

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

LEGISLATIVE ASSEMBLY

FIFTY-FOURTH PARLIAMENT

FIRST SESSION

26 February 2002

(extract from Book 1)

Internet: www.parliament.vic.gov.au/downloadhansard

By authority of the Victorian Government Printer

The Governor

JOHN LANDY, AC, MBE

The Lieutenant-Governor

Lady SOUTHEY, AM

The Ministry

Premier and Minister for Multicultural Affairs	The Hon. S. P. Bracks, MP
Deputy Premier and Minister for Health	The Hon. J. W. Thwaites, MP
Minister for Education Services and Minister for Youth Affairs	The Hon. M. M. Gould, MLC
Minister for Transport and Minister for Major Projects	The Hon. P. Batchelor, MP
Minister for Energy and Resources and Minister for Ports	The Hon. C. C. Broad, MLC
Minister for State and Regional Development, Treasurer and Minister for Innovation	The Hon. J. M. Brumby, MP
Minister for Local Government and Minister for Workcover	The Hon. R. G. Cameron, MP
Minister for Senior Victorians and Minister for Consumer Affairs	The Hon. C. M. Campbell, MP
Minister for Planning, Minister for the Arts and Minister for Women's Affairs	The Hon. M. E. Delahunty, MP
Minister for Environment and Conservation	The Hon. S. M. Garbutt, MP
Minister for Police and Emergency Services and Minister for Corrections	The Hon. A. Haermeyer, MP
Minister for Agriculture and Minister for Aboriginal Affairs	The Hon. K. G. Hamilton, MP
Attorney-General, Minister for Manufacturing Industry and Minister for Racing	The Hon. R. J. Hulls, MP
Minister for Education and Training	The Hon. L. J. Kosky, MP
Minister for Finance and Minister for Industrial Relations	The Hon. J. J. J. Lenders, MP
Minister for Sport and Recreation and Minister for Commonwealth Games	The Hon. J. M. Madden, MLC
Minister for Gaming, Minister for Tourism, Minister for Employment and Minister assisting the Premier on Multicultural Affairs	The Hon. J. Pandazopoulos, MP
Minister for Housing, Minister for Community Services and Minister assisting the Premier on Community Building	The Hon. B. J. Pike, MP
Minister for Small Business and Minister for Information and Communication Technology	The Hon. M. R. Thomson, MLC
Parliamentary Secretary of the Cabinet	The Hon. Gavin Jennings, MLC

Legislative Assembly Committees

Privileges Committee — Mr Cooper, Mr Holding, Mr Hulls, Mr Loney, Mr Maclellan, Mr Maughan, Mr Nardella, Mr Plowman and Mr Thwaites.

Standing Orders Committee — Mr Speaker, Mrs Barker, Mr Jasper, Mr Langdon, Mr McArthur, Mrs Maddigan and Mr Perton.

Joint Committees

Drugs and Crime Prevention Committee — (*Council*): The Honourables B. C. Boardman and S. M. Nguyen. (*Assembly*): Mr Cooper, Mr Jasper, Mr Lupton, Mr Mildenhall and Mr Wynne.

Environment and Natural Resources Committee — (*Council*): The Honourables R. F. Smith and E. G. Stoney. (*Assembly*): Mr Delahunty, Ms Duncan, Mrs Fyffe, Ms Lindell and Mr Seitz.

Family and Community Development Committee — (*Council*): The Honourables E. J. Powell, G. D. Romanes and J. W. G. Ross. (*Assembly*): Mr Hardman, Mr Lim, Mr Nardella and Mrs Peulich.

House Committee — (*Council*): The Honourables the President (*ex officio*), G. B. Ashman, R. A. Best, J. M. McQuilten, Jenny Mikakos and R. F. Smith. (*Assembly*): Mr Speaker (*ex officio*), Ms Beattie, Mr Kilgour, Ms McCall, Mr Rowe, Mr Savage and Mr Stensholt.

Law Reform Committee — (*Council*): The Honourables R. H. Bowden, D. G. Hadden and P. A. Katsambanis. (*Assembly*): Mr Languiller, Ms McCall, Mr Stensholt and Mr Thompson.

Library Committee — (*Council*): The Honourables the President, E. C. Carbines, M. T. Luckins, E. J. Powell and C. A. Strong. (*Assembly*): Mr Speaker, Ms Duncan, Mr Languiller, Mrs Peulich and Mr Seitz.

Printing Committee — (*Council*): The Honourables the President, Andrea Coote, Kaye Darveniza and E. J. Powell. (*Assembly*): Mr Speaker, Ms Gillett, Mr Nardella and Mr Richardson.

Public Accounts and Estimates Committee — (*Council*): The Honourables D. McL. Davis, R. M. Hallam, G. K. Rich-Phillips and T. C. Theophanous. (*Assembly*): Ms Barker, Mr Clark, Ms Davies, Mr Holding, Mr Loney and Mrs Maddigan.

Road Safety Committee — (*Council*): The Honourables Andrew Brideson and E. C. Carbines. (*Assembly*): Mr Kilgour, Mr Langdon, Mr Plowman, Mr Spry and Mr Trezise.

Scrutiny of Acts and Regulations Committee — (*Council*): The Honourables M. A. Birrell, Jenny Mikakos, A. P. Olexander and C. A. Strong. (*Assembly*): Ms Beattie, Mr Carli, Ms Gillett, Mr Maclellan and Mr Robinson.

Heads of Parliamentary Departments

Assembly — Clerk of the Parliaments and Clerk of the Legislative Assembly: Mr R. W. Purdey

Council — Clerk of the Legislative Council: Mr W. R. Tunnecliffe

Hansard — Chief Reporter: Ms C. J. Williams

Library — Librarian: Mr B. J. Davidson

Joint Services — Director, Corporate Services: Mr S. N. Aird
Director, Infrastructure Services: Mr G. C. Spurr

MEMBERS OF THE LEGISLATIVE ASSEMBLY

FIFTY-FOURTH PARLIAMENT — FIRST SESSION

Speaker: The Hon. ALEX ANDRIANOPOULOS

Deputy Speaker and Chairman of Committees: Mrs J. M. MADDIGAN

Temporary Chairmen of Committees: Ms Barker, Ms Davies, Mr Jasper, Mr Kilgour, Mr Loney, Mr Lupton, Mr Nardella,
Mrs Peulich, Mr Phillips, Mr Plowman, Mr Richardson, Mr Savage, Mr Seitz

Leader of the Parliamentary Labor Party and Premier:

The Hon. S. P. BRACKS

Deputy Leader of the Parliamentary Labor Party and Deputy Premier:

The Hon. J. W. THWAITES

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

The Hon. D. V. NAPHTHINE

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

The Hon. LOUISE ASHER

Leader of the Parliamentary National Party:

Mr P. J. RYAN

Deputy Leader of the Parliamentary National Party:

Mr B. E. H. STEGGALL

Member	District	Party	Member	District	Party
Allan, Ms Jacinta Marie	Bendigo East	ALP	Leighton, Mr Michael Andrew	Preston	ALP
Allen, Ms Denise Margret ⁴	Benalla	ALP	Lenders, Mr John Johannes Joseph	Dandenong North	ALP
Andrianopoulos, Mr Alex	Mill Park	ALP	Lim, Mr Hong Muy	Clayton	ALP
Asher, Ms Louise	Brighton	LP	Lindell, Ms Jennifer Margaret	Carrum	ALP
Ashley, Mr Gordon Wetzel	Bayswater	LP	Loney, Mr Peter James	Geelong North	ALP
Baillieu, Mr Edward Norman	Hawthorn	LP	Lupton, Mr Hurtle Reginald, OAM, JP	Knox	LP
Barker, Ms Ann Patricia	Oakleigh	ALP	McArthur, Mr Stephen James	Monbulk	LP
Batchelor, Mr Peter	Thomastown	ALP	McCall, Ms Andrea Lea	Frankston	LP
Beattie, Ms Elizabeth Jean	Tullamarine	ALP	McIntosh, Mr Andrew John	Kew	LP
Bracks, Mr Stephen Phillip	Williamstown	ALP	MacLellan, Mr Robert Roy Cameron	Pakenham	LP
Brumby, Mr John Mansfield	Broadmeadows	ALP	McNamara, Mr Patrick John ³	Benalla	NP
Burke, Ms Leonie Therese	Prahran	LP	Maddigan, Mrs Judith Marilyn	Essendon	ALP
Cameron, Mr Robert Graham	Bendigo West	ALP	Maughan, Mr Noel John	Rodney	NP
Campbell, Ms Christine Mary	Pascoe Vale	ALP	Maxfield, Mr Ian John	Narracan	ALP
Carli, Mr Carlo	Coburg	ALP	Mildenhall, Mr Bruce Allan	Footscray	ALP
Clark, Mr Robert William	Box Hill	LP	Mulder, Mr Terence Wynn	Polwarth	LP
Cooper, Mr Robert Fitzgerald	Mornington	LP	Napthine, Dr Denis Vincent	Portland	LP
Davies, Ms Susan Margaret	Gippsland West	Ind	Nardella, Mr Donato Antonio	Melton	ALP
Dean, Dr Robert Logan	Berwick	LP	Overington, Ms Karen Marie	Ballarat West	ALP
Delahunty, Mr Hugh Francis	Wimmera	NP	Pandazopoulos, Mr John	Dandenong	ALP
Delahunty, Ms Mary Elizabeth	Northcote	ALP	Paterson, Mr Alister Irvine	South Barwon	LP
Dixon, Mr Martin Francis	Dromana	LP	Perton, Mr Victor John	Doncaster	LP
Doyle, Robert Keith Bennett	Malvern	LP	Peulich, Mrs Inga	Bentleigh	LP
Duncan, Ms Joanne Therese	Gisborne	ALP	Phillips, Mr Wayne	Eltham	LP
Elliott, Mrs Lorraine Clare	Mooroolbark	LP	Pike, Ms Bronwyn Jane	Melbourne	ALP
Fyffe, Mrs Christine Ann	Evelyn	LP	Plowman, Mr Antony Fulton	Benambra	LP
Garbutt, Ms Sherryl Maree	Bundoora	ALP	Richardson, Mr John Ingles	Forest Hill	LP
Gillett, Ms Mary Jane	Werribee	ALP	Robinson, Mr Anthony Gerard Peter	Mitcham	ALP
Haermeyer, Mr André	Yan Yean	ALP	Rowe, Mr Gary James	Cranbourne	LP
Hamilton, Mr Keith Graeme	Morwell	ALP	Ryan, Mr Peter Julian	Gippsland South	NP
Hardman, Mr Benedict Paul	Seymour	ALP	Savage, Mr Russell Irwin	Mildura	Ind
Helper, Mr Jochen	Ripon	ALP	Seitz, Mr George	Keilor	ALP
Holding, Mr Timothy James	Springvale	ALP	Shardey, Mrs Helen Jean	Caulfield	LP
Honeywood, Mr Phillip Neville	Warrandyte	LP	Smith, Mr Ernest Ross	Glen Waverley	LP
Howard, Mr Geoffrey Kemp	Ballarat East	ALP	Spry, Mr Garry Howard	Bellarine	LP
Hulls, Mr Rob Justin	Niddrie	ALP	Steggall, Mr Barry Edward Hector	Swan Hill	NP
Ingram, Mr Craig	Gippsland East	Ind	Stensholt, Mr Robert Einar ²	Burwood	ALP
Jasper, Mr Kenneth Stephen	Murray Valley	NP	Thompson, Mr Murray Hamilton	Sandringham	LP
Kennett, Mr Jeffrey Gibb ¹	Burwood	LP	Thwaites, Mr Johnstone William	Albert Park	ALP
Kilgour, Mr Donald	Shepparton	NP	Treize, Mr Ian Douglas	Geelong	ALP
Kosky, Ms Lynne Janice	Altona	ALP	Viney, Mr Matthew Shaw	Frankston East	ALP
Kotsiras, Mr Nicholas	Bulleen	LP	Vogels, Mr John Adrian	Warrnambool	LP
Langdon, Mr Craig Anthony Cuffe	Ivanhoe	ALP	Wells, Mr Kimberley Arthur	Wantima	LP
Languiller, Mr Telmo	Sunshine	ALP	Wilson, Mr Ronald Charles	Bennettswood	LP
Leigh, Mr Geoffrey Graeme	Mordialloc	LP	Wynne, Mr Richard William	Richmond	ALP

¹ Resigned 3 November 1999

² Elected 11 December 1999

³ Resigned 12 April 2000

⁴ Elected 13 May 2000

CONTENTS

TUESDAY, 26 FEBRUARY 2002

CONDOLENCES	
<i>Jack Bruce Holden</i>	1
MINISTRY	1
SHADOW MINISTRY	1
QUESTIONS WITHOUT NOTICE	
<i>Government inquiries: costs</i>	1, 4
<i>Insurance: public liability</i>	2
<i>Population: national summit</i>	3
<i>Public transport: operator contracts</i>	5
<i>Timber industry: East Gippsland</i>	6
<i>Aged care: HACCC funding</i>	7
<i>Former government: privatisation policy</i>	8
<i>Juvenile justice: Turana</i>	9
<i>Timber industry: sustainability</i>	9
PERSONAL EXPLANATION	10
PETITIONS	
<i>Steel-jawed traps</i>	10
<i>Police: Upper Yarra</i>	10
<i>Frankston–Flinders, Dandenong–Hastings and</i> <i>Denham roads: traffic control</i>	11
ENVIRONMENT AND NATURAL RESOURCES COMMITTEE	
<i>Fisheries management</i>	11
PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE	
<i>Annual report</i>	11
SCRUTINY OF ACTS AND REGULATIONS COMMITTEE	
<i>Cooperative schemes administration</i>	11
<i>Alert Digest No. 1</i>	11
BLF CUSTODIAN	
<i>53rd report</i>	11
PAPERS	12
COUNTRY FIRE AUTHORITY (MISCELLANEOUS AMENDMENTS) BILL	
<i>Council's amendments</i>	14
HOUSE CONTRACTS GUARANTEE (HIH FURTHER AMENDMENT) BILL	
<i>Council's amendments</i>	14
JUDICIAL REMUNERATION TRIBUNAL (AMENDMENT) BILL	
<i>Council's amendments</i>	14
WATER (IRRIGATION FARM DAMS) BILL	
<i>Council's amendments</i>	14
ROYAL ASSENT	14
APPROPRIATION MESSAGE.....	15
COMMONWEALTH PARLIAMENTARY ASSOCIATION	
<i>Study tours</i>	15
ACTING PUBLIC ADVOCATE.....	15
BUSINESS OF THE HOUSE	
<i>Correction of bill titles</i>	15
<i>Program</i>	16
FORMER MINISTER FOR COMMUNITY SERVICES: PERFORMANCE.....	15
MEMBERS STATEMENTS	
<i>Country Fire Authority: volunteers</i>	20
<i>Water: Wimmera–Mallee pipeline</i>	20
<i>Relay for Life</i>	21
<i>Police: Upper Yarra</i>	21
<i>Paul and Gill Metz</i>	21
<i>Qantaslink: Mildura</i>	22
<i>Premier and Cabinet: staffing</i>	22
<i>Wombat State Forest</i>	22
<i>Public transport: operator contracts</i>	23
<i>PANCH health service</i>	23
ROAD SAFETY (ALCOHOL INTERLOCKS) BILL	
<i>Second reading</i>	23
ADJOURNMENT	
<i>University of the Third Age: Glen Eira</i>	60
<i>Murray River: camp fires</i>	60
<i>Wild dogs: control</i>	61, 63
<i>Commonwealth Games: triathlon venue</i>	61
<i>HM Prison Won Wron</i>	62
<i>Gas: Gippsland pipeline</i>	62
<i>Police: Endeavour Hills station</i>	63
<i>Boneo Primary School</i>	64
<i>Police: Geelong</i>	64
<i>Kent Park Primary School</i>	64
<i>Country Fire Authority: Ballarat brigades</i>	65
<i>Responses</i>	65

Tuesday, 26 February 2002

The SPEAKER (Hon. Alex Andrianopoulos) took the chair at 2.07 p.m. and read the prayer.

