempts to re-establish a non-global order. So for Victoria to be successful, for Victoria to be part of this global economy, the government must at least understand the forces that operate in our society. I am afraid that is not possible for the majority of government members.

It is true that the liberal idea of open markets and open economies clashes with the self-interests of individual countries and blocs; but at the same time it is possible for us to maintain our unique character, our unique component, a society that is open, liberal and dynamic and can grow effectively without moving at the same time into some very crude notions and policies that are implemented by this government.

I shall not offer recipes for thought but briefly mention some of the directions governments need to consider. I refer the house to the concept of a social state. There is a need to review the concept of the welfare state that is currently operating in this country, which tends to be seen as purely an 'assistential' concept, and move towards what the Europeans call the social state, which sees the public sphere as relating to the general community and going beyond the concern of the needy sections of the community while clearly incorporating those needs.

On the notion of community, we need to go beyond the concept of nation and redefine the concept of community and of a civic ethos within a non-nationalist framework and within a framework of cultural rights. On democracy, we must rethink the role and function of the public sphere and of the public sector. We need to re-propose a model of democracy that does not surrender the value of social justice and of equality of opportunity.

Politics needs to be redefined. It must at all times keep in mind the new complexity and articulate policies that give rise to employment without reducing the competitive capacity of the system in the context of an increasingly harsh global competition. Finally, there is a need to think about a new social-economic system. We need to find ways of introducing rationality into the economic system. At the moment many are guided by the fallacy that because the new context has made some traditional ideas unworkable we need to return to the purity of classical liberal theory. New realities require new answers, although it is true that tradition should not be rejected uncritically.

The ideas of social democracy are those ideas that drive forward a caring society. If we allow the very crude forces that have frequently operated with government policy we condemn future generations to live in a society that is not caring or compassionate, a society that cannot develop as a forward-thinking society. The globalisation forces and the crude nature of the ideology this government has displayed are matters the house at least should take into consideration.

At some stage the government must deal with the issues that are unfolding into the next century. It will need to redefine the role of government in that regard. Planning for the future is something this government is not doing very well.

It is a very complex and complicated world. Let me repeat what I said to the honourable member for Murray Valley: this party is our party and our history is our history. No matter how much government members attempt to redefine or demonise the very proud record of Labor, they will not succeed because our history is our history and we will write it. Good, bad or indifferent, we will do it. We will never allow our conservative opponents to rewrite history in accordance with their values. They have tried to demonise Labor. Labor has produced quite a few good things for Victoria. Labor has a proud record. It is a record from which we will not withdraw.

Debate adjourned on motion of Mr TRAYNOR (Ballarat East).

Debate adjourned until next day.

Remaining business postponed on motion of Mr W. D. McGRATH (Minister for Police and Emergency Services).

ADJOURNMENT

Mr W. D. McGRATH (Minister for Police and Emergency Services) — I move:

That the house do now adjourn.

Central Highlands Water

Ms GILLETT (Werribee) — I raise for the attention of the Minister for Agriculture and Resources the issue of water tapping fees. A local resident of Werribee, Mr R. J. Cook, is fortunate enough to own a couple of acres of land in Fawcett Drive, Clunes. In 1991 Mr Cook inquired of the local authorities in Clunes concerning the costs involved in connecting water to his property. Mr Cook was advised the cost would be approximately $450. A short time later when Mr Cook again contacted the authorities because he was ready to proceed with the work he was told it would cost him approximately $450 but that the responsible authority had changed and that he now had to deal with the Central Highlands Water.

Mr Cook had some initial difficulties dealing with the new authority and had to make phone calls before eventually receiving an application form indicating that the cost had increased somewhat since his first inquiry. Instead of a cost of $450 Mr Cook was advised that the cost was $1050. Mr Cook is not a wealthy man and the more than doubling of the costs made him understandably angry.

Mr Cook suggested in correspondence to me that I ask the minister why the price had increased so alarmingly. I inquired about whether this was one of the benefits of the user-pays system and suggested that perhaps it was Robin Hood in reverse — taking from the poor and giving to the rich. In order to obtain a perfectly straightforward answer I wrote to the minister and the chief executive of Central Highlands Water on 18 June 1996. With regret I advise that the minister has still not responded to that correspondence. Coincidentally, Central Highlands Water responded today saying that it became responsible for the water supply in Clunes only in October 1994 and that in February 1995 it advised Mr Cook that the cost of supply would be $1093.

The SPEAKER — Order! The honourable member's time has expired.

Goulburn Valley Highway

Mr KILGOUR (Shepparton) — I ask the Minister for Education, who is at the table, to raise with the Minister for Roads and Ports in the other place the funding of the future duplication of the Goulburn Valley Highway, funding the former federal Labor government promised for five years but did not provide. The City of Greater Shepparton is frustrated because it wants the duplication promised some years ago by the federal department of Broken River Bridge and the road south of Shepparton through to the airport.

Mr Gude — Who promised it?

Mr KILGOUR — The former Labor government in Canberra, but it is not surprising that the funding did not appear for a country area.

Will the Minister for Roads and Ports contact his federal counterpart to check whether the department has had time to get through the muddle to see whether money is available to duplicate the highway? I raise this matter because a serious and tragic accident which killed three people occurred on the weekend 20 kilometres from Shepparton. A family car was knocked into oncoming traffic by a transport travelling behind it. Two transports were also extensively damaged.

It was a sad and tragic event for Arcadia West, where the children involved in that accident went to school, and for the Shepparton district. It only increases the need for the Vicroads strategy to duplicate the Goulburn Valley Highway from the Seymour turnoff where it meets the freeway, around the Nagambie property of the Minister for Agriculture and Resources and the Nagambie township and on to Shepparton. Sometime in the future the city of Shepparton will be bypassed, and planning for that is being done presently. However, the road is used extensively and more and more traffic travels along it because it is a main highway from Melbourne to Brisbane.

Will the minister find out from his federal colleagues what the funding situation is so that the Broken River Bridge can be duplicated, so that the work that was promised five years ago at the southern end of Shepparton can be done and so that the roads through the Goulburn Valley are safer to travel on?

TAC: wheelchair replacement

Ms CAMPBELL (Pascoe Vale) — I draw to the attention of the Treasurer the victim of a motor vehicle accident, John McNeil. Mr McNeil is wheelchair-bound and was involved in an accident with a woman who was charged with and convicted of drink driving. That is now a matter of appeal.

When considering Mr McNeil's case the TAC stated that although it would provide assistance for a prosthetic leg or legs it considered a wheelchair to be a personal item. Mr McNeil has suffered a great deal of distress because his wheelchair, valued at $6000, has not been replaced, and it has meant he is unable to live independently as he did prior to his accident. Because the case is the subject of appeal he is unable to obtain assistance as a victim of crime and he is in a terrible position.

The government prides itself on its economic management. The cost of a wheelchair replacement would be $6500, but to date the cost to the government is approximately $20 000 for hospitalisation and personal attendant care for Mr McNeil. I direct the attention of the Treasurer to this case and I ask that he use his discretion. Mr McNeil requires a replacement wheelchair. If he were to have prosthetic legs they would be covered by the TAC. His wheelchair is an essential item and not a luxury item because it is a replacement for his legs.

Firearms: collection centres

Mr JASPER (Murray Valley) — I direct to the attention of the Minister for Police and Emergency Services the new gun legislation. I take this opportunity to congratulate the minister on the work he has done representing Victoria on a very difficult issue following the Port Arthur incident and on implementing the new gun laws that were driven by the Prime Minister even when Victoria already had appropriate laws. The minister is now charged with the responsibility of implementing the new gun law relating to the collection of guns and the policy regarding the retention of specific categories of guns.

I seek information from the minister on the progress of gun collection centres in the metropolitan areas and country Victoria, including Wangaratta. Apparently the centres will be open for approximately four weeks. I understand difficulty is being experienced by some people in getting to the centres to be recompensed for the guns they wish to hand in.

I bring to the minister's attention the need for further and continuing clarification of the new arrangements. I received a letter from Mr Graham Campbell from north-eastern Victoria who has a semiautomatic shotgun. Mr Campbell owns a cherry orchard and he considers the possession of a semiautomatic shotgun to be essential for the protection of his crop. Mr Campbell states:

> Media statements have been contradictory — some indicate that farmers will not be disadvantaged by the new laws and yet others indicate that category C licences will only be issued in exceptional circumstances such as to slaughter hundreds of livestock.

Mr Campbell then mentions comments by the Minister for Police and Emergency Services reported in the *Weekly Times*. He further states:

> I do not shoot birds for entertainment and would be happy to forgo ownership of a pump action semiautomatic shotgun if suitable protection for my crop could be provided at no additional cost to me.

I seek a response from the minister for Mr Campbell about the operation of the new system, including whether it will provide appropriate protection for primary producers, as well as details on the collection system operating across Victoria.

Hospitals: mental health patients

Mr CARLI (Coburg) — I raise for the attention of the Minister for Health in the other place an issue regarding the mental health patients who use public hospitals. A low-income family in my electorate has a member who is mentally ill and who is required to regularly visit the Royal Park Hospital. The family spends most of the supporting allowance it receives on services required by the hospital, which means there is no money for toiletries, clothing or other necessities when the family member returns home from the hospital.

I have been given a copy of a circular from the former Department of Health and Community Services dated December 1995 concerning nursing home fees, which says that mental health patients can be charged the same fees as those charged in nursing homes. The fees are being imposed as a source of revenue. Even though previously hospitals could charge nursing home fees after a 35-day period, it now appears they can impose fees for patients, as is occurring in this case.

The fees are a source of great difficulty for the family in this case because the family member is required to regularly visit the hospital. The family has no other means of obtaining money and has to find extra money while the family member is in the hospital. I understand this issue also affects low-income families in the electorates of my colleagues.

The circular of December 1995 states that hospitals can waive fees for low-income families. People need to build up a reserve of cash when they move back into the community. Unfortunately, because of cuts to hospital budgets, financial managers of hospitals will not allow the fees to be waived. The Royal Park Hospital has made this very clear to the family about whom I am concerned. I ask the minister to ensure that fees are waived in this circumstance so that families and individuals can build up a reserve of money. It is an enormous strain not just for this family, but for many families in similar circumstances.

Fire blight

Mr McARTHUR (Monbulk) — I direct the attention of the Minister for Agriculture and Resources to the horticultural disease fire blight, a bacterial disease first discovered in 1780 in North America, which has since become the scourge of many horticultural areas, but particularly the pome fruit industry. It is now widespread throughout the world and is found in the United States, South America, the United Kingdom, New Zealand, Europe, Scandinavia and the Middle East. The disease causes substantial problems in the areas where it is prevalent.

It is worth noting that because Australia is free of fire blight it has a substantial economic advantage over countries that produce fruit where the disease is known to exist. We have substantial advantages at the production level and at the marketing end. Australia is able to export its products to countries where those infected areas cannot export. It is important to maintain that status because fire blight is horticulture's foot-and-mouth disease.

The issue to which I draw the minister's attention is the risk of importation of fire blight from New Zealand. A series of quarantine measures has been in place since the 1940s to prevent the importation of apples, pears and other products from areas of New Zealand where fire blight is known to exist.

In June 1988 the minister responsible for agriculture and fisheries in New Zealand sought a variation to the existing rules. The Australian authorities carefully examined but rejected the application. This year the New Zealand minister has again applied to have the rules varied. The New Zealand authorities base their argument on what they call new scientific evidence.

On behalf of the industries in Victoria, I urge the minister to carefully assess the information supplied by the New Zealand industry because it is important that no additional risk be incurred by Australian industries in any review of the protocols. It is not a matter of tariff barriers but of disease quarantine barriers. The disease does not exist in Australia. We do not need it in Australia; we need to keep it out.

Roads: safety barriers

Mrs MADDIGAN (Essendon) — I ask the Minister for Education to direct to the attention of the Minister for Roads and Ports in another place a matter which was first raised in this place some months ago. I understand no specific guidelines are in place for the installation of wire rope barriers on Victorian roads.

The Australian Motorcycle Council has written about its concern. I refer to a letter in the *Age* of 31 July 1996, part of which states:

> Wire rope barriers are designed to prevent errant trucks crossing wide median strips and hitting oncoming traffic. They are often misused in Australia as traffic separators on narrow medians or on verges. Publicity material shows they are being used on kerbs and in corners. These do not meet Vicroads guidelines.

I am concerned that the installation of the barriers on a number of roads has not been properly planned, particularly where they have been installed on road verges. The use of the barriers has caused controversy in Victoria. One of the main points overlooked in the installation of the barriers, particularly where they divide two carriageways, is the danger to motorcyclists and bicycle riders. The riders can be pushed onto the other carriageway, and there is real concern about whether the installation of barriers on certain roads can cause traffic accidents. Discussions have been held between the makers of the wire rope barriers and the state government, but it appears that no satisfactory arrangements have been made with the Motorcycle Riders Association of Australia.

Police: Lakes Entrance station

Mr TREASURE (Gippsland East) — I direct to the attention of the Minister for Police and Emergency Services a police staffing issue in the Lakes Entrance region. Lakes Entrance is a popular tourist destination. Consequently, the number of visitors there in summer increases dramatically compared with the number who come during other seasons.

The Lakes Entrance police station was built in the early 1960s and was then staffed by, I think, six officers. Although the population of Lakes Entrance and the number of police stationed there have grown, the station has remained pretty much as it always was. During Labor's period in government few improvements were made to country police stations through capital works programs, and Lakes Entrance was no exception. The existing buildings have little or no provision for securing items such as recovered stolen goods or recovered drugs. In many cases the lock-up has to be used as a security area because no other secure storage area is available.

The station has no adequate public interview rooms and the senior sergeant has insufficient space in which to interview people. There is a general lack of privacy at the front desk of the station and citizens must speak with police in a public area where they can be seen and their conversations heard by the public at large. The situation is worse in winter. The solution is the refurbishment of the station. I ask the minister to consider what he may be able to do in that regard and whether at some time in the future money might become available for the station.

I have also been approached by residents of Lakes Entrance who are concerned that the town needs a 24-hour police station. The nearest 24-hour station is at Bairnsdale, a drive of more half an hour from Lakes Entrance. It is a long way for a police vehicle to come from Bairnsdale when the local station is closed, and it often leaves police in other areas shorthanded. I commend Senior Sergeant Adrian Lalor for his work at Lakes Entrance.

Housing: West Sunshine

Mr SEITZ (Keilor) — I raise for the attention of the Minister for Housing in the other place the Project Partnership scheme of the former Department of Planning and Development for the development of housing units for older persons. I raise the matter on behalf of St Paul's parish, West Sunshine, which has been negotiating with the responsible department for the provision of land and the development of units for older people in the parish.

The parish is very concerned because it has received no indication of what is happening or what progress is being made in making funds available for accommodation for older people in the state generally and in St Paul's parish in particular. The parish has been endeavouring for a long time to have land made available and units built in the area.

I urge the minister to look at the situation, and if cutbacks in funding are to be made to advise the people of St Paul's parish of the process that will have to be followed to enable the parish to make decisions about obtaining planning permits and so on, so that the parish community can take steps to get some movement on the project. The parish representatives have told me they feel there has been no action because there appears to be no money available for such projects to continue. I ask the minister to state whether the programs will continue.

Liquor licence fees

Mr A. F. PLOWMAN (Benambra) — I raise with the Minister for Education, who is at the table, the up-front licence fee levied on liquor licence-holders and ask him to direct the matter to the attention of the Minister for Small Business in another place. The fee for each year is proportional to liquor sales in the previous year and no account is taken of any reduction in sales that might be brought about by an increased number of licences as a result of licences being granted to other establishments. Liquor sales are now much more reliant on takeaway or take-home purchases. Therefore, when other licences are issued a hotel that relies on bottle shop sales can be quite adversely affected.

In the case in question a hotel in Wodonga is affected by two licences that have been granted to different licensees within 100 metres to the east and the west. They are both supermarkets and will take a substantial amount of trade from the hotel. It is estimated that the hotel may lose a third of its retail sales. If that occurs the cost would be of the order of $80 000 — in other words, the hotel has to pay a licence fee of an additional $80 000 based on the past year's sales, not sales related to the year in question. I make the point that no right of appeal exists and no reimbursement is available. In fact, the hotel licensee has no redress at all in respect of the charge on that licence.

I ask the minister to review the charges for liquor licences to ensure that where other licences are granted which substantially reduce the amount of liquor sold by an existing licensee the licence fee is reduced accordingly.

Castlemaine woollen mill fire

Mr CAMERON (Bendigo West) — I raise for the attention of the Minister for Rural Development the urgent need to address problems in Castlemaine as a result of the fire at the Victoria Carpet woollen mill on 1 June 1996. In the period immediately after the fire politicians pledged bipartisan support for the rebuilding of the mill. Indeed, the minister promised to offer all the assistance he could. There were high hopes in the region that something would happen, and when an expectation is created people in the country expect something to be done. Some 80 jobs are involved, and something needs to be done because more than 400 government jobs were lost in the Castlemaine district in the first term of the Kennett government.

In addition, immediately before the mill fire the coalition's commissioners in Castlemaine announced a regional unemployment rate of 19 per cent. Castlemaine hoped the government would have in place a regional program in its first term, but it did not happen. As a result of what was said it was then hoped something would happen in the second term. Unfortunately, as soon as the statewide focus went off Castlemaine we saw the government's real intention, and the high expectations seem to have been dashed. The general manager of the woollen mill is reported in the central Victorian press as saying the company was particularly disappointed with the attitude of the Victorian government:

> They are unable to offer us any assistance whatever ... they just don't want to know us.

In fact, last week five ministers went to Castlemaine for the Rural 2001 conference and the woollen mill was not on the agenda. The government has let down the people of Castlemaine as a result of its lack of regional policies. I urge the minister to help Castlemaine and assist this mill in a real sense to ensure it gets back on track and retains the 80 jobs.

Responses

Mr McNAMARA (Minister for Agriculture and Resources) — The honourable member for Werribee referred to water charges on Mr Cook's property at Clunes. I should point out that Clunes does not have any sewerage. It is one of three townships, along with Avoca and Learmonth, that is not yet sewered. It is worth reinforcing the point that it reflects a neglect of regional Victoria by the previous government. It had an opportunity to do some substantial things between 1982 and 1992, but it really did nothing to provide major infrastructure in country Victoria. However, it frittered away the heritage of many Victorians by blowing out the state debt from $11 billion to $33 billion over that decade. When one considers that it took almost 150 years to get the debt up to $11 billion, tripling it in 10 years is an incredible legacy, but it is one we are living with and recovering from.

It is great news that, thanks to the work of the Treasurer, in the space of less than four years we have already reduced the debt from $33 billion to $20 billion and are in the process of driving down the figure into the teens. We will hear more about that tomorrow, but I suppose it is good to get some good news at any time. I urge every member on the opposition side to pay particular attention tomorrow because there is a vision for Victoria, something that was lacking during the opposition's decade of neglect.

It is also worth noting that in the Clunes area effluent was visible in the drains, with grey water in the street. There was no reinvestment in upgrading the infrastructure of the water supply service — even the fresh water supply service, the drinking water. The member for Ripon, who represents the area, told me that last week he was talking to people from Central Highlands Water who made the point that they spend more time repairing mains in Clunes than in the major centre they serve, the provincial City of Ballarat. The state of the water services left by the previous authority was so bad, something needed to be done. The member for Werribee will be heartened to learn that at the last election the government committed over its next four-year term to allocate $20.7 million to help this small community upgrade its drinking water and to deal with effluent disposal.

The point needs to be made that the target has been set for every water authority in Victoria to reduce its costs by 20 per cent and that that target has to be met within the next two years. That is being done in every water authority across the state. Unfortunately, because of the high debt levels, that money has to be put back into reducing the debt the authorities inherited and into upgrading capital works.

Only a week ago I visited Coliban Water, which covers another provincial centre, Bendigo. Coliban Water representatives made the point that when they brought the various small country towns into the authority two years ago they inherited a total debt of $65 million. Within two years they have reduced that debt to $40 million and are funding totally out of revenue a major capital works program of both new sewerage schemes and improvement of water quality with filtration schemes. It is a great story.

The SPEAKER — Order! Although the minister has a great story to tell I do not believe he is addressing the matters raised by the member for Werribee. I would like him to address those matters and not use the adjournment debate to tell the great story.

Mr McNAMARA — Like every country town across Victoria, by 1999 Clunes will have to deliver drinking water with a quality consistent with world health standards, and it is on target to do that. Clunes also has to ensure it has an adequate effluent disposal system by 2001. Again, we should recognise that it is on track.

The member for Ripon tells me that Central Highlands Water has the third-lowest rating level of any regional authority in Victoria. I hope the member is a conservationist. Are you interested in environmental issues?

Ms Gillett — Absolutely!

The SPEAKER — Order! The Deputy Premier will address the Chair and round up his answer.

Mr McNAMARA — Mr Speaker, I point out that under the old rating system — —

Mr Gude — He's just getting warmed up!

The SPEAKER — Order! He may be getting warmed up but I am getting hotted up, so he should round off his answer!

Mr McNAMARA — Mr Speaker, I point out that under the old rating system that applied to basically all water authorities across Victoria we had rates based on valuation, which gave no encouragement to the proper environmental use of water. To ensure that people use a valuable and in some cases finite resource sparingly, water authorities are now moving to a system under which we have volumetric charges and service-delivery charges that more appropriately put a value on that resource.

Perhaps Mr Cook is experiencing that change. If a major portion of your bill is based on a volumetric charge, you can decide to reduce your bill by reducing the volume of water you use. However, I shall get back to the member for Werribee to see whether she wants any more detail on the issue. I point out that the government is providing $20.7 million to small country communities to improve their water service delivery. The government also hopes to receive money from the one-third sale of Telstra — and I hope the member will be supporting that.

Ms Gillett interjected.

The SPEAKER — Order! The honourable minister will address the Chair and the honourable member will cease interjecting.

Mr McNAMARA — I am glad the honourable member has indicated she is supporting the sale of Telstra because it will ensure that we get more money to address basic service and environmental issues such as the improvement of water quality.

The issue raised by the honourable member for Monbulk — —

Ms Gillett — Mr Speaker, on a point of order, the minister may have misunderstood. To assert that — —

Honourable members interjecting.

The SPEAKER — Order! I ask the honourable member to start again because I did not hear her.

Ms Gillett — I indicate that I have been misrepresented by the Minister for Agriculture and Resources. Just to make it clear, I am not in favour of the sale of Telstra.

The SPEAKER — Order! There is no point of order. The minister, addressing the matter raised by the honourable member for Monbulk

Mr McNAMARA — The member for Monbulk raised the important issue of fire blight and the effect the importation of apples from New Zealand may have on our industry. The issue has concerned all members who represent orchard areas. I have received representations from both the Honourable Ron Bowden and Honourable Ken Smith, who

represent South Eastern Province in the other place, and from Don Kilgour, the honourable member for Shepparton.

Fire blight is certainly devastating for apples, pears and a number of other fruit and ornamental species. It is present in Europe, North America, and New Zealand but to date has not been detected in Australia. Australian quarantine regulations prohibit the importation of fruit from countries where fire blight is present, and any propagating material must remain in a quarantine station for four years before release. So any budding stock and other material that is brought in must be quarantined for four years. New Zealand has made two proposals to the Australian Quarantine Inspection Service (AQIS) over the past few years to allow the importation of apples to Australia. Both of these have been rejected on the basis of the unacceptable risk to the orchard industry in Australia.

A revised proposal was submitted to AQIS late last year and that proposal, along with an issues paper, was circulated to the industry and to the states for comment last month. Responses are due by the end of September. Following the receipt of comments, AQIS intends making a decision on whether to permit the import of apples from New Zealand in about March next year. While there is little doubt that an outbreak of fire blight in a major pome fruit growing area, such as the Goulburn Valley, the Mornington Peninsula or the Dandenong areas, would be devastating to the industry, the major point at issue is whether or not the importation of apple fruit can lead to the establishment of fire blight in Australian orchards.

Although Australia is a signatory to the World Trade Agreement, we must ensure that any measures necessary for the protection of plant health are based solely on sound, scientific principles. The services of a former departmental scientist, Dr Sartish Wimalajeewa, who is an Australian expert on fire blight, have been retained to assist the Victorian department with its assessment of the technical merit of the New Zealand submission in order to provide a proper response to AQIS.

We are taking this matter very seriously. The effect that it would have on the orchard industry, if it did lead to an introduction of fire blight, would run into tens of millions of dollars. All I can do is assure all members that we are not prepared to take any risk, if there is any degree of risk involved. At the same time, we need to understand that we have to work under the GATT and world trade agreements. We are taking this matter genuinely given the risk of the introduction of disease into Victoria.

Mr STOCKDALE (Treasurer) — The honourable member for Pascoe Vale raised a matter concerning a Mr McNeil who, as I understand it, had a wheelchair which appears to have been destroyed in the course of a motor accident.

The transport accident scheme quite deliberately and as a matter of policy — which I do not think has ever been anything other than the subject of bipartisan support in the house — is directed to cover personal injury liability and not to cover property damage. The TAC, of course, is obliged to administer the scheme in accordance with the act. It has not only a statutory duty, but from a matter of plain commonsense, an obligation to ensure that the protection it provides is strictly in accordance with the act.

From time to time that may create difficult cases for the TAC where there is obvious hardship and where the terminology of the act is such that the damage suffered is not within the scheme of the compensation provided by the Transport Accident Scheme. The honourable member compared the cost of litigation of the particular case with the cost of replacing a wheelchair. On the surface that is a superficial comparison, but if that attitude were to be taken with claims and the TAC became indifferent as to whether they fell within the scheme of the act and simply took the view that it should offer a settlement wherever the cost of litigation might be higher, obviously we would have a lot more claims and the precedent value of the particular hard case would expose the scheme to many other claims, which would then result in further claims that are not covered by the scheme.

This is not a new problem; there are a large number of such claims, and often it is quite difficult to draw the line. I am not familiar with the circumstances of this case; however, I make the point that the scheme of the act was designed by the previous Labor government in 1987. Now it was of course at that time, in certain respects, the subject of negotiation between the three parties, with the coalition then in opposition, and negotiations were held between the three parties for modification of the Labor Party's original plans, which expanded the common-law claim.

I will ask the Transport Accident Commission to respond to the honourable member, but it may be that if compensation is not payable under the act —

and from the honourable member's description I suggest that it may not be available — a common-law action could be taken against the person responsible for the accident on the ground that that right is not abrogated by the availability of compensation and the scheme of the act.

There may well be a remedy: as is the case with several other matters, the TAC might be able to provide informal assistance by advising Mr McNeil on how to pursue recovery. On the face of it, it seems unlikely that the damage he has suffered is personal injury within the meaning contained within the legislation. I will ask that an inquiry be made into the matter and I will provide the honourable member with the response.

Mr W. D. McGRATH (Minister for Police and Emergency Services) — The honourable member for Murray Valley referred to firearms surrender and compensation. Collection centres have been in place for some weeks in Box Hill, Heidelberg, Dandenong and Sunshine. The first opened on 15 August in Box Hill. Subsequent centres will soon be opening in Ballarat and Geelong, and country centres will be opening in Bendigo, Sale, Hamilton and Shepparton on 3 October.

Some 20 000 firearms in the prohibited category have been surrendered and compensation to the value of about $14 million has been paid out. Owners bring in their firearms, which are catalogued, recorded and made inoperable; then a cheque is passed to the person surrendering the firearm and he or she can keep the money or put it towards acquiring a firearm of the legal variety. Each day the collections from those centres are taken to Simsmetal Ltd, where they are melted down and totally destroyed. The teething problems have settled down and operations within those collection centres are now progressing smoothly and effectively, and queues that were a problem in the first few days have been overcome.

Mobile collection centres will be established before the end of the year and each one will spend a month at Mildura, Swan Hill, Horsham, Warrnambool, Seymour, Wangaratta, Moe and Bairnsdale. If more time is required by any of the centres in country Victoria it will be provided. That is contrary to the suggestions made by the Leader of the Opposition and the shadow Minister for Police and Emergency Services when they advocated that more centres be made available, which would only add to the cost of implementing the program. Labor has never been conscious of the need to contain costs to ensure that programs are properly administered.

The honourable member for Murray Valley raised a question about the eligibility criteria for category C firearms. Mr Graham Campbell from the Benalla area was concerned about having access to pump-action or semiautomatic firearms to protect cherry crops against predators, mainly parrots. I am sure that if he can demonstrate to the district firearms officer that he needs a rapid-firing capacity gun and can meet the criteria he will be allowed to have a category C firearm, namely a semiautomatic or pump-action shotgun. The criteria are almost finalised and I hope that in the next week or so district firearms officers will be able to issue permits to those who meet the criteria. All current licences will remain in place for their duration, even though the legislation will be rewritten and a new law will relate to firearms.

People have expressed concern about junior permits. Junior permits will continue to be made available to those who wish to pursue shooting as a sport. There is a strong need to ensure that training in the proper, safe gun-use procedures is provided to those who wish to undertake shooting as a sport through their clubs.

The honourable member for Gippsland East referred to the Lakes Entrance police station. On a couple of occasions I have visited that police station with the honourable member and I have been persuaded that a significant upgrade of the station is required for the police officers and the general public at Lakes Entrance, which is a busy place over the Christmas and Easter holiday periods. The government has allocated $500 000 to provide more room and to refurbish part of the existing building, which will give the police officers at Lakes Entrance a greater capacity to undertake their duties.

The honourable member mentioned Senior Sergeant Adrian Lalor, who is based at Lakes Entrance. I totally concur with his comments that Senior Sergeant Lalor has been an outstanding policeman in that area and is held in very high regard. He is one of the reasons why I saw fit to allocate $500 000 to Lakes Entrance. I felt it was a fitting reward for his dedicated service and commitment to policing at Lakes Entrance.

The honourable member also asked whether Lakes Entrance could become a 24-hour police station. A manpower level of 24-plus officers is required to ensure that the rostering system allows sufficient

members to maintain a 24-hour presence at a police station. Lakes Entrance currently has a strength of about 14 officers, so I must be honest and say that it will be some time before Lakes Entrance reaches 24-hour status. I understand that there are times when Lakes Entrance requires additional police and that it calls on police resources from Bairnsdale to assist with crowd control, particularly in the peak holiday periods. I thank the honourable member for his interest in this important area.

Mr REYNOLDS (Minister for Rural Development) — The honourable member for Bendigo West drew to my attention the fire which burnt out the Victoria Carpet mill on 1 June 1996 and suggested that the government had done nothing to assist the company. He was obviously echoing the disappointing comments of the managing director of the mill, Mr Michael Oakley, who recently has been want to say things that are slightly untrue and who really does not recognise the assistance the government has given him.

Immediately upon hearing of the fire I was in Castlemaine the next day, a Sunday, and made available to the company every assistance the Victorian government could provide. The federal government provided exactly the same support. Among the assistance given was the fast tracking of offers of assistance and retraining for employees who had lost their jobs after the fire. Of the 75 or so employees of the Castlemaine factory 35 have already been given jobs at the Bendigo carpet company, Pacific Carpet. The honourable member did not mention that 35 people have been given jobs in the same industry and were given assistance to get to Bendigo to get those jobs. That is almost half the employees employed in the same profession — a great start!

The company was also given entree to the Rural Finance Corporation and given every support and assistance Business Victoria could provide. Company representatives chose not to take some of that assistance, saying it was not for them and that they would go it alone. Now they are complaining. Mr Oakley's response is disappointing especially as he simply wants the government to be his insurance underwriter and to make good the fact that the company was underinsured. That is not on! The government will help with financial assistance, with retraining of staff and in many of other ways, but the government is not an insurance underwriter for every Victorian business. I wish Mr Oakley would realise this.

The honourable member for Bendigo West, who jumps on and off the band wagon, also forgets that $2.25 million has been provided for the renovation and restoration of the Castlemaine market site. That project will provide many jobs for Castlemaine, where the unemployment rate is unacceptably high. Another grant of $200 000 was recently announced for the diggings heritage project in Castlemaine, which will also provide jobs. The honourable member for Bendigo West chooses to overlook that good news. It is the first time he has stood up for Castlemaine since he has been here and I take this opportunity to refute some of his allegations.

Mr GUDE (Minister for Education) — The honourable member for Shepparton drew to the attention of the Minister for Roads and Ports in the other place the future duplication of the Goulburn Valley Highway, and referred in particular to the tragic death of three people last weekend and the need for work in that area. I will pass on his concerns and I am sure the minister will be able to respond positively.

The honourable member for Coburg drew to the attention of the Minister for Health in another place fees for people in mental health hospitals. I will draw that matter to the attention of the Minister for Health and no doubt he will contact the honourable member about the specifics of the matter.

The honourable member for Essendon drew to the attention of the Minister for Roads and Ports in another place wire rope barriers and the need to set appropriate standards. She was concerned that there appeared to be some delay in reaching acceptable agreement between the Motorcycle Riders Association and the government. I will draw that matter to the attention of the Minister for Roads and Ports and see what can be done. Many members have had long associations with the Motorcycle Riders Association, which is a responsible body, and I am sure the minister will look into the matter and seek a suitable solution. Although wire rope barriers offer alternative means of separating highways, they must be constructed so that they do not cause more damage than is desirable.

The honourable member for Keilor raised with the Minister for Housing the partnership scheme for the development of apartments for older people. It is a matter of concern to St Paul's Parish in his electorate. I will raise that matter with the minister and I assure him that she will do all in her power to achieve a satisfactory outcome should appropriate funding be available.

The honourable member for Benambra raised a matter for the Minister for Small Business in another place regarding the calculation of the up-front liquor licence fee a hotel in his electorate will incur. He indicated the hotel would have to pay $80 000 extra because of the way the fee is calculated. I will raise the matter with the minister, and I assure the honourable member that she will look into the matter and give it due consideration.

Motion agreed to.

House adjourned 11.01 p.m.

Wednesday, 11 September 1996

The SPEAKER (Hon. S. J. Plowman) took the chair at 10.03 a.m. and read the prayer.

PETITIONS

The Clerk — I have received the following petitions for presentation to Parliament:

Capital punishment

To the Honourable the Speaker and members of the Legislative Assembly in Parliament assembled:

The humble petition of Peter Latimer of Mustard Seed Mission sheweth that for the protection of society and particularly women and children of Victoria that the state government should realise its responsibility in bringing back capital punishment.

And your petitioners, as in duty bound, will ever pray.

By Mr McLellan (705 signatures)

Wangaratta Base Hospital

To the Honourable the Speaker and members of the Legislative Assembly in Parliament assembled:

The humble petition of the undersigned citizens of Wangaratta and district in the state of Victoria sheweth to you in the strongest terms our absolute disgust at the situation which now exists at the Wangaratta Base Hospital.

We want an immediate solution to this untenable situation. We don't want to lose the care and expertise of our dedicated specialists, and we will not stand by while the health department downgrades our hospital.

Your petitioners pray therefore that an increase in funding is vital.

And your petitioners, as in duty bound, will ever pray.

By Mr Jasper (6890 signatures)

Amcor Pty Ltd

To the Honourable the Speaker and members of the Legislative Assembly in Parliament assembled:

The humble petition of Friends of the Gippsland Bush sheweth planning permits applied for by Amcor Pty Ltd to clear about 2000 hectares of native bushland located throughout several Gippsland shires.

Your petitioners therefore pray that permission granting the permits be denied.

And your petitioners, as in duty bound, will ever pray.

By Mr Finn (541 signatures)

Williamstown Hospital

To the Honourable the Speaker and members of the Legislative Assembly in Parliament assembled:

The humble petition of the undersigned citizens of the state of Victoria sheweth that we are totally opposed to any downgrading or any reduction to existing services at the Williamstown Hospital.

Your petitioners therefore pray that under no circumstances is the Williamstown Hospital to be downgraded, closed, or any existing services be eliminated.

And your petitioners, as in duty bound, will ever pray.

By Mr Bracks (1362 signatures)

Laid on table.

Mr Cameron — On a point of order, Mr Speaker, I point out that in the Bendigo area a petition with more than 8000 signatures called Save our Sundays — it is about Sunday trading — was delivered to the member for Bendigo East and me, and it was agreed that he would present the petition to the house. That has not occurred, and I wonder what you can do to ask him to do that.

The SPEAKER — Order! That is not a point of order, and the honourable member should know that. If he wishes to make arrangements with another member and if he wants to raise something about it with me in chambers, he may do so.

Honourable members interjecting.

Mr Batchelor — You may think it's amusing to have petitions not sealed, but I don't. You're hiding it, that's what you're doing!

Honourable members interjecting.

The SPEAKER — Order! I ask the member for Thomastown to ignore interjections, and I ask the member for Mornington and others to cease interjecting.

Mr Batchelor — On a related point of order, Mr Speaker, we seek your guidance because this is not the first occasion when petitions have been drawn up in the community but have not been presented to Parliament. On the last occasion I raised it with the then Speaker and he undertook to investigate what was going on. A member of the Parliament has raised with you a very serious matter — that is, that a petition has been circulated — —

The SPEAKER — Order! I have already ruled on this matter and have suggested that if the member has a problem he should take it up with the other member concerned. If he wishes to raise with me the fact that a petition that should have been lodged has not been properly lodged, he should do so in my chambers; and if he does, I will certainly investigate it.

GRIEVANCES

The SPEAKER — Order! The question is:

That grievances be noted.

Education system

Mr MILDENHALL (Footscray) — This morning I grieve for the loss of the commitment to fairness in the Victorian education system. I grieve for the disappearance of the commitment to a cohesive society and for the deterioration in education outcomes in disadvantaged communities, and I also grieve for the students of government schools whose needs are either not recognised or are being ignored by this government.

I want to examine some recent work that has been undertaken on education outcomes in particular communities and the way that the education policies of this government in general and the Minister for Education in particular are absolutely failing to deal with the weaknesses identified by those outcome indicators.

Earlier this year the Department of Education Policy and Management of the University of Melbourne issued a regional analysis of Victorian Certificate of Education outcomes across the state. The outcomes were results of VCE English tests and included trends over time. For the first time we had the opportunity of examining regional trends for educational outcomes throughout Victoria.

Some people have argued that for too long the education debate has been about the amount of money allocated, the level of resources and the benchmark for resources applied by governments. I am sure we would all agree that the key to examining whether best outcomes are being achieved in a government system, whether policies are working, whether we are spending money in the right places is finding out whether the educational standards are improving and if so how and where are they improving. The results of the survey show that during 1994 more than 16 per cent of girls and 33 per cent of boys in the western region of Melbourne failed VCE English. In the electorate of the Minister for Education, the inner eastern suburbs, the failure rate was 5 per cent for girls and 8.5 per cent for boys. In other words, the VCE students in the inner eastern suburbs were three times more likely to pass their VCE English than similar groups in the western suburbs.

Some people might say that has always been the case because of environmental factors and various other influences, but I am sure we would all agree that the figures are disappointing and that something ought to be done about the issue. Unfortunately, the figures are getting worse because for the same period the pass rate for boys had deteriorated by 7 per cent in two years and for girls by 3 per cent. In the inner east the pass rates for VCE English had improved by 2 per cent for boys and 0.5 per cent for girls.

The figures show that from 1992 to 1994 the educationally advantaged in the inner eastern suburbs were getting richer and the educationally disadvantaged in the western suburbs were getting poorer. It demonstrates the outcomes of government policies.

It is a similar story for transition rates — the drop-out rate of VCE students between years 11 and 12. During the period between 1992 and 1994 the figures worsened in the western suburbs, with both male and female students being at least 10 per cent more likely to drop out than their inner eastern counterparts. We have higher failure and drop-out rates for VCE students in the western suburbs! When the previous Minister for Education was confronted with these figures he replied in his typically scientific and informed way that the figures showed that in the western suburbs more students

were dropping out of school to enter the work force, but the unemployment rates in the areas where the drop-out and failure rates were highest were four times higher than in the inner eastern suburbs. In the western suburbs the unemployment rates were 29.5 per cent for young women, compared with 7 per cent for the same group in the inner east, and 25 per cent for young men, compared with 7 per cent for the equivalent group in the inner east.

There is no incentive and little opportunity for young people who drop out of school. The figures are a graphic illustration of how the education system has failed young people. They demonstrate a combination of low and worsening education outcomes for some regions and improving figures for others. Retention rates have fallen through the floor. In fact, they have fallen more than 8 per cent since 1992, that hallmark year for Victoria. Honourable members will note the dramatic improvements in retention rates for VCE students up to 1992 when the bottom fell out of education.

It is of little consequence for me to reveal the depressing figures of the failure of government policy and the worsening outcomes for education, because the real question is what ought the government do about it. The regional differences have widened since the government came to power. By talking to local school principals you can find out what has gone wrong and some of the things that ought to be done about the problem. Sunshine Secondary College, the scene of recent violence and controversy, has lost 80 teachers, many of whom were special needs teachers. It is little wonder that the school has been the scene of violence and that it struggles, particularly with its welfare areas.

The government points to its expenditure on education, which is now 88 per cent of the Australian average — very low by international benchmarks. In fact, Australia is second last in a list of international comparisons. Is it any wonder that when you look around Victoria you see the symptoms of the cuts in expenditure on both health and education — the lowest per capita expenditure in Australia!

The question for today is whether the Kennett government will put back any of the $40 million cut out of the state education system by the federal budget. Principals say that special needs funding is now less than a third of the effort made by the former Labor government.

The minister and the department will say that the global budgets of the schools recognise regional differences and are targeted to particular needs. The Deputy Director of Schools, Frank Peck, told a Senate committee last week that disadvantaged schools get up to a third more funding than other schools, but he is wrong. If the minister repeats that departmental line he also will be wrong.

I take two examples from different regions: Footscray and Braybrook and Camberwell and Balwyn, in the minister's electorate. Firstly, I confirm the socioeconomic context and relative disadvantage of the respective areas. The Australian Bureau of Statistics has three relevant rankings of the socioeconomic status of municipalities that applied to metropolitan councils when we had democratically elected councils.

The departmental rankings are education and occupation, urban advantage, and disadvantage. In each category Camberwell is in the top five but Footscray is in the bottom five. In the education and occupation category Camberwell is at the top but Footscray is at the bottom; in the urban advantage category Camberwell is at no. 1 but Footscray is at no. 58 — that is, at each end of the spectrum.

Mr E. R. Smith interjected.

Mr MILDENHALL — These are listings of communities in which the schools are located. In the disadvantaged category Camberwell is no. 1 but Footscray is no. 57 — again, the extreme ends of the socioeconomic spectrum.

How does the government deal with schools in that setting and with the educational outcomes I have outlined? It treats them exactly the same. It gives them exactly the same number of dollars per head. It says, 'It is a level playing field; these kids are all the same, the families are all the same, they can deal with it in exactly the same way'. Footscray City Secondary College is funded at $4701 per student; Camberwell High School is funded at $4691 per student — a $10 per student difference. Yet the government says, 'We have a level playing field in Victoria; we do not have any social or economic differences'!

But then the government says, 'What about the special learning index in the budget? That should compensate'. Footscray City Secondary College receives $147 000 for special learning needs while the Balwyn college receives $9000; however, that is more than offset by an extraordinary allocation of

$306 200 to Balwyn for what are described by the department as priority programs or funding for departmental initiatives and specific purpose programs. Whatever those brilliant programs are, obviously they are more important than the social and economic inequalities that are tearing at the social fabric of our community.

The school global budgets are simply not serious: there has been no attempt to deal with the deteriorating outcomes and growing differences in our communities. The government policy is insensitive and unresponsive, and is geared to exacerbate the social and economic divisions or gulfs that are rapidly developing in this state.

That scenario must be put in the context of the federal government ripping money out of the Victorian education system; it is eroding the special needs funding formula and the loosening of the commonwealth ties on expenditure. We can expect any increase in effort from this government in this area to be minimal.

What will the minister do? Is he concerned about the growing gulfs? Will he examine the educational outcomes or will he stand condemned for remaining silent while the social fabric of the community is inexorably weakened by the combination of cutting the allocated resources to Victorian schools? His schools policies have failed to address in any sensitive way the most serious issues facing the education system.

ALP: policies

Mr FINN (Tullamarine) — I grieve for an ever-diminishing group in our community: indeed, I grieve for an ever-diminishing group of foolhardy souls who call themselves supporters of the Australian Labor Party in Victoria.

Most honourable members know I would not normally waste my sympathy on such a group, but when one examines recent history one cannot help but think sympathy is what should be extended. We should remember what happened in Victoria in the 10 years prior to 1992, in the Cain and Kirner years when the Victorian economy was basically ripped to shreds and destroyed, when the Victorian education system was in a shambles and was being run by the totally irresponsible elements of the trade union movement, and when the health system was grovelling on its knees.

We should remember what the then new minister, Tom Roper, said in 1982 upon his taking over the health portfolio: he said he had inherited the best health system in Australia. It did not take long before he changed that situation!

Supporters of the ALP have had to put up with a lot. They have had to put up with their party being in power in Canberra for about 13 years. How they must have been embarrassed when the last Labor Prime Minister travelled overseas and berated Australia at his leisure. Wherever he went on a trip, he tried to rewrite history. Also he was the king when it came to kicking Victoria. So far as the former federal government was concerned, Victoria simply did not exist. It must have been very difficult for, particularly, the then Prime Minister's Victorian supporters to stand behind him and approve of his actions.

What about the pain suffered by Labor supporters following recent elections? In 1992 the coalition government came to power in Victoria with a record majority; on 2 March last the federal Labor government was finally turfed out into the wilderness when the coalition government was elected with close to a record majority; on 30 March last the Kennett government was re-elected for the second time with a close to record majority. At that stage ALP supporters must have been close to despair; it must have been very difficult for them. They had to watch as their party slowly disintegrated before their eyes.

During my time in this place I have seen three opposition leaders, with the promise of another on the way. We started with Joan Kirner. Then we had the former Deputy Premier, Jim Kennan, but he realised he was out of his league. He could not cope with affairs in this house and knew what was on the way: he decided to jump ship.

Who was then forced to fill the breach? The task fell to the poor old current Leader of the Opposition. He has faced only one leadership challenge, but his performance during his time as leader must be regarded as miraculous. I understand another challenge is on the way; if he survives, he will certainly be a man of miracles.

We have seen the factions running riot in the ALP. We have seen the factional bosses at Trades Hall, or wherever, telling the parliamentary party members what they can or cannot do and what they can or cannot believe. The coalition government finds it impossible to believe how people in the back rooms

of a dingy building in Carlton can tell the elected representatives of the people how to behave.

Recently we have witnessed something that must have put ALP supporters into a state of consternation. We have seen a number of somersaults that would do Ringling Brothers proud! The ALP position on the grand prix has been staggering. As soon as the announcement was made that the grand prix would be held in Melbourne, the opposition commenced its barrage of criticism and abuse; for example, the honourable member for Albert Park put his career and reputation on the line over the staging of the grand prix at Albert Park. 'No grand prix in Albert Park,' said the Australian Labor Party, 'We want it at the Docklands'. Obviously the Leader of the Opposition has taken into account what we told him: because the grand prix is a car race and not a submarine race, Albert Park is far better suited as a venue than the Docklands. Recently the Leader of the Opposition announced that he had done a complete backflip, and he is now one of greatest supporters of the grand prix at Albert Park.

Mr Lean — He has done a U-turn!

Mr FINN — As the honourable member for Carrum says, it is an extraordinary U-turn! Where does that leave the honourable member for Albert Park and those who support him for the leadership, of which I understand there is a growing number? Where will the honourable member for Albert Park tie his yellow ribbons now? What has happened to his yellow ribbons?

I noted with interest in a recent edition of a Sunday newspaper — actually it was not a newspaper, it was the *Sunday Age*.

Ms Burke interjected.

Mr FINN — I was not reading it, I just picked it up because I like the photos. It was reported in the paper that the honourable member for Albert Park still has the yellow ribbons tied to the front of his house. In defence of the honourable member for Albert Park, he was overseas on a very pleasant trip and obviously was not consulted on the issue. It was rather sad to see him at Tullamarine airport with his tail between his legs refusing to comment on anything because he knew that he had been sold down the drain, sold down the river — in fact, sold down the lake by his leader. He was obviously in an invidious position; a position in which he would not like to be put again in a hurry. However, the honourable member for Albert Park continues to push for the leadership of his party, and I wish him well. I am sure that if he attains that position he will do just as well as the current leader, and perhaps even a little worse.

Then the Leader of the Opposition in another place, the Honourable Theo Theophanous, suggested strongly that the Australian Labor Party in this state would change its position — I was going to say 'change its policy', but we all know the Labor Party in this state does not now have and has not for a long time had a clue about what a policy is — on privatisation, an issue that to date has been close to the hearts of its supporters. I am glad the honourable member for Morwell is in the chamber because he almost threatened to leave the Labor Party if that eventuated. Mr Theophanous's ripping asunder and throwing around of one of the most basic building blocks of his party caused great amazement and bemusement among members of the Australian Labor Party throughout the state. I wish ALP members well. I grieve deeply for them.

I turn to the issue of City Link, the issue that was the jewel in the crown for the Labor Party and an issue that is close to my heart. All honourable members will remember how vile City Link was said to be in the lead-up to the last state election. All honourable members will remember the Leader of the Opposition travelling from one end of the state to the other telling Victorians how City Link would be the end of civilisation as we know it. I had an opponent at the last election, but I can't think of his name at the moment.

Mr Dixon — White.

Mr FINN — Yes, that's him. Mr White roamed around my electorate telling people that City Link was the worst possible thing that could happen to the people of the north-western suburbs. He told people it would cost $8 a time to get into the city, until I pointed out that it would cost only 80 cents. It is an understandable mistake when you consider the ability of people in the Labor Party to deal with figures. They would not see much difference between $8 and 80 cents, would they?

Mrs Shardey interjected.

Mr FINN — Just a couple of zeroes, that's right. We saw what happened to David White and the Labor Party in March and we are sorry that their supporters have to put up with another belting.

The local branch of the Labor Party in my electorate of Tullamarine has been in an extraordinarily confused state over the issue of council amalgamations. The Sunbury Progress Association is a blatant front for the Australian Labor Party and its president, Ms Sharon Phillips, a prominent Labor member and councillor of the former Shire of Bulla, has been very vocal on the issue of Sunbury being mistreated, as she puts it, by the commissioners of the City of Hume.

However, less than two years ago Ms Phillips had the deciding vote on the municipality to which Sunbury would go. The majority of the people of Sunbury wanted to go to the Shire of Macedon Ranges, but Cr Phillips then voted for Sunbury to go to Hume. She is now revolted and appalled by the position she was so strongly supporting and espousing less than two years ago and is screaming from the rooftops about the injustice of it all. I wish she had thought about it more carefully less than two years ago when she misused her position on the council of the former Shire of Bulla to send Sunbury to a place to which the majority of residents did not want it to go.

I feel very sorry for supporters of the Labor Party in this state. If Labor were a football team, a merger would be on the agenda.

Mr Loney interjected.

Mr FINN — I would not talk about mergers if I were a Geelong supporter. I understand Ablett is merging into retirement! The only thing that would prevent a merger involving Labor would be the question of who would have it. Who would want to be burdened with the Labor Party in this state?

An Honourable Member — The Democrats?

Mr FINN — The Democrats are even worse than Labor! The Labor Party in this state is in total disarray and is a poor excuse for a political party. It is a disgrace! As I said earlier, my heart goes out to members of that ever-diminishing group that continues to support Labor.

I ask members of the Labor Party to develop some policies and get some vision that goes beyond the ends of their noses. If Labor does not start to put Victoria first and give it the priority it deserves, it will soon have no supporters left. I ask the Labor Party to get its act together, and I am sure all honourable members can believe I wish its members well.

Hospitals: bed numbers

Mr THWAITES (Albert Park) — I grieve today about the government's mismanagement of the health system that is leading to record delays for patients who are suffering by being left on hospital trolleys for up to 72 hours because there are not enough beds. Our callous Premier and bumbling and incompetent Minister for Health are not able to manage the system. What was the response of the Premier to the fact that record numbers of Victorians are lying for long periods on hospital trolleys? His response from Adelaide was:

> Victorians could not expect a Utopian system in which they received treatment in public hospitals at any time.

He just passed it off, saying, 'You cannot expect anything better, you are stuck with it'. Or, as he said on the Neil Mitchell program on 15 August:

> The bottom line is this ... if people don't want delays we have the option of private health insurance.

The Premier's attitude is, 'If you are in the public system we don't worry. Stuff you. What you have to do is get private health insurance or you miss out'.

What about the attitude of the bumbling and incompetent health minister? He did not even know about the crisis! What did this bumbling and incompetent minister say about the delays at St Vincent's?

> The first that I was aware of such a huge leap at St Vincent's was in this morning's press.

He had to read it in the paper! The Premier criticised me because I happened to be overseas for a period during winter, as though that was a major problem. The amazing thing is that despite this overseas trip I was better informed about St Vincent's Hospital than the minister was. I was able to release those figures, which the minister could find out about only yesterday in the press. If we did not have such a bumbling and incompetent minister maybe we could have someone who knew what was happening in the system.

What was this bumbling and incompetent minister's response to the situation at Monash, where 459 patients in one month waited on trolleys for more than 12 hours? He said it was an unusual seasonal increase in patients. In other words, he said it was wintertime! Do we have an emergency system that works only in the summertime? The minister wants

to run a summertime health system that works when there are not too many patients but flops when there are a lot of them.

Regardless of where I am — Paris or Melbourne — I seem to know more about the system than the minister does. Who revealed the figures on Monash? The opposition did. The minister did not know about it; he did not know what was going on. The minister has to wait for the opposition to announce the figures in the press before he takes any action. I am sure the hundreds of patients who wait for 12 hours on trolleys would rather have a minister who actually knows what is going on. Unfortunately that is not what we have; we have a bumbling and incompetent minister.

However, the situation to which I refer today is not only bad but even worse than the figures themselves indicate. The government is forcing hospitals to artificially rig the figures to show fewer patients waiting on trolleys for long periods than is really the case. Patients are being forced to lie on trolleys but hospitals are artificially recording them as having been admitted to a ward. That is because the government penalises hospitals if they have more than a targeted amount of patients waiting for long periods.

Two years ago the Premier, Mr Kennett, promised to fix the health system, but since then the system has become twice as bad. Two years ago there were stories in the newspapers about 650 patients being left on trolleys — and that was in Melbourne's major teaching hospitals. Now there are more than 1300 a month. The situation is twice as bad.

I was interested in the comment made almost two years ago, on 24 October 1994, about the 650 patients:

> At the time, the state government said the problems were isolated.

Does that ring a bell? It is exactly the sort of line this bumbling and incompetent minister is running now. He is saying it is an isolated problem, but it is not; it has been occurring ever since this government started slashing beds and staff numbers at our hospitals. The government has cut 1000 beds from the hospital system. It has cut 10 000 staff. People are on trolleys because there are not enough beds.

Mr Maclellan interjected.

Mr THWAITES — The Minister for Planning and Local Government interjects that the system is treating more patients. Of course it is, but why then is the government cutting back on beds? It is a simple equation that if you treat more patients and cut back on beds you will have more people on trolleys in the corridors because there are no beds. Members opposite are so incompetent and bumbling that they do not realise that if you have to treat more people you need more beds, not fewer.

Honourable members interjecting.

The DEPUTY SPEAKER — Order! As I often say from the chair, stimulated debate is always entertaining and lively, and I think it is good for parliamentary debate for that to occur from time to time. However, the great art is in knowing where to draw the line on the enthusiasm expressed across the chamber. I suggest that in this spring sessional period we may need to review where we draw the line because we have crossed it several times in the past 24 hours. Although I do not want to curtail interjections across the chamber it is important to have a reasonable level of decorum in the chamber as debate proceeds.

Mr THWAITES — It is obviously an extremely sensitive issue for members opposite. They must have constituents who are now concerned about the number of patients having to wait on hospital trolleys.

As I was saying, if you have more patients you need more beds. It is a simple equation. The reason there are people waiting on trolleys is that there are not enough beds. The government has cut the number of beds by 1000. We have been treating more patients every year for the past 10 years. This is not a new thing for the Kennett government. Year after year more patients are treated because there are more older people and the population is growing.

The government is incompetent and cannot manage our health system. In June this year the Monash emergency department had 459 people waiting on trolleys for more than 12 hours. The minister's excuse was that somehow this was a problem confined to the south-east of Melbourne and that it justified more resources for the south-east. That is one point on which I agree with him — we need more resources for the south-east of Melbourne — but this government has been in office for almost four years and has not allocated extra resources for that area. In fact, there has been a cut.

The government is totally hypocritical when it talks about allocating extra resources to the eastern and

south-eastern suburbs because year after year it has cut hospital services in those areas. The Angliss, Maroondah, Monash and Box Hill hospitals have all suffered cuts, with the result that beds have been closed. Waiting lists have grown at Monash, the Angliss, the Dandenong and other hospitals right around Melbourne.

Today I have information for the house about the Western Hospital, which services the western suburbs. The government is probably not particularly interested in these figures because it has revealed a complete distaste for providing any services in the western suburbs. Nevertheless, in June the target number of patients that ought to wait on trolleys for more than 12 hours was 16, but in fact 80 patients had to wait more than 12 hours. The target figure for the year at the Western Hospital was 194, but the actual figure is 577. That represents a 297 per cent increase on the target number. The Western Hospital is obviously not coping and 297 per cent more patients are waiting on trolleys for more than 12 hours than were targeted.

Mr Maclellan interjected.

Mr THWAITES — The Minister for Planning once again makes an inane interjection: do something about the management, he said. This government has been in office for four years. If there is something wrong with the management, fix it. The government is incapable of managing the health system. It is bumbling, incompetent and callous.

The result is that more than 1300 Victorians in one month alone, in June, were waiting more than 12 hours on hospital trolleys. If the minister were able to manage the system properly he would have seen this; he would have seen that this year there has been a progressive increase in the number of patients waiting more than 12 hours on trolleys at the Western Hospital. In March there were 47, in April, 66, in May, 72 and in June, 80. The number of patients waiting more than 12 hours on trolleys at the Western Hospital has continued to increase right through the year. But I imagine the minister will take some action only when he reads this report in the newspapers tomorrow: this minister operates only when the paper runs a story because that is the first time he becomes aware of a problem.

I do not know what he is doing, but if he were not so incompetent he would have listened to the experts. The experts were saying two years ago that these bed closures would lead to a disaster in our accident emergency departments. On 29 November 1994 Dr Peter Ritchie, secretary of the Victoria faculty, Australasian College of Emergency Medicine, wrote to the *Age* newspaper:

> However, there is a problem of access block that affects emergency departments in this city. Pressures on hospitals to increase throughput of elective patients, an overall reduction in the number of hospital and psychiatric beds, and the deinstitutionalisation of psychiatric patients are denying emergency patients access to hospital beds and acute psychiatric beds within a reasonable time.
>
> There is also a shortage of critical-care beds. Thus patients are forced to remain on trolleys in emergency departments for prolonged periods.
>
> Any further closures of hospital beds would threaten to turn crisis into disaster.

That was two years ago. The government ignored that advice. That advice is exactly what I have been saying today and exactly what the opposition has been saying to the government for the past three years, that if you cut the number of beds and at the same time increase throughput you are going to have more patients waiting for long periods on trolleys in hospital emergency departments.

Today's budget is an opportunity for the government to take action to fix this problem. The opposition has recommended that the government reopen 300 beds, and urges it to do so today so that we do not have this disastrous situation of 1300 Victorians waiting on trolleys in one month for more than 12 hours because they are unable to get hospital beds.

As I indicated earlier, the situation is even worse than the figures indicate because the government is effectively forcing hospitals to artificially reduce the number of patients shown in the figures as waiting more than 12 hours. In some hospitals patients are shown on the computer as having been admitted to wards when in fact they are remaining stuck on trolleys because there are not enough beds. Today is the government's opportunity to do something about the problem rather than to keep ignoring it in this bumbling and incompetent way.

Health: government initiatives

Mr DOYLE (Malvern) — We must have hurt the feelings of the member for Albert Park yesterday. That was a fairly petulant display of name-calling and the usual misrepresentation of the trend figures,

which I will come to in a moment. If we try to return to the health debate, which is an important one, and to the basis of fact rather than vitriol, we will see a completely different picture from the one the member for Albert Park painted.

Victoria's public hospital system treats approximately 800 000 people a year, and that is 155 000 more people a year than were treated under Labor's health system. How could that possibly happen, given the 'simple equation' that the member for Albert Park would have us accept? If his simple equation is accurate, how could it be so? How could it be that this government treated 155 000 additional people per year? Further, priority is given in our system to the most urgent cases, and this number has dropped dramatically from around 1000 people waiting for urgent surgery in the old Labor days to a handful today.

The argument of the member for Albert Park was based on throwaway figures, on pretend outrage. The government monitors emergency waiting times so that it can tell how many people are waiting for long periods in its emergency departments. It is apparently now appropriate for the opposition to come in here and weep crocodile tears about those figures, but did Labor ever give that information under its six different health ministers? No! It never provided figures, but this government does. The government not only monitors the number of people staying longer than 12 hours, it regularly publishes the figures in the quarterly *Hospital Services Report*. The most recent report of June shows that in March public hospitals treated 58 000 people in emergency departments, of whom 847, or 1.4 per cent, stayed for longer than 12 hours. Yet the member for Albert Park would have us believe that we face some disaster. He says anomalous rises cannot possibly be a seasonal adjustment. He pretends the total number of people waiting is an indicator of emergency waiting times. He knows that can be the case only when people come into an emergency department and are waiting to be admitted, but of the number of people the honourable member mentioned I suggest that 80 per cent were never going to be admitted. The proper place for them to be observed is in the emergency department, where they are monitored and then discharged to home.

What happens with seasonal figures? It is convenient for the honourable member to pick out a month, circle a single figure and act as if that were a trend figure. The only reason he can do that is because the government publishes those figures and transparently puts them out into the public arena. Labor never did it in the 10 years it was in office. On top of that, to accuse the Minister for Health, the Honourable Rob Knowles in another place, of bumbling or incompetence is surely one of the great furphies of all times. Who would take that seriously? No-one.

To further reduce waiting times the government has introduced the emergency services program, which provides extra incentives for hospital efficiency. Some $10 million will go to this program in 1996-97. And what is the opposition's answer to the difficult questions? At all points it is just carping. What would the opposition really do if it were in government? Where is its policy on health? Where is its overall planning and direction for the health system? Consider the health policy the opposition put out before the last election. I want to consider it because it is a beauty. We know they are not too good at 'add-ups' on that side. The opposition proposed a total rescue package of $40 million. What crocodile tears the opposition weeps. I suggest the honourable member look at the budget this afternoon; he will see that the amount going into health alone is more than the entirety of what the opposition proposed in its so-called rescue package. What an exercise in cynicism! I will consider it now because there are a couple of things we should be looking at.

The Labor health rescue package released on 23 January 1995 said it would provide a total of $40 million. The package did not cover ambulances, which are a part of pre-hospital emergency care, and when you add ambulances to that figure you find that Labor's package adds up to $47 million; but as I said the Labor Party has never been too good at add-ups. This is just one of many such examples in its cobbled together document.

In January 1995 the coalition provided as a health package an additional $89.4 million over 18 months to offset the budget impact of various wage decisions and to deal with the increase in the number of public patients as a result of the decline in public health insurance rates — the point the honourable member for Albert Park was trying to make. The 1995-96 budget also provided a $112 million injection of recurrent funds to the acute health budget to offset the decline in private health insurance. Yet the member for Albert Park would have us believe that we do nothing about change.

The total Labor rescue package was going to be $40 million. I have already detailed just two coalition initiatives of $89 million and $112 million.

Labor just cannot get it right. The stated total dollar amount in its policy document was $40 million, but Labor's previous, wildly promised initiatives add up to $220 million — another total I could not fathom. Now where could it come from? Labor does not actually decide a policy and have it costed, or put forward a vision for the entirety of our health system and describe how it would then manage the system. Labor's way is to just throw in more money, and hope for some outcome.

Mrs Henderson interjected.

Mr DOYLE — As if he were seriously interested in improving the health system — no answers to that! He comes in here with isolated and single monthly figures, focuses on them and shouts at the government, but offers no real, positive alternatives for managing a health system. He says nothing about the performance of emergency departments improving because of the introduction of financial incentives through the emergency services enhancement program and the $14.4 million provided for that program over the past 18 months, and nothing about the hospital services report data on ambulance bypass or patients waiting longer than 12 hours — material freely available in the public domain. No, it is easier to focus on one isolated figure and pretend that that is indicative of the entirety of the health scenario! And that is just not so.

It is the same old litany of the Labor Party, talking about and counting the numbers of beds — it's old stuff. I know it might make a headline or get a newspaper grab or a photo opportunity, but it is universally recognised that it is simply not — —

Honourable members interjecting.

Mr DOYLE — Okay, you can giggle about the health system that you were so serious about 15 minutes before. I make the same point the Premier makes about you lot over there: you get up and rant and rave and carry on with mock outrage, but the moment the answers are given to you you giggle and smirk, avert your heads and pretend nothing is happening. It is a performance from you lot. Who would take you seriously?

Opposition members do not seem to understand that bed numbers are not the best measure of the health system. The member for Albert Park would take us back two decades to when we focused on hospitals as stand-alone institutions, when the focus was on the number of beds and the capacity as if they were absolute quality measures — but that is not the way the health system works now. It now works on alliances of hospitals; it works on efficiency of procedures; and it works on the way that initiatives in technology, pharmacology, biotechnology and other areas can make the health system work better.

But no, we do not have any of that, because it is convenient to cry wolf at every single opportunity. That is what the member for Albert Park has done. It is just out of date to suggest that some simplistic pointing at a single month's figures in a single hospital — readily available through our published data — is in some way indicative of the entirety of the health system. It is simplistic to say the number of beds is a good measure of the sorts of health outcomes we are offering the people of Victoria.

We should talk about length of stay, which directly correlates to numbers of people treated. Think about cataract operations. Fifteen years ago people regularly stayed in hospital for about six and a half days for cataract operations, but these days the bed stay is one, maybe two days. What sense then of mere bed numbers? What about the invention of the drug that stops oncology patients from vomiting? The moment that drug was invented it decimated the number of beds required, for instance, at the Royal Melbourne for patients undergoing chemotherapy. Yet Labor still carps about the number of beds required in the health system, as if it were some accurate indicator of the system as a whole.

The opposition does not understand that bed numbers are no longer a relevant measure of our health system. With constantly improving technology, improved drugs and improved procedures, patients are returning to their homes sooner — where they would prefer to be — and we measure health outcomes for people by these results, not the number of beds they occupied.

The member for Albert Park trumpeted loudly that the government was totally unaware of the figures he had released. I point out to him that we, this government, created the Victorian emergency minimum data set, which collects this type of material and makes it publicly available. But the member for Albert Park seemed to conveniently forget that and was happy to rabbit on and make his alarmist statements, as he usually does, without any regard to what might be the true state of the health system.

I will finish with what it is we need to look at if we are to improve health outcomes for Victorians. That is what this government is about. Only the government is prepared to say, 'Here is what we believe the health system should look like. This is how we will manage it.' There is none of that from the opposition — only individual anecdotal and alarmist stories, and the intemperate language that usually goes with the posturings of the member for Albert Park. But is there any view about how our health system would fare under Labor? There is not, because it simply does not have a vision, an understanding of policy demands.

We understand, as the member for Albert Park said, that we have an ageing population, and we can be guided in that instance by the trends in the United Kingdom and Europe. But that does not mean, as he has also suggested, that these trends mean we need more acute beds in the system, because while it is perfectly true that older people use more health services, that they tend to suffer chronic illness and therefore be frequent users of health services, they are better treated at home, in outpatient facilities or in long-term care facilities. The member for Albert Park simply wants to measure older persons' health outcomes by the number of acute beds in the system — it is simply not relevant by world trends or in terms of a vision for best outcomes for older people in our health system.

He wanted to talk about bed numbers as if there had not been major changes in equipment, surgical techniques, drugs and biotechnology — the areas where we have changed the way we tailor packages to offer to individuals in our health system. We do not simply add up beds and say that at a given number we can rest comfortably and not bother publishing any outcomes data, believing that more beds and simply throwing money at the system will fix it, because that is just not right. Technological change means we now have less trauma, more day surgery, shorter lengths of stay, and individually tailored treatment. Those changes in our health system mean that we are treating more people with fewer beds, that we are treating them better and that we are treating them in scenarios much more suited to their needs.

It is true also that length of hospital stay is decreasing and that therefore we devote more resources to post-hospital care — and I hope that explains why the argument of the member for Albert Park about numbers of beds is fallacious. Earlier I mentioned the example of cataract operations, and it is a very good one. In 1984 six and a half days were spent in hospital after a cataract operation. In 1994, a decade later, one and a half days are spent in hospital. Where does that leave the simplistic argument about bed numbers that the member for Albert Park advanced? If we look at the health system now we see that for the first time ever in this state available data is being published on such matters as stays on trolleys, but we do not misrepresent the difference between people waiting for admission and people who will be discharged. In emergency care planning we look at the entirety of the system, not at one hospital in one particular month, and we put solutions into place to do something about trends that give us some concern.

If the member for Albert Park looks at not only the history of this government over the past four years in health care and the delivery of health services, but also at the initiatives in the budget this afternoon, he will be eating his words. But I have the suspicion that he does not come in here with any real concern for the health system; he certainly does not come in here with any vision of what our health system would look like should the state ever have the misfortune of having him run it. He does not come in here with any idea of how you would manage such a complex system as the health system. No, he comes in here to bleat, to grandstand, to carp and to whinge — typical!

The ACTING SPEAKER (Mr Cunningham) — Order! The honourable member's time has expired.

Workplace violence

Mr BRACKS (Williamstown) — I grieve for the victims of workplace violence — and in particular, Victoria's 31 000 apprentices. The system provides appalling supervision — 20 supervisors for 31 000 apprentices — and poor investigation of workplace incidents. The case to which I will refer is particularly distressing. David McHugh, an apprentice cabinet-maker at Ultimate Cabinets in Koroit Creek Road, Williamstown, has suffered from workplace violence and victimisation, but the government has done nothing to investigate the matter. The incident in which he was involved and which is now well known occurred about 12 months ago. Mr McHugh was regularly victimised in the workplace, but the culmination of his abuse occurred when two supervisors threw paint thinner on him and set him alight, causing enormous anguish and trauma to him and his family. Eventually two men were convicted in the Magistrate's Court for offences relating to his victimisation.

I am concerned about the government's bungling of this and many other cases involving workplace violence. Margaret McHugh, David's mother, tried vigorously to have the incident investigated. She went to the Office of Training and Further Education, which has extraordinary legislative powers to intervene and to make determinations concerning the right to employ apprentices, but she received little support. The health and safety division of the Workcover Authority has no records of any investigation. Under the freedom of information legislation I wrote to the authority seeking reports of any investigation. In its reply to me the authority states:

> A thorough search has been conducted on the appropriate database, and relevant staff have been approached regarding this request. I advise that no documents can be located.

Neither the responsible training authority nor the Workcover Authority can find any documentation about an investigation. The neglect shown by the relevant ministers is even more extraordinary when you think of the employer's record. In 1986 the employer, Mr John Luca, was working as a supervisor for a cabinet-maker located two doors down the road when an apprentice died in a workplace incident. Mr Luca had been pushing planks of wood onto the apprentice, and although he had said he could not hold them up Mr Luca had kept pushing more planks of wood onto him until he was crushed and died. The matter was investigated but that supervisor became an employer two doors up and was given authority by the government to employ more apprentices.

It is extraordinary that the government allowed somebody who had been involved in a workplace death to continue to employ apprentices. The situation is even worse: the government not only allowed that employer to employ further apprentices but, when the McHugh incident occurred, did not revoke Mr Luca's right to employ further apprentices. This government allowed the same employer who was involved in a workplace death while supervising and who was supervising when an apprentice was doused with paint thinner and set alight to employ further apprentices.

The Minister for Tertiary Education and Training has wimped it; he has found it too difficult. The *Herald Sun* of 5 September states:

> The minister's spokesman, Jon Richards, said yesterday an inquiry would not be held even though Mr Honeywood said in July he would assess the issue ...

What a wimp! This new minister cannot stop the abuse of apprentices in the workplace and will not take action. He has said he will raise it at a meeting of state training and employment ministers and that he will consider initiating an inquiry and taking on extra supervisors, but he has done nothing and has wimped it by sending a spokesman out to talk about it. If that is the way he is going to start his role as a minister, he has a big problem. He will not get very far if he cannot clean up this issue, which is his first hard case.

After the incident involving David McHugh no investigation was conducted by the responsible training authority, which the minister has control of, and the Workcover Authority cannot find any documentation about an investigation. A letter from the minister's own department highlights his bungling of the case. A letter of February this year from the department to Mr McHugh in response to his request for action states:

> I confirm that, after an investigation —

about which no documentation can be found —

> the State Training Board has removed Mr and Mrs Luca's authority to train apprentices effective immediately.

That letter, which was signed by the General Manager of the Client Relations Management Division of the Office of Training and Further Education on 20 February 1996, states that the employer's right to employ further apprentices was revoked following an investigation. Honourable members can see what a wimp the minister is.

After David McHugh's mother wrote to the Premier to get some action, the Minister for Tertiary Education and Training wrote back saying, effectively, that the department was wrong. A letter dated 9 September states:

> In April Mr Gibbs visited the premises and found that another apprentice was still employed.

What a joke! Mr McHugh is scarred for life, as are his parents in an emotional sense, and the incident has had a profound effect on the whole family. The minister's response reveals the department's abject neglect. The employer still has apprentices so the

department told a lie when it said his right to employ apprentices had been revoked. The minister then had to 'fess up' and say, 'Sorry, Mrs McHugh, we allowed Mr Luca to employ further apprentices'. What a bungle! How can you ensure that an employer is suitable to take on people of around 15 years of age who need care and nurturing? How can you ensure the safety of those apprentices when there is only 1 supervisor for every 1500 apprentices?

The minister said he would do something about it; but he wimped out. He went to the press and said he would do nothing. What was his defence? The minister said, 'Look, I know the David McHugh case is a problem but this practice is not widespread. Okay, we bungled it because we let his former boss employ more apprentices even though that apprentice was abused in the workplace. But it is not widespread'.

The minister did nothing to find out whether it was widespread. Because of my role as shadow minister for industrial relations my office in Williamstown set up a hotline, which received about 30 or 40 complaints from parents and apprentices outlining similar levels of abuse. I wrote to employer groups, TAFE colleges and unions seeking their support to change this culture. The minister did nothing until recently. He promised to write to apprentices and employers but did it only recently. What a great effort! He says there is no evidence of any widespread abuse of apprentices in the workplace.

Apart from the cases on which I have information, which will be released over time in this house and in other forums, to learn whether there is widespread abuse all one has to do is look at the article in the *Herald Sun* of 16 July, which refers not only to the David McHugh case but also to the experiences of two further apprentices. The minister should know about these cases, yet he says no inquiry is necessary — according to the minister there is no further need for additional apprenticeship supervisors. The first case concerns Jason Lythgo. It is very hard for these young people to come forward because these are their first jobs; they think that is the way the workplace works. Jason Lythgo was willing to put his case on the record. The article states:

> It was only after the distressed 15-year-old left his apprenticeship last November that his mother discovered the same three men had tied a rope around his neck for a mock hanging.
>
> 'They made me stand on tiptoe while they tied the rope over a beam on the ceiling and stood back and watched, laughing as I couldn't put my feet on the floor,' Jason said.

Isn't that evidence of the need for an inquiry?

John Wardle also came forward. He was a 15-year-old first-year apprentice, the butt of regular jokes in the workplace. What did his boss do after numerous incidents of intimidation? The article states:

> 'The boss started kneeing me — they all did,' he said. He was too sore from the 5-minute beating to go to work the next day, but over continuing weeks faced escalating violence including being kicked in the testicles.

What does the minister need? I do not understand. He is a new minister. You would think he would want to make a mark for himself by cleaning up this problem. There is obviously an enormous bungle in his office. After David McHugh was set alight in the workplace the minister said there would be no more apprentices there. Yet in September he confessed that other apprentices have been taken on in that workplace. Everyone else is aware of the problem. Schools in my electorate know about it. No school will send work experience students to that workplace. They know what it was like.

The minister did not know; the Office of Further Education and Training did not know. Why didn't they know? Because they have only 20 supervisors covering 31 000 apprentices. The role of those supervisors is to scrutinise the training in the workplace and the capability and suitability of the employer and to ascertain how the apprentice is going. They cannot do it. This is an absolutely basic role that is not being carried out. It is having a profound effect on young people in their working lives.

Not only that, we know from the federal budget that apprenticeships are the one area the federal government is spending more money on. The federal government cannot have faith in Victoria because the Victorian system does not work. Under federal government funding there will be more apprentices in Victoria but there will be no adequate supervision and no change to these sorts of abuses. It is an absolute disaster.

Public transport: reform

Mr TREASURE (Gippsland East) — I wish to grieve today on the public transport legacy left to the state of Victoria by the Labor Party in 1992 when this government came to power.

Opposition members interjecting.

Mr TREASURE — I note the reaction already from our friends on the other side of the house, and little wonder when you consider the deplorable state of public transport that this government had to pick up and turn around. The house would recall the blocking of Melbourne's streets by trams in the late 1980s. In this Olympic year I cannot but wonder whether a better transport system and a better government to run it would have helped Melbourne to sell this city and state in such a way that Melbourne would have been the successful Olympic city for 1996. I believe that incident was of great importance to Victoria. Australia is lucky that Sydney has now won the right to host the Olympic Games in the year 2000; but it does not take away from the fact that Victoria was run by an incompetent bunch of people. I have no doubt that the shambles at that time had a major bearing on the outcome of the deliberations of the International Olympic Committee when it announced that the successful city would be Atlanta.

Honourable members would also recall the former government's scratch ticket fiasco when the then minister ordered the printing of tonnes of scratch tickets that were then scrapped and thrown away only a short time later. Those tickets were printed in such volume that I believe there were enough of them for something like 70 years of use. The only problem was that they were all dated to be used during that year and were useless over the long term. Those scratch tickets were simply wasted and had to be thrown out because of the incompetence of the Labor government.

The former government also introduced new uniforms for the public transport system. The uniforms that were ordered in huge volumes — they were all of good quality and came from Fletcher Jones — were wasted because of the inefficiency of the organisation that ordered them. There was no need for them.

The house would recall incidents relating to long-handled and short-handled brooms and the various work practices in place at that time. It is extremely appropriate to grieve today about the problems created by the former Labor government.

Country stations in regional Victoria were run down, dirty and covered in graffiti, as were metropolitan stations. The people of Victoria voted with their feet in droves: they left the public transport system and joined others on the congested roads. I also recall the vandalism and graffiti that were obvious all over Melbourne, particularly on our trains and stations and along the railway lines. That gave a terrible impression of our great city. Interstate and international visitors must have wondered what they were coming to when they saw the city of Melbourne in such a state.

I am delighted to report that these matters have been turned around. I congratulate the Minister for Transport because he has made giant strides in the short three and a half years he has been in the portfolio. Many of those negative situations have been reversed and patronage on our metropolitan rail services has increased significantly. Why has there been this turnaround? The answer is evident. Most of our railway stations have been refurbished: they are cleaner, brighter, better places to be, and people feel safer. They are certainly more inclined to use those services.

One example that comes to mind is the Dandenong railway station, through which I pass regularly when I travel on the Gippsland train. The Dandenong station is now a pleasure to see. It is clean and sparkling, and the people who work there have a different attitude because they have a workplace of which they are proud. That is only one example of the direction in which the minister is taking the system, and as time passes we will become even prouder of our transport system.

Safety is also relevant to the increasing number of people using public transport. During the term of the former Labor government transport police were working on the system; but they were an abject failure because they operated within a bureaucratic system that simply did not work. They were self-centred and were not focused on the job — and the job was not being done. Worst of all, the public had no confidence in them. At the time of their demise, when they were taken out of the system, it was found that many of the transport police did not have desirable qualifications. The service has now been taken over by the Victoria Police. As a result trains are much safer to travel on and people once again feel confident when they step onto public transport. Stations are better lit and cleaner, trains

are cleaner and, in general, people are happier with all the services they are receiving.

Part of the transformation of Victorian public transport results from the introduction of private operators on country lines. The two that stand out are West Coast Railway, which operates out of Warrnambool and services the Melbourne-Warrnambool line and which is completely privatised, and Hoys Roadlines, which operates an excellent service from Shepparton. Those two are indicators of what is happening to country rail services in Victoria and what will happen when the government tenders out more country rail services. A great proportion of country services will be taken over by private operators, and if the examples we have seen to date are any indication of the standard that can be expected, I can hardly wait.

An excellent standard of service is being provided by not only private operators but also the government service, which will be a valid competitor against private operators in the tendering of public transport — and it may even win some of those tenders. The minister is deliberately moving to separate track infrastructure from the public transport system so that the government railway operator can be a genuine tenderer and operator. There will also be no confusion about cross-subsidies, which is what happens when the operators and providers of facilities are found in the one entity.

An example of that is the road system. The major roads — the infrastructure — are operated and owned by government, yet the traffic that goes up and down those roads is a mixture of government and privately owned vehicles. That is how the public rail system will ultimately operate in country areas. The government will continue to own the infrastructure, the rail facilities and the stations, but the vehicles that travel up and down the rail system will be owned by a mixture of private companies and corporatised government concerns.

Economies of scale are also important to private operators. Both Hoys and West Coast are keen to expand their services, particularly West Coast, which has its own maintenance facilities and rolling stock. The more services it provides on an expanded system the greater the economies of scale will be. The company has expressed in no uncertain terms an interest in tendering for services early next year.

Expanding the private rail system will result in increased services, higher turnover, greater efficiency and more benefits for people. I am looking forward to a brighter and better future in transport, especially as the bus contracts come up for open tender. I look forward to a continuation of the sorts of improvements we have seen in the past three and a half years.

Rural Victoria: budget cuts

Mr BRUMBY (Leader of the Opposition) — I grieve for the people of country Victoria who are now being attacked on two fronts — firstly, by the Kennett government; and secondly, and more recently, by the newly elected federal coalition government. We all know about the picture of the past four years of Kennett government and, in particular, about what has happened in country Victoria. Eight country hospitals have closed; six country rail lines have closed; and dozens of schools have closed — in fact, more schools have closed in country Victoria than in metropolitan Melbourne. No action has been taken on country petrol prices, which remain the highest in Victoria's history; and Victoria has the highest diesel tax in Australia. There is a widening gap between the unemployment levels in the city and the country; we have witnessed the death of many small country towns; veterinary labs have been privatised; and uniform tariffs for electricity have ended — and the list goes on.

I would have thought that was enough. I would have thought the government would have learnt from what has happened to country Victoria in the past four years. I would have thought that after the last state election, when country Victorians in Benalla, Gippsland, Portland, Warrnambool, Mildura and Swan Hill sent a message saying that the cuts had gone too far and that country Victoria had been left behind, the government would have said, 'Yes, we have made some mistakes. We will amend our policies and provide a better deal for country Victoria'. But no, this government and the federal coalition government have not listened to that message. Instead they have punished country Victorians for daring to vote against the Liberal-National coalition in the last state election. The Kennett government has acted in complicity with its federal colleagues to punish country Victorians.

Let us compare the cuts in country Victoria before and since the last state election. Since the last election the government has closed the Gasmart office in Hamilton and plans to shut another

11 regional offices in Colac, Stawell, Ararat, Portland, Sale, Traralgon, Morwell, Kyneton, Kyabram, Castlemaine and Maryborough. Months have passed since the state election yet the government has failed to act on unfair petrol pricing; increased the diesel fuel franchise to 11.4 cents a litre — now by far the highest of any state in Australia; and sacked 21 Business Advice to Rural Australia facilitators, whose role it is to create jobs in regional Victoria. It has ignored much of regional Victoria in the bid for the 2006 Commonwealth Games, with only Bendigo being proposed as a venue for shooting events. As a result of all that, unemployment in country Victoria is high.

Under its budget the federal government has announced its intention to close 84 Medicare offices, mostly in regional parts of Australia. It has slashed funding for the national highway system by $620 million and it has slashed funding for Landcare Australia by 27 per cent, reducing overall funding by $200 million over four years. It has slashed operating grants to universities and agricultural colleges with a catastrophic impact on regional areas. It has slashed $426 million of the export market development grants scheme, which has been helping many businesses in country Victoria and provincial towns. The federal government is sacking up to 3000 Telstra employees in country Victoria and it has scrapped the Department of Regional Development resulting in the loss of 220 jobs in regional Victoria. It has closed 15 of 17 country tax offices and it has closed the Family Court in Bendigo, which was handling 30 cases a day. The federal government is also giving active consideration to the closure of customs offices in Geelong, Mildura and Albury-Wodonga.

If you want a recipe for higher unemployment, stagnation and the continuing shift of people from country Victoria to metropolitan Melbourne the Kennett government, in conjunction with the federal government, is providing it. Never before in Victoria's history have two governments come together at state and federal level and so viciously cut services to country Victoria.

Over recent months many commentators have said that regardless of whether you live in Broadmeadows, Toorak or country Victoria you deserve the same rights and entitlements to services, but that is not the case under this government. It is a big city government with a weak National Party partner that rolls over every time the Premier makes a decision.