CONDOLENCES

Jack Bruce Holden

The SPEAKER — Order! Pursuant to the practices set down in sessional orders I wish to advise the house of the death of Jack Bruce Holden, member of the Legislative Assembly for the electoral district of Moonee Ponds, who served from 1955 to 1967.

I ask honourable members to rise in their places as a mark of respect to the memory of the deceased.

Honourable members stood in their places.

The SPEAKER — Order! I shall convey the message of sympathy from the house to the relatives of the late Jack Bruce Holden.

MINISTRY

Mr BRACKS (Premier) — I inform the house of changes to the ministry. In the Legislative Assembly the honourable member for Thomastown is the Minister for Major Projects; the honourable member for Broadmeadows is the Minister for Innovation and will answer on behalf of the Minister for Information and Communication Technology in another place; the honourable member for Pascoe Vale is the Minister for Senior Victorians and Minister for Consumer Affairs; the honourable member for Northcote is the Minister for Planning and Minister for Women's Affairs; and the honourable member for Altona is the Minister for Education and Training and will answer on behalf of the Minister for Education Services and Minister for Youth Affairs in another place.

The honourable member for Dandenong North is the Minister for Finance and Minister for Industrial Relations; the honourable member for Dandenong is the Minister for Employment, Minister for Tourism, Minister for Gaming and Minister assisting the Premier on Multicultural Affairs, and he will answer on behalf of the Minister for Sport and Recreation and Minister for Commonwealth Games in another place; and the honourable member for Melbourne is the Minister for Community Services and Minister assisting the Premier on Community Building.

In the Legislative Council the Honourable Monica Gould is Minister for Education Services and Minister for Youth Affairs; the Honourable Justin Madden is the Minister for Commonwealth Games; and the Honourable Marsha Thomson is the Minister for Information and Communication Technology.

SHADOW MINISTRY

Dr NAPHTHINE (Leader of the Opposition) — I inform the house of some minor changes to the Liberal Party shadow ministry. I suggest to the Premier that he hold a review into who will — —

The SPEAKER — Order! The Leader of the Opposition, making the announcements!

Dr NAPHTHINE — I inform the house of some minor changes to the Liberal Party shadow ministry. The Honourable Carlo Furletti, a member for Templestowe Province in another place, is shadow minister for natural resources and energy and ports; the Honourable Wendy Smith, a member for Silvan Province in another place, is shadow Minister for Small Business and shadow minister for information technology; the honourable member for Berwick will be shadow Minister for Consumer Affairs in addition to his existing portfolio responsibilities; the honourable member for Doncaster will be shadow minister for technology and innovation, as well as continuing with his responsibilities as shadow minister for conservation and environment; and the honourable member for Cranbourne has been appointed secretary to the shadow cabinet.

QUESTIONS WITHOUT NOTICE

Government inquiries: costs

Dr NAPHTHINE (Leader of the Opposition) — Given the revelation that the government has established almost 700 reviews, committees and inquiries, will the Premier provide the estimated cost of conducting those almost 700 reviews, inquiries and committees and the economic impact this procrastination is having on Victoria?

Mr BRACKS (Premier) — I welcome the Leader of the Opposition to this sittings of Parliament, and I welcome the same consistency of questions from him as well. This is a typical lazy question from a lazy Leader of the Opposition. The Leader of the Opposition stands for nothing, does not care and does not have any policies. The public is starting to become aware that the

Leader of the Opposition is also negative, carping and whingeing.

This so-called list of reviews is a total misrepresentation. Let me go through it. It includes a statutory requirement such as an environment effects statement. That is part of their list of reviews. The list includes reviews that have been completed and concluded and are now part of legislation, as well as reviews that were started by the previous Kennett government. I will give a couple of examples. The previous government had two reviews on farm dams, and those reviews were not completed. My government rolled the two reviews into one and has brought in legislation, but what is the opposition doing? It is blocking the legislation in the upper house!

The great list the opposition has brought in also includes matters which are required by the federal government through its funding arrangements with the states and which the states are obliged to review. The list includes the Latrobe Valley ministerial task force.

Dr Napthine — On a point of order, Mr Speaker, the question was clear: what is the cost of this review-driven government? I ask you, Sir, to bring the Premier back to answering the question about the cost and the economic impact.

The SPEAKER — Order! I do not uphold the point of order, but I do remind the Premier of the need to be succinct in his answer.

Mr BRACKS — Included in the so-called list of reviews is the review of deaths of children in state care, a legislative requirement brought in by the previous government six years ago. What is truly unbelievable is that seven matters include a review of matters raised during the adjournment debate — matters which the government has already responded to! The opposition says that was a review as well. The list is an absolute sham and a joke. The problem for the Leader of the Opposition is that he stands for nothing, he does not care and he is not on the radar screen.

Insurance: public liability

Mr RYAN (Leader of the National Party) — I direct my question to the Minister for Finance — the 19th man brought on from the interchange bench!

The SPEAKER — Order! The Leader of the National Party shall address honourable members by their correct titles.

Mr RYAN — I refer to the current crisis in public liability insurance, which is impacting upon country

communities in particular. Will the Minister for Finance support legislation to be introduced by the National Party that will provide indemnity for volunteers from civil actions in negligence? This initiative already exists in South Australia and is also being pursued by the Western Australian Labor government.

Honourable members interjecting.

Mrs Peulich interjected.

The SPEAKER — Order! The honourable member for Bentleigh!

Mr LENDERS (Minister for Finance) — I thank the Leader of the National Party for his question. The Bracks Labor government is leading the way in dealing with the important issue of public liability insurance. As my predecessor as Minister for Finance announced on 21 September, we are dealing with the issues before us in a decisive manner. We are already dealing with the pooling arrangements of not-for-profit organisations, we are dealing with risk mitigation for small businesses, and we are working towards a coordinated approach between different jurisdictions and the federal government.

Mr Cooper — On a point of order, Mr Speaker, I know some latitude should be given to the minister because it is his first question as minister, but he is clearly reading his answer.

Honourable members interjecting.

Mr Cooper — I ask the minister to table the document from which he is reading.

The SPEAKER — Order! I do not uphold the point of order. I am not of the opinion that the minister was reading his answer.

Mr LENDERS — As I said, the Bracks Labor government is leading the way — —

Mr Cooper interjected.

The SPEAKER — Order! The honourable member for Mornington should desist from interjecting.

Mr LENDERS — The Bracks Labor government is leading the way on dealing with this critical issue. It is a complex issue that needs the focus of this government and governments of all jurisdictions. As I said, my predecessor dealt with the two issues: we are talking of pooled arrangements for not-for-profit organisations and of having a coordinated government approach. There is no quick fix to this problem. As my

predecessor said, we are calling on the insurance industry to open its books so that we as a government can inspect the records so that we know we can make a considered approach.

We are considering solutions, and they include those of the Leader of the National Party. We welcome his positive contribution to dealing with this problem. It is a far better response than that of the opposition, which waited until last week to come out with its response, which essentially is a rehash of what the government has been trying to do.

The government looks forward to participating along with the federal government, and Senator Coonan in her gathering of ministers, to deal with these issues. We have commenced a pooled arrangement for not-for-profit — —

Mr Ryan — On a point of order, Mr Speaker, the question related specifically to the issue of volunteers and whether the government would support legislation to protect them from civil actions and negligence. I ask you to bring the minister back to that question.

The SPEAKER — Order! I do not uphold the point of order raised by the Leader of the National Party. The minister was relevant in his response, and I will continue to hear him.

Mr LENDERS — As I said, we in the government welcome solutions that are suggested from various parties and we congratulate the National Party on at least coming up with that in September, rather than last week when the Liberal Party came up with its replica of our policy. We will be considering all the options when we meet with the other ministers around this country to deal with this issue. The issue requires careful attention; knee-jerk reactions to a considered problem are not an easy solution.

As the house would be aware, the issue of insurance is complex. The events of 11 September alone wiped out one-third of the international capital of insurance firms; therefore companies are looking for answers. We are looking at insurance companies to open their books and we are looking for comprehensive packages. We have acted decisively. The Bracks Labor government on this issue, like many others, is turning the issue around.

Population: national summit

Mr HOLDING (Springvale) — I refer to yesterday's national population summit. Will the Premier inform the house how the government's strong leadership on population policy and the broad outcomes

of yesterday's summit have the potential to benefit Victoria?

Mr BRACKS (Premier) — I thank the honourable member for Springvale for his question; he understands as much as any honourable member in this house the important contribution that immigration has made to this country. People from many different countries speaking many different languages have settled in Springvale, and the honourable member understands the diversity and richness of that community and understands, therefore, the importance of the population debate for this country.

I was pleased that the national population summit, which was held yesterday at the Regent Theatre, proved a success. The summit was the result of discussions held with Steve Vizard, other prominent Victorian citizens and me. There is a need for a coherent population policy for this country. Over 500 leading experts, economists, business leaders, environmentalists, academics and community leaders took part in a vigorous debate. There was not a unanimity of ideas but a concurrence of ideas that we need a population policy, an explanation publicly of where we are going with the numbers of people we want in this country, the distribution of those people and the sort of skills and composition we want within that population target.

What was revealing at the summit was that if we do nothing we will have a declining population in this country over the next 50 years. If we do nothing, population levels in our region will go backwards. Doing nothing is not an answer for a comprehensive population policy.

I was pleased that the summit had agreement from all state and territory leaders and key eminent Australians present for a communiqué which included three major tenets. One was that the federal government should appoint a senior minister responsible for matters relating to Australia's population levels and composition. A second was that the federal government should establish an intergovernmental population council which would include all levels of government — federal, state and local — to have consensus on the sort of population policy we want in the future, and to have agreement on how we prosecute that around the country as we did post the Second World War when there was bipartisanship and an agreement to build the nation from what it was with a population of 7 million people to what it is today with a population approaching 20 million people. That was done with consensus. It was done in a bipartisan way across all parties, taking leadership and saying that was

what had to be done for the development of the country. We need that again. It can be achieved with an intergovernmental population council which involves all tiers of government.

In 2000–01, for example, only 8129 people came to Victoria in the skilled migration category. We can do much better and take many more. We can have more skilled migrants coming into this country and more business migration. We can have a better, more coherent policy to ensure that birth rates change through better family support and better support for working families so that they can raise a family and work concurrently.

I welcome the start of the population debate in this country. It has received enormous attention right around Australia and internationally as well. This is the beginning, not the end. As an outcome of this we need a consensus on the sort of population policy we want for our country and its composition in the future.

Government inquiries: costs

Mr PERTON (Doncaster) — My question is to the gold medallist for reviews, the Minister for Environment and Conservation — —

The SPEAKER — Order! The honourable member for Doncaster shall desist and shall address all honourable members by their correct titles.

Mr PERTON — Given the minister has launched almost 100 reviews, committees or inquiries over the past two years, many of which remain incomplete or unpublished, will she now advise the house what the total estimated cost of these reviews has been to the Victorian taxpayer?

Ms GARBUTT (Minister for Environment and Conservation) — There was such a mess left in the environment department, such a mess — —

Honourable members interjecting.

The SPEAKER — Order! I ask the honourable members for Mordialloc and Doncaster in particular to cease interjecting in that vein.

Ms GARBUTT — So many messes in fact that it is a herculean task to clean up the mess left by the previous government. This government believes in engaging the community. It believes it is important, unlike the previous government which was secretive, arrogant and locked the community out of all consultation processes. So the government has implemented some reviews but not as many as the

shadow minister claims — the shadow minister for telling porkies, that is what he is!

Honourable members interjecting.

Ms GARBUTT — Gold medal!

The SPEAKER — Order! I ask the minister to desist and to answer the question.

Ms GARBUTT — So let's go through some of the exaggerations, some of the porkies, some of the lies about reviews. Five of the reviews were never initiated!

Honourable members interjecting.

Ms GARBUTT — You don't like the answer, do you?

Mr Perton — On a point of order, Mr Speaker, on a question of relevance, the question asked the minister about her reviews and the cost of them. I am flattered that she wants to take the Parliament's time to abuse me, but I ask you to make her answer the question.

The SPEAKER — Order! The honourable member for Doncaster does himself no service in taking a point of order and then proceeding to make a point in debate. I do not uphold the point of order. I ask the minister to conclude her answer.

Mr Maclellan — On a further point of order, Mr Speaker, in her earlier remarks the minister used an unparliamentary expression. I ask you to ask her to withdraw it. The word was 'lies'.

The SPEAKER — Order! The Chair intervened when the Minister for Environment and Conservation was going down that track and asked her to desist from making those remarks, as it did on a number of earlier occasions when other members tried to use what the Chair considered to be inappropriate remarks in the chamber. The minister has been chastised for that. I will continue to hear her answer.

Ms GARBUTT — Let us look at some of the reviews: 5 alleged reviews were never initiated; 4 were the portfolio responsibility of other ministers; 7 were consultations begun under the previous government; 12 were mentioned twice — double counting ; and 2 were mentioned 3 times. The honourable member is hopeless at doing numbers, but we all know about the opposition doing numbers! Thirty-seven were non-reviews and 36 have been completed and implemented. I think that is a correct process — involve the community, have consultation, make the decision, do it, and they are done.

Of course, there are a couple of major reviews that the opposition does not want to know about. What about the farm dams review and the legislation the government is trying to get through? In government the opposition held three reviews into farm dams and could not get it right. Members opposite could not make a decision, and they are still leaderless when it comes to farm dams — they cannot make a decision in the interest of the public purpose. The opposition had three reviews. The government has done one and has come to a conclusion, but the opposition does not want to hear about it.

Another review done was into the logging rates across the state, but you did not want to hear about that either and you did not want to do it. There have been questions and appeals for inquiries from the industry, from trade unions, from the community and from environmentalists for years and years and you swept it under the carpet and refused to do anything.

The SPEAKER — Order! I have allowed the minister to use the term ‘you’ across the table on two occasions. I shall not do so any longer. She will address her comments to the Chair in the third person.

Ms GARBUTT — My comments were certainly directed at the opposition and the previous government. Here we have an opposition that focuses on reviews and does not want to know the answers to important environmental issues across the state, including sustainable yield in our forestry industry and farm dams. It shows how low you have sunk. You are weak!

The SPEAKER — Order! I ask the minister to desist.

Public transport: operator contracts

Mr CARLI (Coburg) — I refer the Minister for Transport to the latest privatisation time bomb left behind by the Kennett government. Will the minister inform the house what steps the government has taken to bring greater certainty and stability to Victoria’s public transport system?

Dr Napthine interjected.

Mr BATCHELOR (Minister for Transport) — You were responsible for this.

The SPEAKER — Order! The Minister for Transport, addressing the Chair.

Mr BATCHELOR — The Leader of the Opposition is responsible for the debacle in public

transport that now confronts the people of Victoria. He was in the previous — —

Dr Napthine interjected.

The SPEAKER — Order! The Leader of the Opposition! I will not allow question time to continue with the Leader of the Opposition interjecting in that vein, and the minister responding. The Minister for Transport, responding to the question posed by the honourable member for Coburg.

Mr BATCHELOR — Members of this Parliament and members of the public would be aware that public transport was one of those areas the Kennett government mismanaged. Privatisation of this was a debacle. Interestingly, it was not just public transport, there were hospitals, prisons, Intergraph, forests — the list goes on and on. These were time bombs — —

Mrs Peulich interjected.

The SPEAKER — Order! The honourable member for Bentleigh!

Mr BATCHELOR — These were privatisation time bombs left behind by the previous Kennett government. The fingerprints of the Leader of the Opposition and the honourable members for Mordialloc, Cranbourne and Mornington are all over this. They were all key players in implementing the disastrous privatisation of public transport in August 1999.

In the case of public transport, the mismanagement of the whole privatisation process has led to the private operators facing significant financial losses. There is no clearer example of this than the automatic ticketing system, which has resulted in losses of up to \$50 million a year being inflicted on the private companies because of ongoing fare evasion. The cause goes right back to the contractual arrangements of the Kennett government. The privatisation of public transport by the previous government — by Mr Kennett and the present Leader of the Opposition — was rushed, flawed, financially irresponsible and financially unsustainable.

Over the past six months the Bracks government has been working closely with the private sector — that is, the operators of our public transport system — on options to turn around the mess created by the previous government. Today the Bracks government has reached an interim agreement with the private operators designed to bring greater stability and certainty to Victoria’s public transport system. An interim agreement has been signed up with National Express,

Connex and Yarra Trams. It includes a payment of \$41.6 million as a lump sum plus an additional \$3 million per year to settle contractual claims and disputes from the Kennett government's privatisation process. As well as that there will be a one-off payment of some \$27 million tied to a future agreement with the operators based on a business recovery proposal, including a revised passenger growth incentive agreement. In return the operators will increase the size of the performance bonds they have lodged with the state of Victoria. They will be going up from \$105 million to \$210 million.

This agreement is based on the government's commitment to pursuing high-quality public transport for passengers and road users and will ensure that it achieves stability for the operators and gets ongoing value for money for taxpayers. This government is working to clean up the privatisation mess created by the Kennett government and to turn around Victoria's public transport system.

Mr Cooper interjected.

The SPEAKER — Order! The honourable member for Mornington!

Mr Leigh interjected.

The SPEAKER — Order! I warn the honourable member for Mordialloc.

Mr BATCHELOR — The previous government's attempt to privatise public transport in Victoria was an absolute disaster. The Gang of Four who sit on the opposition benches and worked with the previous Premier have to be held accountable for this.

Mr McArthur — On a point of order, Mr Speaker, on the issue of brevity and conciseness of answers, I understand the Minister for Finance may have his training wheels on, but this minister has been around the place long enough to know the sessional orders — after all, he drafted them!

The SPEAKER — Order! The honourable member for Monbulk shall desist from making points in debate after taking a point of order. The honourable member has raised a point of order in regard to sessional order no. 3, which requires answers to be succinct. I ask the minister to conclude his answer.

Mr BATCHELOR — This is a most important and serious matter as some 860 000 trips on public transport are taken each and every day. We have undertaken this action to ensure that our public transport system continues to operate viable, sustainable public transport

companies into the future. The way the previous government set up this system meant that it could not operate for the long term and it had no long-term viability. It is a disgrace the way the opposition today attacks the continuation of these public services operated by private companies.

Timber industry: East Gippsland

Mr INGRAM (Gippsland East) — My question is to the Minister for State and Regional Development and the chair of the ministerial task force established to assist and support timber communities and businesses across the state. In view of the disgraceful management of the forest industry by the Department of Natural Resources and Environment and the government's proposed cuts to sawlog harvesting in Victoria, I ask the minister to inform the house what action the government task force will take to ensure that the timber communities, families and businesses in East Gippsland will suffer no adverse social or economic consequences through this restructure.

Mr BRUMBY (Minister for State and Regional Development) — I thank the honourable member for Gippsland East for his question and for his strong representation of the people of East Gippsland. The package announced by the government last week provides \$80 million of direct industry assistance to those companies and the workers affected by this restructuring package. In addition the government has established a ministerial task force, which I chair, which consists of a number of ministers, whose task it is to look at a range of other programs to generate new jobs and opportunities in the areas affected by the timber restructure.

On Friday I was in Bairnsdale announcing the expansion of the Vegco company there, with 90 new jobs over the next three years. While I was there I met with the honourable member for Gippsland East and the president of the East Gippsland Shire Council and representatives of the Orbost community headed by Mr Gary Squires to look at the opportunities for new job generation throughout East Gippsland. I have given a commitment that with members of the task force I will visit Orbost to listen to the views of the local community within the next two weeks. In the meantime I have written to all government departments to ask them to examine opportunities under existing government programs and to bring them forward to develop new jobs and opportunities in the areas which are affected.

This successful strategy has been applied by the Bracks government previously, in the case of the Latrobe

Valley regional task force where as a result of the best part of six months work we put in place a significant package of initiatives which already has had a very positive impact there in generating new jobs and opportunities.

It is certainly my view that in a range of areas — economic infrastructure, things like industrial estates, community infrastructure, mainstream government services, health and education, support for small businesses and tourism — all those things can be brought together to develop a package which will make a difference to those communities. So we will be visiting Orbost. We have had strong representation from the honourable member for Gippsland East and I have to say this is an issue about which the previous government manipulated the figures and fudged the numbers. It just pushed the issue under the carpet for years and years and did nothing for country Victoria. In fact, worse than that. You betrayed country Victoria.

The SPEAKER — Order! I ask the minister to desist debating the question.

Mr BRUMBY — Honourable Speaker, the policies of the Bracks government are making a difference in country Victoria.

Honourable members interjecting.

Mr BRUMBY — The opposition hates good news!

In last December's Australian Bureau of Statistics figures the unemployment rate in country Victoria was 5.5 per cent — the best rate in 12 years. We believe that through positive initiatives we can make a difference. We are prepared to work with those communities; we are prepared to work with the honourable member for Gippsland East. I am confident that the ministerial task force established by the Premier will result in the creation of new job opportunities in these communities and a bright future for the families and communities involved.

Aged care: HACC funding

Mrs SHARDEY (Caulfield) — I refer the Minister for Senior Victorians to the government's review into home and community care funding, launched in May 2000. Will the minister advise the house when this review will finish, who chaired it, and how much it cost?

Ms CAMPBELL (Minister for Senior Victorians) — I thank the honourable member for Caulfield for her question. It is important that the honourable member for Caulfield inform herself

adequately in relation to the new ministerial responsibilities. This government has taken a visionary approach to senior Victorians. This government has put in place portfolio responsibilities that ensure the Minister for Senior Victorians looks across the board at every aspect of every department and makes sure that in the 21st century seniors are well and truly looked after. It is really important that this house looks to the future to ensure that seniors are well represented.

Dr Napthine — On a point of order, Mr Speaker, if the Minister for Senior Victorians is trying to tell us that this is not her responsibility, she should tell us truthfully that it is not her responsibility and to whom the question should be addressed.

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

Ms CAMPBELL — In relation to the needs of senior Victorians I will be looking not only at important issues in relation to the Department of Human Services — —

Mrs Shardey — On a point of order, Mr Speaker, the home and community care program to which I referred is one which is very much in the interests of senior Victorians and that the minister in her responsibility — —

Honourable members interjecting.

The SPEAKER — Order! The Chair is having difficulty hearing the point of order.

Mrs Shardey — The home and community care program is administered to a large number of senior Victorians. I would have thought that the minister, as part of her new portfolio responsibilities, would be able to answer this question.

The SPEAKER — Order! I will not continue to hear the honourable member for Caulfield on that point of order, as she is clearly not taking a point of order in the proceedings.

Ms CAMPBELL — It is important that the honourable member takes the opportunity to have herself thoroughly briefed on this government's view of senior Victorians. It is also important that the honourable member is aware that the home and community care review is complete, that the HACC review has been announced and that funding has been reallocated across the state. I would think that the honourable member for Caulfield would have kept herself well and truly informed of that matter.

In relation to the 21st century vision — —

Mr Wilson — On a point of order, Mr Speaker, during the most recent point of order a prompting note was passed to the Minister for Senior Victorians from the Deputy Premier via the Minister for Education. Could that note be tabled, please?

Honourable members interjecting.

The SPEAKER — Order! I warn the honourable member for Dromana! This being the first day back I will remind the house that it is disorderly for honourable members to continue speaking whilst the Speaker is on his feet. I shall not warn members again.

In regard to the point of order taken by the honourable member for Bennettswood, there is no point of order.

Ms CAMPBELL — I am sure honourable members in this house are well and truly aware of the good work our government has done in relation to HACC funding. We have concentrated on ensuring that we are thoroughly informed and that people throughout the state, not just seniors but a range of people who get the benefits of HACC funding, have improved services as a result of the Bracks government.

Former government: privatisation policy

Mr HELPER (Ripon) — I ask the Treasurer to advise the house of what action the government has taken to address the numerous problems caused by the bungled privatisation and contract mismanagement of the Kennett government.

Honourable members interjecting.

The SPEAKER — Order! I warn the honourable member for Mornington!

Mr BRUMBY (Treasurer) — We are going to be here a long time because it is a long list — a very long list.

The SPEAKER — Order! I ask the Treasurer to cease making gestures of that kind.

Mr BRUMBY — What we have had to do is, of course, fix up the mess, the contractual wreckage that was left to us by the former government. You can see former cabinet ministers sitting around here. There is one, the current Leader of the Opposition. They sat around the cabinet table. The honourable member for Warrandyte has blind ambition. All he has his eyes on is the deputy leader's spot. He could not get enough privatisation when he was in government and now he cannot campaign hard enough against it.

Dr Dean — On a point of order, Mr Speaker, I know the minister likes to get wound up, but he is clearly debating the question. He has been debating the question since he started, and I would ask you to ask him to desist.

The SPEAKER — Order! I ask the Treasurer to come back to answering the question.

Mr BRUMBY — As I said, the Bracks government has had to fix up the mess that was left behind by the Kennett government. Potentially, the cost of this contractual wreckage left to us by the former Kennett government is in excess of half a billion dollars! Potentially it means more than \$500 million in costs to Victorian taxpayers because of bungled privatisation and contract mismanagement by the former government.

It cost \$20.2 million to end the Deer Park women's prison contract, and we all know the background about why that contract had to be ended. This financial year we are paying \$118 million for electricity to protect Victorians because the former government bungled the privatisation and could not get the lines right on the map. The rail franchise agreements which the Minister for Transport has had to announce today cost \$42 million in disputes and claims from contracts which were implemented in August 1999. There is the City Link claim. Transurban is claiming \$35.8 million against the government for material adverse effect. Onelink — you don't like the list, do you?

Mr McArthur — On a point of order, Mr Speaker, I notice that the Treasurer is reading from a typed document which consists of a number of pages. Will he make it available to all members of the house?

The SPEAKER — Order! I do not uphold the point of order raised by the honourable member for Monbulk. The Treasurer was clearly not quoting from a document.

Mr BRUMBY — The Onelink claim is \$270 million; then there are the bus contracts. In the last budget we had to provide \$189.1 million extra in bus contracts, of which \$78 million was contractual cost overruns. On top of that there is the Latrobe Valley Hospital where we had to get out of the contract; the Mildura private hospital, and Intergraph, of course, at the end of the year. When all of those potential costs are added up it will cost Victorian taxpayers more than \$500 million.

The current Leader of the Opposition should apologise to the people of Victoria for the potential \$500 million worth of bungled privatisation and contract

mismanagement costs. It is an embarrassment to you and an embarrassment to Victorians.

Juvenile justice: Turana

Mrs ELLIOTT (Mooroolbark) — I refer the Minister for Community Services to the government review into juvenile justice facilities completed in May 2001. What was the outcome of the review, and will the minister now close the outdated and unsafe Turana facility?

Ms PIKE (Minister for Community Services) — I thank the honourable member for Mooroolbark for her question. It is interesting to note that while the previous government had responsibility for this area it did virtually nothing in the juvenile justice area.

Dr Napthine — That is an outrageous lie!

The SPEAKER — Order! I ask the Leader of the Opposition to desist interjecting in that vein.

Ms PIKE — As a consequence the previous government allowed the situation to degenerate. When the Labor Party took office it then had to face the difficult and challenging task of cleaning up the mess. We want a more balanced approach to juvenile justice. We are very concerned about working to ensure that crime is prevented and that young offenders have the greatest opportunity of rehabilitation. This is a very complex and long-term task because we know we are often dealing with very damaged and difficult young people, and we have already begun a process of putting a lot of additional resources into it.

Over the past four years we have committed \$34.2 million of additional resources to the area of juvenile justice, and we know we have many challenges ahead of us. So I can certainly assure — —

Dr Napthine — On a point of order to do with relevance, Mr Speaker, when we were in government we built new facilities at Malmsbury, Melbourne Juvenile Justice Centre and Parkville. The question is: what is she doing about Turana?

The SPEAKER — Order! The Leader of the Opposition clearly knows he is not taking a point of order. I will not listen to him any further.

Ms PIKE — It is all very well for the Leader of the Opposition to stand up, bleat and carry on at the moment, but the reality is that he really did not care. If he had really cared, then he would have had a strategic focus on juvenile justice in the way that this government already has. We have invested

considerable resources, we are working very hard in this area — —

Mr Maclellan — On a point of order, Mr Speaker, I draw your attention to the fact that the minister was asked when she was going to close Turana, and she is not being succinct in her answer.

Mr Batchelor interjected.

The SPEAKER — Order! The Minister for Transport will find himself outside the chamber shortly.

I do not uphold the point of order; however, I ask the minister to come back to answering the question.

Ms PIKE — We are turning this issue around. We are fixing up the mess that was left by the previous government. We have invested a large amount of resources and we are working in the longer term to a plan.

Timber industry: sustainability

Ms DUNCAN (Gisborne) — Will the Premier advise the house what action the government is taking to secure the long-term viability of the Victorian timber industry and the forests — —

Mrs Peulich interjected.

The SPEAKER — Order! I warn the honourable member for Bentleigh.

Ms DUNCAN — I will repeat the question. Will the Premier advise the house what action the government is taking to secure the long-term viability of the Victorian timber industry and the forests on which it relies?

Mr BRACKS (Premier) — I thank the honourable member for Gisborne for her question and for her continual advocacy on behalf of her community on the twin objectives of a sustainable timber industry and a sustainable environment to support that industry.

The release of Our Forests, Our Future marked a radical reform and overhaul of our forest industry development in this state. When we came to office we had all the key stakeholders — the Victorian Association of Forest Industries (VAFI), the Construction, Forestry, Mining and Energy Union (CFMEU) and environmental groups — coming to us with the one message, and the one message was this: the last government did not listen to them. They kept going to the last government and telling it that the figures were wrong, but it did not care enough to do anything about it.

We commissioned a further investigation into the exact amount of logs available under the licence arrangement in Victoria, which was signed up to by the previous government, and we commissioned that further work with the understanding, support and oversight of the forest industry, VAFI, the CFMEU and the environmental groups. When we saw that work, it came out with the startling figures showing that there was 31 per cent less logs than the government signed up to previously.

The previous government failed, as it has always failed, because it did not listen to the whistleblowers who were saying that this was wrong — they told it it was wrong — and in their honest moments in the future its members will sit down and say, ‘Yes, we had warning, but yes, we did nothing about it’. That is a tragedy for the forest industry in Victoria.

We are not going to be part of the cover-up. We have ensured that there is a sustainable forest industry in this state by cutting back on the sustainable yield across the state by 31 per cent, but doing it in a Labor way. A Labor way is supporting the workers. A Labor way is supporting the industry. A Labor way is supporting the communities affected. That is not the way of the previous government, which turned a blind eye to the problem; which ignored the warnings; which effectively signed up companies in investment strategies for logs that were not there.

We have now provided an \$80 million package to support communities, industry and workers in this adjustment process. This is not an easy issue, but this government is prepared to take on the tough issues. This government is not prepared to do what the last government did and sweep it under the carpet — paper over it for a year until the next election. We have taken the decision to protect our forests and therefore to protect a sustainable forest industry in this state.

PERSONAL EXPLANATION

Mr HONEYWOOD (Warrandyte) — I wish to correct a serious misrepresentation of me by an Indian community newspaper, the *Bharat Times*. The owner, who is also the editor and the journalist of the newspaper, a Mr Dinesh Malhotra, requested an urgent meeting with me on education issues earlier this year. I subsequently met with him in Parliament on 15 January. In the course of our meeting, Mr Malhotra requested an interview on education policy matters for his newspaper, the entirety of which was the subject of his own tape recording.