The editorial of the *Weekly Times* of 3 July entitled 'Rural poverty alert' states:

> Country Victorians are in grave danger of becoming a rural underclass. The claim comes from a former high-ranking government bureaucrat and now Victorian Farmers Federation executive director, Ken Badenoch. Mr Badenoch said there was a lack of services for rural communities that was leaving them without support and forcing hardship.

The editorial of the *Weekly Times* of 28 August entitled, 'NFF must fight on budget' states:

> The government has dealt the rural community a severe blow if the service closures lead to a loss of jobs. Increasingly, farm families depend on off-farm income for their livelihood ... The budget has the potential to further erode country life.

Today's editorial in the *Weekly Times* basically says that because of the cuts in the federal budget Landcare is coming to an end. The government must solve the problem. The editorial says:

> The most significant land conservation movement since European settlement is in danger of collapse, with governments signalling their financial support is not open-ended — despite farmer support never being greater.

The catastrophic cuts in Landcare total 27 per cent. I understand that this afternoon there will be a measly little announcement about some assistance for farmers in country Victoria, but it will not make one iota of difference in making up the shortfall resulting from the federal government's slashing of Landcare funding by 27 per cent. Who will make it up? Will wool farmers who are suffering from the worst prices for years make it up? They do not have the cash flow! The government and the National Party should be standing up for country Victoria instead of rolling over and allowing these cuts to go deeper and deeper and creating long-lasting affects.

I shall now concentrate on the ABC. The federal government announced in its budget huge funding cuts of $65 million to the ABC. There is no doubt that those cuts will result in the slashing of services to country Victoria and country Australia. More than 90 per cent of farmers listen to the *Country Hour*, but a couple of months ago an article in the *Herald Sun* reported the Premier as saying:

> (The ABC was) like a great leech on society. They use your and my money to suck blood from society to

> attack those who create wealth and employ people. The real test for people at the ABC is would anyone ever employ them outside of the ABC or would anyone ever see them in an environment where they had to invest their own money to make a dollar? If I had my way I would close it down.

I say to the Premier that in the real world in country Victoria and in the provincial cities people listen to the ABC. They listen to the *Country Hour*; it is their lifeblood. It is about time the Premier and the gutless National Party, which rolls over every time services are cut, stood up for the ABC and for the services it provides to country Victoria. The cuts of $65 million will result in the slashing of regional programs. The Premier is insulting farmers and people in provincial Victoria when he says that the ABC should be closed down.

Cuts have been made to higher education funding. We have the extraordinary situation where months ago the Minister for Tertiary Education and Training promised in Bendigo and other provincial areas that he would protect regional universities from budget cuts. What a joke! If you look at where the cuts have been made you will see they fall most heavily on regional universities. Their impact on Gippsland, Ballarat, Bendigo and Geelong will be catastrophic. The Vice-chancellor of Ballarat University has already said there will be a 10 per cent cut in staff totalling more than 50 individuals in 1997, which will have a dramatic impact on the regional community. Ballarat University is the fifth largest earner of export income for the Ballarat region, but its budget is being cut by between 5 and 10 per cent. Combined with the cuts to Austudy, that will greatly affect student participation.

In Bendigo it is estimated that budget cuts will remove 300 jobs from the La Trobe University campus resulting in hundreds of students not gaining places. That will rip something like $15 million out of the regional economy. Deakin University will have between 150 and 300 jobs ripped out of the local economy. In Gippsland the position is much the same.

Although the minister promised he would protect regional universities he has walked away from his responsibilities and, as a result, tens of millions of dollars will be dragged out of country Victoria and hundreds of people in small country towns will be unable to participate in higher education.

The federal government made cuts to the dental health program. Yesterday the opposition pointed out that those cuts will result in the waiting lists for dental care blowing out from 6 months to 11 years. What will be the impact on country Victoria as a result of the Premier saying yesterday that he would not address the issue after the federal Treasurer, Peter Costello, said that dental care has always been the responsibility of the states and the federal Minister for Social Security, Senator Newman, said that traditionally, currently and in the future dental care was and is the responsibility of the state and not the commonwealth? Yesterday the Premier washed his hands of his responsibilities to people in need of dental care.

In the federal electorate of Ballarat 35 000 people are eligible for the dental health care program. In the federal seat of Bendigo 33 000 people are eligible, and last year some 5000 were treated. Those people will no longer be treated as a result of the cuts and the callous attitude displayed by the Victorian government.

Let's look at country roads. The federal budget included a $620 million cut in road funding across Australia, and that affects Victoria, of course. The big rumour that is doing the rounds is that the state government will no longer continue to provide the 1 cent out of the 3 cents of the Better Roads levy for country roads. Today the Treasurer has an opportunity to clarify that and to clarify continuing commitments to road funding to country Victoria in the future. The people of country Victoria know that more and more of the total road funding dollar is being siphoned off to support City Link and other big city projects that will not benefit country people. We want explicit commitments from the ministers at the bench that road funding to country areas will be maintained in real terms.

The nail in the coffin for many small towns was the announcement yesterday of open-slather trading, 24 hours a day, 7 days a week. The result will be that more small country towns close as shoppers move to the bigger centres.

It is about time the National Party stood up for country Victorians, for jobs, services, a decent health system, some investment, and small business in country Victoria.

The ACTING SPEAKER (Mr Cunningham) — Order! The honourable member's time has expired.

Government: coalition initiatives

Mr JENKINS (Ballarat West) — I grieve for those members of the community who do not look to the future, keep their heads buried in the sand and continually grizzle and moan, carp and groan and never look past the end of their noses. They are people who will not accept the challenge of change. We have just heard some of them.

Before the recent election the coalition put up policies of change and progress, with plans for the future into the year 2000 and even to 2050, while Labor members knocked change. They grizzled about changes in education, industry, sport, tourism, local government, traffic flow, water and power — and the list goes on and on. What happened? Labor got a real thumping; the results are on the board. The people of Victoria do want change. They do not want to be putting up with grizzles and moans all the time; they want action and progress.

In looking at the changes in education in my lifetime, I remember that during my first days at school we used a slate and pencil; then we went to chalk and walk; and we have seen progress through walk and gawk. We have also seen come into schools in a professional manner such attractions as music, the arts generally, computers and LAP tests.

Following such progress and change we have modern up-to-date schools. I am finding that more and more principals, teachers, parents and students are saying how good it is to be in schools today, with all the modern facilities provided through the change. But we continue to hear the carping, that we can't do this or can't do that because it affects them. They do not want change because they can't handle it.

Industry is a classical case of change. Where are we now and where are we going with industry? We all remember the strikes, the walkouts and the poor working environments of the past. Industry has changed and things have improved. Today we have modern innovations and certainly much better working environments than were ever seen in the past. We well remember the belching and snorting industry chimneys. They have all disappeared because of change, and that is all for the better for our environment. The technological applications and other progress that has been made in our industries are needed if we are to compete with the rest of the world. But people are still carping about it.

In tourism, a major project is being undertaken at the Eureka Stockade in Ballarat. The project includes updating the tourist facilities at the Eureka Stockade and making changes so that it presents the story as it was and not as some people wish it to be. The interesting thing is that some people are jumping on the bandwagon, wanting to put their version of the history of Eureka and what happened there. They want to go their own way about it. They are a bit out of touch with the story. I look forward to the true story of Eureka being presented and people getting the real feeling of what it was all about.

I refer to the change undertaken in local government. What a great success it has been, with 210 councils having been reduced to 78 and many municipalities, including my own, working well with the restructuring.

I was somewhat fascinated by the Leader of the Opposition's version of what is happening in regional Victoria. It is obvious that he doesn't get around those areas. If he travelled around Victoria and saw what is going on in those areas, he would see a magnificent turnaround in the dairy industry, for example. I compliment the industry on the changes it has made. Today the dairy industry has magnificent structures of modern technology in the factories and processing areas. Farmers are approaching the future as a challenge and are producing milk of the quality necessary to meet the demands of industry and the domestic and overseas markets. I congratulate the people involved in the diary industry on accepting the need for change and I look forward to seeing further developments in their industry.

The honourable member for Shepparton will agree with me that change has taken place in the production of food generally, particularly vegetables and fruit. The planting of 1000 acres of carrots to produce carrot juice for overseas export is certainly an example of a change in dry-land farming in the Mallee area.

Mr Hamilton — What about the Bungaree spud?

Mr JENKINS — I am coming to the Bungaree spud right now. I know the honourable member for Morwell knows the Bungaree spud as well as I do. I have enjoyed eating many pounds of them over the years. The humble Bungaree spud, which we all know so well, covered in beautiful chocolate-coloured volcanic soil, is now being processed for overseas export. It is being peeled, treated and packed for the shelves. Some

4000 tonnes will go to Japan each year. I am sure the honourable member for Morwell will be pleased to hear about that change.

I compliment a former member of the other side of this house, that is Frank Sheehan, who is working with a group of farmers on that process. I was pleased to be with Frank and the farmers in Japan recently negotiating that particular contract.

Mr Maclellan — How long do you want him to stay?

Mr JENKINS — Not long. He's got to come back and start digging, because he's got to get these 4000 tonnes up!

If ever an industry has had a change, it is the wine industry. People are drinking more wine and that means growing more grapes, so we have seen a growth in vine growing in farming areas. The Leader of the Opposition probably drinks the product but never sees how it is grown or processed. Much is happening in the industry. Some $32 million has been spent up in the Great Western area between Ararat and Stawell on the processing of wine and champagne, which is a big industry in that part of rural Victoria.

The changes to the grain industry have been significant. Buckwheat is being developed in the Central Highlands and the cooler climates of Victoria and it has excellent export potential. Peas, barley, oats and wheat are grown in significant quantities and there is strong overseas interest in our barley. It demonstrates the change occurring in our agricultural industry.

A lady I know — the same lady who opposed me in the last election — wrote to the *Ballarat Courier* on 7 September attacking politicians:

> As I leaf through my home-delivered copy of the *Courier* each morning, I rarely find a dissenting local political voice.
>
> We are frequently treated to photos of Ballarat politicians talking up the future while posing beside a new piece of technology.

The front page of the Saturday edition of the same paper had an article about a $20 million development for information technology. We need to be talking up the future because we need progress, development and change. The lady's article continues:

> We read reports of trade missions to China and vague hopes of noodle factories. Whatever happened to that idea?

I can tell honourable members that it is alive and well. I went on a trade mission with the Mayor of the City of Ballarat and the Chief Executive Officer of the Ballarat Development Board. We visited the head office of the noodle factory in Japan and the executives indicated they will soon build a factory with modern machinery and the most modern manufacturing process available to produce noodles. I also remind honourable members that buckwheat will be used in the development of a product that will be exported overseas. I believe that is progress, development and change, but I am not sure what others call it. The coalition parties are in government because they are progressive and prepared for change. They do not go around knocking everyone.

Shop trading hours

I now move to the subject of the day — the deregulation of shop trading hours. The editorial opinion of today's edition of the *Ballarat Courier* states:

> Government legislation to deregulate trading hours in Victoria is long overdue ... Australia today is far removed from 'the land of the long weekend, where workers clocked off at 5.00 p.m. and had the weekends to themselves.
>
> Commercial imperatives have most big businesses and an increasing number of service industries working around the clock, seven days a week.

The editorial is promoting change and it is great to see that the paper is supporting the government in its attempt to develop change and promote a better future for all Victorians.

In conclusion, I grieve for the people who cannot see the big picture and I wonder why they do not support the growth and development of our great state.

Ethnic affairs: government policies

Mr MICALLEF (Springvale) — I grieve today for all Victorians, not just country Victorians. I especially grieve for the 14 per cent of the population from non-English-speaking backgrounds. The Kennett government has consistently failed to stand up for the rights of ethnic communities. It is not widely known among ethnic

communities that the Premier is also the Minister for Multicultural Affairs because many people believe that the Minister for Tertiary Education and Training holds that position. However, he merely assists the Premier with the portfolio.

Mr McArthur interjected.

Mr MICALLEF — I shall say it again tomorrow and I shall keep saying it until the government gets the message. The Premier stands condemned for ignoring ethnic communities. The Premier is reported in the *Age* as saying that the opposition has ignored the subject. The Premier has ignored more than the subject; he has ignored ethnic communities and the people themselves.

Shop trading hours

Another big news story is shop trading hours. I have a different slant and opinion than the honourable member for Ballarat West, who believes 24-hour-a-day shopping is a progressive move. I believe it is a move backwards because it will affect that sector of small business involved in local milk bars and novelty shops; businesses mainly owned and operated by people from ethnic backgrounds who have made Australia a more interesting place to live because they have brought with them various cultures, diversities and different business techniques. We are handing over small business to the major emporiums. More than 400 small milk bars have closed in the past four years. That trend will continue, and with supermarkets and shopping centres opening on weekends and late at night milk bars and novelty shops will disappear.

The government does not support small business or members of the ethnic community who run small businesses, and it will feel a major backlash in the near future. I will continue to support ethnic communities by raising these issues with the Premier, and I hope he takes note of the damage he will do to that sector of the industry.

The Premier should resign as the Minister for Multicultural Affairs; he does not take the portfolio seriously. He does not respect ethnic communities or respond to their needs. He is more interested in the arts community, pretending to be a connoisseur of the arts, and gaming, which is doing enormous damage to the quality of life of Victorians.

The Premier has failed to stand up for the rights of Victorians, especially the rights of Victorians affected by the election of the Howard government. For many years the federal coalition parties said to ethnic communities that they had nothing to fear from the policies of the coalition, but whenever parties say that people should beware. Upon coming to government the federal coalition immediately cut the family reunion program by increasing the waiting period from six months to two years. The Kennett government was strangely quiet: the only comment uttered by the Premier expressed his concern at the cutting of the family reunion program and the extension of the waiting time for benefits from six months to five years.

That shows how the Premier is out of touch with ethnic communities: he is not concerned about the major issues. The Premier's attitude demonstrated his appalling insensitivity to ethnic communities. He failed to criticise the Howard government and to stand up for all Victorians. He particularly failed the 40 per cent of Victorians who come from non-English-speaking backgrounds.

Dental health

I refer to another serious attack on ethnic communities — that is, the Howard government's abolition of the commonwealth dental health scheme which was introduced by the Keating federal government after the 1992 state election because, as federal Treasurer Costello has said, the Victorian government did not then assume responsibility for the dental health of its citizens.

The introduction by the Keating government of the commonwealth dental health scheme gave Victoria about $25 million a year for dental care. The cuts to that program disproportionately affect ethnic communities because many of our ethnic citizens are health-card holders and the previous scheme did not service enough health-card holders.

The waiting time for dental health attention had been about 5 to 7 years; in my electorate the time was reduced from 5 years to 18 months after the introduction of the commonwealth scheme, which serviced between 450 and 500 clients a week, or about 12 000 clients a year. After 1 October next that dental service will revert to a two-person unit. In Springvale three dental surgeries now operate six days a week, including Saturdays and some evenings, but as a result of cuts the service will return to part time and the waiting list will quickly blow out to about seven years.

If the state government is serious about the health of Victorians, especially those from ethnic

communities, it will make provision in today's budget to assume responsibility for their dental health; however, I do not suggest the house will see much action in that direction today. Not only will the south-eastern suburbs be affected because of the proposed dental health cuts but also the large ethnic communities in the western and northern suburbs will be hard hit. Many young unemployed people find that their chances of getting jobs are affected if their dental health is bad. Many refugees and new arrivals to Australia have never had the advantage of dental services nor the advantage of drinking fluoridated water.

I remind the house of the example of a 13-year-old Bosnian girl who has a mouthful of decayed teeth. If she is forced to wait five years for dental attention under the government scheme she will have no teeth left. The Springvale dentist who has treated her said that if she did not receive proper dental treatment before age 21 she would end up with a mouthful of dentures — and under the dental health scheme she would probably have to wait another five years after the teeth extractions before dentures were fitted! The Howard government's abolition of the scheme has been callous. The Kennett government should be an effective advocate for ethnic communities, but the Premier has failed to act.

Industrial relations reform

Many people expect significant changes to be made soon in the federal industrial relations legislation. The unfair dismissal legislation will be watered down in Canberra, as happened in 1992 in Victoria after many workers under state awards moved to federal award coverage. Those who were unfairly dismissed took advantage of the federal legislation rather than relying on the unclear state legislation under which an applicant for review had to pay a fee. Many workers under federal awards may be pushed towards signing individual contracts; the most vulnerable, including women and people from non-English-speaking backgrounds, will be the most affected.

Outworkers in the employ of larger companies will also be affected, although some responsible companies such as Country Road Clothing Pty Ltd and several large department stores have forged agreements with unions that will remove the crass exploitation particularly of members of ethnic communities. They are trying to give their members a fair go with the piecework they do at home, often in cold and dirty conditions.

The Springvale Indo-Chinese Assistance Association is attempting to form a cooperative so that the conditions of the Vietnamese, Laotian and Cambodian members of the community in particular can be protected. The government certainly does not respect the aspirations of ethnic communities. It is unfortunate that prior to the last election the Victorian Multicultural Commission clearly identified itself with the coalition government when it handed out cheques to certain affiliates.

The federal Department of Immigration and Multicultural Affairs works in a more mature, bipartisan and effective way. Over the years there has been a fair amount of bipartisanship shown towards ethnic communities, but the enthusiasm is now dwindling. The Premier should hand over the responsibility for multicultural affairs to the Minister for Tertiary Education and Training, who is doing a better job than the Premier ever did. The Premier has certainly let down ethnic communities. Tomorrow he should resign that portfolio and hand it to somebody who can do the job more effectively.

Local government: reform

Mr RICHARDSON (Forest Hill) — I welcome the opportunity to contribute to the grievance debate. Recently my attention was drawn to a press statement issued by the Minister for Planning and Local Government in which he advised the community that he has asked the Local Government Board to review the future sustainability of Ararat Rural City Council. The statement appeared to be an opportunity to remind the community — and particularly the former councillors, who are now girding their loins in preparation for municipal elections next March — of the relationships between various levels of government and the responsibilities that adhere to municipal government.

The minister's reference to the Local Government Board in relation to the Ararat Rural City Council followed a decision by that council in August of this year to announce in its annual budget a 10 per cent rate rise. A deputation from the Ararat council recently met with the minister to request exemption from the rate cap to which other Victorian councils are adhering for the 1996-97 rating year.

The fact that a rate cap has been applied to municipal government should have been an indicator of the relationship that exists between the state and municipal levels of government and should have been followed by the Ararat Rural City Council as a firm instruction. However, apparently

the council was unable to exist within the rules set out by the state government and the minister allowed a rise of up to 19 per cent. The minister told the deputation, however, that if the council chose to increase its rates he would ask the Local Government Board to review the council's future sustainability.

The Local Government Board has subsequently been asked to review the capacity of the Ararat Rural City Council to deliver the benefits of local government reform to its residents and ratepayers, the longer term financial sustainability of the council and the options for improving the structure of local government in the Ararat area.

A news release of 6 September 1996 from the office of the Minister for Planning and Local Government states:

> 'This substantial increase in rates sends a clear signal that the restructure in the Ararat area has not delivered the expected results as achieved in other areas' Mr Maclellan said.
>
> 'I therefore have little alternative but to ask the board to review the future sustainability of the Ararat Rural City Council' he said.

That leads to a consideration of the role of municipal government and the relationship between the municipal and state levels of government. From time to time strident calls are made for municipal government to be referred to in the federal constitution as a component of the structure of government. I can understand why the Municipal Association of Victoria and other organisations that have a particular interest in municipal government would wish that to be so, because local or municipal government currently has no sovereignty of its own. The federal and state levels of government have sovereignty, but municipal government does not.

It is curious that there has been wailing, gnashing of teeth, beating of breasts and crying about the destruction of democracy at the municipal government level followed by demands that its right to hold elections be restored. Those cries have come from people who really do not understand the reality of the relationship between the state and municipal levels of government or, if they do understand it, have chosen not to talk about it in its true light. The reality is that local government has no sovereignty of its own; it is a creation of state governments. In simple and cynical terms, local government exists to do those things which state governments do not wish to do.

Local government grew out of the creation of roads boards. My great-grandfather was one of the first settlers in the Kerang area when it was a virtual wilderness and was a commissioner on the Swan Hill roads board, which I understand had responsibility for a district that stretched from Bendigo to Mildura. It was from roads boards similar to the Swan Hill roads board that municipal government as we understand it today gradually evolved.

There is a misconception on the part of a number of people that they have a special right to municipal government as it used to be. Predominantly those people are former councillors who are now girding their loins in preparation for the municipal elections that will take place in March of next year. It bothers me enormously to read about these people in my local newspapers.

I am not bothered by the fact that former councillors are jostling for position, getting their names in the papers and putting forward all sorts of proposals they would wish to see implemented if they were returned to the elected council because it is only right and proper that they should be engaged in that process. I am bothered by the fact that what many of them are proposing to introduce when elected councils take over from the commissioners is simply to reinstate what existed when they were running councils previously. They are missing the point entirely.

The review and reform of municipal government in Victoria was brought about by the need to address expense, extravagance and duplication and so reduce the cost of that level of government. As a result, wide-ranging reforms were put in place to the great satisfaction of the great majority of the community. The majority of people in my electorate who have commented on the matter have made clear their view that they would really far prefer the continuation of the administration by commissioners to going through the business of electing another council.

A clear warning should be sent to people who will be seeking election, or as in most cases re-election, to councils in March of next year: if they proceed along the path which so many of them have indicated is the path they wish to follow — that of simply putting back in place all the things the commissioners have removed from the functions of

local government that were extravagant, unnecessary or could not be afforded by the ratepayers in particular areas — they will have defeated the purpose of the wide-ranging reforms that have led to a reduction in the cost of local government and a subsequent reduction in rates and increase in satisfaction of the people of Victoria.

If prospective councillors follow that course they will almost certainly be setting out on a course that will lead to the reintroduction of commissioners by the state government, which ultimately has absolute control over what happens in municipal government. Municipal government exists to serve the state government, and councillors who embark on the dangerous course of not meeting the interests of the community as perceived by the state government should be reminded very clearly that municipal government has no sovereignty and that not only will such action make the return of commissioners inevitable but that that return will be welcomed by the community.

Emergency services: communications system

Mr HAERMEYER (Yan Yean) — I wish to grieve about the ongoing and tragic disaster involving the emergency services dispatch and communications system in this state. Many lives have been lost because of massive bungling and many lives have been ruined because of the bungle we now know as Intergraph. For more than 12 months we have been given the excuse that Intergraph is experiencing teething problems. When will Intergraph get it right? I do not believe it can.

I am pleased to read that the Auditor-General is finally investigating Intergraph because I asked him to do so in 1993, particularly Mr Firman's tender for the Metropolitan Ambulance Service computer-aided dispatch and communications system. I pointed out at the time that I believed the tender process was fixed and corrupt; that lives were being put at risk because of the tender process; and that the MAS tender process was cutting off tender options for the police, the fire brigade and the SES further down the track. I also indicated there was a potential for massive waste of money with the path Firman was following and that that could lead to disaster for other emergency services.

Three years later, after repeated warnings not only from me but from a whole array of people, including the information systems manager for the Metropolitan Ambulance Service in 1993, all the disasters we warned about have occurred. All our worst nightmares are coming true. The system has crashed repeatedly. Just last month there was a system crash in the ambulance service that took 9 hours to rectify and a 65-minute crash of the MFB's communications and dispatch system. These are not Robinson Crusoe episodes; they have been occurring ever since Intergraph was put in charge of emergency service dispatch and communications in Victoria, and the consequences have been horrendous.

Most of the failings of Intergraph were highlighted in an internal memo to the then Manager, Information Systems, Metropolitan Ambulance Service, from Mr Don Cameron, Mr Firman's offsider at that time. The memo reads:

> As a result of various business decisions regarding the proposed CAD system, the second-pass evaluation criteria developed by team three needs to reflect the following issues:
>
> 1. System designed disaster recovery provision assessment is to accommodate the hot site option only.

In other words, it was devaluing the redundancy requirements of whoever was going to provide this communication and dispatch system.

> 2. Maintenance and support assessment is to incorporate a second line 1-hour support component only.

That decreases the capacity of the system to get itself up again if it crashes. This is effectively a cost-cutting exercise.

> 3. It is not an assessment requirement to maintain spare components on site at Doncaster.

They have to be maintained at Intergraph's headquarters, so if something crashes or breaks down they have to wait for Intergraph to bring out the spare parts before the system can be recovered.

> 4. It is not an assessment requirement for the source code to be positioned on site at Doncaster.
>
> 5. The off-site ASCROW is not an assessment issue.
>
> Can the above issues be attended to and presented in tabular format?

The memo is signed Don Cameron, Manager, Systems Support.

The interesting point is that those were the five criteria on which Intergraph performed the worst of any tenderer under evaluation. Sam Fodero, the

information systems manager, was being told in the memo that the five important criteria on which Intergraph performed poorly had to be devalued because otherwise Intergraph might not look as good as some wanted it to look. We all know who got the contract. The implications of this have been horrendous.

Let us look at the ambulance service. Last year the ambulance service was involved with the very sad and tragic death of Mr Keith Cheong, who was waiting for 30 minutes for a MICA. The press reported the Intergraph team leader's comments to the recent coroner's inquest into that death:

> Ms Catherine Hicks ... acting team leader employed by Intergraph, said she was the supervisor in the room when the initial call for an ambulance was made by Mr Cheong's wife, Theone.
>
> Explaining how the ambulance Intergraph system worked, Ms Hicks told the court there were 12 incoming telephone lines (including 3 overflow lines) which were serviced by 6 to 13 call-takers.
>
> There were between three and five dispatches but only two emergency dispatch terminals, she said.
>
> She agreed with an assertion by counsel representing Mr Cheong's family, Mr Peter Rattray, QC, that 'at times' this created a backlog on busy days.
>
> When all lines were busy, calls were placed in a queue, Ms Hicks said.

For heaven's sake, people are not waiting to book airline tickets! This is an emergency service dispatch system, and calls are placed in a queue. How outrageous! People die because of this sort of cost-cutting, bungling and incompetence.

There was also the case in June last year of Mrs Marmke Broeder, who lay dying of cancer and waited for an ambulance for hours. In March this year an ambulance took more than 70 minutes to reach Stewart Marshall, who lived in my electorate, because the Intergraph dispatcher would not listen to instructions on how to find the property. After 70 minutes, when the poor guy was already dead, two helicopters and a road ambulance turned up. That is the most unbelievable bungling. The ambulance service has been riddled with these sorts of bungles for the past two years — that is, since Intergraph has been involved.

The problems have also been flowing on to the police. People have been put and kept on hold for unjustifiable periods. Police have been sent to attend to non-urgent calls, such as cold burglaries, while hot burglaries and assaults were in progress. Where is the prioritisation this system is supposed to provide? Pursuits have continued for 10 minutes longer than necessary because police units that could have intercepted were not sent. There are delays in police obtaining backup and long delays in registration checks.

Recently the Metropolitan Fire Brigade has come on-line with Intergraph. Intergraph has had an absolutely stunning performance there! I shall read from just a few of the Metropolitan Fire Brigade desk-pad project observation reports — there are more than 250 of them. They show a litany of errors. A comment on one of them is:

> Melways reference given unknown.

Intergraph has this super computer system that is supposed to have this highfalutin mapping system on it — it is supposed to have a computer-generated Melways reference system — yet the comment on the observation report is 'Melways reference unknown'. Firefighters are delayed in their response to a call while looking up an address in the Melways.

In another instance Intergraph sent six fire units to put out an oven fire in a restaurant. Here we go again:

> 1. Too slow in turning out MFB when operator knew person trapped. Delayed call 2 minutes.
>
> 2. Wrong address given even after MFB on scene asking was this the correct address. After giving false alarm and returning to station Intergraph finally gave us correct address.

So the fire brigade crew went to the wrong address and back to the fire station, and when they finally got back there they were given the right address by Intergraph. The report continues:

> P45 turned out for what was believed to be a lock-out/lock-in. On scene I was informed that there were intruders in house. P45 was not informed of this fact by radio or during dispatch, when call history shows that operator knew. P45 should not have been dispatched at all. Police matter.

This was an instance where the police should have been called out, not the fire brigade. These bungling

buffoons sent out the fire brigade in a situation where there was an intruder in the house and when the fire officers concerned could have put themselves at great risk. Here we go again:

> Incorrect Melways was given to this call.

There are more than 250 of these and further reports of this nature from the ambulance service and the police. It highlights the sort of bungling and buffoonery that goes on within Intergraph. There was a 70-minute delay in getting a fire unit out to a fire at Highpoint shopping centre which could have been catastrophic. A fire truck was sent from Tullamarine to a fire in St Kilda! Wrong addresses, wrong trucks. I say wrong company, wrong process and wrong government, because it — the Kennett government — has overseen this fiasco.

Recently a lady died in a fire in Port Melbourne because there was a 3 to 7-minute delay in dispatching the fire unit. The fire brigade has a policy of responding at the 90th percentile within 7.7 minutes because the reality is that if the brigade officers are 1.5 minutes later than that the house will probably be burnt down and if they are 2.5 minutes later than that the house next to it will probably be burnt down as well. But here we have a 3 to 7-minute delay.

It is interesting that there is a discrepancy. The reason no-one can tell us whether it was 3 minutes or 7 minutes is that the backup tapes that Intergraph runs do not have the same sort of clock synchronisation as Telstra, so we are not even sure what time incidents have occurred. The Intergraph fiasco is now affecting the MFB.

Recently I was given a copy of a report an SES unit had submitted to a local newspaper. On a number of occasions the unit had been sent to incidents — and it has road accident accreditation — and the ambulance and the police were there but the ambos couldn't do a lot because they needed the SES to turn up to cut the person free from the wreck. The SES turned up 7 minutes later. The SES report says:

> Readers of this column may wonder why reports such as the above two are published when, after turning out to an accident, the unit's services are not required. The answer is that this column is to inform the community of all of our activities.

I will skip a lot of the detail in the middle, but the article goes on to say:

> Another reason is because we operate under a new call-out system, which has been operating for about 12 months, but as far as the Craigieburn unit is concerned it still has some flaws. The operators at the new system work under certain protocols and sometimes this causes delays in the dispatching of the Craigieburn unit until well after all the other emergency services have been dispatched.

This is a totally unacceptable situation. Again lives are being put at risk and volunteers who do good work for the SES are being mucked about, as will be the case with the CFA from 3 October when it goes on to the Intergraph system. We really cannot afford to be mucking our volunteers around with this sort of system as well as putting lives at risk.

I ask that the Minister for Police and Emergency Services immediately suspend the move of the CFA onto the Intergraph system; immediately appoint an independent expert panel to conduct a public review of Intergraph performance; make public full details of the performance criteria that Intergraph operators are required to meet and penalties that come into effect if they are not met; and conduct an open inquiry into the BEST and MAS tender processes, including the determination of the tender specifications. I ask also that he request the Victoria Police to investigate whether there were any criminal and/or other legal breaches in the awarding of the CAD communications contract to Intergraph by both the Metropolitan Ambulance Service and the Bureau of Emergency Services Telecommunications.

The DEPUTY SPEAKER — Order! The honourable member's time has expired.

Education: reading skills

Mr E. R. SMITH (Glen Waverley) — I grieve today about the negativity and the preaching of hopelessness by the Labor Party. All we have heard about in the debate this morning is that things are crook and that there are no positive solutions to anything. It is simply negative, negative, negative. The member I take to task most of all is the member for Footscray. He gave a diatribe this morning on the standards of education in the western suburbs and about how unemployment had increased. The member for Footscray brought into the debate all the reasons why in March of this year the people voted to change the federal government and to stick with the coalition government in Victoria.

The state's VCE results fell because of 10 years of Labor government, and I will demonstrate that in a moment. Ten years of Labor government in Victoria and Labor administration in Canberra has created an unemployment problem of huge proportion. As a result of disastrous Labor Party policies education standards have fallen and unemployment has increased.

Newspaper articles in the past two days, particularly the *Age* story on early childhood reading, give us some idea of the result. On the front page of yesterday's *Age* is a story titled 'Reading a dying art for one in five'. This figure has been bandied about and is accepted as a result of testing done by the federal government and surveys conducted in Victoria. It illustrates that at the end of sixth grade one in five young people entering secondary school is illiterate; some of these children can read but not understand what they are reading about. The lack of teaching of phonics in early childhood reading is highlighted by David Kemp, the federal minister responsible for education, and reiterated in yesterday's article. In today's *Age* there is an article that states that people do not really need phonics, which demonstrates a lack of understanding.

This morning I spoke to Professor Peter Hill, the deputy dean of education at Melbourne University. I know Peter Hill reasonably well. We attend the same church and we have similar interests in education. He told me that once again he had been misquoted. What Peter Hill, Joan Bradbury from the Directorate of School Education, and David Kemp, the federal minister for education, say is that we have to have a combination of the look-and-say or the understanding of words, which has been the system that has been in vogue now for the past 15 years, and phonics. I know about this from personal experience of my five-year-old. In the current system texts are used: children look at the words and are supposed to remember them. This practice is being rapidly changed by the government, and there are pilot schemes to pick it up under the scheme. I have also spoken to many parents who teach it at home.

So you say to the child, 'There is a secret weapon that you can have'; and you start the child on phonics, because it is such an obvious thing.

I asked Peter Hill whether there was ever anything in writing that stopped the teaching of phonics. He said no, and remember that at one stage he was the permanent head of Education under the Kirner government. He was a public servant doing his job, and that was the policy. The policy went through what were called district liaison principals, and teachers were discouraged from teaching phonics. Even today, schools in my area, like the school where my small one goes, still do not teach phonics. But all the parents are a wake-up to this and say, 'Oh, we just thought we would teach the phonics, because it seems to be a way of helping them understand quicker' — and it certainly does. Many children will pick it up, but 20 per cent of them have never been taught it.

An honourable member interjected.

Mr E. R. SMITH — No, it is the figure on the front page of today's *Age*. One in five has never been taught phonics or has not had parents who have had the time, or whatever else, to give them the added skill of learning through the art of reading through phonics, as well as the other scheme.

One of the clever people referred to in this morning's *Age* was reported on page 4 as saying that they must not use phonics too much; that is playing with words. What we are doing as a government — and Joan Bradbury is doing in the education ministry through Minister Gude — is ensuring that phonics is part of the system by which children learn to read. And if this had happened 10 or 12 years ago when Labor first came in, we would not have the problems that we have now with so many young people falling by the wayside.

If members of the house have any doubts about the ideology behind all this and where the Cain and Kirner governments were coming from, they should look at a magazine called *Education — Where from? Where to? Fabian Conference Proceedings 1983*, wherein Joan Kirner clearly sets out what the policy is. This is not an attack on Joan Kirner — I like her as a person — but ideologically we differ. She talks about the system of education and says:

> If we are egalitarian in our intention we have to reshape education so that it is ...
>
> part of the socialist struggle for equality, participation and social change, rather than an instrument of the capitalist system.

She goes on to define what she means by equality:

> the definition of equality is equality of outcomes for groups and classes rather than individuals alone; put another way, the progress of the individual occurs through the progress of the group.

In the article she goes on to talk about how children themselves should be teaching one another in the area of reading.

That is completely against all the normal procedures that everyone in this place went through as children in learning to read. It is the stress on the individual that is the important aspect, not on groups, because kids will learn at their own rates. Of course teachers must be careful to ensure that they have groups within a class — and Peter Hill says one of the biggest problems at the moment is class sizes of larger than 25 in prep and grade 1 — of those who are proceeding quickly, those who are going along at an average speed, and those who need more help.

I have found with the schools in my electorate, particularly the one where our youngster goes, that the parents are invited to spend afternoons going through the groups and ensuring that the children are heard when they are reading.

But the point at issue is the time devoted to the teaching of reading. Unfortunately, with much of the emphasis these days on competing, we find that too much is being crammed into the curriculum between years 1 and 3. This is something that we as a government are fixing, and it will be fixed within the next few months, so that the emphasis is on reading — the most important subject of all in early childhood development.

If the learning skills are not learned between prep and grade 3, when the child gets to grade 4 it is harder to catch up because of the discipline in the classroom; some children who have not caught on will present disciplinary problems and the whole group will suffer as a result. So more emphasis must be placed on those skills between prep and grade 3.

Peter Hill and Joan Bradbury, the people advising the minister, say the time has to be between 90 minutes and 2 hours a day and that the other subjects, such as social studies and art, should take a secondary place. We all know that little kids love drawing, but in the morning part of schooling the emphasis should be on learning to read, comprehension and writing, followed by the basics of mathematics. Only in this way, coupled with a lesser emphasis in some schools on the teaching of art and social studies between prep and grade 3, will we start to overcome the problem. To date, more than 20 per cent of our teenagers have not gained these skills, and it is no good spending money later on remedial teaching with specialist teachers. It must be done when children start school, and we must ensure that the new system being tried will be adhered to.

We often find that one of the main complaints from young teachers going into the classrooms is that they are not being taught the art of teaching. In the old days the biggest emphasis in teachers colleges, as they were in those days, was on teaching method. As I said the other day when visiting Professor Wilson, who has recently been appointed Vice-chancellor of Deakin University, at his headquarters in Stonnington, the biggest problem in teacher education is in ensuring that teachers go out being able to teach, rather than having to pick it up at the expense of the kids. He said he would look into it, because most people who have gone out teaching complain and ask why the colleges are not emphasising teacher studies to the degree they used to.

From reading books such as a book I read on the history of Balmain Teachers College, where I went — the honourable member for Forest Hill probably also came through the same system — I have followed the progress of people like Professor Sam Ball, who is currently in charge of the Board of Studies. He started off as a primary teacher. In those days people were able to teach with two years' experience to start with; they got their university degrees later in their own time and then progressed. The best example is Professor Ball, who went up the scale, went to America, and was extraordinarily successful — so much so that he was eventually invited back to take over the Chair of Education at Sydney University. Nick Greiner grabbed him first, and then Don Hayward; they wanted people with such international expertise.

The point at issue is that people like him are now coming to grips with what has been wrong with our education system that has allowed 20 per cent of students to go to secondary schools virtually illiterate — in some cases completely illiterate. This situation can be rectified only through work on the curriculum to ensure that the main emphasis is placed on language and the ability to read, write and understand, coupled with the other important subjects of mathematics, science and art, to get the priorities right. That is something that has gone wrong.

To this day I put a lot of the blame on the Kirner philosophies, as espoused in that article; it is a long article and at another stage I will share with the house what was really intended as a result.

Some people unkindly say that this was some way of sabotaging the system. I would not be so unkind; it is certainly coincidental, but the system of trying to get equality of outcomes is holding the good ones back instead of letting them progress at their own speed, at the expense of their own natural abilities so as to, in some funny group way, get all of them up, which would be very hard to do because it is individual tuition for those who are lagging that will get them up.

The big message for the member for Footscray is that, despite what he was saying, the government is moving in the right direction. I am quite sure that Dr David Kemp, the federal education minister, will take up what the ministry under Phil Gude is doing and will ensure that the next generation will have come through an education system where the literacy aspect has been corrected so we will not have the debacle that we have been suffering from in the past 10 years of so many students going into secondary schools — and in some cases eventually going on to tertiary and TAFE education — unable to cope with the other subjects they are learning and not being able to carry on. And the end result of all that is a 40 per cent failure rate in the first year of university, which is unacceptable, the cost of which is enormous.

The DEPUTY SPEAKER — Order! The honourable member's time has expired.

Question agreed to.

Sitting suspended 1.01 p.m. until 2.04 p.m.

QUESTIONS WITHOUT NOTICE

Health insurance: private rebates

Mr BRUMBY (Leader of the Opposition) — I refer the Premier to the recent federal budget and, in particular, to the decision of the federal government to introduce a private health insurance rebate scheme to alleviate the pressure on our public hospital system. Has the government made any projections as to what effect, if any, the rebate will have on public hospital use in this state; and, if so, will it release that assessment to Parliament?

Mr KENNETT (Premier) — I thank the honourable member for his searching question.

Mr Micallef — Keep thinking!

Mr KENNETT — No, I have a good line coming up: I just cannot remember the fourth part of it, but you will get it before the end of question time. Like the Leader of the Opposition, I would like to congratulate the federal government on the budget it has recently brought down.

Like us, the federal government inherited a financial position that was very much undermined by successive Labor governments that failed to deliver to the people of Victoria. The new coalition government in Canberra has approached its task professionally, and its budget has been well accepted by the community at large. The state government will continue to work closely with the new federal government to make sure it can overcome the $8 billion black hole that was left as a result of the maladministration of the Labor government.

Mr Brumby interjected.

Mr KENNETT — Don't get excited. You and the mate behind you both failed federally!

Mr Brumby interjected.

Mr KENNETT — Hang on, both you and he failed federally!

Mr Brumby interjected.

The SPEAKER — Order! The Leader of the Opposition has asked his question.

Honourable members interjecting.

Mr KENNETT — I think you're under a bit of pressure!

The SPEAKER — Order! The Leader of the Opposition has another question on the list. If he wants to ask another question, he should do it properly, not across the table.

Mr KENNETT — Where were you last night? With your faction at Bamboo House? You should have seen the rest of them, I tell you what! One of the areas the federal government has had to address is the obviously increasing pressure on public hospitals. That pressure has risen for a number of reasons. One is our ageing population, not only here in Victoria but right around Australia. You only have to have a look at the headlines in newspapers around Australia, particularly in New South Wales, to see that health is a major issue. The second is the

increasing number of people who, because of cost, will be leaving — —

Mr Batchelor — He is floundering!

Mr KENNETT — I am floundering?

Mr Brumby interjected.

Mr KENNETT — Don't be impatient. Just take it easy, Johnno, everything will come. The second reason is the number of people who have been leaving the private health system simply because they cannot afford it. Therefore, the federal government has tried to introduce a system that will, firstly, reduce the flow of people leaving the private health funds, and, secondly, encourage people back onto private health insurance. That is something that is long overdue. If it had been done by the previous federal Labor government, both Victoria and New South Wales would not be in the positions they are in today.

Obviously, Victoria's public health system is under even more pressure than the New South Wales system because Victoria has had a much better private system in place for a longer time. It is not that many years ago that more than 70 per cent of the Victorian public had private health insurance. Now that is down to about 32 or 33 per cent, and if it averages out at the Queensland level it will be something like 30 per cent. So the federal government has taken this action because it recognises the need to stem the loss of people and families from private health insurance and to try to ensure that others are encouraged to join.

Mr Dollis — What are the projections? Everybody else knows.

The SPEAKER — Order! If the opposition frontbench continues to ask questions across the table I will consider them as questions and will not give them the call for the next question. I ask them to cease interjecting.

Mr KENNETT — In terms of the effect of the initiative, the opposition will have to wait to taste the product, because until we actually see it — —

Mr Brumby interjected.

Mr KENNETT — Wait a minute!

Honourable members interjecting.

Mr KENNETT — This opposition does not understand at all the principle that if you put a policy in place you have to allow it to be in place for a period of time to actually see the effects it will have. We on this side — —

The SPEAKER — Order! The Leader of the Opposition is in danger of losing the next question.

Mr KENNETT — The program the federal government has put in place, which is long overdue, is designed to try to relieve the pressure on the public hospital system by not only stopping the decline in the numbers of people who have private health coverage but also encouraging more people to take out that coverage. Not once was this issue addressed by the federal Labor government. If the opposition believes that is wrong — —

Mr Brumby — On a point of order, Mr Speaker, the Premier has now been going for an extraordinary 7 minutes, avoiding the question and showing his total incompetence in dealing with this area of public policy. The previous minister ran around for four years saying this was the answer. If that is so, you should release the projections that show the impact of the rebate on the public hospital system or admit you have mucked it up!

The SPEAKER — Order! The Leader of the Opposition knows perfectly well that that is not a point of order but a supplementary question. If the interjections of supplementary questions continue across the table I will consider them further questions from the opposition. I warn the Leader of the Opposition and his front bench that their continuing to interject will lengthen the Premier's answer, which, although it is only 5½ minutes long, is still too long — and that is not good for question time.

Mr KENNETT — The opposition had no policy at all going into the last election. We will work with the federal government to do what we can to both arrest the number of people leaving private health insurance and encourage people to take out that coverage. Unless we are successful the problem will continue to put additional strain on the public health system, as has been the case over the past 10 years. That strain will only increase as our population ages, particularly if people continue to exit the private health insurance schemes.

National Gallery and Arts Centre

Mr WELLS (Wantirna) — I ask the Minister for the Arts to outline to the house the benefits accruing to Victorians from the recent decisions affecting state arts institutions.

Mr KENNETT (Minister for the Arts) — Earlier this year the government announced plans for the redevelopment of the National Gallery of Victoria. Obviously that will benefit all Victorians. Without doubt the gallery is the finest in Australia, housing as it does the most extensive collection of works, many of which cannot be displayed because of limited space. The design development for the gallery will be completed by mid-1997 and construction is scheduled to be completed by late 1999.

At the same time as we were allocating resources for the project, which is to be undertaken without adding to Victoria's debt, we announced that entry to the gallery's permanent exhibition would be free from July this year. That has been an important step in making the arts more freely available to people throughout the state as well as visitors to Victoria, and we expect to see a major increase in the numbers of people entering the gallery. To date we have been staggered by the response to the free entry. About three times the normal attendance has been recorded, and the number of young people, particularly schoolchildren, who now have access to our fine collection is very exciting.

Because the gallery as we know it today plays host to three times as many people as before we have been able to attract special exhibitions. In the past people had to pay an entry fee to the gallery and another fee to view whatever exhibition was being held. The removal of the entry fee has seen an increase in the number of people attending specialist exhibitions such as the recently completed Turner and Brett Whiteley exhibitions. The gallery has been working in association — —

Mr Batchelor — They were good exhibitions!

Mr KENNETT — The printer is at it again! Your comments are absolutely inane.

Mr Batchelor interjected.

The SPEAKER — Order! The Premier should ignore interjections.

Mr KENNETT — He said the opposition had got under my guard today. Is that what you think? You feel you've had a good day, do you? If you reckon you've had a good day, you wouldn't want to have a bad one. If you reckon you've had a good week you wouldn't want to have a bad one. If you reckon you've had a good four years you wouldn't want to have a bad four years! Have a look at your numbers! Look at what you've got on your front bench.

The SPEAKER — Order! The Premier, on the question.

Mr KENNETT — The government and the gallery have been working closely with the Victorian Arts Centre. The house will have noted over the weekend the passing of George Fairfax, who more than anyone else was responsible for developing the centre. He provided a great deal of leadership, particularly to creative young spirits in Victoria. His passing is a tragedy for the arts community and, beyond that, for the economic community, because the arts are a big industry in this state.

George Fairfax has passed on and the new executive has taken up his position. We have been fortunate in securing the services of Brett Randall. He has been working overseas, particularly in the United States of America, but he is a son of Melbourne and has come back to take the Victorian Arts Centre and the arts well into the 21st century. We welcome him to his important position and look forward to the influence he will bring, together with his overseas experience.

For the first time in many years those two institutions are receiving an injection of attention from the government and responses from the public because of the way they are redefining themselves as we approach the end of this century and the start of the next one.

Hospitals: William Angliss Knox and Sherbrooke Community

Mr THWAITES (Albert Park) — I refer the Premier to his statement in the house that the policy of his government is to provide new health resources for the eastern suburbs. Is his government not hypocritical, because in the four years it has been in office it has cut funds to the William Angliss Knox and Sherbrooke Community Hospital, forcing it to close a 34-bed ward in January 1995? The waiting list at that eastern suburbs hospital has blown out from 316 when the Kennett government came to office to the latest figure of 758, a 140 per cent increase.

Mr KENNETT (Premier) — I thank the honourable member for his new-found interest in health and regret that he has not had time to develop a policy instead of just harping and carping. I do not know where he gets his information from, but I know he has been away for a very long time. According to one report I have here, which fits in with his new — —

Mr Thwaites — On a point of order, Mr Speaker, under the standing orders the Premier is not entitled to debate the question. He ought to relate his remarks to the question asked. I repeat: is his government not hypocritical in presiding over a situation that has allowed the waiting list at the William Angliss Knox and Sherbrooke Community Hospital to blow out by 140 per cent?

The SPEAKER — Order! There is no point of order. The Premier has just commenced his answer. The honourable member should allow the Premier a little time to develop his answer before raising a point of order.

Mr KENNETT — It does seem that Melbourne Grammar boys do cry after all! While you were overseas — —

Mr Thwaites — On a point of order, Mr Speaker, the Premier is making a mockery of this place. He seems to be interested more in where people went to school than in the people who are on trolleys waiting for beds in our hospitals.

The SPEAKER — Order! There is no point of order. I suggest to the honourable member that perhaps if he were less sensitive and did not react to the Premier, the Premier may not behave the way he is.

Mr KENNETT — For the past three or four months, as has been the case for the past four years, we have been working very hard on improving the health system in Victoria, and most people who go through our systems are appreciative of the quality of service they get and of the waiting time. While we were working the honourable member for Albert Park was sitting down to a continental breakfast at a hotel in Florence, Italy. If this is part of the Labor Party's image in trying to address health issues while the government is addressing the needs of the eastern suburbs I can say with pride that we on this side of the house, firstly, know where the eastern suburbs are and, secondly, actually care for their people.

Whenever he gets the opportunity the honourable member for Albert Park simply preens himself, walks around our community in a white tuxedo, or goes and eats continental breakfasts in Italy. It is hardly the image of a caring socialist! I assure the honourable member that the government will continue, probably for the next 20 years, to deliver a very good health service. Until he can deliver a policy that recognises that people throughout the state deserve attention and — —

Mr Haermeyer interjected.

Mr KENNETT — What are you saying? We on this side of the house cannot be responsible for the failure of those on that side. This new rising star in the Labor Party is obviously dressing for the occasion. If you only spent one-tenth of the amount of time that you devote to how good you look to actually doing the work, you would develop a policy. You spend more time worrying about how you look than you do about developing a policy. Why don't you go away and develop a policy?

The people in the eastern suburbs will continue to be very well served by this government, and I suspect that will be the case for many years to come.

Workplace violence

Mr MAUGHAN (Rodney) — I refer the Minister for Tertiary Education and Training to recent publicity about apprentices being subject to abuse or violence in the workplace and I ask: will the minister inform the house of steps he has taken to ensure that young apprentices and trainees are not mistreated by employers or by other workers?

Mr HONEYWOOD (Minister for Tertiary Education and Training) — I am sure all honourable members would join with me in regarding any harassment or physical violence in the workplace as abhorrent. If we examine this issue, unfortunately we find that for many years there has been an historical culture in Australia associated mainly with trade-based occupations involving harassment of trainees and apprentices in the workplace.

The house would be aware of a particular case before the courts last year that was extremely abhorrent. As soon as the legal processes were complete and the employer was convicted of the charge of culpable violence in the workplace, one of my first acts as minister was to deregister that employer from ever being able to employ an apprentice or trainee again.

Mr Bracks interjected.

Mr HONEYWOOD — I will come to the honourable member for Williamstown in a moment. In addition, last month I wrote to 67 000 employers, trainees and apprentices, calling on them to come forward with any evidence of any form of violence they suffer in the workplace. Since then, out of 30 000 apprentices and trainees in this state, only eight cases involving harassment of some form of violence have been brought to the attention of my officers.

Obviously even one case is not good enough. We must ensure that all cases are properly investigated, and to that end I have formed an arrangement with Group Training Australia whereby, as of today, any young person who comes forward with any allegation of abuse or violence will be guaranteed alternative employment with a responsible employer so that the young person will have no reason to feel afraid or have any concern at all in bringing forward such allegations. I commend Group Training Australia for agreeing to this initiative so that we can offer a guarantee of employment with a good, responsible employer.

I return to the honourable member for Williamstown because he raised this matter in the grievance debate today. He has been running around the media trying to drum up the same case over and over again. The honourable member alleged that he has information concerning 30 cases of employee violence and he is nodding his head in affirmation. If he has 30 cases, why has he not brought them forward? He is being culpably negligent by allowing 30 young people to remain in workplaces where, according to him, they are subject to violence.

How many has he referred to my office? Only 2 of the 30. When will we hear about the other 28?

Mr Kennett — Probably never!

Mr HONEYWOOD — If the other 28 do not exist, as I suspect, the honourable member for Williamstown is further culpably exploiting the misery of a particular case for his own media headline grabs. But that is not surprising because in the grievance debate on this question — —

Mr Bracks interjected.

The SPEAKER — Order! The honourable member for Williamstown!

Mr Bracks interjected.

The SPEAKER — Order! If the honourable member continues to interject he will not be here for the budget.

Mr HONEYWOOD — This morning in the grievance debate the honourable member alleged that the employer charged with the offence that he has been running to the media with was responsible for the death of an apprentice in 1985. That was in his government's day. That person was then not an employer but an employee, and that employee was never charged by the then Labor government's occupational health and safety officers.

In addition, in 1988 one Stephen Bracks was employed by the Department of Labour as a fairly junior employee. By May 1989 he was a senior employee of the Department of Labour. What happened in May 1989?

The SPEAKER — Order! The minister is now starting to debate the question. I ask him to round off his answer.

Mr HONEYWOOD — In May 1989, when the honourable member was a senior employee of the Department of Labour, Mr Luca was registered by the Labor government to employ apprentices — despite the allegations of which the honourable member was aware. You are culpable once, twice, three times over. If you have any legitimate cases to bring forward, bring them forward and they will be dealt with through the appropriate judicial procedures.

Racing: Teletrak proposal

Mr CAMERON (Bendigo West) — I refer the Minister for Sport to the Teletrak proposal to construct a racecourse facility in Maryborough for the purpose of televising racing to various markets. What is the government's position on this matter and when will a decision be made?

Mr REYNOLDS (Minister for Sport) — The Teletrak proposal has been bandied around the Victorian press and other agencies for a long time, yet Mr Hodgeman has seen me only once and has written me about two letters on the matter. Given the nature of the proposal and the wide-ranging effect it may have on the established racing industry, an interdepartmental working party is evaluating the business plan he has presented on behalf of Teletrak. When that report is given to me I will

consider where that proposal might go — if anywhere at all.

Sport and recreation grants

Mr ANDRIGHETTO (Narracan) — Will the Minister for Sport inform the house of details of the sport and recreation minor facilities grant scheme funded by the Community Support Fund?

Mr REYNOLDS (Minister for Sport) — It is with pleasure that I advise the house of a good news story for all sport and recreation clubs, all municipalities, all members of parliament and all Victorians. The scheme will provide entirely new money and will, unlike other capital works funds, provide funds from the Community Support Fund on a dollar-for-dollar basis for minor works up to a value of $50 000. Presently, other funds provide money for facilities and capital works on a one-for-three basis; but the money provided for this valuable new scheme will be on a one-for-one basis. For instance, a club that has a proposal for a $20 000 upgrade of its facilities and has raised $10 000 will be eligible to apply for an additional $10 000 under the new program. Contributions can include voluntary labour or in-kind support, building materials or the like or works provided by plumbers and electricians.

I expect that local councils on behalf of various organisations will submit four or five applications for funding to upgrade and extend existing facilities, to develop new facilities, to improve access for traditionally disadvantaged groups or to add safety and risk management measures, such as non-slip surfacing around swimming pools. Funding for larger projects will still be available, as it will for feasibility studies and recreation plans.

This program shows that the gambling dollar provides tangible, valuable and enduring sport and recreation assets for Victorians. This is $2.5 million from the government; it is additional money which will be available for new facilities from here on. I urge local members, clubs and councils to move quickly because I will be announcing the first round of funding in November. All members will be provided with copies of the application form in the next few minutes either in their pigeonholes or in the mail. I urge them to get to it because this is a real winner for sport and for Victoria. We will treat every application on its merits.

APPROPRIATION (1996/97, No. 1) BILL

Message read recommending appropriation and transmitting estimates of revenue and expenditure for 1996-97.

Introduction and first reading

Mr STOCKDALE (Treasurer), pursuant to standing order no. 169(*a*), introduced a bill to appropriate certain sums out of the consolidated fund for recurrent services and for certain works and services for the financial year 1996-97 and to appropriate the supplies granted for recurrent services and for certain works and services under the Appropriation (Interim 1996/97) Act 1996 and for other purposes.

Read first time.

The SPEAKER — Order! The Treasurer's statement and the accompanying papers will be distributed to members, but the Treasurer will proceed before all the papers are delivered.

I advise honourable members that with the new electronic data management program which has been introduced into Parliament — about which I will have something more to say on the next day of sitting — the Treasurer's budget speech will be on the Internet within minutes of his beginning his speech.

Second reading

Mr STOCKDALE (Treasurer) — I move:

That this bill be now read a second time.

This budget is the fifth that I have delivered as Treasurer of Victoria since the Kennett coalition government was first elected on 3 October 1992. These budgets record the progress that our state has made over the past four years to restoring stability and credibility to Victoria's public finances and restoring security and hope for a better future to Victorians.

As honourable members will be aware, the annual autumn economic statement sets out the government's policies and programs for the next financial year and the forward estimates for the following three years. The annual spring session budget is essentially an accounting document, which reports the financial outcome for the preceding financial year and provides formal appropriations

for the current financial year. It therefore updates the estimates provided in the autumn economic statement for the current financial year but contains few new policy announcements or program changes.

The 1996-97 Victorian budget continues the responsible financial management Victorians voted for again in March this year.

The budget involves additional allocations of close to $300 million to improve education, health and other services to Victoria's people. It accommodates reductions in commonwealth grants exceeding $200 million this year without increasing taxes as other states have done. Despite these costs the government today delivers a virtually balanced budget. Although Victoria's contribution to correcting the commonwealth budget deficit has deferred major tax reductions, these benefits are available to Victorians only because the Victorian community has supported responsible financial management and voted to continue those fiscal policies.

The fact that we can contribute to solving the commonwealth's budget problem at the same time as we substantially improve health and education funding, without increasing state taxes and whilst maintaining historically high levels of government investment reflects the strength and the security of the rebuilding Victorians have done since 1992.

This is a budget which preserves that security.

Today's budget is being delivered almost four years since the election of this government in October 1992. We have come such a long way in that time that many people may not recall the full magnitude of what has been achieved in such a short time.

The last four years has been a remarkable period of achievement, reform and restoration of confidence in Victoria. This period has seen a very effective partnership between the Victorian community and the government twice now elected to serve the community. It is not hyperbole to suggest that when this government took office Victoria was undergoing an enormous crisis of confidence. Victoria was labelled the Bankrupt State, the Shutdown State and the Rust Belt State. There was a rising population drift to Queensland. Our interstate competitors were pushing strongly to undermine our status as a financial centre.

When this government came to office in October 1992, public sector debt stood at $31.9 billion. The state was running an underlying overall budget deficit of $2.5 billion with a current account deficit of $1.5 billion. Both deficits were deteriorating rapidly.

Unemployment was rising rapidly towards a peak of nearly 13 per cent. Our credit rating had been repeatedly reduced by four notches from AAA to A1. State debt had reached an enormous 31 per cent of our gross state product. This state's output had declined by 4.4 per cent over a two-year period, while output in the rest of Australia increased.

In four years that situation has been turned around.

The Kennett government has turned Victoria from a basket case into a beacon for progress. Together with the whole Victorian community we have turned our state around from being the butt of jokes into a model of inspiration. We have reversed chronic deteriorating budget deficits and produced sustainable current account surpluses.

By contrast, the *Report of the Victorian Commission of Audit* noted that if the previous government's policy settings had remained in place, debt would have skyrocketed to $45 billion by 1996-97 and the current account deficit would have hit more than $3 billion by the end of the decade.

State debt has been slashed by a third, falling from $31.9 billion to around $19 billion after including this year's outstanding result from the sale of Hazelwood Power Corporation. The reduction of $11 billion in Victoria's public sector debt in 1995-96 represents the largest ever reduction in debt in a single financial year by any Australian government. We are now on course to return to a AAA credit rating before the turn of the century.

Such is the success of this government's electricity privatisation program that it is now seen as a world model for reform which is increasingly being studied by other nations around the world and particularly by the developing nations of the Asia Pacific region.

Investment in public infrastructure has been revived. Delivery of essential public services has been revitalised. Investment by the private sector in new growth industries and in jobs for Victorians has been reinvigorated.

Unemployment has dropped from its peak of 12.8 percent to 8.6 per cent and private new capital investment has increased by 14.8 per cent over the

year to the March quarter, significantly above the national average.

This government's policies are leading to investor confidence and strong job growth. A number of the world's leading companies have announced new investments in the last six months, including the German automotive component company Bosch announcing a $70 million investment that will create 650 jobs at its Clayton plant.

In the area of multimedia there have been major investment commitments by Olivetti, Netscape, ACS, Ericsson, Fujitsu and NEC.

Rapid growth in Victoria's exports since late 1995 has seen Victoria take over from Queensland as Australia's third highest exporting state, a remarkable feat considering Queensland's great mineral wealth. Victoria is now challenging New South Wales as the second highest exporting state, behind Western Australia.

Victorians are confident that the right policies are now being pursued to strengthen this state's competitiveness in the Asia Pacific region and improve living standards. Victoria cannot afford a return to the reckless, careless policies of our predecessors. We need to maintain the consistent policy direction which has delivered the improvement achieved to date. Although much progress has been made, Victoria's debt servicing ratio is still much higher than those of New South Wales, Queensland and Western Australia.

The government's next priority is taxation reform, a task made harder by the fact that Victoria will have to contribute around $400 million over three years to the commonwealth to assist it in tackling the $8 billion deficit it inherited from the former Labor administration.

Victoria chose not to follow the path of the NSW government and raise taxes to fund this shortfall. Instead we have opted to protect families by absorbing this new cost through sound financial management.

This government is committed to tax reform, but only when it is responsible to deliver in the best interests of all Victorians. A review of the state's taxation system is currently under way to ensure greater equity and fairness, as well as to see that Victoria maintains competitiveness with its main rivals Queensland and New South Wales.

We have already put in place a plan to accommodate future tax reductions within a responsible and sustainable budget. When the benefits of that plan offset the impact of Victoria's contribution to correcting the commonwealth budget deficit, the government will be able to continue reducing the tax burden on Victorians.

The plan involves three elements: improvements in central government resource management; departmental productivity gains; and further interest savings from privatisation. The first element involves ongoing programs to reduce the cost of government accommodation; improve vehicle fleet management; and reduce government superannuation and insurance costs, and workers compensation premiums.

The second element involves maintaining and even improving the quantity and quality of government services in a context of more efficient resource utilisation. This includes provision of new funds for re-engineering of service delivery processes; introduction of new technology; and the introduction of greater contestability between service providers.

The third element involves further reductions in budget sector interest commitments as the proceeds of privatisation continue to reduce debt. These policies will put Victoria in a strong position to achieve its tax reform objectives during the current term. But Victoria has already begun to improve its competitiveness.

Victorian employers will get a further $86 million boost under cuts to Workcover premiums and industry rates announced this financial year. The changes have seen the removal of the Workcover deficit surcharge, resulting in the average premium across the state dropping to 1.8 per cent of payroll. This means Victoria's employers have the lowest workers compensation premiums in Australia, and they pay $500 million a year less than under the previous government's Workcare scheme.

The government has already acted to minimise the burden of taxes and charges on Victorian businesses and households. Tax rates and most charges such as electricity, gas, and water have been frozen for the past two or three years, resulting in significant reductions in real terms. As promised, the state deficit levy was abolished as soon as the government achieved a sustainable current account surplus. Reliance on land tax has been substantially reduced below the former government's estimates. Stamp

duty on share transfers has been halved so that Victoria remained competitive with other Australian states. We have abolished stamp duty on refinancing of business loans.

From the time we were first elected, the government's overriding goal has always been to improve the living standards of Victorians, by making Victoria a better place to live, to invest and to do business. To achieve this, the wide-ranging reform program we set out before Victorians while we were in opposition has been implemented. This program is:

transforming the Victorian economy into the 21st century, enabling us to trade competitively and extensively with the rest of the world and particularly the Asia-Pacific region; and

continuing to strengthen Victoria's budgetary position, to give business a stable environment in which to invest and give households the economic security to save, spend and plan for the future.

To take the pressure off families, this government has moved to ensure that the cost of the important infrastructure services of electricity, gas, and water will fall relative to the prices of other goods and services.

By year 2000, electricity prices will have fallen by at least 16 per cent below the inflation rate, Victorian households will still enjoy the lowest gas prices in Australia with prices dropping 5 per cent in real terms by 1997, and water prices being frozen until the end of this financial year. These measures, plus an overall reduction in local government rates of around 20 per cent or an average saving of $159 per Victorian household, have led to Victoria recording an annual cost of living increase below the national average.

The economic and financial gains from the government's reforms are now being returned to the community. More than an extra $100 million in current outlays will be spent to boost education, health and other services, as well as the government providing around $1 billion of new departmental works funding for projects to commence in 1996-97.

This budget, the first of the government's second term in office, reflects the aim of reinforcing Victoria's public finances and further consolidating the state's financial viability.

The government's strategies to secure this position were set out in our *1995 Autumn Economic Statement*. Together, they will:

ensure that Victoria has the infrastructure in place necessary to attract new business and contribute to a more productive economy;

deliver high-quality services at least cost to the taxpayer;

reduce state debt and debt servicing ratios to levels consistent with the restoration of Victoria's former AAA credit rating; and

bring Victoria's overall tax effort into closer alignment with the average of the Australian states.

Significant achievements have been recorded in rebuilding the state's infrastructure, cutting the size and cost of the public sector, and lowering the state's public debt burden and associated debt servicing costs. I will return to the government's measures to sustain these achievements throughout this speech.

Economic performance and outlook

Economic activity continued to grow strongly in 1995-96 with robust output growth both nationally and in Victoria at around 4 per cent. Employment grew strongly, and unemployment declined to around 8.5 per cent and is closely tracking the Australian average. At the same time, inflation has remained under control. In the year to June, Australia's headline CPI increased by 3.1 per cent, but Melbourne's headline CPI grew by only 2.6 per cent with the removal of the state deficit levy and reductions in local government charges.

Economic activity has eased further across Australia in recent months. Employment has levelled out temporarily in trend terms, and retail spending has moderated since the March quarter.

However, exports and business investment continue to provide underlying momentum to the state economy. Victoria's share of national merchandise exports rose from 19.0 per cent in the June quarter 1995 to 21.4 per cent in the June quarter 1996.

Private new capital expenditure rose by 12.0 per cent in the March quarter compared with 8.8 per cent for Australia as a whole — the impetus coming from investment in equipment.

This strength, taken with a projected recovery in the housing sector, means that we are expecting slower but sustained growth. The Victorian economy is forecast to grow by 3 per cent in 1996-97, broadly in line with the average for the nation as a whole — as well as for major industrial economies in aggregate.

Employment is forecast to grow by 1.5 per cent. Some easing in the unemployment rate is anticipated in the longer term, but in the current financial year the unemployment rate is expected to be maintained around the current level in Victoria and nationally.

The expected slowing in economic growth both nationally and in Victoria in 1996-97 reinforces the need for vigilance to ensure that the gains in budgetary performance over recent years are not eroded in the foreseeable future.

1995-96 budget outcome

The budget sector achieved an overall surplus in 1995-96 of $5173.9 million compared to a budgeted deficit of $344.4 million. Of the turnaround of some $5518.3 million, the net effect on the budget from privatisation is $4699.9 million. These proceeds relate to the sale of the five electricity distribution businesses, Yallourn Energy, GFE Resources, and the BASS ticketing operation.

The remaining improvement of $818.4 million is due largely to:

higher than budgeted revenues of $185 million due to higher than expected payroll tax linked to the strength of the economy, stronger than anticipated growth in gaming turnover, and licence fees for the operation of the Tattersall licence and the casino which were not included in the 1995-96 budget estimates;

interest payments some $393 million lower than budgeted; and

underspending of $197 million on infrastructure by departments, and $31.4 million more than budgeted for departmental asset sales.

1996-97 budget aggregates

An overall budget surplus of $2169.3 million is forecast for 1996-97. Adjusting this for the impact of privatisation proceeds from the sale of the Hazelwood Power Corporation and the ports of Portland and Geelong reveals an underlying budget virtually in balance, with a minor deficit of $0.7 million. The budget objective of funding the state's capital works program from capital grants and sustainable current account surpluses is therefore being achieved.

Revenue and current grants are estimated to increase by 0.9 per cent, from $15 465.2 million in 1995-96 to $15 604.6 million in 1996-97. Growth in major items of taxation will be offset in part by reduced electricity franchise fees consequent upon the extension of competition into the electricity industry in 1995-96.

Interest payments on all borrowings by the budget sector are estimated to reduce by 13.5 per cent from $1919.1 million in 1995-96 to $1659.6 million in 1996-97.

The full year impact in 1996-97 of the application of the net proceeds from the 1995-96 privatisation program to debt retirement is the main contributor to the large reduction in interest paid.

Revenue initiatives

There are no increases in tax rates in this year's budget.

The budget maintains the initiatives announced in the autumn economic statement and implemented in the last session relating to stamp duty relief for first home buyers and pensioners purchasing property and small businesses refinancing loans. The surcharge levied on community clubs and charities on the turnover from bingo, lucky envelopes and raffles has been removed.

In addition, there are three new initiatives announced in today's budget:

the rate of rental business duty has been halved but will now be applied to all forms of commercial hire agreements at a cost to revenue of $4.5 million in a full year. This brings Victoria more into line with New South Wales which announced a similar change earlier this year;

the upper cap on land tax movements has been increased to 50 per cent which maintains the level of land tax collections in real terms; and

the exemption level from mortgage duty for consumer credit contracts has been lifted to $35 000 in line with movements in the consumer price index, at a full-year cost of $1 million.

Current outlays initiatives

The budget includes provision for a range of new policy initiatives with recurrent costing close to $300 million, including those promised during the 1996 election campaign and set out in the 1996 autumn economic statement. These major initiatives are:

$64 million for the Department of Education for the implementation of the Keys to Life initiative and other Caldwell initiatives ($21 million), teacher training in learning technologies ($14 million), additional administration and teachers support/teachers aides ($10 million), and for the Reading Recovery program ($6 million);

$49.7 million to allow the Department of Human Services to expand the community and family carer network ($25 million), to develop a statewide youth suicide prevention strategy ($8 million), and to expand the Hospital in the Home program and district nurses services ($5 million);

$15.7 million for the Department of State Development, including additional funding to support the Industry Grants program in order to facilitate new investment recruitment opportunities ($3 million), funding for current and planned multimedia initiatives ($7 million), and provision for continued funding for the Strategic Industry Research Foundation ($4 million);

$10 million for the implementation of the firearms resolutions made by the Australasian Police Ministers Council, including the establishment of collection sites, the storage, handling and disposal of the firearms, upgrade of the Firearms Register, and the communication strategy;

$4 million ($10 million over three years) for an increased program of traditional rabbit control methods to support the release of the rabbit calicivirus disease.

Also included in the 1996-97 initiatives is provision for the cost of expected demand growth for services — $69 million for the Department of Human Services and $20 million for the Department of Education. In conjunction with community service organisations, the government has established the Victorian Youth Development Program, a pilot project aimed at providing secondary college students with:

opportunities to demonstrate a sense of responsibility through community service;

leadership, initiative and team-work skills; and

accreditation to improve further education and employment opportunities.

Funding of $0.5 million has been provided for the program in 1996-97, increasing to $1 million in 1997-98 and $1.5 million for future years.

Within its budgetary constraints the government will continue to seek to identify cost-effective measures to meet community expectations.

Victoria's infrastructure

Central to the objective of a competitive Victoria in the 21st century is the commitment to maintaining budget sector investment, from both public and private sources, at an average of around 1.25 per cent of gross state product.

The budget provides nearly $1 billion of new departmental works funding for projects to commence in 1996-97. This new infrastructure investment includes the following major initiatives:

$157.8 million for Education, including significant works on schools and TAFE institutes;

$192.3 million for Human Services, including redevelopment of hospitals at Geelong, Wodonga and Warrnambool, and infrastructure to meet requirements of metropolitan healthcare networks;

$133.6 million for Infrastructure, including the upgrade of Flinders Street Station and country stations and the completion of Parliament House;

$65.6 million for Justice, including police stations and court complexes at Ballarat and Sunshine;

$64.4 million for Natural Resources and Environment, including Small Town and Coastal Sewerage projects; and

funding for major infrastructure initiatives relating to the Victoria 21 Strategy and the National Gallery.

Lowering public sector debt

The achievement of sustainable budget surpluses and the application of proceeds from the privatisation program to debt retirement will continue to yield significant reductions in budget sector debt.

Between 30 June 1995 and 30 June 1997, the level of budget sector debt alone is expected to have fallen from $20.8 billion to $13.1 billion, with the ratio of budget sector net debt to GSP expected to fall from 17.4 per cent at 30 June 1995 to 9.8 per cent at 30 June 1997. Public sector net debt is expected to fall over the same period from $32.5 billion to $18.9 billion, with the debt to GSP ratio falling from 27.2 per cent to 14.1 per cent.

There has also been a significant lowering of debt servicing costs with a consequent improvement in budget flexibility. The ratio of interest paid to revenue and current grants received is expected to fall from 16.1 per cent in 1991-92 to 10.6 per cent in 1996-97.

For the public sector as a whole, interest payments are estimated to fall from over $3.6 billion in 1992-93 to $2.35 billion this year.

Public sector reform

Victoria will remain at the cutting edge of public sector reform. There will be continuing application of an annual productivity improvement requirement to achieve further real reductions in unit service delivery costs.

Within the public sector a quiet revolution is taking place in the way in which the budget sector goes about the tasks of day-to-day financial management.

Over the coming three years the government will increasingly expose many of its functions to competitive tendering to achieve greater value for money. The private sector will increasingly be given the opportunity to deliver services where it is demonstrated that equal or better services can be delivered at lower cost.

Already, in a number of departments, several administrative and corporate functions including accounting functions, personnel management and asset maintenance have been out-sourced to the private sector.

The government is also willing to look at alternative private sector provision of policy advice and service delivery functions. The delivery of high quality services will be central to flexible, high achieving government in the 21st century. To this end, there are several reforms being initiated to ensure best practice financial management. Earlier this year the first consolidated financial report for the public sector was released containing directly measurable depreciation estimates, a vital step towards the introduction of accrual accounting. There will be further moves towards output management and, in collaboration with other states and commonwealth bodies, the widespread adoption of indicators measuring service delivery performance which will enable us to compare ourselves against world best practice.

Melbourne has been identified as the world's most livable city and, as the excellent document *Advantage Melbourne* published by the Department of State Development demonstrates, on a range of commercial and infrastructure indicators, our capital city is also one of the world's most affordable major cities in which to do business.

The progressive adoption of best practice financial management methods will ensure that this momentum and competitive edge is enhanced and improved upon into the 21st century.

One particular initiative in this direction is the government's micro-economic reform program which will fund the introduction of state-of-the-art techniques of service delivery and management and produce a return to the budget in the process. Similarly, the government's streamlining of departments earlier this year will ensure greater integration of service delivery, through, for example, the integration of transport and metropolitan planning within the new Department of Infrastructure.

Government business enterprise reform

The government's reform of its business enterprises has been one of the linchpins of the turnaround in public sector performance over the past four years.

The government embarked on a major program of exposing government business enterprises to competition. This process has involved establishment of competitive markets in some industries, privatisation of some enterprises, and corporatisation of others.

In 1996-97 and beyond the reform program will continue with:

sale of the remaining electricity generators;

completion of the port reform program;

development of a new gas industry structure to promote competition at all levels;

continuing reform of the water industry to develop clear commercial objectives and practices;

the application of competitive neutrality principles to all commercial activities of government;

refinement and implementation of a performance analysis and monitoring regime for government business enterprises; and

corporatisation of several businesses within the PTC.

Commonwealth-state financial relations

The past six months have seen major developments in commonwealth-state financial relations. The Premiers conference demonstrated that state governments were prepared to extend unprecedented cooperation to the commonwealth to work together towards addressing the crucial national objective of fiscal stability.

The commonwealth and states agreed to extend the real per capita indexation of financial assistance grants to 1998-99, consistent with the National Competition Policy Agreement signed at the COAG meeting in April 1995. However, as a contribution to the deficit reduction program of the commonwealth, the states and territories have agreed to pay a fiscal contribution to the commonwealth totalling $619 million in 1996-97. Victoria's share of this payment will be $153.4 million. In addition, certain specific purpose payments have been reduced. In the following two years, further payments will be made if required to meet national savings needs.

Victoria will absorb the significant cost of this payment to the commonwealth because of the strength of its actions over recent years. To make this contribution to national fiscal strategy the government has deferred consideration of planned tax relief but, unlike New South Wales and now Queensland, has not raised taxes. Work is continuing in earnest to identify the tax reduction strategies available to the government.

As I said, despite agreement to contributions by state and local government in the next three years, it will be important for the commonwealth to maintain future fiscal support for important areas of service delivery while state governments are subject to the disadvantage of vertical fiscal imbalance, whereby the commonwealth has taxing capabilities proportionately in excess of its expenditure responsibilities. Excluding payments for debt redemption assistance and for the National Firearms Reform program, both of which reflect special factors, specific purpose payments to Victoria will be cut by some 1 per cent in real terms in 1996-97.

It is not possible for the state to step in to make up funding shortfalls for programs from which the commonwealth has withdrawn funding support, or to meet any added demand for state-funded services resulting from cuts in commonwealth own purpose outlays.

Appropriation bill

The Appropriation (1996/97, No. 1) Bill which I am now introducing provides the legislative authority for payments from the consolidated fund for the purposes of recurrent and works and services expenditure in 1996-97 including the amounts appropriated under the Appropriation (Interim 1996/97) Act 1996.

In line with recent practice, the estimates included in schedule 1 of the bill are provided on a net appropriation basis. These estimates do not include certain receipts that are credited against departmental expenditure which are deemed to be appropriated pursuant to section 29 of the Financial Management Act 1994. In addition, unspent appropriation under the Appropriation (1995/96, No. 1) Act 1995 has been carried forward to 1996-97 and deemed to be appropriated pursuant to the provisions of section 32 of the Financial Management Act 1994. Details can be found in Budget Paper No. 3, *Budget Estimates*.

The total appropriation sought in this bill is $13 973.7 million. This amount comprises $12 338.9 million for recurrent expenditure and $1634.8 million for works and services expenditure.

Conclusion

In the *1996 Autumn Economic Statement* the Kennett Government set out our policy and management framework for the Victorian public sector through to the year 2000. In an increasingly challenging and

competitive world it is vital that our state is placed on the most secure and dynamic economic and financial basis possible so that we can provide the opportunities and security that Victorians desire into the next millennium.

This 1996-97 budget maintains the commitment towards meeting those goals that Victorians acknowledged when they re-elected the government on 30 March this year. I am proud to say to honourable members that we have kept, and will continue to keep, the promise that we made to all Victorians in 1992 and reiterated in 1996 that, under our policies, Victoria is the best place in the world to live, work, and bring up a family.

This budget is designed to secure Victoria's future, to wind back the debt that has been undermining our living standards, and to put Victoria in a strong position to meet the challenges of the 21st century.

I commend the bill to the house.

Debate adjourned on motion of Mr BRACKS (Williamstown).

Debate adjourned until next day.

APPROPRIATION (PARLIAMENT 1996/97, No.1) BILL

Message read recommending appropriation and transmitting estimates of revenue and expenditure for 1996-97.

Introduction and first reading

Mr STOCKDALE (Treasurer), pursuant to standing order no. 169, introduced a bill to appropriate moneys out of the consolidated fund for recurrent services and for certain works and services for the Parliament for the financial year 1996-97 and to appropriate the supplies granted for recurrent services and for certain works and services under the Appropriation (Parliament) (Interim 1996-97) Act 1996 and for other purposes.

Read first time.

Second reading

Mr STOCKDALE (Treasurer) — I move:

That this bill be now read a second time.

The bill provides appropriations for the administration and operations of the Parliament in so far as they are funded by way of annual appropriation.

Honourable members will be aware that other funds are appropriated for parliamentary purposes by way of special appropriations contained in various pieces of legislation. In addition, unspent appropriation under the Appropriation (Parliament 1995/96, No. 1) Act 1995 has been carried forward to 1996-97 pursuant to the provisions of section 32(1)(b) of the Financial Management Act 1994. I do not know why we need to know that, Mr Speaker, but there it is. These funds are therefore not included in the amounts specified in schedule 1 of this bill. Details of these amounts can be found in table 4.4 of the *1996-97 Budget Estimates* budget paper.

The total amount sought is $39.1 million — $39 130 000. This amount is made up of $37.9 million — $37 892 000 — for recurrent expenditure and $1.2 million — $1 238 000 — for works and services expenditure.

In line with the wishes of the President and the Speaker of the Legislative Assembly, appropriations in the bill are presented in a program format.

I commend the bill to the house.

Debate adjourned on motion of Mr BRUMBY (Leader of the Opposition).

Debate adjourned until next day.

SHOP TRADING REFORM BILL

Introduction and first reading

Mr GUDE (Minister for Education) introduced a bill to provide for the management of shop trading in Victoria, to repeal the Shop Trading Act 1987 and the Capital City (Shop Trading) Act 1992 and for other purposes.

Read first time.

GEELONG LANDS (STEAMPACKET PLACE) BILL

Introduction and first reading

Mrs TEHAN (Minister for Conservation and Land Management) introduced a bill to enable the

granting of long-term leases for certain land in Geelong and for other purposes.

Read first time.

STATE TAXATION (FURTHER OMNIBUS AMENDMENT) BILL

Introduction and first reading

For Mr STOCKDALE (Treasurer), Mr Kennett introduced a bill to amend the Business Franchise (Petroleum Products) Act 1979, to make further miscellaneous amendments to the Business Franchise (Tobacco) Act 1974, the Financial Institutions Duty Act 1982, the Land Tax Act 1958, the Pay-roll Tax Act 1971 and the Stamps Act 1958 and for other purposes.

Read first time.

BANK OF SOUTH AUSTRALIA AND ADVANCE BANK BILL

Introduction and first reading

For Mr STOCKDALE (Treasurer), Mr Kennett introduced a bill to extend the operation of a South Australian act dealing with the merger of the Bank of South Australia and Advance Bank and for other purposes.

Read first time.

GAMING MACHINE CONTROL (AMENDMENT) BILL

Introduction and first reading

Mr KENNETT (Premier) introduced a bill to further amend the Gaming Machine Control Act 1991 with respect to the Community Support Fund and for other purposes.

Mr KENNETT (Premier) — I move:

That this bill be now read a first time.

Mr HULLS (Niddrie) — I would like a brief explanation of the bill.

Mr KENNETT (Premier) — The explanation will probably be longer than the short detail of the bill. The bill deals with the administrative costs of the Community Support Fund and is designed to make sure that the costs of administration are borne by the fund.

Motion agreed to.

Read first time.

ROAD SAFETY (AMENDMENT) BILL

Introduction and first reading

Mr BROWN (Minister for Transport) introduced a bill to amend the Road Safety Act 1986, the Transport Act 1983, the Impounding of Livestock Act 1994, the Road Transport Charges (Victoria) Act 1995 and the Road Transport (Dangerous Goods) Act 1995 and for other purposes.

Read first time.

BUILDING (AMENDMENT) BILL

Introduction and first reading

Mr MACLELLAN (Minister for Planning and Local Government) introduced a bill to amend the Building Act 1993, the Water Act 1989 and the Water Industry Act 1994 and to repeal the Building Control (Plumbers Gasfitters and Drainers) Act 1981 and for other purposes.

Read first time.

PROFESSIONAL BOXING AND MARTIAL ARTS BILL

Introduction and first reading

Mr REYNOLDS (Minister for Sport) introduced a bill to amend and rename the Professional Boxing Control Act 1985 and to repeal the Martial Arts Control Act 1986 and for other purposes.

Read first time.

CORRECTIONS (AMENDMENT) BILL

Introduction and first reading

Mr W.D. McGRATH (Minister for Police and Emergency Services) introduced a bill to further amend the Corrections Act 1986, to repeal the Victorian Prison Industries Commission Act 1983 and for other purposes.

Read first time.

STATUTE LAW REVISION (MARINE) BILL

Second reading

Debate resumed from 30 May; motion of Dr NAPTHINE (Minister for Youth and Community Services).

Mr BATCHELOR (Thomastown) — The opposition supports the bill. It comes to the Legislative Assembly after a riveting and extensive debate in the Legislative Council, and it is worth reflecting on that. It was introduced in the Council by the Minister for Roads and Ports on 15 May and the second-reading speech covered exactly 8 lines in *Hansard* and comprised some 60 words. When the second-reading debate took place the shadow minister made a contribution that covered 6 lines in *Hansard* and comprised exactly 48 words. The minister's reply, which followed fairly quickly thereafter, covered 2 lines in *Hansard* and comprised some 17 words. That will be a hard act to follow!

This is a minor bill which has the opposition's support. The amendments it contains are intended to preserve the effects of amendments made to the Ports Acts (Amendment) Act and the Port Services Act. In effect, the bill is designed to correct a stuff-up, and the opposition supports it.

Mr BROWN (Minister for Transport) — I am likewise very well aware that there was a very minor debate on the bill in the Legislative Council. This is a minor bill of a procedural nature to remedy a couple of minor deficiencies. I am pleased the opposition both in the Council and in this house has indicated support for this measure.

As I said, it is simply a straightforward, machinery matter. Accordingly, I am pleased to receive the opposition's support for the amendments it contains and wish the bill a speedy passage.

Motion agreed to.

Read second time.

Remaining stages

Passed remaining stages.

CHILDREN'S SERVICES BILL

Second reading

Debate resumed from 30 May; motion of Dr NAPTHINE (Minister for Youth and Community Services).

Mr THWAITES (Albert Park) — The opposition supports the bill, although the honourable member for Pascoe Vale will foreshadow some proposed amendments. The regulation of children's services has been brought together into one new piece of legislation, the Children's Services Bill, which sets out the framework for children's services regulation.

The opposition has consulted fairly widely on the bill and, as a result, some areas of clear concern arose: the consultation process has been token at best; and some of the issues raised by the ministerial advisory group have been ignored. The bill gives the Minister for Youth and Community Services extremely wide discretion to exempt or exclude certain child carers from the provisions of the act.

Dr Napthine interjected.

Mr THWAITES — The minister interjects and says we can trust him. I am not convinced of that, but because he is a new minister I will certainly give him the benefit of the doubt. However, in future there may be another minister who is not as trustworthy or upstanding as I am sure the current minister is, and unfortunately the legislation will still be the same regardless of who is in that office — that is, whether it is someone from the Labor Party or from the coalition. Generally speaking, it is not a good legislative principle to give to a minister extremely wide discretion unfettered by any processes or guidelines. The opposition is concerned about that.

Another major concern relates to the transitional provisions. Some of the currently registered centres would be concerned about those, and the honourable member for Pascoe Vale will outline those concerns.

There is also concern about shifting the cost of police checks, which are required before someone can be employed in the industry, on to an employee. Given that employees in this industry are paid very little, that could be an onerous burden.

There is a high level of uncertainty about what the regulations may provide regarding the standard of

staffing and the physical set-up of centres. The regulations are not yet public. It is a great pity that at the time the new legislation that sets up the framework for regulation of children's services is introduced, the public do not have an opportunity to view the regulations, which are the details that will rule the way the centres operate. I hope the opposition and the public will have an opportunity very shortly to see those regulations so that appropriate comments can be made.

The area of child care is most important and some uncertainty exists because of changes recently announced in the federal budget. The federal government announced a withdrawal of the operation subsidies for community-based centres. That will have a devastating effect on child-care centres, certainly in my electorate and I am sure in the electorates of many other members.

A number of other changes were announced in the federal budget that will threaten the existence of some centres and certainly make it much more difficult for many centres to operate. That is a pity given the importance of children's services to so many people. The federal Liberal government has indicated real contempt for families through many of those provisions, which is a great pity given that it purports to be a party of family values.

The transitional licensing provisions also present some concern. It would be appropriate for the minister to give some assurances in that area when he responds to the second-reading debate. Some existing licensees are concerned that a centre whose registration expires within two months of the commencement of the new act could become unlicensed.

Mr PATERSON (South Barwon) — Thank you for the opportunity to speak on this important bill. No group in the community needs looking after more than our children. The bill seeks to do that by introducing discrete legislation in the child-care centre area. The bill has a number of features, the main one being the removal of children's services from the jurisdiction of the Health Act and the provision of discrete legislation for this area.

The bill establishes for the first time a separate framework for children's services in Victoria. It recognises the significance of the child-care industry, which has almost 3000 registered centres, more than 100 000 preschool-aged children receiving some form of care and education, and over 15 000 staff. It comes as no surprise that the government needs to establish discrete legislation for this area.

It is now considered inappropriate for children's services legislation to remain in the Health Act, as that act deals with a range of public health matters including the destruction of rats and mice and the use of pesticides. It is felt that children should have their own act separate from those sorts of issues.

There is little change in the new provisions from those currently in part XIA of the Health Act. Generally the provisions have been clarified and drafted in contemporary style. The scope of the bill remains those children's services that are currently regulated: that is, centre-based long-day care, preschool and occasional care, and early intervention services. The definition of a children's service as one designed for five or more children under six years of age is almost identical. It removes the ambiguity between the Health Act and the Education Act in relation to the licensing of pre-preparatory programs in schools. The bill sets standards for all children's services regardless of venue, location and proprietorship.

The bill provides for a balance between people's rights and obligations. Although the bill increases penalties, it also provides appropriate and accessible appeal mechanisms through the Administrative Appeals Tribunal.

The bill clarifies the onus on the department in respect of licensing, entry, inspection, seizure and censure. It stipulates the need for the production of a search warrant to enter premises where the department believes an unlicensed children's service is being operated. It sets out specific penalties appropriate to each offence, with the highest penalty for operating unlicensed children's services. The bill clarifies the power to prosecute staff as well as licensees, and streamlines and clarifies the licensing system in a variety of ways that should see this area improved.

It places increased emphasis and strength on the key standards expected in children's services, addresses key standards that were previously contained in regulations, and increases penalties for contraventions. The key standards include protection of children from hazards, adequate supervision of children, discipline of children, cleanliness and good repair of premises, and a requirement for the nominated person to be in charge.

New powers provided for in the new legislation afford the minister a general exemption power which is not currently available. The bill introduces the right of appeal through the AAT on all major administrative decisions. Appeals were possible only through the less accessible County Court. The bill provides an immunity for people who provide information.

The legislation was introduced in the last session of Parliament and lay over until this session. It allows for the industry to indicate its views on the bill for an important reason. This is a vital area, and the industry should have been and has now been afforded the opportunity to provide input to the government. I have spoken with a number of industry participants over the past few months and attended various meetings, including a major meeting of the Child Care Centres Association of Victoria (CCCAV), and I know there is general underlying support for the direction in which the government is taking the child-care industry, although I concede that concerns were expressed over some aspects of the bill. That was why the bill was allowed to lie over: to let these concerns come through and to give the government and the department the opportunity to correct anything that required correction. That process is still being worked through. I am sure in time the sorts of amendments that were suggested may well come to the Parliament, perhaps through the upper house.

The matters that were raised with the government during the consultative period covered a variety of areas where the industry felt further attention was required. A summary of those is contained in the following areas: false complaints, variation of a licence, fitness of a nominee, attendance of children aged six years or more at centres, transitional arrangements, time limits for making decisions, and discipline of children. Other concerns were expressed at the CCCAV meeting, but I am sure the government will be able to allay some of those fears over the coming weeks and months in discussion with members of the industry. Departmental representatives at that meeting are well aware of some of the concerns the industry has and will be speaking with industry members over the coming weeks and months. After the legislation passes through both houses of Parliament the opportunity will be presented for regulations to be developed. Those regulations should come into being sometime next year.

Another observation we should make is that this is a growing industry — there is no doubt about that. Over the past few years child-care centres have been set up in many different parts of Victoria. We should accept that this is a growing industry, and I am sure that the regulations and legislation will continue to evolve over many years, and for decades, to come.

The minister, the government and the department should be congratulated for the way they have developed the legislation. It is important legislation. Our children deserve protection in this area, and I believe they will get it through this bill. I commend the bill to the house.

Ms CAMPBELL (Pascoe Vale) — The opposition generally supports the bill. We believe it is commendable to accumulate all related legislation on children's services into a single bill.

We emphasise that the focus of legislation of this nature needs to be the needs of the child; that must be the first, second and third priorities of such a bill. However, it is imperative that the new package does not omit any key elements of the current standards that have been designed over a period of time to ensure adequate care and protection of young children. When we try to put everything into one single bill there is a danger that the experience and wisdom of those who are both practitioners in the industry and parents is overlooked.

The opposition has been involved in a wide consultative process and we bring the benefit of the knowledge of those who have assisted us in this debate. The new package must not omit any key elements of the current standards.

The honourable member for Albert Park mentioned the importance of having the regulations before us in this debate. The fact is that we do not. So many of the things that I believe should be included in this legislation — and we will be arguing strongly for it — will go into the recommendations, and we will make our views well and truly known at the regulatory impact statement stage.

There is a significant omission from both the bill and from the minister's second reading speech — that is, that no mention has been made of the Child Care National Standards Agreement. Fortunately Victoria has now signed that agreement, with some omissions in relation to staffing, which we believe it should have signed long ago. But the fact is the government did not. Those national standards are not mentioned in the bill, and we believe they should be. The honourable member for Albert Park mentioned that in his speech.

The terms of the Child Care National Standards Agreement were designed to safeguard the minimum levels of quality for early childhood services. The intention to guarantee those standards are afforded to all young children is not replicated in this bill, and I believe that is a gross oversight. This Parliament has an ethical obligation to young children to ensure that these standards are reflected in the legislation. To not do so makes a mockery of the government's claim of being committed to the best interests of children.

You would think the purpose of the bill would make some mention of this fact — but it does not. The purpose of the legislation merely reads that it:

> ... is to provide for the licensing and regulation of children's services.

The amendment I will move in the committee stage will take that a lot further. The omission from the legislation of the standards and specifications and children being the primary focus of this bill is a gross oversight. It must not be absent from the regulations. If it is, the government's claim of being committed to the best interests of the child will be strongly questioned by not only the opposition but also by the wider community.

I draw attention to part 4 of the bill, operation of children's services, where it refers to the protection of children from hazards, inadequate supervision and discipline of children and the cleanliness and good order of premises, all of which are noble sentiments. However, the fact that clause 1 does not say that the primary reason for and purpose of the bill is that children should be cared for in a way that promotes their welfare, makes part 4 incomplete. I quote from part of the consultation the opposition undertook in relation to part 4:

> A significant area of concern is Part 4 — Operation of the Children's Services, clauses 26, 27 and 28. These clauses impose on — —

Dr Napthine interjected.

Ms CAMPBELL — I am quoting from the early childhood services unit:

> These clauses impose on employees the same level of liability and the same degree of punishment as that charged to the proprietor. This area of the bill requires careful scrutiny in the context of other legal provisions concerning the employers duty of care and the employers vicarious liability. Such provisions are even more concerning when there is no requirement for staff to hold formal qualifications in the field of early childhood development and education.

Again I draw the Parliament's attention to clause 1 and part 4 in relation to that comment from industry practitioners.

Another area of concern for the opposition is the provisions in the Health Act for health checks on staff — namely, chest x-rays for TB. I hope those provisions, which are in the current children's services industry regulations and operations, are taken into account in the regulations after this new act is proclaimed.

Another cause of concern to both the opposition and the industry, which was evident from our consultations, is the question of immunity set out in clause 54 of part 6. There is much industry concern about this provision. A number of people have raised the analogy of what applies in the Children and Young Persons Act. When the regulations come in for part 6, clause 54, on immunity, the government will need to be mindful of industry concerns in this regard. The secrecy that surrounds this section may make it difficult for some people who are operating in the industry to adequately answer concerns that are raised by the Department of Human Services.

The provisions that outline the licensing requirements have received considerable support, and the opposition believes they are an improvement. I have foreshadowed that I will be moving amendments during the committee stage.

There is one other aspect of the bill that needs to be outlined — that is, the industry's concern about the important role of preschool advisers. At the moment their role is confused: it is somewhere between that of a police officer and that of an adviser. The industry welcomes the Children's Services Bill but has grave concerns about the way the current department is using its staff. The bill uses the term 'preschool advisers', which is an incorrect description of the actions of a number of staff from the Department of Human Services. In my consultations I have been constantly told that advisory staff are needed and will be welcomed; but when people with the name 'preschool advisers' come in and act like police officers, the industry's confidence in the department is undermined.

I have already brought that matter to the minister's attention. I hope some provision is made in the

regulations for an enforcement role and an advisory role and that those roles are separated.

Staff, particularly full-time staff, are concerned about the cost involved in police checks, yet most people — be they parents, proprietors or staff — want to make sure that children are safe. Any assistance that can be given with employee's costs with mandatory police checks would generally be welcomed.

Most of the workers in child care are grossly underpaid. Even though they are paid according to whichever award or agreement applies, most of them are on very low wages. It is totally unrealistic to expect workers to pay for police checks out of their own pockets — and that matter needs to be addressed in the regulations. The bill does not give enough attention to safeguarding the reports that are provided to proprietors following police checks, which is another matter that needs to be addressed in the regulations.

In conclusion, the Labor Party generally supports the thrust of the Children's Services Bill. The amendments I have foreshadowed will be moved during the committee stage.

Mr ASHLEY (Bayswater) — I am pleased to support the Children's Services Bill, and I am thankful that in the main the opposition supports it, too. This is an important bill, and was flagged as such by the Governor in his speech.

Victoria has a long and proud record in children's services legislation. In fact, our parliamentary history is full of what might be termed the regulation of children and childhood. For the most part that has gone unrecognised because virtually all the legislation has been camouflaged under names other than children's services. We are immeasurably the poorer for that, and it is for that reason, with the indulgence of the house, that I will use my contribution to go back over old ground, revisit the past, and put the bill in a clear and meaningful context.

The ability to come to grips with the extraordinary changes over the past 200 years in our understanding of what we call 'childhood' is almost beyond us. Yet it is the emergence of that distinct concept and our relating it to a specific phase in the human lifecycle that lies behind the profound changes in not only social attitudes but also law making and the whole notion of a role for the state in the care and protection of the child by legislative and regulatory means.

The idea of childhood barely existed in medieval times; certainly, it does not seem to have existed in England in those times. Children wore the same clothes as adults. Fairy tales, nursery rhymes, sport and relaxation were for mixed audiences of young and old. Toys were virtually unknown, except among the very wealthy. Children entered almost fully into the world of everyday adult life when they turned the ripe old age of seven — and that fact has had very important consequences up to the present. Many seven-year-olds became apprenticed to other families in their local communities to gain both life skills and training in trade, craft, the army or court etiquette.

In 1520, at the height of the Renaissance, Henry VIII ordered that every English male aged between 7 and 60 must own a bow and practise target shooting at 200 paces. Failure would have rendered any of them, including the seven-year-olds, liable to a fine. If anything, the onset of the Industrial Revolution and the massive social dislocation that followed undermined the seven-year-old rule. Children began to enter the work force and the workplace at younger ages. Children as young as four were found to be working up to 16 hours a day in coal mines, potteries, nail and needle factories and the tobacco and clothing trades. It was not until 1833 that Shaftesbury's Factory Act limited a child's labour to 8 hours a day. Another 40 years passed before it became illegal to employ boys to work as chimneysweeps in England. By this stage, the 1870s, there was a Parliament of Victoria.

The mind-set of those who settled the colony of New South Wales and the Port Phillip District included an acceptance that children were available to work from the time they were seven, if not earlier, as servants, street sellers, farmhands, shop assistants, stitchers, launderers, and general fetchers and carriers. In the 1820s some 25 per cent of all convicts transported to New South Wales were juveniles — that is, below 18 years of age. Children as young as seven were transported for convictions and penalties ranging up to seven years transportation. Still, the condition of children in colonial New South Wales and in our own district was not just the result of convict transportation, because free settlers dominated the inflow of migrants into Australia from the 1830s.

In the period from 1837 to 1850 some 40 per cent of the migrant intake was made up of children under

14 years of age, and many of those early settler families were to depend on child labour and child income for their survival, sometimes for years. In 1844 there were 25 600 children aged from 4 to 14 in New South Wales. At that time more than half of them, some 13 000, were receiving no education. Nevertheless, two substantial influences were having profound effects on the attitudes of the emerging leaders in the colony. The first was the influence of the Enlightenment, and no sea journey, however long and precarious, could prevent its reaching the shores of New South Wales. The feudal and sectarian values of hierarchy and everyone having his and her place and knowing it were giving way to notions of economic progress, accumulation of individual wealth and the acceptance of social mobility.

The second influence was as powerful as it was local and underscored social mobility in no uncertain terms. It was emancipation, by which convicts were transformed from criminals into respected citizens: the ugly ducklings actually became swans in the full view of society. But more than that, they were given official encouragement both to contribute and to prosper. They were actually seen to be accepted!

By 1860 the combined effect of these two extraordinary influences created a situation in which, according to Manning Clark:

> ... the high-minded in Australia believed the most wonderful of all revolutions in the condition of mankind was about to take place. All boys and girls between the ages of six and 13 were about to learn how to read, write, add, subtract, multiply and divide. Parents were about to have the opportunity of endowing their offspring with the most enduring and most profitable of all gifts, a sound secular and moral education.

The third influence was overwhelming in its scale and consequences, and it took place right here in Victoria. So acute was the crisis it created that it evoked a response from the Parliament of the new colony which was to elevate Victoria to the forefront of children's reform legislation and action for the next half-century. The third influence was gold. The gold rushes and their aftermath were devastating for many families. Victoria reeled under a huge upsurge of what were called 'abandoned, orphaned and runaway urchins'. Those homeless children were the street kids of the 1850s, but the difference lay in the fact that the bulk of vagrants were aged between 6 and 13 and were those whom society traditionally had deemed fit to engage in employment.

Something was not happening: the children were not going into jobs. The condition and plight of thousands of children was among the new Parliament's first concerns. Its life had barely begun before it had to confront this crisis to do with childhood. Legislative responses included the Reformatory Schools Act and the Industrial Schools Act of 1863, then the Neglected and Criminal Children's Act of 1864. That was followed eight years later by the Victorian Education Act of 1872. Education became 'free, compulsory and secular' for all Victorian children.

The aims were twofold: firstly, to help children escape from, as one put it, the 'semi-barbarism of their daily existence' and, secondly, to equip youngsters with the skills to work, function and contribute successfully in a civil and progressive society. Those responses served to recast both the definition of the role and place of children in society and the nature of the state's responsibility in caring for and protecting them. Victoria was saying implicitly that the years of childhood were to be virtually doubled: they were no longer to the age of 7 but to the age of 13. Just as radically, work was to be regarded as inappropriate until children reached school-leaving age.

It is true that in the 1870s and 1880s exemptions from compulsory schooling were frequently granted for children over 11 so that they could engage in farm and factory work in times of family hardship. My own father left school at 11 in 1925 to do just that. A tolerance of the problems associated with schooling existed, then, for many decades. Not until 1905 was the school-leaving age raised to 14. Again Victoria took the lead in bringing about that change in Australia. By the beginning of the 20th century the phase of the lifecycle we call childhood had expanded to the age of 14.

The welfare aspects of caring for children under working age were expressed in the Neglected and Criminal Children's Act of 1864, which was amended in 1878. The Neglected Children's Act and the Juvenile Offenders Act replaced it in 1887, and in 1883 the colony passed the last significant piece of 19th century legislation, the Infant Life Protection Act, which was amended in 1890. That measure still remains important for what we are talking about today. In its time, it aimed to regulate the phenomenon of baby farming, the term given not so much to the placement of infants with fee-for-service carers but to the trafficking in unwanted infants for a price. The act was further amended in 1907 to specify that custodial houses could be registered

only in the names of women and to extend the term 'infant' to cover children under five years of age.

Those legislative moves and the institutions they created were novel and radical developments in their day because they signified the intervention of the state in aspects of community and family life which until then had been off limits so far as government's official interest was concerned. From medieval times until the 1860s 'a family's internal affairs had been a realm of sacred privacy beyond the reach of the state', as Donella Jaggs expressed it in her book *Neglected and Criminal*, which traces the foundations of Victoria's child welfare legislation.

Remarkably, so great were the gains in children's legislation in the late 19th century that little but consolidation has taken place in the 20th century. The establishment of the Children's Court in 1907 and the passing of the Maintenance of Children Act in 1919 and the Adoption Act were in some ways the last major building blocks to be put in place. The Children's Welfare Act 1954, which revisited its namesake of 1928, repealed the practice of charging a child with being neglected as the means by which he or she was committed to the care of the state. By 1954 that was seen to be grossly unfair, quasi-criminal and stigmatising.

During debate on the children's welfare legislation in 1954 the clauses from the old Infant Life Protection Act as amended in 1907 were revisited and confirmed. Parliament agreed that no male should be permitted to become the registered occupier of a house caring for more than five infants under five years of age. The chief secretary remarked:

> Few men would like to undertake the job of changing nappies at 3 o'clock in the morning and in other ways attending to infants.

I would point out that banning of males from the care of infants does not seem to have been based on any sinister attributions. The then honourable member for Coburg, Mr Mutton, agreed that only women of high standing in the community should be entrusted with the care of children. However, it seems that he sensed the limitations put upon caring that were implicit in the legislation. He commented:

> I might mention that in the street in which I live a certain woman cares for the family of her neighbour while that woman works during the morning shift at an industrial establishment. Upon returning home at midday [the neighbour] looks after the children of this woman so that she, in turn, may work at a factory during the afternoon.

He added, 'That state of affairs was occasioned by the economic situation'. Almost all of them are! Although his comment made little impact at the time, Mr Mutton was brushing up against something that was to become a predominant theme in children's issues for the last part of the century.

From the mid-1800s to the mid-1900s Victoria, along with the rest of the developed world, expanded the notion of childhood to include the early teenage years and declared that learning should take the place of work as the central activity of growing up. Now in the last decades of this century the focus increasingly has been on the preschool years. Again, this has arisen because of the issue of work — not the work of children this time, but the work of their parents, particularly their mothers. If mothers must work or choose to work, who is to care for and protect their small children and what is the role of the state in the provision of that care? They are the questions of the late 20th century.

The answers to those questions began to unfold in what was called the Health (Child Minding) Act 1964, which signalled the next phase in the development of specific children's services. Its origins can be traced back to the preschool building regulations of 1951 which applied to all child-care establishments, including private child-care centres run for profit. Those regulations took their cue from the old infant life protection legislation, which deemed that the premises profiting from the supply of services to more than five infants must be declared public buildings and be subject to the regulations controlling the use of such buildings.

From 1957 the Department of Health provided subsidies to non-profit kindergartens, play centres and day nurseries run by volunteers provided they adhered to specific standards in relation to premises, staff, equipment and program content. The problem confronting government was that it had no powers to inspect, supervise or prescribe standards concerning staffing, equipment and program content of privately run child-minding centres.

The government was limited to enforcing building controls. This is where some of the big changes flowing through now have their roots. The passing of the Health (Child Minding) Act 1964 equipped the state with the power to determine the suitability of persons applying to run child-minding centres. Males were no longer excluded, but there appears to

be no comment on that in *Hansard*. The legislation also equipped the state with the power to set and supervise minimum standards concerning equipment, program content and matters of health and safety, and to both register and close down centres, as necessary.

When the act was passed in 1964 there were known to be 152 child-minding centres in metropolitan Melbourne and another 34 in the country. Some 32 years later, in 1996, the activity has burgeoned into an industry of almost 3000 registered centres providing services to more than 100 000 children and employing 15 000 people.

Modern occupations and modern life demand more responsive arrangements to account for the needs of small children. Today parents are engaged in a vast range of part-time and flexible working arrangements, in shift work, training, evening lectures and job search. Given those realities, the community has an expectation that government will do its best to ensure that safe, professional children's services are delivered. When families pass the responsibility for the care of their children to outsiders, far from insisting upon their rights to a sacred and ancient privacy, they welcome, even demand, the state's intervention in regulating the environments in which their children are placed. Here we are, 130 years after the first children's legislation in Victoria, bending our minds to that specific phase of childhood which, for centuries, was considered out of bounds to the state and which inevitably became the most notoriously neglected aspect of all — the years of infancy. Seen in this context, the time is more than ripe for consolidating the various fragments of children's services into a coherent and streamlined act.

The bill deals with the same types of children's services as those which have been subject to the provisions of part XIA of the Health Act 1958 — that is, long day care, occasional care, preschool and early intervention services. However, it does not include within its ambit out-of-school-hours services and family day care. The hope is that out-of-school-hours care might be regulated by nationally agreed standards through funding and service arrangements rather than through legislation; and family day care is excluded because in Victoria it has been entirely commonwealth funded and supervised.

Recognising that growing numbers of schools are providing services to children below minimum school-entry age, the bill also makes provision for the licensing of such pre-preparatory programs, as they are called. The bill envisages that many of the basic features originally contained in the Health (Child Minding) Act will be ongoing. However, it gives added bite to the essential standards relating to the protection, supervision and discipline of children; the design, location, safety, cleanliness and maintenance of premises; and the suitability of proprietors, their nominees and all direct contact staff by embedding the applicable standards into the legislation, rather than by leaving them to the free flow of ancillary regulations as has been the case in the past.

The bill also abolishes the ludicrously prescriptive and pedantic nature of many of the current regulations, such as the requirement for each establishment to have one nest of plastic beakers, one posting box and 15 — not 14 or 16 but 15 — large, interlocking blocks. It also gets rid of the maddening bureaucratic requirements like the resubmission of original architectural plans with each annual registration renewal.

For starters, the bill envisages that both 'approvals in principle' and operating licences per se will be valid for periods of three years. Apart from any other consideration the current 12-months rule is inconsistent with the three-year period which is a basic feature of the commonwealth quality improvement and accreditation system.

The Children's Services Bill clarifies the government's powers of censure and criminal prosecution in relation to both staff and licensees, and specifies the penalties appropriate to various offences. It also opens up, for the first time, departmental decision making on all these matters — licensing, censuring and penalties — to full review by the Administrative Appeals Tribunal. The bill thereby exemplifies the government's aim to strike a fair balance between rights and obligations in a matter of extreme sensitivity and responsibility.

In conclusion, the core of the bill is to be found in the purpose for which children's service licences are granted. I think the honourable member for Pascoe Vale missed that. It is expressed in clause 18(4) as being to 'ensure the safety of the children being cared for and educated', and to 'ensure that their developmental needs are met'. There is nothing revolutionary about the first statement. The second statement is the truly innovative bit. From having played no part whatever historically, the government now finds itself committed to playing a crucial role in that formative phase of childhood we

call infancy. Having sorted out the years from 6 to 16 over 100 years or so, the government now takes on the task of ensuring that service providers meet the social and cognitive developmental needs of infants.

Having achieved a new benchmark in the evolution of services for children, the future will increasingly be given over to defining and teasing out the extent to which it is possible for government to fulfil this demand or to insist upon it. We are now taking learning back into the tender years of life from nought to 5 or 6 years. The issue increasingly will become how small children are best able to learn and be nurtured.

It is a noble task that we set ourselves, but it is a huge ask; yet it is something that is impossible to shrink from once any government becomes inextricably caught up in the business of caring for small children.

In one sense we have turned full circle with the proposed legislation, because in the past, from medieval times and beyond, children were seen as belonging to the community as much as to their families. With the arrival of the Children's Services Bill which governs the care of children in infancy, once children are delivered outside the family for care the community becomes involved. So we have come full circle to a time when no longer is it simply the task of the family to provide care but it is also the task of the community to pick up significant aspects of ongoing care and protection.

I commend this landmark legislation to the house. I congratulate the present minister and the former minister for the work they have done in bringing it to the house. I regard it as a worthy bill, even if it proves not to be the final word on the matter of delivering services to children.

Mrs McGILL (Oakleigh) — I join the debate on the Children's Services Bill as both a parent and an MP. I am acutely aware of the precious commodity of children and understand the need to protect, nurture and develop them in their early years. I have seen the benefits of that with my own family.

As a parent of four children I have been involved in their care both prior to and after their time in preschool centres — and that has extended over some 20 years. With the exception of a few very hard days when the children obviously felt I needed to be further challenged as a parent, I never had the need or desire for long-day care. In fact at that time I did not even know it existed.

As a councillor I served on a committee of management at a local child-care centre for a number of years. Recently I visited several child-care centres in my electorate. I am amazed at the proliferation of centres that come on stream on almost a weekly basis.

My daughter works in and studies child care, and from my discussions with her I have gained a higher appreciation of the commitment, the extent of the caring and the quality of the programs that are provided, firstly, to children and, secondly, to parents who utilise children's services. Although I hasten to say that I am happy with my own results — I have four gorgeous kids — I have often pondered over the standard of child-care services today. How many parents, even in this chamber, could say they could have passed consistently with flying colours the test of the quality of care we rightly expect from children's services both today and as outlined in the bill?

As has been mentioned, this is the first time a separate framework for children's services has been established. Considering that child care is one of the fastest growing industries in Australia, it is appropriate that it be covered by its own discrete legislation, as provided for by the bill. That is especially appropriate when one considers the age range of the children covered by it — from birth to 6 years. There are more than 3000 registered centres in Victoria where 100 000 preschool-aged children receive some form of care and education. This huge industry, which employs more than 15 000 staff, is charged with giving quality care to children in a safe environment. Parents want to be confident that the places they send their children to for such care are sufficiently well-regulated and licensed so that they receive the best possible care.

Currently, centre-based care requirements are contained in the Health Act 1958. Given the increase in both the community's expectations of the quality of care and parents' demands for child-care places that cater for differing needs, it is increasingly important that the legislative framework ensures the safety and wellbeing of children. Parents depend on appropriate legislation and regulations providing a child-care system which is flexible and responsible to their needs and which also delivers high-quality programs for their offspring. The government consulted extensively with the community through the ministerial children's services advisory group

and through the responses to a discussion paper that was released in April 1995. Further opportunity for consultation was made available when the minister introduced the bill in May.

The powers in the Children's Services Bill parallel those in the Health Act, and the scope of the bill is the same as that of the act. All the children's services that are currently regulated, including centre-based and long-day care, preschool, occasional care and early intervention, are all included. However, the bill removes any ambiguity in the Health Act and the Education Act in relation to the licensing of pre-prep programs in schools. It also sets up standards for all children's services regardless of venue, location or proprietorship.

The bill also clarifies and streamlines the licensing system. There will now be two critical phases at which departmental approval is needed: firstly, approval in principle at the establishment stage, which allows up to three years to establish a service; and, secondly, approval for licensing, which moves from an annual registration to licenses for up to three years. Also, and more importantly, the licence will attach to the licensee rather than to the premises. The premises, however, will continue to be inspected and approved by the department prior to the issuing of any licence. A licence will apply to the one premise only.

The bill also gives increased emphasis and strength to key standards expected in children's services, such as the protection of children from hazards, adequate supervision and discipline of children, cleanliness and good repair of the premises, and the requirement that a nominated person be in charge at all times. As well, all the standards previously covered by the regulations are further emphasised and strengthened. The bill includes new powers: the exemption power for the minister, which will be highly acceptable; the right of appeal through the Administrative Appeals Tribunal rather than through the time-consuming processes of the County Court; and immunity for people who provide information.

The bill can do nothing but improve the circumstances of child care for all children in our community. Child care is a service that parents rely on. They expect the people responsible for looking after their children to show a full duty of care in helping their precious youngsters develop in their most important early years. Parents must have that confidence so they can pursue their varied activities, including seeking employment, working or studying. I, too, commend the minister on the bill and on setting the example. I also commend all those involved in the lengthy consultation process. It appears that good communication has taken place. I support the bill.

Mr McLELLAN (Frankston East) — I will not spend a lot of time speaking on the bill because most of the things that need to be said have already been said by other honourable members. However, what I most like about the bill are the provisions governing fit and proper persons. I no longer want to listen to innuendo and allegations about people who run child-care services — and I refer in particular to a recent case in my neck of the woods when a family was destroyed by innuendo and accusations that were never proved and never likely to be proved. The fit-and-proper provisions of this bill are very important. Just as important are the provisions covering staff, particularly when the owners of the premises are not the ones who run the service. I am pleased to see those provisions included in the bill.

I understand amendments are to be made in the other place which result from the valuable input the minister received while the bill lay over following the autumn sittings. The minister must be commended on that. It shows, contrary to what a lot of people have said, that the minister is prepared to listen to ensure that necessary adjustments are made to legislation when it is appropriate to do so.

Another provision sets minimum standards for child care. It is vital that when we leave our children in the care of someone else we know their health and safety is absolutely paramount. That is the most important thing for any of us. You do not want to leave your children in a situation which you are unsure of or in which anything could happen.

Nothing is closer to my heart than the concern that is felt when it is necessary for a child to be looked after. We have a handicapped child and for many years, for her sake and our own, when we needed a bit of a break someone looked after her for a weekend or a couple of days. However, there is always a nagging doubt when you leave your child with somebody else about whether the child will be cared for in the way you care for him or her. The provision requiring that a person caring for children be a fit and proper person is the most important part of the bill, and it is good to see that so much emphasis has been placed on that provision.

The honourable member for Pascoe Vale referred to the requirement that applicants for a child-care

centre licence must pay for the searches and police checks. That provision does not bother me, and it should not bother anyone else. If a person does not have a criminal record, what is the cost? It is a simple matter of running the check through the computer and if nothing is there what is there to worry about? I cannot understand the concern expressed by the honourable member. It is a matter that would be raised by somebody who had not been through the system. I am a member of a pistol club and my fingerprints have been registered and a police check on me has been done. That does not bother me, and I don't look after children!

The bill deals with people who will be looking after the most precious of all things to us — our children — and to worry about the small cost of a police check on such a person who wants to run a child-care centre, which is a money-making businesses, is a nonsense. I do not know why the honourable member bothers with it.

I commend the bill to the house and I congratulate the minister on its introduction. It is time we had legislation like this. It is a move in the right direction which should have been taken ages ago!

Mrs ELLIOTT (Mooroolbark) — As the honourable member for Frankston East said, anything relating to children arouses great emotions in the community. I shall digress from the topic to reflect on a book by Helen Garner entitled *True Stories* that was short-listed for the Premier's literary award. One of the stories gave me a great insight into what happened to poor little Daniel Valerio. The book tells how many professional people saw the bruises on his body but nobody took appropriate steps to ensure he was protected from harm.

I heard over the loudspeaker in my office the contribution of the member for Bayswater when he said that the standards required of those who care for children and the lives of those who commit their children to care have changed dramatically. We expect a much higher standard these days than we did in the past.

Another seemingly irrelevant publication in this context that came into my hands recently was a magazine called *The Big Issue — Australia*, which is sold by homeless people on the streets. It costs $2 and the seller is allowed to keep $1. An article in the publication refers to homelessness and its causes, including family breakdown.

I raise those matters because these days many people need to entrust their children to care. It is nothing new; it has always happened. Before nuclear families became the norm people entrusted their children to the care of other family members. It was not unknown in some countries for children to be sent some distance away from their parents to be minded by grandparents or other relatives. These days that option is not available to many families, and because many families depend on two incomes for support and to give their children the sort of education they believe they need and deserve they must rely on affordable, high-quality child care. That is why it is important that the Minister for Youth and Community Services has introduced the bill.

As the honourable member for Frankston East said, probity checks by police on the sorts of people who run child-care centres, kindergartens, creches and long-day care centres are extremely important. The number of children who have been physically, sexually or emotionally abused while in care is small, but incidents do occur. As the honourable member for Frankston East also said, no person wanting to run a child-care centre should object to a police check because it is a relatively simple procedure. It should be expected by the community that anyone who runs such a centre must undergo a check.

Recently I read in the newspaper that young men are being frightened away from primary school teaching as a career because they feel they might be regarded as possible abusers of small children. This enormous problem means that many children will go through primary school years with no male teachers as role models. If that were to apply to child-care centres it would be a great shame because many small children are in day-care centres because they are being brought up by single mothers and they have no male role models in their lives. There is no reason why a male person should not be involved in child-care centre, although most are owned and managed by women.

The checks built into the bill are most important. People who run or work in maternal and child health centres, day-care centres, kindergartens or creches are well placed to observe behavioural changes in children, which often indicate abuse at home. If they are not already, in time those people will be mandated to report incidences of abuse to police.

At one time child care meant leaving your child to be baby-sat with some hope he or she might be

exposed to some sort of developmental programs. This bill ensures children will receive developmental and educational programs, that their physical health and hygiene will be looked after, and that their emotional needs will be met. Special people are required to mind children under five years when their emotional development is at a critical stage and when they are capable of learning a great deal. As I said, carers are able to observe possible abuse and report that to responsible authorities.

This is a good bill because an element of flexibility is built into it, although some opposition members have objected to that. Flexibility does not mean a lowering of standards; when people work long hours they need flexibility of care, such as being able to telephone to say that they are running late and need their children to be minded for an hour or two longer. They need to be able to inform the centre that someone different person from the usual person will be picking up their children. A centre is well placed to accept that sort of flexibility while protecting the primary interests of children.

I note that the bill provides that the licence attaches not to the premises but to the licensee — that is, the person who owns and runs the centre. A premises cannot think, read or speak, so attaching the licence to a premises is futile. It must attach to the person running the premises and it should lapse with that person when he or she moves on. Parents must be notified when a licence is to be transferred to other nominees. Even though parents are busy, they need to know when there is a change in the carers of their children and they need to know their children will continue to be well looked after.

The bill provides flexibility together with the best sort of rigidity and the high standard of probity expected of people running the centres. It also deals with the normal standards expected of centres with regard to cleanliness, overcrowding and due care of children being observed. It is important that those holding licences are flexible enough to meet the requirements of both children and parents.

The best carers for children, particularly for preschool children, are their parents, but I have seen no evidence that shows children suffer lasting harm when they are in well-run, long-day child-care centres, provided they have continuity of care and they feel nurtured and cared for. The bill is discrete legislation; it deals only with child-care centres, which takes it out of the health area, and it provides continuity of care for our children.

It is hard enough for parents to juggle everything in their lives. Many members on both sides of the house know how difficult it is to keep five balls in the air when you think you can manage only three or four. Mothers in particular carry the burden of anxiety. If they are at work, they feel anxious about the care their children are getting at home or outside, and if they are home they feel that they should be working and contributing to the family income. If they can leave their children in affordable care where they know their children will be well cared for, that anxiety is considerably lessened and they can focus during their working hours on their professions or jobs and thereby make a contribution not only to the welfare of their own families but to the economy in general. When they are at home with their children they can be reassured that the children have not suffered during the day and they can give them the sort of loving care and attention that children can get only from their parents.

Nearly all parents act in the best interests of their children. The don't leave little children in care because they want to lead frivolous lives; they leave them because they must do so for various good reasons. I congratulate the minister, whom I know to be an extremely compassionate person, on continuing with the bill, which had its genesis with the former minister, who introduced it. I wish the bill a speedy passage.

Dr NAPTHINE (Minister for Youth and Community Services) — I take this opportunity to thank all speakers for their contributions to what has been a very productive debate: the members for Albert Park and Pascoe Vale; the member for South Barwon, who provided an excellent outline of the contents of the bill; the member for Bayswater, whose contribution was riveting in providing the history of children's services and the role of children in society, dating back many centuries and particularly the early history in Victoria and the interaction of the roles of children and children's services with the legislature and the government; the member for Oakleigh, who spoke as a member of Parliament and as a parent — that view was valuable; and the member for Frankston East, who highlighted the definition in the bill of a fit and proper person and again spoke from a personal point of view on the issues that parents have to consider when leaving a child in the care of somebody else, particularly in a professional capacity rather than in a family capacity. That issue was also dealt with very well by the member for Mooroolbark, who spoke about the importance of proper, safe and secure care when one is using a

children's service, rather than using the traditional extended family situation or friends. After centuries that characteristic of using the extended family for child care is now being moved towards having children cared for by people working in a professional role. The member for Mooroolbark said we must make sure there are adequate safeguards in that new structure.

I appreciate the support of the opposition for the general concept of the bill and particularly appreciate the support of the industry and the community for the bill. That is reflected, as the member for South Barwon outlined, in the fact that the bill has been developed over a number of years by the Department of Human Services, the former minister, who I must commend for his work and leadership in preparing the bill, and by the Ministerial Children's Service Advisory Group, which did excellent work in developing the framework and outline of the bill.

As was said, the bill was introduced into the house in May and lay over. During that intervening time I took the opportunity to write to many hundreds of organisations, drawing their attention to the bill and the second-reading speech and inviting them to contribute to the further development of the bill by way of amendments or any other suggestions they had to ensure that the bill meets the needs of the children of Victoria and the industry involved in providing care for those children. So there has been a comprehensive and extensive consultation process. It was gratifying in some respects that we had little response from the community and the industry. Indeed there were a handful of letters — three or four — that I can recall that raised some issues. I must acknowledge that those letters were written in a constructive way, supporting the general thrust of the proposed legislation and suggesting areas where improvements could be made.

The bill is a recognition of the importance of child care in our modern world. In Victoria more than 100 000 preschool children receive care and education in 3000 registered centres employing 15 000 staff. I pay tribute to the staff, many of whom are qualified and have completed training in child care. Many are unqualified but are certainly skilled and experienced. Our child-care staff do a very good job not only in caring for children but in providing the developmental processes for those children in a safe and secure environment.

The role of the government and of the Department of Human Services through the legislation is to ensure that we can provide a safe and secure environment for those children, where they can grow and develop. We need to have a legislative and regulatory framework that can give confidence to parents and the community that children's services in Victoria are meeting all their needs.

The member for Albert Park raised a number of particular issues in his contribution. One was ministerial discretion, which is covered in clause 6. I understand what he said about the discretion being wide. I appreciate his saying that this minister is a minister who can be trusted with such a wide discretion.

The whole concept of the bill is that we must recognise, as many speakers said, that children's services are a rapidly growing area and that it is important that children's services be flexible to meet the emerging needs of families and parents now and into the future. In those circumstances, there is a need for a degree of flexibility in the control of children's services. Sometimes that flexibility is difficult to attain when we have a legislative and regulatory process. Having ministerial discretion provides the opportunity for improvements to services to be introduced quickly and so meet the needs of children and the community. I can give the house an assurance that while I am the minister that discretion will certainly be used in a most judicious and careful way and certainly only in the best interests of children and the community.

The member for Albert Park also raised the issue of transitional provisions and expressed concern that some centres could become unlicensed as the regulations might not come into force or might not be published, or licence application forms might not be available so a licence might expire the day after the bill comes into force as an act. This issue has also been raised by the industry.

I advise the house that I am prepared to consider an amendment on that basis while the bill is between here and the other place. Perhaps the government will move an amendment in the upper house that will deal with that issue effectively on behalf of the industry.

The member for Albert Park also raised the issue of debating the bill when a lot of the nuts and bolts about how it will operate will be in the regulations and said that it would be easier to debate the bill if the regulations were on the table to be debated at the same time as the bill.

Mr E. R. Smith — It's never happened.

Dr NAPTHINE — As the member for Glen Waverley said, it has never happened. It is not a precedent that should be established either because it is presumptive of the power of the Parliament to presume that a bill will be passed as an act. If you do not have the act you do not have the regulations. You can't presume the decision of the Parliament by developing and publishing the regulations ahead of the bill being debated in the Parliament and then becoming an act. As the member for Albert Park will understand as he gains more experience in parliamentary process, the normal process clearly is that the act must come first. The Parliament is the ultimate holder of power, it is the democratically elected voice of the people, so we must debate the bill and pass it to become an act before we can presume to develop the regulations.

I can assure the honourable member for Albert Park and the community that the process that is in place is that when the regulations are developed they are subject to a standard procedure through regulatory impact statements so that they will be made available for public consultation and scrutiny, as part of process. Therefore, the regulations certainly will be subject to community consultation and input.

I also advise the house that the Ministerial Children's Services Advisory Group will be involved in the development of the regulations. The group represents all the major players in the children's services industry.

The honourable member for Pascoe Vale referred to clause 54, the immunity provision. The issue has been raised in public debate about the bill. I feel passionate about the issue. If we say that our primary objective is to provide safe and secure environments for children we must make it as easy as possible for people who have concerns about a particular service, a staff member, or a proprietor to report the problems so they can be properly investigated and dealt with appropriately. The immunity provision allows people who report suspected problems in good faith to be protected. It will encourage people to report those practices. However, there needs to be a balance. I am prepared to consider whether an amendment will pick up the concerns the industry has expressed about people who knowingly make false or vexatious complaints.

The issue of preschool advisers was also raised. They do a good job in the community. I do not share the same concerns expressed by the honourable member for Pascoe Vale that the workers have a dual role of advising and policing. In the past I worked in the then Department of Agriculture as a veterinarian where I had a dual role as an adviser to farmers and as someone policing stock diseases and incidences of cruelty to animals. The majority of farmers appreciated that the roles were complementary. They believed it was in their interests to ensure that bad practices or farmers who were not looking after their stock or premises were dealt with because they were a blight on the industry.

The children's services industry will recognise that the dual roles are complementary and that the so-called policing role is about protecting the whole industry and children.

The issue of the cost of police checks has been dealt with by the honourable members for Mooroolbark and Frankston East. We have a prime responsibility to make sure that people who work in children's services are fit and proper persons and part of the process is a police check. I am pleased to say that one of the first things I did as minister was to attend a conference of ministers from other states, territories and the commonwealth. It was agreed at that meeting to facilitate across-border police checks so that staff applying for jobs in children's services in Victoria who had been living in Western Australia, the Northern Territory or Queensland could have police checks done quickly, not just in Victoria, but throughout Australia.

The provision will enable us to do everything possible to ensure that staff working in children's services have a good track record. I believe the cost will be borne by the potential employer. Although there is nothing in the legislation to say where the cost will lie, the normal practice will apply.

Many of the issues raised by members from both sides of the house are important and I shall give further consideration to them. They may result in some minor amendments, but I am pleased there is general support for the bill, which is an important step forward in the development and regulation of children's services in the state. I thank my bill committee, chaired by the honourable member for South Barwon, members of the Ministerial Children's Services Advisory Group and departmental officers who have worked closely on the legislation.

The bill provides new discrete children's services and legislative frameworks. It provides a more

contemporary and flexible system that will deliver children's services in Victoria that meet the needs of parents and the community, but importantly, provide a safe and caring environment where children can grow and develop.

Motion agreed to.

Read second time.

Committed.

Committee

Clause 1

Progress reported.

LOCAL GOVERNMENT (AMENDMENT) BILL

Second reading

Debate resumed from 30 May; motion of Mr MACLELLAN (Minister for Planning and Local Government).

Mrs MADDIGAN (Essendon) — It seems from the way the bill is drafted that the government is a little unclear about what it considers to be the role of local government in Victoria. I hope I am not misrepresenting the honourable member for Forest Hill by saying that when he referred to Ararat this morning he seemed to be saying that if local government entities do not do what the state government tells them to do they should be sacked and that local government is entirely a creature of the state government.

I have no doubt that people who have been involved in local government over many years would agree with me that that is a slightly simplistic view of the relationship between the state and local levels of government. Although there is no constitutional recognition of local government, the federal government maintains links with it by funding it directly and empowering it to carry out its policies, and that has increased rather than decreased over the years.

We are all aware of the great upheaval in the way local government operates that has taken place since the Kennett government was elected in 1992, but it seems from the drafting of the legislative amendments before us today that the government is not quite clear what direction it wants local government to go in.

I am quite happy with some of the provisions in the bill concerning accountability through business plans and so on. However, although those provisions seem to me to be quite reasonable, I know a number of local government bureaucrats who are not all that happy about them because they believe the constraints imposed on them by compulsory rate decreases and so on have left them with insufficient staff to perform their functions to the degree required by the act. It seems to me quite reasonable that local government should be accountable, but there is a difference between being accountable and being directed.

Clause 11 gives the public quite a say in the budget process by providing for submissions on the budget to be made within 14 days after the budget or revised budget has been brought down. That is a good move because the community is particularly keen to be involved in the decision-making process in local government. However, other provisions in the bill negate that sort of approach and attempt to separate the community from local government by being prescriptive about what councils can do. That is particularly true of the clauses concerning confidentiality.

References in the bill to past as well as future councillors raise considerable concern about the future. It seems quite extraordinary to propose legislation which might affect past councillors. The provisions in question are those that have most angered the community in general and people who have had previous local government experience in particular. My constituents object to the prescriptive nature of the government's attitude to local government.

I think all honourable members are aware that the appointment of commissioners has been exceptionally unpopular. The government's action in imposing commissioners on the community rather than allowing the community the right to elect councillors has resulted in a lack of representation and has been strongly resisted by the community. That resistance was clearly demonstrated by the council election results in March of this year when strong community and Labor Party candidates did well in a number of areas. The community sent a distinct message to the coalition state government that it is not happy with having local government commissioners imposed on it.

Another major problem with the prescriptive approach of the state government is that commissioners often have little understanding of local communities and conditions. I will give an example from my area, although I do not wish to attack the Moonee Valley commissioners more than any other commissioners in the state. The decision of the Moonee Valley commissioners to close the Ascot Vale library is causing considerable concern. There has been concern in many municipalities as commissioners have attempted, I am glad to say mostly unsuccessfully, to close small local libraries. One of the reasons they have been keen to close libraries and often make decisions that are against community interests is their lack of understanding of the areas involved because they do not come from those areas, have not been elected by the people in those areas and do not understand the nature of the local communities.

A consultant, who also is not from the area, made a number of recommendations concerning the Ascot Vale library that were based on a total lack of understanding of how the local community operates. The recommendations were based on an assumption that people could use a library in Flemington that, although it is not that far away physically, is not within the normal travel patterns of Ascot Vale residents, who would not go to Flemington from one year to the next. Anyone who is aware of the local conditions and former councillors from the area would know that is the case, and the suggestion that the Flemington library is a reasonable alternative is a micro-illustration of the problems posed by the prescriptive approach of the state government.

The provision which may prohibit discussion of some council decisions with members of the general population is of great concern. The view of the general population is that it elects councillors to represent it, not to represent the state government. Local government is not seen by the community as an arm of the state government; the community wants it to be an independent level of government that provides services to the community.

Mr Maclellan — They do not want them to be independent, they want them to be representative.

Mrs MADDIGAN — I agree: they want local government to be independent and to be representative of the community, not of the state government. I think that is perhaps where the minister and I have a difference of opinion about how local government should operate. I would be most surprised if the Minister for Planning and Local Government has a different perception from the people who speak to him, but people in my area are of the view that local government officials should be representative of the population, independent of the state government and have the right to run local government in the way their constituents want it run.

My constituents tell me they want to be close to their councillors and have the opportunity of discussing with them issues that are important to those constituents. I have been a councillor and I know that allowing some councillors to have the power of deciding which items of business should be confidential and which should not can be used as a means of withholding from the community information that the community has the right to know. I would be alarmed if that were to be the result of that provision, and the way it is written will allow that to happen.

We heard this morning from the honourable member for Forest Hill what will happen to councils that do not follow the state government's guidelines on rate caps. I wonder how long the government intends to impose this sort of prescriptive direction on councils. On the information available, the bill, unless the minister wishes to amend it to make it more generous, directs councils to cap rates for the 1997 and 1998 years at the rate of CPI minus 1 per cent. In view of the fact that councils are being asked to comply with specific performance measures that take a great deal of time, perhaps that could be looked at again.

I hear from people in my electorate, and I think it is a fairly common response, that although broadly no-one likes to pay taxes or rates at any time, most people consider them to be necessary and are prepared to pay them so long as they believe they are getting value for their money.

Certainly many people in my electorate would much prefer to pay the former level of rates and retain the council services they had, such as library services, than to receive rate rebates and lose some of the services they regarded as particularly important. My municipality is not the only one where libraries and so on are being affected. Another basic service that has recently been cut for budgetary reasons is the hard rubbish collection.

The other point of concern about rate capping is the necessity for councils, and particularly commissioners, to reach their set financial targets, so

much so that they are looking to sell off capital assets to do so. There has been concern that in order to achieve the financial cuts they are considering selling things such as open space, parkland and other recreational land the community regards as vital. In my electorate it was suggested that the Lily Street parkland be sold, and that was prevented only after a great deal of action by residents.

The state government's desire to impose severe financial restrictions on councils has had a detrimental effect on communities through the loss of some of the assets they value strongly, such as parks and so on.

I shall not go into further detail about compulsory competitive tendering because that matter has been discussed at length here and in the other house, but certainly the impositions and decreases in the level of services provided by municipalities occur as a result of that policy, which is also strongly opposed by residents.

Residents in my electorate tell me they are eagerly looking forward to the return of their elected local government representatives and to those elected representatives having the opportunity to be independent from state government in running their municipalities and fulfilling their responsibilities to the people who elected them.

Ms BURKE (Prahran) — It seems that local government fascinates all; it appears that every elected member is an expert on local government. The honourable member for Essendon went into some detail about her opinion of her local municipality, but I heard very little about the content of the bill, despite the fact that it is most important to all Victorians.

The bill is a continuation of this government's understanding of the community's needs in local government, such as the need to make local government much more accountable, efficient and effective for the community it serves. The bill addresses a number of issues that have arisen in the process of amalgamation and competitive tendering, which local government is now performing and embracing. If the opposition put as much energy into embracing the change as much of the local government community has, local government would be much happier.

This bill covers a number of areas. Indeed, many in this chamber who have been councillors in the past, particularly those on the opposition benches, are well aware that the issue of information gained through municipalities is extremely important and that such information should not be misused. The bill covers all the matters that have been concerning communities for quite some time. It requires accountability in annual reports. Local government should not just put out an annual report so it looks like it is putting out an annual report; municipalities need to know what they are putting out and must be able to justify everything. A corporate plan is also required. Those are important issues to a community. The bill adds to all the requirements of the principal act and will result in local government being much more accountable.

I would like to hear a lot more from the opposition about the good coming out of local government and a lot less whingeing and whining. I have not heard too much from the other side about the councillors that are back in their positions and performing well in some cases but disgracefully in many cases. They should be assisting those councillors to fulfil the dreams of their communities to make their councils more efficient, accountable and, it is hoped, a stronger form of government for the next century.

I commend the bill to the house. I am sorry there are not more positive comments from the opposition on this bill. I am sure the Minister for Planning and Local Government will articulate for us many more advantages of the bill.

Mr DOLLIS (Richmond) — In reply to the remarks of the honourable member for Prahran, I refer to a copy of a letter that the honourable member for Ivanhoe received recently from the councils of four cities and two shires about red tape and bureaucratic bunkum, as they call it. Let me reply directly by quoting what local government says:

> Local government itself is being smothered by an ever-increasing amount of red tape and bureaucratic bunkum. The provisions of the Local Government (Amendment) Bill 1996 further exacerbate the system of controlling reporting, adding unnecessary costs to the operation of local government which are inevitably passed on to businesses and residents.

That statement from at least six democratically elected councils is a direct reply to what the honourable member for Prahran was saying.

The bill proposes to dramatically change the face of local government. The minister knows that, because this state is reducing the powers of councillors to

administer the affairs of their municipalities and essentially, the state is divesting extra power and control to the minister. That is plain, simple and straightforward. The bill tightens section 77 of the Local Government Act, improving the chances of a successful prosecution of councillors and members of council committees who make 'improper', as the bill says, use of information acquired as a councillor or member. That is interesting. At some stage we will need to define the word 'improper' and it can have a fairly wide definition.

The bill also removes the requirement that intent to cause detriment to the council has to be proved before a criminal offence is deemed to have been committed. That section of the principal act was reasonably tight, but it was loose enough to enable councillors to do their jobs.

Mr Maclellan — To use the information.

Mr DOLLIS — We will come to that. Sanctions will apply to the release of information deemed to be confidential, regardless of whether the person intended to cause detriment to the council. That is another interesting little provision. This bill represents an extreme reaction to very unworkable legislation. The government has taken a step towards seizing total control of local government activities. It is not very difficult for any minister of the Crown to dismiss a municipal council.

Mr Maclellan interjected.

Mr DOLLIS — It is not very difficult at all. Local government across Victoria was dismissed on the basis of restructuring, and commissioners were put in place for excessive periods. But we now come to freedom of speech. The minister will have to agree that freedom of speech is denied in this draconian piece of legislation. It is hard to understand that a state government minister will be privy to far more sensitive information than councillors. If the same sanctions were applied to ministers who continually leak information to the minister responsible for the Local Government Act because it is in their interests to do so, half the ministers would be in gaol! It is as simple as that. If we are going to apply this sort of sanction to another democratically elected government why, Minister, don't you apply the same sanctions to your colleagues? Every time one of them, simply because it suits them, passes on a piece of information that is stamped 'Confidential', let them be taken off to gaol. What a great spectacle it will be!

It is a contradiction that the hands of those elected local government officials will be tied. The bill is designed to further undermine the ability of local government to represent the values and aspirations of their communities. It is a further attack on democracy, and councillors and members of committees are under threat of prosecution for consulting or seeking advice from their communities because under the amendments it will be possible for a council by a majority vote to decide that any information that was discussed was deemed to be confidential, and on the basis of that consultation the councillor or committee member concerned should go to gaol. The same provision should apply to ministers of the Crown and public servants.

The government no longer believes that elected representatives have a right and an obligation to consult with their communities, or their constituents, for that matter. This is obviously the way the government wants to conduct local government business. There is no such restriction on the release of confidential information by this or any former government and no such restriction on the government's appointment of commissioners, which makes this legislation hypocritical. Why didn't we tell commissioners that this confidential information legislation would apply to them the day they were appointed? They were free to discuss the issues and to divulge information in their efforts to cut services and rates. It was simple and straightforward. This is another example of one rule for ministers and appointees and another rule for anybody who gets elected.

One is tempted to conclude that the possibility is that if decisions vary from the Liberal-National Party coalition government policy they will not be acceptable and that they will be controlled through this legislation because particular decisions on how the government processes the information can be deemed to be confidential. On that basis a councillor or anybody who objects to the information will not be allowed to say anything.

The government has taken a significant step in removing the requirement to prove intent to cause detriment and in doing so is making it harder to mount a defence to these charges. Let me make it clear that the intent to cause detriment and the requirement to prove that intent have been removed. Those are the effects of the legislation. The legislation effectively does not allow past and present councillors and members of council committees to talk about anything that is deemed to be confidential. You need only stamp the word

'Confidential' on a document and out it goes. I wonder if the minister and some of his colleagues will end up in gaol for passing confidential information on to their constituencies. I am not saying this will be done with any malicious intent. I am talking about ministers informing their constituencies, but if this legislation applied to you, Minister, as a cabinet minister you would be gaoled every time you consulted your constituents simply because the bit of legislation you are consulting people on gets a confidential stamp. You may have the most sensitive piece of legislation but because it is confidential — and of course I expect you to consult with the wider community — the confidential stamp has done it for you. In you go to gaol! There will be a pretty good turnaround of ministerial positions if that legislation is to apply.

Public debate on sensitive issues will be stifled, at best, and consultation with the community will disappear as councillors and committee members realise the implications of this amendment. There is not one elected councillor who will put himself in the firing line to discuss information deemed to be confidential. Innocent people, often volunteers dealing with local government and working for long hours for the benefit of the community, will be under serious threat because of this legislation. Not only will they be threatened with prosecution, they will also live with the fear of being gaoled for their efforts to consult with their community. Further problems with the legislation arise with the daily running of council business.

The definition of confidential is very broad. It may be that the ruling group on any council will be able to gag council members and stop them publicly debating anything that is in their interest. There is nothing to prevent the minister from advising councils from time to time on which issues are confidential and should be removed from public scrutiny. Get any minister for local government — and the current Minister for Local Government is certainly no exception; he is the rule — to inform the council on the basis of a confidential letter, and say, 'You discussed this letter. You talked about this matter publicly. Off you go to gaol'. What terrific democracy we are beginning to introduce into the state!

Mr Hamilton — A Gulag, isn't it?

Mr DOLLIS — Gulag no. 1 was established in the first term of government. We are now in the process of establishing nos 2, 3, 4 and 5. Gulags collapse. History has proved that such tyrannical and oppressive regimes cannot be sustained.

Mr Hamilton — What about salt mines?

Mr DOLLIS — That is where the government will bury them! That will be the next amendment to the bill.

Communities have been rendered powerless by the state government. They have been deceived into believing that local government elections are a return to local democracy. What a mockery! We just get local government elections. We saw the huge majority of members being returned democratically opposing government programs, and what do we have? This legislation! I would like to see anybody try to justify this legislation. It is impossible. If you want me to remind members, let me go back to the previous bill. Let me go back to what the honourable member for Prahran used to deal with. Section 77, 'Improper use of legislation', says:

> A councillor or member of a council committee must not make improper use of any information acquired as a councillor or member to gain directly or indirectly a pecuniary advantage —

excellent; no disagreement —

> for himself or herself or for any other person or with intent to cause detriment to the council irrespective of whether detriment was caused.

For the first offence the penalty was 20 penalty units and for the second, possible imprisonment for 3 months. Straight into gaol for this one; the salt mines come later! It is only a matter of time. The representatives of the local communities, the democratically elected people, are subject to strict controls, including the threat of gaol, for doing their job properly in initiating community discussions.

Apply this measure to government ministers. I would love to see it. The government will have the best turnaround the opposition has ever seen. The backbenchers will love it. It is as good as the next discussion.

Mr Honeywood interjected.

Mr DOLLIS — It will not apply to state government but to local government where the opposition exists because it is the only way to control local government elected representatives so they will not be allowed to discuss any information

that is deemed confidential. It is an incredible piece of legislation.

The local government position is entirely different. We will ensure that council business is subject to public scrutiny and that councillors consult with the community they represent.

This draconian piece of legislation will be repealed by the next Brumby government, because the honourable member for Geelong will not stand with his majority of members — —

Mr Loney — Geelong North.

Mr DOLLIS — Geelong North, but I say the honourable member for Geelong because you represent all of Geelong. There is only one member for Geelong.

The ACTING SPEAKER (Mr Cunningham) — Order! The honourable member will address the Chair.

Mr DOLLIS — You may have the constituency of the northern part of Geelong, but you are the member for Geelong.

The ACTING SPEAKER — Order! The honourable member will address the Chair.

Mr DOLLIS — I could not have avoided the interruption, Mr Acting Speaker.

The honourable member, Peter Loney, would never allow a situation where local government in his area is subjected to such draconian legislation.

We would reintroduce democracy into business. A code of conduct would be established and councillors would make a declaration to undertake duties of office in the best interests of the people in their municipal districts.

I go back to clause 25, which repeals the provisions that restricted to a specified three-year period the minister's power to limit the income councils can derive from rates and charges. So we have gone from a draconian piece of legislation stopping people from talking, to taking away any economic flexibility they may have had before.

The minister claims that with the legislation he will protect the interests of ratepayers from unreasonable increases in rates and charges. The minister is really ensuring that nobody can protect ratepayers and other residents from the cuts to services which will inevitably flow from the decision to cap rates and charges permanently. Councillors will have no room to move; they will be working within a strict framework of CCT legislation as well as capped rates. Councils will be severely restricted working within budgets the minister sets and personally supervises and will be rendered powerless and silent as a result of these amendments.

I wish to put on the record Labor's position. It is interesting that we are often criticised and asked, 'What is the opposition's position?'. We have a clear position. The capping of rates and charges is not ALP policy and is considered to be yet another assault on local communities and their ability to govern for themselves. As the shadow minister for local government has repeatedly stated, Labor would abolish CCT. And it is not necessarily — —

An honourable member interjected.

Mr DOLLIS — You have to understand something about local government.

Mr Honeywood interjected.

Mr DOLLIS — No, no, Minister. Let me come back to that.

The ACTING SPEAKER (Mr Cunningham) — Order!

Mr DOLLIS — The interjection asked, 'What is Labor Party policy?'. Our policy is to establish a code of conduct and councillors would make a declaration to undertake duties of office in the best interests of people in their municipal districts. So we would do something you have not done, Minister: we would not only make certain that they are accountable, but that they also sign on the dotted line in terms of a code of conduct. Transparency is the only way by which you can run state government and local government.

The shadow minister's position is very clear, and so is that of the ALP. Labor opposes CCT because it lowers the quality of services and excludes the views of local communities on the services needed. The Victorian ALP and the next Brumby Labor government will amend the constitution — and listen to this, Minister — to include a recognition of local government — —

Mr Honeywood interjected.

Mr DOLLIS — No, local government does not exist as an entity. And if you understand constitutional powers and the basic framework of law — —

Mr Finn interjected.

The ACTING SPEAKER (Mr Cunningham) — Order! The honourable member for Tullamarine is out of his place and disorderly.

Mr DOLLIS — Yes, and a loudmouth; that is all he is, Mr Acting Speaker.

If they understood the basic aspects of constitutional law, they would understand that the only way local government can exist without fear of any intervention from state government is to enshrine its existence in the Victorian constitution. What more of a simple — —

Mr Honeywood interjected.

Mr DOLLIS — We are saying that we would amend the constitution to include recognition of local government because we believe in the right of Victorian residents and ratepayers to elect their representatives and to be consulted on the rates they pay and the services they want delivered. It is simple and straightforward.

These amendments introduced by the government make a mockery and a farce of local democracy. The feeling of powerlessness in the community will increase as it becomes evident that elected local government representatives will not have the power to improve services or raise revenue to meet the specific needs of the community.

After overseeing massive changes, including an incredible number of job losses and reductions in services, councillors now have no room to improve conditions for their communities. The straitjacket has been applied in both the confidentiality clause and the capping of rates. Councillors will become de facto commissioners carrying out state government policy and the council will be just an administrative arm of state government.

So why not state clearly that you will appoint state government officials to run local government? That would be a more honest attempt to deliver services to the local community, instead of pretending that democracy exists in any shape or form.

These amendments must be opposed, as they further extend the powers of the state government into the area of local government and remove the rights of the community to have good quality local representatives who have the power to make decisions affecting their community.

People who want to represent their communities at local government level — or any level of local government — need to consider it carefully as a result of this legislation. They will not be able to represent the views of their communities on service provisions, because that is now governed by CCT legislation, and they will not be able to seek advice or consult the community on matters deemed to be confidential, as they may be committing a criminal offence punishable by imprisonment.

As a reward for generosity of time and expertise, volunteers on council committees are now at risk of serving three months in prison for discussing confidential government business with friends, family or community groups.

Mr Finn — And rightly so!

Mr DOLLIS — 'Rightly so', says the member for Tullamarine on gaoling local government representatives for doing their job.

Mr Finn interjected.

Mr DOLLIS — I wonder whether every time the honourable member for Tullamarine gives confidential information — —

Mr Finn interjected.

The ACTING SPEAKER (Mr Cunningham) — Order! The honourable member for Tullamarine.

Mr DOLLIS — Mr Acting Speaker, it is a job and a half to shut a loudmouth, let alone the honourable member for Tullamarine! Order is not something you recognise!

Mr Finn interjected.

The ACTING SPEAKER (Mr Cunningham) — Order! The Deputy Leader of the Opposition will address the Chair.

Mr DOLLIS — Mr Acting Speaker, the honourable member for Tullamarine is enjoying the only thing he has in his possession — his loud voice — because intellect is not there, decency is not

there, and shooting in a straightforward manner in this chamber has never been his style.

I welcome the Deputy Speaker to the chair, and it is with considerable pleasure that I will conclude the 8 remaining minutes of my contribution to the debate, because the honourable member for Tullamarine will not be allowed to interfere or scream that local government councillors ought to be gaoled.

Mr Finn interjected.

Mr DOLLIS — Ought to be gaoled, he said! Every time the Premier discusses a confidential matter and every time he delivers a confidential document to anybody for their consideration, in accordance with the logic displayed by the honourable member for Tullamarine, the Premier ought to be gaoled!

Mr Finn interjected.

Mr DOLLIS — And rightly so, he would say. Isn't that an extraordinary situation, Mr Deputy Speaker?

Does it not lack logic and any commitment to democratic values? But what would you expect from the rednecks on the government backbench.

Mr E. R. Smith interjected.

Mr DOLLIS — No, definitely not. I will make an exception. We know the honourable members sitting on the back bench fairly well. Most are known for their decency, courage and integrity; but there are those who display nothing but loudmouthed emptiness because their brains cannot connect to their mouths.

I welcome the contribution of the Minister for Police and Emergency Services. He always makes intellectual contributions to my debate, and I will be interested to discuss the legislation with him after the debate. But, through the Chair, let me say to the Minister for Police and Emergency Services that he had better realise that if any of the provisions enshrined in the legislation apply to him, every time his colleagues discuss any aspect of any confidential legislation he will have to send his police force to arrest them and take them to court — and then they will be gaoled.

If that happens, and if we are to adhere to the provisions of the constitution, ministers of the Crown who have served gaol terms will have to resign not only their ministerial but their parliamentary positions. 'Lock them up' is the message the government is giving, regardless of whether it makes any sense. I do not understand the nonsensical aspects of the legislation. It defies logic, and it defies imagination. It defies the way in which the state government has been doing business; it defies the reasons why we have elected local government; and it defies anything that stands for decency, transparency and democracy.

The legislation says the government will control the business of local government either by deeming local government information to be confidential or by undermining the economic viability of councils and making it impossible for any elected local government official to do his or her business. If this bill is good for local government, I challenge the coalition to apply a similar provision to state government by including it in the state's constitution. That would mean every member, minister, public official or public servant would be bound by the same restrictions that will now apply to local government. If they have any decency and guts government members should throw themselves into prison!

The opposition will not support the legislation because it will paralyse local government and render it useless. Let's not have any misunderstanding. All councils will have elected representatives by next year, after which even more local government officials will be subjected to the legislation. What better campaign could you have for the coming local government elections? Imagine having local government officials going to gaol simply because they dared to take on King Jeffrey. Breaching the provision will be an offence punishable by imprisonment. His Majesty would not allow the sort of thing referred to in the bill! Talk about returning to the Dark Ages! Talk about returning to a time when no-one was allowed to express an opinion, voice a concern or consult his or her fellow human beings.

The DEPUTY SPEAKER — Order! Some ministers will be pleased to know the honourable member has 2 minutes remaining.

Mr Finn — Two minutes too long!

Mr DOLLIS — What a pity: I shall take an extension of time, anytime. I conclude by saying that if there were any decency the government would include the same provision in the state constitution. If it believes in the provision, it should amend the

constitution — and it should make certain that the honourable member for Tullamarine is the first to go. It would not take very long for the honourable member to end up in gaol because he would want to consult his community on the increased rates. Every time he did that, off he would go — and we would have another by-election. If the Minister for Police and Emergency Services spoke about a controversial bill, off to gaol he would go, too.

This is draconian legislation. It stands condemned even before it is voted on. Nonetheless, the government and the minister have one last chance to withdraw the measure. Allowing it to go through will prevent future generations of Victorians from actively participating in local government elections because of the fear of being gaoled. It is something that will stop them now and forever.

The DEPUTY SPEAKER — Order! The honourable member's time has expired. Honourable members might be pleased to know that the honourable member for Richmond has been suffering from laryngitis!

Mr LUPTON (Knox) — It is always interesting to follow the honourable member for Richmond in a debate. If he is suffering with laryngitis, I would hate to have to listen to him if he lost his voice! For the past half an hour I have listened to the honourable member's ravings, which is the only way you can describe his comments. He covered a great number of topics but always seemed to come back to the claim that everybody in local government will end up going to gaol. He said that a Labor government would repeal this law, that law and every other law that the government has enacted over the past couple of years.

We must remember that since 1994 local government in Victoria has suffered an amazing restructure.

Mr Loney interjected.

Mr LUPTON — I point out to the honourable member for Geelong North that that is something the ALP tried to do in the late 1980s, but it could not get its proposals off the ground. The former government tried to amalgamate local councils throughout Victoria, but it died in the backside. Labor did not have the guts to push it through. When members of the public said they did not want it, the former government turned around and rolled over. In the end it did not have the gumption and it did not believe in the need to amend local government. However, this government went to the public and got its local government amalgamation through.

I point out to the honourable member for Coburg, who has not yet got his feet wet — even though he says he is opposed to the legislation — that this will be a good debate. He does not realise that in the late 1980s I worked with the then Shire of Sherbrooke and the City of Knox on the amalgamation of those two municipalities. It did not proceed because the ALP government lost its guts; it got cold feet and threw the whole amalgamation process out. It took the Kennett government to bring the amalgamation into being.

The boundaries that were stipulated by the Knox and Sherbrooke municipalities became the boundaries of the new City of Knox. Opposition members, particularly the honourable member for Richmond, do not know what they are talking about.

Mr Cameron interjected.

Mr LUPTON — I am certain the honourable member for Bendigo West does not know what he is talking about because his contributions to debate so far have been rubbish. The honourable member for Richmond said the government would control the business of councils. He referred to proposed new section 77, which relates to the improper use of information by councillors or members of council committee. Under the current legislation the standard of proof required to bring a successful prosecution is high — that is, beyond reasonable doubt.

Despite the fact that severe penalties may be imposed there is little deterrent for people who may be tempted to leak information.

The section states that a councillor must not make improper use of information acquired as a councillor or member to gain or to attempt to gain, either directly or indirectly, a pecuniary advantage for himself or herself, irrespective of whether detriment was caused. However, it is extremely difficult to prove. Councillors could say, 'I never intended to cause detriment to the council', but the amendment in clause 3 states that if detriment is caused there is a case to answer.

The honourable member for Richmond suggested that anybody who leaks a bit of information will go to gaol, but that is totally incorrect. That is not the intention of the legislation. Detriment to the council must be proven.

Honourable members interjecting.

Mr LUPTON — If you could read you would realise that several councillors have leaked information for their own personal gain and that individuals have been able to purchase land that was to be rezoned and sell it to their advantage. The opposition is jumping up and down and being holier-than-thou about the situation, but the intent of the legislation is to cover detriment caused to the council. It is simple.

Many sensitive commercial matters come before councils. Should that information be leaked there is no doubt that a councillor or a friend of a councillor in a certain role could make financial gains. The legislation is an attempt to prevent that. That is what it is all about. Any other suggestion is incorrect. The honourable member for Richmond made assumptions as he raved on in spite of laryngitis, but he was incorrect.

Mr Carli interjected.

Mr LUPTON — The honourable member for Coburg is carrying on in his normal fashion: everybody else is wrong! Keep going because the minister will stitch you up beautifully! The honourable member for Richmond described the process, but during the last campaign I had the pleasure of debating local government amalgamations with an opposition member, who got done over. He was in favour of commissioners and compulsory competitive tendering and said the whole concept was terrific and progressive. Then he got a tap on the shoulder from the Leader of the Opposition. Despite the fact that the Honourable Pat Power in another place supports amalgamations and the appointment of commissioners, the Leader of the Opposition changed his mind, as he has done in respect to City Link and the grand prix, and the candidate had to reverse his role and argue the other way.

The bill reforms aspects of budgets, annual reporting and corporate plans and amends the rating provisions and existing offences. Annual reporting, which is what was done in the past year, now has to be linked with the corporate plan, which is what is intended for the next year. The budget has to be linked to the annual report, and when the budget is presented members of the public will be given time to put their thoughts to council. It could be strongly argued that not sufficient time is provided for that consultation, but there is now an avenue whereby the government can tighten the Local Government Act and improve accountability, particularly in relation to budgets, annual reports and corporate plans. The whole thing will be more professional.

This measure is not draconian. The honourable member for Richmond was careless with the truth and thinks everybody will be sent to gaol. I suggest that if a councillor went to gaol under the ALP the revolving door would have him out before he went in!

Honourable members interjecting.

The DEPUTY SPEAKER — Order! This is all very entertaining, but it must be difficult for Hansard to hear what is going on with that barrage of interjections. I ask honourable members to continue to invigorate the debate, but less feverishly.

Honourable members interjecting.

Mr LUPTON — I do not have to rewrite my speech. The drivel that comes from the opposition is amazing. The government speakers who will follow me will stitch you blokes right up! The honourable member for Richmond talked for 30 minutes about what he thinks of proposed new section 77, but I do not think it is worthwhile going on about it because his slant was incorrect. The legislation is not intended to throw every councillor in gaol. If detriment to council can be proved, action will be taken. I commend the bill to the house, and I am certain that if the opposition's contributions are anything like its interjections they will be riveting and full of half-truths.

Mr CARLI (Coburg) — I strongly oppose the bill, as does the opposition. In my two and a half years as a member of this house I have risen to speak on every local government bill, and every such bill has highlighted the state government's subordination of local government. It has been a regular theme during my time here. This government has no respect for the third level of government. There are three levels of government in this nation, and so far as this state government is concerned local government has few rights. There is constant interference with the rights of local government.

The honourable member for Richmond said that the opposition will change the constitution and include in it protection for and recognition of the role of local government. We do not want to see what we have seen since 1992: the continual subordination of a level of government to the whims of state ministers and the majority in Parliament.

In talking about proof of harm to council the honourable member for Knox focused on proposed new section 77(1). He was quite right, but he did not mention proposed subsection (2), which states that where information is deemed to be confidential and where the council wishes to keep it secret, if a person who is or was a councillor speaks out he or she may receive 20 demerit points, which is a fine of $2000. Those people volunteer their time and get little recompense, but if they speak about something the majority of councillors decide is confidential they may be fined $2000. A second offence can incur a sentence of three months in gaol.

That is all the opposition is saying. That is why the opposition describes it as a Gulag amendment. Proposed new section 77 will send councillors to gaol.

Mr Dollis interjected.

Mr CARLI — Yes, it will send councillors to the salt mines. The majority of the members of a council may decide that a motion to give each councillor a $50 000 expense account should be kept confidential. If one of the councillors who opposed the decision, perhaps for political reasons, passed on that information to the community so that it could be discussed more widely, he or she would be breaking that confidentiality and would be subject to a $2000 fine for the first offence and three months gaol for the second offence. The majority of that council could deem anything to be confidential. Ultimately, there is a fine line between what might be detrimental to the council and what is a legitimate part of political debate, a legitimate aspect of politics.

Honourable members who have been involved in local government would realise that there is constant controversy. There are constant debates on where the child-care centre should be built, how much should the rates be increased and what should be done about this or that. The inclusion of this provision will mean that the majority can impose its will on a council in the most draconian way, through fines and possible imprisonment.

It seems to me that proposed new section 77(2) is clearly draconian. The house is considering a provision that breaks down the fine line between legitimate political debate and something that potentially could create detriment to a council. The amendment, which was first introduced in the autumn session, has not been widely debated or discussed with or by councils. There is certainly a degree of abhorrence of the bill among the councillors I know. They have expressed concern about the government taking away the legitimate rights they have as councillors. It is a matter of how they should discuss those issues or take up their concerns.

Mr Maclellan interjected.

Mr CARLI — It is fine for the minister to say there was plenty of time, but there was no attempt to have legitimate consultation. Yet this legislation places enormous impositions on councillors who have voluntarily taken on those roles. It imposes draconian measures on people who act in a way contrary to the provisions of the bill.

Three key issues in the bill are fundamentally opposed by the opposition. The first is the omission of the sunset clause on rate capping, the limiting of rates and charges. The bill will prevent local communities from deciding on the rates necessary to run services, whether those services will operate or at what level they will operate. Rate capping will not occur just over the short term, it will operate over the long term. Rate capping will be a feature of local government over time.

The basic concept of the council being accountable to ratepayers — and councillors are accountable because they are elected every three years — will be knocked on the head. The state government now says councils are not responsible enough to set their own rates and charges; the government will impose its will on councils. The government will do that not only in the short term, which it may be able to justify in the interests of the state, but indefinitely.

The very notion of independent councils is jeopardised by the provision to remove the sunset clause. This fundamental issue again demonstrates the government's failure to recognise the importance of local government and of legitimately elected officials of local government. Those councillors have been elected by the people. They have a right to make fundamental decisions without having the state government constantly imposing its will and whims on them.

The second issue concerns the improper use of information. The current legislation provides that if councillors improperly use information to the detriment of the council there are legitimate legal means to make them accountable, but the amending legislation goes considerably further. It is no longer left to the issue of detriment. Proposed new section 77(1)(b) provides:

to harm, or to attempt to harm, the Council.

Although honourable members would agree there should not be pecuniary interests — that councillors should not benefit directly from their roles as councillors, that they should not take financial gain out of the process — the issue about harming or attempting to harm the council is far more nebulous. It is a far more subjective matter. In local government we are talking about political debate. It is a political arena.

Mr Maclellan interjected.

Mr CARLI — No, so far as pecuniary interests are concerned, we want those matters to stand. It is the idea that there is this sense of harm that we oppose. In many councils there are, if you like, governments and oppositions, or two sides. Under this provision there may be times when the majority deems certain actions of the minority to have harmed the council. It becomes incredibly subjective. The provision is much broader. It leaves open a greater opportunity for interpretation. It is a far different situation from the one currently applying.

Whatever we say about the difficulty at the moment of charging councillors who may have used their powers inappropriately, this provision opens up the Pandora's box. Proposed new section 77(2) refers to a person who knowingly gives information that is confidential to the council or that the council wishes to be confidential. I suggest that Pandora's box is absolutely wide open. We are talking about interpretation and the possibility of the majority imposing its will on the minority.

Honourable members interjecting.

Mr CARLI — All they have to do is deem that it is confidential to the council. Information can be excluded from legitimate political debate. That is what we are talking about. Local government should be an arena for legitimate political debate. This provision stifles it and creates enormous opportunity to interpret material in any way. I repeat: the penalties are draconian. For the first offence it is 20 penalty units or $2000; for the second it is imprisonment for three months.

The honourable member for Richmond also referred to the imprisonment of councillors. Many members of the house have been councillors in the past, so one has to ask how many of them would or could have been affected by such provisions. How often is 'confidentiality' broadly defined? How often do things leak? At what point is it actually detrimental to the council?

Mr Maclellan — In the Labor Party it happens all the time!

Mr CARLI — The minister has made a good point. In our political system different parties do leak information. That happens with all political parties represented in this chamber. There is a constant leaking of information that the respective parties believe is confidential. It is leaked to newspapers and to television and radio stations. It happens with every political organisation. If the ALP were to apply that rule, or if the Liberal or National parties were to apply that rule, we would all be in gaol. They would have to put us away.

So far as I am concerned the confidential party meetings we all have do leak. That applies to all parties — they leak like absolute sieves. There are leaks from the government parties and from the opposition.

It is extraordinary that such measures are being imposed on local government councillors who voluntarily commit their time to work for their communities. This legislation makes them liable to large fines and, more horrifically, imprisonment for up to three months. It will stifle political debate rather than enforce confidentiality.

Another shocking part of the bill, particularly when one considers the government's constant rhetoric about red tape, is that it will impose onerous administrative measures on councils. That means more red tape, more demands on councillors' time and less user-friendly information. Onerous demands will be placed on local councils now to prepare annual reports and corporate plans. The minister will be able to intervene, which will result only in the less flexible provision of user-friendly information.

The government is imposing rules and regulations on local government that are far more onerous than the rules and regulations imposed on us parliamentarians, public servants or members of the general community. The requirement that councils provide budgetary information to the minister within 14 days should also be noted.

Mr Maclellan interjected.

Mr CARLI — Very little in this bill. It is horrendous!

The honourable member for Richmond and I are arguing for the constitutional rights of local government. We are arguing for the right of councillors to express political opinions and the right of the third tier of government to be respected, something this government does not show to local government.

The opposition has a number of objections to the bill. Another great shocker is proposed new section 77, which will make prosecutions easier to bring about. The amendment broadens the constitution by blurring the distinction between information and political activity. As people involved in political activity, government members should be concerned about anything that restricts political debate and silences dissent.

The onerous requirements of the corporate plan will also result in duplication. Proposed section 153B, which deals with annual reports, will result in significant extra workloads for councils. Proposed new section 144 will require a council to present a revised budget if there has been any change in its funding or in any other money it receives. That is an onerous request. Other government organisations and departments are not asked to devise new budgets or annual reports when, for example, there are changes to the terms of grant commission funding.

I take up some of the earlier interjections about corruption in local government. There is a belief that somehow local government is a big problem. The government has no respect for local government or its processes. That is why it introduces legislation such as this, which is extraordinarily intrusive and which attacks the role of local councils, making them subordinate to other levels of government. This bill is an indication of the coalition's belief that local government is simply a vehicle for the state government and that it has no role to play other than collecting rates and doing its duty under the orders issued by the state government.

I now turn to rate capping. The Local Government Act contains a sunset clause that places restrictions on how long the minister can continue to force down rates, reduce services and take away the legitimate right of councillors to decide rates and charges. The abolition of the sunset clause will mean that councils will no longer play a role in determining rates and charges. Communities that are already hampered by federal and state government cutbacks will soon have their backs to the wall.

There are already major problems in the cities of Moreland and Darebin, where case-mix funding has meant that people are being pushed out of hospitals and into the community, where there is no backup or support. Councils are having to redistribute their resources away from the needy aged to people who have been discharged from hospitals. The government's policy is putting extra costs on local government, particularly in the area of home and community care services.

The commonwealth government is also cutting funding in fundamental areas. What can local government do? What should it do? There ought to be enough flexibility in the system to allow councils and their communities to determine what services they need and what level of rates they need to charge. Flexibility is fundamental; and councillors are accountable every three years at election time. Councils should be able to decide whether they have problems meeting the demand for aged care services given the current funding mix allocated by the commonwealth and state governments. They should be allowed to decide whether to increase their revenue raising, which they may do through a mix of increases in rates and charges.

A key element of our democratic system is that councils have control of their own taxes. But the message the bill gives is that councils should not have too much of a say because whenever the state government wants to it can sack the councils and get rid of their councillors. Another fundamental aspect of our democracy is the right to vote, together with the right to raise taxes from the local community. That has been taken away because the government neither trusts nor cares for local government, other than as a vehicle for its own policy agenda and to meet its own needs.

The opposition must confront the problems facing local government. It is keen to see councils back and elections under way. Last year's elections demonstrated that in most cases communities elect councillors who are prepared to take up matters with the minister — and that is what we want to see. We want to see pluralism. We want communities to elect representatives who can legitimately confront the minister on matters that concern their communities. They should be able to do that without fear of either intrusion by the minister or being sacked — but unfortunately, that is now the climate in this state.

Sitting suspended 6.31 p.m. until 8.03 p.m.

Mr CARLI — The opposition fundamentally opposes the bill for three reasons. Firstly, it removes the sunset clause for rate capping. The bill strikes a blow against the relationship between an accountable local government, the amount of rates that are raised and the services required by the constituency, which is a basic democratic relationship. The community should be able to elect a council and make decisions about the type and quality of services provided.

Secondly, the bill changes the terminology in the bill dealing with the improper use of information. Proposed new section 77(2) deals with the notion of confidentiality. It blurs what is legitimate democratic debate and discourse versus detriment to a council. The changing of the wording places an enormous imposition on councillors and has the potential to lead to Gulags and salt mines, as the honourable member for Richmond said.