The subsequent publication of this interview in the February 2002 edition of the *Bharat Times* does not reflect actual comments made by me. In some cases only three or four words out of a sentence are quoted, with all the words before and all the words after in the same sentence deleted and replaced by dots. The effect of this journalistic licence is to grossly misrepresent me and to put a completely different meaning on some of my answers. My complaint is now before the Australian Press Council.

PETITIONS

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

Steel-jawed traps

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

The petition of the undersigned citizens in the state of Victoria respectfully sheweth that the steel-jawed leg-hold trap causes great suffering to all creatures caught, a great many of which are native to Australia and some of which are endangered. Australia’s scientific and animal welfare communities are united in the view that the steel-jawed trap is a device that is both ineffective in controlling problem species and cruel in its action.

Your petitioners humbly pray that your honourable house will legislate to totally ban the manufacture, sale and use of the steel-jawed trap in all areas of the state of Victoria.

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

By Mr CARLI (Coburg) (91 signatures)

Police: Upper Yarra

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 the citizens of Upper Yarra are concerned at the lack of police in their region and the delay in response to emergency calls. The people of Upper Yarra call on the state government and the minister for police to provide a 24-hour police station at either Yarra Junction or Warburton.

Your petitioners therefore pray that the Parliament of Victoria and the minister for police will urgently take action to protect the people of Upper Yarra.

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

By Mrs FYFFE (Evelyn) (1394 signatures)

Frankston–Flinders, Dandenong–Hastings and Denham roads: traffic control

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

The humble petition of the undersigned citizens of Victoria sheweth that we are gravely concerned about the extreme danger of the intersection of Frankston–Flinders Road with Dandenong–Hastings Road and Denham Road in Tyabb.

Your petitioners therefore pray that urgent action be taken to make this black spot intersection safer before any more lives are lost at the location.

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

By Mr COOPER (Mornington) (143 signatures)

Laid on table.

Ordered that petition presented by honourable member for Mornington be considered next day on motion of Mr COOPER (Mornington).

Ordered that petition presented by honourable member for Evelyn be considered next day on motion of Mrs FYFFE (Evelyn).

Ordered that petition presented by honourable member for Coburg be considered next day on motion of Mr CARLI (Coburg).

ENVIRONMENT AND NATURAL RESOURCES COMMITTEE

Fisheries management

Mr SEITZ (Keilor) presented report, together with appendices and minutes of evidence.

Laid on table.

Ordered that report and appendices be printed.

PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE

Annual report

Mr LONEY (Geelong North) presented report for 2000–01, together with appendices.

Laid on table.

Ordered to be printed.

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE

Cooperative schemes administration

Ms GILLETT (Werribee) presented report on intended declaration and proclamation of Classification (Publications, Films and Computer Games) Enforcement Act 1995.

Laid on table.

Ordered to be printed.

Alert Digest No. 1

Ms GILLETT (Werribee) presented *Alert Digest No. 1 of 2002* on:

Building (Amendment) Bill
 Crimes (DNA Database) Bill
 Crimes (Workplace Deaths and Serious Injuries) Bill
 Film Bill
 Forensic Health Legislation (Amendment) Bill
 Gaming and Tobacco Acts (Amendment) Bill
 Infertility Treatment (Further Amendment) Bill
 Marine (Further Amendment) Bill
 Road Safety (Alcohol Interlocks) Bill
 Scotch College Common Funds Act
 Sentencing (Amendment) Bill

together with appendices.

Laid on table.

Ordered to be printed.

BLF CUSTODIAN

53rd report

The SPEAKER presented report given to him pursuant to section 7A of BLF (De-recognition) Act 1985 by the custodian appointed under section 7(1) of that act.

Laid on table.

Ordered to be printed.

Mr McARTHUR (Monbulk) — I desire to move, by leave:

That the report be taken into account on the next day of sitting.

Leave refused.

Mr McARTHUR gave notice of motion.

PAPERS

Laid on table by Clerk:

Coastal Management Act 1995 — Victorian Coastal Strategy 2002

Drugs, Poisons and Controlled Substances Act 1981 — Documents pursuant to s 12H — Poisons Code:

Notice regarding the amendment, commencement and availability of the Poisons Code Standard for the Uniform Scheduling of Drugs and Poisons No. 16 Amendment No. 2

EcoRecycle Victoria — Report for the year 2000–01

Environment Protection Act 1970:

Order declaring Industrial Waste Management Policy (Movement of Controlled Waste between States and Territories) (*Gazette No. S 222, 6 December 2001*)

Order declaring State Environment Protection Policy (Air Quality Management) (*Gazette No. S 240, 21 December 2001*)

Order varying State Environment Protection Policy (Ambient Air Quality) (*Gazette No. S 240, 21 December 2001*)

Financial Management Act 1994 — Budget Update for the year 2001–02

Financial Management Act 1994:

Report from the Minister for Agriculture that he had received the 2000–01 annual report of the Murray Valley Wine Grape Industry Development Committee

Reports from the Minister for Environment and Conservation that she had not received the 2000–01 annual reports, together with an explanation for the delay in tabling, of the:

Falls Creek Alpine Resort Management Board
Lake Mountain Alpine Resort Management Board
Mount Baw Baw Alpine Resort Management Board
Mount Buller Alpine Resort Management Board
Mount Hotham Alpine Resort Management Board
Mount Stirling Alpine Resort Management Board

Reports from the Minister for Health that he had received the 2000–01 annual reports of the:

Casterton Memorial Hospital
Coleraine District Health Services
Heywood and District Memorial Hospital
Moyné Health Services
O'Connell Family Centre
Optometrists Registration Board
Omeo District Hospital

Terang and Mortlake Health Service

Fundraising Appeals Act 1998 — Exemption Order pursuant to s 16A

Hesse Rural Health Service — Report for the year 2000–01

Inner and Eastern Health Care Network — Report for the year 2000–01

Melbourne City Link Act 1995:

Order pursuant to s 8(4) decreasing the Project Area (two papers)

Statement of Variation No. 4/2001: Detailed Tolling Strategy

Melbourne Health — Report for the year 2000–01 (two papers)

Pharmacy Board of Victoria — Report for the year 2000–01

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

Alpine Resorts Planning Scheme — Nos C6, C10

Ballarat Planning Scheme — Nos C39 Part 1, C43 Part 1, C46

Banyule Planning Scheme — Nos C24, C26

Bayside Planning Scheme — Nos C1, C22

Boroondara Planning Scheme — No. C22

Brimbank Planning Scheme — Nos C23 Part 1, C27

Buloke Planning Scheme — No. C3

Cardinia Planning Scheme — Nos C6, C21 Part 2, C26

Casey Planning Scheme — Nos C17, C26, C33, C36, C40

Darebin Planning Scheme — Nos C21, C24, C32

Delatite Planning Scheme — No. C12

East Gippsland Planning Scheme — Nos C4, C5, C10

Frankston Planning Scheme — No. C14

Golden Plains Planning Scheme — No. C9

Greater Dandenong Planning Scheme — Nos C20, C23, C28, C32

Greater Geelong Planning Scheme — Nos C30, C31, C33

Greater Shepparton Planning Scheme — Nos C15, C16

Hepburn Planning Scheme — Nos C2 Part 1, C10

Hobsons Bay Planning Scheme — No. C25

Horsham Planning Scheme — No. C11

Indigo Planning Scheme — No. C11

Kingston Planning Scheme — Nos C15, C18

Knox Planning Scheme — No. C18

La Trobe Planning Scheme — No. C6

Macedon Ranges Planning Scheme — Nos C2 Part 1, C11

Manningham Planning Scheme — Nos C1, C7, C10

Maribymong Planning Scheme — Nos C5, C18, C19, C24, C25

Maroondah Planning Scheme — Nos C20, C24

Melbourne Planning Scheme — Nos C19 Part 1, C52, C53, C54, C55

Melton Planning Scheme — No. C16

Mildura Planning Scheme — No. C4

Mitchell Planning Scheme — Nos C22, C24

Moirra Planning Scheme — No. C5

Monash Planning Scheme — No. C18

Moonee Valley Planning Scheme — No. C27

Moreland Planning Scheme — Nos C1 Part 1, C10 Part 2, C19, C22

Mornington Peninsula Planning Scheme — Nos C18, C37, C38, C39, C41

Mornington Planning Scheme — No. C19

Mount Alexander Planning Scheme — Nos C8 Part 1, C14

Nillumbik Planning Scheme — Nos C7, C8, C16

Port of Melbourne Planning Scheme — No. L33

Port Phillip Planning Scheme — Nos C6, C33

Queenscliffe Planning Scheme — Nos C7, C9

Stonnington Planning Scheme — No. C26

Swan Hill Planning Scheme — Nos C3, C4, C5, C7

Warrnambool Planning Scheme — No. C14

Wellington Planning Scheme — Nos C4, C5

Whitehorse Planning Scheme — Nos C12, C16, C19, C26, C34, C39

Whittlesea Planning Scheme — No. C15

Wodonga Planning Scheme — Nos C5, C10

Wyndham Planning Scheme — Nos C25, C29

Yarra Planning Scheme — Nos C22, C23, C32, C35, C38

Yarra Ranges Planning Scheme — No. C12

Statutory Rules under the following Acts:

Administration and Probate Act 1958 — SR No. 129

Agricultural and Veterinary Chemicals (Control of Use) Act 1992 — SR No. 143

Alcoholics and Drug-dependent Persons Act 1968 — SR No. 7/2002

Audit Act 1994 — SR No. 148

Building Act 1993 — SR Nos 171, 176

Chinese Medicine Registration Act 2000 — SR No. 133

Chiropractors Registration Act 1996 — SR No. 138

Conservation, Forests and Lands Act 1987 — SR No. 165

County Court Act 1958 — SR Nos 122, 123, 124, 157

Crown Proceedings Act 1958 — SR No. 2/2002

Dental Practice Act 1999 — SR No. 134

Essential Services Commission Act 2001 — SR No. 166

Fair Trading Act 1999 — SR No. 162

Fisheries Act 1995 — SR No. 145

Flora and Fauna Guarantee Act 1988 — SR No. 147

Food Act 1984 — SR Nos 149, 169

Freedom of Information Act 1982 — SR No. 161

Fuel Prices Regulation Act 1981 — SR No. 163

Fundraising Appeals Act 1998 — SR No. 144

Gaming and Betting Act 1994 — SR No. 167

Gaming Machine Control Act 1991 — SR No. 168

Gas Safety Act 1997 — SR No. 5/2002

Gene Technology Act 2001 — SR No. 153

Health Act 1958 — SR No. 150, 6/2002

Health Services Act 1988 — SR Nos 141, 170

Livestock Disease Control Act 1994 — SR No. 156

Lotteries Gaming and Betting Act 1966 — SR Nos 126, 155

Magistrates' Court Act 1989 — SR Nos 131, 142, 4/2002

Marine Act 1988 — SR Nos 127, 8/2002

Medical Practice Act 1994 — SR No. 139

Melbourne City Link Act 1995 — SR No. 174

National Parks Act 1975 — SR No. 146

Nurses Act 1993 — SR No. 136

Optometrists Registration Act 1996 — SR No. 140

Osteopaths Registration Act 1996 — SR No. 137

Pharmacists Act 1974 — SR No. 151

Physiotherapists Registration Act 1998 — SR No. 135

Road Safety Act 1986 — SR Nos 172, 173

Subordinate Legislation Act 1994 — SR Nos 154, 164, 3/2002

Supreme Court Act 1986 — SR Nos 129, 130, 159

Tobacco Act 1987 — SR No. 152

Victorian Civil and Administrative Tribunal Act 1998 — SR Nos 160, 175, 1/2002

Victorian Qualifications Authority Act 2000 — SR No. 128

Water Act 1989 — SR No. 132

Water Industry Act 1994 — SR No. 125

Whistleblowers Protection Act 2001 — SR No. 158

Subordinate Legislation Act 1994:

Ministers' exception certificates in relation to Statutory Rule Nos 122, 123, 124, 129, 130, 142, 162, 175, 1/2002, 2/2002, 3/2002

Ministers' exemption certificates in relation to Statutory Rule Nos 121, 126, 127, 133, 134, 135, 136, 137, 138,

139, 140, 143, 144, 145, 147, 149, 151, 152, 153, 156,
163, 165, 169, 170, 172, 173, 174, 6/2002, 7/2002

Victorian Environment Assessment Council Act 2001 —
Response of the Minister for Environment and Conservation
to the Environment Conservation Council Box-Ironbark
Forests and Woodlands Investigation Final Report.

The following proclamations fixing operative dates
were laid upon the Table by the Clerk pursuant to an
Order of the House dated 3 November 1999:

Auction Sales (Repeal) Act 2001 — Section 3(2) on 1 January
2002 (*Gazettes G51, 20 December 2001, S239, 21 December
2001*)

Building (Amendment) Act 2001 — Sections 6 and 16 on
21 December 2001 (*Gazette S239, 21 December 2001*)

Film Act 2001 — Remaining provisions on 1 January 2002
(*Gazette G50, 13 December 2001*)

Fundraising Appeals (Amendment) Act 2001 — Remaining
provisions on 1 January 2002 (*Gazette G50, 13 December
2001*)

Livestock Disease Control (Amendment) Act 2001 — Whole
Act (except sections 15 and 18(b)) on 1 January 2002
(*Gazette G51, 20 December 2001*)

Marine (Amendment) Act 2000 — All provisions on
3 December 2001 (*Gazette G48, 29 November 2001*)

Marine (Further Amendment) Act 2001 — Remaining
provisions, other than Part 4 on 7 February 2002 (*Gazette G5,
31 January 2002*)

Marine (Hire and Drive Vessels) Act 2001 — Remaining
provisions on 1 February 2002 (*Gazette G5, 31 January
2002*)

*Marine Safety Legislation (Lakes Hume and Mulwala) Act
2001* — Whole Act on 1 December 2001 (*Gazette G48,
29 November 2001*)

Melbourne City Link (Further Amendment) Act 2001 —
Whole Act on 1 January 2002 (*Gazette S226, 11 December
2001*)

Racing (Racing Victoria Ltd) Act 2001 — Remaining
provisions on 19 December 2001 (*Gazette S233,
19 December 2001*)

*Road Safety (Alcohol and Drugs Enforcement Measures) Act
2001* — Section 9(1) on 21 December 2001 (*Gazette G50,
13 December 2001*)

Road Safety (Further Amendment) Act 2001 — Remaining
provisions (except for sections 4, 5(3), 7, 8, 10, 26, 29 and 30)
on 21 December 2001 (*Gazette G50, 13 December 2001*)

Transport (Further Amendment) Act 2001 — Part 5 on
31 December 2001 (*Gazette S226, 11 December 2001*)

Statute Law Further Amendment (Relationships) Act 2001 —
Remaining provisions on 20 December 2001 (*Gazette G51,
20 December 2001*).

COUNTRY FIRE AUTHORITY (MISCELLANEOUS AMENDMENTS) BILL

Council's amendments

Returned from Council with message relating to
amendments.

Ordered to be considered next day.

HOUSE CONTRACTS GUARANTEE (HIH FURTHER AMENDMENT) BILL

Council's amendments

Returned from Council with message relating to
amendments.

Ordered to be considered next day.

JUDICIAL REMUNERATION TRIBUNAL (AMENDMENT) BILL

Council's amendments

Returned from Council with message insisting on
amendments.

Ordered to be considered next day.

WATER (IRRIGATION FARM DAMS) BILL

Council's amendments

Returned from Council with message insisting on
amendments.

Ordered to be considered next day.