Councillors who have volunteered their time may be sent to goal for the fairly minor misdemeanours of information sharing or moving information around. Basically, the amendment provides that a council can determine what is confidential and if a councillor does not accept the notion of confidentiality and tries to have a democratic and political debate outside the council — which happens all the time in local government politics — he or she is liable in the first instance to be fined $2000 and in the second instance to be goaled for three months. It is a draconian measure which is an attack on councillors, and it is another reason why people will not want to be councillors.

The government has created an enormous number of reasons why people should not want to be councillors, but councillors are needed to run local government. Under this bill councillors will put themselves at risk by encouraging democratic political debate about elements of council activity if a majority of the council deems the matter to be confidential. We should consider the implication of the measure. Any sort of conversation may be seen as breaking confidentiality and could lead to the imposition of a fine.

The third element of the bill I find extraordinary given the language of the government with regard to removing red tape is the onerous, irritating and administrative demands placed on local government, particularly in relation to its annual budget and corporate planning. Regulations dealing with local government are being strengthened and more are being imposed than on any other government department, private enterprise or government instrumentality. Why is that so? Is it because the government believes the third tier of government should be subordinated, repressed and kept under control.

I suspect it involves a political reason because local government elections held this year and next year will see elected councils prepared to stand up to the minister. Why else would he subordinate them? Why else would he find more sticks to beat down the activities of councils? The government fears democratic elections will unleash opposition to government policy as well as people who are prepared to stand up to the minister and the government about issues they believe are detrimental to their communities.

The opposition objects strongly to the bill. The honourable member for Knox appears to have a poor understanding of the implications for councillors, particularly those regarding retrospectivity. Proposed new section 77(2) provides that people who have been councillors may be implicated if there is a breach of confidentiality.

It is a bad bill which has not been seriously debated with local government. If it had, changes would have been made by now and it would be a much better bill. This measure is being imposed from above, and democratically elected councillors yet again risk living in a climate of fear because the government might sack them or impose other restraints and controls over them.

These are fundamental issues about the rights and the status of local government. I reinforce the Labor Party's commitment when it returns to government to amend the Victorian constitution to ensure there is a clear statement of the rights of local government so the state government cannot intervene whenever and wherever it wants in local government.

This is a small but important amendment that strikes at the heart of local government democracy. The Labor Party has always stood up for local government democracy; it stands for the ability of the community to participate and have a fair go. It does not believe in the government and the minister imposing their wills on the legitimate rights, concerns and relationships between local communities and their elected councillors. The opposition objects to the amendments and will strongly oppose them.

Mr FINN (Tullamarine) — I begin by congratulating the honourable member for Knox who spoke before the suspension of the sitting for dinner, because during the time that I have been listening to the debate on the Local Government (Amendment) Bill this afternoon and this evening, he is the only one so far who has made any sense at all.

First we heard from the Deputy Leader of the Opposition. In his usual manner he made a contribution that was nothing short of hysterical raving. One can say about the Labor opposition in this state that its members are consistent. Hysterical raving is one of their trademarks; they do it very well and few do it better than the Deputy Leader of the Opposition.

The opposition in this state is exceptionally good at other things, too. The first is distortion and expressing half truths and leading people up the garden path. It is first class at that. Another thing is scaremongering. I have seen them trying to scare people in my electorate. They try to scare old people and sick people and now they are trying to scare anybody who might consider putting himself or herself up for election to local council.

We heard the honourable member for Coburg talk about respect for local government. This government has enormous respect for local government but we have a respect for proper behaviour in all government and that includes local government. The bill is about ensuring that proper standards are maintained in local government. I have been staggered tonight to hear members of the opposition say that a Brumby government will repeal the bill. That does not distress me enormously because just before 8 o'clock when I was standing outside on the steps I saw them coming back from their various faction dinners where they plot and plan to overthrow their leader. If they have no faith in him, what hope does the electorate have of ever putting in a Brumby government? That is obviously something that won't happen. Even some of the mathematical geniuses on the other side of the house would be able to work out that 21 per cent will not bring you government.

The basis of the opposition to the bill is one thing and one thing alone — that is, the opposition wants to protect what it believes will be Labor-controlled councils after March next year. We all know that once the Labor Party gets control of a council, the ratepayers do not matter any more. The people of the municipality do not matter any more because those councils, those municipalities, are run from a little shack in Drummond Street — the headquarters of the Australian Labor Party. What opposition members are concerned about is that the bill provides that the deliberate leaking and passing on of confidential and extremely sensitive information to the warlords of the Labor Party will be outlawed. That is what they are concerned and worried about. They are worried about their own control, their own power base. It is typical of the Labor Party that I have seen in my area for so many years. They do not care about the people. They do not care about the ratepayers. All they are concerned about is their power base and their control. They live for power. That is why they are opposing the Local Government (Amendment) Bill.

The bill is predominantly an anti-corruption bill. It staggers me to hear prominent members of the opposition speaking against that. One would have thought, given the Labor Party's experience particularly in New South Wales and Western Australia, that the Victorian branch would be very much against corruption. Listening to members tonight that is clearly not the case. It does gall me and it must gall every Victorian to know that the opposition in this state is going out of its way to support corruption in local government. I never thought I would see the day when the Labor Party or any party in this state would do that.

The bill is about responsibility. It is about protecting the ratepayers of every municipality. We heard the Deputy Leader of the Opposition in a brief moment — I don't know if it was temporary, but it was almost a moment of common sense, a brief and fleeting moment but a moment nonetheless — say this bill when it is passed will make prospective council candidates think very carefully about whether they should stand and think very carefully about their responsibilities.

That is exactly what the bill is designed to do, because being a councillor is an important job. It carries enormous responsibilities. We do not want anybody on council who does not take his or her responsibility seriously. We don't want them there just because somebody from Drummond Street has said 'You can stand there, you can have that seat on council'. We want people who will take the job of representing their constituents and their wards seriously.

An Honourable Member — Like Jack Ogilvie!

Mr FINN — Like Jack Ogilvie indeed. He was a superb councillor and I am sure that if given the opportunity he will be again.

Over the past two years we have seen a most welcome and long overdue revolution in local government. As an example of the need for the revolution, I point to a council that was in place out my way until the amalgamation process took hold — that is, the council of the former City of Keilor. We were aware in the north-western suburbs of Melbourne that the then Keilor City Council was not exactly smelling sweet; it was very much on the nose. We knew there was something very wrong in the City of Keilor. It has only been since the commissioners were appointed to the City of Brimbank and independent auditors have been able to go through the books that we have actually discovered just how bad the former City of Keilor was. The councillors of the former City of Keilor have been comprehensively condemned by independent auditors for their mismanagement of the assets of the people of Keilor. Without the amalgamation process that is something we would never have known about but would only have continued to suspect. The audit has confirmed what we suspected and it just goes to show the benefits that local government changes have brought to ordinary men and women and their families throughout the state. It is one of the greatest achievements of the government and one that I am certainly very proud to be involved in.

We heard members opposite raving on once again about the evils of rate capping and saying what a dreadful thing it is. Members will recall that just 18 months or two years ago it was the same members of the opposition, give or take one or two, who voted against the proposed rate cuts.

I informed my constituents prior to the last election — they obviously took it into consideration when they voted on 30 March — that the ratepayers of the City of Hume enjoyed rate cuts of between 30 and 60 per cent. That is absolutely magnificent and is a great blessing from the commissioners for the ratepayers of the city. I remind honourable members that I am the only member of Parliament, state or federal, who resides in the City of Hume, which is extraordinary when one considers the number of members of Parliament.

I also pointed out to my constituents that the Labor Party opposed rate cuts. It said that ratepayers can keep paying through the nose for the excesses of some areas of local government. The Labor Party wanted to keep on with the waste and inefficiencies. The people clearly rejected Labor Party policies and will continue to reject those policies for many years to come.

It is worth noting that the New South Wales Labor government led by Barry Unsworth capped rates when it was in office in the late 1980s. The Labor Party is voting against ordinary families. It is voting against businesses and against jobs. It confirms what we have always known — that is, the Labor Party is anti-family and anti-jobs.

Honourable members interjecting.

Mr FINN — It is for high taxes; that is what it is on about. Over the past two years we have seen a deliberate campaign orchestrated by the Labor Party to white-ant the amalgamation process and the changes in local government.

The Labor Party has a number of groups in my area. The honourable member for Yan Yean will know all about this because his electorate office has been bankrolling one of the groups. I do not think it is necessarily the right thing for a member of Parliament to use his electorate office for party-political purposes as has occurred in this case.

Mr Haermeyer interjected.

The SPEAKER — Order! The honourable member for Yan Yean used an unparliamentary expression and I ask him to withdraw.

Mr Micallef interjected.

The SPEAKER — Order! The honourable member for Springvale has also used an unparliamentary expression. He will be removed from the chamber if he continues to disrupt the debate.

Mr Haermeyer — I withdraw the remark, but the comment by the honourable member for Tullamarine was also unparliamentary.

The SPEAKER — Order! The honourable member must not elaborate on his withdrawal. I ask the honourable member for Springvale to withdraw his unparliamentary expression.

Mr Micallef — I shall bankroll him, but I withdraw my remark.

Mr FINN — I look forward to the cheque! One of the Labor Party fronts in the City of Hume established to white-ant the local government process is a group called the Hume Watchdog Group. The title is ironic because in my experience a dog is man's best friend, but this group has the mange! If I had a dog that carried on in the way this group has conducted itself at public and council meetings I would put it down! These people have contempt for the genuine concerns some people have. There is a considerable body of opinion in the City of Hume and certainly throughout other municipalities that commissioners should stay in office.

Mr Haermeyer interjected.

Mr FINN — Although the old chook is cackling away, the reality is that a sizeable proportion of the population wants to retain commissioners. Obviously that will not occur unless a poll is conducted through the democratic process.

Over the past two years the Kennett government has revived local government; in fact, it has boosted local government. The Labor Party would like people to believe that local government has suffered, but it is quite the opposite. For a number of years the Labor Party tried to do exactly what this government has done, but it had neither the will or ability to carry it out.

Mr Lean interjected.

Mr FINN — Yes, it was all too hard. The revolution continues. I have no doubt that under the masterly leadership of the Minister for Planning and Local Government the revolution will blossom and continue to bloom. If there is one minister who has a vision for the future it is surely the Minister for Planning and Local Government. He has shown his ability in these areas and is a caring and warm minister. I have no doubt that he is the man to continue the revolution to its natural conclusion. I am very proud to be part of the team because I know that ratepayers throughout the state are rejoicing. They have seen their rates plummet; they have seen the benefits that local government reform has produced.

As I travel around my electorate I have noted that after the initial apprehension that some people may have — face the facts, nobody really likes change because we live in a relatively conservative society and change brings some apprehension — the changes have been accepted and welcomed with open arms by my constituents and from what I understand by the constituents of every other electorate throughout the state.

They have every reason to be happy, particularly when one considers how some councils have benefited from the process. According to the figures I have, at least two councils — the Moreland and Darebin councils — received $50 million and $40 million respectively because of the changes to the electricity industry. That is $90 million extra for just two councils. I would like to be that hard up! If that is getting around with the seat out of your pants I would be more than happy to be in that situation.

Having listened to the Deputy Leader of the Opposition, in particular, try to tell us we are going to lock up every councillor in the state, it is worth noting what is actually in the bill. I do not think he has read it, so for his benefit and the benefit of the honourable member for Coburg I will read new section 77 of the Local Government Act, which is proposed to be substituted by clause 3. It states:

> *"77. Improper use of information*
>
> (1) A person who is, or has been, a Councillor or a member of a Council committee must not make improper use of any information acquired as a Councillor or member —
>
> (a) to gain, or to attempt to gain, directly or indirectly, a pecuniary advantage for himself or herself or for any other person; or
>
> (b) to harm, or to attempt to harm, the Council.

There goes the direct line to Drummond Street; there goes the Labor Party tentacles moving in on councils throughout the state.

It is also worth noting the penalties provided for contravention of that provision. I would have thought the penalty for a first offence of 20 penalty units was a reasonable and moderate penalty.

An honourable member interjected.

Mr FINN — They have just got $90 million for the electricity sales. The penalty for a second or subsequent offence is imprisonment for three months — that is, if you do it once you get fined and if you do it again you are clearly either on the take or you are stupid, in which case you deserve to go to gaol. That is what it is all about.

Mr A. F. Plowman interjected.

Mr FINN — Indeed, as the honourable member for Benambra says, you have to be caught twice, and that is easier said than done. I suggest the occasions on which this provision would be used would be very few and far between, yet the opposition is distorting the truth and trying to scare the living daylights out of anyone who might have had even a passing whiff of local government, which in the case of Keilor was not very pleasant.

Clause 23 of the bill inserts in section 175 of the Local Government Act proposed subsections (1A), (1B), (1C) and (1D), to which members of the opposition seem so vehemently opposed. I ask opposition members to reconsider their position because the amendments will be of major benefit to ratepayers and land-holders throughout the state. The proposed subsections are:

"(1A) If the previous owner of the rateable land had been paying any rate or charge by instalments at the time the ownership of the land changed, the person who becomes the owner of the land may continue the payment of that rate or charge by instalments.

(1B) The person who becomes the owner of rateable land may also pay a rate or charge by instalments if the previous owner could have paid it by instalments and the person becomes the owner of the land before the date the first instalment falls due.

(1C) In all other cases, the person who becomes the owner of the rateable land must pay any amount due under sub-section (1) —

(a) by the date it was due to have been paid by the previous owner of the land; or

(b) if that date has already passed, immediately after the person becomes the owner of the land.

Mr Haermeyer — On a point of order, Mr Acting Speaker, the honourable member for Tullamarine is clearly wasting the time of house by reading the bill verbatim. If he has nothing constructive to contribute to the debate I suggest he sits down. All honourable members know what is in the bill; they do not need him to read it to them word for word.

The ACTING SPEAKER (Mr Maughan) — Order! The honourable member for Tullamarine is quoting from the bill. There is no point of order.

Mr FINN — Thank you, Mr Acting Speaker. I read the proposed provisions purely out of concern for members such as the honourable member for Yan Yean who clearly have not read the bill or they would not be so vehemently opposed to it.

The proposed subsections I read provide for land-holders who buy land on which rates are due to pay those rates by instalments rather than having to conform to the current situation and pay them in a lump sum. It means that if people are fortunate enough to be able to buy a block of land on which to build perhaps their first home, they will not be slugged immediately with another blow by having to pay rates in a lump sum — yet the Labor Party opposes it!

Again the Labor Party is showing itself to be anti-family and anti-people. The reality is that the Labor Party no more represents the ordinary working man and woman in this state than does Attila the Hun! I ask honourable members opposite to reconsider their opposition. Rather, I ask them to consider their position because they have not yet thought this through. I know the task of thinking something through is very difficult for members of the opposition but I think the importance of the bill requires that they should have a good, hard think about what they are doing before they embrace corruption in local government — as we heard opposition members do here earlier tonight — and land another blow on families and working men and women who have gathered a few shekels together to buy blocks of land on which to build their first homes.

The Labor Party is having a huge amount of trouble coming to grips with what the bill is about: responsibility, proper standards in government, protecting the ratepayers of Victoria and looking after the ordinary working men and women and families of this state.

The honourable member for Coburg spoke of an extraordinary investigation he undertook on why Labor got its tail kicked in March. If he were to look around he would realise Labor got its tail kicked because the sort of people this bill is designed to assist have been totally ignored in the past by the ALP and are again being totally ignored by it tonight. Although it disappoints me to a degree, it is what we have come to expect. I ask the opposition to reconsider its position on this exceptionally good bill. I warmly welcome a rapid passage of the bill.

Mr COLE (Melbourne) — I had intended tonight to deliver a fairly docile speech about councillors' conflict of interest over tree root damage and also to use the opportunity to put in a bit of a plug about

the iniquitous right-hand turn into Gatehouse Street from Flemington Road. However, in the wake of the speech by the honourable member for Tullamarine I feel compelled to say a little bit more. It is unusual for me because my contributions normally follow those of the honourable member for Mornington. I do not know whether it is juxtaposed to the positions we hold or do not hold as the case may be in our parties, but I can assure the Liberal Party that if the honourable member for Mornington should ever give it away and go off to kick sand castles in Mornington instead of heads in Melbourne, the honourable member for Tullamarine will quite easily take his place.

It happened that I was asked about Melbourne on my recent overseas trip, when I missed the Champs Elysées, which I heard the Premier mention. I did not know he could speak French — and I am still not convinced he can because he got that wrong. When people asked about Melbourne I could not help but mention the honourable member for Tullamarine. When they asked, 'Is he good?' I said, 'Well, not really, it's just that he's got to be seen to be believed'. Of course nobody believed me.

Needless to say, the honourable member for Tullamarine has taken what is a fairly simple and straightforward debate to levels we could never possibly reach, and we are grateful to him for that. If anybody has ever bothered to read his speech on the Internet they must be absolutely devoid of anything decent to do with their lives. Although the honourable member won the last election. He is going down the road to losing the next one. I could not understand very much of what he said, although I think he used the word corruption about 750 times.

I shall return to the problem of tree root damage in Melbourne. Let us not forget there is a major issue here with information; it is a problem the government has yet again omitted to consider with respect to proposed new section 77, which deals with the improper use of information.

I know all about this issue. It is not that I have improperly used information myself or ever leaked anything; it is simply that there was a major problem on the former Melbourne City Council, which I raised in this Parliament and outside, with respect to the use of information and what constitutes direct or indirect use of information for a pecuniary advantage.

In that case, and in most cases, these were the circumstances: the person who was acting for someone making the claim against the council for tree root damage was attending the committee meetings where those issues were being considered. When the matter was reported to the then Local Government Department, it was said those people did not have a direct or indirect pecuniary interest under section 77 of the act, even though they were working directly for that claimant.

I must say that, with all due respect to the planning minister, I do not know what he could possibly do to resolve such a problem because these things will be dealt with on a case-by-case basis. However, he can rest assured there is a major problem with the question of direct or indirect pecuniary interest.

I raise the matter because I am very concerned with what has happened in the past and I do not see any hope for the future, except if we hand these matters over to the police and a specific investigative body is established to take the matter out of the hands of local government agencies. I do not know whether that is proposed, but something has to be done because for some reason there has been no desire to prosecute, even though there have been unequivocal cases of direct or indirect pecuniary interest. In fact, there have been cases of direct pecuniary interest involving what was clearly the improper use of information. The circumstances of the situation have not abated at all since the new councils have been constituted, and I will refer in a moment to how bad the situation is.

Such a matter will not be addressed by this bill. I do not necessarily say that is the fault of anybody other than those who are charged with the responsibility of enforcing the law. Tree root damage is one case where councils are up for potentially millions of dollars simply because they have to try to disprove, if you like, that a tree has caused damage to a property. I do not know if it is a big issue in Echuca or Swan Hill, Mr Acting Speaker, but it has been and continues to be a big issue in the City of Melbourne.

It is too easy for councillors to act for and on behalf of somebody who is making a claim for compensation. It is not enough for them to simply say, 'I didn't vote when a payout was given' because what these people do — I have seen it happen — is intimidate and force council officers to do certain things. It is easy to do so, particularly in these days of private contracts; a person could simply say to the officer, 'Your contract is up for renewal, and unless you come up with a position supportive of my client' — although they do not say it is their client — 'your job is on the line'. It is too easy to do those

things, and the bill does nothing to protect the community from that activity.

The use of information is one of the biggest and most difficult issues for the community to come to grips with in any event because information is so freely available these days. But, with due respect to local councils, there is nothing worse than a councillor who has capacity to gain information and use it to his or her advantage. We do not even know what these people are doing to gain that information. Invariably they may well vote against a decision, be absent from the chamber when the vote takes place, or leave the chamber, but they will have done everything else to assist the people making a claim against the council. That occurs time and again, and it is corruption with a capital C. How many people have been prosecuted for this? Not one. I do not blame the minister for that — I make that very clear — and I do not blame the government, but the fact is that we are not looking for the people who are using information.

When I raised the issue about certain councillors who were doing this I was considered the worst person in the world, yet we established unequivocally that it was happening and that it was wrong. The Local Government Department did not have the guts to prosecute those people. I said then as I say now: if you are acting for somebody who is making a claim against a council while you are a councillor, if that is not an indirect or direct pecuniary interest I do not know what is. That is the problem we must confront tonight.

The next issue is slightly different from tree root damage but nevertheless just as important. In this case the councillor was acting for one person against a developer who was trying to get a planning permit through the council. We are not talking small potatoes here; it involved a $46 million development and a $1 million claim for compensation — quite substantial amounts. Not only that, each day the project was held up it added many hundreds of thousands of dollars to the cost of the project.

I do not deny people their right to make claims; I think it is very important to have third-party rights. However, I object when a councillor who is a chairman of the planning committee that has to give approval for that planning permit is also acting for the person making the claim against the applicant for the permit and that that councillor does not declare his interest at all until it comes to the vote, and even then he is regarded as not having violated the act.

As I pointed out back in 1989, that person used information to the advantage of his client and to the disadvantage of the developer, but the situation got worse. That person was sitting in on meetings with his client, the developer and the councillor. When asked in what capacity he was sitting in on the meeting he said, 'I am here representing this person', not as the chairman of the committee; yet, at the next council meeting when the matter was considered he was sitting in as the chairman.

The then Local Government Department decided that was not a direct or indirect pecuniary interest nor improper use of information. The opposition is going through the pangs and the pains of opposing the bill, but we have not come up with a resolution. The problem is that nobody ever gets prosecuted because nobody has the guts to raise the matter of corruption. If you raise the matter of corruption against a councillor — and there are a lot of them out there — you are the world's worst. You have to stand in the position of prosecutor and you will not get anywhere. That is what concerns me about proposed new section 77(1) as contained in clause 3 of the bill. It has to go through. We can't live without it. But let us see something that will bring about a change to the current ridiculous situation.

Mr Cooper interjected.

Mr COLE — I advise the honourable member for Mornington that I am speaking against the bill in respect of proposed section 77(2), but the current proposed section 77(1) covers it anyway. So even though I am quite vociferous about the use of this information I know the matter will be most adequately covered, but it is ineffective now. I want it on the record that I am trying to change the provision about the use of information, and we should do something about it.

In some councils an even better use of information is called the informal meeting. Apparently all around councils they are not having meetings, they are having informal meetings where they have a little chitchat about who is going to get a contract, this one or that one. It is not only about misuse of information; it is about the informal arrangements. That the people concerned have a direct pecuniary interest is considered irrelevant. That again is probably not covered adequately by the provisions of the bill; it will be covered only when we make a ruling that a person must declare a pecuniary interest from the moment something is likely to be considered by council!

The informal meeting is even better. You can debate the matter and come out with a decision with the person saying, 'I now declare a pecuniary interest', yet the informal decision has been made, they have not declared their pecuniary interest and it will go through the council. It is happening. Unless we do something to stop that, local government will be a farce.

I supported the amalgamation of councils and I believe the opposition had to do that. I did not like the process, but there you are. We also have the major act of privatisation contracts. We are putting that matter into the hands of seven to nine councillors. They will have money they have never had before because there are no longer direct employees; they are all contracts. Everyone in town will be able to look at a local council now and say, 'Gee, there are a lot of contracts there to be got'. It is no longer the occasional permit that somebody might want to get a bit insistent with; it is much bigger. Information becomes imperative to have. Unless we put proper methods in place to resolve that problem we are in for a terrible time, as sure as I am standing here giving this speech.

The minister has to review how we are going to carry out the investigation and how we can stop the use of information that is detrimental to our community and to a councillor's individual advantage or that of his client.

With respect to proposed section 77(2), I have grave concerns about the council setting out who is chargeable and what constitutes information that cannot be given out. This should not be done by the council itself but by an independent body. We run the terrible risk of the democratic process being completely denied. We run the terrible risk, as has been pointed out by others more eloquent than I, that there will again be a movement that says who is in and who is out, and methods will be employed to push people out.

When I was on the Melbourne City Council we went into committee of the whole to decide these matters. We employed that method for confidential matters if we were about to sack an employee or if we were not about to sack an employee.

For the council to have the power to implement confidentiality requirements that will lead to a person being imprisoned concerns me greatly. There should be something a bit more specific about what constitutes confidentiality to the council and what the council wishes to keep confidential because we are talking about applying criminal penalties. It should be confined to the improper use of information for a person's personal gain rather than what can be seen as being damaging to the council, because that is as long as a piece of string and could incorporate just about anything. Because of the nature of local council politics — everything happens quickly, on the run and without a great deal of thought — in order to overcome the problems of objections councils will use these methods to stifle and prevent debate. Yet all that should be adequately covered by new section 77(1).

Clause 25, the repeal of sunset provisions, concerns me. We either have local councils or we do not; we either elect them or we do not. I received regular complaints that we are getting commissioners by stealth, that the councils cannot borrow money or increase their rates and, therefore, cannot provide the services that need to be provided. The government, for whatever reason, is not responsible for it and if rates go up I do not believe it will impinge on or hurt the government to any great degree. It must think that there will be a trickle-down effect yet again; that if business does not have to pay higher rates then Victoria's problems will go away. Well, it ain't quite like that.

I believe we either have a democratically elected government or we do not. With rate capping we will see what happened in England, and that is that the provision of services will dissipate, the standards will go down as local government bodies are forced into privatisation, and private contracts will show themselves to be of limited value — in fact, positively damaging — to our community.

The last point I raise concerns clause 32, which relates to the City of Melbourne. I could not let it go past without condemning as much as possible not the Melbourne City Council per se but the method of its election. The first problem is that we are discovering the strongest and best candidate will invariably be defeated because everybody will line up against that person. We are being left with a lot of duds on the council, which is the way it has come out. I find it unfortunate, but the fact of the matter is that with a preferential voting system where there is only one person to be elected you end up with everybody lining up against the strongest candidate and in some cases the people with the lowest number of votes are elected. That obviously was not intended by the voters. I believe that system of voting is deleterious to the good government of the City of Melbourne. More importantly, one-municipality-wide councillors are not active in

the local communities; they are elected, in the case of the now Lord Mayor, Cr Deveson, from nowhere. No-one knew who he was; he was not a local person. The business groups spent a fortune getting him elected. It got only two or three candidates up — I cannot remember now — and bought the lord mayoralty, and of course he is in there talking about things he knows nothing about and being completely unrepresentative of our community.

Now that is aside from the terrible issue of the gerrymander that was imposed by this government to ensure that it was not a democratically elected council. The five councillors were designed to get the business person up. It did not quite work like that, but it did damage nonetheless, and our community is the lesser for that.

The other issue is the postal voting system. It is a disgrace. I reckon there were more postal ballots stolen than there were legitimate people voting. It was a rort; they were flying down the street and were everywhere to be seen — nothing was happening in the legitimate electoral sense that we would expect of a council election.

We must get rid of the postal voting system. The bureaucrats and the others think it is wonderful because it is so convenient and easy for them. But in fact it is a terrible system. We must go back to a system where people go into a polling booth and vote legitimately, rather than having the method where votes fly everywhere and where all sorts of rorts go on, which is the case under the postal voting system. The amount of votes that were stolen from people's letterboxes was a disgrace, and something ought to be done — that is, we ought to get rid of postal voting; we ought to get rid of the five-councillor system and go back to ward councillor representation, where three people would probably be the best. That way we would get proper and decent representation.

The government probably wanted a council that had five business people on it. Although it did not quite get that because things went a bit astray, it basically got what it wanted, and it is not really a very representative council. The council itself is not going to move; its members are frightened all the time because they think the Premier or the Minister for Planning and Local Government might tell them off. So it is ineffective, unrepresentative and elected by the most bogus of methods you could possibly imagine — and really it is time it was changed.

They are the points I wanted to make about this bill. I oppose it, particularly clause 32(2) and proposed new section 77 in clause 3. It is time we totally reviewed how you achieve anything that resembles a prosecution. You cannot tell me that in the past 100 years there has not been at least one case of someone using information improperly; but the legislation says that that is what has happened and that nobody has been doing it. That is a complete and utter nonsense and this bill will not change that problem. In fact that part dealing with proposed new section 77(2) creates enormous problems, because — —

Mr Traynor interjected.

Mr COLE — If you had been here before you would know, because I spoke for about 5 minutes. It was not a bad speech either; it was one of the rare ones when I did not get stuck into — —

Mr Traynor interjected.

Mr COLE — I know; I thought it was the Attorney-General. It was one of the rare speeches in which I did not attack the Attorney-General for being hopeless. But I made it very clear that with respect to section 77(2) I am concerned that a council will make a decision about what constitutes confidential information, when such issues should be set out in the act.

Of course with the major issue nothing will happen anyway — because nothing has happened. Over the years what have we had section 77(1) there have been nil prosecutions — not a sausage. We are jumping up and down and making a lot of noise about things and not doing anything about it.

That is why I oppose the bill. I think that given the role that this government attempts to give to local councils, it ought to at least do something substantial to resolve the problems of the improper use of information and not walk away from it by saying, 'Aren't we wonderful? We have these lovely provisions here, and we are against corruption', whereas in reality it will not make any difference.

Mr COOPER (Mornington) — It is an unusual event that I am following the honourable member for Melbourne. I was glad that when he rose to his feet he mentioned me, because it would not be a speech from the honourable member for Melbourne unless he mentioned me. As he said, normally he follows me in debates on a variety of matters, but local government matters quite often.

I would like to compliment him on a lot of what he said, because it is quite clear that the honourable member for Melbourne has read the bill and applied his own experiences and logic to the piece of legislation, and to his credit he has not followed — in totality — the official line of his party. The official line of the opposition is to oppose this bill in its totality, and that was made quite clear by the Deputy Leader of the Opposition and by the honourable member for Coburg.

But the honourable member for Melbourne raised the prospect that he sees merit in at least subsection (1) of proposed new section 77 to be substituted by clause 3 of the bill, and while he has doubts, concerns and questions about subsection (2), he believes that subsection (1) is supportable. He does that on the grounds that he believes there need to be strong laws against the improper use of information by councillors. That is the view I also take.

However, I note that the official position of the opposition is that it opposes the bill. Its members have said they do not like rate caps; they do not like penalties for leaking confidential information; they do not like the preparation of corporate plans by councils; and they do not like councils being required to provide performance statements to ratepayers annually as a form of accountability.

I find all of that quite staggering! I would have thought that in this day and age, and particularly at this time when the Labor Party has made some quantum leaps in its evaluation of its policies, its members might evaluate their approach to local government and think this is a time to reverse the position that led them into such disrepute at the last general election in regard to local government and a number of other issues, and that they might think the people out there — the poor afflicted ratepayers around this state — might actually be in favour of paying less in rates.

That probably comes as a shocking move to the right for the Labor Party — that it would accept the view that ratepayers might like to pay less rather than more in rates, but it appears it is all lost on the Labor Party. They are now taking the official position that they do not want caps on rates and that they want councils to be able to charge basically whatever they think the market will bear.

And we all know what happens when it comes to twitching up the rate knob to pay for those little things that councils think would be nice or appropriate to have, particularly in the year before an election, because that is the way they can curry favour with the people who are going to vote. We have seen it in the past. Many members in this chamber — the honourable member for Melbourne being one and I being another — have been councillors before they came into this chamber. The honourable member for Melbourne had a lengthy and distinguished career as a councillor of the City of Melbourne, I had 13 years as a councillor, the honourable member for Ballarat West had a long career as a councillor in the Ballarat region, and there are many others who know perfectly well that this is what occurs with councils and their manipulation of the rate dollar. It is not like having your own money and being accountable for it, with the feeling that you are spending your own money. It is so easy to say, 'We will just put the rates up, and that will pay for this'.

In the back of your mind is always the thought that if you continue to give the community more of those types of things they will look kindly on you at election time. So the feeling of being accountable to their municipalities, the feeling of having to restrain expenditure and manage the businesses they have been entrusted with, goes out the window. That is one of the reasons why the rate caps have been introduced.

The commissioners of the new municipalities were required to reduce rates. The government is concerned that when the councillors return old habits will emerge. Rates will go up each year as they forget about the need to manage council businesses and instead start thinking about managing the politics — or managing the re-election campaign. The rate cap is there to protect the ratepayers, the people in the community who have to pay the bills. Despite that, the Labor Party opposes the measure. Members of the opposition have not advanced any reason other than the normal one they bring to this house when they oppose legislation — that is, 'We oppose it because the government brought it up. We oppose it for the sake of opposing it. We are here as an opposition, so therefore we will oppose'. That is the view of this opposition.

To his credit, the honourable member for Melbourne has at least looked at the legislation and has made some conscious decisions about it. He has not blindly opposed the whole lot. Instead, he has said there are some things in the bill that he supports. He has said he will be voting against it, and I understand the reasons why, but he has looked at it on the basis of merit.

I am staggered that the rest of the opposition has not done that, at least with regard to rate capping. How can they go back to their electorates and explain that they have just voted to give the incoming councils — or the councils that have just recently been elected — open slather on the question of rate increases. That is exactly what they have been doing!

Mr Dollis interjected.

Mr COOPER — You were heard in silence; hear me in silence!

Mr Dollis interjected.

Mr COOPER — Don't try and shout me down!

The ACTING SPEAKER (Mr Maughan) — Order! The Deputy Leader of the Opposition will remain silent.

Mr COOPER — The honourable member should show me the courtesy of letting me make my point without trying to shout me down. How can members opposite go back to their electorates and explain that they have voted for an open-slather approach to rate increases. I am surprised that they have not thought this through. In this new and enlightened age of the Labor Party, when its members can change their minds on so many matters that were grave policy concerns prior to the last election — such as the grand prix at Albert Park, City Link and a range of other issues — it is surprising that they have not done a backflip on local government. The claim of the honourable member for Tullamarine that they are getting their instructions from Drummond Street may well be true. I am staggered: I thought they had grown up and gone past all that, but it appears that the riding instructions are still handed down.

Given the way opposition members are approaching the bill, it appears they hanker after a return to the good old days. They would like to go back to those good old comfortable days when they got their councils together, particularly out in the western and northern suburbs, and told them what they wanted them to do. They used those councils as training grounds for prospective MPs, and everybody was happy. Yet the habits of the good old days are exactly the reason why the government has had so much support for its changes to local government.

The shock for the Labor Party is that the people who pay the bills — the ratepayers — do not want to return to the good old days. They want a change from the good old days when Labor councils such as Richmond and Sunshine revered the memory of Tammany Hall. All sorts of fascinating things used to go on in those councils, which inevitably led to their being dismissed. When a council was re-elected it was clean for a while, but it soon got back to its dirty old days, and on things went. Local ratepayers ended up having to accept that as a part of life. It was a bit like putting out the dustbin on a Monday morning. Even though the ratepayers put their bins out, they knew a corrupt council would come around to collect the rubbish. That is what it came down to.

As a demonstration of the good old days which opposition members now hanker for, I will recite the story of the appointment of the Director of Parks and Gardens in the City of Sunshine. This was a top job at the second level of management; it was well paid and came with a motor car. A council subcommittee was appointed and the position was advertised. Given the importance of the position the successful applicant was required to have a degree or at least some qualifications in horticulture. He or she also had to have a driver's licence and some managerial experience. There were a lot of applicants for the job and the councillors interviewed them all. One was a fair sort of stand-out. He was in his late 30s, and he had a degree in horticulture, a driver's licence and experience. In short, he was highly qualified for the job. Yet the councillors recommended to the council that the councillor who was the chairman of the committee — he had been a Labor councillor for some 20 years — should be appointed to the job. The highly qualified candidate was given some consideration because the councillor who was appointed had no qualifications in horticulture and had lost his driver's licence for some years due to his having imbibed heavily before driving a car. So the highly qualified candidate was appointed Deputy Director of Parks and Gardens. His job was to drive the director around the various parks and gardens in the City of Sunshine and to give him advice, saying such things as: 'This is grass, this is a tree and this is a plant' — and of course, everybody was happy!

That was the sort of thing that went on. I do not know how much contact the member for Richmond had with the former City of Richmond over the years. But I can well remember the investigation of reports of corruption at the City of Richmond conducted by the ABC when the Honourable Alan Hunt was the Minister for Local Government. The ABC proposed a two-part series, but unfortunately an injunction stopped the second part. On the first

night of its investigation of the City of Richmond, the ABC reporter was shown interviewing one man who said he was quite surprised to find when he turned up to vote at 3 o'clock on the afternoon of the last election day that he had already voted! Apparently, many people were saving some of the ratepayers of Richmond the trouble of having to go down to vote! The ABC also discovered the City of Richmond voting rolls contained the names of many deceased people who would come back to vote on election day. It was no surprise that the Richmond City Council was dismissed.

These are the good old days to which the Labor Party apparently wants to return. But as I said before, ratepayers around the state do not hanker after those times. They see the capping of their rates as being important. They want control over their finances; they do not want to allow councils to run amuck with public money and to do what they wish with rates and charges. They believe having penalties for leaking confidential information is also important. As the honourable member for Melbourne said, larger councils now have bigger budgets. That is why it is even more important to have good controls in place and to ensure those controls are policed and that those who breach the laws are dealt with. That is in the best interests of the community.

Accountability to the community ensures that those who break the law will be dealt with. However, the Labor Party opposes it. Given the track record of Labor councils before the amalgamations, why does Labor oppose it? When you consider the old cities of Richmond, Keilor and Sunshine you begin to get a glimpse of why Labor does not like this bill and why it hankers for the good old days.

Why has it failed to catch up with community opinion? Perhaps the reason is the same as the reason it has not caught up with opinion on the grand prix: it is out of touch and irrelevant and it has no policies. Given the lessons Labor was taught in October 1992 and March 1996 one would have thought that it might have changed and decided it should review its approach. Perhaps it is understandable. Opposition members have other things to think about, like changing their leadership. They do not have time to consider issues like this.

I support the bill because it is in the interests of the community. I suggest that opposition members should take just half a leaf out of the book of the honourable member for Melbourne and treat the legislation honestly because until now they have not done so.

Mr MACLELLAN (Minister for Planning and Local Government) — I thank honourable members for their enthusiastic and vigorous contributions to the debate. I particularly thank the honourable member for Coburg for the clarity with which he put the opposition's views. He made the difference between the government and the opposition very clear: it opposes rate capping, it is in favour of increasing rates and it wants councils to have the discretion to raise their rates to any amount whatsoever. The honourable member for Coburg made it clear also that the opposition is not in favour of penalties if someone uses confidential council information to his advantage or to the advantage of some other person.

The honourable member for Melbourne was the exception. He made it clear that he has a different and isolated view on the subject. I excuse him for that sin. He wants people to be prosecuted for leaking and misusing information, whereas the honourable member for Coburg believes it is a democratic right. As the honourable member for Mornington said, the honourable member for Coburg yearns for the good old Tammany Hall days. As for the provision relating to corporate plans and accountability to ratepayers, the honourable member for Coburg made it clear that the opposition opposes any form of accountability by way of corporate plans or opportunities for input into budgets.

Leaving aside her passion for the Ascot Vale library, the honourable member for Essendon believes it is a good idea to give ratepayers the opportunity to have additional time to comment on the municipal budget. There is the difference between the opposition and the government. The passionate arguments and the intellectual vigour shown by members of the opposition have almost won me over to the point where I might consider an amendment either here or in the other place. The sort of amendment I am thinking of is that there should not be a rate cap on residential rates in Labor council areas. That is a very attractive possibility. It is a good idea that those Labor councils that wish to raise residential rates may do so. I am greatly attracted to it. However, I do not think I will be able to win support for the view because the government feels all residential, commercial and industrial ratepayers should be treated equally and given a fair go and that they should not be subject to the little dictators on Labor councils.

Honourable members interjecting.

Mr MACLELLAN — There they go! They are as pure as the driven snow! They have never heard of the kitchen caucus where the caucus members make the decision, there is no discussion and it is banged straight through. It would never happen in a Labor-dominated council. It would never happen in the old Coburg council, would it? No, the Labor majority would cook up the decision at one of those informal meetings the honourable member for Melbourne was kind enough to describe to us.

Mr Sheehan — On a point of order, Mr Acting Speaker, the minister is indulging in tedious repetition. I ask you to bring him back to the bill.

The ACTING SPEAKER (Mr Maughan) — Order! There is no point of order. The minister is relating his remarks to the bill.

Mr MACLELLAN — We know how tedious it was for the ratepayers of those municipalities that suffered a Labor majority on their councils. It was all cooked up at the informal meetings the honourable member for Melbourne described to us. We understand the sense of deprivation Labor feels because it used to be Melanie's absolute right to make the decisions in St Kilda, and the absolute right of various named persons to decide every planning application ever made. If you were not in the right faction you did not get your planning application through.

Mr Haermeyer — Now they have to pay the minister!

Mr MACLELLAN — Look at the outrage! The honourable member for Yan Yean says that now they have to pay the minister.

Ms Gillett interjected.

Mr MACLELLAN — Do you want to associate yourself with the honourable member for Yan Yean and suggest I take bribes? Is that what you are saying?

Ms Gillett — He didn't suggest that!

Mr MACLELLAN — He interjected, 'Now you have to pay the minister'. Let us get that on the record. Do not look all innocent at me! You were sitting next to him when he said it and you heard him and you wanted to interject as well!

Ms Gillett interjected.

Mr MACLELLAN — As if being out of your place would stop you! I hesitate to tell you what your place is, but I doubt whether it has ever kept you quiet! You are all yearning for the good old days. That explains why the honourable member for Coburg was right when he wrote the report that states Labor lost the election because it was the captive of the inner city groups. That is what the Leader of the Opposition said about the analysis made by the honourable member for Coburg of the last election results. And you are doing it again.

Where is modern Labor? Modern Labor is back in the kitchen caucus of the Labor-dominated councils. Where is modern Labor on accountability to the ratepayers and citizens? It is back again to the old years when its members made the decisions around the caucus table and they did not account to anybody except the factions. Where is Labor on the question of rate capping? It is the high-taxing, high-spending party again.

I believe the bill will proceed to another place. I believe that following its receipt in another place I will carefully examine the arguments raised during the course of this debate and ascertain whether we can prepare some amendments to the bill. After all, the Labor Party has not had time to get ready for it. It has only had five months! Honourable members know how the government ambushes the opposition with legislation. The bill was introduced last session and the opposition has had five months!

In response to the matters raised by the honourable member for Melbourne, I will ask him to discuss with my niece Sue Maclellan, formerly an electorate officer with Tom Roper, the issues he has raised to see whether we can get proper prosecutions and perhaps some amendments to accommodate the views that he so earnestly expressed during the debate.

Motion agreed to.

Read second time.

Third reading

House divided on motion:

Ayes, 52

Andrighetto, Mr	McLellan, Mr
Ashley, Mr	Maclellan, Mr
Brown, Mr	McNamara, Mr

Burke, Ms (*Teller*)
Clark, Mr
Coleman, Mr
Cooper, Mr
Dean, Dr
Dixon, Mr (*Teller*)
Doyle, Mr
Elder, Mr
Elliott, Mrs
Finn, Mr
Gude, Mr
Henderson, Mrs
Honeywood, Mr
Jasper, Mr
Jenkins, Mr
John, Mr
Kennett, Mr
Lean, Mr
Lupton, Mr
McArthur, Mr
McCall, Ms
McGill, Mrs
McGrath, Mr W.D.
Maughan, Mr
Napthine, Dr
Paterson, Mr
Perrin, Mr
Pescott, Mr
Peulich, Mrs
Phillips, Mr
Plowman, Mr A.F.
Reynolds, Mr
Richardson, Mr
Rowe, Mr
Ryan, Mr
Shardey, Mrs
Smith, Mr E.R.
Smith, Mr I.W.
Spry, Mr
Steggall, Mr
Stockdale, Mr
Tehan, Mrs
Thompson, Mr
Traynor, Mr
Treasure, Mr
Wade, Mrs

Noes, 27

Andrianopoulos, Mr
Batchelor, Mr
Bracks, Mr
Cameron, Mr (*Teller*)
Campbell, Ms
Carli, Mr
Cole, Mr
Cunningham, Mr
Dollis, Mr
Garbutt, Ms
Gillett, Ms
Haermeyer, Mr
Hamilton, Mr
Hulls, Mr
Kosky, Ms
Langdon, Mr
Leighton, Mr
Lim, Mr (*Teller*)
Loney, Mr
Maddigan, Mrs
Micallef, Mr
Mildenhall, Mr
Savage, Mr
Seitz, Mr
Sheehan, Mr
Thwaites, Mr
Wilson, Mrs

Motion agreed to.

Read third time.

Remaining stages

Passed remaining stages.

LEGAL PRACTICE BILL

Further government amendments circulated by Mrs WADE (Attorney-General) pursuant to sessional orders.

The DEPUTY SPEAKER — Order! As the required statement of intention has been made pursuant to section 85(5)(c) of the Constitution Act 1975, I am of the opinion that the second reading of the bill is required to be passed by an absolutely majority.

Second reading

Debate resumed from 20 June; motion of Mrs WADE (Attorney-General).

Mr HULLS (Niddrie) — As I have only a short time I will give a brief overview of the bill. I will make more pertinent observations about some of the concerns the opposition has with the bill tomorrow, when I will move a reasoned amendment.

This is a lengthy bill, to which the Attorney-General will move a large number of amendments. I received a copy of some of those amendments days ago and a copy of others as recently as earlier tonight. It is argued that some of the amendments meet the concerns of constituent groups, in particular the Law Institute of Victoria. However, when I contacted the institute, which is in effect the union for lawyers in this state, immediately after receiving the bulk of the amendments — some 158 — I was informed that it had not received a copy. So, I faxed it a copy of the amendments. I do not know whether the Attorney-General took the time to send those amendments to the institute or whether they were lost on the way, but it is surprising that I received the amendments and the Law Institute did not, which meant that it had been unable to examine and comment on them until I had sent it a copy.

This bill will introduce major reforms to the Victorian legal profession. In her second-reading speech the Attorney-General makes clear her claim that the reforms will benefit the Victorian community. On one view she is trying to streamline the regulation of the Victorian profession. It is interesting to compare the size of the act with the size of the bill that proposes to regulate the profession and supposedly streamline the operation of the legislation. Adding the 160 amendments to this large bill makes a mockery of the Attorney-General's attempt to streamline the profession with brevity!

I do not know how many members have read the bill, but the Law Institute must certainly be congratulated on its thorough analysis of it. However, I am dismayed by the lack of response from individual lawyers. I have written to every law association in Victoria asking for comment on the bill and I have not received a large number of

responses. It seems the profession has left it to the Law Institute to analyse and comment on the bill on its behalf. It shows the great faith the profession has in the Law Institute, which is to be congratulated for its thorough analysis of the bill. The Bar Council appears to have done a fairly thorough analysis also.

As shadow Attorney-General it is incumbent upon me to give credit where it is due. Too often the opposition is accused of being negative and critical of everything the government does. That is not the case but, as honourable members know, it is often difficult for the opposition to get a run in the media when speaking about positive initiatives. Nonetheless, I do not back away from the fact that it is my role as shadow Attorney-General to responsibly scrutinise and, indeed, criticise where appropriate. It is important that the opposition is not seen to be criticising just for the sake of criticising.

I have absolutely abhorred much of what the Attorney-General has done in the past, such as her deliberate attempt to undermine the independence of the Director of Public Prosecutions, her attempt along with the Premier to undermine the importance of the office of the DPP and her almost childish vendetta against Moira Rayner, the former Commissioner for Equal Opportunity, simply because she has the audacity from time to time to criticise the Attorney-General and the government. However, it is appropriate to congratulate the Attorney-General for some of the reforms — —

Honourable members interjecting.

Mr HULLS — Well, a couple of the reforms that she — or should I say Greg Craven — has proposed in the bill.

I will give the Attorney-General some gratuitous advice for what it is worth. Perhaps the advice should go to the honourable member for Gippsland South, who I expect will be the shadow Attorney-General after the next election, and that is: steer clear of Greg Craven because as far as the legal profession is concerned — —

Mrs Wade interjected.

Mr HULLS — I know you congratulated him in your second-reading speech but you must steer clear of Greg Craven because the legal fraternity considers him an absolute laughing-stock! He brings no credit to you as Attorney-General. The legal profession knows full well that the real Attorney-General in Victoria is Mr Greg Craven. Indeed, it is Mr Craven's bill, so much so — and the Attorney-General would acknowledge this — that as recently as this evening Mr Craven was here giving her advice about some of the amendments he proposed in the bill. That is of great concern to the legal fraternity and it is about time the Attorney-General stood on her own two feet and spoke for herself rather than simply being a mouthpiece for Mr Greg Craven.

Having said that, there are some aspects of the bill that are worthwhile. Despite some perceptions in the community, the legal profession generally is continually changing and, as the Attorney-General would agree, is continually modernising itself and attempting to make itself more relevant to Victorians. Indeed, over the past years it has attempted to make itself more competitive. It is fair to say that sometimes change has been a little slow and from time to time the profession has needed a bit of a kick along from the government to continue to reform itself.

As I said, a number of the government's proposals are welcomed. Obviously it is important that the profession be accountable. The Attorney-General and the Victorian public acknowledge it is imperative that the legal profession be accountable, and indeed the profession acknowledges that. There are a number of accountability requirements in the bill that are appropriate and are welcomed by the public and the profession generally.

Many practitioners I have spoken to have made it clear that they must and do report on a regular basis to their clients. Indeed, they provide ongoing information relating to bills of costs and they are more than happy to supply information to clients in relation to costs and adhere to part 4 of the bill, which deals with costs.

I have a letter dated 8 August from the criminal law firm, Slades and Parsons, addressed to the Attorney-General concerning the defence costs in criminal matters. It expresses a number of concerns that have also been expressed by other lawyers to whom I have spoken. I am sure the law firm will not have difficulty about its name being read into *Hansard*. It sets out its specific concerns about clause 110:

> The clause imposes obligations which are extraordinarily oppressive and absolutely unnecessary. It compels criminal law practitioners in the Supreme Court jurisdiction to prepare itemised bills of costs and

> compels those practitioners to have the bills of costs taxed in the Supreme Court.

This is the nub of the complaint:

> The strongest objection to clause 110 is that it imposes extremely costly burdens on the practitioner, the client and the community in terms of the time taken by lawyers to prepare complex bills of cost in taxable form, the cost of the necessary taxing fees payable to the Supreme Court to entertain these bills and the cost to the community of using the Supreme Court's limited resources for these unnecessary taxations ... (the clause) is extraordinarily oppressive but it is also duplicitous.

I would be interested to know whether the Attorney-General has replied to the letter and, if so, what was her response to the legitimate concerns of criminal lawyers generally throughout Victoria.

The reforms in the bill relating to co-advocacy and the abolition of the practice of robing are also welcomed in the main by the legal fraternity, although one wonders whether the robing question is one for the government or one for the association representing practitioners. If it is one for the government, as the Attorney-General seems to believe, I have to ask why the government has stopped at non-jury trials. I wonder what the philosophical base for that is. I agree the practice of robing should be dropped because courts, whether they be the Magistrates, County or Supreme courts, can be a daunting prospect and a very intimidating experience for people appearing before them.

Debate interrupted pursuant to sessional orders.

ADJOURNMENT

The DEPUTY SPEAKER — Order! The time appointed by sessional orders for me to interrupt business has now arrived.

Housing: commonwealth cutbacks

Mr COLE (Melbourne) — The matter I raise for the attention of the Minister for Housing and in her absence the Minister for Education is the proposal by the federal government to reduce funding for public housing by $1 billion. My specific request of the minister is to lobby hard and strong against this ridiculous federal government decision. I assure her that the opposition will support her 100 per cent in her endeavours to reverse the decision.

If the federal government decides to go through with this cut the situation will be disastrous for Victoria as it will be for every other state. By way of background, I indicate that my electorate has a high proportion of public housing. Both Labor and Liberal governments have always acknowledged the need to provide low-cost public housing for people. We have had new developments, redevelopments and maintenance of public housing. Under this proposal there will be no developments, no redevelopments and no maintenance.

The formula proposed for public/private housing will be a disaster. It will be based on a market rental and will mean an increase in the market rental; people will be required to pay 25 per cent of the new market rental. It will unequivocally hit and hurt the most vulnerable people in our community. If this proposal goes ahead, it will lead to the growth of a substantial under class — worse than what currently exists. It is the worst possible place for the federal government to make massive cuts.

The Minister for Housing must take on board that there will be a responsibility on the state that will be almost impossible to take up in some if not all respects unless she goes in hard against the proposed cuts. A Liberal-National Party government is in power in Canberra. The Liberal government here ought to be able to assert some authority to ensure that specific purpose grants for necessary public housing are not taken away in such a cutthroat and ludicrous fashion. It will be almost impossible for the government to pick up the pieces and repair the damage caused if it cuts back public housing by $1 billion. It is the most important area for people who are most disadvantaged in our community — those on low incomes and social security payments.

Attention deficit hyperactivity disorder

Mr THOMPSON (Sandringham) — I raise a matter for the attention of the Minister for Education on behalf of a constituent, Ms Karen McVilly, a young mother who resides in Mentone. She has a family member who suffers from a condition that is diagnosed at this stage as being attention deficit hyperactivity disorder.

The symptoms of the condition include poor attention, impulsiveness, overactivity, restlessness, distractability, difficulty in getting along with peers, excitability — easily upset, behavioural problems, learning disabilities, and poor self-esteem. According to a report in the *Age* newspaper earlier

this year, some tests that have been developed by Melbourne scientists are able to better diagnose whether young children, predominantly young boys, are affected by this disorder. This test is meant to have a reasonably high level of accuracy in diagnosing the condition.

Some levels of behavioural disorder in young children can lead to difficulties in their educational progress and in longer term educational outcomes. According to a range of child developmental experts, and Dr Rick Jarman in particular, attention has been placed upon the importance of acting early in this particular arena.

A number of self-help organisations exist throughout Australia. In Western Australia a bookseller specialises in publications that are helpful for parents. One of the major difficulties parents and young mothers have is uncertainty and lack of clear knowledge of the conditions that lead to their young child behaving in a manner different from his peers. It is important every endeavour is made to diagnose the condition at the earliest opportunity.

I seek from the minister his support for a general review to ensure that within the Department of Education appropriate measures are taken to disseminate the relevant information to school psychologists and teachers so that young sufferers can be identified at an early stage.

In New South Wales a school manual called *Talk Time Teamwork* has been distributed to every school and the advice I have is that it is a valuable publication. I ask the minister to consider this request for the benefit of young people in the state who may suffer from this disability.

Housing: emergency

Ms KOSKY (Altona) — I direct the attention of the Minister for Housing to the contracting out of emergency housing for people in desperate need. Emergency housing is a last resort for people who have no other place to go — people who do not have networks of people who can put them up for the night or who can get them into the private rental market. They are often victims of domestic violence, homeless people who have been kicked out of their family homes or people who have left home because of abuse. The group also includes people who suffer from alcoholism who, without emergency housing, would be living on the streets or in a Brotherhood bin. We do not want people to be living on the streets and emergency housing is often a lifesaver for them.

The plans to contract out emergency housing in the next two weeks raises a number of difficulties. Firstly, the sector has been told little about the proposal and no consultation has taken place about the changes to emergency housing as has occurred with people in the community housing program. There should be a lengthy consultation process so the sector is ready to move into the contracting-out process. It is difficult to ask organisations to submit to run the programs if they are not sure what financial arrangements are required.

The real danger for people in emergency housing is that they are considered to be in a high-risk category of people not likely to pay their rent. They will be considered such a high risk that they will not be admitted into emergency housing because house managers have to make sure they can balance their books, and money will count rather than the accommodation needs of this sector.

I ask the minister to give a commitment that the people involved will not be turned away from emergency housing because of their inability to pay rent, and to extend the timeliness so community groups can better understand and contribute to the process.

Newcomb primary schools

Mr SPRY (Bellarine) — I direct the attention of the Minister for Education to a proposed merger between the Newcomb Primary School and the Newcomb South Primary School. The two school communities agreed almost unanimously to the merger.

The process was precipitated not by the government or the department but by the school communities themselves, which I believe reflects great credit on them, and particularly on a number of people I shall mention in a moment. Those people, who are not concerned about themselves, have recognised that benefits will accrue to the children at the schools through a better choice of curriculum, flexibility of staffing, improvements in facilities, and more teachers with specific interests and, therefore, specialist skills.

Firstly, recognition is due to the school council presidents, Ken McColl of Newcomb South Primary School and Paul Selleck of Newcomb Primary School, and their respective school councils who

actually drove the process. Next are the school principals themselves. Kevin Gurrie of Newcomb South is a fine teacher with strong community support who has a very big future with the Directorate of School Education. John Hayes, principal of Newcomb Primary School, who was a councillor and the last mayor of the former Rural City of Bellarine, has been a principal since 1991 and has held leadership positions in the DSE for about eight years. In a magnanimous gesture which is appreciated by the entire community, John has agreed to step aside in the interests of the children.

In addition, Don Tyrer, General Manager of the Barwon-South Western Region of DSE, and Mike Waters, District Liaison Principal of the Geelong-Bellarine District, have guided the process with wisdom.

The new school is expected to house about 300 students. The community would appreciate the minister's assurance that he will provide every assistance possible along the lines of the first round of the quality provision process of about three or four years ago under which direct tangible benefits accrued to merging schools.

Panton Hill Primary School

Mr HAERMEYER (Yan Yean) — I direct the attention of the Minister for Education to the need for urgent major works at the Panton Hill Primary School, which does not appear to have been addressed in the budget delivered today. I ask the minister to look at the concerns of the school, which I will detail in a moment, and invite him to visit the school and view the conditions there, which in some areas are quite squalid and unacceptable for a school in this day and age.

I will read from a letter sent to the resources manager of the North-West Metropolitan Region of the DSE by the president of the school council which outlines just some of the council's concerns. Given the time constraints I am under I will highlight only a few of those concerns. The letter states in part:

> The existing children's toilet block is a temporary relocatable facility. It is small, cramped, poorly ventilated, and unsuitable. We want it replaced with permanent toilets.
>
> Our staff toilet is inadequate. Because of our cramped conditions and shortage of space it doubles as a cleaner's storeroom.

The letter also states:

> We have a large gas tank situated next to our original school building. This tank services our school's gas heaters.

I add that it is an LPG tank:

> We want it relocated to a more suitable part of the school, away from the main buildings.

This is a serious safety issue because of the unfortunate consequences for children at the school if that tank were to explode. The letter goes on:

> The original school is 125 years old, (currently our staff room and library) and it needs restumping...
>
> The external guttering, downpipes and roofing of the main building are in need of urgent repairs. The cost of this work is beyond the means of our school's funds...
>
> Our present art room is a shelter shed converted at school council expense. It is undersized and needs to be replaced by a purpose-built art room. The school community is becoming increasingly impatient with our inability to provide proper art/craft facilities for the children.

The letter continues:

> In 1994 two classrooms were built to fire refuge standards. These rooms are 50 metres away from the main building but are not linked by covered walkways or sealed paving. Children, parents and staff are required to run through the rain to access the main building and/or the toilets. This unsatisfactory situation requires urgent attention and school council believes it would be unreasonable for the school to pay for such facilities.

The DEPUTY SPEAKER — Order! The honourable member's time has expired.

Ripponlea Primary School kindergarten

Mrs SHARDEY (Caulfield) — The issue I raise for the attention of the Minister for Education has an easy solution. I recently visited the Ripponlea Primary School, one of the many fine schools in my electorate, all of which appear to be thriving under this government's policies. On returning from my visit I received a follow-up letter from the school relating to the tenure for the kindergarten located on the site. The letter states:

> Thank you for your visit to our school. It is a pleasure to see that the local politicians remember their constituents. We look forward to sharing more time with you over the coming years.
>
> During your visit I raised an issue of concern to my school council. This concerned the tenure of the kindergarten currently located on our site.
>
> I enclose the following for your information:

These are the pertinent parts:

> The kindergarten, (formerly St James the Less) opened at Ripponlea primary in February 1989.
>
> > All works/costs associated with this were handled by the kindergarten committee.
>
> A draft agreement was drawn up between our school council and the kindergarten.
>
> > The draft agreement was sent to the department of education legal services (twice) but no response either verbal or written was received in spite of 'vigorous' attempts.
> >
> > Towards the end of 1989 I crossed out 'draft', we all signed, and I posted this off to legal services. Still no response.
> >
> > (At this stage the kinder had spent in excess of $15 000 on renovations. I felt they at least deserved a slice of tenure.)
>
> In spite of visits and promises of ministers of education and various other departmental bureaucrats, we have failed to provide the kindergarten with any sort of tenure.
>
> My request to you is that you pursue the issue of tenure for our kindergarten.

The letter lists the following points in favour of providing the tenure:

> I believe that new schools are being purpose-built to include the possibility of including a kindergarten.
>
> Many metropolitan primary schools are investigating the possibility of attracting a kindergarten.
>
> Our kindergarten has been a successful operation for seven years.
>
> But most importantly, because it works! Our kindergarten children who move into the school have a great start. They know their teachers, our routines etc. (Most other local schools would kill to have one!)

I seek the minister's indulgence in looking into this issue and hope a solution will be found.

Rail: Westall station

Mr LIM (Clayton) — In the absence of the Minister for Transport, I raise with the Minister for Education a matter I have raised in the house previously concerning the condition of the Westall railway station. Recently I received a letter from a constituent who highlighted the condition of the station from his perspective. The following remarks really disturbed me:

> I've written a great many letters (over 100 at last count) to the minister over the last three years in order to get the station upgraded and to an acceptable standard for commuters ... I find the minister now appears to have tired of my letters about the station's problems. All I get is a 'no comment' reply ... read it for yourself. This was the most recent one I wrote re the above issues.

This gentleman goes on to describe the condition of the station. I inspected the station, particularly the damage done to the lights. There is a stretch of walkway between the platform to the nearest street of about 100 metres which has six lights, none of which are working.

The house will recall that I have directed attention to the fact that a rape occurred there last year. If we do not want another rape to be committed there something needs to be done urgently. I therefore ask the minister to attend to this problem as a matter of urgency.

I shall again quote from the letter by Mr Richard Blake:

> At first it was one or two lights broken ... the covers had been smashed by stones thrown up at the lights but the globes were still active, then over the ensuing weeks I noticed that there were others broken, some with the globes smashed ...

Apparently all the globes had been smashed. There is clearly a need for protective grills to be fitted to protect the globes and keep the lights working. I hope the minister will attend to this as a matter of urgency.

Knox shire hall

Mr LUPTON (Knox) — I raise a matter for the attention of the Treasurer concerning the land owned by the government at Burwood Highway

Ferntree Gully, on which is situated the old shire hall, the Vicroads office and the former courthouse. This land is now considered surplus and the government is looking at disposing of it.

My concern and that of the community is that the old shire hall is more than 100 years old. It is the only shire hall east of Warragul that is still in existence. If the government disposes of the property this historic building will be lost to the community forever.

A number of options have been presented, including the demolition of all buildings, but the community is concerned about the retention of the old shire hall. The City of Knox has indicated it is not interested in accepting the hall, even as a gift, as part of the open space or as land to be subdivided for residential purposes. The cost of restoring the building to a reasonable condition is some $275 000. The City of Knox, which should be the landowner of the future because it can look after the hall, wants no part of it; it is not prepared to accept it in any way, shape or form in its present condition as it believes the money required could be better utilised.

A proposal has been put to me that one group is prepared to demolish the hall, move the bricks away and reconstruct the hall on land owned by the council. The City of Knox would then take over the maintenance and the future running of the hall. However, as this hall is in such bad repair the community, in particular being driven by the Knox Historical Society, is concerned that it may be lost to the community altogether.

I ask the minister to look at some way of obtaining views on various available options because there is no doubt the land that houses the hall, the Vicroads office and the old courthouse is very valuable. However, should development go ahead and the shire hall be demolished, that part of history will be lost. If no value is placed on these buildings when the government goes to sell them in the near or distant future the historical value of the shire hall could be lost. I ask the Treasurer to look at employing consultants to obtain the views of various developers and the public so that some amicable agreement can be arrived at.

AFL: policies

Mr BATCHELOR (Thomastown) — I raise a matter for the attention of the Treasurer and in his absence the minister at the table, the Minister for Education. I refer to the devastating impact the current policies of the Australian Football League are having on the Victorian economy. Economic opportunities are being given up. The AFL is failing to maximise Victoria's economic advantage and local football communities are being devastated.

I ask the Treasurer to instigate a thorough investigation and report of these disastrous economic policies and their impact on Victoria. I want the Treasurer's investigation to examine the loss to Victoria of the three finals last weekend, particularly for the businesses, the tourism industry and the local traders and manufacturers, and also to investigate the loss to Victoria after the Brisbane Bears swallowed up the Fitzroy Football Club and the loss to the Victorian people of two great community clubs of Hawthorn and Melbourne which may be abolished and sold off to commercial interests.

The DEPUTY SPEAKER — Order! I remind the honourable member that this is an opportunity to raise issues that are relevant to government business. If the honourable member continues to link the debate to issues of government business, the Chair will continue to hear him; but if he goes down a path of mergers and those sorts of things that do not have a direct impact on government business, I will not hear him any further.

Mr BATCHELOR — I am asking for an investigation to examine the impact on Victoria and on its economy of these sorts of incidents, which are the direct result of policies being inflicted on Victorian people by the AFL.

We have seen the devastating impact on the Victorian local football community. Yesterday a football great, Chris Langford, in an impassioned plea, pointed to the economic impact and devastation that this was creating in Victoria.

We would like the Treasurer to undertake a thorough investigation, to give up on his mate, Graeme Samuel, who has got him into so much trouble over St Vincent's Hospital, to put on a Victorian football jumper and to kick a few goals for Victoria. We would like to see the Treasurer, despite his disappointment at failing to become the first president-elect of the Melbourne Dorks, carry out this investigation and start looking after the people of Victoria.

The DEPUTY SPEAKER — Order! the honourable member's time has expired.

Gippsland Lifeline

Mr ANDRIGHETTO (Narracan) — In raising a matter for the attention of the Minister for Youth and Community Services I firstly thank him for the effort he has made in assisting the people of Narracan by establishing the primary care arm in Queen Street, Warragul. I also thank the Pettit family for its generous donation of commercial premises for the use of the primary care arm. I am sure the community of Warragul and the surrounding area is very grateful to them.

The matter I raise concerns the funding for Gippsland Lifeline. Recently I wrote to the minister, but have not yet received a reply because of the short time frame. But today I received a facsimile from the author of the original letter to my office, Mr Les Horsfield from Thorpdale.

Mr Horsfield is well known to the people of Thorpdale; he has contributed to the community over many years and has spent 40 years as a board member of the Mirboo North hospital and its aged care complex, and 47 years in the fire brigade, and so on. When I receive correspondence from people like that I act on it immediately.

Lifeline in Gippsland has been operating for about 27 years. This year it received over 4000 calls. Unfortunately, funding is in a state of flux and the organisation does not know the state of funding for the Lifeline program in Gippsland.

The facsimile from Mr Horsfield says:

> The service has been maintained to date, however it has now reached crisis point itself with staff now having to withhold cheques, only being cashable as income is paid in.
>
> All counselling is voluntary, professional administration staff being the only work force paid ...
>
> It is critical that your support for a fair deal for Gippsland be forthcoming, and immediate.

I ask the Minister for Youth and Community Services whether he can clarify the situation about funding for Lifeline in Gippsland, and in particular, whether he can reassure the voluntary workers in this worthwhile organisation that there will be a certain future for them.

Responses

Mrs HENDERSON (Minister for Housing) — The honourable member for Melbourne raised with me the status of the commonwealth-state housing agreement. I acknowledge the honourable member's commitment to public housing. Whenever I have visited public housing in the north of Melbourne he has been there looking after his constituents. However, he is being a little alarmist.

The concept of the commonwealth-state housing agreement, which is a 10-year agreement, has been in place for 45 years. The long-term agreement is now in the process of being negotiated, and the government has just signed an interim agreement that will take us through to the end of June 1997. The government will be working closely with the federal government to develop a long-term agreement that is in the best interests of Victoria.

As members well know, the government has a strong commitment to public housing. Since 1992 we have had to spend a great deal of money to catch up on the ignored maintenance of public housing under the previous administration. The government has spent $200 million in four years on redevelopments and upgrades, and it has spent $135 million on maintenance. We have a strong commitment to the provision of public housing for those people in most need, including low-income earners.

I assure the honourable member that the government will continue its commitment to public housing tenants. I noted that there was a rally in the City Square today, which I believe was attended by the honourable member for Altona. There were some 200 people at the rally, and they voiced their concern about the future of public housing in this state. You can be assured, Mr Deputy Speaker, that this government is strongly committed to public housing.

The honourable member for Altona raised the review and restructure of the community housing program that is currently under way, which is an internal departmental review. The honourable member is concerned in particular about emergency housing. I have seen a press release that she recently put out; and it is only recently that I have been able to organise a departmental briefing for the honourable member. I am very disappointed to see that she does not understand the situation, so I will take this opportunity to explain.

One of the things the honourable member has mentioned both today and in her press release is her concern that the government will be contracting out emergency housing. It gives me pleasure to advise the honourable member that emergency housing has been contracted out for many years to community organisations such as Hanover, the Salvation Army and other providers. The Department of Human Services has a joint responsibility under SAAP to provide funding to support people in community housing.

The Office of Housing provides funds for the management of particular housing. The government is endeavouring to get a clearer definition of the management and the maintenance of that housing so it can strengthen support services. This is not about creating homelessness, as the honourable member has suggested — and I hope she is not being mischievous. This is about strengthening the community's emergency housing.

The government has a strong commitment to providing services for those people in most need. Contrary to what the honourable member for Altona has suggested, the sector is being consulted. In fact, I have met a number of the peak bodies and they have given me the strong indication that they support the review, because we will have a much stronger sector as a result. The government will continue to provide support through SAAP funding and ensure the good management of housing. I am looking forward to being able to provide more beds for people in crisis in the future.

The DEPUTY SPEAKER — Order! Before calling the Treasurer to respond on two issues, one raised by the honourable member for Knox and the other by the honourable member for Thomastown, I advise the house that I consider that the issue raised by the honourable member for Thomastown does not affect Victorian tourism. The staging of interstate AFL finals is something that could well be seen as having an impact on the Victorian economy, but I fail to see how the merger angle can in any way be affected by government policy or intervention. I ask the Treasurer to take note of that point, to swerve away from the merger business and to talk about the issues as they might affect state economy, particularly tourism.

Mr STOCKDALE (Treasurer) — The honourable member for Knox raised with me the matter of the shire hall in Ferntree Gully, but this matter really concerns the Minister for Finance in the other place. I have had the benefit of a briefing with the minister, who certainly appreciates the honourable member's interest in this matter. He is well aware, as am I, of the honourable member's long service as a councillor in the former shire and his personal interest in the preservation of the hall where he spent many hours in municipal debate. I assure the honourable member that the Department of Treasury and Finance is sympathetic to his views and the views of many others in the community who support the retention of the old hall and who have a sincere nostalgic concern for its future.

The site is surplus to government requirements; therefore it had been made available for sale under the normal asset sale processes. However, because of community concern the department has engaged Mr Adrian Atkins, a highly respected independent planner, to provide advice on the options for the future use of the site, including the old shire hall which, as the honourable member for Knox would be aware, occupies a small portion of the total area. I am sure the honourable member is well aware of Mr Atkins's competence. He was a senior officer of the shire during the honourable member's long stint of local government service.

The report is due at the end of September and the Minister for Finance has given an undertaking that all interested parties will be consulted shortly after it is received. Following the consultation process there will be a determination to find a suitable solution for the preservation of the shire hall. Only then will the property be placed on the market. It is anticipated that no final action will be taken until March 1997 at the earliest.

Although the honourable member for Thomastown raised a matter concerning the Australian Football League he was in fact seeking an economic impact statement. It was an opportunity for a bit of grandstanding and to seek some gratuitous advice on how the AFL should be running the football code. If the league wanted to go into the business of printing fake tickets for scalpers, the honourable member for Thomastown would be the appropriate person to see because that is his area of expertise. In fact, he has demonstrated many times in this house that it is his only area of expertise. It is a bit rich for the Labor Party to be giving the AFL advice on economic management.

The honourable member has demonstrated the usual political acumen of the Labor Party: if there is an issue on which empirical evidence is based and the people are on side in droves with some target of the ALP, you can bet it will be busy attacking the targets

and repudiating any actions that demonstrate their attitude towards the subject of scrutiny. We do not have to wonder about it because there has been recent publicity about the fact that people are endorsing with their feet the actions of the football league. Aside from the fact that clubs in Perth, Adelaide, Sydney and Brisbane are drawing additional crowds, adding to the value of television rights around Australia and providing many hours of entertaining television viewing for Melbourne people, attendances in Melbourne have never been higher than they are at the moment. People are responding to the reforms the league has introduced by attending in greater numbers than ever before. I cannot recall community interest in and discussion of football being higher than it is now.

I believe that reflects not only the improvements in the competition manifest in games in Melbourne but also the enhanced television coverage and access through both free-to-air and pay television. The empirical evidence is that the vast majority of football followers do not support the views implicit in the statements of the honourable member for Thomastown.

Let me not be churlish about it. I concede there is a grave amount of concern about some of those changes, particularly the very sad circumstances surrounding the merger of Fitzroy with Brisbane. Fitzroy had bad management and suffered a lack of support by the previous government. The honourable member for Thomastown was actually associated with that club. I understand he has at least accepted its hospitality at luncheons. I do not know whether he has done anything else to help it. But a former Premier's good lady was the no. 1 ticket holder and, although his primary allegiance was a former VFA club, John Cain expressed support for the club.

This club has a strong association with the ALP. It is in the heartland of the ALP. It has strong associations with the honourable member for Thomastown, a former Premier and a number of other people, including the current Minister for Sport. Notwithstanding that association nothing was done which had any impact on improving the viability of that club and unfortunately, in the end, it was left in the position of having to merge against its wishes with a club selected by the AFL, not one selected by the club itself.

I suggest that illustrates the dangers of the sort of head-in-the-sand, troglodyte attitude which the honourable member manifested tonight and which is so much a part of the culture of the ALP. It seems determined to make itself irrelevant to the people of Victoria on issues whether they are relevant to government or not. On every issue you could name, whether it is a responsibility of government or, like this, a matter of general public interest, you can bet the ALP will be aligned with some fractional minority group utterly irrelevant to the desires and aspirations of the vast majority of Victorians.

The honourable member turned his attention to the Hawthorn-Melbourne proposal. It is an unfortunate piece of timing, a time when the members of those two clubs — and I gather he is not a member of either club — are turning their attention to how they should vote, either by proxy now or by attending meetings next week. No doubt his desire is to see them end up in the same position as Fitzroy, where they will either disappear out the back door, which is a possibility, or be forced into mergers not of their choosing.

I should like to distance myself from the sentiments underpinning his comments. Both boards have acted with the sort of careful investigation and farsightedness that will improve the outlook for their supporters, club members and the competition in general. I believe it would be very good for the competition if the merger were to take place. It would produce a strong club in the place of one which is in some difficulty, as Hawthorn has publicly acknowledged. The Melbourne Football Club is, for the time being, in a secure position, but its own projections and own careful study have shown that its financial position could not be assured beyond next year.

So the honourable member is taking the same sort of shortsighted attitude towards football that marked the Labor Party's years in government and its attitude towards the state. The Victorian Audit Commission, as was recalled in today's budget, projected that if the Labor Party's policies had been adopted for the balance of this decade, by 1997 Victoria's debt would have been $45 billion rather than the $31 billion we inherited from the Labor Party or the $20 billion in round terms it is now. If we continued the ALP's policies — I do not think anyone could do that — by the turn of the decade our annual current account deficit would have been about $3 billion a year. The honourable member wants to adopt the same head-in-the-sand attitude, the same attitude of 'Let's worry about today and forget about where our policies are taking us' in relation to football as that followed by the Labor

Party, which virtually brought this state to the edge of bankruptcy.

Fortunately, the two boards are not adopting that course of action and are not looking down the same unfortunate barrel that Fitzroy looked down. I agree with the honourable member that Fitzroy's end was unfortunate, but the experience of Fitzroy a few years ago in taking the head-in-the-sand attitude that the honourable member is recommending towards football generally explains why Fitzroy met the fate it did. That is why the boards of Melbourne and Hawthorn are being farsighted.

Mr Batchelor interjected.

Mr STOCKDALE — Do we want to get rid of all the clubs?

Mr Batchelor — Get rid of more clubs.

Mr STOCKDALE — That's a bright suggestion! It is inevitable that there will be further mergers of Melbourne-based clubs. But I do not believe, as the honourable member has suggested, that the number of clubs will get down to six. The league has indicated that would not provide a sufficient number of matches in Melbourne to ensure a continued following. But, in my humble opinion, there will certainly be further rationalisation of the league — not that I as Treasurer have any direct control over the matter.

I am sure the league is well able to continue to manage the Australian Football League without the assistance of the honourable member or, indeed, without my assistance in my capacity as Treasurer. But, in terms of being a citizen of this state — in my case a member of one of the clubs concerned — my view is that the two clubs ought to be congratulated for taking the same careful, well-managed approach that has marked this government's period in office. They have the support of the AFL in continuing reforms which have commanded strong support from the football-following public, which is manifest in attendances and ratings.

That brings me to last weekend. What more magnificent celebration of Australian football could we have had than the series of matches conducted last week, with the single exception of the match conducted in Melbourne, which was a little one-sided for my liking. But two of the three matches interstate, the ones about which the member is most concerned, were very entertaining and have been universally applauded and attracted record television ratings in Melbourne.

Again, the empirical evidence is that the rest of the Australian community, the rest of the Victorian community in particular, does not agree with the criticism of the honourable member. Not only did they watch the television in record numbers, but they actually expressed great satisfaction with what they saw. The honourable member obviously objects to those very entertaining matches the interstate clubs managed to win.

Mr Haermeyer interjected.

Mr STOCKDALE — I remember sitting where the honourable member is sitting now at the end of the former Labor government's term after the West Coast Eagles won the premiership. I remember sitting beside former Premier Joan Kirner after a Melbourne club got a bit of a belting from the West Coast Eagles. Again the empirical evidence is not consistent with his interjection.

The honourable member has demonstrated his usual alacrity in shooting himself in the foot with his abysmal ignorance of the empirical facts about what people are demonstrating by their actions and what they are saying about the changes. It will be a sad day if enough people are deluded by the sort of troglodyte opposition the honourable member is putting forward and plunge Melbourne and Hawthorn into the same sorry state that eventually led to the collapse of Fitzroy. I hope that will not happen next Monday and I hope that next year we will be celebrating the run-up to the 1997 finals with the Melbourne Hawks in a strong position to win the premiership.

Dr NAPTHINE (Minister for Youth and Community Services) — The honourable member for Narracan drew to my attention Gippsland Lifeline, which takes 4000 calls from people often in need of assistance and sometimes in very serious states of crises. The member for Narracan again displays his interest in community affairs and his strong representation of his electorate.

Gippsland Lifeline is part of the Lifeline network across Victoria. There is a central Lifeline agency and a number of regional operations. With increasing technology there are opportunities to better link Lifeline agencies rather than having individual agencies. That will provide proper coverage of the entire state while still utilising the volunteers in

regional centres who are well-trained and who provide excellent service.

The Gippsland Lifeline agency raised the issue of funding. It pointed out through the honourable member and other local coalition members who have also made representations that it believes it is one of the few Lifeline agencies that has not received government funding in recent times. I am pleased to advise the honourable member for Narracan that I will be visiting Gippsland next week as part of my effort to move around the state and meet with people from local communities. I have arranged for a meeting with the people from Gippsland Lifeline to discuss some of their concerns and perhaps provide some assistance to them.

Mr GUDE (Minister for Education) — The honourable member for Clayton raised for the attention of the Minister for Transport the condition of the Westall railway station. He referred to some 100 or so letters written by a constituent to the minister, presumably over some time, and he questioned the lack of response from the minister.

He particularly highlighted the need for additional lighting at the station. I shall direct the matter to the attention of the minister, but I must say 100 letters seems to be a little over the odds! Nonetheless, the honourable member is no doubt faithfully repeating the words of his constituent or perhaps a letter he has received from the constituent. I suggest to the honourable member that it might be useful for him to make the name and address of the constituent available to the Minister for Transport to assist the minister in tracking the letters to which the honourable member refers.

The honourable member for Sandringham has been approached by a constituent Ms Karen McVilly about a particular medical condition affecting one of her children. He directed attention in his normal caring way to the fact that some scientific research has been done in Melbourne at the Swinburne University of Technology and also some work has been undertaken through the education ministry in New South Wales disseminating information to assist in the detection of the particular disorder via a relatively simple test mechanism.

I am not familiar with the details, but I am happy to talk with the honourable member later and raise the matter with the department to see what can be done. Obviously if work is undertaken in another state it should be examined to see what can be done to alleviate this particular problem.

The honourable member for Bellarine raised the now successful merger of the Newcomb and Newcomb South primary schools. In a previous political life some time ago I had some interest in the development of those schools. It is rewarding that the merger has taken place because it was always the intention that that would occur.

The Newcomb Primary School currently has an enrolment of 144 students and through its school council it sought to merge with the Newcomb South Primary School which has 181 students. That makes good sense and it has been done in a constructive way. The two councils and all those involved with the schools have unanimously endorsed the merger, and it is to be commended.

I note in the budget papers today there is recognition of the fact that mergers do take place in school communities and there is an anticipation of more mergers of this nature occurring. Discussions will be held over the next few weeks between the regional office and the joint school council. I can assure the honourable member that the new school will be appropriately resourced in terms of facilities, staffing and equipment. As the site to be vacated adjoins the Newcomb Secondary College, I hope that the former Newcomb South Primary School will be utilised by the Newcomb Secondary College and thus allow the clearance of a large number of portable buildings currently on that site. So we can see that two primary schools merging bring benefits not only to themselves but also to secondary students in that area, and that is a commendable process.

I take this opportunity to acknowledge the tremendous work the honourable member does within the school community in his electorate. He is renowned for his resourcefulness and his commitment to education in the area, so it is appropriate that he raises this matter of concern in his electorate. I assure him that everything will be done to bring about the most effective result one would want.

The honourable member for Yan Yean raised for my attention the 123-year-old Panton Hill Primary School. He started off talking about maintenance works and then got down to what was really a classic description of a school that ought to be ripped down, by the sound of it, given that it needed propping up and that there is an LPG tank attached

to the building. Just on the face of it I would share the honourable member's concern if the gas tank were located in that fashion, and I have no reason to doubt that is the case. It is really the prerogative of the region to give consideration to this matter in light of the total requirements of the region. I have no idea where it might fit within the region's priorities. I will make some inquiries to discover where it does fit.

However, the honourable member referred to the issue of a portable building that is completely inadequate being used as a toilet block, and also the LPG tank issue. I take the view that health in schools is a very important matter. I will specifically and particularly raise those two issues with the region to see whether it is prepared to make funds available, given that all is as it has been described on the face of it, to secure a change in that area in the immediate future. A new toilet block costs around $40 000 these days, depending on the size of the school. That is something that needs to be looked at. Certainly I will have the region involved. I am happy to visit the school at an appropriate time. I know the schedule in front of me for the remainder of this year, particularly in respect of school visits and other commitments, is onerous, to say the very least. I can't promise to get there this side of Christmas, but I will make sure the region representative does, and I am prepared to visit the school with the honourable member.

The honourable member for Caulfield raised a matter for my attention with respect to a kindergarten on the grounds of the Ripponlea Primary School. As I understand it, the kindergarten has been located on the grounds since 1989 and an agreement had been drawn up between the school and the kindergarten committee. The school is now seeking advice on the legality of the agreement and its ability to grant some tenure occupancy to the kindergarten.

Some 20 or so schools in the state currently have kindergartens located in school grounds, and certainly there is growing evidence of a desire in school communities to see interaction between primary and secondary colleges and also to have preschools located within those areas. This very important and relevant process has been in place now for some years with respect to this particular kindergarten and school.

A working party has been looking at this issue for some weeks under the chairmanship of the honourable member for Ripon and I am confident that in the not-too-distant future a satisfactory solution will be found to enable tenure to be provided for the preschool at Ripponlea Primary School. We will look at securing outcomes as quickly as possible.

House adjourned 11.00 p.m.

Thursday, 12 September 1996

The SPEAKER (Hon. S. J. Plowman) took the chair at 10.04 a.m. and read the prayer.

PETITIONS

The Clerk — I have received the following petitions for presentation to Parliament:

Gun control

To the Honourable the Speaker and members of the Legislative Assembly in Parliament assembled:

The petition of certain citizens of Victoria draws to the attention of the Assembly the need for tighter gun laws.

Your petitioners therefore ask the Assembly to support moves by the recent police ministers council to tighten gun laws through the following measures:

the banning of fully and semiautomatic weapons;

the introduction of a nationwide shooters licence system;

the introduction of a nationwide gun registration system.

And your petitioners, as in duty bound, will ever pray.

By Mr Dixon (624 signatures)

Altona District Hospital

To the Honourable the Speaker and members of the Legislative Assembly in Parliament assembled:

The humble petition of undersigned citizens of the state of Victoria sheweth concerns over the threatened closure of the Altona District Hospital, cuts in patient numbers, cuts in opening hours and reviews into the future of the hospital.

Your petitioners therefore pray that the state government makes a commitment to increase patient numbers and opening hours and keep the Altona District Hospital open.

And your petitioners, as in duty bound, will ever pray.

By Ms Kosky (1440 signatures)

Shire of Moira

To the Honourable the Speaker and members of the Legislative Assembly in Parliament assembled:

The humble petition of the undersigned citizens of the state of Victoria sheweth as residents of the Shire of Moira we strongly oppose the 'unsubdivided — seven councillor' proposal decided by Moira shire commissioners.

Your petitioners therefore pray that the adoption of three ridings and nine councillors be the option to ensure effective local representation.

And your petitioners, as in duty bound, will ever pray.

By Mr Jasper (2496 signatures)

Laid on table.

PAPER

Laid on table by Clerk:

Melbourne City Link Act 1995 —

Order pursuant to section 8(4) decreasing the Project area dated 20 August 1996 (two papers).

BUSINESS OF THE HOUSE

Adjournment

Mr GUDE (Minister for Education) — I move:

That the house, at its rising, adjourn until Tuesday, 8 October.

Motion agreed to.

LEGAL PRACTICE BILL

Second reading

Debate resumed from 11 September; motion of Mrs WADE (Attorney-General).

Mr HULLS (Niddrie) — Towards the conclusion of my contribution last night I gave the Attorney-General some gratuitous advice, which I hope she will accept, about the real author of this bill, Mr Greg Craven, who happened to be in Parliament House last night giving the

Attorney-General advice. I also congratulated her on some of the clauses.

Last night I was debating the clause dealing with robing. It is appropriate that it should no longer be compulsory for practitioners to robe while in court. As I said yesterday, it can be a daunting experience for a person to appear in court.

Some years ago I was sitting at the back of a Magistrates Court at Mount Isa in north-west Queensland. The magistrate was robed in a gown but was not wearing a wig. The matter before the court was a coronial inquest into the death of a person as a result of a motor vehicle accident in the area. An old Aboriginal gentleman was to be called to give evidence about what he had seen of the accident. He was called into the witness box and was sworn in. Obviously he was daunted by what he saw, particularly the magistrate sitting in robes on the bench. The Aboriginal gentleman was asked to tell the court what he had seen at the accident scene; he looked around the court and said he wanted to plead guilty! That is an example of how appearing before a court can be a very daunting experience, particularly when the person on the bench is robed. I welcome that clause.

Turning to the co-advocacy aspects of the bill, clause 65(2) states:

> The practice rules of an RPA or the Board may reasonably limit the application of sub-section (1).

Subclause (1) states:

> In any proceeding, 2 or more current practitioners may appear together as co-advocates.

I have been advised by the Victorian Bar Council that it wholeheartedly welcomes that limitation. In a letter to me the council states:

> The Bar Council supports the inclusion of subclause 65(2), which allows the practice rules of an RPA or of the board to place limits on co-advocacy which do not contravene the competition code. This will have the advantage of protecting clients from the expense of retaining two advocates when one would be adequate.

It goes on to state, and one wonders whether this is a matter of self-interest:

> It would also protect clients from being represented by practitioners who may not possess sufficient advocacy experience.

All honourable members know there have often been demarcation disputes between the bar and the solicitors' side of the profession, and members of the bar make it clear they believe they have the advocacy expertise. The welcoming of clause 65 by the bar has to be viewed as perhaps being no more than a vested interest. Indeed, the bar is saying that so far as it is concerned it will be business as usual — it does not consider there will be any great changes at all.

I congratulate the Attorney-General on the clauses that deal with interstate practitioners, and it is imperative that other states follow Victoria's lead on this matter. Why should a practitioner registered in Victoria not be able to practise in any other state or have restrictions imposed on his or her ability to practise in any other state?

The uplift in legal costs provided in clause 98 and the prohibition on contingency fees are also welcomed by the legal profession. The people of the United States of America are probably the most litigious society in the world and the use of contingency fees there results in proceedings being issued almost on a whim on the basis that there is some hope that the matters will be settled and fees will be paid. The opposition welcomes the fact that there has been no move toward the introduction of contingency fees.

Many of the reforms concerning complaints against practitioners will be welcomed by the profession and the public. The concept of dividing what I call the union arm from the regulatory arm of the Law Institute is something many lawyers have wanted for years. I recall that when I practised with my father many years ago he would often get a call from the Law Institute for someone to either have a chat with him or inspect the books, so to speak. It was a regular practice and my father could never understand why his trade union body also had the power to regulate him.

For some time lawyers have been concerned that there has not been a better separation of the regulatory and trade union arms of the Law Institute, and the government's philosophy seems to be that they should be separated. That philosophy appears to be expressed by the Attorney-General in her second-reading speech under the heading 'The regulatory regime', where she states:

> *(A) Co-regulation by the profession and the Legal Ombudsman*

> The regulatory regime reflected in the current act has at least three major flaws. First, the legal profession is almost entirely self-regulating. While there are independent tribunals to hear charges in disciplinary matters and to resolve disputes between lawyers and their clients, the investigation and prosecution of such charges is entirely in the hands of the existing professional associations. Although self-regulation has been largely effective, there continue to be instances of failure. Moreover, too many members of the public think that professional associations put the interests of their members before all others.

However, that seems to be totally at odds with what the Attorney-General says in the same speech under the subheading 'Voluntary membership of professional associations':

> Thirdly, there is at present de facto compulsory unionism in the profession which restricts freedom of association in a fashion inimical to principle and government policy. The bill therefore provides for the possibility of multiple self-regulatory professional associations, called recognised professional associations (RPAs). In order to accommodate such an arrangement and to oversee the regulation of the profession generally, the bill creates a Legal Practice Board, independent of both executive government and the profession. The board will comprise seven members ...

The speech goes on to deal with the composition of the board. The Attorney-General has made it quite clear, and it was made clear to me in the briefing I received from the department, that RPAs will have a dual role — that is, overseen by the board, they will regulate their members and act as their trade union.

One has to question the philosophy behind the bill. If the government considers it is desirable to separate the regulatory and union arms of the Law Institute, why is that dual role to be given to RPAs? One does not have to do much more than consider previous public comments of the Law Institute and the Attorney-General's actions in relation to her vocal critics and those of the government to determine the true philosophy behind the bill and the true agenda of the Attorney-General — or at least the agenda of Mr Greg Craven.

The Law Institute has often criticised the government, and I will refer to a few of the many press articles that have dealt with the Law Institute's concerns about the government. However, before turning to those articles, the Attorney-General's view of the Law Institute gives an interesting insight into why the bill is before the house. An extract from *'The Age' and 'The Sunday Age' Quarterly on CD-ROM*, reporting on material published in the *Sunday Age* of 9 April 1995, under the heading 'Wade berates lawyers', states:

> The Attorney-General, Mrs Jan Wade attacks the legal profession, describing the Law Institute of Victoria as 'simply a trade union', which is opposing her reforms to the legal profession to protect a cosy closed shop.

Then on 21 April 1995 an article appeared in the *Age* as follows:

> The Law Institute of Victoria resembles a self-indulgent medieval guild whose members feel for it as a budgie does his cage, says Attorney-General Jan Wade.

The article goes on:

> Few doubt one aim behind the reforms proposed by Mrs Wade in her agenda for change is to break the monopoly power of Victoria's 'oldest, richest, most powerful and least accountable trade union', again, her fighting words.

One can certainly glean the Attorney-General's view of the Law Institute. On Saturday, 28 October, after having been criticised funnily enough by the *Age* newspaper and also by the *Australian* and the *Law Institute Journal*, the *Age* reported the Attorney-General as follows:

> She criticised 'constitutional authorities' such as the *Age*, the *Australian* and the *Law Institute Journal* for describing the forced departures of Ms Rayner and Mr Bongiorno as attacks on the independence of the judiciary. Neither was a judge, she said.

The Law Institute dared to criticise her. One wonders whether that is not the real reason behind the bill. Indeed, the Law Institute has been a vocal critic of the government. In relation to increased court fees the Law Institute vehemently attacked the government saying they would make access to justice far more difficult.

On Sunday, 11 September 1994, the former president of the Law Institute, Mr Mark Woods, in a joint press release with Susan Crennan, a member of the bar, said:

> Dramatic fee increases such as these can only undermine the ability of individuals to use our courts ...The fee increases will have a particularly significant impact on legal aid and will undermine the

> capacity of the recently announced Lawaid scheme for civil cases to improve access to justice.

As we know, the Law Institute was a very vocal critic of the Children's Court in an inquiry that was called, initially by the opposition, into that area. The following article appeared in the *Herald Sun* in June of this year:

> The head of the Law Institute of Victoria has called for a judicial inquiry into a suppressed report which says Victoria's Children's Court suffers lengthy delays and an inadequate response to sexual abuse cases.
>
> Ian Dunn, the institute's executive director, said the Victoria's Children's Court had been in an 'appalling' state for 20 years. 'It's a disgrace. It's the poor relation of the judicial system.'

He said that an inquiry should be called by the government forthwith and that that inquiry should be headed by Justice John Fogarty. Further, in relation to proposed drug reforms and the Penington report the Law Institute made it quite clear that it was totally inappropriate for the government to do nothing. The Law Institute came out very strongly urging Victorian members of Parliament to decriminalise marijuana, claiming the present drug regime is simply not working.

The Attorney-General will always be remembered for introducing legislation which was designed specifically to get rid of somebody who had the audacity to consider instituting contempt proceedings against the Premier. If nothing else — she will probably be remembered for nothing else — the Attorney-General will be remembered for what she did to the office of the DPP. The Law Institute was one of the most vocal critics of what she did to usurp the role of the independent DPP. I shall quote from an article in the *Sunday Age* of 16 April 1995:

> The federal government and the Law Institute have called on Mrs Wade to explain or rebut allegations that she pressured Mr Bongiorno not to lay contempt of court charges against the Premier, Mr Jeff Kennett ... The Law Institute said Mrs Wade's failure to respond to allegations of pressure on, and interference with, Mr Bongiorno were damaging public confidence.

There is a plethora of articles in relation to the Law Institute criticising the government on this issue. For example:

> The President of the Law Institute, Mr Rod Smith, said last night that public confidence in the legal system was threatened by the government's failure to explain itself satisfactorily. 'The more things come out, the more you worry'.

Boy was he right there! He continues:

> The institute is very concerned that the senior law officer of the state has had such serious allegations made against her.

As we know, those allegations were never properly answered by this Attorney.

In the *Age* of Monday, 15 May 1995, Mark Woods, a former President of the Law Institute of Victoria, made it quite clear that the previous system was totally appropriate and that he was hard pressed to find any philosophical reason behind the Attorney-General's desire to remove the independence of the DPP. Further, the Law Institute made it quite clear that there must be an inquiry to clear the air otherwise any allegation that there was an attempt to interfere with the DPP would go unanswered. The Law Institute has been a very vocal critic of the Attorney-General and the government on this issue and on court delays and backlogs.

We have yet another independent, vocal critic of the Attorney-General. We know what has happened in the past to previous critics of this government and this Attorney-General — they have been either sacked or attacked. The Law Institute of Victoria has been a very vocal critic and has obviously got under the skin not only of the Attorney-General but more particularly Greg Craven. When looking for a philosophy behind the bill one must ask whether this is just another attempt to neuter an independent critic, namely, the Law Institute.

Not only are we seeing before us a bill that will take away much of the independent power the Law Institute now has, but we are also seeing what could only be described as a most extraordinary act of waste and mismanagement by the government. As an act of good faith and in response to an advertisement that appeared in our local papers seeking a proposal to supply software material and expertise to help with the new regulatory arm of the Legal Practice Board, the Law Institute put forward a proposal to supply that expertise to the government free of charge. The institute is really the only body in this state that has that expertise, having built it up over many years and invested large amounts of money to ensure that that expertise exists. However, it did not even make the short list.

If that is not a gross act of waste and mismanagement by this government and the Attorney-General, I do not know what is.

This government cannot find the money to fix up the hospital system and is more than happy to allow people to wait on trolleys for days, yet when it gets an offer of assistance and software from the Law Institute which would have to be worth at least $1.5 million it simply says, 'No thanks. You are not even going to make the short list'. That really is a disgrace and the Attorney-General should be ashamed of that. An application under the Freedom of Information Act has been made for all documents in relation to that proposal. If the Attorney-General has nothing to hide in relation to that matter I hope she will arrange for all relevant documents to be released to the opposition forthwith to clear the air.

As I said last night, the opposition has some real concerns about the bill. Those concerns relate to the independence of the legal profession and the cost of justice, which will rise as a result of the reforms proposed in the bill. At this stage 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 ensure the independence of the legal profession and its freedom from unnecessary interference by government and to ensure there is no increase in the cost of justice as a result of the proposed reforms.'

The ACTING SPEAKER (Mr Jasper) — Order! The amendment has been circulated. Honourable members will now speak to the bill and the amendment.

Mr HULLS — The amendment I have moved addresses a large number of the concerns of the opposition. It seeks that the bill be withdrawn and redrafted. Because of the large number of amendments that have been proposed by the Attorney-General — some were handed to me as recently as last night — I do not think it will be a difficult task to get this bill right, to get it out of the house and have it redrafted to include the amendments the Attorney-General proposes and to ensure that any new bill takes care of the concerns that are being expressed not only by the opposition but more importantly by consumers and by lawyers who have contacted the opposition about the bill.

The amendment seeks that the bill be withdrawn and redrafted to ensure the independence of the legal profession, which is crucial. The amendment seeks to ensure the legal profession's freedom from unnecessary interference by government and will ensure, just as importantly, that there is no increase in the cost of justice as a result of the proposed reform. I note that the Attorney-General referred to the cost of justice, in her second-reading speech, when she said:

> The government does not pretend the reforms will magically solve the ancient problem of the cost of justice, although it is anticipated that some of the reforms will make the cost of legal representation less expensive.

The Attorney-General seems to be making this rather bold statement about the cost of justice in spite of the fact that the bill sets up what can only be described as three new bureaucracies: the Legal Practice Board, the Legal Ombudsman and the Legal Profession Tribunal.

The Attorney-General's department very kindly gave me a briefing on the bill late last week. And for your own information, Attorney-General, there is a bit of background to that. A leak came out of your department that this bill was probably coming on for debate sooner than was reported in the media. As a result the opposition rang your department seeking a briefing.

Mr Finn — On a point of Speaker, Mr Acting Speaker, the member on his feet is clearly directing his comments across the table to the minister and not through the Chair. I ask you to bring him to order.

The ACTING SPEAKER (Mr Jasper) — Order! I thank the honourable member for the point of order, which I accept. I direct the honourable member for Niddrie to make his comments through the Chair, not directly to the Attorney-General.

Mr HULLS — Thank you very much, Mr Acting Speaker. It is amazing how little some people have got going through their minds!

Mr Finn interjected.

The ACTING SPEAKER (Mr Jasper) — Order! I remind the honourable member for Niddrie not to respond to interjections.

Mr HULLS — In relation to the briefing, it was interesting that the department was a bit coy in seeming to suggest to us that if we had been told the bill was coming on this week, that must be right and therefore I had better arrange for a briefing to take

place. But in any event thank heaven for leaks out of the department. Without that leak the opposition would not have anticipated that the bill was coming on for debate as early as it has. Nonetheless, the Attorney-General's Department of Justice arranged for a briefing. At that meeting I was advised that work had been done by the department on the establishment of these three new bureaucracies. Indeed, work had been done on what it would cost to establish the bureaucracies and what their running costs would be.

When I made a request to the department to look at that work and to be supplied with estimates of such costs I was advised that it was inappropriate to give the shadow Attorney-General any details about the estimate of such costs. That is nothing but a joke, when in her second-reading speech the Attorney-General says she believes the cost of justice will be reduced as a result of these reforms. I asked members of the Department of Justice whether they had done any work on the statement the Attorney-General made, knowing full well it was not appropriate for the Attorney-General to be making such statements about work being done. They advised me that the work had been done but could not supply it to me, which is no less than a joke.

All the opposition has to go on are the estimates that have been made by the Law Institute in relation to the costs of setting up such bureaucracies. It is interesting to note that the Law Institute has estimated the new bureaucracies will add a cost of about $3.8 million in the first year and $2.3 million each year thereafter. I also note that advertisements have already been placed in the relevant newspapers seeking a Legal Ombudsman and a chief executive officer of the Legal Practice Board. The chief executive officer of the Legal Practice Board will be on a negotiable package of up to $150 000 per annum and the Legal Ombudsman will be on a negotiable package of up to $130 000 per annum. It is fair to say that there will be staff associated with these offices. I understand that in New South Wales a similar position attracts a staff of about 12 or 13 people, so we are looking at substantial sums of money to set up these bureaucracies. The costs are going to be passed on to legal practitioners; that goes without saying. The costs of these bodies will be passed on to legal practitioners in the form of increased costs for practising and the like. Legal practitioners have two choices: they either pay the increased costs themselves and bear those costs — and very few, if any, practitioners are going to do that — or they pass them on to the consumer. That is exactly what they will do. The cost of justice will be far higher, and when the cost of justice goes up so does one's ability to access justice, particularly in a regime where in both state and federal arenas there seems to be a real desire to abolish legal aid. There are huge cutbacks in legal aid federally. The most disadvantaged people in our society are not going to be able to access legal aid, and with increased costs being incurred by private practitioners who will pass on such costs to the consumer, fewer people will be able to afford lawyers and therefore access to justice will be denied to many people.

The other point that has to be made about the increased costs is that the only choice practitioners will have will be simply not to practise. I understand that there were a large number of complaints about the levy that was introduced by this government some time ago. I fully expect that there will be practitioners — particularly part-time practitioners who are, as I understand it, in the main women practitioners — who simply will not be able to afford the increased costs and will go out of business. That is really an attack on small business, apart from anything else. The more practitioners who go out of business, the less competition there is, and the less competition there is, the more the viable practitioners are able to increase their costs — and again we have the vicious cycle of people being denied access to justice.

The Law Institute estimates that approximately 20 per cent of its members work from home on a part-time basis, and a large percentage of those members are women. So we have a real problem with the increased costs.

The other issue that is of grave concern to the opposition — it relates to not only the cost factor but also the independence of the legal profession — is insurance. One of the main concerns of virtually every lawyer I have spoken to about this bill is the insurance question.

As the Attorney-General would know, currently the Solicitors Liability Committee is the compulsory insurer of practitioners in this state. That mutual insurer is, in effect, owned by the profession; it is a monopoly insurer, as we know, and it is required to insure every solicitor in this state. People have expressed views to the effect that, 'Isn't a monopoly insurer anticompetitive?'. I argue that when you look at the pluses and minuses associated with the monopoly insurer you see that in this instance it is not anticompetitive. The pluses of having the SLC far outweigh the proposals contained in the bill. The

administrative costs of the SLC amount to less than 5 per cent, as opposed to some 25 per cent with other insurance companies.

The professional indemnity insurance proposal is set out at clause 224 of the bill. It is worth referring to it because this aspect of the bill causes grave concern for lawyers. Clause 224(1) says:

> Before commencing to engage in legal practice —

and this is very important —

> in Victoria, a firm must obtain professional indemnity insurance.

Obviously! Subclause (2) says:

> The insurance must be obtained with the Liability Committee or another insurer.

That is the difference between the system that currently exists and the old system. I notice that some amendments are proposed to be moved, or at least that additions will be made, to that clause. Amendment 78 states:

> 78. Clause 224, lines 13 to 17, omit sub-clause (4) and insert —
>
> "() The insurance must —

and of course that means the insurer, either the SLC or any other private insurer —

> (a) cover the firm and each partner, former partner, employee and former employee of the firm in connection with its legal practice and administration of trusts in Victoria —

and I understand that meets one of the concerns the Law Institute has expressed to the Attorney-General. The amendment also states that the insurance must:

> (b) contain at least the minimum terms and conditions set by the Board under section 228(1).".

The difficulty I have with that is that while those minimum terms will be set — and the amendment to clause 228 proposed by the Attorney-General refers to those minimum terms — they must be published by the board in the *Government Gazette*. The amendment sets out that those minimum terms must include levels of cover of professional indemnity insurance, and other aspects.

But I still have grave concern that too much power is being put in the hands of insurance companies because without having a monopoly insurer for practitioners, insurance companies will be in a position to dictate to practitioners — to blackmail practitioners, if you like — the sort of work they will require those practitioners to undertake. It may well be that because a practitioner cannot practise without insurance, private insurance companies will be able to tell lawyers that they are more than happy to insure them but only on the basis that they refrain from doing certain work, or that they do certain work, and that, despite the minimum terms and conditions set out in the act, if they don't agree with the further terms and conditions they won't get insurance. Of course if you don't get insurance, you don't practise. So it really gives private insurance coverage enormous leverage over lawyers.

It will not at all surprise me if it gets to that stage; in fact, I expect it will get to the stage where some insurance companies will not be prepared to take some risks. And it may well be that insurance companies will dictate to lawyers whether or not they can undertake pro bono work. It may well be that they get knocked back if they decide to do such work.

Dr Dean interjected.

Mr HULLS — To take up the foolish interjection that if they get knocked back by a particular insurer they can run off to another insurer, I point out that the first question that will be asked is, 'Have you been knocked back for insurance?'. The answer will be yes. The reply will be, 'Bad luck, keep moving'.

It is just not as simple as saying they will go to another insurer. Insurance companies will have extraordinary powers in dictating to members of the legal profession the type of work they can undertake. That is of grave concern to lawyers and it ought to be of grave concern to the Victorian public generally. Under the current regime we have a compulsory insurer which must insure lawyers and which has low administrative costs. That system is about to be turned on its head.

Another amendment that is proposed to be moved by the Attorney-General should also be of concern to the general public. Amendment 153 deals with the board review of the liability committee and makes it clear that a review of the SLC should be conducted and a report made to the board. It states:

> The Board must review the functions and operations of the Liability Committee and report to the Attorney-General by 30 June 1997, or such later date as the Attorney-General allows, including a

> recommendation as to whether or not the Committee should cease to exist.

That ought to be of grave concern to the profession, and indeed to the general public, because as a result of the abolition of the SLC premiums will obviously increase, but worse than that, insurance companies will have enormous power over solicitors.

I also want briefly to refer to the registered professional associations — RPAs. The philosophy behind them seems to be to separate out the regulatory function from the trade union function of the institute. These reforms do not do that at all. Further to that, you have to ask what it is that the Attorney-General is trying to achieve, particularly when you look at the comments of the federal Attorney-General as reported in the *Age* of 28 March 1996:

> The federal Attorney-General, Mr Daryl Williams, yesterday staunchly defended the legal profession saying it was extremely competitive and there were virtually no work practices left that inhibited competition.
>
> Mr Williams's view appeared to contradict the position of Victoria's Attorney-General, Mrs Wade, who has been a persistent critic of the legal profession.

The federal Attorney-General made it clear that the legal profession is competitive. It has undertaken reforms on a regular basis, and there are virtually no work practices left that inhibit competition.

The Attorney-General obviously does not agree, because in the comments I have already quoted she has made it clear that she believes the Law Institute and the legal profession are extremely archaic. That is why she has introduced these particular reforms. The provision for the voluntary membership of recognised professional associations really means that practitioners will be able to pay the fees associated with self-regulation without having to formally join an RPA. I am sure the purpose of the reform is to take resources away from the Law Institute.

For those who do not know, the Law Institute is a very effective lobby group for lawyers. I have already cited numerous examples of its attempts to protect the Victorian public from the bad policies of the government. It has been criticised by the Attorney-General, the chief law officer in this state, for being such a vocal critic. But the Law Institute is more than just that; it is also a great resource. It was a great resource for the Attorney-General when she was in opposition, and no doubt it has been a great resource for her in her current role.

The Law Institute has a number of sections that provide continuing legal education for practitioners. The *Law Institute Journal* is one of the most respected legal journals in Australia, if not the world. For some practitioners the journal is their only means of continuing legal education. The institute's ability to analyse legislation on a non-party-political basis has been welcomed by both oppositions and governments over the years. It also does a substantial amount of pro bono work, allowing the public access to a large number of resources, free of charge. They include the well-respected dial-a-law scheme that allows members of the public, regardless of their means, to dial a number and receive legal information 24 hours a day, 7 days a week.

One result of the reforms will be to take resources away from the institute and therefore a large number of activities such as those will simply cease. They will not be able to be funded and a large amount of the institute's pro bono work will cease. In all likelihood much of the good work the Law Institute has done on behalf of its members will also cease — and that is the real basis of the philosophy underlying the bill. Not only has another vocal critic been restructured, in this case it is the desire of the Attorney-General to get rid of it altogether.

It is absolutely essential to have an independent legal profession. One of the most important tenets of our democratic system is the separation of powers, and that includes a legal profession that is absolutely independent of government. Grave concerns have been expressed about the government's attitude to the legal profession since it came to office. A large number of prominent Victorians, from within and outside the legal fraternity, have expressed their concerns about the government and the Attorney-General stepping on the independence of the legal profession.

In the *Age* of 20 July 1995, Mr Justice Bernard Teague made it clear that he had problems with the way this government was conducting itself in relation to the legal profession. He is reported as saying:

> I am troubled about aspects of the proposals of the politicians who take a much more intrusive role in the regulation of the legal profession ...

> I also am concerned at what is happening on a continuing basis to erode the jurisdiction of the Supreme Court.

I will deal with that shortly because this bill erodes the jurisdiction of the Supreme Court. There was a further warning to the Attorney-General from the former Commissioner for Equal Opportunity, Moira Rayner, about a number of changes she had imposed that affected the independence of the legal profession. She was far more strident than Mr Justice Teague, and the reasons for that could well be described as obvious. It would not be beyond this government to get rid of people who are supposed to be in positions of independence, such as Supreme Court judges. A former Director of Public Prosecutions was appointed on the same terms and conditions, if you like, as an independent Supreme Court judge, and we know what happened to him!

Mrs Wade interjected.

Mr HULLS — By interjection the Attorney-General says Mr Bernard Bongiorno resigned — how very cute. Since she raised it, we all know what happened to Mr Bongiorno. A plot was hatched by the Attorney-General with Greg Craven and the former Chief Magistrate, Nick Papas, to introduce legislation to make it absolutely untenable for anybody with the integrity of Mr Bongiorno to remain in his position. It is history now, but the reason it was done was that the independent DPP had the audacity to consider instituting contempt proceedings against the Premier.

We all know the former Director of Public Prosecutions was invited around to the Attorney-General's house one night to share a poisoned chalice filled by a nice bottle of red wine, but he would not take the bait and left. The Attorney-General then got on the phone to the Premier. Numerous phone calls were made and a plot was hatched to get rid of Bernie Bongiorno — and that is exactly what happened. For the Attorney-General to claim that Mr Bongiorno resigned of his own free will is absolute nonsense and a joke. She will probably be remembered for nothing other than what she did to Mr Bongiorno.

I turn to the treatment of Moira Rayner, another person who the Attorney-General would have us believe resigned. Ms Rayner was pressured out of office by the Attorney-General and Greg Craven because she attempted to criticise the government. This is what Moira Rayner had to say about these reforms, as reported in the *Herald Sun* of 5 October 1995:

> Lawyers will become an arm of government under plans to reform the legal system, a prominent lawyer has warned.
>
> Former equal opportunity commissioner, Moira Rayner, addressing an International Commission of Jurists discussion group this week, said the proposed changes would take away lawyers' independence.
>
> And, though she agreed lawyers should be accountable, Ms Rayner insisted it should not be by government control ... 'Of course, they —

that is, the lawyers —

> should be externally accountable ... But I do not think that the profession should be run by the government'.

Further concerns about the bill were expressed by the Chief Justice, Mr Justice John Phillips. He sounded a very strong warning about the number of times the government has tried to bypass the Supreme Court. An article in the *Age* of 23 February says:

> In their most recent annual report, the judges also warned that legislation limiting their power to review government decisions had the potential to increase corruption because it would deprive people of their normal legal rights.

The judges were commenting on the large number of instances such as those since this government came to office.

An honourable member interjected.

Mr HULLS — No, not before. That is a comment on the large number of instances in which section 85 has been used by the government since 1994. The Chief Justice has also made clear his belief that by using section 85 on the number of occasions it has, the government has increased the potential for corruption.

He also criticised the government's proposal to appoint judges to restructure the Board of Examiners and said that judges believe that would conflict with their roles as members of the judiciary. In an article in the *Age* of 9 March 1996 Mr Justice Phillips again warned the Attorney-General that some of her proposals would erode the independence of the legal profession and said in

reference to the Board of Examiners and the Council of Legal Education that there should be no room for a perception of the council and the board as arms of government. Clearly he was expressing his view that the proposals enunciated by the Attorney-General would make the council and the board simply arms of government.

Concern has been expressed to me about clauses 82 to 85 because they seem to give extraordinary power to the Legal Ombudsman to obtain documents from recognised professional associations or practitioners. It has been said to me on numerous occasions that those clauses are abhorrent and an invasion of privacy because they usurp what has always been considered absolutely imperative in the legal profession: legal professional privilege. Clause 83 states:

> (1) For the purposes of an investigation under this Division, the Legal Ombudsman may require a legal practitioner or firm, an RPA or the Board to provide any information or documents and to verify the information or documents by statutory declaration or another manner specified by the Legal Ombudsman ...
>
> (3) A practitioner or firm may not refuse to comply with sub-section (1) —
>
> (a) on the ground of legal professional privilege or any other duty of confidence; or
>
> (b) on the ground that the production of the document or giving of the information may tend to incriminate the practitioner or firm.

Clause 85(1) states:

> The Attorney-General must cause the report of an investigation under this Division to be laid before each House of the Parliament within 7 sitting days of that House after receiving the report.

The Law Institute of Victoria, the Bar Council and legal practitioners in general are very concerned about those clauses, and they should be of concern to the general public. The bill suggests that legal professional privilege will be waived and that documents that come into the hands of practitioners as a result of the special practitioner-client relationship could well be tabled in the house. I suspect that once this becomes clear the public will express its concern.

It is appropriate to read into the record the concerns about this aspect of the legislation expressed by the Law Institute and the Bar Council. In a letter to me, a copy of which was sent to the Attorney-General, the institute voices its concern about clauses 82 to 85:

> The Law Institute is totally opposed to these clauses in their present form.
>
> The institute has difficulty understanding what purpose or evil the clauses are directed to. The Law Institute does not object to the Legal Ombudsman having the power to investigate the effect on competition of any act of Parliament, or of the practice rules of an RPA or the board or the constitution of an RPA. Subject to clarification of certain issues, the institute may, therefore, have little objection to substantial portions of clause 82.
>
> However, many parts of the succeeding sections are wholly objectionable. For example, clause 83(1) is extraordinarily draconian. Subclause 83(3) denies a practitioner the right to rely upon the common-law entitlement to refuse to provide information.

The letter concludes by saying that the institute strongly opposes the clauses because they breach individuals' basic rights to privacy.

The Bar Council has expressed similar concerns, and it is appropriate to read them into the record because it may well be that in years to come this debate will be examined in the hope of ascertaining the intention of the bill. The Bar Council was kind enough to put its concerns in writing after it was faxed a copy of the amendments. I understand that the Department of Justice did not send the Bar Council a copy of the amendments. The letter from the Bar Council states:

> The Bar Council believes that the procedures outlined in clauses 82 to 85 dealing with the Legal Ombudsman's powers of investigation into matters relating to competition will seriously compromise the privacy of both practitioners and clients.
>
> The Bar Council's view is that the report of an investigation of this sort should only be tabled in Parliament if, in the opinion of the ombudsman, the subject matter of the investigation has the effect of lessening competition in a market for legal services. If the subject matter of the investigation is found to be pro-competitive, the tabling of the report can only cause harm to the reputation of the practitioner and his or her client without any clear public benefit.

Those clauses mean that if I, as a member of the public, consult a lawyer — expecting that special lawyer-client relationship whereby anything I say to

my lawyer will be covered by legal professional privilege — any documents I hand over to my practitioner and any notes the practitioner makes of our conversation may be tabled in Parliament. That is extraordinary, and as the shadow Attorney-General I am gravely concerned about it.

Both the Law Institute of Victoria and the Bar Council are concerned about criminal sanctions being imposed for minor breaches such as not paying levies. I believe the Law Institute has written to the Attorney-General suggesting that the bill may create a new crime and that criminal penalties are not warranted and should not be included in the legislation.

The opposition has proposed a sensible amendment and I urge all honourable members to support it because it addresses a number of major concerns about the bill. In a nutshell, the bill will increase the cost of justice and the arm of government will stretch further into the independence of the legal profession.

The opposition has expressed many concerns about the bill. It is concerned that the new bureaucracies will significantly increase the cost of justice. It is also concerned that the new reforms will increase the cost of practising law to such an extent that many practitioners, particularly part-time practitioners, who could also be described as small businesses, will be put out of business. There is concern that increasing the cost of practising, and as a result in all likelihood putting a number of practices out of business, will lead to a decrease in competition among lawyers rather than the proposed intention of this bill, which is to increase competition. If there is a decrease in competition costs will increase accordingly.

Another concern I have about increased costs of practising in Victoria is that many practitioners may decide not to have their main practices in this state and will set up interstate at a lower cost. The new reforms providing for interstate practitioners to practise in Victoria will give them a competitive advantage over lawyers who decide to remain in Victoria.

I also have grave concern about insurance, because these reforms give enormous power to insurance companies, which will be able to dictate who can and cannot practise law and the type of work lawyers are able to undertake.

The bill puts public access to justice programs at the lower end of the funding ladder. It also creates a new crime of not paying a debt pursuant to an order issued by a tribunal.

The bill takes away prosecutorial discretion from people who have the role of deciding whether to institute proceedings against a lawyer. The relevant clause provides that if certain criteria are present practitioners must be charged. The bill also creates bureaucracies that will in some cases duplicate the work to be done by professional associations. It seems to give immunity to bureaucrats rather than to employees of professional associations. In other words, there are immunity provisions in the bill for members of the Legal Practice Board and the Legal Ombudsman but not for employees of professional associations.

The other major concern the opposition has is that the Legal Ombudsman seems to have unfettered power and ability to gain access to practitioners' confidential client files in the name of competition, and information from those files could well end up being tabled in Parliament.

In a nutshell they are the concerns the opposition has on the bill, and those concerns are adequately addressed by the reasoned amendment. I ask all members of the house to support the amendment to have this bill withdrawn and redrafted to ensure that we have an independent legal profession — I am sure all honourable members believe the legal profession must be independent of government — and also to ensure that there is no increase in the cost of justice in this state.

Dr DEAN (Berwick) — It is my intention today to speak in a conciliatory manner on this bill, but before I embark on that process I must say that it is difficult to be entirely conciliatory when you hear the shadow Attorney-General put certain propositions which are, on their face, so obviously wrong. The shadow Attorney-General is probably in a difficult position. His usual conduct in the house is simply to engage in Attorney-General bashing as hard as he can. We have had words about that in the past. On this occasion he has resisted that temptation, except for a few occasions when he could not help slipping back into old habits.

The honourable member has been reasonably positive about the bill because he recognises that it is a good bill that does good things. If he had alternative proposals he would have put them to the house today. He has not done that; he has raised

specific issues. But if he had been serious about them he could have introduced amendments to cover those specific issues. As I said, he has not done that. It could be that he is simply too lazy to do so. He may have said, 'I will just move a general amendment to withdraw the bill so I will not have to examine it'. I would not like to say that about him, so I can only assume that when it comes down to the nitty-gritty he does not have specific difficulties with these matters; his general amendment to withdraw the bill is just one of those political actions.

I shall pick up a few points he made before I begin to be as conciliatory as possible in these circumstances. His suggestion that the Law Institute of Victoria should ipso facto have been given a run on the first tender implies that the tender process was in some way tainted. He skirted around saying that in black and white terms, but that is the only implication: either the tender process is tainted or it is not. If it is not tainted, his suggestion that the Law Institute should have got a guernsey — and he would have given it a guernsey — is to go behind a tender system.

Mr Hulls — What were the instructions?

Dr DEAN — If you just hang on a tick you will get them. I will put the process on the record. A public tender process was advertised in the *Age* of 6 July seeking a response to a request or proposal for this particular matter. Some 26 potential vendors requested a copy of the request for the proposal document. Nine vendors, including the Law Institute, responded on the closing date. All the vendors, except the Law Institute, are experienced in the private sector and in information technology. An evaluation process was designed and a short list of three suppliers was determined. Each of those suppliers was interviewed. The process was entirely within the provisions of the Victorian Government Purchasing Board guidelines and the preferred tenderer was chosen in accordance with those guidelines.

If the shadow Attorney-General has some problem with the tender process let him say what it is. Let him point the finger rather than make the allegation.

Mr Hulls interjected.

Dr DEAN — The shadow Attorney-General suggests that those overseeing the tender process were not aware of the advantages and disadvantages of all the tenderers. If that is the case we can only assume that the Law Institute failed to advise them that it would be able to provide the service free. I have greater faith than that in the Law Institute, and I have absolutely no doubt at all that the Law Institute placed that fact in bold letters before the tender process.

So again it comes down to the nitty-gritty: either those overseeing the tender process, in view of all the facts presented to them, did the wrong thing or they did not. If they did the wrong thing, let the shadow Attorney-General tell us in what way they did it.

The shadow Attorney-General should also understand that one reason why the previous government failed so dismally was that it was not able to govern from an overall perspective. Its view was: what is the interest group we will adopt and, when we adopt an interest group, we will be its mouthpiece. It is probably embarrassing to the Law Institute to see the shadow Attorney-General stand up in this Parliament and become its mouthpiece.

That is not the role of government, and unless the shadow Attorney-General learns that lesson he will never be in government again. Given all the other lessons his party is yet to learn, that will probably never happen — but at least he can start with that.

Before beginning the conciliatory part of my contribution, I must point out that this whole process began with the Labor government in Canberra. A fellow called Keating adopted a report by a fellow called Hilmer, and as a result a national competition policy was implemented. The Victorian Labor Party has never been able to grasp the concept that the world is moving on, that Australia is moving on, and that we are implementing a national competition policy. I assure honourable members that a federal Labor government first called for the reform of state professions, including the legal profession. So let's have none of this nonsense about the idea surrounding the bill not originating from the Labor government in Canberra. That was the genesis of the whole process. Perhaps now I can begin the conciliatory part of my speech!

As a true WASP, being the son of a school principal and member of the clergy, and as a former member of the legal profession, my usual course when speaking on matters such as these is to rush to the library and do all the research I can, gathering statistics and quotes to ensure I cover every detail. Honourable members will be relieved to know that on this occasion I have abandoned my WASP-ish ways and have decided instead to speak on the bill

with the aid of neither books nor quotations. Even though it may seem an odd thing to say, I do this because this is such an important bill. That is the way it should be approached.

We hear on many occasions that this bill or that bill is one of the greatest reforms of our time or the greatest reform for decades. That may or may not be true, but no honourable member could argue that this bill will not lead to the most substantial reform of the legal profession in this country in the past 100 years.

I must admit that I did a little research just so I could draw the attention of members to 1886 when Sir Richard Bourke sent Captain Lonsdale and a detachment of his regiment to the fledgling Port Phillip District, telling them to bring some law and order to that colony. Somewhere near Spencer Street a hut was set up in which William Lonsdale heard the first case, about an escaped convict from Van Diemen's Land. Speaking as a former Tasmanian, why anyone would want to escape from Van Diemen's Land is beyond me! It is a great place. But that was the status of the law and the legal tradition in this state in those days.

The legal profession at that time was based on a template of the British system. Once the legal profession was set up on those grounds, emulating that process, it continued in that vein — and it has not changed since. This is the first major reform the legal profession has undertaken, based on the national competition policy.

It is a great relief to know that the introduction of these reforms is finally coming to an end. There are those, of course, who are disappointed and who disagree with what is in the bill, and people are coming at it from many directions. One thing those people cannot do is criticise the time and effort that have gone into producing these reforms. We must all agree that a great deal of effort and time has been put into the bill. It has been both an exhaustive and exhausting process.

For the past two years the reforms have undergone a most exhaustive and exhausting process. Hundreds of issues have been raised by different legal reform groups, victim support groups, professionals and law reform groups. Even columnists, accountants and cost consultants have put their cases. As members may recall, the process started with a working party. Because some people are suggesting that the working party was in some way overly influenced by the legal profession, it is a good idea put on the record the make-up of the working party which worked for so long on the general structure. The working party consisted of: four politicians; Mr Ian Roach from Roach McIntosh Securities and a former chairman of the Australian Stock Exchange; Mr Paul Ramler of Ramler Furniture Co. Pty Ltd, and the Deputy Chancellor, Monash University; Ms Fiona Hanlon from the Department of Premier and Cabinet; Mr Chris Humphreys, the Director, Policy and Executive Services Branch, Department of Justice; Mr Deighton-Smith, the former Director of the Office of Regulation Reform in the former Department of Business and Employment; Jenny Melican from the Micro-economic Reform Branch, Department of Premier and Cabinet; and Kirsten Gray, an adviser to the Attorney-General. One could hardly say that group was overly influenced by lawyers.

Mr Cameron — Who were the politicians?

Dr DEAN — The politicians were Messrs Ryan, Dean, Guest and Clark, and Mr Craven chaired the committee.

Mr Hulls interjected.

Dr DEAN — I am not leaving Mr Craven out. Any analysis of that group shows that the lawyers were in the minority. There were representatives from business, industry and law reform. That is the appropriate way of attacking competition reform in this state.

The working party heard from all groups. It worked long and hard and came up with a report, which was then put into draft legislative form and circulated to all interest groups. The interest groups then made their comments, some of which were very strong, and many issues were traversed time and again. People may be disappointed because the issues were not accepted or the result is not what those bodies wanted; but they cannot suggest that they did not have the opportunity of putting across their points of view or that those views were not considered.

Even after all that had been completed and the draft bill had been circulated, this bill was introduced and left to lie on the table for several months. People again came in and asked to have certain matters reconsidered, and they were reconsidered. But the trouble with any reform is that you have to draw a line at some point. Given the exhaustive nature of the reforms, I can understand, although I do not agree with, the desire of some reformist bodies to get

the reforms over and done with quick-smart, especially after the time and effort and discourse that have gone into this process. I can understand and I sympathise with those who want swift reform, but that is not what occurred here.

In any reform process there is always the positive and the negative view. I sometimes wonder why the media and many of those engaged in the reform process take a negative attitude to reform and why some people are annoyed about those who take that negative view. I believe negativism is a perfectly natural response. In the evolution of mankind when change takes place fear is often felt about change because one is moving from the known to the unknown and from what is safe to what is possibly not so safe and so we employ a mechanism of questioning change. It is perfectly understandable that those engaged in change and who are being asked to venture into the unknown take the view that they should examine it and be concerned about the negative aspects. It is important for all sides to realise that the feeling of anguish or disappointment is a perfectly natural process when reform is being introduced. It is a protection process — a safety valve, if you like.

Other differences apply that both politicians and lawyers need to take into account. Politicians look at things differently from lawyers, and they always will; it is a natural response for them. A motto was put to me by a lawyer for whom I have great respect, Sir Reginald Smithers, at a time when I was involved in a difficult process — that is, when in doubt, do nothing and wait to see what happens. That is the way a lawyer should approach a problem and that is perfectly natural behaviour for a person engaged in advising people on their rights. The motto of a good politician and a statesman is: when in doubt, be bold. Those notions are at the heart of the differences between a politician and a lawyer.

The other difference between a lawyer and a politician is that a lawyer is naturally absorbed in the present — he or she is concerned about a particular client's current problem that needs a solution — but a politician is much more concerned with the future and what will happen down the line.

A further difference is that, quite rightly, the lawyer has a pre-occupation with individual rights because he is looking after an individual client's individual problems dealing on an impersonal basis. The politician must put aside his or her personal views to take a broader view of what is best for the community. These are understandable, entirely predictable and meritorious differences between politicians and lawyers.

It is important to recognise the differences and not to assume that because a politician takes a different view from a lawyer on a particular matter there is a personal difference between them as individuals. They are simply doing their respective jobs. When that is taken into account there is a real chance that those who are disappointed by the bill will understand why these differences occurred and that although they do not agree with them they will understand that the people involved in the process followed their proper perspective and motives, in this case reform based on competition policy.

There are no guarantees that the bill will be correct in every respect. Given the size of the bill, it would be nonsense to suggest that every provision would be correct the first time around. Major reform of this type will surely require some time to work its way through into practice and performance.

Mrs Campbell interjected.

Dr DEAN — You may regard yourself as God omnipotent so that you can say when bringing about major reform that every aspect is perfect, but I tell you that those who have a genuine attitude to life know that when you introduce reform you believe to be correct you also know it will go through a process in its implementation and if there is a need for change it will be looked at.

It is important that those engaged in the legal profession work to ensure that the bridges that may have been broken are rebuilt. It is most important to ensure that the bridges of communication are always kept open. The government is always interested in ensuring that. Those bridges are important not only in the day-to-day communication between government and the parts of the community affected but also when life-and-death decisions need to be made and when vital communication and access is necessary.

I remind all those who are disappointed by the bill that it is the result of an overall reform of the Australian profession. It is the product of two years hard work. It is now time to look positively at the legislation and to see its advantages. I have total faith in institutions such as the Law Institute, the Bar Council and others to deal with the opportunities placed before them. The legislation provides opportunities that were not previously available. If it is seen in that light I have no doubt that not only will

those associations be stronger but also the Australian public will be in a stronger position.

I will give one example of the differences between the different groups. One example I give is on the basis that I was a member of the bar and I know there are some members of the bar who are disappointed about the sole practice rule. If you take on board what I have just said about taking a proper and reasonable approach to the bill, the first thing you will recognise is that from a competitive point of view it is likely that the sole practice rule is anticompetitive. The bar rightly makes the point that it possibly has benefits which outweigh that anticompetitiveness, but it is not the role of the government to make that decision.

The role of government is to say 'We must take out things that are or may be anticompetitive', so the right and proper thing to do is to take out the sole practice rule. I say to the bar: if you believe the sole practice rule is something that has those benefits, you can put it in your bar rules and then if it is attacked by the ACCC it will go to a court, you will argue that the benefits outweigh any anticompetitive effects, a court of this land will make the decision, and if you are right you will be able to say, 'We have that rule there on merit, not because some government came along and gave it to us, not because it was set in concrete by the government, but because it was tested and because the result is that a court of this land has said that is where we should be'. So I encourage the bar to pursue that course if that is its view. The positive view of this provision is that it is an opportunity and challenge created by the bill — an opportunity to prove a point for all time.

Other groups in the community were also very vocal about the bill and members of the profession are perhaps not aware of them. Some vocal groups consider that this bill has not gone nearly far enough. It has been an extraordinary experience to be sandwiched between those who have been arguing that this bill has gone too far and those who say it hasn't gone far enough.

I maintain that the government has got it absolutely right. Those economic purists who believe there should have been a scorched-earth approach to the legal profession fail to see it as part of a just society. Economic theories should be used as tools and weapons to increase competitiveness, but they are not our masters. We are members of a just society. First we had the Keynesians, then the Friedmanites and now those addicted to scorched-earth policies; those who believe that basically every impediment to competition should be removed. They must realise that we control the theory, not vice versa. We must protect the innocent consumer. We are a just community and therefore fair trading and consumer protection, which is of course in direct conflict with a scorched-earth policy, must be included in our law. That is why it is necessary to have regulation of professions like the legal profession — not because we believe the legal profession will hoodwink its customers but because it is important that customers have rights and protection built into the system.

When dealing with people such as lawyers, who have a monopoly of knowledge in a particular field, customers are at a great disadvantage. Consequently, both competitive and consumer protection objects are achieved by the bill by setting up the framework as it does of the Legal Practice Board, the tribunal, the ombudsman and the RPAs who self-regulate. It achieves independence and the capacity for the consumer to be protected, which is an important part of a just society, and it creates the capacity for competition between the RPAs and those within the RPAs. That is the product that introduces competition and also creates a just system. I have no doubt at all that as this process goes on and the heat dies down and the professions realise it is there to assist and help the consumers in this country, it will be a considerable success. I hope they will work in partnership with the government to ensure that that is what happens. I have great faith that the enviable reputations of the legal profession associations in this state will continue and even grow.

Mr CAMERON (Bendigo West) — At the outset I take up some comments made by the honourable member for Berwick on the issue of competition policy. He correctly acknowledges that it was Labor that initiated competition policy at the federal level. The Legal Practice Bill incorporates some of the trends we have seen with competition policy. Some of it is very sensible. It provides, for example, that barristers do not have to have chambers rented from the Victorian Bar, which has been a silly provision for many barristers. I know barristers who practise principally in the country but who have to rent premises in the city, although they rarely pass through their rooms. That certainly has been a ridiculous situation.

Unquestionably the provision that barristers do not have to practise on their own, but can practise with others if they want to do so, is also very sensible. So there are provisions in the bill that may be opposed

by some people in the legal profession but will be recognised by most as being sensible. They simply incorporate the trends in society.

I take up the comments on insurance. We have to look at what will be best ultimately. The profession is of the view that the present arrangements work well and better than those proposed. You can talk about competition but when it is the legal profession addressing the matter, we have people who are dealing with insurance companies all the time and they know how they think. So when the legal profession says 'We expect our insurance premiums to rise', they say that from a very strong base. They know that because they deal with these people and they know what the upshot will be. Unquestionably that is a matter of grave concern.

As the shadow Attorney-General has said, the broad thrust of the reforms are welcome. However, aspects of the bill do cause concern. The Attorney-General correctly suggested that those matters should be addressed before the bill proceeds further. The honourable member for Berwick has said he does not want to see bridges burnt as a result of communication problems between the profession and the government. There has been a great deal of heat in discussions among members of the profession about the bill. I take up the point made by the honourable member for Berwick — let there be communication; let there be an open door; let's go away and redraft it again so that we get it spot-on, rather than only half right.

The provision relating to not wearing wigs in non-jury matters is extremely sensible. Wearing wigs is anachronistic in this day and age. As a former practitioner I can remember that when everyone got their wigs and gowns out again in the Family Court it looked absolutely silly. The justification for it was that it somehow created a greater mystique in the Family Court. However, in the country most matters were dealt with in the Magistrates Court and there were never the problems which justified returning to wearing wigs and gowns. All it did was create a mystique in the public's mind which helped justify legal costs. I express that as a personal view but it has been my observation and I have not been convinced otherwise. I am pleased that in a lot of matters that will be dealt in the higher courts we won't necessarily see as many wigs. I hope practitioners in those courts will take up the opportunity not to wear wigs.

The bill makes it clear that co-advocacy is possible — that is, that a barrister and solicitor may appear in court at the same time. That has to be a welcome reform, and I will make some further comments on that later.

The legal profession is vital to the administration of justice. The role of the profession is extremely important in the community. I do not think the public recognises that. As a general rule members of the public just dislike lawyers. But the fact of the matter is that the profession does play a very important role in the community. In the country, where you have many general practitioners, those people who make up the legal firms do a very good job. People come in and ask all sorts of questions. Often it is simply a matter of giving a bit of advice and then people go back out into the street. If more complicated legal advice is needed, a file is opened and on they go. A lot of the general advice is freely given; those legal people provide an excellent service in regional and smaller communities.

I believe the bill may result in increased costs in the administration of the profession, which will inevitably be passed on to the clients. I foresee that some practices will alter the way they work so that basic advice — a phone call for example — will be billed as has occurred with other professions.

I do not think people appreciate how cooperative the legal profession is. In country areas many legal practitioners help courts and magistrates by putting a client on the right path. I note that the honourable member for Gippsland South agrees with my comment. By spending 10 minutes with a client you may save the court half a day of angst. I do not want to see an increase in the cost of administration of justice because if that occurs a lot of good work being done in the community will decrease.

The Law Institute of Victoria is often seen as both the union and the regulator — as the body that represents solicitors and as the body that judges them. Many people believe there is a conflict. Indeed, many lawyers have the same view. A common perception among lawyers is that the Law Institute is more critical of its own because it has that dual role. There is a public perception something is wrong with the way the system works, and many lawyers would be grateful were we to move the regulation and discipline of the profession away from the union. However, the problem is that the recognised professional association still has a role dealing with regulation and disputes, so the union, if I can use that term loosely, is not totally separated.

I urge the Attorney-General to revisit this issue and examine whether the regulation and discipline of the profession is best vested in a disciplinary board, because otherwise the reforms will go only halfway down the track.

The Law Institute has been a strong critic of government and has made its views well known. Although it is an independent organisation, the government often regards it as being too independent, which may explain why the bill goes only halfway in reforming the profession. I urge the Attorney-General to ensure that the institute remains a union for lawyers, while vesting the regulation and discipline of practitioners in some other body. The Law Institute has done a good job in standing up to the government and in establishing specialised committees, such as the property law and transport accident committees, which have done important work and have assisted the government with legislation. One of the problems I envisage with these specialists bodies is that in the future you may not have enough people prepared to form strong specialist committees. The profession can overcome the problem, but it will be a real problem.

A practitioner with a speciality could have been allowed to join a recognised professional association, but that cannot occur under the provisions of the bill because all members of the one firm have to be members of the same association.

Since the 1890s Victoria has had, in theory, a fused profession, where everyone has been a barrister and solicitor but the practice has been for people to practise as a barrister or a solicitor. Recently there has been a blurring of the profession and many solicitors have found themselves acting as counsel on an in-house counselling basis. The Attorney-General has attempted to get rid of that distinction but what can occur is a recognised professional association limiting co-advocacy and the old rule will reappear for barristers.

The reform goes only halfway down the track in allowing more competitive practices, and if the government is saying that co-advocacy is permissible that should be the rule and it should not provide an opportunity for a professional association to cut into that general principle. I urge the Attorney-General to look at the issue and include it in the reforms.

I am concerned about the cost of administering the new system because ultimately practising certificates will increase. That is of concern because the costs will be passed on to the consumer.

I turn to clause 293, which provides for a 25 per cent increase in fees in litigious matters. The provision is welcomed by the profession, which is not surprising, but it raises the concerns about the cost of justice. It is a 25 per cent free kick, and the shadow Attorney-General is correct in saying that the bill should be examined in terms of the cost of justice.

I turn now to the issue of personal liability. The bill provides that limited liability companies can exist whereas in the past legal firms did not have that option so if a practitioner was sued and the insurance did not cover the matter, the practitioner could not hide behind the corporate veil.

I urge the Attorney-General to adopt the reasoned amendment moved by the honourable member for Niddrie and redraft the bill. The cost of justice should be examined because that is a critical area and may result in many Victorians not being able to afford professional legal services.

Debate adjourned on motion of Mr RYAN (Gippsland East).

Debate adjourned until later this day.

SHOP TRADING REFORM BILL

Second reading

Mr GUDE (Minister for Education) — I move:

That this bill be now read a second time.

The Shop Trading Reform Bill introduces comprehensive changes to the laws that control the retail trading environment in Victoria. It has become increasingly obvious to this government and the people of Victoria that the current shop trading laws are not serving the community in the way it wants to be served. The government has therefore acted, as promised, to review Victoria's shop trading arrangements to bring them into line with community needs and expectations.

This bill is essentially about freedom: it is about the freedom to trade; it is about the freedom to shop; it is about the freedom to work; and it is about the freedom of local communities to determine their own retail commercial environment. These freedoms constitute the principles which underlie the purpose of this legislation.

The purpose of this bill is to substantially liberalise shop trading arrangements so that consumers, retailers and communities will be able to decide for themselves when they want shops to open. The bill is a result of the government's recent review of shop trading laws under a commitment given to the community prior to the last election.

The fundamental freedoms of this bill are clearly not evident in the current arrangements for shop trading, save for the essential deregulation which occurred in the capital city from December 1992. At present in the balance of the metropolitan area non-exempt shops must close at 5.00 p.m. on Saturday and remain closed through Sunday. In non-metropolitan areas the arrangements are even more restrictive. A bewildering array of exemptions and special orders has built up over time to overcome the major inconvenience that these arrangements present to the community.

Under the new arrangements there will be unrestricted trading for all shops on most days throughout Victoria. This will mean that those shops that are currently restricted in their trading hours on Saturdays and Sundays will now be allowed to open. The only exception to this will be that most shops will have to close on Christmas Day, Good Friday and before 1.00 p.m. on Anzac Day. Those limited number of shops that are currently allowed to trade on these days will still be allowed to do so. These specified closing days recognise the special significance these days hold for members of the community.

However, the government recognises that there may be retailers who do not wish to open at particular times or communities that do not want Sunday trading in their areas, particularly in the rural communities. To acknowledge the special circumstances of our rural areas and to protect the interests of the community at large, the government has included two special safeguards in the new arrangements.

Firstly, no lease will be allowed to contain a provision requiring any metropolitan shop to open between 5.00 p.m. and midnight on Saturday or at any time on a Sunday, or any non-metropolitan shop to open between 1.00 p.m. and midnight on a Saturday or at any time on a Sunday. To give tenants extra protection, the new arrangements will give tenants access to the remedies of the Retail Tenancies Act 1986, including the remedy for injunctive relief. This access will be particularly important if tenants are faced with intimidatory pressures from a landlord. Further, this avenue of redress for tenants will be less expensive and less protracted than traditional forms of legal proceedings.

Secondly, if 10 per cent of a municipality's residents present a petition to the local council requesting a change to local Sunday shop trading arrangements, the council will be required to hold a poll on the issue and abide by its results by instituting changes in local laws. Polls will not be able to discriminate between different types of shops, and exempt shops will not be affected by a poll.

To ensure that any local arrangements keep pace with changes in community attitudes, any local laws made in this way will lapse after three years. At that time, if the community wishes to reinstate any restrictions on Sunday trading, a new poll will have to be held and new local laws put in place. With the new right for community decision-making and the freedom for determining local retail commercial arrangements will come new community responsibilities. Via their councils, communities will have to bear all of the costs of any polls and any subsequent local laws put in place to control Sunday trading. These will include the costs of the polls, the costs of putting any new arrangements into place and the costs of monitoring and enforcing the new arrangements.

Who will benefit

Consumers will benefit directly from these shop trading arrangements because they will have the opportunity to shop at the times most suitable to themselves, rather than when the government tells them they are allowed to. Victorian society has changed greatly in recent years. Almost 50 per cent of Victorian couples with dependants are two-income families; about 10 per cent of Victorians live alone, and in about 51 per cent of single parent families the parent works. Not only have families changed; the way people work has changed. Many more people now work shiftwork, part-time or casual work.

Restrictive shop trading arrangements just do not work for people in these circumstances. For all of these people standard shop trading hours can be inconvenient or difficult. It is time these people were freed from the shackles of regulated trading hours.

Shopkeepers will also benefit. The new rules will allow traders to choose trading times which best suit them while retaining safeguards stopping landlords from forcing them to open when they do not want

to. The community as a whole will benefit. The retail trade sector is a major part of the Victorian economy, with links throughout all other sectors, directly employing around 380 000 people in 1995 and responsible for $2.2 billion worth of turnover in June 1996 alone.

The retail sector is a dynamic and healthy part of the growing Victorian economy, which should be encouraged and nurtured rather than stifled by placing artificial restrictions on how people may run their businesses and generate jobs and wealth for all Victorians.

This bill will present opportunities for growth in the retail sector and in employment for Victorians. Community support for the changes is also high. A recent poll showed that around 70 per cent of Victorians support Sunday trading.

Why change is needed

It has become increasingly obvious that the present shop trading rules are not working. Detection of breaches of the rules has become ever more difficult and costly; prosecution of offenders is less effective; the processes of seeking exemptions are difficult and costly for all parties, and the entire system of rules and exemptions has become so complex and confusing that it is rapidly becoming unmanageable.

The current system directly conflicts with a number of this government's policies which received strong — in fact, overwhelming — endorsement at the last election. The coalition mission statement promised to increase jobs, business and educational opportunities for all Victorians: this bill will do that. The coalition small business policy promised to further reduce unnecessary red tape and regulatory controls: this bill will deliver on that. The coalition industry policy statement promised to keep out of the way and let business get on with the task of creating wealth: this bill does that.

It is definitely time for change. A system based on principles of freedom, which this bill introduces, will better serve the current and future needs of Victorian society.

Statement under section 85 of the Constitution Act 1975

I wish to make a statement under section 85 of the Constitution Act 1975 of the reasons for altering or varying that section by this bill. Proposed section 10 of the bill provides that it is the intention of that clause to alter or vary section 85 of the Constitution Act 1975.

The reasons for limiting the jurisdiction of the Supreme Court are as follows:

The intention is to apply provisions of the Retail Tenancies Act 1986 allowing tenants to seek the remedies provided for determining disputes under that act, including immediate injunctive relief from oppressive landlords. In this case, tenants would be able to notify a dispute under the Retail Tenancies Act 1986 where landlords attempt to force upon tenants leases containing requirements that they open when they do not wish to. This measure is introduced to avoid costly and time-consuming litigation in a matter which is readily amenable to non-judicial determination. In the commercial arena such cost and time savings are of great importance.

Conclusion

This bill signifies this government's commitment to the right of freedom of Victorians to trade, shop, work and determine their own environment. This bill meets community wishes for a more liberal shop trading system while introducing new safeguards to protect community interests. It gives local communities a say in the governance of local arrangements while ensuring that they appreciate the costs of their decisions. It anticipates future changes in community requirements by containing automatic provisions to ensure that any local arrangements keep pace with community wishes. The principles of freedom in the legislation constitute a better deal for Victorian retailers, consumers, workers and local communities.

I commend the bill to the house.

Debate adjourned on motion of Mr LONEY (Geelong North).

Mr GUDE (Minister for Education) — I move:

That the debate be adjourned for two weeks.

Mr Loney — Three months!

House divided on motion:

Ayes, 45

Andrighetto, Mr (*Teller*)	McGrath, Mr W.D.
Ashley, Mr	McLellan, Mr

Brown, Mr
Burke, Ms
Clark, Mr
Coleman, Mr
Cooper, Mr
Dean, Dr
Dixon, Mr
Doyle, Mr
Elder, Mr
Finn, Mr
Gude, Mr
Henderson, Mrs
Jasper, Mr
Jenkins, Mr
John, Mr
Kilgour, Mr
Lean, Mr
Lupton, Mr
McArthur, Mr
McCall, Ms (*Teller*)
McGill, Mrs
Maughan, Mr
Napthine, Dr
Paterson, Mr
Perrin, Mr
Pescott, Mr
Peulich, Mrs
Plowman, Mr A.F.
Reynolds, Mr
Rowe, Mr
Ryan, Mr
Savage, Mr
Shardey, Mrs
Smith, Mr E.R.
Smith, Mr I.W.
Spry, Mr
Tehan, Mrs
Thompson, Mr
Traynor, Mr
Treasure, Mr
Wade, Mrs

Noes, 27

Andrianopoulos, Mr
Batchelor, Mr
Bracks, Mr
Brumby, Mr
Cameron, Mr
Campbell, Ms
Carli, Mr
Cole, Mr
Cunningham, Mr
Dollis, Mr
Garbutt, Ms
Gillett, Ms (*Teller*)
Haermeyer, Mr
Hamilton, Mr
Hulls, Mr
Kosky, Ms
Langdon, Mr
Leighton, Mr
Lim, Mr
Loney, Mr
Maddigan, Mrs (*Teller*)
Micallef, Mr
Mildenhall, Mr
Seitz, Mr
Sheehan, Mr
Thwaites, Mr
Wilson, Mrs

Motion agreed to and debate adjourned until Thursday, 26 September.

GEELONG LANDS (STEAMPACKET PLACE) BILL

Second reading

Mr BROWN (Minister for Transport) — I move:

That this bill be now read a second time.

The government agreed in April 1995 to provide substantial funding assistance to the City of Greater Geelong for the provision of infrastructure for the Steampacket Place development on Corio Bay at Geelong. The government's funding commitment is $15.37 million over three years.

The redevelopment of Steampacket Place will provide for a mix of commercial, retail, residential and recreational use on both Crown land and freehold land within a core-activities area bounded by Brougham Street, Eastern Beach, Cavendish and Fitzroy streets and extending 200 metres seaward to the city's municipal boundary, including Cunningham pier.

Work has commenced on a number of infrastructure projects including traffic management within the core-activities area. The investment of government funding in infrastructure at Steampacket Place is critical to attracting private sector investment in the project and Geelong. For instance, Smorgy's $9 million restaurant has recently opened on Cunningham Pier.

A planned outcome for 1996-97 is the establishment of the baywalk promenade, a major public foreshore promenade through the Steampacket Place development and connecting to other parts of the Geelong foreshore. It is expected that the establishment of the baywalk promenade will act as a catalyst for additional private sector development interest in Geelong.

Several of the key sites within the core-activities area are reserved Crown land. While some areas of Crown land will be developed for public purposes, such as the foreshore promenade, others will be developed by the private sector for a range of complementary uses.

It is proposed that areas of reserved Crown land will remain and be managed by the City of Greater Geelong as the committee of management. The bill provides that reserved Crown land will be capable of being leased for longer periods than the present legislative limit of 21 years and for different purposes than set out in the Crown Land (Reserves) Act 1978.

The bill provides that the minister may approve the granting of a lease of reserved Crown land by a committee of management for purposes of the construction or occupation of substantial buildings and works, and where the buildings and works are of a substantial nature and value, for an initial lease term of not more than 50 years. There is provision for the term of the lease to be extended one or more times provided the aggregate number of years does not exceed 99. In the case where there is no committee of management, the minister may grant a lease subject to similar provisions.

Prior to approving leases, the bill provides that for reserved Crown land the minister must be satisfied of the 'substantial nature and value' of the proposed buildings and works and, if the lease is for a purpose other than the purpose for which the land is reserved, 'that the lease is not detrimental to the purpose of the reserve'.

The bill also provides for the leasing of Crown land, which is not reserved land, for the purposes of the construction or occupation of substantial buildings and works for amusement and recreation. In these instances the initial lease term must not be more than 21 years and provision is made for the lease term to be extended one or more times, provided the aggregate number of years does not exceed 50.

The Crown land to which the bill applies is contained within the hatching on the plan included in the schedule. This area coincides with the Steampacket Place core-activities area.

Use and development control provisions will occur via the planning scheme. The planning process will be managed by the City of Greater Geelong.

The bill provides an effective mechanism for private sector investment to substantially add value to the government's investment in infrastructure works at Steampacket Place, Geelong, through the provision of longer lease periods than currently available for Crown land.

I commend the bill to the house.

Debate adjourned on motion of Ms GARBUTT (Bundoora).

Debate adjourned until Thursday, 26 September.

STATE TAXATION (FURTHER OMNIBUS AMENDMENT) BILL

Second reading

Mr STOCKDALE (Treasurer) — I move:

That this bill be now read a second time.

The purpose of the bill is to make numerous amendments to various state revenue acts. The bill amends the Business Franchise (Petroleum Products) Act 1979 to require a liquidator of a company holding a licence under this act to notify the commissioner of his or her appointment as liquidator within 14 days after becoming liquidator. This amendment is consistent with other taxing acts and aims to ensure that the commissioner is fully informed of any situation where recovery of outstanding licence fees is affected by company liquidation.

The bill introduces further amendments to the Business Franchise (Tobacco) Act 1974 to improve the administration and enforcement of the act. In recent sittings of the house significant legislative amendments were introduced to address licence fee avoidance schemes by wholesalers which flourished in Victoria. In the last sitting I observed that regulation of retail licence-holders is essential to ensure that the amendments introduced by the government in past sittings are not undermined. The bill will further enhance the regulatory nature of the act by providing that the commissioner may refuse to issue a retail licence to an applicant or suspend or revoke an existing retail tobacconist's licence where the person has been convicted under the Tobacco Act 1987 of selling tobacco to minors. The commissioner may also refuse a licence where the person does not have a permit for the premises where the business is to be conducted.

A number of amendments also impose or increase penalties for various offences under the Business Franchise (Tobacco) Act 1974. These offences include unlicensed retailing, selling tobacco from premises not specified in a licence, failing to notify the commissioner of business transactions with an unlicensed wholesaler and failing to keep records. These amendments create an additional deterrent to the unscrupulous elements in the industry who seek to be involved in avoidance schemes. A similar provision to the liquidator provision in the Business Franchise (Petroleum Products) Act 1979 proposed by the bill is also inserted into the Business Franchise (Tobacco) Act 1974.

The bill amends the Financial Institutions Duty Act 1982 of a technical nature. The amendments allow transfers to a short-term dealing account from an account held by a registered short-term operator with any registered financial institution in Victoria, rather than with a bank only. A further amendment ensures that a payment of an amount owing to the credit provider under a continuing credit contract is liable to financial institutions duty.

The bill also repeals a number of obsolete provisions in the Land Tax Act 1958. The bill amends section 18A of the Pay-roll Tax Act 1971, which deals with the ability of the commissioner to assess members of a group constituted under section 9A of

the act. The amendment clarifies the operation of the section to ensure that non-employer members of a group can be assessed for payroll tax. The amendment avoids any technical argument that only employer members of a group could be assessed and closes off an avenue for avoidance.

The bill amends the Stamps Act 1958 to make provision for recent developments in trading on the Australian Securities Exchange. The definition of marketable security is amended to include two new types of securities which are traded by brokers on the Australian Securities Exchange. The amendments ensure that instalment receipts issued concerning the sale by the commonwealth of shares and CHESS (the clearing house subregister system run by the ASX) units in foreign securities are dutiable under this act. New South Wales, South Australia and Tasmania already impose duty on these products, and other states are expected to do so shortly. The new provisions are broadly similar to and consistent with the corresponding New South Wales provisions.

The bill further amends the Stamps Act 1958 to amend existing exemptions from stamp duty. The exemption on transfers of shares on a company buyback is extended to include shares acquired through a broker where the company is registered in Victoria. The exemption for a regulated contract under the Credit Act 1984 is extended to the same loans which will be regulated by the new Consumer Credit Code and raises the threshold for the amount financed under this exemption to $35 000.

The bill also inserts a penalty provision for breach of record-keeping requirements on future members in respect of their trade in marketable securities. The bill further amends various provisions in the Stamps Act 1958 by making minor drafting amendments of a statutory revision nature.

I commend the bill to the house.

Debate adjourned on motion of Mr BRACKS (Williamstown).

Debate adjourned until Thursday, 26 September.

BANK OF SOUTH AUSTRALIA AND ADVANCE BANK BILL

Second reading

Mr STOCKDALE (Treasurer) — I move:

That this bill be now read a second time.

The purpose of this bill is to enact complementary legislation to that which has already been enacted in South Australia to facilitate the transfer of the Victorian assets and liabilities of the Bank of South Australia to the Advance Bank.

The South Australian government sold the Bank of South Australia to the Advance Bank on 1 August 1995. South Australia has enacted legislation which provides for the merger of the two banks. The merger is a requirement of the commonwealth Treasury and the Reserve Bank of Australia that banking groups operate under a single banking authorisation issued under the Banking Act, although the banks will be able to continue to operate under their current brand names and logos to protect their franchise base.

To complete the merger of the Advance Bank and the Bank of South Australia in the most efficient way, the South Australian government is now seeking the assistance of all relevant jurisdictions in Australia in enacting supporting legislation to that recently enacted in South Australia. The relevant jurisdictions are those in which the Bank of South Australia has assets and liabilities.

The South Australian legislation is essentially a vesting instrument which transfers the assets and liabilities of the Bank of South Australia to the Advance Bank, and exempts such transfers from stamp duty, financial institutions duty and debits tax.

The Victorian legislation essentially consists of two operational clauses. The principal clause provides that:

> The operation of the South Australian act is extended so that it applies in Victoria as if it were an act of the Parliament of Victoria.

A secondary operational clause basically states that all references to South Australia in the South Australian legislation either do not apply or apply to the corresponding body or person or legislation in Victoria. It is proposed that the South Australian act should form an integral part of the Victorian legislation by being incorporated as a schedule to the Victorian legislation. In short, the Victorian legislation states that with certain changes designed to exclude South Australian references, the South Australian act, as contained in the schedule to the Victorian legislation, will apply in Victoria.

Honourable members will have noted that the South Australian legislation exempts the transfer of the South Australian assets and liabilities of the Bank of South Australia to the Advance Bank from South Australian taxes and duties. I wish to emphasise that the Bank of South Australia has not sought a similar exemption with respect to the transfer of the Victorian assets and liabilities of the Bank of South Australia to the Advance Bank. The merger of the two banks is taking place subsequent to the sale by the South Australian government of the Bank of South Australia to the Advance Bank, and hence the merger involves two financial institutions which are wholly in the private sector. In these circumstances it would be inappropriate to grant a tax exemption on the transfer of the assets and liabilities.

It was considered that the most expedient way of settling the outstanding stamp duty liability was by requiring the parties to pay an equivalent amount in lieu of stamp duty. I can confirm to the house that the tax liability has been discharged in full. Accordingly, the Victorian legislation does not contain a clause negating the corresponding clause in the South Australian legislation which exempts the transfers from state taxes.

The Victorian legislation also states that part 3 of the South Australian legislation, which provides for a government guarantee that the Advance Bank will satisfy the transferred liabilities of the Bank of South Australia, does not apply as a law of Victoria.

I commend the bill to the house.

Debate adjourned on motion of Mr BRACKS (Williamstown).

Debate adjourned until Thursday, 26 September.

GAMING MACHINE CONTROL (AMENDMENT) BILL

Second reading

Mr STOCKDALE (Treasurer) — On behalf of the Premier, I move:

That this bill be now read a second time.

This bill will allow the Community Support Fund to be applied towards the costs of administering and managing the fund and monitoring and reporting on the application of the fund.

Administration of the Community Support Fund currently requires the government to:

assess and make recommendations on applications for funding from the fund;

monitor and report on programs funded from the fund;

prepare forward estimates and report on the status of the fund; and

perform such other administrative tasks as are required from time to time.

It is intended that this bill will allow all costs of administering, managing, monitoring and reporting on the fund to be met from the fund.

These administrative costs are incurred only because of the existence of the fund. It is therefore logical that the cost of performing these functions also be met from the fund.

The Community Support Fund is a significant community asset. It is in the interests of all Victorians that the fund is properly managed and that allocations from the fund are adequately monitored. This bill will ensure that this occurs.

I commend the bill to the house.

Debate adjourned on motion of Mr HULLS (Niddrie).

Debate adjourned until Thursday, 26 September.

ROAD SAFETY (AMENDMENT) BILL

Second reading

Mr BROWN (Minister for Transport) — I move:

That this bill be now read a second time.

This bill makes a number of miscellaneous amendments to the Road Safety Act 1986, the Transport Act 1983, the Road Transport Charges (Victoria) Act 1995, the Impounding of Livestock Act 1994 and the Road Transport (Dangerous Goods) Act 1995. Most of these amendments are machinery in nature and have been introduced to improve the clarity of the relevant act, to improve efficiency of administration, or to remove minor anomalies.

Road Safety Act amendments

The most significant amendments to the Road Safety Act relate to the demerit points system and the blood alcohol provisions. The demerit points amendments were among those recommended by the parliamentary Road Safety Committee inquiry into the demerit points scheme and relate to several matters. First, the present law does not prevent learner drivers from continuing to drive on their learner permits even though they have accumulated excessive demerit points. A learner driver's points are recorded but not used until the learner becomes the holder of a driver licence. This anomaly is being addressed by placing learner permit holders in the same position as licensed drivers — that is, if they accumulate too many demerit points their authority to drive is able to be suspended.

The second change to the demerit points scheme introduces a sliding scale of licence suspension periods according to the degree of irresponsibility shown by the driver. At present all drivers face similar periods of licence suspension once they incur 12 or more demerit points in any period of three years. The driver is given the option of an immediate three-month licence suspension or of a chance to prove that they can drive responsibly over the next 12 months. If they take the option to continue driving and do not incur any further points in the next 12 months they are exonerated. If they take the option but fail in that objective they suffer a six-month licence suspension.

The bill adopts the parliamentary committees recommendation that the suspension periods be three months and six months, respectively, only if the number of points does not exceed 15. For every four points in excess of 12 incurred within the three-year period, the three-month suspension period is increased by a month and the six-month suspension period is increased by two months.

The third measure recommended by the parliamentary Road Safety Committee was that 'drivers who successfully take the 12-month good driving option be rewarded by cancelling the demerit points previously accrued'. The government in its response accepted this recommendation, and this bill provides that, when the 12-month period is successfully completed, points on the register at the time the letter offering the 12-month option is sent will be flagged so that they are no longer counted.

The zero blood alcohol requirements in section 52 of the Road Safety Act apply to learner permit holders who are not the holders of a full licence. It is possible for a person to hold a full car licence and a learner permit for a motorcycle, and vice versa, and a zero BAC does not apply to such people. This bill will apply the zero BAC limit to such people when they are driving or riding the vehicle to which the learners permit relates. These provisions will also require zero BAC if the person has a full licence but is driving a vehicle not authorised to be driven by that licence.

The Victoria Police has employed civilian mechanics to conduct vehicle roadworthy checks for some years. This bill enables these civilians to prohibit the use of unroadworthy vehicles on the road by issuing a notice of repair in accordance with the regulations. Other civilians employed in Vicroads and the Department of Infrastructure already use these powers in the case of heavy vehicles.

Section 30 of the Road Safety Act provides that drivers who drive while disqualified commit a more serious offence than those who drive while unlicensed, but not under disqualification. The bill deletes some superfluous words to make it clear that someone who has been disqualified is merely unlicensed after the disqualification period has elapsed.

Section 89A of the Road Safety Act allows people given an infringement notice for drink-driving or excessive speeding to object to the notice and have the matter heard in court. However, section 89A(5)(c) allows them to do this only if they state in the notice of objection that they intend to defend the charge. Many people who admit that they are guilty wish to go to court to argue for a lower penalty because of mitigating circumstances, but not to defend the charge. The bill makes provision for this.

The bill empowers the making of regulations to enable the sale of surplus registration plates to collectors to be done by auction or tender.

Other amendments

The proposed amendments to the Transport Act 1983 are to eliminate inefficient administrative arrangements for buses, to correct a legislative anomaly in respect of tow trucks and to repeal an obsolete speed limit relating to roadworks sites.

The Road Transport Charges (Victoria) Act 1995 is to be amended to remove technical restrictions to the charging of heavy vehicle registration fees and the Impounding of Livestock Act 1994 will be amended to allow the Roads Corporation to authorise classes

of persons to act as officers of the corporation under that act.

Finally, a more flexible commencement provision is being inserted in the Road Transport (Dangerous Goods) Act 1995 because of a delay in the development of national regulations to be adopted under that act. It is necessary to keep the current Victorian law in force until the national regulations are completed and the amendment will enable that to be done.

I commend the bill to the house.

Debate adjourned on motion of Mr BATCHELOR (Thomastown).

Debate adjourned until Thursday, 26 September.

BUILDING (AMENDMENT) BILL

Second reading

Mr BROWN (Minister for Transport) — I move:

That this bill be now read a second time.

The purpose of this bill is to establish a single body to oversee the occupational and technical regulation of on-site plumbing in Victoria.

The proposed Plumbing Industry Board will assume the current licensing functions of the Plumbers Gasfitters and Drainers Registration Board and take over responsibility for technical plumbing regulation from water authorities. The bill focuses on water, sanitary and waste-water plumbing, generally known as on-site plumbing. It covers plumbing works on the properties of water agencies' consumers.

This bill is not about the regulation of water supply and sewerage systems owned by water agencies. That is covered by the Water Act 1989. For much of Victoria's history, water authorities regulated on-site plumbing in their regions by setting standards for plumbing products and inspecting plumbing work. Each authority had its own by-laws, with variations across the state.

There is now a national certification scheme for plumbing products and a plumbing and drainage code for plumbing work — Australian Standard AS 3500. Most water authorities have adopted AS 3500 through the Victorian Water Supply and Sewerage Plumbing Regulations 1994, made under the Water Act 1989. Water agencies inspect plumbing work for compliance with these standards. In line with the COAG agreement on competition principles, the functions of water resource management and service provision are being separated from regulatory functions such as standards setting and enforcement.

The Victorian government's water reforms have already seen the amalgamation of non-metropolitan water agencies and the formation of three state-owned Melbourne water companies operating under licences issued under the Water Industry Act 1994 to produce a more competitive framework.

The government's water industry reform agenda means that a new approach to on-site plumbing regulation is needed so that water agencies can concentrate on their core function of service provision. Similarly, the gas industry in Victoria is undergoing major structural reforms designed to establish a competitive open access model in the future. In a competitive environment, it is no longer appropriate for Gas and Fuel to remain the gas industry regulator.

The government is currently considering the options for a new regulatory regime for safety in the Victorian gas industry. Under this bill the minister responsible for gas legislation will remain responsible for the overall gas safety framework and for the setting of technical standards. Gasfitting work has been included in the proposed occupational registration and compliance arrangements in advance of future gas industry reforms to ensure the maintenance of consistent licensing requirements across the plumbing industry.

There is a clear need to regulate the plumbing industry and plumbing work. The potential community health threats arising from backflow into water mains, from inadequate sanitary drainage resulting in the flow of storm and ground water into sewers, and from personal injury or death from the unsafe installation of gas appliances provide compelling reasons for continued regulation. Individuals can and do suffer property damage and health threats from inadequate workmanship. The cost of rectifying unsafe plumbing work can be very high. I turn now to the key elements of the scheme proposed in the bill.

Plumbing Industry Board

The proposed Plumbing Industry Board will replace the Plumbers Gasfitters and Drainers Registration

Board. All of the current board's functions will transfer to the new board, which will also assume responsibility for the regulation of on-site plumbing. The new board will have eight members and will maintain representation from all industry sectors.

Technical standards

The bill provides for the minister responsible for the act — currently the Minister for Planning and Local Government — to be responsible for regulations setting technical standards for on-site plumbing, including the Victorian Water Supply and Sewerage Plumbing Regulations 1994. The Plumbing Industry Board is to adjudicate on disputes as to the interpretation of technical standards.

Registration

Existing categories of occupational registration are to be streamlined to promote a level playing field among suppliers of plumbing services. The existing contractors authority will be abolished. Instead, licensed plumbers will be required to certify that their work meets safety standards.

'Registered plumber' will remain as a category. Those plumbers will be able to perform work requiring compliance certificates only under the supervision of licensed plumbers. Registered plumbers will be able to perform without supervision work not requiring compliance certificates.

Transitional arrangements will apply to licensed gasfitters who will be required to demonstrate to the Plumbing Industry Board their competency to undertake the safety inspection functions currently performed by Gas and Fuel. Once gasfitters have demonstrated their competency, they will become eligible to obtain full licences and sign off compliance certificates. These arrangements are necessary to ensure that gas safety standards are maintained in the move towards self-certification.

The transitional arrangements applying to gasfitters will not stop any gasfitters from performing their current jobs. In the initial period, licensed gasfitters will be able to continue current work but will not be able to sign off compliance certificates, and their work will continue to be inspected by Gas and Fuel. The proposed Plumbing Industry Board and Gas and Fuel will inform all gasfitters about these arrangements and advise what competencies need to be demonstrated before licensed gasfitters may self certify their work and be subject to random audit by the board's inspectors.

Compliance certificates

The old system of full inspections of all installations was not cost effective and led to undue reliance by plumbers on inspectors picking up non-complying work. In line with other industries, the proposal now is to move towards self-certification. Plumbers will certify that their work meets safety standards, and their work will be subject to random audits. Such a scheme, which is in place in New Zealand and France, promotes a high standard of plumbing work while minimising the cost to the consumer.

A compliance certificate must be signed by a licensed plumber in respect of any plumbing work where the total cost of the work, including appliances, material and labour, exceeds $500. Below this level, the risk of damage to property and the threat to health and safety are judged to be so low as not to justify the cost burden placed on the consumer by the compliance scheme. Compliance certificates must also be given for all type A gas installations and connection of sanitary drains to sewerage mains. In these cases a real risk to health and safety is present whatever the value of the work.

The certificate will guarantee the consumer that the plumbing work complies with technical standards, and it would provide the basis for redress if standards are not met. Blank certificates are to be bought by licensed plumbers from the board. This cost will no doubt be passed on to the consumer, but at an estimated $20 the cost is significantly less than the current cost of water authority inspections, which is approximately $60.

Compliance audit

The objective of the compliance audit process is to assess the performance of licence-holders in certifying plumbing work, to promote consumer protection and to protect public health. The auditing system will involve a random audit by the board of a small proportion of plumbing work for which compliance certificates have been completed. Overseas experience suggests that the inspection of a small percentage of plumbing work encourages plumbers to meet required standards in all their plumbing work.

It is envisaged that approximately 5 per cent of plumbing work for which compliance certificates have been completed will be audited. Where an

auditor finds that plumbing work does not comply with the standards guaranteed by the certificate, the work must be rectified by the certifying plumber at no cost to the consumer. Special provisions will apply to the inspection of sanitary drains so that a random sample of drains can be inspected after installation of the pipes but before backfilling commences. This will ensure that the necessary standards are maintained to protect the sewerage systems. Licensed plumbers will continue to lodge plans for sanitary drains with the relevant water agency.

Inspection and enforcement

Responsibility for requiring property owners to rectify non-complying plumbing work has previously rested with water agencies. The bill transfers this role to the new Plumbing Industry Board. The board's inspectors will have powers to order the repair of dangerous plumbing work, similar to the powers of building surveyors under the Building Act 1993 in respect of unsafe buildings. Where the substandard work has been inappropriately certified by a plumber on a compliance certificate, the inspector can take appropriate action to require the plumber to rectify the work. The board will continue to investigate consumer complaints about plumbing work and to take appropriate action against plumbers found to have performed inadequate work.

Insurance

It is essential to the interests of consumers that participants in the system carry adequate insurance. The cost of taking civil action to recover losses can be overwhelming and is useless if a plumber has few or no assets. It is also unfair that an action should lie exclusively against a builder if faulty plumbing work is part of a larger building contract. This simply shifts costs to an innocent party. The builder is likely to arrange rectification and build the extra cost into his or her general pricing structure while an uninsured plumber who has completed the work is not affected.