ROYAL ASSENT

Message read advising royal assent to:

4 December 2001

Sentencing (Emergency Service Costs) Bill
Victorian Environmental Assessment Council Bill

11 December 2001

Accident Compensation (Amendment) Bill
Animals Legislation (Responsible Ownership) Bill
Auction Sales (Repeal) Bill
Energy Legislation (Miscellaneous Amendments) Bill
Fair Trading (Unconscionable Conduct) Bill
Film Bill

Liquor Control Reform (Prohibited Products) Bill
 Livestock Disease Control (Amendment) Bill
 Marine (Hire and Drive Vessels) Bill
 Petroleum (Submerged Lands) (Amendment) Bill
 Road Safety (Further Amendment) Bill
 Second-Hand Dealers and Pawnbrokers (Amendment) Bill
 Transport (Alcohol and Drug Controls) Bill

18 December 2001

Scotch College Common Funds Bill
 Victorian Institute of Teaching Bill

APPROPRIATION MESSAGE

Message read recommending appropriation for
 Sentencing (Amendment) Bill

COMMONWEALTH PARLIAMENTARY ASSOCIATION

Study tours

The SPEAKER — Order! Following changes to the Commonwealth Parliamentary Association (CPA) study tour guidelines in September 2001, the Presiding Officers are now required to report to the house on a six-monthly basis on those members who have submitted study tour reports and any members exceeding the reporting deadline by one month.

Accordingly, I advise that the following members have submitted study tour reports since September 2001. They are the Honourable Louise Asher, the honourable member for Brighton; Mr Carlo Carli, the honourable member for Coburg; the Honourable Philip Davis, a member for Gippsland Province in the other place; Mr Peter Loney, the honourable member for Geelong North; Mr Hong Lim, the honourable member for Clayton; Mrs Judy Maddigan, the honourable member for Essendon; Mr Bruce Mildenhall, the honourable member for Footscray; the Honourable Graeme Stoney, a member for Central Highlands Province in the other place; the Honourable Chris Strong, a member for Higinbotham Province in the other place; the Honourable Marsha Thomson, the Minister for Small Business; and the Honourable Jeanette Powell, a member for North Eastern Province in the other place.

All the members of the Legislative Assembly of the 54th Parliament who have undertaken study tours to date have submitted their reports.

ACTING PUBLIC ADVOCATE

The SPEAKER — Order! I wish to advise the house that on Thursday, 31 January 2002, I administered to Mr David Petherick, Acting Public Advocate, the oath required by schedule 3 of the Guardianship and Administration Board Act 1986.

BUSINESS OF THE HOUSE

Correction of bill titles

Mr BATCHELOR (Minister for Transport) — By leave, I move:

That where a bill has passed through both houses and the citation of the bill includes a reference to a calendar year earlier than that in which the passage of the bill was completed, the Clerk of the Parliaments be empowered to alter the calendar year reference in the citation of the bill and any corresponding reference within the bill itself to the year in which the passage of the bill was so completed.

Motion agreed to.

FORMER MINISTER FOR COMMUNITY SERVICES: PERFORMANCE

Mrs ELLIOTT (Mooroolbark) — I desire to move, by leave:

That this house censures the honourable member for Pascoe Vale for her failure when Minister for Community Services to protect Victoria's children when she knowingly condoned supervised chroming in state-funded houses for children at risk, and for her failure to admit to the people of Victoria that she knew.

Leave refused.

Mrs ELLIOTT gave notice of motion.

Mr McArthur — On a point of order, Mr Speaker, what we have just seen is an absolute outrage. This man here is trying to gag the Parliament. This man here is preventing the Parliament from debating a very important and serious matter, and he has done it deliberately and he has done it maliciously, and he pretends, Sir — —

The SPEAKER — Order! The honourable member has risen on a point of order. I ask him to confine his remarks to his point of order.

Mr McArthur — Indeed, Sir, my point of order relates to sessional order 2. This is one of the most malign, cynical and contrived ways of gagging the Parliament that we have seen in Australia. This man came in here pretending to support democracy,

pretending to argue for debate and for parliamentary process, yet we have seen a rule which prevents any motion — any motion at all — condemning, criticising or bringing into question the actions of a member or a minister, and that is a major failing in the democratic process; it is a major failing in the parliamentary process and it will leave Victoria very sadly neglected in its processes, Sir.

The SPEAKER — Order! The honourable member has risen on a point of order in regard to the proceedings and has cited sessional order 2. The Chair is of the view that there has been no breach of the proceedings that are followed by the house and by the Chair on this occasion. The Chair called on motions by leave; the honourable member for Mooroolbark chose to move a motion by leave; leave was refused. There has been no breach of sessional orders.

Mr McArthur — May I explain, Sir?

The SPEAKER — Order! The honourable member for Monbulk on a further point of order.

Mr McArthur — On a further point of order, the point I am trying to make is that these sessional orders have been so contrived that it is impossible for any member to bring a motion into this place which calls into question the conduct or behaviour of a minister of the Crown or a member of this place. The only method for doing it is by the general business notice process, and no items have been debated from that notice paper since we first sat in November 1999. I know, because I put item no. 1 on there and it is still no. 1. So there is no way for the house ever to discuss or to bring — —

An honourable member interjected.

Mr McArthur — There is no way of doing it, Sir, because a matter of public importance has no question.

The SPEAKER — Order! I have listened carefully to the honourable member for Monbulk and am of the view that he is not taking a point of order and speaking to it but rather attempting to make a point in debate about sessional orders. This is not the appropriate occasion for him to do so.

Mr McArthur interjected.

The SPEAKER — Order! I ask the honourable member for Monbulk to desist while the Speaker is on his feet.

Mr McArthur — This is outrageous! This is gagging the Parliament. It is outrageous, absolutely outrageous!

The SPEAKER — Order! The honourable member for Monbulk shall desist from interjecting.

Mrs Peulich interjected.

The SPEAKER — Order! The honourable member for Bentleigh is on a warning.

Mr McArthur — There is a two-bit crook over here!

The SPEAKER — Order! I ask the honourable member for Monbulk to withdraw those remarks.

Mr McArthur — I withdraw ‘two-bit crook’.

BUSINESS OF THE HOUSE

Program

Mr BATCHELOR (Minister for Transport) — I move — —

Mrs Peulich interjected.

Mr BATCHELOR — Clearly the honourable member for Bentleigh is under preselection challenge in her electorate — —

Mrs Peulich interjected.

The SPEAKER — Order! Similarly I ask the Minister for Transport to desist going down the path he is about to go down, and to move the government’s business program.

Mr BATCHELOR — I accept your ruling, Mr Speaker. I was going to suggest that we would support the honourable member for Bentleigh, otherwise we will miss her from the Parliament. She is a parliamentary treasure.

The SPEAKER — Order! The minister, moving his motion.

Mrs Peulich interjected.

The SPEAKER — Order! One more word from the honourable member for Bentleigh or the Minister for Transport along the lines that he was proceeding down and I will ask them both to leave the chamber under sessional order no. 10. The minister, moving his motion.

Mr BATCHELOR — I move:

That, pursuant to sessional order 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, 28 February 2002:

Road Safety (Alcohol Interlocks) Bill
 Crimes (DNA Database) Bill
 Sentencing (Amendment) Bill
 Wildlife (Amendment) Bill

The program sets out the required legislative program for this week and, while it is not included here, the opportunity will arise later on this week to begin the process of looking at the bills returned to this house from the Legislative Council.

The government business program includes four important pieces of proposed legislation. The first is the Road Safety (Alcohol Interlocks) Bill. Road safety is a top priority for the government, and the bill's position at the top of the legislative program not just for today but for the new sitting clearly indicates the priority this government gives to road safety issues.

The other bills are important in dealing with community safety both in terms of the establishment of the national DNA database and of the drug courts provided for in the Sentencing (Amendment) Bill. The government is determined to bring these important issues before the Parliament and to provide the Parliament the opportunity to discuss and debate these issues fully.

It is a hallmark of this government that it provides parliamentary debating opportunity. We are not afraid to have time set aside to debate important parliamentary issues. In fact, in comparing the parliamentary performance of the Bracks government with that of the Kennett Government the contrast could not be starker. In the first two years of this government Parliament sat an average of 51 days a year and passed some 98 bills per year. That is an enormous amount of legislation, but an even greater number of parliamentary sitting days. I have not done the figures, but I know that sitting on as many more days as that provides greater scrutiny and greater opportunity for question time and members statements, and makes a range of other parliamentary time available both to members of the opposition and to the government.

It stands in stark contrast to the record of the previous government in its period in office. On the information provided to me I believe it sat an average of only 39 days per year and passed only 90 bills a year.

Under the regime of the previous government — and that is the appropriate description of that government — the upper house was used as a rubber stamp. This government has consistently provided

opportunities for issues to be debated so as to make it more accountable, and that is clearly reflected in the government business program. If I may foreshadow the opposition's contribution to the motion, the house will hear it attempt to try to have Parliament sit on fewer days and not devote sufficient time to debate on these bills. These are important bills. Parliamentary debate on these issues is an important part of the process of creating new laws. That process should not be undermined by refusing or not allowing proper debate within the Parliament.

Mr McARTHUR (Monbulk) — The only thing about that contribution with which I agree — and I will take up this matter with the Leader of the House later — is that he sought debate on issues of importance. I will say more on that in a moment.

Firstly, this notice paper is a standard, first-week notice paper under the Bracks lazy government. It lists four bills, and during the giving of notices a few moments ago we were given notice of another four. The house will sit for three days and then honourable members will tootle off for two weeks rest before coming back to debate matters. We will debate four bills this week, and we have been given notice of another four during the next sitting week. Unless the government gets off its backside and gets into action very quickly there will be nothing to debate in the second week of the fortnight after we return on 19 March. The Leader of the House had better get his skates on if he wants the house to have something to do.

Secondly, let us turn to what the house could be doing. The minister said the Bracks government welcomes debate on important issues. Even the Leader of the House could not have failed to notice the amount of public importance and emphasis placed on the notorious chroming scandal, which took place under the management of the Minister for Senior Victorians when she was the Minister for Community Services. She misled the people of Victoria, but she is not going to be held answerable for it in this place unless the government is willing to debate matters of importance.

The Leader of the House said that could be done by raising the issue as a matter of public importance. That is fine, but there will be no opportunity to raise a matter of public importance in this house for another three weeks. Also, the raising of a matter of public importance does not lead to a question being put. No motion is moved when a matter of public importance is raised; there is debate about something but it is never resolved. That is what the Leader of the House wants: endless talk and no resolution. This is the lazy Bracks

Labor government at its best. He says, 'Let's yak, yak, yak, but never come to a decision or a resolution'.

If debate on the appalling conduct of the former Minister for Community Services is to lead to a resolution of the house and if Parliament, as the supreme decision-making body of the state of Victoria, is to have a say in the matter, that can only be done by way of substantive debate in this house. Therefore, I accept the invitation of the Leader of the House to debate matters of importance. I intend to move an amendment to the business program to enable the general business motion of which notice has been given by the honourable member for Mooroolbark — and I do not have an item number, because they have not yet been allocated — in relation to the censure of the honourable member for Pascoe Vale to be added to the government business program.

I put it to you, Sir, that this is perfectly acceptable because sessional order 6(3) says that the program will consider — and this is allowable —

The SPEAKER — Order! The Chair points out to the honourable member for Monbulk that he may not amend the motion on the government business program by adding to it from the general business part of the notice paper.

Mr McARTHUR — On a point of order, Mr Speaker, I refer you to sessional order 6(3), which states:

On the first day of the sitting week the Leader of the House or his or her nominee before the calling on of government business may move without leave a motion setting times and dates by which consideration of specified bills or items of business have to be completed ...

It does not say 'government business', it simply says 'items of business'. Items of business, Sir, not government business.

The notice paper that is before all honourable members lists several dozen general business notices of motion. I put it to you, Sir, that they are items of business. They may not be what the government considers government business, but under the wording of the sessional order they are items of business and therefore the amendment is in order.

The SPEAKER — Order! I point out to the honourable member for Monbulk that sessional order 6(2) states:

Before the house meets for business in any week, the Leader of the House and the Deputy Leader of the Opposition (or their nominees) may meet as a government business programming committee with a view to reaching agreement

on the manner in which the house is to deal with government business of the week. On the conclusion of each of such meetings, such leader and deputy leader (or their nominees) are at liberty to make public details of the outcome of the meetings.

There needs to be agreement reached between the Leader of the House and either the Deputy Leader of the Opposition or her nominee, in this case the honourable member for Monbulk, before the moving of such a motion in this place. It is my understanding that no amendment proposed to the motion can include matters other than those that are contained in the government business program.

Mr McARTHUR — On a further point of order, Sir, if your ruling is to be accepted that would rule out any amendment to the government business program. If that were the case the Chair has erred in the past, because there have been amendments to the government business program made and accepted in this place — because I have moved them. They have been put and decided on the floor of the house.

While sessional order 6(2) talks about the government business program it does not include any discussion of what is included in the government business program. That is covered by sessional order 6(3), which says that the matters to be included in the government business program shall be decided in this motion we are now debating.

I put it to you, Sir, that it is open to the house to amend the government business program. What is the point of debating it if we cannot firstly, amend it, or secondly, defeat it? There would be no purpose in having this debate. Thirdly, sessional order 6(3) clearly envisages that the government business program will include bills or items of business. It does not specify ministerial statements or government business, it simply says 'items of business'.

I know you are a fair man, Sir, and I know you value the operations of the Parliament. I put it to you that while the Leader of the House may not have anticipated this, the drafting of this sessional order clearly allows for an amendment and clearly allows for this amendment. It is up to the house to decide. I put it to you, Sir, that the proper place for a decision on this amendment is not from the Chair but from the floor of the house.

Mr Batchelor — On the point of order, Mr Speaker, to accept the argument put by the honourable member for Monbulk would undermine the process and intention of these sessional orders. These sessional orders are designed to provide a certainty for when

government business will be dealt with and a certainty for when other matters like matters of public importance, grievances or members statements will take place.

When these sessional orders were drafted they flowed on from those of the previous government but with some significant changes. They were drafted with the intention of providing that certainty. It was to provide a vehicle for occasions when the opposition wanted to raise matters such as the matter the honourable member for Monbulk wanted to raise. It is possible to raise it in a grievance debate, and that opportunity will be provided tomorrow, or it can be raised as a matter of public importance when the opposition's turn presents itself through the normal cycle.

There is no way the government would accept that the debate on the government business program can be used as a vehicle to bring on general business, notices of motion. That has never been the intention. The government needs a specified time when government business is carried out. The other items of business referred to clearly relate to matters like ministerial statements — that is, matters of government administration, not general business. It is preposterous. I admit it is a good try, but it does not quite work.

Mr Maughan — On the point of order, Mr Speaker, I speak in support of the amendment put by the honourable member for Monbulk. I support the arguments he put. Section 6(2) of the sessional orders clearly states:

Before the house meets ... the Leader of the House and the Deputy Leader of the Opposition (or their nominees) may meet as a government business programming committee with a view to reaching agreement on the manner in which the house is to deal ...

It does not say 'must', it says 'may', and it says 'with a view to'. The final line states that they are at liberty to make public details of the outcome of meetings.

I agree with the interpretation of section 6(3) put forward by the honourable member for Monbulk. It states:

On the first day of the sitting week the Leader of the House or his or her nominee before the calling on of government business may move without leave a motion ...

Section 6(4) states that the business programming committee may move a motion to amend the motion under paragraph (3). Clearly there is provision for amending the government business program at the change of business, and the section goes on to explain the detail of that.

The honourable member for Monbulk is perfectly in order to suggest that at this point of time the government business program can be amended with the concurrence of the house, and I support the amendment he proposed.

Mr Richardson — The point of order raised by my colleague the honourable member for Monbulk once again emphasises the importance of words in this place. The clarity of expression and preciseness of the choice of words as they appear on a piece of paper — in this case the sessional orders — are the things that are important. The minister may speak for as long as he likes on what he believes was the intent of the words, but the words speak for themselves.

Many types of business are discussed by the house, and they are listed. Questions are part of the business of the house, as is formal business. Statements by members are also a type of business of the house.

In fact, as a day goes by in this place the house deals with a multitude of items of business and different types of business, one of which is government business. The point being made by the honourable member for Monbulk that the word 'items' preceding 'of business' is absolutely crucial to your determination of this matter, Mr Speaker. 'Items of business' does not say government business. Items of business is the important phrase, not what the Minister for Transport claims to be the intent, which is something else again.

Mr Baillieu — On the point of order, Mr Speaker, I have observed the sessional orders as a newer member of this place and I respect the experience of those who have been here longer than me. I observe particularly that clause 6 of the sessional orders does not preclude the moving of an amendment, and in the absence of a specific exclusion of the capacity to move an amendment it must be possible to move an amendment. To not allow such an amendment is to preclude the movement of a censure motion in the house, and we would be the only Parliament in Australia with such a preclusion.

The SPEAKER — Order! I am prepared to rule on the point of order. I preface my remarks by pointing out that in my ruling to the previous point of order taken by the honourable member for Monbulk I indicated that I was of the opinion that the motion could not be amended in the terms that he suggested, but at the same time I did not go on to say that it could be amended in certain ways. On the point of order currently before the Chair, I am of the opinion that we are governed by sessional order 6(1), which refers to the government business program and says:

Standing orders shall be suspended to allow for the programming of government business and the following procedures.

I am of the opinion that that is the principle that guides us in what can and cannot be done under sessional order 6. I am therefore of the view that the honourable member for Monbulk cannot amend the motion by including or promoting an amendment taken from another section of the notice paper, but he may amend the motion by taking from matters listed in the government business program — items 1 to 11 on the front page of today's notice paper. He may further amend the motion before the Chair by moving an amendment in regard to the timing of the government business program. I do not uphold his point of order.

Mr McARTHUR — This is a sad day, Mr Speaker, a very sad day indeed, because in making the ruling that you have just made you have assisted this government to gag the Parliament.

Mr Nardella — Are you attacking the Speaker now?

The SPEAKER — Order! The honourable member for Melton!

Mr McARTHUR — You have assisted the government to gag the Parliament. I find that very distressing. As somebody who takes an interest in parliamentary procedure — as do you, Mr Speaker — I know that you are inherently a fair person. I think that privately you would be somewhat aggrieved by this position, because clearly the wording of the sessional order allows some latitude — but that seems to have slipped the Parliament by.

We have been through a disgraceful procedure today. This Parliament has been gagged, and an incompetent and misleading minister has been protected to the benefit of no-one but herself. That is a sad thing for Victoria. It is a bad thing for the government, because if it protects its incompetents like this it will surely fall. It is a good thing for ministers to be subject to the scrutiny of the house.

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

Motion agreed to.

MEMBERS STATEMENTS

Country Fire Authority: volunteers

Mr WELLS (Wantirna) — I wish to condemn the Minister for Police and Emergency Services for his recent outrageous and deliberately mischievous misrepresentation of the Liberal opposition's position on the Country Fire Authority (Miscellaneous Amendments) Bill. The truth of the matter is that the Labor government's entire agenda with the introduction of that bill was to stack the Country Fire Authority board with Labor mates and union hacks. The opposition simply had no choice but to use its majority in the Legislative Council to amend the bill in order to protect the interests of all CFA volunteers.

The Bracks Labor government is now trying to shift the blame for the bill not proceeding to cover up its own gross incompetence on the issue. The Liberal opposition developed a number of reasoned amendments, which the government chose to oppose. These amendments were drafted following extensive consultation with CFA volunteers and other interested stakeholders, something the minister unfortunately did not see fit to undertake.

The opposition continues to fully support measures contained in the bill that will improve the CFA and help protect the state from bushfire damage. We strongly support the introduction of compensation for CFA volunteers, municipal fire prevention plans and the banning of gas-fired scatterguns. However, we will never support the government's attempts to compromise and undermine the independence and high reputation of the CFA by stacking the CFA board with its mates.

The Liberal Party maintains that the CFA board should be fairly representative with a nominee from each of the Victorian Farmers Federation and the Victorian Employers Chamber of Commerce and Industry, both key stakeholders, instead of being hijacked by the minister appointing his mates.

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

Water: Wimmera–Mallee pipeline

Mr DELAHUNTY (Wimmera) — Western Victoria is critically short of water, highlighting the need for the existing open channels to be replaced by a pipeline system. The current wastage of approximately 80 per cent of the water through seepage and evaporation is disastrous and cannot be allowed to continue.

The National Party has strongly supported the plan to replace the wasteful open channel system since its inception. The federal government has agreed to a joint commonwealth–Victorian government review of the completed feasibility study, which showed that the project not only is economically viable but will also have major social and environmental benefits for western Victoria. It is of the utmost importance that this review proceed with the utmost urgency.

The federal government has also committed \$4 million towards the final stage of the Northern Mallee pipeline. Next month, with my federal colleague John Forrest, I will be leading a delegation from the Wimmera–Mallee Piping Steering Committee to Canberra to meet with the Deputy Prime Minister, John Anderson, ministers Vaile, Truss and Kemp and the Prime Minister's chief of staff to brief them and discuss funding to complete the detailed design work for the Wimmera–Mallee system.

The steering committee strongly believes it is of the highest priority to confirm costs and ensure proper planning of the project. Water management is a state responsibility, and western Victorians look forward to the state government's funding of the last stage of the Northern Mallee pipeline and the detailed design work.

The Wimmera–Mallee pipeline project will ensure the sustainable future of western Victoria and, as the 'Pipe it' bumper sticker says, save water for western Victoria.

Relay for Life

Mrs MADDIGAN (Essendon) — The Anti-Cancer Council of Victoria is running its 24-hour Relay for Life in a number of locations around the state from 6.00 p.m. on 22 March until 6.00 p.m. on 23 March. This event, which has been running for some years now, is very worthy. The lives of very few of us are not touched through either members of our families or friends suffering from cancer.

I congratulate the Moonee Valley City Council, which has been proactive in supporting the Anti-Cancer Council of Victoria, and also the many excellent volunteers who will be part of this event on that weekend. Already over 30 teams have registered for this event in Moonee Valley, where it will be held at Aberfeldie Park, Moonee Ponds. There is one team from which great things are expected — that is the team called Labor Legs, a team of ALP members in the Essendon area, which will participate in this very worthy event.

We hope to see many Labor members and other members of Parliament from outside Essendon who are

welcome to join us on that day or to participate in some of our fundraising for the anti-cancer council in the form of buying chocolate frogs and Caramello bears, which will be available in an unknown place during the week.

I congratulate the many volunteers involved in the event. It raises many hundreds of thousands of dollars for the anti-cancer council, which is a very worthwhile cause.

Police: Upper Yarra

Mrs FYFFE (Evelyn) — Today a petition signed by 1394 constituents concerned at the lack of police in Upper Yarra and calling for a 24-hour police station in Yarra Junction or Warburton has been tabled in my name. The petition was organised by a local resident, Vanessa Riddle, because of the frustration felt by the community at the lack of care and concern this government and the Minister for Police and Emergency Services have for the people of Upper Yarra.

Numerous requests for extra police and complaints about lack of response and the length of time taken to respond to calls have brought this situation to a head. The call for a 24-hour police station is justified. There is a proven need. High accident rates, home invasions and drug and mental health issues put the Upper Yarra in a vulnerable state. Our previous pleas for adequate policing have fallen on deaf ears with excuses of lack of resources, manpower and money. Yet this Minister for Police and Emergency Services is blatantly pork-barrelling a marginal seat.

In the eastern end of the Bellarine Peninsula a brand-new, 24-hour police station is planned. The minister has publicly said that Labor would retain all the existing police stations — a total force of 60 officers. In the Upper Yarra, at Yarra Junction or Warburton, we go for days with no officers at all. On days when our police stations are closed we might get a token presence of a police car for part of a shift, or for a few hours here and there. Police responding to calls have to travel 45 minutes from Mooroolbark. It is not good enough and we want the same attention the minister is giving to the rest of Victoria.

Paul and Gill Metz

Mr SEITZ (Keilor) — Today I place on the public record my congratulations to and admiration for Mr and Mrs Paul and Gill Metz. Paul is the captain of the Hillside Country Fire Authority fire station, and they both participated in fighting the interstate fire disaster over the New Year period. For a husband-and-wife

team to be away from home firefighting and supporting another state in its hour of need is commendable, particularly as Paul and Gill have young children. They moved into the Hillside area only five years ago and have been getting themselves established.

Having two people in my new electorate of Keilor who have committed themselves to voluntary work and supporting the community speaks very highly of them, that family and the growing suburb of Hillside. With people like that in the area I am sure it will go a long way in developing and meeting its community's needs for the future. I am sure the invaluable experience gained by Paul and Gill in that exercise in New South Wales will be of great benefit to the residents of the Hillside area and the broader area of the Keilor electorate.

Qantaslink: Mildura

Mr SAVAGE (Mildura) — I raise an issue for the information of the house which relates to the proposed review being undertaken by Qantas into the Mildura Qantaslink operations.

It appears that the Mildura Qantaslink operation is to be downgraded. The service is not in jeopardy, but as there are 80 employees working at Mildura for Qantaslink this would be a disaster for the local economy and our local community and also for the 80 families that are working for Qantas in Mildura. We have supported Qantas very strongly over the years and made the route that it flies from Melbourne a very vibrant one, and I am sure Qantas has made some significant profits. The route is very well patronised and the service is excellent. I have discussed this issue with the Premier and the Treasurer today, and I know they share my concerns about the current possibility that Qantas could relocate elsewhere, to Queensland or Sydney.

Qantas has also been a very good corporate citizen in our community and has been very generous in sponsorship. The current Qantaslink manager, Tony Mathews, has been a long-term resident of the area and has been very effective and committed in his management of Qantaslink. The service has been most successful on a regional basis, and I would urge Qantas not to consider this review and not to downsize by any staff members.

Premier and Cabinet: staffing

Mr KOTSIRAS (Bulleen) — This Labor government has turned the process of spending and wasting taxpayers' money into an art form. The government is unable to stop unnecessary wastage and

will spend any amount of money to hide its incompetence. From August 2000 to August 2001 the Department of Premier and Cabinet (DPC) employed the services of Fantastic Communications to put words into the Premier's mouth. The Premier is simply a puppet. The Premier is often referred to by the public servants in the department as the Marcel Marceau of the Victorian Parliament!

This government paid nearly \$35 000 for someone to write the Premier's introductory letter, check the spelling, sentence structure and grammar, and prepare a layout for some of its publications. This is despite the fact that the number of public servants in the DPC has increased from 407 full-time staff to 630 full-time staff in two years — an increase of 55 per cent — and despite the Premier's private office staff having also increased in the two years. Indeed, the Premier will spend an additional \$3.8 million on more ministerial staff.

I ask the Premier what these people are doing in his office. Are they simply taking up space and carrying folders around the corridors of power? I ask this question because I asked the Premier a question on notice on 24 August last and to date I have not received a response. What is he hiding? Perhaps his staff need assistance in writing his response.

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

Wombat State Forest

Ms DUNCAN (Gisborne) — Last Thursday I had the honour of standing in the Wombat State Forest with the Premier and the Minister for Environment and Conservation. I say 'honour' because in that one announcement this government has saved the Wombat forest. Not only is the Bracks government turning the state around, but it is turning the management of our forests around.

The announcement of the enormous cut in yield across the state is huge. However, the cut to the yield in the Wombat is nearly 80 per cent. This is not an announcement the government wanted to make; it is an announcement it had to make if we are to have a sustainable timber industry in the future.

While this is good news for conservation, many workers and their families will suffer as a consequence of what is obviously past mismanagement. The Bracks government is committed to assisting workers and the timber industry to move forward. Last December I asked the Minister for Environment and Conservation to adopt a community management model for the

Wombat forest. As part of the announcement last Thursday the Premier and the minister said that this will occur.

I look forward to working with the community and involving all the stakeholders in developing a model of management that will allow us to address many of the issues within the Wombat forest, including restoring the forest given the excessive logging that has occurred over many years and also dealing with the volumes of woodchips and the methods of logging that are currently employed.

One may ask how this happened and whether it can happen again. As it announced, the government has set up structures, changed licensing arrangements and introduced world best data collection.

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

Public transport: operator contracts

Mr LEIGH (Mordialloc) — Just over a month ago, on 14 January, the Minister for Transport said that the public transport operators should be proud of the latest results, which demonstrated a determined effort to improve on previous performance results. Today we have a different story. In his press release today the Minister for Transport said the government had to act to guarantee services to the community. What nonsense! The fact is that even if any of these companies were under threat, as the minister has made out in his story today, significant bonds to the tune of at least \$105 million have been lodged by the companies, so no matter what happens there is no problem.

Why has the government today broken the contracts? If it is open, I challenge the government to leave the contracts in the library of the Parliament — or is there another secret deal? We know what the secret deal is. The secret deal is the reason David White was appointed to Yarra Trams. The chief who operates behind the scenes in this government is none other than David White from the Cain–Kirner Guilty Party days.

He was employed for one purpose — that is, to increase the subsidies the companies could get from the Victorian government of the day. The contracts have been broken today by this incompetent minister, who cannot manage contracts. City Link played him for a sucker. Onelink plays him for a sucker.

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

PANCH health service

Mr LEIGHTON (Preston) — I thank the Minister for Health for coming out to Preston to launch the commencement of construction for the new PANCH health service. It was a great day for our local community because it marks the return of public health services to Preston and Northcote after they were stolen by the Kennett government. The Kennett government closed the Preston and Northcote Community Hospital (PANCH) and in doing so promised it would build a new integrated health centre. It then reneged on that commitment.

In 1999 we gave an election commitment that an incoming Labor government would build a new Preston integrated care centre, and we are now doing that. Very well received at the launch conducted by the minister was his announcement that the new facility would be called the PANCH health service so as to preserve its historical links with the old PANCH.

When the PANCH health service is opened next year it will make a big difference to the lives of people in my community. For example, older people who need to obtain specialist medical services on a regular basis will be able to access those services locally. We have people in poverty who cannot afford dental treatment, and PANCH health service will boost dental care.

I want to thank the local community, and in particular the People for PANCH, for their support in getting this service up and running. We look forward to it opening at the end of the year.

ROAD SAFETY (ALCOHOL INTERLOCKS) BILL

Second reading

Debate resumed from 29 November 2001; motion of Mr BATCHELOR (Minister for Transport).

Government amendments circulated by Mr BATCHELOR (Minister for Transport) pursuant to sessional orders.

Independent amendments circulated by Ms DAVIES (Gippsland West) pursuant to sessional orders.

Mr LEIGH (Mordialloc) — I rise to make the opposition's contribution on the Road Safety (Alcohol Interlocks) Bill. I guess this is one of the last bills the government will get from the former administration. The bill came about originally from a parliamentary Road Safety Committee report, and the former administration had done most of the homework on it. In

this government's desperation to come up with something it has rushed into the house with this bill today. That does not, however, take away from the importance of doing constructive things in the area of road safety.

The history of road safety in Victoria is a very proud tradition, particularly for the Liberal Party. After all, for the first time anywhere in the world the Liberal Party introduced legislation to make the wearing of seatbelts in motor vehicles mandatory. Today most sensible countries in the world have seatbelt legislation, and even the United States of America has increasingly forced the wearing of seatbelts on its motorists. We have had massive changes to safety in motor vehicles.

That is a proud tradition of the former Liberal government. Much to the shame of government members opposite, when Labor was last in government it was not interested in things like road safety committees. Fortunately this time it did not remove the Road Safety Committee. It actually kept it, hopefully as part of a constructive approach to looking at what you can do for road safety.

As of today, this year 58 people have been killed on our roads. What have we got from this current government? I do not wish to politicise the debate other than to say that when this government came to power it promised to reduce the road toll by over 20 per cent over four years. Statistically what have we got to date? Are we going in the right direction? Sadly, from a general strategic point of view we are not. The statistics, particularly on pedestrian deaths, are up. We have things like the black spot funding campaigns, which have been underspent by \$20 million this year.