The provisions in the bill requiring licensed plumbers to be insured will lead to a fairer distribution of the burden of insurance. The increase in the insurance premium pool is likely to result in a drop in premiums for those persons who already have insurance. In the case of architects who are now required to carry professional indemnity cover under the liability reforms in the Building Act 1993, premiums have declined significantly from around $3500 to as low as $1500 for $1 million of cover, with the actual level depending on claims history.

In line with the current provisions in the Building Act 1993, it is proposed that a 10-year liability limit be also placed on claims for property damage resulting from the defective work of a plumber.

Statement under section 85 of the Constitution Act 1975

I wish to make a statement under section 85(5) of the Constitution Act 1975 of the reasons for altering or varying that section by the bill.

Clause 9 of the bill proposes to insert subsection (2) into section 260 of the Building Act 1993. The proposed subsection states that it is the intention of section 134A of the Building Act 1993 to alter or vary section 85 of the Constitution Act 1975. Clause 6 of the bill proposes to insert section 134A into the Building Act 1993. The proposed section places a 10-year liability limit on claims for loss or damage arising out of or concerning the defective work of a plumber.

The reasons for limiting the jurisdiction of the Supreme Court are as follows. At the centre of the scheme of the bill is a system of compulsory insurance. Consumers can be compensated under insurance cover held by a plumber for loss or damage arising out of or concerning the defective work of the plumber. While the cost of plumbers' insurance premiums will be passed on to consumers, the benefit of the scheme is that consumers will be protected from the need to take expensive action in the courts to recover damages and protected from the inability of some plumbers to pay those damages.

The trade-off for a statewide system of compulsory insurance is that there must be a point in time beyond which action cannot be taken against a plumber for defective plumbing work. For insurance premiums to be maintained at a reasonable level, insurance cover cannot continue for lengthy amounts of time. The government is satisfied that 10 years is sufficient time for the vast majority of consumers to discover defective plumbing work and make claims, while keeping insurance premiums at a reasonable level.

The limitation period mirrors the limitation period that already applies under the Building Act for defective building work. As building work and plumbing work are often carried out together, it makes sense for the two periods to be the same.

Funding

The proposed scheme will be self-funding. Licence and registration fees will continue to fund registration functions, as has been the case under current legislation. The compliance scheme will be funded through the sale of compliance certificates to licensed plumbers. The result will be a consistent system of on-site plumbing regulation at a significantly lower cost to the consumer than the present regulatory scheme.

The proposed scheme meets a number of important criteria:

effectiveness — by maintaining high standards of plumbing work without heavy regulation and high cost;

efficiency — a comprehensive database of plumbing work costing more than $500 will allow the audit process to focus on specific types of plumbing work or on geographic areas. The database will be established and maintained at a relatively low cost;

it is self-funding — the costs of the proposed system will be met by those who use it;

information — the database will enable emerging trends in respect of specific plumbing work or geographic areas to be identified and appropriate action to be taken;

motivation — signing a compliance certificate will serve as a reminder to licensed plumbers that certain standards must be satisfied;

it has industry support — the scheme is strongly supported by the plumbing industry; and

consumer protection — substandard work will be identified and rectified at no cost to the consumer. Further protection will be provided by the requirement that plumbers and gasfitters carry adequate insurance.

As plumbing is closely related to but separate from the building industry, it is proposed that the new plumbing regulatory framework be enacted in the Building Act 1993. Many of the building industry reforms contained in that act are applicable to plumbing, and the legislation applying to the two related industries should in the government's view be as far as possible consistent.

The proposed scheme will apply only to type A gasfitting installations. Type A installations include those commonly found in domestic premises, including certain LPG equipment. Type B gas installations, generally larger and more complex than type A, will continue to be inspected by Gas and Fuel. In support of this bill, the Gas Installations Regulations will be amended to include technical standards for LPG appliances, for which no technical standards are currently prescribed.

The proposals have been discussed extensively across the plumbing industry, and there is broad support for them. The concerns of some water agencies about the implications of the reforms for their assets and services have been addressed through provisions allowing the board to inspect underground sanitary drains at the time of construction and the ability of water agencies to refer on-site plumbing matters affecting their assets to the board. The legislative framework proposed in the bill provides a sound basis for maintaining high standards and will promote the protection of Victoria's water and sanitary infrastructure and services. It will also facilitate implementation of the government's water and gas policies, particularly in the area of quality, efficiency and conservation.

Victoria is the Australian leader in the field of plumbing regulation and the progress of the bill is being observed with great interest around the country. The bill will serve as a model for other states and territories.

I commend the bill to the house.

Debate adjourned on motion of Mr DOLLIS (Richmond).

Debate adjourned until Thursday, 26 September.

Sitting suspended 1.06 p.m. until 2.04 p.m.

DISTINGUISHED VISITORS

The SPEAKER — Order! I welcome to the gallery the President of the Legislative Council of Tasmania and visiting Tasmanian parliamentarians. I also welcome Sir Charles Gordon, former Clerk of the House of Commons.

Honourable Members — Hear, hear!

QUESTIONS WITHOUT NOTICE

Dental services: state funding

Mr BRUMBY (Leader of the Opposition) — Will the Premier rule out the introduction of a co-payment for public dental services in this state, including the dental hospital and the school dental program?

Mr KENNETT (Premier) — I think I was asked a question on this yesterday or the day before. Was it the day before?

Honourable members interjecting.

Mr KENNETT — The government said some time ago that it would continue to meet its obligations relating to the dental hospital. It will not in any way be picking up any shortfall caused by the federal government's change. The government will continue to meet its obligations.

Mr Brumby — On a point of order relating to relevance, Mr Speaker, the question I put to the Premier was quite explicit and unambiguous. I asked the Premier whether he would rule out the introduction of a co-payment for public dental services in this state. Will you rule it out or will you rule it in? You are the Premier — answer the question!

The SPEAKER — Order! At this stage there is no point of order. The Premier is developing his answer and, as the Leader of the Opposition knows, ministers may answer questions as they see fit. The Chair may not direct ministers how to answer.

Mr KENNETT — In fact I had finished my answer, Mr Speaker, but now that you have given me another opportunity I repeat what I have already said: the state government will continue to meet its obligations to the hospital; it will not do anything more to pick up the slack created by the federal government.

National Gallery

Mrs McGILL (Oakleigh) — Will the Premier advise the house on the selection of the architects for the National Gallery of Victoria redevelopment for which an initial $5 million commitment was announced in yesterday's budget?

Mr KENNETT (Premier) — Earlier today I met with the trustees of the National Gallery of Victoria, who have been undertaking a very rigorous process interviewing a number of architectural firms to select a group to do the work proposed for the National Gallery. They short-listed four companies. All those companies had a strong Melbourne component but they were also working in association with well-known international architects.

It is interesting that all four consortia demonstrated their sensitivity to preserving the integrity of the Roy Grounds building while complementing the original design with new spaces and a vision appropriate to the next 50 years of the gallery's life. Honourable members who have had the opportunity of visiting the gallery in the past few years would have noticed that the area available for exhibition space has been reduced as more and more space has been taken up for storage and administration.

The winning consortium is the Melbourne-based Metier 3 Pty Ltd in association with Mario Bellini Associati of Milan. Metier 3 was founded in 1985. It is a leading Melbourne design and architectural firm. Its major projects in recent times have been the T & G building at 161 Collins Street and the SECV Grocon building. The company has won eight prestigious national awards and is currently involved in a number of sites around Melbourne.

Mario Bellini is an architect of international fame, a leading designer who works and has international offices in Europe, Japan, Russia, India and the Middle East. He is world renowned for some of the most exciting and innovative designs.

The trustees of the gallery will be working in association with the Office of Major Projects. The government looks forward to working with Metier 3 and Mario Bellini, who will spend a great deal of time in Melbourne, and there will be permanent representation from his staff.

Not only does this development give us a wonderful opportunity to have very good Victorian and Australian architects involved, but to have an international architect of this standing will help to further re-establish or position Melbourne's cultural base on the international scene.

Employment: budget forecast

Mr BRUMBY (Leader of the Opposition) — I refer the Premier to his answer to my question in

this place on Tuesday, when he said, as reported at page 3 of *Daily Hansard*:

> I expect that over the next four years we will not only attain our target of another 150 000 new jobs but surpass it.

Why did the Premier mislead the house given that yesterday's budget forecasts job growth of only 1.5 per cent, or 30 000 Victorians, a year? In light of today's rapid deterioration in Victoria's labour market figures, will the government now admit that its budget strategy is hopelessly flawed and recast it to ensure stronger job growth and better education and health services?

Mr KENNETT (Premier) — The Leader of the Opposition continues his prophet-of-gloom approach, which he has been trying to spread among his colleagues and Victorians for the past three years. There are two aspects of the Leader of the Opposition's question. The first is the difference between the coalition's commitment at the last election to employment growth of 150 000 by the end of this parliamentary term and what is projected in the budget. One should not be surprised by that because, as the honourable member for Williamstown has been saying this week, the government has always been conservative in its official projections. Of course there is a differential number if you apply what we said earlier to the budget figures. The government is conservative, and it is confident that 150 000 new jobs will be created over the next four years.

Mr Brumby — No-one in the business community supports it.

Mr KENNETT — Yap, yap, yap, yap, yap! The second part of the Leader of the Opposition's question relates to today's figures, which he says show that the budget is basically flawed. He obviously has not looked at the figures released today by the Australian Bureau of Statistics which show that Victoria has had the highest employment growth of any state in Australia. The figures show that 20 400 new jobs have been created in Victoria.

On top of that the unemployment figure has risen, not because we are not employing more people — even though we are — but because the participation rate has gone up a remarkable 1 per cent. Why has the participation rate gone up? People in Victoria are confident that the government is able to create employment and that this is the state to be in. Not only are we creating more jobs, more Victorians feel confident about the future. The Leader of the Opposition is wrong on both the issues he raises.

Mr Brumby — I am not wrong, you are wrong.

Mr KENNETT — This man is terminal! The electorate looks upon him as a joke. I do not know what his latest rating is, but he should have a look behind him. Have a look at Mr Bracks, the honourable member for Williamstown, and Mr Hulls, the honourable member for Niddrie. Look at the man in the white tuxedo. They are all coming at him. If he intends to ask questions in this place, the Leader of the Opposition should try to be positive and to get the facts right.

We here in Victoria, and government members in particular, are again very proud that our policies have created more jobs in Victoria than have been created in any other state in Australia, and that can be seen in the figures just released.

Economy: government policies

Mr LUPTON (Knox) — Will the Treasurer inform the house of the latest measures the government has taken to reduce the cost of doing business in Victoria which has led this state to record the lowest inflation rate in Australia?

Mr STOCKDALE (Treasurer) — In 1992 the people of Victoria voted for responsible financial management. In 1996 they showed their appreciation of what they had received from giving the government that mandate and again endorsed responsible financial management. Despite the whingeing of some of the Labor Party's friends at the Trades Hall and a few of the other perennial friends of the Labor Party, the budget has been embraced by business and by responsible commentators. I will later comment on the Leader of the Opposition's claim that business has not embraced the budget.

The point I want to make today is that Victorians are benefiting from responsible financial management. In response to the shadow Treasurer's comments yesterday, I had my staff put together a quantification of the benefits the people of Victoria have received. In total more than $1.5 billion has been put back into the pockets of Victorians, compared to what would have happened if the government had not initiated reforms. The benefits include gas, electricity and water prices being frozen for periods in excess of two years, savings against inflation, and real reductions of $120 million for

electricity, $87 million for gas and $180 million for water.

The government's local government reforms have produced lower rates, putting $263 million back into the pockets of Victorians. The abolition of the state deficit levy has put $175 million dollars into Victorian pockets. There is a reduced reliance on Labor's land tax, which were slashed compared with Labor forward estimates, producing benefits of $140 million. The stamp duty on share transfers has been halved. Even given the difficult budgetary circumstances the government has been facing, the tax reductions delivered in the last two budgets have provided tens of millions of dollars of tax relief. Altogether, $1.6 billion of policy-induced savings have been provided, and I will be releasing these figures immediately after question time.

The Leader of the Opposition is not known as a reliable source. In an interjection to the Premier, who might be known as the Terminator by the time the year is out, the Leader of the Opposition said no-one in the business community supports the budget. This is what the Victorian Employers Chamber of Commerce and Industry has said:

> The Victorian budget continues on the right track.

The Deputy Chief Executive Officer of VECCI, Don Larkin, also said this:

> The budget is a sound document that will cement Victoria's future by boosting business confidence in new investment.

The Australian Chamber of Manufactures chief executive, Mr Allan Hanburg, said:

> You have to give credence to the Victorian government statements because ... they invariably follow through with them.

On ABC regional radio — —

Mr Brumby interjected.

Mr STOCKDALE — You don't like this, do you?

The SPEAKER — Order! The Leader of the Opposition continues to interject —

Mr Brumby interjected.

The SPEAKER — And he continues to speak while the Speaker is on his feet. I do not want to have to deal with him, but if I have to, I will. I ask him not to interject across the table.

Mr STOCKDALE — He does not like it. He cannot back up the claims he is making because the facts are against him. On ABC radio Mr Larkin said:

> Eight out of ten for the budget.

Clay Manners, of the Victorian Farmers Federation, said this:

> Seven and a half out of ten for the budget.

What have we heard from the other side? These are the comments the shadow Treasurer made on radio yesterday when Steve Price asked him what the Labor Party's budget recipe was and how he would have turned around the economy. The shadow Treasurer replied:

> Well, look, I mean its absolutely hypothetical ...

Talk about a penetrating analysis! Steve Price then hit him up a high lob:

> Do you still maintain that we should not have sold off those power companies?

He replied:

> Well, what you've got to remember is, in government, we in fact privatised Loy Yang B to get private capital investment into that, because the state can't raise sufficient capital for it. So we judge each one of these on their merits. We're reviewing our policy now as you're aware.

Just to show his comment was really contemporary — —

The SPEAKER — Order! The question was fairly explicit about the measures the government had taken to give Victoria the lowest inflation rate in Australia. The Treasurer is now responding to an interjection made by the Leader of the Opposition to a previous question and I ask him to round up his answer and not to quote in his answer interjections from the Leader of the Opposition.

Mr STOCKDALE — The question was about Victoria being the low inflation capital of Australia. The question was directly relevant because the shadow Treasurer was asked how he would have produced this outcome and he says:

We're reviewing our policy now, as you're aware. As the leader of the party — —

Mr Batchelor — On a point of order, under standing order 127 the Treasurer is debating the question. He is defying your ruling, Mr Speaker, and I ask you to require him to finish his answer.

The SPEAKER — Order! I accept the point of order. I ask the Treasurer not to continue along his present line. He has been speaking for more than 5 minutes. The appropriation debate will take place this afternoon, and the Treasurer's comments would be more appropriate then rather than in response to the question that was asked.

Mr STOCKDALE — I accept you ruling, Mr Speaker, but it is very hard to resist quoting the shadow Treasurer. I simply say that the shadow Treasurer concluded his remarks on general economic policy by saying that the Labor Party would judge each matter on its merits. It is clear in the case of the government's general economic policy that the Labor Party has judged it on its merits, thrown out Labor Party policy and adopted government policy.

Victoria recorded an inflation rate for the past year that was 25 per cent below the rate for the rest of Australia. The Australian Bureau of Statistics directly attributed that to the reforms made by the Kennett government, particularly in reducing the cost of local government rates. That is why Victoria is Australia's low inflation capital, why it is seeing the number of jobs grow faster than the rest of Australia and why your lot will remain over there for many years to come!

Government advertising: funding

Mr BRACKS (Williamstown) — I refer the Treasurer to the Premier's comments made on Tuesday when he said there was no room for extra spending in the budget and ask: why is there room for a $250 million contract with the Liberal Party media buyer, Leeds Media, and for government advertising of $4.5 million in the Treasurer's advance for government self-promotion but no money for dental health, more computers in our schools or more beds in our hospitals?

Mr STOCKDALE (Treasurer) — I cannot wait for the opposition's reply to the budget! The honourable member cannot read the budget papers if he says there is no additional money for hospitals when the health allocation was increased by $250 million compared with last year and when there is a specific allocation of $55 million for acute health care.

Mr Brumby interjected.

Mr STOCKDALE — Its attack and defence here! We have just had the honourable member for Williamstown making his run for the leadership and now the leader is mouthing off to try to protect his position! You ought to move him from right behind you!

The SPEAKER — Order! The Treasurer, on the question.

Mr STOCKDALE — Yesterday, on top of additional allocations in the autumn economic statement, the government added an extra $41 million to improve education service delivery. The highest priorities in this budget and in last year's budget — —

Mr Brumby interjected.

Mr STOCKDALE — I will get to that, just be patient! The highest priorities in this year's budget and in last year's budget were health and education. The government stands four square behind those priorities. We are improving service delivery even while we are still burdened with cleaning up the mess that your lot left behind! Day by day we are still sorting out the mess — not just the debt — and the phoney deals you made. We are regularising them.

Since coming to office the government has improved arrangements in the purchasing of media services; it has centralised media purchasing and has achieved economies of scale. The government has negotiated better deals and has clawed back the 15 per cent rort the industry had built in over many years. The Victorian government is not only benefiting the taxpayer but also is benefiting consumers of advertising services generally.

We do not resile, and as Treasurer I do not resile, from spending money to properly inform the people of Victoria about the achievements of their community and their government. It is an important element of building public confidence that the people should understand we are no longer in the trough that the Labor Party left us in 1992. We are no longer the butt of jokes as we were in 1992. We are no longer the Rust Bucket State!

Mr Brumby — On a point of order, Mr Speaker, the Treasurer was asked specifically about the $250 million contract with Leeds Media over a five-year period. The Treasurer has not discussed that matter in detail in his answer. The Treasurer might like to explain to the house how much advertising space Leeds Media bought for the Liberal Party during the recent state election. Will you tell us that? When you centralised — —

The SPEAKER — Order! There is no point of order. The Leader of the Opposition cannot use a point of order to ask a supplementary question.

Mr STOCKDALE — The rebuilding of public confidence in this state is reflected in every economic indicator, including record growth and employment that is better than the rest of Australia. Some 20 000 new jobs have been created because people have the confidence to invest in this state, and that investment is coming not only from Australia but also from all around the world from companies such as Bosch and Netscape. They are creating jobs for all Victorians, including young people. They know the policy consistency of this government is delivering a sound foundation for investment, which is in contrast to that of the Labor Party. The only consistency in the position of the Labor Party is its inconsistency! Every time you stand up you change your policy position and repudiate the spokesman!

The SPEAKER — Order! I ask the Treasurer to address the Chair.

Mr STOCKDALE — You even changed your policy on the grand prix while your representative was overseas.

The SPEAKER — Order! The Treasurer will address the Chair.

Mr STOCKDALE — The Victorian government will continue to responsibly inform the people of Victoria about our achievements as a community because it is in the public interest to keep building confidence from the desperate malaise it inherited from the Labor Party.

Freeza

Mr WELLS (Wantirna) — Will the Minister for Youth and Community Services inform the house of what steps the government has taken to provide young people with a safe and secure environment in which to enjoy themselves?

The SPEAKER — Order! Before calling the minister, I suggest that is a very broad question and I ask the minister to keep his answer brief.

Dr NAPTHINE (Minister for Youth and Community Services) — I thank the honourable member for Wantirna for his question and his continued interest in young people in his electorate and right across Victoria.

Today is an extremely exciting day for all young people across Victoria. This morning the Premier launched the exciting and innovative program based on the government's commitment to provide drug and alcohol-free entertainment for young Victorians. This program is designed to provide an opportunity for young people in Victoria between the ages of 14 and 18 years to have a place where they can go to enjoy live music and dancing and other associated entertainment without being associated with or exposed to drugs and alcohol. These entertainment venues will also be smoke-free, so that they will be safe places for young people. They will provide positive entertainment for young people and will gain the confidence of the community and the parents of young people.

This morning the Premier launched the name of the drug and alcohol-free entertainments, which will be called Freeza — a positive name that is well accepted by young people. The name obviously indicates that the entertainment will be free from drugs and alcohol, and it is a catchy title that will captivate the interest of young people.

The name for the program was chosen by a panel of young people. It was selected from a number of names submitted to a competition launched by the Premier. The winners were Chris Metcalfe and Charles Hardman, who are young innovative people involved in the promotion and graphic industry.

This meets a commitment made by the government to spend $4 million over four years to provide the young people of Victoria with safe and secure entertainment. This is part of the government's response to the recommendations of the Premier's Drug Advisory Council and is part of our strategy to turn the tide to ensure that young people can have a good and positive time without drugs or alcohol being involved.

Young people will be involved in the planning and development of the program and in the day-to-day running of the venues. Starting in November of this year we will be providing venues in metropolitan

areas, and by the end of the year there will be six venues, including two in regional Victoria and then they will spread right across the state.

This weekend the government will be advertising for expressions of interests for people to act as promoters and venue operators and for groups to be involved in the running of these important entertainment venues. This is an excellent opportunity to not only provide positive entertainment for young people but also to provide a major boost for the music industry in Victoria. This will provide young Victorian bands with an opportunity to have secure employment with an opportunity to expose their music to young people.

Honourable members interjecting.

The SPEAKER — Order! The honourable member for Morwell should know that he doesn't call across the chamber addressing another member by his name. If he wants to address a member, it will be by the name of his seat.

Dr NAPTHINE — As I was saying, the music industry is very important and there are significant opportunities for the industry to be further promoted and developed. Many young people are talented and skilled and the rock music industry provides a great outlet for their talents and skills. The Freeza concept will provide promoters with the opportunity to use young bands and give them the opportunity to be exposed in the industry and perhaps have record contracts locally. As the Premier said this morning, maybe we will even see the launch of young Victorian bands onto the local scene and then onto the world scene, just like what happened to the band Silverchair from New South Wales, which is now on the world scene as a result of support for the local music industry.

This excellent concept is headed by the honourable member for Wantirna. It will provide young people with an opportunity for good and positive entertainment in a safe environment which will be supported by their parents and the community and will help develop the Victorian music industry.

APPROPRIATION (1996/97 No. 1) BILL

Debate resumed from 11 September; motion of Mr STOCKDALE (Treasurer).

Mr BRACKS (Williamstown) — This budget has three key features. One is fewer jobs than the government predicted; the second is continued high tax; and the third is absolutely dishonest forecasts. The government cannot escape those three key features of the budget.

It is dishonest as it presents a budget position that reflects the cumulative effect of continuing inaccuracies in budget forecasts. It is a do-nothing budget. It fails to address the decline in health, education and other vital community services, and it is a budget of broken promises.

It fails to deliver on three key promises that the government went to the election on in March of this year. The key feature of this budget should have been what the Treasurer said in the budget speech he wanted to do. He said he wanted to retain Melbourne and Victoria as the most livable city and state in Australia and in the world. That is what he set out to do. That was the rating Melbourne had previously, equal with Montreal — the most livable city in the world. The budget puts that rating at risk; the budget will not solve the problems of homelessness, or provide access to housing, health and education — all of which are essential features of the most livable city in the world.

The budget should also contribute to improving the skills base of the work force. It has not done so and when I talk later about education, it will be clear that this government is in conspiracy with the federal government to reduce the skills base of Victorians in the future. The Treasurer has failed to map a coherent way forward for Victoria and the budget does nothing to enhance Victoria as the manufacturing capital of Australia. It fails to address the fundamental challenge of job growth.

The Treasurer's revelation in the budget of a significant recurrent surplus is no news to anyone; it has been predicted by most commentators for some time. The Treasurer's own conservative estimates of $1.3 billion recurrent surplus is similar to that achieved last year. We must recognise the absolute dishonesty of this. If you remember the forecast of 12 months ago by this Treasurer, it was for a deficit of $350-odd million. He has had a turnaround on the current and capital account to a surplus of $473 million. So we have seen dishonest forecasts. If you take an average, each time this Treasurer has brought down a budget he has underestimated the surplus by a minimum of $400 million. It is intentional.

We all know why the Treasurer does it — he wants to ensure he is not pressured to give back some money to Victorians. In this budget the Treasurer

has underestimated the surplus in three ways and has turned around the expectations of Victorians who believed the budget would have a surplus on the current account by misleading the public. Firstly, the Treasurer understated the revenue projections; secondly, he underspent on what he predicted; and thirdly — this is the most dishonest trick — he did not calculate the reduction of debt and interest payment relief that accrues from that.

Two things need to be recognised. The government is focused on achieving a AAA credit rating at the expense of everything else. After much pain and suffering with cuts to services and enormous increases in taxes and charges, the time is right to give back something to Victorians and to plan a coherent economic strategy for the state. It is not just the opposition that is saying these things but a chorus of commentators. In every major newspaper the call is being made to give something back to Victorians, the taxpayers who have paid for the surplus through high taxes and charges.

In answer to a question without notice asked this afternoon, the Treasurer said the budget had support from economic commentators and employer groups around the state, but he is selective in his recording of that support. If the Treasurer had bothered to watch the television news last night he would have noted that the Chief Executive Officer of the Victorian Employers Chamber of Commerce and Industry, Mr Don Larkin, say that he was disappointed with the budget because he believed the Treasurer had missed the chance to give something back to the business community. The Treasurer cannot quote selected comments from the economic commentators without quoting all that they say. Dr Ed Shann from Access Economics had the same criticism of the budget. Dr Shann said that it was an opportunity to produce an investment culture for Victoria and to produce a climate of job growth and support for industry. Mr Des Moore from the Institute of Public Affairs said that the Treasurer has consistently underestimated revenues up to 2000 by about $600 million a year. Mr Moore says it is time for the Treasurer to give something back to Victorians. It is not just the opposition, VCOSS and the Trades Hall saying these things but also employer groups and economic commentators who usually give unqualified third-party endorsement of the government.

The Treasurer must face the fact that this budget is not his best budget — there is no question about that because it has not gone down well. The economic comments have been negative, and it will be forgotten by tomorrow!

The defining feature of the budget is its dishonesty. The errors in budget forecasting are profound. Between the 1994 April economic statement and the September budget the Treasurer underestimated the current account deficit by 27 per cent; between the May 1995 economic statement and the September budget the Treasurer overestimated the current account surplus by more than 17 per cent; and between last year's budget and this budget the Treasurer underestimated the current account surplus by $1.6 billion. The Treasurer is certainly consistent; he has consistently underestimated the surplus on successive occasions. Not once has he come close to what he has predicted! Why is he doing this? Because he does not want Victorians to know the true picture because if they did they would put up their hands to ask for better services and lower taxes and charges, especially as Victoria is the highest taxing state in the commonwealth. It is an old trick. He is saying that the sky is falling and when the sky does not fall he wants to be congratulated. He has been doing that for the past three years.

The real story behind the budget is the sacrifice being made by ordinary Victorians. On the governments own admission, Victoria has the highest taxes and charges of any state in the commonwealth. Since 1992-93 when the government came to power it has taxed Victorians 10 per cent more than people in other states and territories — in other words, it costs Victoria 10 per cent more to live in Victoria. That is not just a burden for Victorians but a problem for the economy because it depresses the demand for goods and services with the consequent effect on job growth. Since 1992 there have been more than 5000 increases in taxes and charges — a great record and the Kennett government is now raising an additional $2 billion a year in taxes, which is $800 for every man, woman and child in the state! That is the extent of the hike in taxes and charges over the past four years.

The other feature of the budget is that it highlights the hypocrisy of the government in promising tax relief during the last election campaign. The Premier and the Treasurer said during the run-up to the election that they would deliver tax relief early in the government's next term of office. The government had its opportunity in the autumn economic statement and in this budget, but it has failed the test. The Treasurer knows it, and so does his backbench and the economic commentators. The

Treasurer has a $1.3 billion surplus on the current account so he cannot slide out of his commitment.

We do not need to look too far to see what is happening. The government wants to hold off on tax relief as long as possible until it is close to calling the next election. It promised tax relief during the last election campaign but failed to deliver, and the people will not take it on trust a second time. It is the first big broken promise!

In 1985 when the Premier and the Treasurer were in opposition they ran a vigorous campaign with the slogan, 'More jobs, less taxes'. In 1996 the promise of more jobs, less taxes is coming back to bite them. They cannot deliver, and they are not delivering in this budget because it is a budget of fewer jobs and higher taxes. The Victorian public will understand what this budget is about.

Government services continue to be slashed and the state budget holds no relief for people who have been hit by severe cuts. The Treasurer and the Premier have asserted there is $300 million of extra spending in this budget: that is a furphy because the $300 million has already been committed. There is no new expenditure item because the $300 million has been whittled away through the 1.5 per cent productivity cuts the Treasurer will demand from every department and also through not allowing certain sectors to be compensated for the 3.9 per cent growth in wages, as predicted in the budget.

In other words, on two counts the $300 million claim is worth nothing: the 1.5 per cent productivity cuts; and a 3.9 per cent growth in wages which departments will be asked to fund from their own recurrent expenditure. The Treasurer will not dip into his advance to help them. Also he will ask each hospital to fund those increases, which effectively amounts to cuts to hospitals.

Grants Commission data shows that Victoria now spends less on education, hospitals and family and child welfare than all states except Queensland — that is, it has the second-lowest expenditure on health and education as a percentage of gross state product of all states except Queensland. If the government aims to market what it regards as the state's strength — its skill and education bases — this budget has not hit the mark. The opposition accepts and supports the need for expenditure restraint, but any government that locks toilets at railway stations and lets rubbish gather at schools has gone too far.

The recent federal budget has placed many of this state's services in great jeopardy. I shall highlight a number of funding cuts which will affect Victoria but which this budget will not help: $35 million has been stripped from government schools; $109 million has been directed away from our TAFE colleges; $50 million has been taken from public hospitals; and $25 million has been removed through the abolition of the dental health scheme. That latter cut must be the cruellest of all because it will hurt those most in need of dental services — that is, the health-card holders. Many hundreds of people have been assisted by that scheme.

I further refer to the dishonesty in this budget. The Treasurer talks about the need for accrual accounting and open reporting of government finances, yet the description 'asset sales' used in the budget describes only half the picture; we do not get a picture of Victoria's net worth. The Treasurer simply talks about the sale of assets to reduce debt; he does not talk about the loss of the assets.

Anyone who has studied or knows about accounting practices will know that to present the accounts of a state or company you have to present the balance sheet; you must consider not just the sale of the asset used to retire debt but also the loss of the asset. Assets sales are reducing the net worth of Victoria. If the government is to be frank and honest with Victorians it should say, 'Yes, we understand that Victorians have built up the assets historically' — and the assets of Victorians are better in a large number of cases than those of other states; for example, the infrastructure base in Victoria is significantly better than Queensland's — 'and we will recognise that asset base in any analysis or reporting to the Victorian public where a loss has occurred in the sale of assets'. If you talk about the balance sheet and net worth you must also talk about the loss of that asset to Victorians.

Queensland, which has one of the highest predicted population growths in Australia — particularly between the New South Wales border and the Sunshine Coast — has enormous unmet demands for infrastructure spending and spending on assets; that state faces a huge liability. Victoria has a more mature base: its base has been its pride and the subject of jealousy of other states. A sale of that asset base must be described. The Victorian public should be told, 'We are not just retiring debt; we are taking an asset from the books'. We should be able to see such a statement in any open or honest reporting by the government.

The other dishonesty in the budget is that although the government's aim of reducing the interest payments on the state's debt is supported by the opposition, the government has been less than honest in talking about the total debt for Victorians. For example, there has been a shift of debt from the public sector to the private sector, but that is still a debt on Victoria. In some cases the debt would be guaranteed in Victoria. For example, during the last election campaign the Premier talked about the City Link project; he said it had created a potential liability for Victoria of about $7 billion over 34 years. We need some description and honest reporting of that if, in certain circumstances, new debt is to be triggered through compensation payments by the state.

If we are talking debt we should not just talk about debt that the public sector has historically held and funded, but also debt which the government is underwriting through certain circumstances and contractual obligations which Parliament and the public will never be able to scrutinise.

There is a need for the Treasurer and the government to adopt open reporting practices and a charter which has open reporting. In the words of federal Treasurer Costello, it should be a charter of budget honesty that talks about the government's debt and the state's net debt worth. He talks about whole-of-government reporting, as was set out in the opposition's own financial management paper; he talks about how there can be open scrutiny of the government's dealings with the public sector by a strong and independent Auditor-General. The government should open the books and let Victorians judge for themselves.

A criterion on which the government prides itself is Victoria's strong economic performance, but it gives only a small part of the picture. We need to look at the three fundamentals by which the Victorian economy should be judged, and they are economic growth, employment and investment.

The Victorian government's approach to economic management has not addressed, for example, the fundamental issues of employment and economic growth. Since October 1992, when the Kennett government came to office, Australia has enjoyed consistently strong economic growth. As a result of the policies of the former federal Labor government, Australia has enjoyed 20 consecutive quarters of economic growth. Until recently Victoria has lagged behind the national average: its recent growth has been powered by consumption rather than investment. That fact must affect Victoria's future economic position.

As a result of low-growth economic policies, in the past four years Victoria has missed out on the job growth experienced by other states. Had there been the same job growth rate in Victoria in the past four years as has occurred nationally, Victoria would now have 30 000 more jobs. In the past four years the growth in the number of full-time employees in Victoria increased by 7.7 per cent compared with the Australian figure of 8.1 per cent. Growth in part-time employment in Australia was 12.3 per cent, but only 6.9 per cent in Victoria. The total growth in employment in Australia since 1992 has been 9.12 per cent, yet Victoria recorded only 7.6 per cent. In every full year since 1992 Victoria's unemployment level has remained higher than the average Australian unemployment level.

Worse still, on the government's own prediction in the budget of a 1.5 per cent growth in jobs next year, it will achieve only about 30 000 jobs when Victoria has work force of 2 million. It will therefore not fulfil its promise to achieve one of its key criteria of 150 000 new jobs over the next four years. So the government has broken its promise on tax and its promise on jobs.

The fact that the government will not achieve the level of growth in jobs the public wants is made even worse by the release today of job figures showing that unemployment has risen by 0.6 per cent — one of biggest rises this year — to 9.1 per cent, resulting in the highest number of unemployed Victorians — 211 000 — since October last year. Anyone who wants evidence of how wrong the budget is has only to look today, the day after the budget was delivered, at those Australian Bureau of Statistics job survey figures.

The position is worse still if you look at the increase in the unemployment trend rate from 8.6 per cent to 8.7 per cent. The Premier and the Treasurer quite correctly say we should not take too much notice of the one-off figures because the trend rate is more accurate. So, the first economic indicators to emerge following the delivery of the budget show that unemployment has gone up and the unemployment trend rate is increasing.

Clearly employment growth is not a priority for Liberal governments at either the state or federal levels. For example, the federal government has cut $1.8 billion from Working Nation programs, which will hit Victoria particularly severely. The Treasurer

has an enormous problem in attempting to achieve job growth when his settings are combined with the federal government's actions. Over the years 1994 and 1995, 71 700 job opportunities resulted from Working Nation programs alone, and that has had a big impact on the Victorian economy.

That federal government money goes into wage subsidies, training, TAFE colleges, skilling the work force and assisting the long-term unemployed so that when new jobs come up those people will already have been trained and will be ready to take up those opportunities. The result is that the unemployed are not kept at the bottom of the pile, which would have all sorts of undesirable social and economic effects.

The combination of the state settings on job growth of 1.5 per cent or 30 000 next year and the reduction in Working Nation funding that will result in 71 700 fewer places will create a problem with employment in Victoria, yet the Treasurer closes his eyes, hopes it will go away and hopes the market will pick up in the next three or four years. His answer is to talk it up. It will not take too long for most people to read the budget papers and make their own analysis of whether jobs are growing in this state.

The second key indicator of a vibrant economy is investment. I will look at public sector capital investment, private gross fixed capital investment and investment in human capital. Victoria has fared badly in each area over the past four years. Government capital expenditure reflects the government's level of commitment to improving the state's infrastructure. The government set itself a target of expenditure of 1.25 per cent of gross state product on capital infrastructure, for which the figure should be $1.5 billion or $1.6 billion, yet the budget provides for only $1 billion. The government has failed to meet its own target.

Since 1992-93 Victoria has experienced the lowest level of growth in private fixed capital expenditure of any state. Over the past few years New South Wales has attracted double the amount of private fixed capital expenditure Victoria has attracted. Victoria's 12.5 per cent growth in this area is by far the lowest of all states, including Tasmania, which had growth of 17.5 per cent.

The composition of investment is revealing. Spending on equipment is very important in Victoria because 20 per cent of our economic activity is in manufacturing. In four years under the Kennett government Victoria has reported the lowest growth of business expenditure on equipment in Australia. At 17.7 per cent Victoria's rate of growth in this area is less than half the rate in Queensland of 40 per cent and South Australia of 44 per cent. It is 8 per cent lower than the figure for Western Australia, which has the second-lowest rate of growth at 25 per cent. Clearly investment in equipment expenditure by Victoria's private sector manufacturing base is not going well.

The manufacturing sector is also under continued pressure and threat as a result of the federal budget. Manufacturers, exporters and researchers, all of which are critical to Victoria and have a special impact on the state, have been dealt with severely by the Howard government. Support for the manufacturing sector is to be cut by $336 million or 60 per cent, exporters will lose $500 million over the same period, and research and development concessions have been cut back by some $125 million. These cuts unfairly disadvantage Victoria because of the state's manufacturing base, yet nothing has been done in the state budget to remedy that situation and assist industry, thus ensuring it remains in Victoria.

I now turn to the level of service provision in Victoria. Since coming to office the government has made massive cuts to vital government services such as education, health and community services. Some of the proudest government achievements in education since 1992 have included falling school enrolments, increasing class sizes and declining retention rates. The government can tick that as an achievement and say it has invested in its human education capital by reducing retention rates!

Since 1992 the government has closed 299 schools, and in this budget the Treasurer says he plans to close another 11 schools. Class sizes have increased: in 1992, 1.5 per cent of classes had more than 30 students and the figure in 1994 was 7.3 per cent. Enrolments fell by 3.6 per cent between 1992 and 1995. Government schools are less attractive places under this government.

Worst of all is the situation with retention rates. The number of students who stay at school to year 12 is accepted around the world as a benchmark indication of how well an education system is working. In 1992 the Victorian retention rate to year 12 was 77.9 per cent, yet the latest figures show it was 69.8 per cent in 1995, a drop of almost 10 per cent. That is a sad indictment of a government that should recognise that an educated and intelligent

skills base is a most important factor if Victoria is to grow.

A third indictment of the government is the breaking of its promise that by 2000 it would provide one computer for every four students in Victorian schools. That was the promise made by the previous education minister. Broken promise no. 3 is that the government has allocated only $23 million over four years for computers in schools. That is despite the need for $200 million to achieve the target of 93 000 computers. Therefore, we have broken promises on jobs, taxes, schools and on providing computers to schools.

Victoria's future as the clever state — the key to new business investment — is in jeopardy.The ALP's vision is for a highly skilled, highly productive, high-technology Victoria. Victoria is the intellectual, manufacturing and cultural capital of Australia, and that is what the Treasurer should be addressing. When he talked about Melbourne as the world's most livable city he did not describe it in the budget settings, and one has only to look at the misplaced priorities of the government to see that. The budget is not just a failure to keep promises, it is also a failure to identify the appropriate priorities for the Victorian economy.

One of the most clear statements of this government's priorities is found in the Appropriation (1996-97, No. 1) Bill. Clause 9 of the bill deals with the Treasurer's advance, which exists to pay for expenses that cannot be predicted. I will quote what the advance is for:

> ... to meet urgent claims out of the Advance appropriated in the Appropriation Act 1995.

Urgent claims! That is what it says in clause 9. What did the Treasurer spend money on in the Treasurer's advance and what does he want Parliament to approve?

Under the Department of Premier and Cabinet, the government has spent almost $4.5 million out of the Treasurer's advance on the 'Victoria. On the move' display and on government-wide promotions and activity expenses. Is that urgent? Is that something you could not foresee or predict? Is there some coincidence that this happened around the election period? Is that the urgency of this expenditure in the Treasurer's advance?

Other parts of the Treasurer's advance include legitimate expenses such as money for the Port Arthur victims, salary increases or funds for the Premier's Drug Advisory Council, but I would like the Treasurer to explain how the $4.5 million expenditure on government promotions can be seen as urgent. Why is the Treasurer's advance being used as a slush fund in this state? It is extraordinary. It exists to meet circumstances that cannot be predicted, but I am sure the Premier could predict that the state would want to advertise and spend money on 'Victoria. On the move' and other advertising.

This budget has totally neglected expenditure on health. The crisis in our public hospital system has been well publicised — massive closures of beds, blow-outs in waiting lists, mismanagement of the Metropolitan Ambulance Service and a mental health service in complete disarray — and the claim that this budget puts extra funds into health is absolutely outrageous. If you deduct the 1.5 per cent productivity cut, which is about $32 million, and take into account inflation, public hospitals are worse off.

What will the Treasurer do when hospitals require money for salary and wage increases from the Treasurer's advance? The Treasurer will have to say, 'No, we have other priorities, such as government advertising, and we will not be able to find your salary increases. You will have to find them out of your own budget.' This budget will not get patients off trolleys and into hospital beds; it will do nothing to reduce waiting lists or stop patients being discharged too soon.

Of further concern is that the federal government has shifted back responsibility for the dental health system to Victoria, yet this government has not accepted any responsibility for it. The federal Treasurer's decision to abolish the dental health program has cost Victorian dental health recipients $25 million. The Victorian government has shown how committed it is to this section of the community by refusing to accept responsibility for dental health.

In summary, this budget will go down as the one which revealed the abject dishonesty of the forecasts the Treasurer has been pursuing for the past four years. The legacy by which each budget from now on will be judged will be the Treasurer's forecasts — his forecast of the surplus, his forecast of where it is going and what he is predicting. On the evidence of the past three or four years the Treasurer has not come close to his forecast of actual expenditure. It appears that the Treasurer will continue to

underestimate budget surpluses to try to keep the pressure on to allow cuts in services.

As I said, a feature of this budget is the three big broken promises — they are not just little ones. When you have broken your promise on tax relief and your promise to provide 150 000 jobs, as promised by the government in the second last week of the election campaign, and when you do not provide one computer for every four students by the year 2000 you are talking about breaking three key commitments. It is a case of spending on the government's pet projects and not on those things which will grow Victoria and assist in the provision of services in this state.

This budget provides no vision for Victoria, no hope for more jobs and no hope for tax relief. I can say only that the Treasurer's budgets will be judged by the dishonesty of this one. The opposition will be looking carefully to ensure that future forecasts are more accurate than those in this budget.

Mr CLARK (Box Hill) — The honourable member for Williamstown has made a range of wild assertions in relation to this budget, and in my opening remarks I shall rebut a few of them. It is worth putting to the top of the list the member's references to dishonesty and false forecasting and to make the point that that assertion is a reflection on the professionalism, integrity and competence of many dedicated and capable officers within the Treasury who have served this government and, in the case of some, the previous government impartially and without fear or favour.

It is also a reflection of the lack of experience on the opposition benches of how government and Treasury works that they could so readily confuse the political role of the government in making the policy settings for a budget and the role of Treasury officers in providing the number crunching and the forecasts that underpin it.

The economic forecasts are generated solely by officers of the Treasury using their expert, professional judgment. The forward estimates and the other calculations and budget figures that appear in the papers are also produced by officers of the Treasury using their professional skill and judgment based on the policy decisions the government makes. To suggest, therefore, that the figures are wrong or that they are fraudulent or dishonest reflects not on members of the government but on those officers of the Treasury. It is also worth noting that despite the allegations it makes against these figures, on the other hand the opposition is quite happy to trot them out as supporting its case whenever it suits, as the honourable member for Williamstown did during the course of his remarks.

The honourable member alleged that there was a lack of information on the public record about the value of the assets that have been disposed of during the privatisation program. It is worth pointing out that it is this government that has most recently released a trial balance sheet for Victoria as a precursor to the regular adoption of balance sheets for the state as Australian standards for accrual accounting and public sector balance sheets are finalised. The honourable member can go to that trial balance sheet and look up the sorts of figures that he says ought to be available because, yes, this government does believe that balance sheet figures should be on the public record and they, like so many other figures that were not made available by the previous government, are being made available under this government.

When one compares the proceeds of privatisation with the book values, and more importantly perhaps when one compares the interest saving obtained by those proceeds of privatisation with the earnings that have been forgone through those sales, one realises that the taxpayers of Victoria have come out well in front because the amount by which the government has been able to reduce public sector interest through reduction of debt has far exceeded the earnings and dividends that we have forgone.

The honourable member referred to the City Link project and a suggestion that there was an undisclosed $7 million liability. The Auditor-General has specifically pointed out in a prior report to the house that there is no such ongoing liability of the state and that the state is not committed to make up any shortfalls in the project. So the honourable member's remarks in this regard have already been refuted by a report of the Auditor-General. The honourable member claimed that the government was not able to honour its commitment to create 150 000 jobs over the next four years. He complained that the forecast of job growth in the budget, which is one of those figures produced by the Treasury officers whose results the honourable member had maligned, had been for a 1.5 per cent job growth this year or, as the honourable member said, 30 000 jobs. On my arithmetic 30 000 jobs times 40 is 120 000 jobs, which is certainly within the ballpark of the 150 000 that has been undertaken. And there is every reason to expect that job creation will accelerate as

the benefits of the government reforms continue to flow through the Victorian economy.

It is also worth remarking that job creation figures vary quite rapidly. As has been previously remarked on in the house today, we have seen a 20 000 job creation figure just in one month, so the honourable member is drawing a long bow in suggesting on these forecast figures over the course of just one year that the government's commitment in that regard is in doubt.

The honourable member also suggested that the government was not meeting its 1.25 per cent GSP target in infrastructure investment. I refer the honourable member to page 29 of Budget Paper No. 2, which shows that for the current year the expected figure is 1.4 per cent of gross state product.

In refuting various remarks made by the honourable member for Williamstown I would also point to the irony of the honourable member's reference to Mr Ed Shann's remarks on the budget, because while the honourable member was happy to quote Mr Shann as saying that the government should have provided more tax relief, he did not also put on the record the fact that Mr Shann said the government should be funding that tax relief through lower expenditure. It is perhaps indicative of the two-bob-each-way approach of the opposition that it can pick up the argument in favour of tax reduction, but I would assume that it is not endorsing Mr Shann's corollary of that proposition, namely reduced expenditure.

That leads me to the nub of the criticism of the budget by the opposition and indeed by various media commentators which is summed up in the honourable member's remark that 'the time is right to give something back to Victorians'. That implies that somehow there is a difference between assets of Victorians in the hands of the government and assets in their own pockets. The fact of the matter is that the government can spend only what it receives and can reduce taxes only if it reduces expenditure or if it is prepared to increase its borrowings and therefore increase the taxation level that it imposes on citizens in the future. Two plus two has always equalled four and will continue to do so. You can move the budget in one direction only by giving ground in another.

These arguments are based on a grave and wrong assumption that there is a very large surplus sitting in the government coffers that is available to be dispensed on tax reductions or expenditure increases or whatever else takes the fancy of the person advocating that something be done with it. When one allows for the two important factors, the impact of privatisation and the need to make provision for depreciation on publicly owned assets, one sees that the available surplus is very modest.

The budget papers show that after removing the effects of privatisation the state has a current account surplus of $1.3 billion or slightly more. That figure is one that, like the figures of all governments in Australia at the moment, is calculated on a cash basis. It stands in stark contrast to the way in which a private sector organisation, be it a business organisation or a non-profit organisation, would present its accounts because any such private sector organisation would make provision for depreciation; in other words, for the wearing out of its assets and the need to replace them. It would recognise that you are not really at a break-even point until you have covered that wear and tear on your assets. You might have a cash surplus but if you have not also provided for depreciation you are in fact going backwards, not forwards.

The Treasury's estimate of the amount that needs to be allowed for depreciation within the Victorian budget sector is in the order of $1.2 billion. When you net off those figures you find that after allowing for the proceeds of privatisation and for depreciation the current account surplus estimate is something in the order of $144 million. It is certainly not a pot of money sitting around waiting and available to be expended on any particular cause that takes one's fancy.

The other argument that some people might put — and it would be interesting to know whether the opposition was putting this argument or not — is that notwithstanding that fact, we ought to be borrowing a bit to pay for some pressing needs or perhaps reduce taxes. One would have thought that virtually everybody in Victoria would have learnt the lesson of the 1980s and the early 1990s that that is just a road to nowhere. I had thought that even the Labor Party had renounced that approach to government finances. If it has not, perhaps someone will put that on the public record. The fact of the matter is that if you borrow to fund your current expenditure you find that the next day the money has been spent but the debt remains; the debt grows and you end up borrowing to pay the interest on the debt you have previously accrued. That is elementary commonsense in any household budgeting. The advice financial counsellors give people who are in financial difficulty is that they

need to make prudent budgets and not borrow to cover their recurrent expenditure.

So, the first assumption of the opposition and of some of the media critics of the budget, that the government has a lot of money available, just does not stand up. Then one proceeds to look at two further detailed versions of that argument: first of all, that the government should be spending more; and secondly, that it should be reducing taxes.

It is striking that just six months ago, or even less, the government brought down an autumn statement that contained significant increases in expenditure. Now that the government has an autumn economic statement and then a budget, it is an odd phenomenon that people seem to have got into the habit of thinking that new initiatives should be announced twice a year instead of once a year. However, this budget does confirm, and to some extent makes modest additions to, the figures that were set out in the autumn economic statement.

One need only look at the figures in these budget papers to realise that there are significant increases in expenditure on departmental outlays, particularly in key areas such as education and health.

If one refers to page 25 of budget paper no. 2, one can see that overall departmental outlays have been increased by 4.9 per cent, and further on in budget paper no. 2 one can see that current outlays on education have been increased by 4.6 per cent and that current outlays on health have been increased by 5.6 per cent. When one combines capital and current outlays in the health field, one sees that the increase is 7.7 per cent.

This is hardly an expenditure reduction. I venture to say that had this budget been handed down by a Labor government, it would have been contriving to tell the world what a big-spending budget it was.

These figures significantly exceed the CPI level. They exceed what is necessary to allow for population growth, and in most cases they exceed the allowance that needs to be made for wages growth. One exception — and it is an interesting exception — is the departmental outlay for the Department of Treasury and Finance, which falls by a total of 5.3 per cent from a very significant base. That reflects the fact that the government's interest obligations are falling as a result of the reduction of our debt. It bears out the point that the more we can drive down our debt, the more we can reduce our interest bill and the more money we can free up for expenditure on productive activities and the delivery of services in fields such as education and human services.

Overall one can see that since the peak in 1992-93 our interest obligations as a percentage of our revenue and current grants have fallen from 17.7 per cent to 10.6 per cent in 1996-97. So instead of spending more than one dollar in six of our revenue on interest, as we did back in 1993, we are now spending only just over one dollar in ten — or just over 10 cents in every dollar. That of course means that more money is being freed up for productive expenditures.

Within the fields of education and human services the budget papers set out in great detail a number of the initiatives that have been funded, including $14 million for teacher training in learning technologies; $10 million for additional teacher aids and administrative support; $6 million for the extension of the reading recovery program; $4 million for vocational education programs; as a new initiative in this budget, an additional $21 million to further support the Keys to Life program; and an additional $20 million to fund increased enrolments.

In the field of human services the story is similar: in the autumn economic statement there was an extra $49.7 million for various new initiatives, and a further $69 million to provide for service growth, including an extra $55 million for hospitals, which is expected to fund an additional 3.7 per cent in the number of patients being treated in our public hospital system.

So the government has made significant increases in expenditure to meet areas of pressing demand. More importantly, the government is continuing to look at not just the dollars that are put into expenditure in various areas, but at what is being obtained for the dollars that are spent. That is one of the key areas of difference between this government and its predecessors. We are not just saying, 'How much is it costing?'; we are saying, 'What is being provided for the money?'.

When one looks at the government's record of achievements one sees that there have been substantial advances in that regard. In the Victorian public hospital system something in the order of an additional 150 000 patients a year are being treated. In our schools we see an enhanced curriculum, the success of the Schools of the Future program, and

the great benefits that providing local autonomy to schools has conferred.

I think each member in his or her electorate can pick up from the contact that we keep with our schools that the education system is performing well and that the schools are relishing the budgetary freedom, the staff selection freedom, and other autonomy they have been given under the Schools of the Future program.

It is also worth remarking on other areas of achievement of the budget that have received some comment in the press, but have not been acknowledged by our opponents opposite.

The reduction in debt that we have achieved is quite remarkable, not only at an Australian, but an international level. To have reduced public sector debt from something in the order of $31.9 billion at its peak to a projected $18.9 billion at the end of this current financial year is a massive reduction in anybody's terms. And there is always in politics the temptation — the pressure, as indeed we have seen from those opposite and from some of the media commentators — to siphon off some of these proceeds into current expenditure. But the government has remained committed to use the proceeds of privatisation for the reduction of debt — not out of some blinkered obsession with the numbers, but because of the point that I made earlier that the more you reduce the debt of the state, the more you reduce the interest that has to be paid on that debt, the more, therefore, you free up taxpayers' dollars to be applied to more productive purposes, and the more you free up the scope for making tax reductions.

I will make a few comments on the subject of tax reductions. Earlier in the day the Treasurer outlined in some detail the extent to which the tax burden in Victoria has been reducing under the present government. The reduction in burden is even more apparent in the area of charges than it is in the area of taxes, where the savings from the Workcover scheme alone are in the order of $500 million, which is a significant benefit that has been provided to Victorian employers, and Victoria's Workcover premiums are now the lowest in Australia. When one compares the actuarial performance of the Victorian Workcover scheme with its interstate counterparts, one sees that not only is its current performance the best in the country but that on the forward projections its future outlook is far better than any other and that the problems that are being run up in other jurisdictions are being avoided here.

It is also worth making the point, in response to some of the comments that have come from various parts of the business community, that in scrutinising government finances from a taxpayer's perspective what is really important is not so much the current level of taxes as the current level of government expenditure. For any given level of government expenditure, the amount taxpayers do not pay in any one year will have to be made up down the track.

Conversely, the more a government is able to reduce its debt level in any one year the more it will be able to provide tax relief in the future. I suggest to some of the commentators that that is the area on which they ought to be concentrating — as, indeed, the government is — to ensure that we get maximum value for money on our expenditure.

The honourable member for Williamstown made a big play of the fact that Victoria is by many measures the highest-taxing state in the country. He made the comment assuming that that is a point of controversy across politics. It is something this government has freely admitted. It is not something we are particularly pleased about, but it has been necessary to deal with the crisis that existed in 1992 — and it is something the government is committed to address.

The government has never hidden the fact that Victoria is on various measures the highest taxing state. It gives Victorians no joy to see that other states are fast catching up with them through the increases in their own taxation levels. That in no way diminishes the Victorian government's aim of putting its tax level at or below the Australian average. As the budget papers indicate, the government has commenced a comprehensive review of state taxation with the intention of identifying the best areas to which tax relief can be directed and the best ways in which to conduct a reform of the Victorian taxation system.

In conclusion, the criticisms that have been levelled against the budget by opposition members and by other commentators have not been substantiated. The budget continues to guide Victoria in the right direction. It continues to drive down our state debt and reduce the interest burden on Victorians. It also makes responsible provision for expenditure in areas that are necessary and continues to move the state to a position where tax reductions can be achieved.

Debate adjourned on motion of Mr BATCHELOR (Thomastown).

Debate adjourned until later this day.

LEGAL PRACTICE BILL

Second reading

Debate resumed from earlier this day; motion of Mrs WADE (Attorney-General); and Mr HULL's amendment:

> 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 ensure the independence of the legal profession and its freedom from unnecessary interference by government and to ensure there is no increase in the cost of justice as a result of the proposed reforms.'

Mr RYAN (Gippsland South) — I will begin by enunciating six basic issues and relating them to the bill. The first is that Victoria's solicitors and barristers perform their duties magnificently, and in doing so they provide an essential service to the people of Victoria. They are to be congratulated on undertaking that important role.

The second issue is that by its very nature the Westminster system of parliamentary democracy occasionally gives rise to tensions between governments of all persuasions and the legal profession. That is a healthy state of affairs because it demonstrates that the Westminster system has been properly preserved and is functioning appropriately. The third issue is that to this day there is still a mystique associated with legal practice. That arises from the fact that many legal practices are steeped in history. The common law has developed over centuries, and we now have a vast body of statute law. The fact is that because the rules of practice are complex people cannot easily get a grip on them.

As a practitioner of 20 years standing I recognise that the rules of practice can result in elements of the public being naturally suspicious about the way law is practised. It is difficult for lay people to gain a complete understanding of how the law functions. In one sense that produces a real dichotomy. It has been my experience that generally speaking people have a great respect for the laws of the land and observe them accordingly. When trouble strikes, the first person people reach for is the good lawyer to get them out of difficulty. I can remember many occasions when that has been true.

Some years ago I had to subpoena a doctor to give evidence in a court case. We had a long and a bitter dispute about whether he would come and at what time. All sorts of issues were raised as to why he could not come. In the end he came to court, but there was a good deal of acrimony associated with his appearance. Interestingly enough, some two or three weeks later the phone rang one night at about 11.30. It was the medical practitioner. His son had been involved in a hit-and-run accident in Melbourne and he wanted to know what could be done. So the bloke he came to when a member of his family was in trouble was the solicitor who he remembered had looked after a particular client's interests. Often the phone would ring late at night — I can recite them all, chapter and verse — and I would be asked to give assistance to people who were in need. That is only a small illustration of the sorts of services practitioners across this state provide to their clients.

The fourth issue is that the practice of law is an evolutionary thing. Over the years we have seen the growth of such new areas as environmental law, consumer law and commercial law in its various respects, as well as a raft of statutes, which, I might say, the government is somewhat responsible for. As the body of law has grown so the practice of law has had to change to accommodate it.

Similarly, legal practice has evolved enormously. We have moved away from the days when a legal practice dealt only in issues to do with law. In my own firm I saw over 20 years the development in Sale and in Gippsland of associated activities in accounting, finance, investment advice and a range of other services that decades ago would not have been contemplated. There have been tremendous shifts in the way legal practice has evolved. Into that equation can also be put the significant changes made to the practise of law by the introduction of technology. Importantly, all this has been driven by consumer demand. People want these sorts of services to be available through their legal offices. My own firm of Warren, Graham and Murphy in Gippsland has developed the facilities I have described. That is but one example of a firm providing different types of services.

An honourable member interjected.

Mr RYAN — In response to the interjection the telephone number is 051522661.

The ACTING SPEAKER (Mr Richardson) — Order! That is enough of the commercials, I would have thought!

Mr RYAN — The fifth issue is that over the years there has been a huge growth in consumer rights. This goes to public accountability, the right to know as opposed to the need to know, and the blurring of those lines. We have seen a growth in the consumer's ability to demand and insist on the complete disclosure of almost all aspects of commercial trade.

The sixth issue is the need for both lawyers and the members of the executive government to remain discrete. That is absolutely crucial. In the final analysis judges are drawn from the ranks of lawyers, so to ensure that our democratic society functions properly, it is imperative that, under the Westminster system, there is a clear line of demarcation between the executive government and the judiciary.

The maintenance of that fundamental principle is what brings about self-regulation. It is a question of public interest. Those six issues are the reason the bill was drafted. I was a member of the working party established by the Attorney-General in 1994. It met about 30 times and consulted widely with many interest groups, the intention being to develop appropriate laws to grapple with the issues I have just outlined.

The Legal Profession Practice Act 1891 contained just over three pages and comprised 15 sections. The bill before the house has some 317 pages with 452 sections and additional appendices. It reflects the enormous growth in the conduct of the legal profession over the past century. The great thing about the legislation is that it will take the legal profession forward as this century comes to a close and the next millennium begins.

I ask members of the profession to gain a working knowledge of the bill. The honourable member for Niddrie said he had written to many firms of legal practitioners throughout Victoria and received only three responses. Practitioners of the law are famous for thinking, 'The telephones are ringing, the clients are there to be looked after and tomorrow will look after itself'. I implore them to gain a working knowledge of the legislation because then they will see that it will have next to no real impact upon their general daily practice. Life will go on as it always has.

Practitioners need to know about the recognised professional associations, the Legal Ombudsman and the other entities that will be established. They need to understand the cost provisions, the insurance issues and the company advocacy aspects of the legislation. What will happen in respect of barristers clerks, how solicitors and barristers will liaise and how clerks will be able to make their way into the profession are significant matters in a practical sense. Co-advocacy will not remove one of the great truisms of the legal profession: never give a barrister an original document! Practitioners of the law need to come to grips with the issues, and when they do I am sure their respective practices will operate as they have done in the past, so long as they operate within the context of the new regime.

One issue that needs future consideration is insurance. The bill removes the Solicitors Liability Committee (SLC) as the sole insurer which creates a risk: in opening practitioners to the general insurance market the industry will become the gatekeeper for who can practise and who cannot. People who are completely innocent of wrongdoing but who fall within a category determined by the size of the firm, which is penalised by the insurance industry because one of its members has done the wrong thing, will be forced out and will not be able to afford cover. As a country practitioner I am worried about that. The risk may fall upon the sole practitioner and firms that have only two or three practitioners, which are common in country areas. That is an issue we will need to keep an eye on.

Since 1978 the SLC has ensured that every client who brought a successful action of negligence against a solicitor was paid. If the proposals are carried through and the industry is opened up to the market, private insurers will be insuring solicitors. What is an insurer's first instinct when a claim is made? To duck and deny liability. When a person fills out a claims form with questions about how the accident happened, he is providing information that the claims clerk matches with certain criteria to decide whether the claim should be accepted. If they can, insurance companies will duck liability.

Therefore a completely innocent client who has been wronged by the negligence of a solicitor could find that, because of a judgment recorded against that solicitor, he will not get paid because the solicitor does not have the money. The Solicitors Liability Committee has been able to make sure that every client who was entitled to be paid has been paid. We need to keep an eye on that issue. I am pleased that

in the second-reading speech and elsewhere the Attorney-General has indicated that she will do that.

The next matter of significance is the commitment in the second-reading speech to multidisciplinary practices. That is a vital issue in the practice of law. Consumers want the provision of service on a multidisciplinary basis. I am pleased that one of the initial things the Attorney-General will do when the legislation is passed is refer the issue to the Legal Ombudsman to determine an appropriate course for the future.

Clause 110 deals with the defence costs of criminal matters in the Supreme Court. The summary to the clause seems to have a discriminatory aspect to it. Why is it only in the Supreme Court? Why should it apply only to criminal matters and why should a practitioner have to satisfy before the client is entitled to be billed? The answer is that this is simply a replication of sections 451 and 452 of the Crimes Act. I believe the Attorney-General intends to review the question of cost in criminal matters, and I will be interested in the outcome.

The next issue is the cost of justice. Whatever concerns we have about that will be ameliorated by the fact that contributing mortgages are no longer the subject of indemnity by the general purpose fund. No longer will the Solicitors Guarantee Fund have to pay those who have done the wrong thing with contributing mortgages. Millions of dollars have been lost because of the skulduggery of charlatans in the legal profession in the past few decades, but only 76 practitioners brought about the dreadful losses, and they have been devoted to contributing to contributory mortgages.

Now that that element is no longer a risk for us in terms of indemnity I am sure that will bring about a reduction in the contributions practitioners are required to make to the fidelity fund, which will be a benefit to the profession and to the public at large.

This great piece of legislation will take the practice of law into the next millennium. It will mean that this wonderful legal profession will be able to continue to provide service to the people of Victoria in the same magnificent fashion it has provided it historically since the initial legislation was enacted in 1891.

Debate interrupted pursuant to sessional orders.

The ACTING SPEAKER (Mr Richardson) — Order! The time appointed by resolution of the house for the completion of certain bills has arrived.

House divided on omission (members in favour vote no):

Ayes, 48

Andrighetto, Mr	McGrath, Mr W.D.
Ashley, Mr	McLellan, Mr
Brown, Mr	Maclellan, Mr
Burke, Ms	McNamara, Mr
Clark, Mr	Maughan, Mr
Coleman, Mr	Napthine, Dr
Cooper, Mr	Paterson, Mr
Dean, Dr	Perrin, Mr
Dixon, Mr (*Teller*)	Pescott, Mr
Doyle, Mr	Peulich, Mrs
Elder, Mr	Phillips, Mr (*Teller*)
Elliott, Mrs	Reynolds, Mr
Finn, Mr	Richardson, Mr
Henderson, Mrs	Rowe, Mr
Honeywood, Mr	Ryan, Mr
Jasper, Mr	Savage, Mr
Jenkins, Mr	Smith, Mr E.R.
John, Mr	Spry, Mr
Kilgour, Mr	Tehan, Mrs
Lean, Mr	Thompson, Mr
Lupton, Mr	Traynor, Mr
McArthur, Mr	Treasure, Mr
McCall, Ms	Wade, Mrs
McGill, Mrs	Wells, Mr

Noes, 26

Andrianopoulos, Mr	Hamilton, Mr
Batchelor, Mr	Hulls, Mr
Bracks, Mr	Kosky, Ms
Brumby, Mr	Langdon, Mr
Cameron, Mr	Leighton, Mr
Campbell, Ms	Lim, Mr (*Teller*)
Carli, Mr	Loney, Mr
Cole, Mr	Maddigan, Mrs (*Teller*)
Cunningham, Mr	Micallef, Mr
Dollis, Mr	Mildenhall, Mr
Garbutt, Ms	Seitz, Mr
Gillett, Ms	Sheehan, Mr
Haermeyer, Mr	Thwaites, Mr

Amendment negatived.

Motion agreed to by absolute majority.

Read second time.

Circulated government amendments nos 1 to 146, 146A, 147 to 151, 151A and 152 to 158 as follows agreed to:

1. Clause 2, line 5, omit "Part 1 comes" and insert "This Part, Part 21 (except sections 450 and 451) and Schedule 2 come".

2. Clause 3, line 12, before "In" insert "(1)".

3. Clause 3, line 19, after "Accountants" insert ", the National Institute of Accountants".

4. Clause 3, line 27, after "rules" insert "(if any)".

5. Clause 3, after line 30 insert—

   "( ) has obtained a degree in commerce, accounting, business studies or a similar discipline from an Australian university or from a foreign university approved by the Board; and".

6. Clause 3, page 9, lines 5 and 6, omit "or society" and insert ", a society or a prescribed person".

7. Clause 3, page 12, line 18, omit "516" and insert "137".

8. Clause 3, page 12, after line 18 insert—

   "( ) If this Act requires a notice or other document to be in a particular form, it is sufficient in law if the document is in a form to the like effect of that form.".

9. Clause 10, line 30, omit "private" and insert "residential".

10. Clause 11, after line 13 insert—

    "( ) If the Board approves a form of notice for the purposes of this section, a notice under sub-section (1) or (2) must be in that form.".

11. Clause 12, page 20, after line 3 insert—

    "( ) If the Board approves a form of notice for the purposes of this section, a notice under sub-section (1) or (2)(a) must be in that form.".

12. Clause 13, lines 11 to 15, omit sub-clause (2) and insert—

    "( ) Sub-section (1) does not apply to a practitioner who is—

    (a) a partner or an employee of a firm; or

    (b) a director or an employee of an incorporated practitioner; or

    (c) an employee of a sole practitioner—

    if the firm, incorporated practitioner or sole practitioner has notified the Board of the change.

    ( ) A sole practitioner must give written notice to the Board of any legal practitioner—

    (a) who becomes an employee of the practitioner; or

    (b) who ceases to be an employee of the practitioner—

    within 14 days after the person becomes or ceases to be an employee.

    ( ) If the Board approves a form of notice for the purposes of this section, a notice under sub-section (1) or (3) must be in that form.".

13. Clause 14, line 19, omit "firm or" and insert "firm,".

14. Clause 14, line 20, after "practitioner" insert ", or an employee of a sole practitioner".

15. Clause 15, lines 20 to 23, omit paragraph (c) and insert—

    "( ) a nomination—

    (i) of an RPA of which the firm is eligible to be a regulated practitioner; or

    (ii) if there is no such RPA, of the Board—

    to regulate the firm and the legal practitioners who are partners or employees of the firm.".

16. Clause 15, lines 24 and 25, omit all words and expressions on these lines.

17. Clause 15, after line 29 insert—

    "( ) If the Board approves a form of application for the purposes of this section, an application under sub-section (1) must be in that form.".

18. Clause 16, line 29, omit "100" and insert "20".

19. Clause 17, page 23, after line 26 insert—

    "( ) Despite anything to the contrary in this section, if a legal practitioner who is a partner or an employee of a firm, a director or an employee of an incorporated practitioner or an employee of a sole practitioner concurrently becomes a partner or an employee of another firm, a director or an employee of another incorporated practitioner or an employee of another sole practitioner that is a regulated practitioner of a different RPA, the legal practitioner must elect in writing to the Board to be re-allocated to that RPA or to remain a regulated practitioner of the RPA that regulates the first firm, incorporated practitioner or sole practitioner.

( ) If a legal practitioner elects under sub-section (6) to be re-allocated, the Board must re-allocate the practitioner as soon as practicable.".

20. Clause 18, page 24, after line 8 insert—

"( ) as an employee of a sole practitioner, stating that practitioner's name and address; or".

21. Clause 18, page 24, after line 24 insert—

"( ) If the Board approves a form of notice for the purposes of this section, a notice under sub-section (1) must be in that form.".

22. Clause 19, lines 28 to 32 and page 25, lines 1 and 2, omit paragraph (a) and insert—

"( ) in the case of a legal practitioner referred to in section 18(1)(b)(i), (ii) or (iii), must allocate them to the RPA of which the firm, incorporated practitioner or sole practitioner is a regulated practitioner (or to the Board if the firm, incorporated practitioner or sole practitioner is a regulated practitioner of the Board);".

23. Clause 19, page 25, line 4, omit "(iii) or (iv)" and insert "(iv) or (v)".

24. Clause 22, page 28, line 1, after "evidence" insert ", in a form approved by the Board,".

25. Clause 23, line 29, after "evidence" insert ", in a form approved by the Board,".

26. Clause 29, after line 34 insert—

"( ) If—

(a) an RPA or the Board varies the conditions of a practising certificate in response to an application under section 24; and

(b) the prescribed fee for the certificate as varied (for a whole year) is less than the fee paid by the practitioner for the certificate—

the RPA or the Board must pay to the practitioner an amount determined in accordance with the following formula, rounded to the nearest dollar—

$$A = (B-C) \times \frac{D}{365.25}$$

where— A is the amount to be paid to the practitioner;

B is the fee paid by the practitioner for the certificate;

C is the prescribed fee for the certificate as varied (for a whole year);

D is the number of days remaining in the calendar year from, and including, the day on which the variation takes effect.

( ) Within 14 days after an RPA issues a practising certificate or varies the conditions of a practising certificate under this section, the RPA must give a notice to the Board setting out—

(a) the name and address of the current practitioner; and

(b) the conditions attaching to the practising certificate; and

(c) the amount of Fidelity Fund contribution (if any) that accompanied the application for the certificate or variation of conditions.".

27. Clause 30, line 26, omit "539" and insert "160(1)".

28. Clause 30, line 32, after "refusal" insert "to".

29. Clause 34, page 38, after line 6 insert—

"( ) An RPA that cancels or varies the conditions of a practising certificate under this section must also give written notice of the cancellation or variation to the Board.".

30. Clause 36, omit this clause.

31. Clause 37, page 39, after line 18 insert—

"( ) An RPA that suspends a practising certificate under this section must also give written notice of the suspension to the Board.".

32. Clause 38, page 40, line 1, after "certificate" insert "under this section".

33. Clause 38, page 40, line 6, omit "(2)" and insert "(3)".

34. Clause 38, page 40, line 9, omit "(2)" and insert "(3)".

35. Clause 40, page 41, line 6, after "160" (where first occurring) insert "(1)".

36. Clause 61, line 28, after "160" (where first occurring) insert "(1)".

37. Clause 72, lines 29 and 30, omit paragraph (b).

38. Clause 73, lines 21 and 22, omit paragraph (b).

39. Clause 86, lines 10 to 13, omit paragraph (b) and insert—

"( ) the client's right to—

(i) negotiate a costs agreement with the legal practitioner or firm; and

(ii) receive a bill of costs from the practitioner or firm; and

(iii) request an itemised bill within 30 days after receipt of a lump sum bill.".

40. Clause 93, lines 20 and 21, omit "of a court or tribunal".

41. Clause 102, line 9, omit "or (4)".

42. Clause 123, line 5, after "request" insert ", in the form (if any) approved by the Legal Ombudsman,".

43. Clause 123, page 91, line 10, after "must" insert ", and the Legal Ombudsman may,".

44. Clause 125, after line 19 insert—

"( ) The RPA or the Board must notify the Legal Ombudsman of a refusal to accept a request under this section.".

45. Clause 125, line 31, after "conciliation" insert "and proceeds to the Tribunal".

46. Clause 125, page 93, line 1, after "request" insert "or does not refer the dispute to the Tribunal under section 128(2)".

47. Clause 127, line 29, after "record" insert—

" ; and

( ) the RPA or the Board must notify the Legal Ombudsman that the parties have reached agreement.".

48. Clause 130, page 96, line 7, after "party" insert ", the Legal Ombudsman and the RPA or Board that originally handled the dispute".

49. Clause 135, line 15, after "dispute" insert ", the Legal Ombudsman and the RPA or Board that originally handled the dispute".

50. Clause 137, line 4, omit "Division" and insert "Part".

51. Clause 137, line 29, after "costs;" insert "or".

52. Clause 137, lines 30 to 33, omit sub-paragraph (vi).

53. Clause 137, page 101, line 24, after "misconduct" insert—

"; or

( ) failure to pay a premium or an instalment of premium due under a contract of professional indemnity insurance, not amounting to misconduct".

54. Clause 140, line 29, after "writing" insert "in the form (if any) approved by the Legal Ombudsman".

55. Clause 145, line 14, after "148(2)" insert "or (3)".

56. Clause 146, line 13, after "148(2)" insert "or (3)".

57. Clause 148, after line 12 insert—

"( ) If the Board does not comply with the directions, the Legal Ombudsman must take over the investigation.".

58. Clause 149, page 109, after line 20 insert—

"( ) an offence against this Act; or".

59. Clause 149, page 109, line 21, omit "an" and insert "any other".

60. Clause 149, page 109, lines 23 and 24, omit paragraph (b) and insert—

"( ) an offence against section 314(1) of the **Crimes Act 1958** (perjury).".

61. Clause 152, omit this clause.

62. Clause 153, line 6, after "reprimand" insert "or caution".

63. Clause 153, line 8, after "writing" insert "in the form (if any) approved by the Legal Ombudsman".

64. Clause 154, line 18, after "reprimand" insert "or caution".

65. Clause 183, page 131, line 4, omit "inspector" and insert "auditor".

66. Clause 183, page 131, line 9, omit "inspector" and insert "auditor".

67. Clause 184, lines 23 to 32 and page 132, lines 1 to 13, omit sub-clauses (1) and (2) and insert—

"( ) A legal practitioner or firm that is authorised to receive trust money must lodge with the RPA of which they are regulated practitioners (or with the Board if they are regulated practitioners of the Board), by 31 July each year, a report of the audit of their trust account for the audit year ending on the previous 31 March.

Penalty: 100 penalty units.

( ) An approved clerk must lodge with the RPA that approved them, by 31 July each year, a report of the audit of their trust account for the audit year ending on the previous 31 March.

Penalty: 100 penalty units.".

68. Clause 187, line 27, after "Accountants" insert ", the National Institute of Accountants".

69. Clause 192, lines 26 and 27, omit paragraph (b) and insert—

"( ) who—

(i) in the opinion of the RPA is an appropriate person to conduct an investigation under this Division; and

(ii) meets the requirements of the rules (if any) made by the Board under section 199—".

70. Clause 192, page 137, lines 3 and 4, omit paragraph (b) and insert—

"( ) who—

(i) in the opinion of the Board is an appropriate person to conduct an investigation under this Division; and

(ii) meets the requirements of the rules (if any) made by the Board under section 199—".

71. Clause 193, lines 16 and 17, omit paragraph (b) and insert—

"( ) who—

(i) in the opinion of the Legal Ombudsman is an appropriate person to conduct an investigation under this Division; and

(ii) meets the requirements of the rules (if any) made by the Board under section 199—".

72. Clause 195, lines 14 and 15, omit "there has been a defalcation, or that" and insert "a defalcation or".

73. Clause 195, line 21, omit "that defalcation or".

74. Clause 195, line 22, after "that" insert "defalcation or".

75. Clause 198, line 30, after "Accountants" insert ", the National Institute of Accountants".

76. Clause 221, page 163, line 1, after "prevent" insert "the commission of".

77. Clause 224, lines 9 to 12, omit sub-clause (3).

78. Clause 224, lines 13 to 17, omit sub-clause (4) and insert —

"( ) The insurance must—

(a) cover the firm and each partner, former partner, employee and former employee of the firm in connection with its legal practice and administration of trusts in Victoria; and

(b) contain at least the minimum terms and conditions set by the Board under section 228(1).".

79. Clause 224, lines 18 to 23, omit sub-clause (5).

80. Clause 225, lines 30 and 31 and page 166, lines 1 to 3, omit sub-clause (3).

81. Clause 225, page 166, lines 4 to 9, omit sub-clause (4) and insert—

"( ) The insurance must—

(a) cover the incorporated practitioner and each director, former director, employee and former employee of the incorporated practitioner in connection with its legal practice and administration of trusts in Victoria; and

(b) contain at least the minimum terms and conditions set by the Board under section 228(1).".

82. Clause 226, lines 17 to 20, omit sub-clause (3).

83. Clause 226, lines 21 to 24, omit sub-clause (4) and insert—

"( ) The insurance must—

(a) cover the practitioner and each employee and former employee of the practitioner in connection with the practitioner's legal practice and administration of trusts in Victoria; and

(b) contain at least the minimum terms and conditions set by the Board under section 228(1).".

84. Clause 227, after line 29 insert—

"( ) The insurance must contain at least the minimum terms and conditions set by the Board under section 228(1).".

85. Clause 228, after line 5 insert—

"( ) The Board, by notice published in the Government Gazette, must set minimum terms and conditions, including levels of cover, of professional indemnity insurance for the purposes of this Part.

( ) In determining the minimum terms and conditions of insurance, the Board must consult the Legal Ombudsman, each RPA, the Insurance Council of Australia Ltd A.C.N. 005 617 318 and a person or body that, in the opinion of the Board, represents the views of consumers of legal services.

( ) The Board must give a copy of a notice under sub-section (1) to each RPA and the Insurance Council of Australia Ltd.".

86. Clause 228, line 6, omit "The" and insert "Subject to sub-section (1), the".

87. Clause 229, lines 4 to 6, omit "in accordance with the practice rules that apply to the practitioner".

88. Clause 229, after line 6 insert—

"( ) The insurance must contain at least the minimum terms and conditions set by the Board under section 228(1).".

89. Clause 229, lines 12 to 17, omit sub-clause (3).

90. Clause 236, page 171, after line 17 insert—

"(4) The Liability Committee is not obliged to provide professional indemnity insurance to any firm or legal practitioner.".

91. Clause 237, line 26, after "term" insert "specified in his or her instrument of appointment,".

92. Clause 246, page 177, line 7, after "insurance" insert—

"; or

( ) reporting a suspected defalcation to an RPA, the Board or the police or assisting any of them in their investigations".

93. Clause 252, page 185, line 21, after "practice" insert ", including money received in respect of legal costs for the provision of legal services by the regulated practitioner before the appointment of the receiver,".

94. Clause 252, page 185, line 22, omit "income" and insert "property".

95. Clause 295, lines 32 and 33 and page 212, lines 1 and 2, omit sub-clause (1) and insert—

"( ) A share in an incorporated practitioner may be held only—

(a) by a current practitioner who is a director or an employee of the incorporated practitioner; or

(b) by another incorporated practitioner, either beneficially or on trust for—

(i) a current practitioner who is a director or an employee of that other incorporated practitioner; or

(ii) a family member of a practitioner referred to in sub-paragraph (i).".

96. Clause 295, page 212, line 3, omit "shareholder" and insert "member".

97. Clause 295, page 212, line 10, omit "shareholder" and insert "member".

98. Clause 295, page 212, line 13, omit "shareholder" and insert "member".

99. Clause 296, line 26, before "An" insert "(1)".

100. Clause 296, line 26, after "practitioner" insert "that holds a practising certificate".

101. Clause 296, after line 30 insert—

"( ) An incorporated practitioner that holds a practising certificate may engage in legal practice for the benefit of a trust—

(a) of which the practitioner is sole trustee; and

(b) the beneficiaries of which are limited to current practitioners who are directors or employees of the incorporated practitioner or their family members or both.".

102. Clause 303, after line 32 insert—

"( ) is of the opinion that an RPA cannot perform, or is not performing, its functions as an RPA adequately; or".

103. Clause 303, page 218, line 1, omit "a" and insert "any other".

104. Clause 303, page 218, line 17, omit "(b)" and insert "(c)".

105. Clause 306, line 8, omit all words and expressions on this line.

106. Clause 306, line 9, omit "(1)" and insert "(4)".

107. Clause 306, line 12, omit "(2)" and insert "(5)".

108. Clause 307, lines 24 and 25, omit "adequately perform the functions of an RPA" and insert "or will not perform the functions of an RPA adequately".

109. Clause 307, after line 25 insert—

"( ) If an administrator of the affairs of an RPA is appointed under section 306, the Board, not less than 3 months nor more than 6 months after the appointment, may revoke the accreditation by written notice to the RPA, if satisfied that the RPA cannot or will not perform the functions of an RPA adequately.

( ) The Board must not revoke the accreditation of an RPA under sub-section (2) until it has consulted the administrator, the board of directors or other governing body of the RPA and the members of the RPA.

( ) For the purpose of consulting the members of an RPA, the Board may—

(a) require the administrator to convene a general meeting of the RPA; and

(b) address the members at that meeting.".

110. Clause 307, line 29, after "suspension" insert "or terminate the appointment of the administrator".

111. Clause 309, line 19, after "RPA" insert "or to appoint an administrator of the affairs of an RPA".

112. Clause 309, line 23, omit "or to revoke accreditation" and insert ", to revoke accreditation or to appoint an administrator".

113. Clause 315, lines 29 and 30, omit "current practitioner or registered interstate practitioner" and insert "legal practitioner".

114. Clause 318, lines 17 to 21, omit paragraph (b) and insert—

"( ) who employs or engages a legal practitioner in accordance with an authorisation of the Board under sub-section (3).".

115. Clause 318, before line 22 insert—

"(3) The Board, on application by a legal practitioner or firm, may authorise the practitioner or firm to employ or engage a specified legal practitioner who does not hold a practising certificate in connection with specified activities or functions that do not constitute engaging in legal practice.".

116. Clause 320, page 229, line 9, omit "120" and insert "50".

117. Clause 328, line 23, after "employ" insert "or engage".

118. Clause 328, page 234, line 19, omit "120" and insert "50".

119. Clause 333, lines 28 to 30, omit sub-clause (3) and insert—

"( ) The quorum of the Council is 7 members.".

120. Clause 343, lines 8 to 10, omit sub-clause (3) and insert—

"( ) The quorum of the Board of Examiners is 4 members.".

121. Clause 365, page 257, after line 19 insert—

"( ) The Board must remove from the rolls a person who ceases to be a current practitioner.".

122. Clause 366, page 258, line 9, after "(5)" insert "and section 351(2)".

123. Clause 374, lines 3 and 4, omit "made under section 160(1)" and insert "of the Tribunal".

124. Clause 380, page 268, line 8, omit "20%" and insert "30%".

125. Clause 391, page 276, after line 19 insert—

"( ) any repayment or refund of practising certificate fees under section 29(6) or 32(2);".

126. Clause 430, line 25, omit "The Legal Ombudsman" and insert "Subject to this section, the Legal Ombudsman, after consultation with the chairperson of the Board,".

127. Clause 430, page 299, after line 5 insert—

"( ) In deciding whether or not to make a payment under sub-section (1) to a complainant, and the amount of any such payment, the Legal Ombudsman may take into account—

(a) whether or not the legal practitioner or firm the subject of the complaint has ceased engaging in legal practice; and

(b) the financial position of the practitioner or firm.

( ) Nothing in sub-section (3) limits the matters the Legal Ombudsman may take into account in making a decision under sub-section (1).

( ) The Board, by written notice to the Legal Ombudsman before the beginning of a financial year, may set a maximum amount that may be paid to complainants (whether individually or in total or both) in that year and may, in special circumstances, vary that amount at any time during the year.".

128. Clause 442, line 8, before "Nothing" insert "(1)".

129. Clause 442, after line 11 insert—

"( ) A legal practitioner or firm must not make any agreement or arrangement with a client to the effect that the practitioner or firm is not liable to the client for any loss or damage caused to the client in connection with the provision of legal services to the client for which, but for the agreement or arrangement, the practitioner or firm would be liable.

( ) Any agreement or arrangement that contravenes sub-section (2) is void.".

130. Clause 445, line 10, omit paragraph (a).

131. Clause 445, after line 18 insert—

"( ) prescribing persons for the purposes of paragraph (a)(ii) of the definition of "nominee mortgage" in section 3(1);".