Some elements of the police force are now coming out and saying, 'If you are 1 kilometre an hour over the speed limit we are going to book you for speeding'. The government is committed to revenue raising above all else, particularly in the area of fines. The matter of cameras being put on various roads is another issue. When one asks the minister for an explanation about why cameras will be put along the Geelong Freeway he says, 'Because there have been lots of accidents there in the past'. That is not the fact with the new freeway. I am not saying that I am against cameras, but what I am concerned about is that, unlike the situation in New South Wales, at least there are signs so that motorists can see what is going on. What we are concerned to see with the issue of road safety — —

Mr Haermeyer interjected.

Mr LEIGH — Take it up, please. For the record, the Minister for Police and Emergency Services has just attacked the Carr Labor government for its arrangements in New South Wales. I suggest that on his next junket to New South Wales the minister have a look at freeways. This incompetent government is about revenue raising and it is charging motorists money. I am about slowing down motorists and doing as much as I can to ensure that we lose — —

Mr Haermeyer interjected.

Mr LEIGH — You're a goose, and you know it!

The ACTING SPEAKER (Mr Lupton) — Order! The honourable member for Mordialloc will refrain from using that type of language. The Minister for Police and Emergency Services will stop interjecting across the table. It may be the first day back in the Parliament, but I intend to rule.

Mr LEIGH — The government's road safety strategies are in tatters, and added to that has been the botched 50-kilometre-an-hour speed limit campaign. Where are all the people being killed? They are being killed on the main intersections. I do not disagree with the 50-kilometre-an-hour speed limit, but it should not be introduced in such a way that people have to spend their time looking at their speedometers, for signs or whatever. Hopefully, this is a debate about road safety and the issues that affect it. It is about ensuring that as few people as possible die on our roads. That comes about because of seatbelts, changes in motor vehicle technology and a whole range of things.

I have to say that installing an interlock device to stop drunken driving is one measure that will have some effect. The minister always thinks that all I ever do is criticise him. He is right — because he deserves it. But at least in this case Victoria has not gone down the South Australian track yet. In that state the government has let drink-drivers back on the roads with interlock devices but has also decided to remove points so that a drink-driver can return to driving, but incurs some demerit points. I am delighted that the Victorian government did not go to that extreme, because frankly I am not in favour of letting habitual drunks back on the roads any earlier than they should be or not making sure they are dealt with appropriately. That also means a range of measures should be involved.

An interlock device is something that is fitted into a car, and the driver blows into it. If the device has been installed because of a court order on the driver, then unless it registers .00 the car will not start. That is a good thing, but the trouble is that some people who are

drunk are very good at conning their way into doing a whole range of other things.

The opposition is not opposing the legislation — we make the point that the measures are appropriate — but we should not hang our hat on the hope that the legislation will lead to every drunk being taken off the road. The potential flaws in these arrangements, which I will come to in a few moments, will demonstrate that it is once again the delivery of the service that will decide whether this program works.

As we know from the two years that the Bracks government has been in power, the one thing it is good at is making promises and the one thing it is bad at is delivering what it promised. That has been the case with the botched 50-kilometre-an-hour speed limit campaign and a few other arrangements, and the fact that the minister endorses collecting as much money as he can from motorists, because he thinks that is terrific. What I am about is slowing down motorists so that they do not speed and lose their hard-earned money to the coffers of the state, which then spends it.

This is a government that has also massively increased fines. That may be okay for someone who really deserves it, but it is different when police are booking people travelling between the 50 and 60-kilometre-per-hour zones, which they do. For the minister's own information, I have got at least two or three people who have written to me off their charges by being able to substantiate that they were in that 50 to 60-kilometre zone when they were booked and that the police had booked them unfairly. I spoke to Senior Sergeant Ritchie and wrote to the Traffic Camera Office, and I had some success in at least protecting some people who had, frankly, done nothing wrong but were being treated like criminals.

It is important that we deal with the effects of alcohol on motorists, but once again we have no measures to deal with the effects of other drugs, for example. We know that marijuana is used by motorists, and we know that motorists also use other, more serious drugs such as heroin and cocaine. But we do not hear about that from this government — we just hear deafening silence.

Ms Duncan interjected.

Mr LEIGH — I know what we hear from the grand lady for woodchips over there — deafening silence!

The ACTING SPEAKER (Mr Lupton) — Order! The honourable member for Mordialloc will refer to members by their correct title.

Mr LEIGH — The honourable member for Gisborne, who represents a large woodchipping area — —

The ACTING SPEAKER (Mr Lupton) — Order! The honourable member should not be funny with me.

Mr LEIGH — I am not being funny.

The ACTING SPEAKER (Mr Lupton) — Order! Yes, you are. The honourable member will get on with debating the bill.

Mr LEIGH — The fact is that these particular devices are installed in cars in a number of states in the United States of America. I understand from what the Department of Infrastructure told me that 38 of the 50 states use these particular devices. They are also used in Canada and have been introduced in Sweden in recent times, but the only Australian state that currently has them is South Australia. I made the point before that the South Australian legislation is slightly different in that its points arrangement comes into the scheme. I also understand that two interlock devices are available for use in Victoria — one that is made locally and one that is produced in Canada and exported to Australia — and that their prices are fairly similar.

Let's cut to the chase. The fact is that if you are an offender who gives a blood alcohol reading of .15 you will be taken to court, you will lose your licence and you will do your time. A court will then have this device installed, and only a court will be able to have it removed, which is a good thing. However, I am concerned about one part of the arrangement that was removed. The 12-month period during which offenders were looked at has now been removed, as I understand it, and I do not see why an habitual drunk should be given any free opportunities. I believe that the same penalties should be kept and that, if anything, we should be adding to them.

I received some comments from the Royal Automobile Club of Victoria (RACV) on one of the more curious aspects of this bill which relates to proposed section 50AAD, and I will quote them and make the document available to the house. These comments will interest the minister in particular, and I am very lucky he is at the table, given some comments he made not too long ago. Under the heading 'Vehicle immobilisation' the document reads:

This section allows magistrates to immobilise the vehicles of people who have breached the alcohol interlock condition of their licence by driving a vehicle without an interlock or driving a vehicle where the interlock device has been disengaged or tampered with.

The proposed legislation permits magistrates to order that the vehicles being used by the offender be immobilised for up to 12 months. These vehicles may or may not be the property of the offender.

That is very interesting. In other words, a person may have been driving a vehicle with an interlock device that does not belong to him or her but the magistrate may decide to impound it for a period of 12 months, even though it is not the person's vehicle. I am sure the minister will be interested to be reminded of what he said in the last few days when the Victorian police force was calling for certain things to be done. I quote Andrew Heasley, the *Age* transport reporter, who wrote on Saturday, 2 February:

Police ... minister André Haermeyer said that interlocks were preferred over the confiscation of offenders' cars because it was a more targeted punishment. Impounding or selling an offender's car would also punish innocent members of the offender's family ...

I wonder whether the minister has read the bill, because it contains what he said he did not agree with.

The magistrate can do it. The opposition will not move any amendments to that provision. I am happy to leave it to the magistrate. I ask honourable members to remember the circumstances: the assistant police commissioner, Mr Shuey, came out and demanded that the police have the right to confiscate and impound people's vehicles, but the Minister for Police and Emergency Services went out gung-ho on the television, saying, 'No, I am protecting people's cars. No, they cannot take away people's vehicles, no matter what happens'.

Mr Haermeyer interjected.

Mr LEIGH — Well, you are here! We are more interested in what you said.

Mr Haermeyer interjected.

Mr LEIGH — You were the one who said it but now you say the *Age* got it wrong! I will repeat the *Age* quotation for the minister's benefit. It states:

'... because it was a more targeted punishment. Impounding or selling an offender's car would also punish the innocent members of the offender's family', Mr Haermeyer said.

I know the minister was talking about aspects that were slightly different to this, but the fact is that innocent people are also associated with someone who is drunk and driving a vehicle. The same principle applies to speed as to this provision, yet we have a difference of opinion from the minister. Obviously, he got rolled in cabinet or, more importantly, he is such a studious minister he does not read the legislation that he is

looking at now — which, I suspect, is more to the point.

I return to the comments made on the legislation by the RACV. It further states:

The proposed legislation permits magistrates to order that the vehicles being used by the offender be immobilised for up to 12 months. These vehicles may or may not be the property of the offender. This provision is in addition to the sections of the legislation that state that offenders who breach interlock licence conditions can receive a \$3000 fine or a four-month jail sentence.

The opposition agrees with that. The RACV goes on to say:

RACV believes that while it is important to have effective sanctions that deter people from breaching licence conditions or driving while unlicensed, sanctions that involve vehicle impoundment or immobilisation should only be considered after there has been a thorough investigation of the practical, societal and equitable issues related to such sanctions.

That was not my comment, but the RACV's comment. It also said:

RACV believes that there has not been adequate community consultation about the practical, societal and equity issues of vehicle immobilisation. The issue of the inconvenience and hardship caused to other people who rely on the immobilised vehicle has not been resolved. Subsequently, we believe the sections of the proposed legislation that relate to vehicle immobilisation should be removed.

The opposition will not be moving an amendment to that effect, but if the government wishes to move it, that is its choice. I do not intend to play games with this piece of legislation, which in general the opposition does not oppose.

The next section of the RACV's commentary is headed 'Categorisation of offenders as first time or repeat offenders' and states:

RACV is also concerned that in determining how many convictions and findings of guilt have been recorded against the person, the court must disregard those recorded more than 10 years before the date on which the person applies for licence restoration, not from the date of the conviction.

This may lead to the following scenario:

1994 — person A is convicted of drink-driving. They recorded a BAC of .15 and had their licence suspended for 15 months.

2002 — person A is detected drink-driving recording a BAC of .14. As this is their second offence within the last 10 years, their licence is cancelled for 28 months.

2005 — person A applies to the courts to have their licence restored. As their first offence now occurred 11 years ago, they are treated as a first-time offender with a BAC of .14. As such, the magistrate

does not have the option of requiring the individual to drive a car with an alcohol ignition interlock fitted, and it is likely that the licence would be restored without restrictions.

That is a flaw in the bill. It continues:

This loophole —

it is not me saying it —

may also mean that offenders will delay applying to the courts for licence restoration in order to be categorised as a first-time offender rather than a second offender.

Let's be practical about this — there is no secret about what the RACV is saying. It believes:

... the legislation should be amended so that magistrates can use the date when the prior conviction was recorded when classifying the offender as a first-time or second offender in relation to their option or requirement ... that the offender only drive vehicles with an alcohol interlock fitted.

Other issues are also involved. Devices to make people use their vehicles in such a manner are good only with a follow-up program, and that includes working out how to recalibrate the devices every month. This will be set up in such a way that it may affect, say, 200 motorists. If 175 of them do not have a health care card they will pay for and subsidise the 25 that do — that is the government's decision. However, the government proposes to have a number of mobile vans moving around the state to recalibrate the vehicles every month until the point is reached where they can be recalibrated for a little longer if the person can be trusted.

That circumstance causes me to worry about the government's ability to deliver. It has shown it is not good at service delivery — whether it be 50-kilometre speed limits or whatever. When this measure is put in place I would certainly want to see some evidence from the government that there will be policing of both this mechanism and the contractor it intends to use. Honourable members should remember that this is the government which only an hour ago was attacking privatisation. What is it doing now? It is privatising alcohol interlocks. It is going out to a private company and saying, 'Hey guys, invest in this. And by the way, we think everybody else doing privatisation is a bad thing, but we don't mind doing it ourselves'.

Mr Steggall — And they get stuck into schools!

Mr LEIGH — The government does not mind getting stuck into other things. The trouble with this government, and traditionally with the Labor Party, is that whenever the business community operates with Labor Party members it sees them coming and plays them as fantastic suckers — as we have seen in a few

areas in recent times. Honourable members have seen today a good example of the suckers in charge of this government in the rail system issue.

I am certainly concerned to ensure that the government gets the best deal for those people who have problems and have to have these devices fitted to their vehicles and that it makes sure the service delivery occurs. How will the government measure this service delivery? I do not know. I have not seen anything about it, other than the government department saying, 'We are going to have someone go out in a van and deal with it initially'. What if there are more interlock devices throughout the state? Who knows — I do not know — we could have these devices all over the state before too long!

I am not sure which company it is, but one petrol company in Victoria has these devices fitted on its fuel tankers. That is very commendable. The company is doing a good thing in ensuring its drivers — who are transporting what can potentially be a time bomb — are free of alcohol. That is a terrific thing. Perhaps there is scope for these devices out in the community; but once again we have privatisation entering into the scheme of things, which the government is opposed to. The government cannot have it both ways. Either it will pay for it, which is what it traditionally believes in, or it should say, 'Yes, we believe in privatisation', which clearly it does — but not when it suits it. So the philosophy is a bit twisted.

Mr Hamilton interjected.

Mr LEIGH — The Minister for Agriculture says he does not have a problem. I agree — I am sure he does not. From what I have read in the *Sunday Herald Sun*, it is controlling the Treasurer that seems to be the problem.

As I said, there is the issue of making sure these devices are operating successfully. Also, this Parliament should be able to expect some reporting mechanism so that we know how well this system is going. I hope next year it will appear in the annual report of the Department of Infrastructure. I notice that the parliamentary secretary to the Minister for Transport is sitting in the chamber. Hopefully he will take a note and next year, in the department's — —

An honourable member interjected.

Mr LEIGH — Well, he is the one who goes to St Albans, but is not sure which meeting he goes to!

I hope that as a result of this the government incorporates into the annual report of the Department of Infrastructure information on how many devices are out

there and the service delivery, and also answers a few other questions that our community collectively would be interested in.

Then there are the compliance issues. I should have said that one of the aspects of having this device — it is located between the driver and the passenger — is that anybody can blow into it. I agree that if you blow into it and are not the appropriate person, you have committed an offence. The government is also making sure that it will list on your licence that you have an interlock device, and only you are supposed to be driving that vehicle. There are severe additional penalties if you are driving the wrong vehicle.

I caution the government that this device will not stop someone who is an habitual drunk who wants to go out there and keep doing it. They hide it in their employment, and they hide it across the scale of their lives. My point is that the government sees interlock devices as a panacea that is going to solve everything out there, and it is not.

Mr Hamilton — You're supporting it, though!

Mr LEIGH — I am not opposing it — there is a difference. I reckon there are holes in this legislation. As I have suggested from what the Royal Automobile Club of Victoria has said, as time goes on it will expose one or two flaws. I do not want to remind the minister, but his own colleague, who just left the chamber, was opposed to immobilising people's vehicles permanently. And yet, he is in here supporting a bill that is going to do that.

You cannot have it both ways, but this government seems to be all over the place in its philosophy. So what's new? I guess from my perspective, in not opposing this legislation, I want to see some more evidence from the government about who will get the tender — hopefully it will be put out properly to tender, unlike some other things that are going on — —

Mr Hamilton — Unlike your government!

Mr LEIGH — Listen, it is not my government that is doing the shonky things. Hang around in the next few days and you might hear some interesting stories.

The fact of the matter is that I do not have a problem with it being put out to tender. I want to see that the people who are caught by these devices are dealt with in an appropriate manner.

I also have not heard what the next step is. Now you have a drunk who has a problem, and you have to deal with the issues associated with his drinking and driving.

Is the government dealing with those issues? What programs will be put in place for these people, some of whom will be on an interlock device for years?

Interlock devices relate to only part of the objective. The real problem is making sure that someone who was a serious drink-driver is no longer a serious drink-driver. What I do not see with this legislation, or in anything I have seen to date or heard when talking to members of the department about this issue, is the next step. I see that this is something that looks good — the minister can be in a video. Fortunately they did not show a video with the minister in it; that would be difficult. I want to see what the next step is. And the next step is how you deal with those people. That is not just a Department of Transport problem or a Vicroads problem; that is a wider problem. This is a health issue that involves people.