132. Clause 445, line 21, omit "(d)" and insert "(c)".

133. Clause 447, omit this clause.

NEW CLAUSES

134. Insert the following new clause to follow clause 35—

"AA. *Suspension of practising certificate for failure to pay levies*

(1) Subject to sub-section (2), if a current practitioner to whom a notice is issued under section 35 does not pay the required levy within 14 days after the day the notice was issued, the Board must suspend the practitioner's practising certificate until the levy is paid.

(2) The Board is not required to suspend a practising certificate under sub-section (1) if satisfied that the failure to pay was inadvertent or due to other circumstances in which the certificate ought not be suspended.

(3) A suspension under this section takes effect immediately written notice of the suspension is given to the practitioner.

(4) The Board must also give written notice of a suspension under this section to the RPA (if any) of which the practitioner is a regulated practitioner.

(5) Section 40 does not apply to a suspension under this section.".

135. Insert the following new clause to follow clause 151—

"BB. *Notice of decision*

(1) If an investigation arose from a complaint—

(a) in the case of a Legal Ombudsman investigation, the Legal Ombudsman—

(i) must give the complainant and the RPA of which the legal practitioner or firm investigated is a regulated practitioner (or the Board, if the practitioner or firm is a regulated practitioner of the Board) written notice of his or her decision under section 151 as soon as practicable after making it, including the reasons for the decision; and

(ii) if the decision is to take no further action against the practitioner or firm, must dismiss the complaint;

(b) in the case of an RPA or a Board investigation, the RPA or Board—

(i) must give the complainant and the Legal Ombudsman written notice of its decision under section 151 as soon as practicable after making it, including the reasons for the decision; and

(ii) if the decision is to take no further action against the practitioner or firm, must dismiss the complaint.

(2) A notice under sub-section (1)(b) to a complainant must include a statement outlining the procedure under Division 4 for a review of the decision.

(3) If an investigation did not arise from a complaint—

(a) in the case of a Legal Ombudsman investigation, the Legal Ombudsman must give the RPA of which the legal practitioner or firm investigated is a regulated practitioner (or the Board, if the practitioner or firm is a regulated practitioner of the Board or the investigation was requested by the Board under section 145(1)(d)) written notice of his or her decision under section 151 as soon as practicable after making it;

(b) in the case of an RPA or a Board investigation, the RPA or Board must give the Legal Ombudsman written notice of its decision under section 151 as soon as practicable after making it.".

136. Insert the following new clause before clause 307—

"CC. *Appointment of administrator*

(1) If an RPA does not take the steps specified in a non-compliance notice issued under section 303(2) within the time specified in the notice, the Board, instead of suspending the RPA's accreditation, may appoint an administrator to manage the affairs of the RPA.

(2) If an administrator is appointed under sub-section (1), the RPA must—

(a) perform its functions and exercise its powers under this Act or the regulations in accordance with the directions of the administrator; or

(b) as directed by the administrator, cease to perform its functions or exercise its powers either completely or to the extent specified in the direction.

Penalty: 100 penalty units.

(3) An officer or employee of, or a person engaged by, an RPA must comply with the directions of the administrator.

Penalty: 20 penalty units.

(4) An administrator has and may exercise all of the functions or powers of the RPA under this Act or the regulations.

(5) An RPA must give an administrator free and unfettered access at all times, together with any assistants and equipment that the administrator considers necessary—

(a) to the RPA's premises; and

(b) to all documents in the possession of the RPA—

for the purpose of enabling the administrator to carry out his or her powers and functions under this section.

Penalty: 100 penalty units.".

137. Insert the following new clause to follow clause 446—

'DD. Amendment of Partnership Act 1958

(1) In section 14 of the Partnership Act 1958—

(a) for "Where" **substitute** "(1) Subject to sub-section (2), where";

(b) after "his" **insert** "or her".

(2) At the end of section 14 of the **Partnership Act 1958 insert**—

"(2) For the purposes of sub-section (1), a partner who commits a wrongful act or omission as a director of a body corporate, within the meaning of the Corporations Law, is not to be taken to be acting in the ordinary course of the business of the firm or with the authority of his or her co-partners only because—

(a) the partner obtained the agreement or authority of his or her co-partners, or some of them, to be appointed or to act as a director; or

(b) remuneration that the partner receives for acting as a director of a body corporate forms part of the income of the firm; or

(c) any co-partner is also a director of that or any other body corporate.".'.

AMENDMENT OF SCHEDULES

138. Schedule 2, page 346, lines 1 and 2, omit "The Law Society of Victoria Proprietary Limited A.C.N. 068 934 609" and insert "Victorian Lawyers RPA Limited A.C.N. 075 475 731".

139. Schedule 2, page 346, line 30, before "Each" insert "(1)".

140. Schedule 2, page 347, after line 4 insert—

"(2) Sub-clause (1) does not apply to the extent that the information has been provided to the Attorney-General under clause 9.".

141. Schedule 2, page 347, after line 26 insert—

"(4) Sub-clauses (1) and (3) do not apply to the extent that the information has been provided to the Attorney-General under clause 9.".

142. Schedule 2, page 347, after line 37 insert—

". Attorney-General may require information from practitioners and firms

(1) The Attorney-General, by notice published in a newspaper circulating generally in Victoria on or before 31 December 1996, may require all legal practitioners, incorporated practitioners or firms to provide to the Attorney-General any information specified in the notice that the Attorney-General considers necessary for the Board to establish the Register or to perform its other functions.

(2) A legal practitioner, an incorporated practitioner or a firm that does not comply with a notice under sub-clause (1) within 14 days after the date of publication of the notice—

(a) intentionally or recklessly, is guilty of an offence and liable to a fine not exceeding 50 penalty units;

(b) in any other case, without reasonable excuse, is guilty of an offence and liable to a fine not exceeding 10 penalty units.

(3) In this clause, "**incorporated practitioner**" includes an incorporated practitioner within the meaning of the old Act.".

143. Schedule 2, page 352, after line 12 insert—

"(3) Without prejudice to the generality of this clause and despite anything to the contrary in any other Act or law, if, immediately before the commencement day, the Institute is the registered proprietor of an interest in land under the **Transfer of Land Act 1958**, then on and after that day—

(a) the Society is to be taken to be the registered proprietor of that interest in land; and

(b) the Society has the same rights and remedies in respect of that interest as the Institute had.

(4) The Registrar of Titles, on being requested to do so and on delivery of any relevant certificate of title, must make any amendments in the Register that are necessary because of the operation of this clause.".

144. Schedule 2, page 352, line 25, omit ", revocation or withdrawal" and insert "or revocation".

145. Schedule 2, page 352, after line 27 insert—

"( ) Despite anything to the contrary in section 302, the Bar or the Society may not give notice of withdrawal from accreditation under that section before 1 January 1998.".

146. Schedule 2, page 353, after line 12 insert—

"(7) Sub-clauses (5) and (6) do not apply to the extent that the information has been provided to the Attorney-General under clause 16.

16. Attorney-General may require information from Institute or Victorian Bar Council

(1) The Attorney-General, by written notice on or before 24 December 1996, may require the Institute or the Victorian Bar Council (within the meaning of the old Act) to provide to the Attorney-General any information specified in the notice, in the form specified in the notice, that the Attorney-General considers necessary for the Board to establish the Register or to perform its other functions.

(2) If the Institute does not comply with a notice under sub-clause (1) within 7 days after the date of the notice, the Board may withhold from any amount that may become payable by the Board to the Society an amount of $5000 for each day from the end of that period until the day on which the Institute complied with the notice or 31 December 1996, whichever is sooner.

(3) If the Victorian Bar Council does not comply with a notice under sub-clause (1) within 7 days after the date of the notice, the Board may withhold from any amount that may become payable by the Board to the Bar an amount of $5000 for each day from the end of that period until the day on which the Victorian Bar Council complied with the notice or 31 December 1996, whichever is sooner.".

147. Schedule 2, page 358, after line 5 insert—

". Attorney-General may require information from banks

(1) The Attorney-General, by written notice, may require a bank to provide to the Attorney-General any information specified in the notice in respect of a trust account held by that bank under section 40 of the old Act.

(2) A bank must comply with a notice under sub-section (1), despite any duty of confidence, within 7 days after receiving it.

Penalty: 100 penalty units.".

148. Schedule 2, page 358, line 8, omit "on at least 2 occasions".

149. Schedule 2, page 358, line 10, omit "(d)" and insert "(e)".

150. Schedule 2, page 358, line 11, after "3" insert "(1) until 31 December 1997".

151. Schedule 2, page 358, line 13, omit "(d)" and insert "(e)".

152. Schedule 2, page 361, after line 3 insert—

". Insurance contracts entered into during 1997

(1) Despite anything to the contrary in Part 8, a legal practitioner or firm authorised to receive trust money that enters a contract of professional indemnity insurance necessary to comply with this Act on or after the commencement day that is to have effect at any time during the period up to and including 31 December 1997 must do so with the Liability Committee.

(2) For the purposes of the Trade Practices Act 1974 of the Commonwealth and the Competition Code, the entering into and performance of a contract in compliance with sub-clause (1) is authorised by this Act.".

153. Schedule 2, page 362, after line 19 insert—

". Board review of Liability Committee

The Board must review the functions and operations of the Liability Committee and report to the Attorney-General by 30 June 1997, or such later date as the Attorney-General allows, including a recommendation as to whether or not the Committee should cease to exist.".

154. Schedule 2, page 365, line 3, omit "subject to this Act,".

155. Schedule 2, page 365, after line 6 insert—

"( ) Despite anything to the contrary in section 338, the first nominated members of the Board of Examiners hold office until 31 December 1997

and may be nominated without prior consultation with RPAs or the Board. Subject to this Act, they are eligible for re-nomination.".

156. Schedule 2, page 367, line 6, omit "until 31 December 1997" and insert ", subject to this Act, until 31 December 2001".

157. Schedule 2, page 368, after line 36 insert—

". *Audit of Solicitors' Guarantee Fund*

(1) As soon as practicable after the commencement day, the Auditor-General (or a person authorised by the Auditor-General) must audit the accounts of the Solicitors' Guarantee Fund.

(2) The purpose of the audit is to determine—

(a) whether any amount was credited or debited to the accounts of the Fund inconsistently with the applicable accounting standards, unlawfully or improperly, within the period (commencing on or after 1 January 1991) specified by the Attorney-General; and

(b) the identity and value of the assets of the Fund as at 31 December 1996.

(3) For the purposes of the audit, sections 11, 12 and 13 of the **Audit Act 1994** apply as if—

(a) the audit were an audit under that Act; and

(b) a reference in those sections to an authority were a reference to the Society; and

(c) if the audit is conducted by a person authorised by the Auditor-General, a reference in those sections to the Auditor-General were a reference to that person.

(4) The person conducting the audit must comply with any directions given by the Attorney-General as to the scope of the audit (within the meaning of the general auditing standards as issued by the Australian Society of Certified Practising Accountants and the Institute of Chartered Accountants in Australia).

(5) The Auditor-General must cause a report on the audit to be given to the Attorney-General as soon as practicable after the completion of the audit, and give a copy to the Board and the Society.

(6) Within 30 days after receiving a copy of the report—

(a) if the report reveals that the balance of an account that, by operation of clause 49, became part of the Fidelity Fund or the Public Purpose Fund on the commencement day was higher than it ought to have been because of credits or debits referred to in sub-clause (2), the Board must pay the difference and interest at the rate of 6.5% per annum from the commencement day, from the relevant fund, to the Society;

(b) if the report reveals that the balance of an account that, by operation of clause 49, became part of the Fidelity Fund or the Public Purpose Fund on the commencement day was lower than it ought to have been because of credits or debits referred to in sub-clause (2), the Society must pay the difference and interest at the rate of 6.5% per annum from the commencement day to the Board, for payment into the relevant fund.

(7) Despite anything to the contrary in Part 16, the cost of the audit is to be paid out of the Public Purpose Fund and debited to the General Account in that Fund.".

158. Schedule 2, page 370, after line 30 insert—

"PART 12 — GENERAL

. *Government assistance for regulatory bodies*

(1) Until 30 June 1997, the Attorney-General may provide administrative assistance to an RPA in the performance of its functions under this Act.

(2) For the avoidance of doubt it is declared that nothing in this Act affects or takes away from section 38 of the **Public Sector Management Act 1992**.".

Third reading

Motion agreed to by absolute majority.

Read third time.

Remaining stages

Passed remaining stages.

CHILDREN'S SERVICES BILL

Committee

Resumed from 11 September; further discussion of clause 1.

The DEPUTY SPEAKER — Order! As the sessional orders require the remainder of the committee stage to be dispensed with, I will put the necessary questions.

Clause 1 agreed to; clauses 2 to 61 agreed to.

Reported to house without amendment.

Remaining stages

Passed remaining stages.

PROFESSIONAL BOXING AND MARTIAL ARTS BILL

Second reading

Mr REYNOLDS (Minister for Sport) — I move:

That this bill be now read a second time.

The purpose of this bill is to deregulate sections of the professional boxing and professional martial arts industries, provide for adequate levels of safety and probity in the industries, and restructure the statutory boards responsible for control of the industries. The bill is in response to the government's licence simplification program and the commitment of the government to facilitate the effective operation of the mutual recognition scheme. It also reflects the views of the Sport and Recreation Ministers Council which seeks regulatory consistency between the states in combat sports.

Regulation of the combat sports industry is currently undertaken by the Professional Boxing Control Board and the Martial Arts Board, pursuant to the Professional Boxing Control Act 1985 and the Martial Arts Control Act 1986, respectively. This bill repeals the latter act and amends the former to effect regulatory reform within the industry. At present only professional boxing industry participants are required to be licensed or registered. Amateur boxing is self-regulated through the Victorian Amateur Boxing Association and the Victorian Amateur Boxing League. However, in the martial arts industry, which for the purposes of this bill encompasses kickboxing, both amateur and professional activities are regulated.

This bill proposes the deregulation of the amateur martial arts industry to bring it into line with boxing. In future, only professional martial arts contestants and those involved in the promotion and conduct of professional martial arts contests will be required to be registered or licensed. This will release amateur combat sports from unnecessary government control, offer more responsibility to amateur associations for the proper conduct of their sport and reduce the administrative burden associated with such control.

The bill will not only provide for regulatory consistency between the martial arts and professional boxing within Victoria but also achieve consistency between Victoria and the other states, where amateur martial arts contestants have never been required to be registered — nor are industry workers required to be licensed. The bill proposes that in future the licensing of industry workers in both professional boxing and the professional martial arts will be restricted to those categories where it has been demonstrated that control is needed to ensure the safety of contestants or the probity of the industry. Occupational licensing will therefore be restricted to the categories of trainer, referee, matchmaker, judge and promoter in both professional boxing and the professional martial arts.

The net effect of these proposals is to reduce the number of licensing categories within the boxing industry from 10 to 5 and from within the martial arts industry from 6 to 4. The number of persons required to be licensed will fall marginally in the boxing industry but fall by around 2750 in the martial arts industry.

New codes of martial arts are constantly evolving. The bill makes provision for the future control of new codes, but more particularly it provides for the control of undesirable developments such as tough man contests, which in the past have eluded statutory control by being neither boxing, kickboxing, nor any other prescribed martial art code. Victoria's approach to the control of this emerging problem is likely to be emulated in other states.

The bill provides for further industry deregulation by removing the requirement for medical practitioners to be accredited by the minister. These regulatory reforms will achieve a consistent approach to the licensing and registration of boxing

and martial arts in Victoria. It is therefore appropriate that the two controlling authorities be amalgamated so that administration of the single controlling act may be conducted with consistency and efficiency.

The bill makes provision for a Professional Boxing and Martial Arts Board, which will comprise between five and seven members who have a good knowledge of boxing and/or one or more of the martial arts. Since the board is responsible for matters of probity in the industry, it will include a member of the Victoria Police Force. All members will be appointed by the minister and fees will be fixed by the Governor in Council.

To ensure maintenance of probity, the board will continue to be responsible for the issue of permits for the conduct of professional boxing and professional martial arts contests. While the bill removes fit and proper person qualifications from the issue of licences, objective criteria as specified in regulations must be met. The minister retains the power to vary the conditions under which a licence or permit may be issued. This further reinforces the minister's ability to deal with events such as tough-man contests and any similar contests to those occurring interstate in recent months featuring blatant mismatching.

The bill removes matters connected with the conduct of professional boxing and professional martial arts contests from the regulations and provides the minister with the power to make rules for the proper conduct of contests. This will ensure that the requirements of emerging codes of martial arts are efficiently accommodated but that appropriate safety conditions concerning equipment, venues and procedures are met.

This bill provides for a significantly deregulated boxing and martial arts industry which will achieve administrative efficiencies and offer opportunities for the industry to manage its own affairs, while at the same time maintaining appropriate controls in the interests of industry safety and probity.

I commend the bill to the house.

Debate adjourned on motion of Ms KOSKY (Altona).

Debate adjourned until Thursday, 26 September.

CORRECTIONS (AMENDMENT) BILL

Second reading

Mr W. D. McGRATH (Minister for Corrections) — I move:

That this bill be now read a second time.

The purposes of the bill are to enable police to provide for the effective management of police gaols and to provide for various improvements in the management of the Victorian prison system. The bill also seeks to promote competition in the provision of prison industries with the abolition of the Victorian Prison Industries Commission.

Police members perform similar custodial functions to prison officers with persons that are detained in a police gaol. Currently however, the powers of police to perform search and seizure functions are contained in the Corrections (Police Gaols) Regulations, while the powers exercised by prison officers are contained in the Corrections Act. The bill provides for the powers of search and seizure in police gaols to be more appropriately brought into the Corrections Act and thereby achieve a consistent approach towards the exercise of these custodial functions by police and prison officers.

The bill also implements key elements of the governments corrections policy whereby maximum use is made of competition within the correctional services market. The entry of the private sector into the delivery of correctional services has necessitated major changes in the way prison industries are delivered.

As a result the Victorian Prison Industries Commission, which has traditionally provided prison industries within the Victorian prison system, will be abolished to enable the responsibility for prison industries to be shared between the public and private sectors. The bill will enable the secretary to provide prison industries for the public sector prisons, and for the establishment of a Prison Industry Advisory Committee which will provide advice to the minister on prison industries. Staff employed by the former commission will be given the opportunity to transfer their employment to the Victorian Public Service to continue the utilisation of their expertise for public sector prison industries.

To improve prison management the bill will provide for compulsory savings from earnings made by a prisoner while in prison. This initiative will ensure

that when a prisoner is released from gaol, the prisoner is in a position to begin a new life in the community without requiring immediate community financial support.

The Corrections (Amendment) Bill 1996 amends the Corrections Act 1986 and makes a significant contribution to ensuring a high standard of management of correctional services in Victoria. I commend the bill to the house.

Debate adjourned on motion of Mr HAERMEYER (Yan Yean).

Debate adjourned until Thursday, 26 September.

Remaining business postponed on motion of Mr GUDE (Minister for Education).

ADJOURNMENT

Mr GUDE (Minister for Education) — I move:

That the house do now adjourn.

Bunyip water supply

Ms GARBUTT (Bundoora) — I direct to the attention of the Minister for Agriculture and Resources the Bunyip main water race. I have been contacted by local residents and users of this source of water about their concerns for the future of their water supply.

The Bunyip main water race will not be necessary when the new service is open, which will supply Pakenham from the Cardinia Reservoir. The people who have spoken to me have no argument about the people of Pakenham getting a better quality water supply, but they are concerned about the future of their water supply.

The water race currently supplies towns such as Officer, Pakenham, Upper Pakenham, Nar Nar Goon North, Upper Beaconsfield, Bunyip, Tynong North, Garfield, Garfield North and other communities. It is a significant water supply. It serves more than 400 users, including not only people who use it for their drinking water but also dairy farmers, chicken farmers, horticulturists and even a school camp for disabled children.

Some of the users tell me it costs them up to $12 000 to tap into the water race and that if it is closed they face the prospect of having to pay a second time to build dams or enlarge their tank capacities. That is clearly not an option for some of them.

These people have been given the run around by South East Water and Melbourne Water, which are both involved in this matter. It is the consequence of privatisation because these people are dealing not with just one body but two. They have found these bodies have not given them any options to consider; all the options have not been laid on the table. These people have been left in the dark, but, worse than that, the officials are not attending meetings or informing residents about their non-attendance. They are treating these people rudely.

The situation has been exacerbated by the loss of staff with local knowledge and expertise. The residents concerned have put in a lot of time doing the work for these organisations to find out who the users are, how much water they use, where the meters are and where the tapping occurs because that knowledge has been lost.

They have found that very poor records have been kept and very little information is left. A survey has recently been done but it was done so poorly that many residents were concerned about its authenticity.

The SPEAKER — Order! The honourable member's time has expired.

Rosebud Secondary College

Mr DIXON (Dromana) — I raise for the attention of the Minister for Education two serious matters relating to the situation at Rosebud Secondary College. One is the ongoing and serious dispute between the school council president and the principal of the school. Currently the principal of the school is on sick leave and has been for most of this year and the school has been looked after by two acting principals.

The second issue concerns a number of serious complaints from parents about a teacher of drama. This problem has been going on for some 12 months now. The concern is that the wellbeing and the reputation of the school is being undermined and seriously tarnished. Schools are there for children and the welfare of the students at this school and, more importantly, their education, is being seriously disrupted by the problems at the school. We have some dedicated and innovative teachers at the school, and the matter is also of concern to the teachers. Unfortunately the two problems are eating

into the reputation and welfare of the teachers, who are trying to do the right thing for the students. The problems are spreading and have become a community concern.

The Rosebud Secondary College is one of two secondary colleges on the lower Mornington Peninsula in my electorate. It is a large and important institution in the area. A number of students come from extremely disadvantaged homes; periodically a number of homeless children attend the school; and a number of inappropriately placed students also attend the school. Some of the students come from an area where the average income is less than $14 000 per annum. This school is the only consistent aspect of the lives of the children.

What is the minister able to do to resolve the two problems at the college — namely, the dispute between the school council president and the principal, and the serious allegations about the drama teacher?

PERIN system

Mr LONEY (Geelong North) — The matter I raise for the attention of the Attorney-General, or in her absence the Minister for Police and Emergency Services, relates to the administration of the penalty enforcement by registration of infringement notices (PERIN) system, particularly relating to parking fines. Today Geelong radio station K-Rock had a call-in program asking people to phone in about parking fines in the Geelong area. The station received hundreds of calls raising a number of allegations against the administration of the PERIN system in relation to parking offences in the Geelong area.

Some of the allegations that have been raised are serious: firstly, that people have been booked while the meter still has time left to run, and all of the people concerned say they have not been back and subsequently fed the meter; that people have been booked while legitimately using loading zones; that people have been booked by parking officers sitting in unmarked cars who appear to be heavily targeting schools while parents have been doing the right thing and dropping their children off at schools and picking them up; that people have been booked in so-called no-standing zones that do not have any markings, either by a sign or on the road itself; that people have been booked while waiting for another car to back out of a parking space, so-called double parking or queuing, according to the parking officers; and that people have been booked late at night after leaving their cars momentarily to open their own gates to drive into their properties.

One woman had just bought a home gym from Neville Bruns's store and was told by staff to drive to the loading dock at the rear of the store. Parking officers told her not to go in until staff had opened the door, but then booked her for double parking as she waited for the door to be opened.

They are just a few of the hundreds of calls we have received. They are serious allegations of improper actions and should be investigated because they affect the integrity of the PERIN system and its administration and put a cloud over the integrity of parking officers if they continue to hang about without investigation.

The Attorney-General has responsibility for the PERIN system and I seek from her an undertaking that some form of independent investigation be conducted into the allegations so that the officers involved can either be cleared or reprimanded.

Victorian eye-care service

Mr A. F. PLOWMAN (Benambra) — I raise for the attention of the Minister for Health in another place through the Minister for Police and Emergency Services, an across-border anomaly concerning ophthalmologists registered to treat patients in New South Wales being unable to treat pensioners in Victoria who have a health care benefit card at a reduced cost.

The ophthalmologists were part of the Victorian eye-care service when they had consulting rooms in Victoria, but when they consolidated their operation in consulting rooms in Albury so that their expensive up-to-date equipment was in one location they were struck off or removed from the Victorian eye-care service, which meant that pensioners wishing to obtain ophthalmology treatment had to be referred to a Victorian ophthalmologist.

There are many pensioners in a population of 150 000 people in the Albury-Wodonga area, many of whom are Victorians who seek services from the ophthalmologists in Albury. The eligibility is reduced for people who are permanent residents of Victoria and who are eligible for the low-cost glasses. I suggest that very few people fall into this category, but for those people who do their costs have increased because they have to make a reservation with the ophthalmologist in Albury and then be referred to another ophthalmologist.

I ask the minister to review the issue so that an ophthalmologist in Albury is returned to the Victorian eye-care service and, therefore, is able to treat pensioners from Victoria in New South Wales and supply them with the prescribed glasses they require at a reduced cost.

Ambulance services: Intergraph

Mr THWAITES (Albert Park) — The matter I ask the Minister for Police and Emergency Services to direct to the attention of the Minister for Health in the other place concerns the Intergraph computer system used by the Metropolitan Ambulance Service for automatic vehicle location and computer-aided dispatch.

On numerous occasions reports have been made about serious delays in ambulance services; in some cases people have died because of the long delays. Serious criticisms have been made of the Intergraph system, and it appears there are major malfunctions with that computer system.

On a number of occasions in September and October last year ambulance officers and others associated with the system claimed it was not working, that the computer screens were locking up and that the system had actually crashed. Intergraph denied the claims made by ambulance officers. It said the system had not crashed but was down for routine maintenance.

This week in the County Court a writ was filed by the company allegedly engaged by Intergraph to act as its public relations company. That writ makes a number of serious allegations against Intergraph and I call upon the minister to investigate those allegations. I cannot vouch for the truth of the claims in the writ, but they are so serious they should be investigated by the minister. The final outcome of the writ will be a matter for the court; I will not comment further on it.

The allegations made by the company engaged by Intergraph — Tess Lawrence Media Services — are included in statements in a court document. The document states that the company was involved in:

> the counselling of Grant Griffiths, chief executive officer of the defendant, to the effect that he should not lie to the public or the media claiming that the defendant's computer systems were closed for maintenance when in fact the system had crashed;

and that the company —

> informed the defendant in early September that there was a disparity between the clocking system with Intergraph CAD operations to that of the 'outside world' and that this disparity favoured the defendant's response times;
>
> informed the defendant that there was a problem with the defendant using Melways road maps on its computer dispatch system without checking the accuracy of the Melways map system and without updating it constantly;
>
> informed the defendant of the need to train calltakers in proper calltaker telephone technique involving trauma response, pacification, technique, crisis counselling, restraint and courtesy and further ... counselled the defendant that it would be advisable — —

The SPEAKER — Order! The honourable member's time has expired.

School buses: safety

Mr MAUGHAN (Rodney) — I direct a matter to the attention of the Minister for Roads and Ports in the other house, through the Minister for Police and Emergency Services, concerning the installation of seat belts and airconditioning on school buses.

Victoria has an efficient school bus system; it transports about 70 000 children to and from primary and secondary, government and non-government schools each week at a cost of about $70 million a year. The service is greatly appreciated by country people and provides access to improved educational opportunities for country children at larger schools; it provides enhanced opportunities for them to develop social skills, to have wider choices in curriculum and to engage in additional sporting activities and the like.

The school bus system has an excellent safety record: I understand its record is better than those for any other mode of transport. However, I am concerned that some children are away from home for 9 or 9½ hours a day, having boarded their buses at perhaps 7.30 a.m. but not returning home until, say, 5.00 p.m. That is a long and tiring day for primary school children, but it becomes even more tiring for them when the temperatures rise to 30 or 35 degrees, as often happens in northern Victoria.

The Cohuna Secondary College school council has written to me and suggested that when school buses in the fleet are progressively replaced, as is the government procedure, they should be equipped

with airconditioning and seat belts. That practice could be commenced with buses located north of the Great Dividing Range and then extended to the south of the state if it is seen to be necessary.

I ask the Minister for Roads and Ports in another place to examine the proposition.

Schools: closures

Mr MILDENHALL (Footscray) — The matter I direct to the attention of the Minister for Education concerns the identity, and the process for the proposed closure, of 11 schools identified in yesterday's budget as being targeted for closure.

After the public revelation of the closures the minister said that schools with fewer than 12 students would be closed; the figures disclose that 6 secondary colleges will be affected. I would be amazed if any secondary college in Victoria had an enrolment anywhere near as low as only 12 students.

This is an extremely delicate and sensitive process. The Auditor-General's report shows that when he looked at the school closure process he saw that 85 per cent of respondents were dissatisfied with the government's previous attempts at closing schools. This is also occurring in the context of the previous minister's undertaking of 12 March of this year that the government had no plans for school closures. I suggest the government is moving with absolutely indecent haste to close another 11 schools so soon after that public announcement.

I would like the minister to identify the schools and to take up the suggestion of my predecessor to provide for an independent analysis of the community need for the schools before this extremely divisive and destructive process is entered into. Who will forget the incredible damage done in the closure of schools during the government's last term in office? At Hawksburn Primary School, where the former member for Prahran was involved in the closure, enormous damage was done to an extremely disadvantaged school, with sensitive equity programs being wiped out in one blow. At the Highett Primary School the honourable member for Sandringham stood silent while the school was closed and enormous damage was done to the school community.

The minister owes the community an explanation of how the process will work, and should identify the schools and school communities that are about to have this process unleashed on them.

South East Water

Mr LEAN (Carrum) — I raise a matter for the attention of the Minister for Agriculture and Resources. The Carrum electorate has eight small shopping centres, and although the small business operators in those centres are moving along nicely it is not easy for them to make a dollar. Many shops in the centres are involved in retailing food products such as charcoal-grilled chicken, home-made pies and cakes and so on.

South East Water recently decided to implement what it calls a greasy waste program, which involves the installation of grease traps to treat all effluent from the processing of foodstuffs. The authority now requires proprietors of the type of shop I have mentioned to install a grease trap at a cost of approximately $750 and to cover the ongoing cost of pumping out the grease trap two to three times a year at a charge of around $70 a time. On top of that there is the insult of a $25 application fee when an application is made for the installation of the required bits and pieces.

Most proprietors are prepared to wear the cost of installing the grease traps and the pumping out and cleaning up of the effluent from their operations. What has got up their noses is a decision by the authority to charge an extra rate of $350 a year on top of the normal rates for the treatment of water that has already been cleaned up. I believe the authority is double-dipping. The shop proprietors are already paying to make it easier for South East Water to clean the water, yet it wants to charge an extra rate of $350 a year.

In a letter to me the Minister for Small Business in another place states:

> I believe that the costs incurred by businesses under these programs are considerable. This includes the indirect or compliance costs relating to documentation of periodic removal and cleaning of grease-trap waste.
>
> Specifically, I should point out that the cornerstone of the government's small business policy released earlier this year is a continued focus on reducing business costs. New charges such as those which you have highlighted need to be considered in that context.

Housing: emergency

Ms KOSKY (Altona) — I raise with the Minister for Housing the changes being made to emergency housing provisions. I refer to statements made by

the minister to the house on Wednesday, 11 September 1996:

> In fact, I have met a number of the peak bodies and they have given me the strong indication that they support the review, because we will have a much stronger sector as a result.

I raised this matter last night in the house, and I have been inundated with letters and phone calls that do not support what the minister said to the house. I will name a number of the peak organisations which have written to me or contacted me in the past few days: the first is the Salvation Army, which said that the change is too fast and ill-informed. Another is Hanover Services, which said the change is putting in jeopardy the service system.

The Council to Homeless Persons said that the changes are deficient. The National Shelter and Supported Accommodation and Assistance Program regional networks said that the time lines are unrealistic and that it would mean disastrous service outcomes for homeless. Criticisms also came from the Youth Accommodation Coalition and the Western Region SAAP services. One of the groups told me it had not heard of any group which supported the changes. Many peak organisations clearly have a different understanding from the minster of their discussions with her.

I call upon the minister to clarify her response to the house and ask her to name the organisations that have given their support to her proposal to make changes to the emergency housing provisions.

Buses: Broadmeadows

Mr FINN (Tullamarine) — I direct to the attention of the Minister for Transport the plight of members and patrons of the Broadmeadows Club in Jacana. I have recently received a petition containing more than 500 signatures from potential passengers for what I believe should be a very important diversion to an existing bus route in the area.

I ask the minister to intervene on behalf of the members of that club to divert the bus that travels along Sunset Boulevard in Jacana down the hill into the grounds of the club and back again so the club will be serviced by a bus route. At the moment there is a steep hill down to the club, and a large number of people are reliant on public transport in that particular area. It is very difficult for those people who catch the bus to the Broadmeadows Club to get down the hill, and it is even harder for them to get back up the hill, particularly late at night. Difficult weather conditions make it even harder.

I do not believe this diversion would throw the public transport system in Broadmeadows into any sort of confusion at all. As I say, it would be a very small diversion but one that would be used by many hundreds if not thousands of people. It would considerably boost the patronage of the local bus company.

The Broadmeadows Club is a community, social and sporting club that does a great deal of good in the Broadmeadows community. Indeed, it is a great asset to the community that I represent. The diversion of the bus service would add considerably to this asset and would be greatly appreciated by the many people who are reliant on the Broadmeadows Club for their entertainment and social activities.

I ask the minister to give the matter his serious consideration. For the people involved it is a very important issue.

Electorate officers: pay claims

Mrs MADDIGAN (Essendon) — I draw to the attention of the Premier the appalling slowness with which the government is dealing with the pay claims of electorate officers. Discussions have been under way for two years and more particularly in the past six months. Papers were prepared by the House Committee in July, as I understand it. The officers were told at the time that they would have a decision in two weeks. We are now in the middle of September and they have had no result at all. This is appalling. No-one would suggest that electorate officers do not deserve a pay rise. In fact their conditions have deteriorated substantially since this government came to office.

In 1988 the salary rates of electorate officers were on a par with those of federal electorate officers. They have now fallen to $7000 a year behind. In addition their conditions are the worst of any electorate officers in the commonwealth. It is outrageous that the government has been discussing matters for two years and has yet to come to a satisfactory conclusion. The electorate officers received a couple of catch-up safety net adjustments much later than everyone else, so they have been discriminated against all the way. There is no justification for this. They have been entitled to wage justice. They have been given an undertaking by the House Committee,

and it is now time the government responded to this claim and gave electorate officers wage justice.

Schools: funding formula

Mr CLARK (Box Hill) — I raise a matter for the attention of the Minister for Education. I seek his assurance that there is no threat to the funding formula for schools, in particular schools in my electorate, in so far as it relates to special needs and students from non-English-speaking backgrounds. The matter arises from remarks made in this house yesterday by the member for Footscray in which he suggested that Balwyn High School, a school which services my electorate and the — —

The SPEAKER — Order! The honourable member's time has expired.

Responses

Mr GUDE (Minister for Education) — The honourable member for Dromana raised a matter for my attention with respect to the Rosebud Secondary College and the deadlock that has taken place down there: a dispute which existed between the principal, who is currently on sick leave, and the college council president. The issue has been causing considerable disharmony in the school now for over 12 months and has become a serious concern.

In fairness I should say that when the principal in question came to the position of principal the school council had prior to that time raised considerable funds through various proposals. The principal concerned came to office in around 1988 and then undertook a review of processes. He was less inclined to continue the process of fundraising that had occurred previously. His method of running the school did not accord with the general views of members of the council on how it should be run, and an impasse developed with the president of the school council.

At the same time the president of the school council took on this role when few if any others wanted or were prepared to do so. I therefore recognise the integrity with which the member of the council has carried out her work.

This issue has now been running for over a year. The only people who suffer are the kids. The only ones who are not getting a good education are the kids. The ones who are missing out are the children, because good quality teachers, as has been pointed out by the honourable member for Dromana, have left the school. A litany of good teachers have left to go to other areas. I have seen the list, and although I did not count them at least 10 or so good quality teachers have left. Anyone can see that there is difficulty in the school when a situation like that occurs.

I have asked that the secretary of the department appoint an administrator to the school to initiate a process of appointing an interim council until such time as the problems of the school council are resolved, a new principal is appointed, and council elections are held. The secretary of the department will take this action under sections 13(1) and (4) of the Education Act 1958, section 77 of the Public Sector Management Act 1992, section 4(11) of the Education Act 1958 and section 4A of the Teaching Service Act 1981.

I want to make the point today that, having been minister for about six months, I have come to this conclusion in trying to seek a resolution. Interestingly enough, on two occasions all members of the council have unanimously resolved for a form of solution — and that includes teacher union representatives, who are part of the council — that would see the president of the school council step down from that position and the principal move into another area away from that school.

But at the end of the day the overriding resolution that was proposed was not accepted, or it was accepted by the parties at different times and in different ways. It seems to me that the impasse, the deadlock, has to be broken, and I have acted accordingly to ensure, through the secretary of the department, that that will take place.

I want to make the point that I have come to this decision after a lot of thought; I did not do it lightly, and it is certainly not something that I would want to do on a regular basis — in fact, I hope I never have to do it again.

At the end of the day, this was a very fine school and it has all the capabilities of being one again. I want to break the deadlock and allow a duly elected council and a new school principal to be appointed to enable the children to get the type of education to which they are entitled.

The honourable member also referred to another problem in the school which, in a sense, is symptomatic of the problems of administration in the school. It relates to a teacher who, in April 1995, was the subject of a parent complaint relating to the

use of curriculum materials being seen as offensive and obscene. The issue was considered by the principal at the time, a review was undertaken and the teacher was ultimately reprimanded.

On 26 August further complaints against the same teacher came forward; on this occasion they were again very serious complaints. The action that was taken was to effectively remove the teacher from classroom duties on full pay, and the action was to be instituted immediately. I gave those instructions effectively on Monday of this week. On Tuesday an investigation was commenced; I understand that investigation has concluded today.

I do not know what the outcome of that review will bring, but it seemed to me that decisive action was needed in the interests of the students at the school, and we will let due process take its course. But it has been a long-running concern.

I congratulate the honourable member for Dromana for the very sensitive and responsible way in which he has been involved in this issue. As honourable members would appreciate, he is a man of considerable integrity, who was an educator himself in the area. He is always seeking, as was evident in the way he carefully raised the matter in Parliament earlier this evening, to act in the interests of students.

The honourable member for Footscray raised with me the schools referred to in the budget papers that are projected to close. The 1995-96 school numbers on page 66 of Budget Paper No. 3, to which the honourable member referred, are the numbers at August 1995, which is when the national schools statistics were collected.

The estimated 1996-97 numbers are taken from the February 1996 census, which is conducted by the department for resourcing purposes. That is the practice that has been followed in the publication of the budget papers for several years. Because the honourable member is new to the shadow portfolio he may not have been aware of that. Perhaps my explanation will assist him to understand why the reference is the way it is.

There is no projection of school numbers for the following school year. The numbers in the budget are accurate and factual. The net — —

Mr Mildenhall interjected.

Mr GUDE — Just wait! The trouble with you is that you get your mouth into too high a gear. If you give your mouth a rest and your ears a chance and free up your brain a bit, you might actually learn something!

The net decrease of eight schools includes the closure of three primary schools; the merger of three primary and three secondary schools to produce three P-12 schools; the merger of two secondary colleges in Sale; the opening of two new primary schools; the reclassification of the previously separate School of Acrobatic Arts as a campus of Wodonga High School; the merger of Larpent Primary School with Colac South West Primary School to form a multi-site primary school; and the merger of Gormandale Primary School and Gormandale East Primary School to form a single entity. That is the analysis of the numbers.

The honourable member asked for the names of the schools; now he has them. Should he require a further briefing, he will be given it slowly and carefully so the explanation is indelibly etched into his brain. If we can rid ourselves of the continually inane remarks that seem to emanate like verbal diarrhoea from the other side, everyone in this state will be better placed.

The honourable member for Box Hill raised a matter again based on concern about remarks attributed to the honourable member for Footscray. He said the honourable member for Footscray relied on stereotypes, which was indicated in the remarks he made in his comparison of Balwyn High School and Footscray City Secondary College. For the purposes of calculating the special learning needs index, the actual data for the schools shows that Balwyn High School has the same percentage — —

An honourable member interjected.

Mr GUDE — Listen, have you got that? It has the same percentage of students from non-English-speaking backgrounds as Footscray City Secondary College — 33.6 per cent compared with 34.2 per cent. An examination of the relevant index shows the assertion that the school global budget does not take into account recently arrived students to be false.

The funding of non-English-speaking migrant students is calculated using a seven-level index based on the number of years a student has spent in Australian schools. Three of these levels apply to secondary schools, and they show the profiles of the Balwyn and Footscray City schools are remarkably similar. The number of Balwyn High School

students who have been in Australia for less than one year is five, and there are 50 who have spent between one and three years in Australian schools. The number of Balwyn students who have spent between three and seven years in Australian schools is 130. At Footscray City, 10 students have spent less than one year in Australian schools, 35 have spent between one and three years — that is considerably less than the number at Balwyn — and 93 student have spent between three and seven years in our schools, much fewer than the 130 at Balwyn.

An honourable member interjected.

Mr GUDE — We were actually hoping the honourable member might have been able to get his question up at question time. But even if he had not been able to, we had the next one — and it would have been the same one!

The public are tiring of the opposition's approach. It whines and carps and whinges and moans; it is negative and knocking; it has no new policies or directions; it has no commitment for the future; it does not care; it has no understanding. The honourable member has not done his homework. How many departmental briefings have you had? Obviously they are a complete waste of time. Again I offer the honourable member all the help we can provide, because then we might have fewer inane, inaccurate, stupid, irrelevant, damaging remarks from the opposition!

Mr McNAMARA (Minister for Agriculture and Resources) — The honourable member for Carrum raised the installation of grease traps at a cost of between $750 and $1000. A number of businesses which have installed those grease traps have been paying permit fees of around $25 and are now being charged an extra levy of $350. I will take that up with South East Water to ensure that we know the rationale for the extra fee.

The honourable member for Carrum is a vigorous representative for his electorate. Carrum has had fairly mediocre representation in recent years, but I am sure the community recognises the value of its new representative. On any issue that requires a vigorous advocate, he is there. He is serving the community well, and I compliment him on the impact he has had in the short time he has been here.

I contrast his performance with that of the honourable member for Bundoora, who raised the matter of the Bunyip water supply. It is interesting that the matter concerns a small community. One of the hallmarks of the Cain and Kirner governments was their neglect of rural communities. This government has made it clear that small rural water communities that have had substandard water quality and water disposal will be assisted. The government is not prepared to allow the situation to continue. Living in a rural community does not mean tolerating poor quality drinking water or disposal water. All water authorities are required to ensure that drinking water standards are up to world health standards by 1999 and that water disposal standards are up by 2001.

The honourable member said that South East Water and Melbourne Water have been privatised, but I have to correct her: they have been corporatised, they are running with a skills-based board and they are owned by the state. I hope that will assist the honourable member when dealing with the issue. Get your facts right!

The honourable member should suggest to the local water authority that it put in a bid, if it has not already done so, for a share of the funding that has been set aside for the upgrade of small rural communities. I direct the honourable member's attention to page 59 of the performance and outlook paper — —

Ms Garbutt interjected.

Mr McNAMARA — For goodness sake, Sherryl! Relax!

Mr Loney — On a point of order, Mr Speaker, you advised the honourable member for Springvale that he should not call across the table and refer to another honourable member by name. The minister has just done the same thing, and I suggest that the same standard should apply.

The SPEAKER — Order! I accept the point of order. I did not hear the reference to a name but I accept that point and I thank the honourable member for bringing it to my attention. The minister will address honourable members by their titles.

Mr McNAMARA — I urge the honourable member for Bundoora to take up the issue on behalf of the Bunyip community and make sure it puts in a bid for the funding that the government provides specifically for small rural communities. Some $5.6 million has been set aside by government to assist regional authorities. The first step is to have the local authority make an application for funding.

Ms Garbutt interjected.

Mr McNAMARA — It must make the application for funding. All rural communities are getting a fair go under this government whereas they did not get a go at all under the previous government. This is part of some $20.7 million the government has set aside during this term of office to upgrade small rural community water supplies. I have asked the federal government if it were prepared, as it did with the Landcare schemes, to match that dollar for dollar so we can get another $20 million to assist in that program. We are certainly getting a lot of interest in that scheme. The first step is for the local authority to put in a bid for an upgrade of its water supply.

Ms Garbutt interjected.

Mr McNAMARA — It may well have done that.

Ms Garbutt interjected.

Mr McNAMARA — I will first check with the department to discover whether the water authority has made an application. If it has not I think it shows severe neglect on the part of the local member not to be prepared to go in there and bat for the local authority to ensure that it is in the running for one of those grants.

Mrs HENDERSON (Minister for Housing) — The honourable member for Altona raised with me the review or restructure of community housing, particularly in relation to crisis and emergency housing. This is the same matter she raised on the adjournment debate with me last night. However, I am happy to deal with it again.

The honourable member raised a concern about support coming from peak bodies or people out there in the sector. Community housing in Victoria is certainly a valuable and important part of Victorian housing. But it is much more than just housing: it is about providing accommodation as well as support for people in the sector.

More than 500 community groups are providing housing in this area. The government is totally committed to the community housing program and with the restructure the government is confident that it will be able to provide more beds. We will have a much stronger and enhanced community housing sector.

I must say that I am disappointed that the honourable member for Altona is endeavouring to make some mileage out of such a sensitive issue as crisis and emergency accommodation. In a recent press release she claimed that the government's restructure would create more homelessness. That is absolute nonsense. I look forward to seeing a further press release correcting that statement because the restructure will not produce more homelessness. In fact it will strengthen the sector.

The honourable member raised another issue in her press release.

Ms Kosky interjected.

Mrs HENDERSON — I meet with a number of organisations on an almost daily basis, and I have the highest regard for those who work in the housing sector.

There is certainly a great deal of support for a restructure of that sector, which will increase beds in the crisis centres and provide a strong focus for community housing groups. I hope the honourable member for Altona will not continue to be mischievous and negative but will instead be supportive. As the Minister for Agriculture and Resources said, the opposition has been carping and moaning. All I ask the honourable member to be is supportive because collectively we can do something for people who require emergency housing.

I am concerned about the mischievous information that is coming from the opposition. It should not focus on the negative aspects but rather take the opportunity do something good for the people who require help.

Mr W. D. McGRATH (Minister for Police and Emergency Services) — The honourable member for Geelong North directed to the attention of the Attorney-General the PERIN system and the parking arrangements and payment of fines in the Geelong region. He referred to the K-Rock radio station, which received a number of complaints during a phone-in about the booking process and the number of parking infringement notices issued in Geelong. Many motorists believe they are getting a raw deal from parking attendants. Nevertheless, I point out to the honourable member that he should take up the matter with the City of Greater Geelong because responsibility for the parking attendants and inspectors rests with that council. However, the PERIN system and the payment of fines is certainly

the Attorney-General's responsibility, and I shall alert her to the remarks made by the honourable member.

The honourable member for Benambra raised a matter for the attention of the Minister for Health concerning ophthalmology services in Albury-Wodonga. It sounds like a border anomaly issue; however, I shall draw the matter to the attention of the minister.

The honourable member for Albert Park, who has disappeared from the chamber and has probably gone home, raised the Intergraph computer-aided dispatch system for ambulance services. The government put the computer system in place in September 1995 to encourage the efficient dispatch of all emergency services, including the police, the SES and the ambulance and fire services.

The Intergraph system has worked and is working well in the Victoria Police Force because police officers are strongly committed to making it efficient. It is fair to say that there has been less of a commitment from some of the other emergency services, including ambulance and Metropolitan Fire Brigade officers. However, it is our intention to make the Intergraph computer-aided dispatch system work efficiently. I will direct the comments of the honourable member to the attention of the Minister for Health, who I am sure will respond in due course.

The honourable member for Rodney raised a matter for the Minister for Roads and Ports and I will direct that matter to the minister's attention.

The honourable member for Tullamarine also raised a matter for the attention of the Minister for Transport concerning a bus stop near the Broadmeadows Club in Jacana. It is a great pity the honourable member for Tullamarine has to do the work of the honourable member for Broadmeadows — the honourable member for Broadmeadows being, of course, the Leader of the Opposition. I guess he has been overseas and has not had a lot of time to attend to constituency matters.

Mr Finn — He has trouble even if he is here!

Mr W. D. McGRATH — The honourable member for Tullamarine has criticised the fact that the Leader of the Opposition is not providing a great deal of representation even when he is here! I shall refer the matter to the Minister for Transport so that the people of Broadmeadows will know the government is acting on their behalf even if their local member is not.

The honourable member for Essendon raised a matter for the attention of the Premier relating to pay claims for electorate officers. Many electorate officers probably endorse the remarks she made. I will bring that to the attention of the Premier on behalf of not only the electorate officers she referred to but also other electorate officers.

Motion agreed to.

House adjourned 5.26 p.m. until Tuesday, 8 October.

Tuesday, 10 September 1996

QUESTIONS ON NOTICE

Planning and Local Government: alcohol purchases

(Question No. 6)

Mr PANDAZOPOULOS asked the Minister for Planning and Local Government:

Since 3 October 1992 to date, what the details are of all alcohol purchased by the minister or his office, indicating, in respect of each purchase —

(a) the date; (b) the value; and (c) the item.

Mr MACLELLAN (Minister for Planning and Local Government — The answer is:

The following expenditure on alcohol was recorded:

Financial Year	Expenditure
1990-91	$1 531. 58
1991-92	$2 871. 00
1992-93	$ 852. 96
1993-94	$ 209. 65
1994-95	$ 92. 80
1995-96	$ 242. 90

Education: media research and public opinion polling

(Question No. 9)

Mr PANDAZOPOULOS asked the Minister for Education:

In respect of each department, agency and authority within his administration, what the details are of all media research and public opinion polling conducted since 3 October, 1992, including — (a) the title of each poll or item of research; (b) the date approved and duration of contract; (c) cost; (d) the personnel conducting the project; (e) whether it was put to tender; (f) recommendations made; and (g) any actions taken by department or minister.

Mr GUDE (Minister for Education) — The answer is:

To provide the information requested would require an inordinate amount of time and resources which are not available. Mr Pandazopoulos may wish to submit more focused and specific questions on the matter.

Learning assessment project

(Question No. 11)

Mr PANDAZOPOULOS asked the Minister for Education:

In relation to the Learning and Assessment Project, what the total cost was of the 1994-95 Program indicating — (i) the total advertising and public relations cost; (ii) the specific cost to operate the LAP Hotline unit, the number of staff employed, and the number of phone calls received; (iii) the cost of all radio advertising promoting the LAP; (iv) the cost of newspaper advertisements and inserts; (v) the number of promotional booklets printed, their cost, and the number distributed; and (vi) the cost of opinion polling research on the LAP.

Mr GUDE (Minister for Education) — The answer is:

(i) $786 000 approximately was spent on public information and education related to the Learning Assessment Project. The amounts detailed in parts (ii), (iii), (iv), (v) and (vi) are included in this total.

(ii) The cost of telephone calls was approximately $1000. No extra staffing was involved. Approximately 3000 calls were received.

(iii) $175 000 approximately.

(iv) $357 000 approximately.

(v) Two information booklets on the LAP were produced by the Board of Studies namely: 'Learning Assessment in Primary Schools' and 'Understanding the LAP'. The first booklet cost $33 000 approximately and there were 225 000 copies distributed. The second booklet cost $90 000 approximately and 250 000 copies were distributed. An informational video-tape called 'Introducing the LAP' was also produced at a cost of $49 000 approximately. The Directorate of School Education produced 2900 LAP Information Kits. The cost was $17 000 approximately and 2700 kits were distributed.

(vi) $64 000 approximately was spent on market research on the LAP (this included research on the kinds of information on results parents wanted to have).

Melbourne's Open House project

(Question No. 14)

Mr PANDAZOPOULOS asked the Minister for Planning and Local Government:

In relation to 'Melbourne's Open House Project':

1. What was the total cost of advertising and public relations for the project?
2. What were the production and printing costs of the Agenda 21 brochure titled 'Melbourne's Open House — Rediscover Your City', indicating the number of brochures printed and the number distributed to date?
3. What were the production and printing costs of the Agenda 21 booklet titled 'Passport to Melbourne — Welcome to Melbourne's Open House', indicating the number of booklets printed and the number distributed to date?
4. What the total cost is to date of the Agenda 21 'Melbourne's Open House' advertisements printed regularly in the *Herald Sun*, the *Age* and in all suburban and country newspapers?
5. What the total cost is of the Agenda 21 'Melbourne's Open House' Special Supplement (8 October 1995) printed in the *Herald Sun*?
6. What the total cost is of television and radio advertisements promoting 'Melbourne's Open House'?
7. What was the total staffing cost for the project, indicating how many staff were involved in — (i) the preparation of the project; and (ii) the event on the weekend of 7 October 1995 and 8 October, 1995?

Mr MACLELLAN (Minister for Planning and Local Government) — The answer is:

1. The total cost of advertising, public relations and related issues for this project includes: $12 009 on brochures and pamphlets, $14 355 on external public relations consultancy services (most of the work was undertaken by the Department of Planning and Development's Public Affairs Branch), $44 489 on advertising the event, $12 128 on the passport booklet and other operational costs of $80 226 totalling $163 207.
2. 50 000 copies of the brochure 'Melbourne's Open House — Rediscover Your City' were printed. Design and printing costs were $5139 and all copies were distributed.
3. 30 000 copies of Agenda 21 booklet titled 'Passport to Melbourne — Welcome to Melbourne's Open House' were printed at a cost for design and printing of $12 128 and all copies were distributed.

4. The cost of the Agenda 21 'Melbourne's Open House' event advertisements placed in the *Herald Sun* and the *Age* was $36 111.

   No advertisements were placed in the suburban newspapers for the Melbourne Open House event, although advertisements in the suburban press for the Victoria's Open House weekend, of which Melbourne's Open House was a part, included some details of facilities open to the public as part of Melbourne's Open House.

5. The Melbourne's Open House supplement published in the *Sunday Herald Sun* on 8 October 1995 was free of charge and provided by the newspaper in support of the event.

6. There was no paid television or radio advertising of 'Melbourne's Open House'.

7. The staff involved in the preparing for the event were from the Department of Planning and Development's Public Affairs Branch. Three additional staff were engaged during the two weeks leading up to the event. The combined cost of these staff was $4491.

   Melbourne's Open House on 8 October 1995 was staffed by members of the Department of Planning and Development's Public Affairs Branch together with representatives of the organisations whose facilities were open as part of the event. Other staff were volunteers from the Australian College of Travel and Hospitality and the Melbourne City Council. The staff cost on 8 October 1995 was therefore minimal, and involved only overtime payments for some of the staff involved.

Agenda 21 Quarterly

(Question No. 15)

Mr PANDAZOPOULOS asked the Minister for Planning and Local Government:

What the details are of all the issues of the *Agenda 21 Quarterly* produced to date, indicating for each issue — (a) the date; (b) details of distribution, including numbers and cost; (c) the number printed; and (d) the cost of production.

Mr MACLELLAN (Minister for Planning and Local Government) — The answer is:

Ten issues of *Agenda 21 Quarterly* have been published: December 1993, March, July and November 1994, February, May, September and December 1995, and February and May 1996.

10 000 copies of each issue have been printed at an average cost $7500 per issue. Copies are distributed as follows:

2200 to individuals and organisations in Australia andoverseas;

4000 copies to 20 organisations for distribution and display through their facilities; and

3800 for distribution by the Department of Infrastructure Bookshop, Information Victoria and organisations whose facilities are featured in the magazine.

An additional 30 000 copies of the September 1995 issue were printed for distribution from the Department of Planning and Development's display in the government pavilion at the Royal Melbourne Agricultural Show and at sites participating in the Melbourne's Open House event. The total cost of the additional 30 000 copies printed was approximately $12 000.

An extra 41 000 copies were printed of the February 1996 issue for distribution at 'Victoria on Show'. The cost of printing additional copies was approximately $20 000.

An extra 10 000 copies (costing $9600) of the May 1996 issue were printed for distribution at the 'Victoria on Show' travelling regional exhibition.

South Eastern Arterial: billboards

(Question No. 16)

Mr PANDAZOPOULOS asked the Minister for Transport, for the Minister for Roads and Ports:

In relation to the billboards, 'We're clearing this carpark to get you on the move' on the South Eastern Arterial:

1. What the total cost is of the billboards erected to date?
2. How many more billboards will be erected and at what total cost?

Mr BROWN (Minister for Transport) — The answer provided by the Minister for Roads and Ports is:

The Roads Corporation advise that:

1. Three signs were supplied and erected at a total cost of $10 818; and
2. There are no plans to erect further signs of this type on the South Eastern Arterial.

Transport: advertising

(Question No. 29)

Mr PANDAZOPOULOS asked the Minister for Transport:

In respect of each department, agency and authority within his administration, what the details are of all advertising campaigns since 3 October 1992 to date, indicating — (i) the purpose and total costs of each campaign; and (ii) the total advertising budget in his ministerial portfolio for 1992-93, 1993-94 and 1994-95 financial years.

Mr BROWN (Minister for Transport) — The answer is:

Advertising was undertaken by the former Department of Transport for varying purposes such as employment vacancies and public notices. The government's contracted advertising agency, Leeds Media, was used for this purpose.

The total advertising budget allocation within the former Department of Transport for the 1994-95 financial year was $55 000. In previous years there was no allocation within the budget specifically for advertising. The financial records are not in a form which would enable the easy identification of accurate information which would relate specifically to the transport portfolio.

To undertake the necessary research to identify the detailed information being sought would involve a considerable amount of time and resources which could not be justified. Should the honourable member identify a particular advertising campaign, every effort will be made to provide relevant information.

The Public Transport Corporation (PTC) has advised that it places numerous advertisements in the media and on PTC buses and trams and property. The purpose of advertising is to keep customers informed; offer additional travel options; attract new customers and to educate and inform the community of the role public transport plays in the life of the city and country Victoria. The PTC's advertising covers a variety of subjects, including public transport services, details of sporting and other special events, new and existing products and special offers for PTC customers.

The PTC has advised that the total advertising budget for 1994-95 was $918,000. The details of previous budget allocations and the other specific information sought by the honourable member is not readily available. To provide such details would place a considerable cost and burden on the PTC resources which could not be justified. Should the honourable member identify a particular area of interest or specific advertising campaign, every effort will be made to provide relevant information.

Police and Emergency Services, and Corrections: advertising

(Questions Nos 30 and 31)

Mr PANDAZOPOULOS asked the Minister for Police and Emergency Services, and Minister for Corrections:

In respect of each department, agency and authority within his administration, what the details are of all advertising campaigns since 3 October 1992 to date, indicating — (i) the purpose and total costs of each campaign; and (ii) the total advertising budget in his ministerial portfolio for 1992-93, 1993-94 and 1994-95 financial years.

Mr W. D. McGRATH (Minister for Police and Emergency Services, and Minister for Corrections) — The answer is:

I am informed that the time and resources required to answer detailed questions of this nature are not available. However, the honourable member may wish to narrow his inquiry and I will reconsider my response.

Planning and Local Government: advertising

(Question No. 36)

Mr PANDAZOPOULOS asked the Minister for Planning and Local Government

In respect of each department, agency and authority within his administration, what the details are of all advertising campaigns since 3 October 1992 to date, indicating — (i) the purpose and total cost of each campaign; and (ii) the total advertising budget in his ministerial portfolio for 1992-93, 1993-94 and 1994-95 financial years.

Mr MACLELLAN (Minister for Planning and Local Government) — The answer is:

The Department of Infrastructure and authorities within the Planning and Local Government portfolio regularly advertise for the following purposes:

Advertisements on professional registration requirements.
Job advertisements.
Invitations to make submissions to reviews.
Public information.
Exhibition of planning scheme amendments and advertising of planning permits.
Announcement of reviews and the availability of reports.
Inviting tenders.
Sale of land by the Urban Land Authority and promotion of displays and services.

If the honourable member seeks additional information in respect of any particular advertisement, I will be happy to provide it.

Advertising expenditure has been as follows:

Office of Building	1992-93	$ 121 266.82
	1993-94	$ 37 122.61
	1994-95	$ 56 694.17
Office of Local Government (including the Local Government Board)	1992-93	$ 28 943.00
	1993-94	$ 62 807.00
	1994-95	$ 69 015.00
Office of Planning and Heritage	1992-93	$ 113 450.77
	1993-94	$ 43 901.48
	1994-95	$ 65 414.81
Architects Registration Board	1992-93	$ 1147.30
	1993-94	$ 108.10
	1994-95	$ 158.75
Building Control Commission & associated bodies.	1994-95	$ 20 194.00
Docklands Authority	1992-93	$ 7773.00
	1993-94	Nil
	1994-95	Nil
Major Projects	1992-93	$ 35 000.00 (Approx)
	1993-94	$ 17 893.77
	1994-95	$ 54 932.00
Melbourne City Link Authority	1994-95	$ 255 519.00
Plumbers Gasfitters & Drainers Registration Board	1992-93	$ 58 974.00
	1993-94	$ 170 257.00
	1994-95	$ 196 468.00
Urban Land Authority	1992-93	$ 3806 000.00
	1993-94	$ 4 073 000.00
	1994-95	$ 4 775 000.00

Gaming: advertising

(Question No. 38)

Mr PANDAZOPOULOS asked the Attorney-General, for the Minister for Gaming:

In respect of each department, agency and authority within his administration, what the details are of all advertising campaigns since 3 October 1992 to date, indicating — (i) the purpose and total costs of each campaign; and (ii) the total advertising budget in his ministerial portfolio for 1992-93, 1993-94 and 1994-95 financial years.

Mrs WADE (Attorney-General) — The answer supplied by the Minister for Gaming is:

There have not been any advertising campaigns since 3 October 1992 within the Victorian Casino and Gaming Authority or its predecessors.

Classrooms of the Future programs

(Question No. 39)

Mr PANDAZOPOULOS asked the Minister for Education:

In relation to the promotion of the Classrooms of the Future program — (a) what is the total cost of the program for 1995-96; (b) what is the budgeted cost of advertising, publications and public relations; (c) what is the budgeted cost of all radio advertising; (d) what is the specific cost to operate the hotline, the number of staff working, and the number of calls received; and (e) what is the cost of promotional packaged information printed and distributed?

Mr GUDE (Minister for Education) — The answer is:

(a) $11 million approximately.

(b) $159 000 approximately.

(c) $310 000 approximately.

(d) There is no specific hotline promoting Classrooms of the Future program. The general education hotline answers inquiries about a wide range of educational issues. The number of calls received to date for Classrooms of the Future program, which was launched on 9 October 1995, is 293.

(e) $10 000 approximately.

'Victorian Doctors Dispute: The Facts'

(Question No. 42)

Mr PANDAZOPOULOS asked the Minister for Youth and Community Services, for the Minister for Health:

In relation to the recent advertisement titled 'Victorian Doctors Dispute: The Facts', whether he will provide details of — (a) cost of advertisements; (b) dates advertisements were placed; (c) placement of advertisements; and (d) to whom the contract was awarded and whether tenders were called.

Dr NAPTHINE (Minister for Youth and Community Services) — The answer supplied by the Minister for Health is:

(a) Two advertisements appeared in four places at a total cost of $25 753.70.

(b) Two advertisements were placed on Friday, 10 November 1995 and two were placed on Tuesday, 14 November 1995.

(c) On Friday 10 November, 1995 one advertisement appeared on page 16 of the *Herald Sun* newspaper and on page 15 of the *Age* newspaper. On Tuesday 14 November, 1995 another advertisement appeared on page 22 of the *Herald Sun* newspaper and on page 2 of the *Age*.

(d) The contract for the placement of all public sector advertising rests with Leeds Media and Communications Services Pty Ltd as the 'Master Agency Media Service'. Leeds Media and Communications was awarded the contract after a tender process.

Victorian Government Purchasing Board: media contracts

(Question No. 45)

Mr PANDAZOPOULOS asked the Premier:

What total costs were incurred by the Victorian Government Purchasing Board in seeking to tender for new state government media buying contracts prior to extending the media buying contract with Leeds Media for six months?

Mr KENNETT (Premier) — The answer is:

As this is a matter which falls within the jurisdiction of the Minister for Finance, I would suggest that the question would be more appropriately directed to my colleague the Honourable A. R. Stockdale, MLA, for the Honourable R. M. Hallam, MLC.

(See also question no. 45 of 11 September 1996.)

Roads: project costs

(Question No. 46)

Mr PANDAZOPOULOS asked the Minister for Transport, for the Minister for Roads and Ports:

Whether the minister will provide a list of all road projects where the actual cost was higher than the budgeted cost, indicating — (a) who the contractor was for each project; and (b) over what time period was the project constructed.

Mr BROWN (Minister for Transport) — The answer supplied by the Minister for Roads and Ports is:

The Roads Corporation (Vicroads) undertakes many hundreds of road projects in any one financial year with costs ranging from one or two thousand dollars to many millions of dollars. To fully review all these jobs to provide a response to the honourable member's very broad question would involve substantial administrative effort which could not be justified.

To assist the honourable member, Vicroads carried out an examination of a range of projects completed in the 1994-95 financial year. There were some road jobs where the final cost exceeded the budgeted cost just as there are many road jobs which were completed for less than the budgeted cost. This is illustrated by the following information relating to projects which had an original estimated cost of $500 000 or more and were completed in the 1994-95 financial year.

VICROADS PROJECTS WHERE FINAL COST DIFFERS FROM ESTIMATED COST
PROJECTS COMPLETED IN 1994/95 (Cost >$500,000)

PROJECT	Total Estimated Cost $M	Actual Cost $M	Cost Variation $M	Start Date	Finish Date	Contractor
Walhalla Tourist Rd (6.3km) - Replace Thompson River bridge	1.297	1.683	+0.386	April 94	Jun 95	Tambo Constructions
Melba Hwy (91.1km to 93.2km) - Widening, resheeting & realignment	1.142	1.308	+0.166	Jan 94	Jun 95	R Portbury Const.
Burwood Hwy (28.2km to 29.4km) - Construct westbound third lane - Scoresby Rd to High Street Rd	0.578	0.653	+0.075	Mar 95	Jun 95	Negri
Mornington Peninsula Fwy (57.4km to 63.5km) - Duplication from Nepean Hwy to Moorooduc Hwy	2.579	2.630	+0.051	Oct 93	Apr 95	R Portbury Const.
Ovens Hwy (16.9km to 19.7km) - Widening and resheet	0.790	0.835	+0.045	Feb 94	Nov 94	Roburne Const.
Princes Hwy East (37.1km) Left lane at Belgrave-Hallam Rd	0.540	0.571	+0.031	Sep 94	Jan 95	VicRoads
Otway Lighthouse Rd (2.0km to 13.0km) Reconstruction & extension of sealed pavement	0.811	0.840	+0.029	Nov 94	Feb 95	VicRoads
Maroondah Hwy (111.0km to 111.8k) - Replace Acheron River & Little River bridges & realignment	1.529	1.542	+0.013	Feb 94	Dec 94	Cut & Fill
Midland Hwy (28.8km to 30.5km) - Realign road & replace bridge at Nalinga	1.555	1.560	+0.005	Apr 94	Dec 94	Cut & Fill
Dandenong - Hastings Rd at Baxter - Tooradin Rd Roundabout	0.624	0.679	+0.055	Aug 93	July 94	R Portbury Const.
Melba Hwy (67.0km to 98.0km) - Shoulder seal & obstacle clearing	0.916	0.941	+0.025	Feb 94	July 94	VicRoads/ R Portbury Pty Ltd

PROJECT	Total Estimated Cost $M	Actual Cost $M	Cost Variation $M	Start Date	Finish Date	Contractor
Princes Hwy East/Belgrave-HallamRd Intersection	0.540	0.571	+0.031	Sept 94	Nov 94	VicRoads
Midland Hwy (45.0km to 46.0km) - Pavement reconstruction	0.508	0.500	-0.008	Mar 94	Mar 95	VicRoads
Springvale Rd (37.5km) - Construct double right turns at Wellington Rd	0.595	0.586	-0.009	Apr 94	Aug 94	VicRoads & Pioneer
Hume Hwy - Wangaratta Bypass	81.000	80.463	-0.537	Jan 87	Apr 94	Leightons & various bridge contractors
Ballarat Bypass Section 2 - Gillies St to Burrumbeet	25.000	23.744	-1.256	Oct 92	Dec 94	Baulderstone Hornibrook
Calder Freeway - Kyneton Bypass	35.047	31.200	-3.847	Dec 92	Apr 95	Cooks
Princes Hwy East (165.0 to 210.0km) - Shoulder seal, tactile edgelining	0.900	0.878	-0.022	Feb 94	Jul 94	VicRoads
Heatherton Rd (at Mulgrave Fwy)	4.640	3.887	-0.753	Jul 93	Jul 94	Jeffrey Const.
Plenty Valley Hwy (Boroondara) VicRoads share of tram extension works	1.000	0.764	-0.236	Jan 95	Jun 95	VicRoads & Negri Const

Welcome to School campaign

(Question No. 50)

Mr PANDAZOPOULOS asked the Minister for Education:

In relation to the Directorate of School Education's 1996 'Welcome to School' campaign:

1. What the budgeted cost is of advertising and publications.
2. What the budgeted cost is of promotional packaged information kits printed and distributed.

Mr GUDE (Minister for Education) — The answer is:

1 and 2. Advertising nil, publications/packaged information kits $401 000 approximately and distribution $283 000 approximately.

Premier and Cabinet: annual reports

(Question No. 51)

Mr PANDAZOPOULOS asked the Premier:

In respect of each department, agency and authority within his administration, what the total cost was of annual reports for the 1992-93, 1993-94 and 1994-95 financial years.

Mr KENNETT (Premier) — The answer is:

I am informed that the total cost of annual reports for the 1992-93, 1993-94 and 1994-95 financial years was as follows:

Department of Premier and Cabinet
(Incorporating Office of the Governor and Ethnic Affairs)

The total cost of annual reports for the financial years 1992-93, 1993-94 and 1994-95 was $8037, $10 235, and $11 981, respectively.

Office of the Public Service Commissioner

The total cost of annual reports for the financial years 1992-93, 1993-94 and 1994-95 was $1195, $2650 and $3890, respectively.

Office of the Auditor-General

The total cost of annual reports for the financial years 1992-93, 1993-94 and 1994-95 was $10 535, $7910, and $14 810, respectively.

Office of the Ombudsman

The total cost of annual reports for the financial years 1992-93, 1993-94 and 1994-95 was $7515, $5210, and $7019, respectively.

Victorian Relief Committee

The total cost of annual reports for the financial years 1992-93, 1993-94 and 1994-95 was $15 259.

Multicultural Affairs: annual reports

(Question No. 52)

Mr PANDAZOPOULOS asked the Minister for Multicultural Affairs:

In respect of each department, agency and authority within his administration, what the total cost was of annual reports for the 1992-93, 1993-94 and 1994-95 financial years.

Mr KENNETT (Minister for Multicultural Affairs) — The answer is:

I am informed that the answer to this question has been incorporated in the Department of Premier and Cabinet response to parliamentary question no. 51.

Police and Emergency Services, and Corrections: annual reports

(Questions Nos 53 and 54)

Mr PANDAZOPOULOS asked the Minister for Police and Emergency Services, and Minister for Corrections:

In respect of each department, agency and authority within his administration, what the total cost was of annual reports for the 1992-93, 1993-94 and 1994-95 financial years.

Mr W. D. McGRATH (Minister for Police and Emergency Services, and Minister for Corrections) — The answer is:

I am informed that the information available in response to the honourable member's question is set out below:

The following annual reports have been produced by the portfolios questioned with the amounts being marginal costs of producing the report, ie. printing, artwork and associated costs, and does not include internal staffing and indirect costs.

REPORT	1992-93	1993-94	1994-95
Metropolitan Fire Brigades Board	$ 30 295	$ 29 950	$ 31 200
Country Fire Authority	$ 15 070	$ 21 200	$ 33 180
Adult Parole Board	$ 1194	$ 1190	$ 395
Victorian Prison Industries	$ 3002	$ 17 472	$ 14 776
Police Review Commission (Victoria)		$ 585	$ 920
Victoria Police	$ 18 268	$ 25 491	$ 27 287
Police Board of Victoria	$ 1240	$ 1065	$ 1090
Department of Justice #	$ 10 975	$ 19 390	$ 18 096

This report contains details of all agencies and authorities within the Department of Justice that are not listed separately.

Education: annual reports

(Question No. 60)

Mr PANDAZOPOULOS asked the Minister for Education:

In respect of each department, agency and authority within his administration, what the total cost was of annual reports for the 1992-93, 1993-94 and 1994-95 financial years.

Mr GUDE (Minister for Education) — The answer is:

The total cost of annual reports 1992-93 to 1994-95 for the Department of Education and the Board of Studies was as follows:

1992-93	$24 929
1993-94	$74 716
1994-95	$49 402

The total cost represents full production costs of editing, designing and printing. It does not include salary and on costs of departmental staff. The cost is for the following entities:

(i) Department of Education (responsible to both the Minister for Education and the Minister for Tertiary Education and Training); and

(ii) Board of Studies.

The increase in cost from 1992-93 to 1993-94 was due to general increase in production cost, significant increases in circulation and increase in quality of the report of the Board of Studies. These costs were reduced in 1994-95 through the introduction of a coordinated standard format for the reports.

Health: annual reports

(Question No. 65)

Mr PANDAZOPOULOS asked the Minister for Youth and Community Services, for the Minister for Health:

In respect of each department, agency and authority within his administration, what the total cost was of annual reports for the 1992-93, 1993-94 and 1994-95 financial years.

Dr NAPTHINE (Minister for Youth and Community Services) The answer supplied by the Minister for Health is:

The Department of Human Services (formerly the Department of Health and Community Services) produces an annual report containing comprehensive descriptive and financial information on the activities of the programs it administers. This report is freely available to members of the public.

The cost of the annual report for the years under discussion is:

1992-93	$51 462
1993-94	$58 421
1994-95	$55 589

The above financial periods and figures relate to the former Department of Health and Community Services.

The time and resources to provide further information for the annual reports of all agencies and authorities within the portfolios of Health, Community Services, Aged Care and Aboriginal Affairs cannot be justified.

Attorney-General, Fair Trading and Women's Affairs: annual reports

(Questions Nos 66, 67 and 69)

Mr PANDAZOPOULOS asked the Attorney-General, Minister for Fair Trading and Minister for Women's Affairs:

In respect of each department, agency and authority within her administration, what the total cost was of annual reports for the 1992-93, 1993-94 and 1994-95 financial years.

Mrs WADE (Attorney-General, Minister for Fair Trading, and Minister for Women's Affairs) — The answer is:

I am informed that the information available in response to the honourable member's question is set out below:

The following annual reports have been produced by the portfolios questioned and amounts represent marginal costs of producing the report, ie printing, artwork and associated costs, and does not include internal staffing and indirect costs.

REPORT	1992-93	1993-94	1994-95
Supreme Court of Victoria	$1850	$2455	$1775
County Court of Victoria	$900	$900	$854
Magistrates' Court of Victoria	$200✞	$200 (1994)*✞	✓
Crimes Compensation Tribunal	$50✞	$50 (1994)*✞	$1,100
Victorian Institute of Forensic Medicine	$5,600	$6,644	$8,044
Guardianship and Administration Board	$1,992	$3,775	$11,262
Equal Opportunity Board (now Anti-Discrimination Tribunal)	$3,000	$3,000	$3,000
Victorian Electoral Commission		$9,800	$25,885
Equal Opportunity Commission	$6,759✞	$8,588✞	$14,355✞
Women's Budget	$15,919.50	$10,586	$11,792
Victoria Women's Council		$1,878	$2,800✞
Victorian Financial Institutions Commission	$41,071	$36,294	$38,239
Lay Observer	$1,755 (1992)*	$2480 (1993)*	$2195 (1994)*
Office of Public Prosecutions	$11,230	$3,336	$2,350
Legal Aid Commission	$4,610	$6,980	$7,230
Freedom of Information	$3,100	$5,613	$1,106
Department of Justice#	$10,975	$19,390	$18,096
Office of Fair Trading & Business Affairs	$3,330	$3,385	$5,800

✞ Estimate

✓The Magistrates' Court will not produce an Annual Report until the next financial year.

* Report produced in calendar, not financial, year.

This Report contains details of all agencies and authorities within the Department of Justice that are not listed separately.

Planning and Local Government: annual reports

(Question No. 73)

Mr PANDAZOPOULOS asked the Minister for Planning and Local Government:

In respect of each department, agency and authority within his administration, what the total cost was of annual reports for the 1992-93, 1993-94 and 1994-95 financial years.

Mr MACLELLAN (Minister for Planning and Local Government) — The answer is:

Department of Planning and Development, which included the report on the Office of Building, the Office of Major Projects, the Office of Local Government and the Office of Planning and Heritage.	1992-93	$32 003.00
	1993-94	$37 380.00
	1994-95	$47 540.00
Architects Registration Board	1992-93	$ 770.00
	1993-94	$ 553.00
	1994-95	$ 918.00
Building Control Commission	1994-95	$21 742.00
Docklands Authority	1992-93	$20 034.00
	1993-94	$17 425.00
	1994-95	$24 498.00
Historic Buildings Council	1992-93	$ 6000.00
	1993-94	$ 4613.00
	1994-95	$ 8966.00
Melbourne City Link Authority	1994-95	$45 992.00
Plumbers, Gasfitters and Drainers Registration Board	1992-93	$ 5925.00
	1993-94	$ 6131.00
	1994-95	$ 6227.00
Urban Land Authority	1992-93	$43 000.00
	1993-94	$49 500.00
	1994-95	$66 000.00
Victoria Grants Commission	1992-93	$ 2 818.00
	1993-94	$ 2 050.00
	1994-95	$ 1 560.00

The amounts given reflect the costs of printing and services provided by external providers. They do not include estimates of the costs of staff time involved in preparing the reports.

Gaming: annual reports

(Question No. 76)

Mr PANDAZOPOULOS asked the the Attorney-General, for the Minister for Gaming:

In respect of each department, agency and authority within his administration, what the total cost was of annual reports for the 1992-93, 1993-94 and 1994-95 financial years.

Mrs WADE (Attorney-General) — The answer supplied by the Minister for Gaming is:

The total cost of annual reports for the 1992-93, 1993-94 and 1994-95 financial years was as follows:

	1992-93	1993-94	1994-95
Victorian Gaming Commission	$ 12 209	$ 5795	N/A
Victorian Casino Control Authority	$ 10 895	$ 2000	N/A
Victorian Casino and Gaming Authority	N/A	N/A	$ 11 990

N/A = not applicable

Please note that effective from 3 June 1994 the Victorian Gaming Commission and the Victorian Casino Control Authority merged to become the Victorian Casino and Gaming Authority.

Tertiary Education and Training: consultancies

(Question No. 77)

Mr PANDAZOPOULOS asked the Minister for Tertiary Education and Training:

In relation to consultants engaged during the 1994-1995 financial year costing less than $50 000, what the details are of each consultancy commissioned by the Office of Training and Further Education, indicating: (a) date; (b) cost; (c) purpose; (d) name and address of consultant; (e) recommendations made; (f) action taken in response to any recommendations, and (g) whether tenders were called.

Mr HONEYWOOD (Minister for Tertiary Education and Training) — The answer is:

I am informed as follows:

The information requested by Mr Pandazopoulos is incorporated in the answer to question No. 123.

Education: consultancies

(Question No. 79)

Mr PANDAZOPOULOS asked the Minister for Education:

In relation to consultants engaged during the 1994-95 financial year costing less than $50 000, what the details are of each consultancy commissioned by the Directorate of School Education and the Board of Studies, indicating — (a) date; (b) cost; (c) purpose; (d) name and address of consultant; (e) recommendations made; (f) action taken in response to any recommendations; and (g) whether tenders were called.

Mr GUDE (Minister for Education) — The answer is:

The information requested by Mr Pandazopoulos is incorporated in the answer to question no. 103.

Multicultural Affairs: advertising

(Question No. 80)

Mr PANDAZOPOULOS asked the Minister for Multicultural Affairs:

In respect of each department, agency and authority within his administration, what was the total advertising budget for 1992-93, 1993-94 and 1994-95?

Mr KENNETT (Minister for Multicultural Affairs) — The answer is:

I am informed that the answer to this question has been incorporated in the Department of Premier and Cabinet response to parliamentary question no. 138.

Women's Affairs: advertising

(Question No. 92)

Mr PANDAZOPOULOS asked the Minister for Women's Affairs:

In respect of each department, agency and authority within her administration, what was the total advertising budget for 1992-93, 1993-94 and 1994-95?

Mrs WADE (Minister for Women's Affairs) — The answer is:

I am informed that the information available in response to the honourable member's question is:

In the years 1992-93, 1993-94 and 1994-95 an advertising budget did not exist within the Office of Women's Affairs. Funds required for advertising were drawn from the operating budget.

Women's affairs: advertising

(Question No. 93)

Mr PANDAZOPOULOS asked the Minister for Women's Affairs:

In respect of each department, agency and authority within her administration, whether she will provide details of advertising campaigns over $10 000 conducted from 3 October 1992 to date, indicating the purpose and cost of each campaign.

Mrs WADE (Minister for Women's Affairs) — The answer is:

I am informed that the information available in response to the honourable member's question is:

No advertising campaigns over $10 000 have been conducted by the Office of Women's Affairs since 3 October 1992.

Police and Emergency Services, and Corrections: consultancies

(Questions Nos 95 and 96)

Mr PANDAZOPOULOS asked the Minister for Police and Emergency Services, and Minister for Corrections:

In respect of each department, agency and authority within his administration, for the periods 3 October 1992 to 30 October 1993, and 1 June 1994 to 23 November 1995, what the details are of each consultancy commissioned, indicating — (a) date; (b) cost; (c) purpose; (d) name and address of consultant; (e) recommendations made; (f) action taken in response to any recommendations; and (g) whether tenders were called.

Mr W. D. McGRATH (Minister for Police and Emergency Services, and Minister for Corrections) — The answer is:

I am informed that the information available in response to the honourable member's question is set out below:

The time and resources required to prepare a detailed response to these questions are not available. Some information on consultants commissioned is usually included in annual reports (as is the case for the Department of Justice).

Education: consultancies

(Question No. 103)

Mr PANDAZOPOULOS asked the Minister for Education:

In respect of each department, agency and authority within his administration, for the periods 3 October 1992 to 30 October 1993, and 1 June 1994 to 23 November 1995, what the details are of each consultancy commissioned, indicating — (a) date; (b) cost; (c) purpose; (d) name and address of consultant; (e) recommendations made; (f) action taken in response to any recommendations; and (g) whether tenders were called.

Mr GUDE (Minister for Education) — The answer is:

Information relating to consultancies for the period 3 October 1992 to 30 October 1993, regardless of cost and from 1 June 1994 to 30 June 1995 for those costing in excess of $50 000 is contained in the Department of Education annual reports for the financial years 1992-93, 1993-94 and 1994-95.

Organisations or individuals are engaged to provide consultant services of a professional nature in respect to particular proposals. These consultancies by their nature are usually of short-term duration and are job specific. To provide the information requested in parts (e), (f) and (g) would require an inordinate amount of time and resources which are not available. Mr Pandazopoulos may wish to submit a more focused and specific question on these matters.

Directorate of School Education consultancies costing less than $50 000 approved for the period 1 July 1994 to 23 November 1995, together with those costing in excess of $50 000 approved for the period 1 July 1995 to 23 November 1995, are:

START DATE	COST $	PURPOSE/NATURE OF CONSULTANCY	NAME OF CONSULTANT
Jul 1994	45,000	Assist in the coordination and development of a diverse range of projects relating to areas of Quality Program's priorities and initiatives	David Cohen and Associates
Jul 1994	36,450	Provide further advice on a range of matters relating to education policy	Dr Kevin Donnelly - Education Strategies
Jul 1994	47,193	Develop a financial reporting best practice statement for use by DSE primary and secondary schools	Ernst & Young

Aug 1994	9,600	Assess telecommunications requirements for emergency management and security purposes	Integrated Telecommunications Services P/L
Aug 1994	13,080	Provide high level advice on the implementation of a leadership development pilot program as part of the "Investing in Principals" plan	Burbank Consulting
Aug 1994	48,650	Evaluate the DESS project. Evaluate the first year of implementation of the Drug Education Strategic Plan	Centre for Studies in the Curriculum, Deakin University
Aug 1994	35,000	Conduct a survey of secondary schools regarding policy, programs and practices related to STD/AIDS prevention education	Centre for the Study of Sexually Transmissible Diseases, Faculty of Health Sciences, Latrobe University
Aug 1994	12,639	Provide high level advice on the shortlisting and credentialling of organisations to be invited to tender for a specified principal development pilot program for experienced principals as part of the "Investing in Principals" plan	RCB Development Services
Sep 1994	1,000	Provide expert input into policy development on School Global budgets	Dr Michael Strembitsky
Sep 1994	21,453	The provision of executive search services	Lyncroft Consulting Group
Oct 1994	10,000	Develop a draft competency statement for the principal class that may be used as a basis for succession planning selection, performance management and professional development	Cullen Egan Dell
Oct 1994	1,717	Facilitating the development of the school charter at Melbourne Girls' College	Sawatzki Consulting Group

Oct 1994	19,800	Financial evaluation - Implementation of the new DSE Human Resource Management System (HRMS)	Deloitte Touche Tohmatso
Oct 1994	21,304	Assist schools which have particular problems in charter development	Dr Jeffrey Dunstan
Oct 1994	1,227	Provide written and verbal advice in the Teacher Workload Case at the AIRC	Peter Hart
Nov 1994	45,000	Provide expert advice on a range of communication activities including issues management	Royce Communications Pty Ltd
Nov 1994	20,000	Continue teacher morale/stress research work	University of Melbourne, Applied Psychology Branch
Nov 1994	11,320	The provision of executive search services	Lyncroft Consulting Group
Nov 1994	3,400	Assist the DSE to undertake a work value analysis of the Principal Class positions, at the Victorian School of Languages and the Distance Education Centre Victoria	Cullen Egan Dell
Dec 1994	19,800	Evaluation of PeopleSoft software. Implementation of the new DSE Human Resource Management System (HRMS)	CSC Australia
Dec 1994	5,000	Provide advice on the development of a professional development plan for teachers, particularly in relation to the implementation of the CSF and associated curriculum initiatives	Incorporated Association of Registered Teachers of Victoria
Dec 1994	37,213	Software evaluation - Implementation of the new DSE Human Resource Management System (HRMS)	Deloitte Touche Tohmatso
Dec 1994	14,096	Provide expert advice on a range of communication activities including issues management	Royce Communications Pty Ltd

Jan 1995	24,000	Provide advice on internal controls related to a proposed new Human Resource Management System for the DSE	KPMG Peat Marwick
Jan 1995	28,800	Provide further advice on a range of matters relating to education policy	Dr Kevin Donnelly - Education Strategies
Jan 1995	10,993	Provide expert input into the research project to monitor and evaluate the implementation of the 1995 School Global Budget to ensure that the DSE builds on best practice overseas	University of Melbourne
Jan 1995	13,998	The provision of executive search services	SACS Consulting Group
Jan 1995	7,500	Provide a Career Transition Program for displaced principals	KPMG Peat Marwick Management Consultants
Feb 1995	45,730	Assist in developing best practice administrative support structures in Schools of the Future	Ernst & Young
Feb 1995	48,700	Provide a framework for a health and well-being program for Directorate employees	Victorian Health Promotion Foundation
Feb 1995	19,500	Enable the trialing of REMUS software products associated with the implementation of a new Human Resource Management System (HRMS)	Anderson Consulting
Mar 1995	16,680	Evaluation of pilot program for implementation of school annual reports	Australian Council for Educational Research
Mar 1995	4,000	Provide a Career Transition Program for displaced principal staff	Silverman & Dakin P/L

Mar 1995	16,000	Provide high level advice on the shortlisting and credentialling of organisations to be invited to tender for the Leadership Development Program	RCB Development Services
Apr 1995	29,750	Review the DSE's statewide and individual school level enrolment projections	Australian Council for Educational Research
Apr 1995	41,990	Provide further advice relating to education policy, including curriculum programs in the compulsory and post-compulsory years	Dr Kevin Donnelly - Education Strategies
Apr 1995	9,000	Identify and evaluate desirable DSE distribution and retail arrangements for products and services	Chris Cooper-Brown and Associates Pty Ltd
May 1995	20,000	Due diligence process - Implementation of the new DSE Human Resource Management System (HRMS)	Deloitte Touche Tohmatso
May 1995	18,690	Provide OHS briefings for principals and leadership teams in the provision of risk management in Schools of the Future	Noel Arnold and Associates Pty Ltd
May 1995	11,250	Provide assistance to the Overseas Programs Unit in the assessment of overseas students' qualifications prior to offering them a place in a government school	Margo Styles
May 1995	27,000	Internal control review - implementation of the new DSE Human Resource Management System (HRMS)	KPMG
Jun 1995	2,750	Assist the DSE to determine the remuneration movement that has occurred since the Career Structure Review in 1993	Cullen Egan Dell

Jun 1995	600	Provide advice to pilot and associate schools on the introduction of Full Fee Paying Overseas Students	Rena Kelly
Aug 1995	7,000	Provide a Career Transition Program for displaced SSTS staff	Coopers & Lybrand
Aug 1995	41,310	Provide further advice relating to education policy, including curriculum programs in the compulsory and post-compulsory years	Impetus Consultants Pty Ltd
Sep 1995	18,000	Assist the Directorate to identify and evaluate possible solutions regarding telephone communications between the DSE, and OOS, OTFE, schools and other administrative areas	TFM Australia Pty Ltd
Oct 1995	* 99,450	Software evaluation - Implementation (Quality Assurance) of the new DSE Human Resource Management System (HRMS)	Deloitte Touche Tohmatso
Oct 1995	99,660	Software evaluation - Implementation (Design and Specify) of the new DSE Human Resource Management System (HRMS)	Deloitte Touche Tohmatso
Oct 1995	* 250,000	Conduct research and develop a strategy based on findings regarding community needs	Galeforce Strategic Marketing
Oct 1995	* 86,345	Conduct the second stage of the research project to monitor and evaluate the implementation of the School Global Budget in Schools of the Future and to undertake further developmental work	University of Melbourne
Oct 1995	* 27,844	Provide expert input to stage 2 of the School Global Budget Research Project to ensure that the DSE continues to build on best practice overseas	University of Melbourne

Oct 1995	* 30,000	Conference management of international education exhibition and conference: *Education Victoria '96*	Oliver Harkness Promotions
Nov 1995	19,500	Design and conduct a survey of a sample of 100 Government secondary colleges across Victoria in order to assess demand for DSE teachers in relation to the eight key learning areas	Denis Muller & Associates
Nov 1995	27,800	Assist the Directorate to evaluate the effectiveness of the Science and Technology in Primary Schools (STEPS) program	Deakin University Burwood Consultancy and Development Unit
Nov 1995	7,000	Provide high level advice on the shortlisting and credentialling of organisations to be invited to tender for the Personal Leadership Development Program for Senior Managers	RCB Development Services
Nov 1995	* 52,525	Assist the Directorate to evaluate the language gains of students learning languages other than English (LOTE) through Primary Access to Languages via Satellite (PALS)	Language and Society Centre, National Languages and Literacy Institute of Australia
Nov 1995	* 15,000	Advise and identify marketing services and opportunities, liaise with the Curriculum Corporation and to develop a marketing manual	Dolphin Press Australia Pty Ltd

The Board of Studies consultancies costing less than $50,000 approved for the period 1 July 1994 to 23 November 1995 are:

START DATE	COST $	PURPOSE/NATURE OF CONSULTANCY	NAME OF CONSULTANT
Aug 1994	46,360	Disaster recovery plan	DMR Group
Sep 1994	40,755	Corporate and strategic plan	Sheppard Malkic
Jan 1995	15,000	Professional advice on development, accreditation and evaluation of courses.	Professors Brown and Hill and others

Feb 1995	2,000	Report on English Review Panel	Dr Robert McGregor
Mar 1995	35,800	Qualitative survey on LAP	Irving Saulwick & Associates
Mar 1995	4,800	Assess the need for a position of a Board Liaison Officer	Colin Hausler
Apr 1995	32,592	Disaster recovery plan - Stage 2	DMR Group
Apr 1995	36,000	Strategic Plan - review and development	Lyncroft Consulting Group
Apr 1995	39,630	Export strategy	Maxwell & Druce International Pty Ltd
May 1995	6,756	Prepare exemplary course material for CSF, Science KLA Prep to Yr 6.	Training & Curriculum Services
May 1995	1,100	Health Families Project	Dr Ruth Schmidt-Neven
May 1995	4,400	Development of CSF materials and resources	Education Support Centre
Jul 1995	26,840	Disaster recovery plan - Stage 3	DMR Group
Jul 1995	*25,000	LAP - assessment & reporting	Professor Peter Hill
Jul 1995	12,000	Assessment processing systems - independent review	KPMG Information Solutions

*Approved cost - consultancy still in progress and final cost is not available.

Planning and Local Government: consultancies

(Question No. 108)

Mr PANDAZOPOULOS asked the Minister for Planning and Local Government:

In respect of each department,agency and authority within his administration, for the period 3 October 1992 to 30 October 1993, and 1 June 1994 to 23 November 1995, what the details are of each consultancy commissioned, indicating — (a) date; (b) cost; (c) purpose; (d) name and address of consultant; (e) recommendations made; (f) action taken in response to any recommendations; and (g) whether tenders were called.

Mr MACLELLAN (Minister for Planning and Local Government) — The answer is:

The annual reports of the Department of Planning and Development and of the statutory authorities responsible to the Minister for Planning and Local Government for the years 1992-93 and 1993-94 include details of consultants engaged during those years, including for the period 3 October 1992 to 30 October 1993.

The 1994-95 annual reports of the department and statutory authorities report on consultancies engaged in that year when the cost of engagement exceeded $50 000.

The following table supplements information available in the annual reports and details:

Consultancies costing less than $50 000 engaged since 1 July 1994; and

All consultancies engaged between 30 June and 23 November 1995.

If the honourable member seeks specific details in respect of any particular consultancy, I will be happy to provide it.

CONSULTANT	PROJECT	COST $
Department of Planning and Development — Office of Building		
Towers Perrin	Staff appraisal documentation	5 000.00
KPMG	Business plan development	10 250.00
Coopers and Lybrand	Finance plan	34 200.00
Price Waterhouse	Review of financial prequalifications for consultants and contractors	17 500.00
Building Technology	Overview of construction risk management	1 500.00
Clarke and Company	Cost recovery study for consultant and contractor registers	13 000.00
Office of Local Government		
Amrop International	Review of Local Government Commissioner applications.	10 000.00
National Consulting Consortium	Analysis of organisation structures in north west and north central areas of Victoria.	29 600.00
National Consulting Consortium	Analysis of organisation structures in north east Victoria.	29 400.00
National Consulting Consortium	Analysis of organisation structures in Gippsland.	11 100.00
Wyndham Consulting Group	Analysis of organisation structures in middle and outer Melbourne.	48 000.00
Technisearch	Review and restructure of computer system in Victoria Grants Commission.	3 850.00
Garry Fabian	Case studies in competitive tendering.	4 384.00

AMR Quantum	Survey of local government issues.	36 980.00
Arthur Andersen	Taxation issues in compulsory competitive tendering.	17 500.00
Office of Planning and Heritage		
S. Taylor	Re-write of planning scheme.	1 000.00
Freehill Hollingdale and Page	Legal advice on planning scheme definitions.	2 940.00
Freehill Hollingdale and Page	Legal advice on specific proposed standard planning scheme definitions and related clauses.	10 000.00
Victorian Institute of Marine Science	Port of Geelong dredging project.	10 650.00
Ratio Consultants and NIEIR with the GIS and Modelling Centre of Melbourne University.	Industry sector growth and employment location in Melbourne.	70 000.00
Spiller Gibbons Swan	Infrastructure planning principles.	7 000.00
John Bennett and Associates	Development framework for Victoria — consultation program.	18 000.00
Trevor Budge and Associates	Development framework for Victoria — consultation program.	20 000.00
Henshall Hansen Associates	Planning measures for economic development.	28 000.00
CSIRO	Patterns of business and employment location in Victoria.	10 150.00
CSIRO	Draft Melbourne metropolitan strategy review.	10 000.00
University of Melbourne.	Draft Melbourne metropolitan strategy review.	10 000.00
Tract Consultants	Janefield residential development.	13 454.00
	South Melbourne housing	27 365.00
	North Melbourne Gas and Fuel government printing works.	1 351.00
Ecology Australia	Janefield buffer study.	6 418.00
TIM CONSULTING	Janefield development.	3 044.00
CMPS & F	Janefield development.	12 700.00
Greenway Hirst Page	Medium density housing stages 1 & 2.	4 000.00
Acer Wargon & Chapman	North Melbourne Gas & Fuel government printing works.	1 590.00
Hayball Leonard Stent	Southern Bypass Domain Tunnel.	3 000.00
CSIRO	Central City Housing.	1 400.00
Urban Planning & Design	Regent Gardens.	527.00
Westernport Development	Better Cities program mark 2.	3 691.00
Pollock Planning	Better Cities program mark 2.	400.00
John Bennett & Associates	Better Cities program mark 2.	10 650.00
TBA Planners	Better Cities program mark 2.	3 850.00
CSIRO	Better Cities program mark 2.	2 700.00
Oliver & Taylor	Forensic psychiatric facility.	15 000.00
Henshall Hansen Associates	Survey of local government development contributions.	15 500.00
Land Development Consulting	Land availability in outer Melbourne.	15 506.00

Applied Population Research Unit, University of Queensland	Provision of population forecasting model for all regions in Victoria.	64 900.00
Ibecon	Retail centre inventory.	25 000.00
National Institute of Economic and Industry Research	Industry and employment forecasts during 1995-2011 for 20 industry sectors.	29 500.00
Towers Perrin	Assessment of competencies for new organisational structures, identify gaps and determine training & development needs.	25 900.00
Price Waterhouse Urwick	Development of IT strategy for the Office of Planning and Heritage.	94 750.00
Building Control Commission & other bodies established under the Building Act 1993		
Arthur Andersen	BCC capital requirements/financial issues.	15 025.00
Abbey Graphics	Assessment of external printing.	2 263.00
Cullen Egan Dell	Review of executive and senior positions.	4 000.00
Design Guide	Building Appeals Board — assessments/presentations.	11 670.00
Gardner Group	Public health & safety — AFL grounds.	10 640.00
Industry Commission	Assessment of regulatory impact statement.	600.00
Urban Planning and Development	Building Appeals Board — assessment & hearing attendance.	450.00
William Buck	Financial systems development.	7 623.00
Allan Gorst & Associates	Building surveyors — survey.	4 005.00
Archival Systems Consultants	Records management project.	4 400.00
Arthur Andersen	Information technology strategy/building permit levy system.	44 030.00
Corporate Media Communications	Launch of Building Control Commission.	3 671.25
Campbell Communications	Preparation of media information kit.	1 350.00
Country Fire Authority	Designation of bushfire prone areas mapping.	20 000.00
Design Guide	Building Appeals Board — assessments/presentations.	16 005.00
Duncan McKenzie & Partners	Technical advice — building appeals.	4 760.00
Graeme Geary Building	Building surveyors — survey.	7 560.00
Industry Commission	Assessment of regulatory impact statement.	900.00
RBA Communications	Promotion & publicity.	16 228.00
The Moreland Group	Design of performance management program.	3 582.00
Urban Planning & Development	Building Appeals Board — assessment & hearing attendance.	330.00
Docklands Authority		
D A Code Design	Illustrations	15 365.00
Maunsell	Access and mobility study	5 000.00
Anne Cunningham & Anne Keddie	Landwater interface study	25 980.00
Hassell	Floor space/ built form/ site layout.	25 000.00
A T Cocks & Partners	Preparation of planning controls for docklands area.	28 150.00
John Curtis	Car Museum context	6 500.00

Connell Wagner	Wharf maintenance estimates	200.00
Connell Wagner	Central pier area (Berths 8-15) structural investigation & upgrade cost estimates.	21 760.00
Maunsell	Latrobe Street extension impacts on PTC building.	4 000.00
Rider Hunt & Bonacci Winward	Foundation cost study.	17 000.00
Golder Associates	Advice of ground vibration effects.	3 200.00
Golder Associates	Earthquake implications in docklands.	1 000.00
Sinclair Knight Merz	Contribution to Southern CAD transport study.	8 000.00
VIMS with Melbourne Water	Water quality — Victoria Dock investigations.	26 920.00
VIMS	Preparation of summary report on Victoria Dock water quality investigations.	6 100.00
Gutteridge Haskins & Davey	Docklands environmental management plan preparation.	16 500.00
Centre for Forest Tree Technology	Soil suitability investigations.	19 280.00
Rider Hunt	Cost planning advice & review.	10 457.00
Maunsell	PTC Services	7 171.00
Sinclair Knight Merz	Dudley Street outfall drain investigations.	9 500.00
Valuer General	Verify JLWA model	25 000.00
Valuer General	Queen's Warehouse preliminary advice.	4 268.00
A. T. Cocks & Partners	Valuation of Queen's Warehouse.	2 000.00
Valuer General	Further advice on JLWA model.	500.00
Surveyor General	Survey of police area and Footscray Road.	2 500.00
Surveyor General	Survey plan of Historic Car Museum site	1 000.00
Surveyor General	Miscellaneous surveys	13 500.00
Surveyor General	PTC western boundary final fee	4 219.00
Surveyor General	Divestment/surrender plans.	1 036.00
Surveyor General	Divestment /surrender plans.	972.00
Surveyor General	Fee on managing private surveyor.	188.00
Surveyor General	Preparation of divestment/surrender plans.	2 152.00
Amrop International	Executive renumeration advice.	13 000.00
Cullen Egan & Dell	Executive search fees	5 000.00
Blake Dawson Waldon & Clayton Utz	Legal Advice.	97 794.00
McInnes Graham & Gibbs	Spot Audit.	3 000.00
Port of Melbourne Authority	Study of missions to Seamen's Building.	5 000.00
Rider Hunt	Historic building replacement cost estimates.	3 737.00
Sinclair Knight Merz	Contribution to Southern CAD transport study.	1 000.00
Gutteridge Haskins & Davey	Docklands environmental management plan review & update.	10 700.00
Orchard Design Studio	Docklands bicycle path sculpture concepts.	3 300.00
Sinclair Knight Marz	Dudley Street outfall drain investigations.	739.00
(JF) Benlou	PR Services.	21 988.00
Andrew Stacey	Urban design illustration.	5 344.00
D. A. Code	Docklands development schemes	2 905.00

Historic Buildings Council		
Timothy Hubbard	Ardoch, Haleyon Spencer Street station.	1 275.00
Gabrielle Moylan	Omeo Post Office.	300.00
Span-Keeble	Fenagh Cottage, St Kilda.	550.00
Graeme Butler & Associates	HBC backlog assessment	4 470.00
R. Beeston	GBR railway sites review.	5 140.00
Friends of the State Library	Argus Index.	1 000.00
P. J. Yttrup & Associates	Lime kiln, Limeburners Point.	300.00
Graeme Butler & Associates	HBC backlog assessment.	2 235.00
Wendy Jacobs	St Andrews, Skipton.	225.00
R. Beeston	Elmore railway station.	100.00
Beauchamp Consulting	Sages Cottage Barn.	1 800.00
Graeme Butler & Associates	HBC backlog assessment.	2 235.00
B. Raworth	Incinerator complex, Moonee Ponds.	3 500.00
Francis Punch	Warrock Homestead	3 011.00
P. Y. Navaretti	Incinerator complex, Moonee Ponds.	2 700.00
R. Beeston	Incinerator complex, Moonee Ponds.	1 500.00
R. Raworth	Incinerator complex, Moonee Ponds.	300.00
Graeme Butler & Associates	HBC backlog assessment.	1 355.00
Meredith Gould	Christ Church, Tarraville.	2 000.00
Peter Alsop	Geelong buildings.	2 850.00
Francis Punch	Warrock Homestead.	2 205.00
R. Beeston	GBR railway station review.	6 650.00
Eggleston McDonald	Mt Ophir Winery.	2 423.00
Gabrielle Moylan	Omeo Post Office.	400.00
Allom Lovell	Rubicon Power Station.	2 000.00
Graeme Butler & Associates	HBC backlog assessment.	813.00
Melbourne Living Museum of the West	Geelong Rope Works assessment	2 143.00
Mike Jukes	Sages Cottage, Baxter.	270.00
Melbourne City Link Authority		
Alexander & Alexander	Insurance advice	25 730.00
Allen Consulting Group	Benefit cost analysis	26 500.00
AMR Quantum Harris	Market research.	19 920.00
Clayton Utz	Legal/commercial	1 186 286.00
Davslav Nominees PL	Liaison and process facilitator.	40 000.00
Deloitte Touche Tohmatsu	Process auditor.	3 890.00
Gutteridge, Haskins & Davey	Technical and engineering.	33 585.00
SBC Australia	Financial/commercial.	132 586.00
Sheridan & Associates	Legal advice.	105 349.00
Veitch Lister Consulting	Traffic modelling.	25 250.00

Barnwedge Holdings	Financial advice.	85 197.00
DU Cros	Archaeological advice.	9 642.00
Henry Angel	Advice on the Japanese contractors.	11 578.00
Probity Investigation Consultants Pty Ltd	Probity investigations.	24 591.00
Urban Land Authority		
Price Waterhouse	Review of sales administration.	34 380.00
Phillips Fox	Corporate legal advice	990.00

Health: consultancies

(Question No 110)

Mr PANDAZOPOULOS asked the Minister for Youth and Community Services, for the Minister for Health:

In respect of each department, agency and authority within his administration, for the periods 3 October 1992 to 30 October 1993, and 1 June 1994 to 23 November 1995, what the details are of each consultancy commissioned, indicating — (a) date; (b) cost; (c) purpose; (d) name and address of consultant; (e) recommendations made; (f) action taken in response to any recommendations; and (g) whether tenders were called.

Dr NAPTHINE (Minister for Youth and Community Services) — The answer supplied by the Minister for Health is:

Attached is a summary of extracts from the Department of Health and Community Services annual reports for the years 1992-93, 1993-94, 1994-95 together with a listing of current consultancies for the financial year 1995-96. These documents summarise the consultancies commissioned by the department for the periods requested.

The time and resources to individually, collate and provide specific information in relation to parts (e) recommendations made; (f) action taken in regard to recommendations made; and (a) whether tenders were called cannot, in all cases, be justified.

The honourable member is invited to review the documentation and submit more specific questions in relation to his inquiries.

(Attachment referred to in answer (25 pages) has been supplied to honourable member and a copy tabled in the Parliamentary Library.)

Tertiary Education and Training: consultancies

(Question No. 123)

Mr PANDAZOPOULOS asked the Minister for Tertiary Education and Training:

In respect of each department, agency and authority within his administration, for the periods 3 October 1992 to 30 October 1993, and 1 June 1994 to 23 November 1995, what the details are of each consultancy commissioned, indicating: (a) date; (b) cost; (c) purpose; (d) name and address of consultant; (e) recommendations made; (f) action taken in response to any recommendations, and (g) whether tenders were called.

Mr HONEYWOOD (Minister for Tertiary Education and Training) — The answer is:

Information relating to consultancies for the period 3 October 1992 to 30 October 1993, regardless of cost and from 1 June 1994 to 30 June 1995 for those costing in excess of $50 000 is contained in the Department of Education annual reports for the financial years 1992-93, 1993-94 and 1994-95.

Organisations or individuals are engaged to provide consultant services of a professional nature in respect to particular proposals. These consultancies by their nature are usually of short term duration and are job specific. To provide the information requested in paragraphs (e), (f) and (g) would require an inordinate amount of time and resources which are not available. Mr Pandazopoulos may wish to submit a more focused and specific question on these matters.

The attached table lists consultancies costing less than $50 000 approved for the period 1 July 1994 to 23 November 1995, together with those costing in excess of $50 000 approved for the same period, engaged by the following:

Office of the Secretary of the Department of Education (Higher Education)

Office of Training and Further Education of the Department of Education (including the State Training Board and Adult Community and Further Education Board)

This response does not deal with consultancies engaged by Universities, TAFE Institutes, the Council of Adult Education, Regional Councils of Adult, Community and Further Education or other post-secondary education institutions.

It should be noted that a number of the consultancy projects listed were carried out on behalf of and funded by the commonwealth government and national bodies.

TERTIARY EDUCATION AND TRAINING

CONSULTANTS/CONSULTANCIES: 1 JULY 1994 - 23 NOVEMBER 1995

START DATE	PAYMENT ($) TO 23/11/95	DESCRIPTION OF CONSULTANCY	NAME OF CONSULTANT
Jul '94	7,500	Dual Recognition Program Development - Food Processing	Barton IOT
Jul '94	15,000	Dual Recognition Program Development - Automotive	Barton IOT
Jul '94	15,000	Dual Recognition Program Development - Engineering	Gordon IOT
Jul '94	15,000	Dual Recognition Program Development - Agriculture	VCAH
Jul '94	4,000	Dual Recognition Program Development - Hospitality	William Angliss IOT
Sep '94	11,764	National AVETMISS Market Research Project	Timothy Lachlan Pty Ltd
Sep '94	26,800	Provision of advice and other services relating to the selection, acquisition and installation of a new records management system for the Department of Education and associated statutory bodies	Computer Management Techniques P/L
Oct '94	25,750	Review of the incorporation of TAFE into VTAC	The Moreland Group Training Technologies
Nov '94	49,148	Development of business plan and draft prospectus for International Training Australia	KPMG Consultancy Pty Ltd
Nov '94	13,500	Preliminary research towards development of a branch for Victorian Education	Wright Business Marketing Pty Ltd
Nov '94	8,000	Audit and reporting of key competencies in Apprenticeships - Stage 1	Barton IOT
Nov '94	10,706	Training Needs Analysis & Training for the Office of the Director staff	Barton IOT
Nov '94	5,320	Development of TAFE Course Line	Western Pacific
Nov '94	35,528	Evaluation of private providers of vocational education and training funding pilots	KPMG Consulting P/L
Dec '94	2,000	Review of OTFE publications	Media Wise Pty Ltd
Dec '94	27,305	Re-evaluation of the effectiveness of program support	Effective Change P/L
Dec '94	19,250	Review the provision of advice on the training needs of small and medium enterprises	Business Services Industry Training Board (ITB)
Dec '94	36,300	Preparation and provision of JAC version 2.0 Functional Requirement Specifications	Victoria University of Technology - Computer Aided Learning Centre
Jan '95	150	Advice - registration as a private provider	J E Cranage & Co
Feb '95	44,500	Review of general studies in the State Training System	Precision Consultancy
Feb '95	4,500	Classification reviews of TAFE Institute Director positions for Institute Councils and provision of advice to the OTFE and the Secretary concerning matters relating to the classification of TAFE Institute Directors, including evaluation of three notional position descriptions	Cullen Egan Dell
Feb '95	925	Editing and layout of Industry Training Priorities booklet	Roger Sanders
Feb '95	26,300	Training in Performance Management	KPMG Consulting Pty Ltd
Feb '95	8,754	Development of TAFE Course Line	Publicity Works

START DATE	PAYMENT ($) TO 23/11/95	DESCRIPTION OF CONSULTANCY	NAME OF CONSULTANT
Mar '95	21,475	Feasibility Study for sponsorship of Training Awards	O'Keefe & Partners
Mar '95	35,000	Adult Learners' Week	Pro Team Management
Mar '95	12,410	Development of theme, initial concepts & artwork for the Victorian Training Awards	Bizcom Pty Ltd
Mar '95	42,750	Preparation of Self Assessment documentation	Alan Brown & Associates, Shearwater Training Consultants
Mar '95	37,050	Determination of Approved Training schemes	Alan Brown & Associates, Shearwater Training Consultants
Mar '95	15,140	Provision of services relating to the conduct of an independent review and evaluation of the status of progress to implementation of accrual accounting in the Department and its agencies, in accordance with Government policy	Ernst and Young
Mar '95	21,375	Provision of services relating to assisting the Department in a review of the Directorate of School Education - Schools Asset Management System for adoption to meet the needs of the Office of Training and Further Education	Synthesys Consultancy Services
Apr '95	20,000	Communication and promotion strategy	Royce Communications
Apr '95	20,600	Marketing skills	Elizabeth Vaneveld
Apr '95	715	Audit and reporting of key competencies in Apprenticeships - Stage 2 (advertisement design)	Timothy Lachlan Creative Services
Apr '95	3,900	Preparation of guidelines for 'Benchmarking for Educational Effectiveness' project	Coronal Consulting
May '95	22,400	Survey of non-participants	Roy Morgan Research Centre
May '95	22,500	Organisation of Australia-Taiwan Bilateral Conference	The Meeting Planners
May '95	15,000	Dual Recognition Program Development - Horticulture	Bendigo Regional IOT
May '95	17,108	Benchmarking for Educational Effectiveness - Arrangements for launch, including program and design and printing of overview, and Broad Specifications for the Program	Conference Plus
May '95	11,000	Customisation of SB01 - Business Training Series	Outer Eastern College of TAFE
May '95	17,440	Radio/Audio Small Business Training	Outer Eastern College of TAFE
May '95	13,000	SB12 - Personal Skills Small Business Success	Outer Eastern College of TAFE
May '95	3,984	Coordination of the launch of the Small Business Training Series	Outer Eastern College of TAFE
May '95	4,837	Development of TAFE Course Line	Mutual Solutions
May '95	21,000	The conduct of a series of seminars disseminating the findings of an ANTA National Project - "Industry Training Studies - Phase 1"	Charles Sturt University
Jun '95	6,500	Dual Recognition Program Development - Information Technology	Outer Eastern College of TAFE
Jun '95	7,500	Dual Recognition Program Development - Small Business	Barton IOT
Jun '95	38,950	Development of a Marketing and Promotional Strategy for the OTFE for 1995/1996	Whitehorse Strategic Group Pty Ltd
Jun '95	10,000	Open Training Services - Management of OTFE Professional Strategy for Dual Recognition	Western Melbourne IOT

START DATE	PAYMENT ($) TO 23/11/95	DESCRIPTION OF CONSULTANCY	NAME OF CONSULTANT
Jun '95	6,000	Organisation of seminars to disseminate findings of the Review of the Incorporation of TAFE into VTAC	Peninsula IOT
Jun '95	1,500	Benchmarking for Educational Effectiveness - Expressions of Interest Workshop	Coronel Consulting
Jun '95	20,500	Small business training for contractors in the building industry	Victorian Building and Construction ITB
Jun '95	17,500	Management of the planning and running of the OTFE VET Research Conference	Barton IOT
Jun '95	7,200	Redevelopment of JAC database	Australian Bureau of Statistics
Jun '95	41,500	North-West Planning Study - Local Business Perspective	AGB McNair
Jun '95	11,520	Study of Assessment and Selection Issues in VET in Australia	Barton IOT
Jul '95	95,000	The emerging profile and training needs of the home office.	AGB McNair, Business Services Industry Training Board.
Jul '95	39,250	Effective cross border planning and delivery of adult, community and further education programs in the Albury-Wodonga region	The Urban Ministry Network Inc
Jul '95	10,000	Television fillers	Wodonga IOT
Jul '95	3,500	Development of specifications & advice for equity management plans for TAFE providers and ACFE regional councils	Royal Melb. Institute of Technology
Jul '95	8,000	Development of teacher guides to Dual Recognition curriculum in Office Administration	Barton IOT
Jul '95	15,905	Development of teacher guides to Dual Recognition curriculum in Automotive, Electronics & Engineering	Box Hill IOT
Jul '95	12,000	Development of teacher guides to Dual Recognition curriculum in Retail & Hospitality	Western Melbourne IOT
Jul '95	15,000	Development of a Dual Recognition program in Food Technology	Goulburn Valley IOT
Jul'95	52,780	Industry education partnerships	Peter Kearns and Associates
Jul '95	7,790	Redevelopment of JAC database	Australian Pac Tim Technologies
Jul '95	1,200	Revision of introductory text for Pathways 1995 publication	Swinburne University of Technology
Jul '95	62,500	Regional planning for Industry Training Boards	J A Grant & Associates
Jul'95	237500	Industry Training Studies Part 2 - additional studies in service sector industries and validation of findings from earlier case studies through an industry-wide survey.	University of Technology Sydney, Charles Sturt University & AGB McNair
Jul '95	95,000	Manage and undertake specified research components of the ANTA devolved National Project - "The Emerging Profile and Training Needs of the Home Office"	AGB McNair Business Services ITB
Jul'95	75,000	Women's group training scheme feasibility study	Affirmative Action in Training Inc.
Jul '95	15,000	Evaluation of student contact hour as a State Training System measure	University of Technology Sydney
Aug '95	1,090	Joint ventures publications - editing & production	Holmesglen IOT
Aug '95	79,935	Public Investment and Capital Charging in TAFE Infrastructure	The Australian Property Group (SA)
Aug '95	11,475.25	Partnerships for Training: Collaboration for Mutual Benefit seminar series (promotion & administration)	Conference Plus
Aug '95	289,716	Identification & further integration of key competencies into the curriculum development, assessment & reporting of apprenticeships - Stage Two	Barton IOT

START DATE	PAYMENT ($) TO 23/11/95	DESCRIPTION OF CONSULTANCY	NAME OF CONSULTANT
Aug '95	30,000	Provision of advice on benchmarking and the effective use of benchmarking models to the OTFE	Coronel Consulting
Aug '95	29,500	Develop case studies of best practice partnerships between TAFE institutions and individual firms for dissemination throughout the State Training System	Timothy Lachlan and Communications & Public Relations Pty Ltd
Aug '95	57,000	Development of a clear definition of community service obligations for the VET sector & options for funding their achievement consistent with market reform	KPMG Management Consulting Pty Ltd
Sep '95	5,000	Case studies in workplace assessment systems	National Competency Based Training Centre, c/- Barton IOT
Sep '95,	5,000	Rhetoric to Reality - Delivery of a Client Focussed Service	Northern Melbourne IOT
Sep '95	51,229	Preparation of a business case and implementation strategy for outsourcing of regulated training administration	Coopers & Lybrand
Sep '95	15,000	Development of a Dual Recognition program in Printing	Royal Melb. Institute of Technology
Sep '95	29.950	Issues relevant to the collaboration between the VET and schools sectors	University of Melbourne Precision Consultancy
Sep '95	5,000	Workplace learning and assessment strategy	Swinburne University of Technology
Oct '95	5,000	Cross sectoral experience - an analysis of credit transfer in Vic. dual sector institutions	Royal Melb. Institute of Technology
Oct '95	78,727	National Automotive Database Project	Ian Predl & Associates
Oct '95	15,000	Research & documentation of VET in Schools - Best Practice Case Studies	Precision Consultancy
Oct '95	5,000	Feasibility study into Dual Recognition in Social & Community Services	Swinburne University of Technology
Oct '95	10,050	Pilot project to explore the role group training companies might play in providing an information and brokerage service to facilitate the exercise of user choice in vocational education and training	Group Training Australia
Oct '95	142,500	Provision of frameworks to assess the return to enterprises from investment in training	Deakin Human Services Australia
Oct '95	47,500	North East Victoria/South Riverina NSW - Planning Project Stage 2	Wodonga IOT
Nov '95	1,760 6,000	Pathways Issues Paper 2: Higher Education to TAFE Articulation in Victoria	Bendigo Regional IOT
Nov '95	58,000	Survey & analysis of benchmark criteria of customer satisfaction in a consortium of TAFE College electronics and electrical engineering departments	Box Hill IOT
Nov '95	39,500	Review of regulated training information	David Kay Training & Development Services Pty Ltd
Nov '95	5,000	Workplace based training in small enterprises - an employers view of success factors	Box Hill IOT
Dec '95	73,950	Identification of computer system needs in the regulated training area and evaluation of options for system replacement	Deloittes, Touche, Tohmatsu
Dec '95	8,500	Quality Service Pilot	Box Hill IOT
* Various	9,100	Assessment of courses/accreditation submissions	Dewhurst Consultancy
* Various	5,520	Site inspections/approval to deliver courses	Dewhurst Consultancy

START DATE	PAYMENT ($) TO 23/11/95	DESCRIPTION OF CONSULTANCY	NAME OF CONSULTANT
* Various	9,170	Assessment of courses/accreditation submissions	Curriculum and Training Services P/L
* Various	9,490	Site inspections/approval to deliver courses/registration as a private provider	Curriculum and Training Services P/L
* Various	180	Report on application for course recognition	Curriculum and Training Services P/L
* Various	150	Presentation of information to seminar	Curriculum and Training Services P/L
* Various	1,125	Site inspections/approval to deliver courses	William Angliss IOT
* Various	8,370	Assessment of courses/accreditation submissions	Ed Design
* Various	5,650	Assessment of courses/accreditation submissions	Skills Link P/L
* Various	480	Site inspections/approval to deliver courses	Skills Link P/L
* Various	240	Assessment of courses/accreditation submissions	Intrepid Systems
* Various	750	Site inspections/approval to deliver courses	Intrepid Systems
* Various	4,890	Assessment of courses/accreditation submissions	Shearwater Training Consultants
* Various	2,250	Site inspections/approval to deliver courses	Shearwater Training Consultants
* Various	630	Assessment for approval to deliver courses	Peninsula IOT
* Various	300	Assessment of courses/accreditation submissions	Western Melbourne IOT
* Various	1,980	Site inspections/approval to deliver courses	Western Melbourne IOT
* Various	2,740	Assessment of courses/accreditation submissions	Alan Brown & Associates
* Various	500	Site inspections/approval to deliver courses	Tourism Training
* Various	1,140	Site inspections/approval to deliver courses	Riverreds Pty Ltd
* Various	480	Review of accreditation submission	David Kay Training and Development
* Various	690	Assessment of curriculum/capacity to deliver/site inspection	Delaney Associates Pty Ltd
* Various	5,760	Audit reports for assessment of financial viability of an institution	Exportise (Melbourne) Pty Ltd
Nov '95	5,000	OTFE Human Resource Management strategy project	Learning Works
Nov '95	36,400	Review of the Recognition of Prior Learning (RPL) in the State Training System	The Moreland Group
July '95	22,000	Constitution of a framework for international comparisons in higher education.	Professors R. Teese and G. Burke, Mr. Simon Margenson

* Indicates cumulative payments of a number of minor engagements of the specified consultant over the periods from 3 October 1992 to 30 October 1993 and from 1 June 1994 to 23 November 1995

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Schools of the Future supplement

(Question No. 134)

Mr PANDAZOPOULOS asked the Minister for Education:

1. What the cost is to date of the 'Schools of the Future Supplement' by the Directorate of School Education printed regularly since 3 October 1992, in — (a) the *Herald Sun* and (b) all suburban and country newspapers.
2. What the specific cost is to operate the Education Line, indicating the total number of staff employed and total staffing costs.

Mr GUDE (Minister for Education) — The answer is:

1. (a) $446 000 approximately.
   (b) $557 000 approximately.
2. There are two officers operating the Education Line. Total staffing costs are $91 200

Board of Studies newsletters

(Question No. 135)

Mr PANDAZOPOULOS asked the Minister for Education:

What the details are of all issues of the 'Board of Studies Newsletters' produced, indicating — (a) how many issues were produced; (b) the date for each issue; (c) details of distribution, including numbers and cost; (d) the number printed; (e) the cost of production; (f) who it was printed by; and (g) whether tenders were called.

Mr GUDE (Minister for Education) — The answer is:

(a) Fifteen

(b)

Newsletter Number	Date of each issue
No. 1	June 1994
No. 2	July 1994
No. 3	October 1994
No. 4	December 1994
No. 5	13 February 1995
No. 6	27 March 1995
No. 7	8 May 1995
No. 8	19 June 1995
No. 9	14 August 1995
No. 10	4 September 1995
No. 11	23 October 1995
No. 12	8 November 1995
No. 13	19 February 1996
No. 14	25 March 1996
No. 15	19 April 1996

(c) Westernport Printing distributed the June Newsletter, as they had the Directorate of School Eduation schools on database. The cost to distribute 794 400 Newsletters was $39 413. Distribution for this issue was to all parents of primary and secondary school students, tertiary institutions, District Liaison Principals (DLPs), members of parliament (MPs) and interested individuals.

R. L. Polk & Co Pty Ltd distributed the July, October and December newsletters in 1994. The distribution of the 14 500 Newsletters to primary and secondary schools, tertiary institutions, DLPs, MPs and individuals who have requested to be on the mailing list, cost $1500 per issue.

Following calling of tenders, Wares Business and Mailing Service Pty Ltd was granted the current distribution contract for the Board of Studies Newsletter. 14 500 Newsletters are distributed to primary and secondary schools, tertiary institutions, DLPs, MPs and individuals who have requested to be on the mailing list at a cost of $705 for each issue.

(d)	Issue No 1	794 400 copies
	Issue Nos 2 — 15	14 500 copies each
(e)	Issue No 1	$119 413
	Issue Nos 2 — 4	$2100 approximately
	Issue Nos 5 — 15	$2140 approximately

(f) Australian Government Publishing Service

(g) Tenders were called

Premier and Cabinet: advertising

(Question No. 138)

Mr PANDAZOPOULOS asked the Premier:

In respect of each department, agency and authority within his administration, what was the total advertising budget for 1992-93, 1993-94 and 1994-95?

Mr KENNETT (Premier) — I am informed as follows:

Department of Premier and Cabinet
(Incorporating the Office of the Public Service Commissioner and Ethnic Affairs)

The total advertising budgets for the Department of Premier and Cabinet for 1992-93, 1993-94 and 1994-95 were $0, $35 000 and $35 000 respectively.

Office of the Auditor-General

The advertising budgets for 1992-93, 1993-94 and 1994-95 were $3000, $2000 and $7000, respectively.

Office of the Governor

The Office of the Governor did not set advertising budgets for the 1992-93, 1993-94 and 1994-95 financial years.

Office of the Ombudsman

There were no specific budget allocations for advertising for the 1992-93, 1993-94 and 1994-95 financial years.

Victorian Relief Committee

There were no specific budget allocations for advertising for the 1992-93, 1993-94 and 1994-95 financial years.

Schools of the Future showbags campaign

(Question No. 140)

Mr PANDAZOPOULOS asked the Minister for Education:

In relation to the promotion of the Schools of the Future showbags campaign commenced at the start of 1995: — (a) what the total cost was of advertising and publications for the 1995 Schools of the Future campaign; and (b) what was the total cost of promotional packaged information printed and distributed promoting the 1995 Schools of the Future campaign.

Mr GUDE (Minister for Education) — The answer is:

(a) and (b) Advertising $94 000 approximately, packaged information/publications $473 500 approximately and distribution $175 500 approximately.

Tertiary Education and Training: consultancies

(Question No. 142)

Mr PANDAZOPOULOS asked the Minister for Tertiary Education and Training:

In relation to consultancies engaged during the 1994-1995 financial year costing less than $50 000, what the details are of each consultancy commissioned by the Office of Training and Further Education, indicating: (a) date; (b) cost; (c) purpose; (d) name and address of consultant; (e) recommendations made; (f) action taken in response to any recommendations, and (g) whether tenders were called.

Mr HONEYWOOD (Minister for Tertiary Education and Training) — The answer is:

I am informed as follows:

The information requested by Mr Pandazopoulos is dealt with in the answer to question no. 123.

Directorate of School Education: contracts

(Question No. 143)

Mr PANDAZOPOULOS asked the Minister for Education:

1. What functions performed within the Directorate of School Education prior to October 3, 1992 are now performed on a contract basis?
2. How many contract arrangements are currently engaged, and in relation to each contract arrangement what is the (a) worth of each contract; (b) organisation engaged; (c) total cost; (d) the performance measures; and (e) period of contract?

Mr GUDE (Minister for Education) — The answer is:

1. The functions which were performed within the Directorate of School Education prior to October 3, 1992 and are now performed on a contract basis are:

   insurance and risk management

   cleaning of schools

   curriculum development[1]

   financial audits of schools[2]

   Workcover minor claims administration

   materials preparation and distribution

   conference organisation
2. To provide information on (a) worth of each contract and (c) total cost (of each contract) would be in breach of commercial confidentiality and cannot therefore be released. Performance measures (d) are specific to each contract arrangement. The information requested would require an inordinate amount of time and resources which are not available. Information on (b) the organisation engaged and (e) period of contract is set out below.

[1] In some parts only.

[2] Some secondary school audits were undertaken on a contract basis prior to October 1992.

Contract Arrangements	Organisation Engaged	Period of Contract
Sale of literary works	Curriculum Corporation	1/96-12/97
System wide legal advice: teacher discipline; administrative law; commercial law; personal injury; property damage; torts generally (civil wrongs); and debt claims	Arthur Robinson & Hedderwicks Minter Ellison Mallesons Stephen Jaques Maddock Lonie Chisholm Clayton Utz Hunt & Hunt Phillips Fox Anderson & Rice Henty Jepson & Kelly Victorian Government Solicitor	11/94-11/96
System wide legal advice: employee relations	Minter Ellison	6/95-6/96
Legislative services	Sheridans & Associates	7/95-ongoing until allocation expended
National Initiatives in Drug Education	Australian Drug Foundation	Phase 1 1/96-9/96; Phase 2 4/96-9/96
Printing of pay advices	Chelsea Images	10/94-ongoing subject to renewal
Overpayments	College Mercantile Debt Collection Agency	9/93-11/96
Principal Class accreditation	Cullen Egan Dell	2/96-12/96
Leading Teacher accreditation	Cullen Egan Dell	1/96-12/96
WorkCover claims management: identifying and preparing objections (contract provides for the payment of a contingency fee)	Ernst Young Levy Recoveries	3/93-ongoing subject to renewal
WorkCover minor claims administration: providing workers compensation services	MMI Switzerland	10/94-ongoing subject to renewal

Contract Arrangements	Organisation Engaged	Period of Contract
WorkCover: rehabilitation	Fee-for-service agreement with 8 providers	7/94-ongoing subject to renewal
Return to work of former Victorian Superannuation Board pensioners	KPMG and Work Solutions Group Pty Ltd Malcolm Press & Associates Pty Ltd Reddin Consulting Group Pty Ltd	2/96-1/99
File distribution to Schools of the Future	SALMAT Mailing and Laser Printing Services Pty Ltd	4/96-7/96
Video production	Video Communications Pty Ltd Footcams Media Enterprises Pty Ltd	3/96-4/96[3] 3/96-6/96
Insurance and risk management (outsourced by Dept of Finance)	Jardine Australian Insurance Brokers Pty Ltd Managed Insurance Fund	4/94-4/97
Determination of cost standards and updating asset management system	Department of Infrastructure	10/95-10/98
Sale of surplus properties	Knight Frank Hooker	10/94-6/96
Computer facilities management	Hansen Corporation	9/94-9/97
Support of desktop computing environment for schools (warranty contract)	Ipex	2/94-2/99
Computer hardware maintenance Unisys A6	Unisys P/L	11/91-ongoing subject to renewal
Other hardware maintenance	Multiple contracts involving 2 organisations	7/92-6/96
Computer centre equipment maintenance	Multiple contracts involving 3 organisations	7/92-6/96

[3] Extension to be negotiated

Contract Arrangements	Organisation Engaged	Period of Contract
Cleaning	Multiple contracts	1/93-ongoing subject to renewal
Mildura College Lands Act administration	Sandhurst Trustees	1/2/96-31/1/2001
Trauma counselling services	Multiple contracts	2/95-ongoing subject to renewal
Capital works program management	Bovis McLachlan	1/7/95-30/6/98
Primary financial audits	Multiple contracts	2/95-12/96
Secondary financial audits	Multiple contracts	2/95-12/96
Physical and Sport Education: professional development program coordination and delivery	Subject of a service agreement with ACHPER	3/94-12/94; 1/95-12/95; 1/96-12/96
1996 STEPS Series	ABC TV Facilities Marketing	2/96-12/96
Executive production of Primary and Secondary Access to Languages via Satellite (PALS and SALS) broadcasts	Film Victoria	2/96-6/96; 7/96-12/96 to be confirmed
Documenting models of English as a Second Language (ESL) provision	Jacque Spencer	9/95-3/96
Provision of television production services for SOFNet	Outsourced to a number of private companies in the TV production industry	9/95-8/96
Schools of the Future leadership and management development program	Melbourne University and Sawatzki Consulting International	6/95-6/96
Leadership development for principals	Hay Management Consultants	7/95-12/96

Contract Arrangements	Organisation Engaged	Period of Contract
Coaching and mentoring program for experienced principals	Clark Hummerston Organisation and Management Group	8/95-6/96
Study of Australia Project—CD Rom	ICE Technologies	5/96-12/96
LOTE training and retraining program, including delivery of credit bearing LOTE training programs	Outsourced to a range of Victorian universities	7/95-12/96 ongoing subject to renewal
ESL training program, including delivery of credit bearing ESL training programs	Deakin, Latrobe and Melbourne Universities	3/95-ongoing (renewed on an annual basis)
Provision of interpreting and translation services to schools	Victorian Interpreting and Translation Service (VITS)	7/95-6/96
Principals' service agreement—Provision of professional development services to principals	Australian Principals Centre Pty Ltd	1/96-6/96
Women in educational leadership programs	Waite Career Development Centre Kaleidoscope Consulting Dr Patricia Klinck Pivot Person Marketing	3/96-7/96 3/96-11/96 5/96-9/96 5/96-11/96
Pilot program for administrative staff in schools	Deakin University and RMIT	5/95-6/96
Development planning program for executive officers	Leadership Partners	1/96-7/96

Contract Arrangements	Organisation Engaged	Period of Contract
Professional development programs and materials for teachers	Goulburn Valley Education Consultative Group	5/96-3/97
	Computing in Education Group of Victoria Inc	7/95-7/96
	Technology Education Association of Victoria and Science Teachers' Association of Victoria	12/95-11/96
	Graduate School of Education, La Trobe University and North West Metropolitan Region	1/96-12/96
	Northcote Network of Schools	1/96-12/96
	Deakin University	1/96-12/96
	South and West Gippsland Education Districts and South Gippsland Adult and Community Education Centre	1/96-12/96
	VicRoads	5/96-9/96
Printing and distribution of *Victorian School News*	Westernport Printing	1/96-12/96
Design and layout	Pagemasters	1/96-ongoing subject to renewal

Education: publications

(Question No. 144)

Mr PANDAZOPOULOS asked the Minister for Education:

In respect of each department, agency and authority within his administration since 3 October 1992 to date, what the details are of all publications produced, indicating in each case — (a) the title; (b) the date of issue; (c) the cost of printing each issue and the number printed; (d) details of distribution, including numbers and cost; (e) who it was printed by; and (f) whether tenders were called.

Mr GUDE (Minister for Education) — The answer is:

To provide the information requested would require an inordinate amount of time and resources which are not available. Mr Pandazopoulos may wish to submit more focused and specific questions on the matter.

Tertiary Education and Training: publications

(Question No.145)

Mr PANDAZOPOULOS asked the Minister for Tertiary Education and Training:

In respect to each department, agency and authority within his administration since 3 October 1992 to date, what the details are of all publications produced, indicating in each case: — (a) the title; (b) the date of issue; (c) the cost of printing each issue and the number printed; (d) details of distribution, including numbers and cost; (e) who it was printed by; and (f) whether tenders were called.

Mr HONEYWOOD (Minister for Tertiary Education and Training) — The answer is:

I am informed as follows:

To provide the information requested would require an inordinate amount of time and resources which are not available. Mr Pandazopoulos may wish to submit more focused and specific questions on this matter.

Premier and Cabinet: staffing levels

(Question No. 146)

Mr PANDAZOPOULOS asked the Premier:

In respect of each department, agency and authority within his administration, whether he will provide details relating to staffing levels for the financial years 1992-93, 1993-94 and 1994-95.

Mr KENNETT (Premier) — I am informed that:

Agency	Financial Year	No. of staff
Department of Premier and Cabinet	1992-93	235
	1993-94	190
	1994-95	176
Office of the Public Service Commissioner	1992-93	28
	1993-94	29
	1994-95	39
Office of the Governor	1992-93	31
	1993-94	27
	1994-95	27
Office of the Ombudsman	1992-93	25
	1993-94	22
	1994-95	22
Victorian Auditor-General's Office	1992-93	160
	1993-94	147
	1994-95	141
The Victorian Relief Committee	1992-93	12
	1993-94	9
	1994-95	10

Planning and Local Government: staffing levels

(Question No. 152)

Mr PANDAZOPOULOS asked the Minister for Planning and Local Government:

In respect of each department, agency and authority within his administration, whether he will provide details relating to staffing levels for the financial years 1992-93, 1993-94 and 1994-95.

Mr MACLELLAN (Minister for Planning and Local Government) — The answer is:

Office	30.6.93	30.6.94	30.6.95
Architects Registration Board of Victoria	3.6	3.6	3.6
Building	430	240.92	239.83
Building Control Commission	-	-	34
Docklands Authority	9	8	7
Local Government	64	59.49	62.8
Major Projects	21	14.2	16
Melbourne City Link Authority	-	-	12
Planning and Heritage (including staff supporting the former Historic Buildings Council)	267	264.87	225.05
Plumbers Gasfitters and Drainers Registration Board	24.05	24.31	27.31
Urban Land Authority	41	38	39

Transport: staffing levels

(Question No. 155)

Mr PANDAZOPOULOS asked the Minister for Transport:

In respect of each department, agency and authority within his administration, whether he will provide details relating to staffing levels for the financial years 1992-93, 1993-94 and 1994-95.

Mr BROWN (Minister for Transport) — The answer is:

The information being sought by the honourable member is readily available in the published annual reports of the agencies within the former public transport portfolio.

Education: staffing levels

(Question No. 158)

Mr PANDAZOPOULOS asked the Minister for Education:

In respect of each department, agency and authority within his administration, whether he will provide details relating to staffing levels for the financial years 1992-93, 1993-94 and 1994-95.

Mr GUDE (Minister for Education) — The answer is:

The information relating to the staffing levels in each department, agency and authority is contained in the Department of Education annual reports for the financial years 1992-93, 1993-94 and 1994-95.

Police and Emergency Services, and Corrections: staffing levels

(Questions Nos 159 and 160)

Mr PANDAZOPOULOS asked the Minister for Police and Emergency Services, and Minister for Corrections:

In respect of each department, agency and authority within his administration, whether he will provide details relating to staffing levels for the financial years 1992-93, 1993-94 and 1994-95.

Mr W. D. McGRATH (Minister for Police and Emergency Services, and Minister for Corrections) — The answer is:

I am informed that the information available in response to the honourable member's questions is available from the annual report of the Department of Justice and from the respective annual reports of the agencies and statutory authorities in the justice portfolio for each of the financial years in question. Where agencies have become corporations, statutory authorities or have been subject to machinery of government changes between 1992 and 1995 the annual reports issued will have changed accordingly.

Multicultural Affairs: staffing levels

(Question No. 165)

Mr PANDAZOPOULOS asked the Minister for Multicultural Affairs:

In respect of each department, agency and authority within his administration, whether he will provide details relating to staffing levels for the financial years 1992-93, 1993-94 and 1994-95.

Mr KENNETT (Minister for Multicultural Affairs) — The answer to this question is incorporated within the Department of Premier and Cabinet response to question no. 146.

Tertiary Education and Training: staffing levels

(Question No. 167)

Mr PANDAZOPOULOS asked the Minister for Tertiary Education and Training:

In respect of each department, agency and authority within his administration, whether he will provide details relating to staffing levels for the financial years 1992-93, 1993-94 and 1994-95.

Mr HONEYWOOD (Minister for Tertiary Education and Training) — The answer is:

Staffing levels in the Office of Training and Further Education (OTFE), Adult Migrant Education Service and Office of the Secretary for the periods requested are as follows:

Date		**Total Staff**	
	Office of Training and Further Education	Adult Migrant Education Service	Office of the Secretary ***
30 June 1993	199	340**	40
30 June 1994	171	342**	36
30 June 1995	190*	325**	43

*Increase in numbers from 1994 caused by the transfer of 19 staff to OTFE from Royal Melbourne Institute of Technology.

**These figures do not include teaching staff seconded from the Directorate of School Education.

***Includes staff in the Office of the Secretary engaged in coordination of higher education activities and in other coordination and administrative activities for the Department of Education as a whole.

This response does not cover staff of TAFE Institutes or universities which are self-governing bodies responsible for their own day-to-day administration.

Gaming: staffing levels

(Question No: 170)

Mr PANDAZOPOULOS asked the Attorney-General, for the Minister for Gaming:

In respect of each department, agency and authority within his administration, whether he will provide details relating to staffing levels for the financial years 1992-93, 1993-94 and 1994-95.

Mrs WADE (Attorney-General) — The answer supplied by the Minister for Gaming is:

Details relating to staffing levels for the three financial years requested are as follows:

YEAR	TOTAL STAFF
1992-93	101
1993-94	135.8*
1994-95	130.7*

* Full time equivalents

Larundel laundry: linen services

(Question No. 175)

Mr LEIGHTON asked the Minister for Youth and Community Services, for the Minister for Health:

In respect of the supply of linen services by the Larundel laundry to Kew Cottages, Melbourne Juvenile Justice Community Centre, Ernest Jones Clinic, Footscray Psychiatric Centre, Royal Park Psychiatric Hospital, Brunswick Community Health Centre, North East Metropolitan Psychiatric Service, Kingsbury Training Centre, Heidelberg Clinic, VATMI Industries, Janefield Training Centre, Coburg Community Centre, Mental Health Institute, Pentridge Hospital:

1. What is the average charge per kilo of linen for these facilities in obtaining their linen service through the Larundel laundry?
2. What is the average charge per kilo of linen that is or will be paid for laundry services as each facility switches to alternative laundry providers?
3. What is the total increase per annum for each facility, as a consequence of each facility switching to alternative suppliers?
4. In the case of each facility, will the increased laundry charges be made within existing budget or will additional funds be allocated?

Dr NAPTHINE (Minister for Youth and Community Services) — The answer supplied by the Minister for Health is:

1. The average charge per kilo of linen for these facilities in obtaining their linen service through the Larundel laundry is 98 cents. However, this rate is subsidised by both Disability Services and Psychiatric Service within the department. Both divisions contributed $165 000 each, per annum towards the operation of the laundry enabling a discounted rate to apply to the users.
2. The average charge per kilo of linen depends upon what alternative arrangements each service has been able to make. Disability Services, for instance, is in the process of tendering for their services. The figures quoted as part of this tendering process will be subject to commercial in confidence and will only be known when the tendering process is complete.
3. The total increase per annum for each facility, as a consequence of each facility switching to alternative suppliers is not known to the department at this point in time and would not normally be known for those agencies outside of the department.
4. Any increases to the department will be absorbed within the department's budget. Other agencies will make their own arrangements.

Larundel laundry: stock and equipment

(Question No. 176)

Mr LEIGHTON asked the Minister for Youth and Community Services, for the Minister for Health:

In respect of the sale of the Larundel laundry stock and equipment:

1. What is the name of the successful tenderer?
2. What financial checks were carried out on the successful tenderer?
3. Was the successful tenderer's expression of interest accepted after the closing date for expressions of interest and is so, why?
4. What price is to be paid by the successful tenderer?
5. Has the successful tenderer signed the contract and, if not, what is the reason for the delay?
6. Given this sale, why is the Larundel laundry stock being used by the Austin Hospital and on whose approval?

Dr NAPTHINE (Minister for Youth and Community Services) — The answer supplied by the Minister for Health is:

1. The name of the successful tenderer is Sunkirk Pty Ltd.
2. The successful tenderer was requested, prior to being selected as the preferred tenderer, to provide details of funding arrangements for the purchase of assets.

   The successsful tenderer satisfied this request by providing letters of comfort from two financial institutions which demonstrated that the necessary finance would be available to cover the tendered price.
3. Yes. The successful tenderer's expression of interest, along with a number of others, was accepted after the closing date for expressions of interest on the basis that no tender submissions had been received and the deadline for tender submissions would not be extended due to the late receipt by some organisations of the request for tender.

   The expression of interest date was a date set to provide a framework to the process. It is not expected to be a formal "cut off" point. The crucial date to ensure the integrity of the process is the tender submission date. At the time of Sunkirk's expression of interest, no tender had been received. Further, all tenders were received by the due date, therefore the integrity of the process was maintained. By allowing additional parties to lodge expressions after the expression of interest date the department was able to maximise the number of tenderers and the financial outcome.
4. The price paid by the successful tenderer was $650 000.
5. The successful tenderer has signed the contract.
6. The Kew Cottages have made interim arrangements for their laundry services whilst they complete the tendering process. Over the first week of this transition to their interim supplier, all laundry stock at Kew Cottages was cleaned by the Austin and Repatriation Medical Services laundry service (Stericlean). This meant that some of the stock being cleaned in the first week belonged to the Larundel laundry. This stock has since been returned to the Larundel laundry.

Larundel laundry: redundancy payments

(Question No. 177)

Mr LEIGHTON asked the Minister for Youth and Community Services, for the Minister for Health:

In respect of redundancy payments to be made to staff employed within the Larundel laundry as a result of the closure of that Laundry:

1. What will be the total redundancy payments (including superannuation) to be paid to Larundel laundry staff?
2. What will be the average redundancy payment (including superannuation) per Larundel laundry staff member?

Dr NAPTHINE (Minister for Youth and Community Services) — The answer supplied by the Minister for Health is:

1. The total redundancy payments including superannuation to be paid to the Larundel laundry staff were $2 050 606.63.
2. The average redundancy payment including superannuation per Larundel laundry staff member was $73 235.95

Wednesday, 11 September 1996

QUESTIONS ON NOTICE

Gaming: consultancies

(Question No. 1)

Mr PANDAZOPOULOS asked the Attorney-General, for the Minister for Gaming:

In respect of each department, agency and authority within his administration, for the period 1 November 1993 to 31 May 1994, what the details are of each consultancy commissioned, indicating — (a) date; (b) cost; (c) purpose; (d) name and address of consultant; (e) recommendations made; and (f) action taken in response to any recommendations.

Mrs WADE (Attorney-General) — The answer supplied by the Minister for Gaming is:

The Victorian Casino and Gaming Authority and its predecessors, the Victorian Gaming Commission and the Victorian Casino Control Authority, have published in annual reports certain information relating to consultancies engaged in each financial year. To provide all of the details sought by the honourable member would involve considerable research which cannot be justified given the available time and resources of the authority. Should the honourable member identify a specific consultancy or area of concern, every effort will be made to provide relevant information.

Finance: advertising

(Question No. 23)

Mr PANDAZOPOULOS asked the Treasurer, for the Minister for Finance:

In respect of each department, agency and authority within his administration, what the details are of all advertising campaigns since 3 October 1992 to date, indicating — (i) the purpose and total costs of each campaign; and (ii) the total advertising budget in his ministerial portfolio for 1992-93, 1993-94 and 1994-95 financial years.

Mr STOCKDALE (Treasurer) — The answer supplied by the Minister for Finance is:

(i) No advertising campaigns were conducted by the former Department of Finance. The Victorian Workcover Authority and the former Health and Safety Organisation merged on 2 July 1996. The former Health and Safety Organisation was the portfolio responsibility of the Minister for State Development. The merged organisation, the Victorian Workcover Authority, is the portfolio responsibility of the Minister for Finance. Answers are given separately for the Authority and the former Health and Safety Organisation as follows:

1. Victorian Workcover Authority:

The Victorian Workcover Authority has conducted four advertising campaigns since November 1992. All four advertising campaigns were over $10 000.

The first campaign was for the provision of information to employers, workers, service providers and the community regarding:

legislative changes and consequent rights and obligations;

benefit levels/how the new premium system operates;

notification of change of insurer;

verification of claims costs and estimates of remuneration;

employer obligations for occupational rehabilitation; and

conciliation procedures.

The cost of this campaign in 1992-93 was $498 000 and in 1993-94 was $1.480 million. Following the effective information campaign in 1993-94, no costs were incurred in 1994-95.

The second campaign was to promote return to work for injured workers. The campaign was targeted at employers, doctors and workers.

The campaign was effective in changing Victoria's 'compensation' culture to a 'return to work' culture, resulting in a major reduction in the duration of claims. This has had a significant impact on:

elimination of the $2.1 billion deficit left from Workcare;

a reduction in the operating costs of the scheme — which has resulted in saving employers $500 million annually.

The cost of this campaign in 1992-93 was $1.564 million. In 1993-94 the cost was $3.418 million and in 1994-95 it was $2.086 million. Cost for the period 1 July 1995 to 30 April 1996 is $1.07 million.

The third campaign was the amnesty campaign. This was targeted at employers who had failed to take out a Workcover policy and provided an amnesty period of one month, whereby, if they took out a policy in that period, they would avoid the normal penalties for not having a policy.

The amnesty campaign resulted in an additional $7 million in premium in 1993-94 with an estimated ongoing additional premium of $3 million to $4 million annually.

The campaign, which ran only in 1993, cost $1 030 453.

The fourth and most important campaign is 'Safety — think it, talk it, work it' and is designed to prevent injuries in the workplace. Reduction of injuries will not only reduce costs for employers but will relieve workers from the pain and suffering caused by preventable injuries.

The prevention campaign began in 1993-94 and cost $142 000 in that year. With the emphasis now on prevention, the cost of the campaign increased in 1994-95 to $4.236 million. Cost for this campaign from 1 July 1995 to 30 April 1996 is $3.159 million.

A sub-set of this fourth campaign is the prevention pilot program in the Ballarat region where a range of advertising media were used to promote specific solutions for Ballarat region workplaces. This project is Operation Safety.

Cost for the Operation Safety advertising campaign which ran November 1995 to December 1995 is $260 289.

2. Former Health and Safety Organisation

Since October 1992, Health and Safety conducted three advertising campaigns.

Farm Safety Campaign — March-June 1995
Purpose: Aimed at people working and living on, or visiting farms to raise their awareness about the risks to health and safety on farms and changing attitudes and practices

TOTAL COST $412 577

Plant Safety Campaign (May-June 1995)
Purpose: to inform clients of the existence of the new plant regulations and the opportunity created for self-management of duties. The new regulation replaced 36 prescriptive and outdated regulations under four different acts. The campaign promoted the simplification of the new legislation for plant safety which should make it easier for business to implement and manage risk controls for plant.

TOTAL COST $462 008

Explosives Amnesty (July, August, November, December 1995)
Purpose: to inform community about the amnesty in order to increase community awareness of public health and safety risks associated with all types of explosives and to efficiently and significantly reduce the quantities of unwanted explosives in the community.

TOTAL COST $37 774

(ii) Details of the advertising budget for 1992-93 and 1993-94 were provided to the honourable member in answer to his question number 65 (see *Hansard* No. 4 page 882, 11.4.95). The total advertising budget for the Finance portfolio for the 1994-95 financial year was $7 410 595. This figure includes the budget for the Victorian Workcover Authority.

Roads and Ports: advertising

(Question No. 33)

Mr PANDAZOPOULOS asked the Minister for Transport, for the Minister for Roads and Ports:

In respect of each department, agency and authority within his administration, what the details are of all advertising campaigns since 3 October 1992 to date, indicating — (i) the purpose of each campaign; and (ii) the total advertising budget in his ministerial portfolio for 1992-93, 1993-94 and 1994-95 financial years.

Mr BROWN (Minister for Transport) — The answer supplied by the Minister for Roads and Ports is:

Department of Infrastructure

Advertising was undertaken by the former Department of Transport for numerous purposes related to public notices, regulations and recruitment. It is not practicable to identify advertising attributable to the Roads and Ports portfolio from the general accounts and records of the former department. Should the honourable member describe a specific advertising campaign, every effort will be made to provide relevant information.

The following information has been provided in respect of the current agencies within the Roads and Ports portfolio:

Port of Melbourne Authority

	Total Advertising Budget
1992-93	$195 633
1993-94	$250 080
1994-95	$258 497

The authority undertook a wide range of advertising for numerous purposes, including general advertising, tenders, public notices. To provide the further detailed information being sought by the honourable member would require the expenditure of considerable time and resources which cannot be justified.

Melbourne Port Corporation

As the Melbourne Port Corporation only came into operation on 1 March 1996, there is no relevant information available.

Melbourne Ports Services

Melbourne Ports Services Pty Ltd was not in existence at the time in question.

Victorian Channels Authority

The Victorian Channels Authority became operational on 1 March 1996, outside the terms of the question.

Marine Board of Victoria

The board has advised that information is not retained in a form which provides for the easy identification of information relating to specific advertising campaigns. To undertake the necessary search of the board's records and extract such information would require considerable time and resources which could not be justified.

Roads Corporation

The following advertising campaigns were undertaken by the corporation since October 1992:

'Be Alert When We're at Work' Campaign —

Cost: $70 000

Purpose: To improve driver awareness, attitude and behaviour at roadwork sites for the safety of drivers and those who work on the roads.

Left-Turn Right-Turn Campaign and Speed Limit Campaign (Stage 1) —

Cost: $234 732

Purpose: To communicate to the public changes to priority rules for left-hand turns.
To communicate to the public changes to speed limits on major arterial roads.

An additional $5040 was spent on post-campaign evaluation.

Speed Limit Campaign (Stage 2) —

Cost: $39 409

Purpose: To communicate to the public changes to speed limits on major arterial roads.

Hoddle Street Tow-Away Zones Campaign —

Cost: $8077

Purpose: To communicate the importance of the city-bound bus lane between Eastern Freeway and Victoria Parade.

Drink-Driving Law Changes

Cost: $8190

Purpose: To communicate to the drivers affected changes to drink-driving laws.

Custom Registration Plates —

Cost: $15 637

Purpose: To promote custom registration plates as an alternative to general issue plates for motor vehicles.

Roundabout Advertising Campaign —

Cost: $87 609

Purpose: To communicate to the public the correct use of multi-lane roundabouts.

Loading Zone Campaign —

Cost: $30 000

Purpose: To create awareness to changes to loading zones to improve access to these zones for business and courier services.

Heavy Vehicle Reform Package —

Cost: $95 741

Purpose: To create awareness and acceptance of national reforms to the heavy vehicle industry.

The corporation advised that the budgets as represented by actual expenditure in 1993-94 and 1994-95 were $548 975 and $558 750 respectively. These amounts relate to advertising for a range of purposes which include public notices for road closures and roadworks, planning matters, changes to laws and regulations, property acquisitions and employment vacancies.

Budget figures for 1992-93 are not readily available due to a change to a new accounting system since that time. The time and resources required to extract the information would impose a considerable and unreasonable burden on the agency.

Treasury: electricity advertising

(Question No. 44)

Mr PANDAZOPOULOS asked the Treasurer:

What the cost is to date of electricity advertisement titled 'Electricity Prices Continue to Fall' and 'Facts on Electricity Dispel the Myths' printed in all daily, suburban and country newspapers, indicating — (a) dates advertisements were placed; (b) placement of advertisements; and (c) to whom each contract was awarded and whether tenders were called.

Mr STOCKDALE (Treasurer) — The answer is:

(a) The total cost of advertising placement was $21 325.10.

(b) Advertisements were placed between October and November 1995.

(c) Advertisements were placed in the following papers:

Ballarat Courier, Bendigo Advertiser, Brimbank Messenger, Castlemaine Mail, Hume Observer, Frankston Standard, Moonee Valley Gazette, Geelong Advertiser, Heidelberger, Latrobe Valley Express, Sunraysia Daily, Mornington Mail, Mornington Flyer, Preston Post Times, Warrnambool Standard, Bairnsdale Advertiser, Cranbourne Times, Moreland Courier, Freepress Yarra Ranges, Albury Border Mail, Bacchus Melton Telegraph, Echuca Riverine Herald, Ringwood Croydon Mail, Knox News, Melbourne Times, Oakleigh Springvale Times, Shepparton News, Tatura/Kyabram Guardian, Werribee Banner, Western Times, Williamstown Advertiser, Phillip Island Star, Lake Sunshine Post, Great South Star, Mornington and South Peninsula Mail, Moreland Sentinel, and Wangaratta Chronicle.

d) Placement of advertising was organised through the government appointed media agency, Leeds Media.

Victorian Government Purchasing Board: media contracts

(Question No. 45)

Mr PANDAZOPOULOS asked the Treasurer, for the Minister for Finance:

What total costs were incurred by the Victorian Government Purchasing Board in seeking to tender for new state government media buying contracts prior to extending the media buying contract with Leeds Media for six months?

Mr STOCKDALE (Treasurer) — The answer supplied by the Minister for Finance is:

The cost incurred by the Victorian Government Purchasing Board in seeking to tender for the new Master Agency Media Service contract prior to extending the contract with Leeds Media for six months has been estimated at $10 536. This figure includes staff salaries, tender advertisements, courier charges and photocopying.

It was necessary for the board to recall the original tender and extend the contract with Leeds Media pending the outcome of an appeal by the Media Council of Australia and the Advertising Federation of Australia into a decision of the Trade Practices Commission to revoke the authorisation of the accreditation system for advertising agencies.

Treasury: annual reports

(Question No. 68)

Mr PANDAZOPOULOS asked the Treasurer:

In respect of each department, agency and authority within his administration, what the total cost was of annual reports for the 1992-93, 1993-94 and 1994-95 financial years.

Mr STOCKDALE (Treasurer) — The answer is:

DEPARTMENT OF TREASURY

The cost of the annual reports was included with the overall cost of printing and publications. The time and resources required to provide the information for the years 1992-93 and 1993-94 cannot be justified in this instance.

DEPARTMENT OF FINANCE

1992-93 $ 3450 (in-house).

1993-94 $10 701 (design/editing in-house).

DEPARTMENT OF TREASURY AND FINANCE

1994-95 $24 455

RURAL FINANCE CORPORATION

1992-93 $79 726

1993-94 $79 726

1994-95 $79 726

TREASURY CORPORATION OF VICTORIA

1992-93 $77 165.51

1993-94 $54 026.41

1994-95 $38 915.00

STATE REVENUE OFFICE

1992-93 $19 000*

1993-94 $19 000

1994-95 $47 000**

* The cost of the annual report is not available but is estimated not to be greater than the cost of the 1993-94 annual report.

** The higher cost in 1994-95 relates to the SRO using an external design house.

TRANSPORT ACCIDENT COMMISSION

1992-93 $81 828

1993-94 $81 990

1994-95 $95 822

Finance: annual reports

(Question No. 75)

Mr PANDAZOPOULOS asked the Treasurer, for the Minister for Finance:

In respect of each department, agency and authority within his administration, what the total cost was of annual reports for the 1992-93, 1993-94 and 1994-95 financial years.

Mr STOCKDALE (Treasurer) — The answer supplied by the Minister for Finance is:

Former Department of Finance

1992-93 $ 3450 (completed in-house)

1993-94 $10 701 (Design and editing completed in-house)

Department of Treasury and Finance

1994-95 $24 455

Office of the Regulator-General

1994-95 $23 309 (Initial annual report)

Victorian Workcover Authority

1992-93 $38 470

1993-94 $41 280

1994-95 $50 845

Government Employee Housing Authority

1992-93 Not available

1993-94 $3440

1994-95 $1920

Documentation which would reveal the cost of the 1992-93 annual report of the former Government Employee Housing Authority has been archived. The time and resources to retrieve this information cannot be justified. However, the total cost is believed to be similar to the cost of the 1993-94 report.

Roads and Ports: advertising

(Question No. 86)

Mr PANDAZOPOULOS asked the Minister for Transport, for the Minister for Roads and Ports:

In respect of each department, agency and authority within his administration, what was the total advertising budget for 1992-93, 1993-94 and 1994-95?

Mr BROWN (Minister for Transport) — The answer supplied by the Minister for Roads and Ports is:

The financial records of the former Department of Transport are not in a form which would enable the easy identification of accurate information which relates specifically to the Roads and Ports portfolio. To undertake the necessary research to identify such information would involve a considerable amount of time and resources which could not be justified. Advertising is carried out for a range of purposes mainly for public notices such as regulations and for recruitment.

Should the honourable member identify a particular advertising campaign, every effort will be made to provide relevant information.

The following relevant information is provided in respect of the current agencies within the Roads and Ports portfolio:

Roads Corporation

	Total Advertising Budget	Campaign Advertising
1992-93	N/A*	$317 849
1993-94	$699 829	$150 845
1994-95	$684 491	$125 741

* Budget figures for 1992-93 are not readily available due to a change in a new accounting system since that time. The time and resources required to extract the information would impose a considerable and unreasonable burden on the agency.

The advertising budget allocation is used for a range of purposes which include public notices for road closures and roadworks, planning matters, changes to road laws and regulations, property acquisition, employment vacancies and other miscellaneous advertising.

Marine Board of Victoria

There is no specific budget allocation made for advertising in the accounting records of the Marine Board. The board's advertisements include subjects relating to public notices, regulations and vacancies.

To undertake the necessary research to identify the detailed information being sought would involve a considerable amount of time and resources which could not be justified. Should the honourable member identify a particular area of interest, every effort will be made to provide relevant information.

Port of Melbourne Authority

	Total Advertising Budget
1992-93	$195 633
1993-94	$250 080
1994-95	$258 497

Melbourne Port Corporation

As the Melbourne Port Corporation was not operational until 1 March 1996, there is no relevant information available for the time in question.

Melbourne Ports Services

Melbourne Ports Services Pty Ltd was not in existence at the time in question.

Victorian Channels Authority

As the Victorian Channels Authority only came into operation on 1 March 1996, there is no relevant information available.

Finance: advertising

(Question No. 88)

Mr PANDAZOPOULOS asked the Treasurer, for the Minister for Finance:

In respect of each department, agency and authority within his administration, what was the total advertising budget for 1992-93, 1993-94 and 1994-95?

Mr STOCKDALE (Treasurer) — The answer supplied by the Minister for Finance is:

Former Department of Finance

Year	Budget
1994-95	$330 428

Details of the advertising budget for 1992-93 and 1993-94 were provided to the honourable member in answer to his question no. 65 (see weekly *Hansard* No. 4, page 882, 11.4.95).

The Victorian Workcover Authority and the former Health and Safety Organisation merged on 2 July 1996. The former Health and Safety Organisation was the portfolio responsibility of the Minister for State Development. The merged organisation, the Victorian Workcover Authority, is the portfolio responsibility of the Minister for Finance. Answers are given separately for the authority and the former Health and Safety Organisation as follows:

1. **Victorian Workcover Authority:**

The total advertising budgets of the Victorian Workcover Authority for the financial years:

1992-93*	$2 062 000
1993-94	$6 070 453
1994-95	$6 322 000

(*Period covers Workcare and Workcover. The Workcover Authority was formed on 1 December 1992.)

2. **Former Health and Safety Organisation**

The following figure represents total media buying expenditure for the years listed:

1992-93	Not available
1993-94	$159 966
1994-95	$758 167

Finance: advertising

(Question No. 89)

Mr PANDAZOPOULOS asked the Treasurer, for the Minister for Finance:

In respect of each department, agency and authority within his administration, whether he will provide details of advertising campaigns over $10 000 conducted from 3 October 1992 to date, indicating the purpose and cost of each campaign.

Mr STOCKDALE (Treasurer) — The answer supplied by the Minister for Finance is:

I refer the honourable member to my response to question 23.

Treasury: consultancies

(Question No. 109)

Mr PANDAZOPOULOS asked the Treasurer:

In respect of each department, agency and authority within his administration, for the periods 3 October 1992 to 30 October 1993, and 1 June 1994 to 23 November 1995, what the details are of each consultancy commissioned, indicating — (a) date; (b) cost; (c) purpose; (d) name and address of consultant; (e) recommendations made; (f) action taken in response to any recommendations; and (g) whether tenders were called.

Mr STOCKDALE (Treasurer) — The answer is:

Given the breadth of the member's question and the amount of detail required to provide a full response, it is felt that the time and resources required to provide an answer cannot be justified in this instance; however, a list of consultancies commissioned may be obtained from the annual reports of the department and its agencies.

Finance: consultancies

(Question No. 119)

Mr PANDAZOPOULOS asked the Treasurer, for the Minister for Finance:

In respect of each department, agency and authority within his administration, for the periods 3 October 1992 to 30 October 1993, and 1 June 1994 to 23 November 1995, what the details are of each consultancy commissioned, indicating — (a) date; (b) cost; (c) purpose; (d) name and address of consultant; (e) recommendations made; (f) action taken in response to any recommendations; and (g) whether tenders were called.

Mr STOCKDALE (Treasurer) — The answer supplied by the Minister for Finance is:

A list of consultants engaged is published in annual reports of agencies within the finance portfolio. The time and resources to provide the additional detailed information requested cannot be justified.

Gaming: consultancies

(Question No. 125)

Mr PANDAZOPOULOS asked the Attorney-General, for the Minister for Gaming:

In respect of each department, agency and authority within his administration, for the periods 3 October 1992 to 30 October 1993 and 1 June 1994 to 23 November 1995, what the details are of each consultancy commissioned, indicating — (a) date; (b) cost; (c) purpose; (d) name and address of consultant; (e) recommendations made; (f) action taken in response to any recommendations; and (g) whether tenders were called.

Mrs WADE (Attorney-General) — The answer supplied by the Minister for Gaming is:

The Victorian Casino and Gaming Authority and its predecessors, the Victorian Gaming Commission and the Victorian Casino Control Authority, have published in annual reports certain information relating to consultancies engaged in each financial year. To provide all of the details sought by the honourable member would involve considerable research which cannot be justified given the available time and resources of the authority. Should the honourable member identify a specific consultancy or area of concern, every effort will be made to provide relevant information.

Treasury: publications

(Question No. 141)

Mr PANDAZOPOULOS asked the Treasurer:

In relation to the restructure of the electricity, gas and water industries since 3 October 1992 to date, whether he will provide details of all publications produced to date, including — (a) title; (b) date of issue; (c) details of distribution, including numbers and cost; (d) number printed; (e) cost of production; (f) purpose of production; (g) who was it printed by; and (h) whether tenders were called.

Mr STOCKDALE (Treasurer) — The answer is:

The government has prepared and issued a series of information booklets and leaflets on various aspects of GBE reform.

(a), (b), (d), (e) and (g) are dealt with in the chart below, which gives details of publications specifically relating to the restructure of the electricity, gas and water industries.

In response to (c), these publications are generally distributed over time, on request, without charge. When a publication is first produced, quantities are sent to interested parties — e.g., the reforming GBE, MPs, government departments, consumer and business groups.

In response to (f), the information is prepared so the public and other interested parties may be kept informed about the government's intentions and activities in GBE reform.

In response to (h):

(1) public tenders are required where the cost exceeds $50 000;

(2) this does not apply to any of the jobs listed below;

(3) for amounts between $2000 and $50 000 three written quotes are called.

a) Electricity (title)	b) Date of issue	d) No. printed	e) Printing cost	g) Printer
Electricity Supply Industry in Victoria - A Competitive Future - Summary (12pp)	October 1993 (DTF)	2500	$2323	Lane Printing
Electricity Supply Industry in Victoria - A Competitive Future (80pp)	October 1993 (DTF)	2500	$8905	Lane Printing
Reforming Victoria's Electricity Industry Stage 2 (36pp)	February 1994 (DTF)	4900 (includes 4 reprints)	$9389	Lane Printing; Alphagraphics
Reforming Victoria's Electricity Industry - A Summary of Reforms (110pp)	December 1994 (DTF)	8850 (includes 3 reprints)	$33946	Lane Printing
The Privatisation of the SEC: Your 20 Questions Answered (Booklet 16pp)	March 1995 (DPC)	15,250	$7175	Fast Impressions
Choice of Electricity Supplier 1 MW users (16pp)	May 1995 (ORG, DTF)	2000	$1604	Alphagraphics
Tariff Order Briefing Pack (8 A4 sheets)	May 1995 (ORG, DTF)	2000	$950 (cost shared by ORG)	Snap
Reforming the ESI - A Brighter Future for All Victorians	November 1995 (DTF)	600	$2700	Snap
Assorted fact sheets (14 A4 sheets)	November 1995 (DTF)	110	$77	Snap
a) Water (title)	**b) Date of issue**	**d) No. printed**	**e) Printing cost**	**g) Printer**
Reforming Victoria's Water Industry - A Competitive Future (36pp)	October 1993 (DTF)	630 (includes 1 reprint)	$1428	Fast Copy; Alphagraphics
Reforming Vic's Water Industry - A Plan for Reform of Non-Metropolitan Urban Water Authorities (12pp)	March 1994 (DCNR, DTF)	3000	$2952	Kwik Copy; Alphagraphics
Reforming Victoria's Water Industry - Working Group Report on Rural Drinking Water Quality (48pp)	July 1994 (DCNR, H&CS)	700	$1120	Gooch and Harrod Commercial Printers
Reforming Victoria's Water Industry - Report on Effluent Standards	July 1994 (DCNR, EPA)	1050	$4840	Graeme Shaw Printing Services
Five new water businesses in Melbourne (2pp)	September 1994 (DTF)	4000 (includes 1 reprint)	$1987	Tudor Printery, through D. Hauser & Associates
Reforming Victoria's Water Industry - The Restructured Metropolitan Industry (36pp)	January 1995 (DTF)	2300 (includes 1 reprint)	$3678	Lane Printing
Reforming Victoria's Water Industry - Regional Structure for Non-Metropolitan Urban Water Authorities (54pp)	June 1995 (DCNR, DTF)	5000	$12382	A & G Fine Printing
User Pays - A Fairer System of Water Charging (2pp)	May 1995 (DTF)	2000	$994	Spectra Litho, through D. Hauser & Associates

a) Gas (title)	b) Date of issue	d) No. printed	e) Printing cost	g) Printer
The Gas Industry in Victoria - A Competitive Future Information Paper No. 1 (28pp)	September 1994 (DTF)	3000 plus 100 extra covers (includes 2 reprints)	$5846	Lane Printing; Alphagraphics

Treasury: staffing

(Question No. 148)

Mr PANDAZOPOULOS asked the Treasurer:

In respect of each department, agency and authority within his administration, whether he will provide details relating to staffing levels for the financial years 1992-93, 1993-94 and 1994-95.

Mr STOCKDALE (Treasurer) — The answer is :

The information required by the member may be obtained from the annual reports of the department and its agencies.

Finance: staffing

(Question No. 150)

Mr PANDAZOPOULOS asked the Treasurer, for the Minister for Finance:

In respect of each department, agency and authority within his administration, whether he will provide details relating to staffing levels for the financial years 1992-93, 1993-94 and 1994-95.

Mr STOCKDALE (Treasurer) — The answer supplied by the Minister for Finance is:

The information being sought by the honourable member is readily available in the published annual reports of agencies within the finance portfolio.