I want to see the next step. How do we deal with those people? I refer to the step after that. It is fine taking it out on the drink-drivers — I agree with that, no problem! — but I still do not see the issue of marijuana being dealt with. I do not see the issue of heroin use being dealt with. In my perfect world, if you are a known addict and you are using heroin, marijuana and the rest of it, I believe your licence should be removed until you are clean. There is not enough statistical evidence, but I believe there is enough information out there to prove that a substantial number of people on the roads are caught in other ways. I know measures were taken earlier about walking white lines and that sort of thing, but in my view if you are an addict and you are taking serious drugs such as heroin, when we do not know when you are taking your fix, what right do you have to be out on the road driving a motor car? The answer in my opinion is none.

Tackling drink-drivers is the easy one. The hard ones are the other issues like how long marijuana or heroin might have been in your body fat or in your system which are a lot harder to prove — and I accept it is difficult. But I say to the government today that if it is serious about this, what do we do about the addicts who are out there stoned out of their brains driving around in motor cars? I hear nothing from the government. Silence!

I look forward to the parliamentary secretary making a speech; maybe he will tell me what he is going to do to those people who are stoned on drugs out there. Let us also deal with them as part of this. If he or the minister want to talk to the opposition about it, we will be very happy to talk to them about it. That is just as much a serious issue and is increasingly becoming more serious

It is sad that in recent times the number of drink-drivers has allegedly gone up. One of the things I noticed over Christmas — and I did a lot of driving around various places across quite a bit of Victoria — was that for at least two or three weeks I did not see booze buses out on a lot of the main roads to the degree I would have thought. They were a lot more prevalent when we got into the middle of January. I do not know whether the booze buses were in different parts of Victoria than I was. I travelled around quite a bit, I have to say. But it did concern me that I was not convinced the police were out there in the force I thought they should have been. I hope I am wrong and they were in other areas.

In closing I want to see the next step with these devices. I am concerned about the delivery. It is easy to pass a piece of legislation. Vicroads says, 'It is on the licence. The devices are there. We have a private company doing it'. By the way, they are stretched all over Victoria. It is going to be interesting to see how we handle it if the first 50 people are so spread out across the state. I think someone is in for a great deal of travelling to maintain these particular devices. I do not know whether there are better technological ways to deal with the calibration. I am not sure. I hope it works in the interests of making sure that the least number of people are killed on our roads as practicable. Nobody likes that.

Given the mileage members of Parliament travel — I touch wood when I say this — I am staggered that so few of us have only minor accidents. I am sure it is our great driving skills! I hope it is. But when you consider what most of us are doing in eight or nine months —

Mr Steggall interjected.

Mr LEIGH — That is absolutely right. Members travel 30 000 or 40 000 kilometres in eight or nine months, and indeed some country members do 40 000 kilometres in about four or five months. I travel that far in eight and a half months as a metropolitan member. I suspect that is not bad —

Mr Steggall interjected.

Mr LEIGH — We will not name names.

I guess the point is that anything we do to remove these sorts of people from the road is a good thing; anything is worth trying. If it saves one life it has been constructive, and from that perspective I hope it saves many more lives. But as I said, I see this as just another small step along the road of dealing with drunk drivers. It is not the panacea of all things to do with drunk driving, and I hope it is treated in that way. If it is then I suspect it will probably work, but it will only be as

good as the backup that follows it, and indeed the private company that may or may not operate it.

For the record, I was told the cost of this is approximately \$120 a month, and that those not on health care cards are subsidised by the rest to the tune of about \$50, which I think is in the minister's second-reading speech. So, it is a lot of money, but then they are not buying booze so hopefully that is a good thing from their viewpoint. That is the other thing we have to make sure about in a scheme like this.

Mr Steggall — I had not thought about that. That is good. We should impose more financial restrictions.

The ACTING SPEAKER (Mr Lupton) — Order! Would the honourable members for Mordialloc and Swan Hill like to conclude the rest of their conversation!

Mr LEIGH — One of the things we should be concerned about — and I understand that the community advisory committee will be involved in subsidising this — is that this program does not simply blow out in cost over time, because programs like this that substantially blow out in cost do not work. I believe the program will work at these prices, but not if you start charging \$200 because there are only X number and all of rest of it. I would be concerned to see a massive increase in cost, and I will certainly be monitoring the government closely to see that the price remains reasonable.

I regard someone who has a serious alcohol problem as someone who is sick. Given that we give out free needles and the like to people on drugs then we have to be compassionate about how we deal with someone who is trying to work to build their life and has a serious disease — which in my opinion is what alcoholism is. We have to make sure they are off the roads and doing the programs they need to do to help not only the —

Mr Hamilton — You have a sensitive side I would never have believed!

Mr LEIGH — Then I am in a lot of trouble! I do not like taking a meat axe to everything in life. Sometimes a sword is appropriate and at other times a feather is, as they say. I believe this is constructive because it helps people who have a serious problem.

I finish by saying I will be watching the government and Vicroads closely to see, firstly, that the measure is implemented properly and fairly, and secondly, that the charge for it is not ridiculous, so people can afford to be involved in it.

Mr STEGGALL (Swan Hill) — This is the second time I have been involved in a road safety debate of recent times. This is yet another effort by society to overcome a problem which unfortunately in the last year or so has been getting worse. Society's effort to control drink-driving and the road toll has been slipping away, and every time it slips away a government — no matter where it is — will come up with some more ideas and concepts, which one could say are band-aids.

The National Party will not oppose this legislation. We hope it will work and we hope that as it is discussed here and in the other house and then on to implementation there will be benefits for our society.

However, today I would like to raise something I have thought about for some 18 years. I have not won it yet, but I still think I am right, and I still think we have missed in many ways. We are looking here at another punitive action. We are looking at more penalties and more intervention into people's lives. There is very little in this bill about rehabilitation. There is very little in this bill about understanding the issues. The bill is about an impost on people, although it will have its beneficial side.

However, society has not tackled the issue of driver education and behaviour. The Charlton pre-driver education complex in my electorate has been operating for some time. Over the years it has had a chequered history. It has had support from government, lost it and then got more support. The Bracks government has continued support for it to keep it going with funding of about \$30 000 a year. During the 1980s and early 1990s it was considerably down in numbers. Pre-driver education is designed so that students, usually those in year 10, can do a course that will help them understand the responsibilities of driving a motor car; not just how to drive a motor car, but understanding the responsibilities that go with it. Something we do not do in our schools is teach people about the responsibilities and expectations in our society of a reasonable citizen when driving a motor car. Charlton tried very hard to change that attitude, and students from schools in northern and western Victoria have attended Charlton for a week.

Recently we have had various reports from the police, the Transport Accident Commission and Monash University that were negative on this type of pre-driver education. The academics and experts keep saying, 'You can't do that because the TAC says it is no good'. The reports say that we should not teach them that way because we are teaching them bad habits, and that they should learn in the simulator. Has any honourable member seen the simulator lately? I have not seen it

around my electorate lately. We have run into a blockage with the TAC, which has looked at the type of training given at Charlton and has said that it does not have any benefit.

The international evidence and the experts and academics argue against it, yet it is the only place which is trying to get people to understand their responsibilities in driving a motor car and the behaviour that is expected from them, and also gives them driver education. Even though the police — not the local police around Charlton — the TAC and academics from Monash University have said no, parents believe differently.

When this debate has concluded, I suggest that the members of the Road Safety Committee examine this concept. When the previous government assisted in the Monash University study we set out to evaluate this type of pre-driver education to see whether it had any legs. If it did, the intention was to have four or five of these complexes around Victoria. There would be one in Gippsland, one is already established in Shepparton, one in Charlton, one in the south-west and a couple in Melbourne — Melbourne already has some complexes — which would contract with government to provide pre-driver education. When it came to the crunch the academics said it was no good, yet parents throughout my area, in the north-west and down as far as the south-west are travelling to Charlton and paying a fee so their children have some pre-driver training. All parents are fearful about their children starting to drive after they turn 18.

Throughout the 1990s we were pretty much down in number. In Charlton the community and organisations within it backed the pre-driver training complex and kept it going. In 2000 student attendance was up to 450. Last year there were 851 students. This year there will be 1000 students. Parents want to send their kids to these complexes. I have spoken to teachers, principals and parents and they see big value in it, but the academics of the world do not. I ask the parliamentary Road Safety Committee to visit Charlton and have a look at the complex. We are missing out. There is nothing in our effort on road safety which is about pre-driver education: there is only punitive stuff, and this is another punitive measure. We fine young people or take their cars off them, but we do very little to train them to be aware of their responsibilities when driving motor cars.

Could the government consider that, and could the parliamentary Road Safety Committee take itself to Charlton and have a good look and listen, and think about what is being done there? Although pre-driver

education has not had the support of experts, the Charlton community has kept the complex going for a long time and it has been a very successful operation.

I ask honourable members to look at the official Vicroads booklet, *Getting There — From Ls to Ps*. The first stage of the booklet is covered at Charlton. I smile at what the booklet says to 17 or 18-year-old children when it says:

Where to start?

Finding a quiet spot for those first few sessions can be a bit of a challenge. Have a close look at what your neighbourhood has to offer and plan practice during out-of-peak times. You could try:

- new housing estates on weekends
- industrial estates on weekends
- shopping centre car parks out of hours (some of the smaller strip shops have car parks that aren't used 24 hours)
- car parks near beaches or big public parks on cool days
- car parks and roads leading to local sporting ovals — after the weekend games.

That is the advice given to young adults on how to learn how to drive. At Charlton, that concept is embodied not only by driving instruction, but also in the education and training program that goes with it. For once I see some real emphasis on the responsibilities that individuals have to others when driving cars and an emphasis on the influence of peer-group pressure that applied to all of us as young people and which applies to this young generation as well.

While this legislation deals with the punitive action of fitting alcohol interlock devices to cars, maybe some consideration should be given to making more effort in pre-driver training.

As I said, we had a concept which we failed to achieve because the academics rolled us over. That concept was to provide pre-driver training education through the school system, particularly on the theory side, but also with an in-car component. That concept was and is still pooh-poohed. Parents throughout my area of the state happen to disagree and believe they are getting great benefit from it because young people get to understand a little about the responsibilities of driving.

The purpose of the bill is to require alcohol interlock devices to be fitted to vehicles of certain convicted drink-drivers when they regain their licences. It establishes legal and administrative machinery for the interlock scheme, creates offences for breaching interlock conditions and has penalties similar to those for disqualified driving. It also requires a person to

demonstrate to a court that their behaviour is sufficiently under control to be fit to drive without an alcohol interlock device.

The comments I made earlier ring in my ears, not only for the oldies — and listening to the honourable member for Mordialloc it seems there is a huge number of people with drinking problems — but we must concentrate on this issue for our young people as well.

The interlock concept has some benefits — it will be of benefit to some people and help them — but the interlock device will have to be read and serviced once a month. The National Party has some difficulty and a real concern about that. To put it another way, the device must be recalibrated at regular intervals and the results recorded by designated agents. If this is not done the machine can turn itself off and the car will not go. This may pose a problem for rural drivers with alcohol interlock devices as the location of designated agents is yet to be decided. A suggestion of having mobile agents was raised, but final details will be part of guidelines set by the Vicroads administration.

The Honourable Barry Bishop, a member for North Western Province in another place, who did the work for the National Party on this bill, wrote to the minister and asked how this procedure was going to be adopted in the country. The National Party has some concerns about how you can make this concept work. It is all right for metropolitan people to be looked after as far as the servicing of the devices is concerned, but the response from the minister to Mr Bishop, states in part:

It will be a condition of approval to provide interlocks that companies provide services which are accessible throughout the state at uniform cost —

‘uniform cost’ rings a bell; I remember the Labor Party’s policy at the last election about uniform electricity tariffs, but I will not embarrass the minister with any of that —

to both metropolitan and country participants, and available during normal business hours — 9 a.m. to 5 p.m. weekdays.

It goes on to say:

‘Accessible throughout the state’ will be defined in the guidelines in terms of the maximum time or distance that interlock users would have to travel to have an interlock installed or serviced. It is proposed that initially this be 150 kilometres.

If I said to the people of Melbourne, ‘You’ve got to go 150 kilometres — down to Colac or Bendigo — to get your interlock read and measured every month’, I wonder whether they would feel that was a good idea. I point out that we are looking at the suggestion of

travelling 150 kilometres once a month to read the device, because I am not convinced we really know how we could put this concept into practice in an equitable way throughout the country.

I hope also that the government might give us a run-down as to why there is no trade-off option in the bill as exists in the South Australian legislation, where a person can trade off some of their penalty for the fitting of an interlock device on their vehicle. I would be interested to hear about something like that.

The figures the minister gave us on the re-licensing of repeat offenders by location in the metropolitan area are based on four months data from Vicroads and represent 1896 repeat drink-drivers re-licensed in 2001. We are talking about nearly 2000 drivers, which is quite a number for interlocks, 75 per cent of whom are in Melbourne. That is about right: Melbourne has just on 75 per cent of the population. South-west Victoria, with Geelong, Warrnambool, Hamilton, Portland and Colac, provides 5 per cent. Western Victoria, with Ararat, Ballarat, Horsham and Mildura — Mildura might have been pleased to be in western Victoria — provides 5 per cent.

In northern Victoria, including Bendigo, Echuca, Kyneton, Seymour and Swan Hill, the figure is 5 per cent. In north-eastern Victoria, including Benalla, Shepparton, Wangaratta and Wodonga, it is 4 per cent. And in eastern Victoria, including Bairnsdale, Leongatha, Sale, Morwell, Warragul and Traralgon, it is 6 per cent. That is the distribution. When you consider the nearly 2000 drivers who were relicensed last year as repeat drink-drivers, you can see there is an issue. Let us hope that this operational system will bring some benefit to it.

I have covered most of the issues I want to raise. The details of the legislation are well known to most members of Parliament. There are a lot of fiddly little bits. Members of the National Party looked at the legislation and asked if they should amend the legislation and try to make it better, or whether they should not oppose the legislation and hope the courts will deal with it — because most of the legislation includes the ability for the courts to make a judgment. It is not a good idea to impose in amendments that which I would hope a magistrate would provide for; so that instead of imposing any more mandatory provisions than are already in the legislation, it would be left to the discretion of the magistrates to move in the direction they decide appropriate.

The Royal Automobile Club of Victoria has made some comments. In one area it wants to take away some of

the discretion from magistrates and make the position more mandatory. I tend to stay with the legislation as proposed. Although the RACV raises valid points, I believe magistrates are capable people and it would be far better to let them make the decisions.

The government is putting another punitive measure in place. We are not going back to the basics of driver training or of what we expect of society in the use of motor vehicles. I listen with interest when people say that Victoria had the first government in the world to bring in seatbelt legislation and the first to do this, that and the other thing. There has been an enormous amount of success with road safety over the last 25 years, but just now it is starting to go the other way again. Now might be a time for the government and society to consider going back to some of the basic areas of acceptable behaviour, which is not really being taught in our schools. I do not want to say it should be part of the school curriculum because we put enormous emphasis on schools and teaching. The parents of northern Victoria have been keen to have their children go through a course with all its benefits. Every year they are seeing more and more students going through it. Maybe the Road Safety Committee — and I know speakers who are to follow me in the debate are on that committee — might give some consideration to where we could go in years to come.

The National Party will not oppose the alcohol interlock legislation. We wish it well. It has quite a few knobs on it, but hopefully the issues that I have raised, including access to the servicing of these machines, will be addressed by the minister and other government members.

I further hope that they will address the costs of these things. I am not too sure how we can have a system where health care card holders are subsidised by the other users of the system. When I look at the pattern of drink-driving offences in my electorate I am greatly concerned about whether that is a good way to go. It will place a big burden on one group and take a burden off another group which probably has no feelings about it at all.

National Party members will not be opposing this legislation. We trust that the things I have mentioned will be taken into account by the government and the Road Safety Committee of this Parliament and that there will be a rethink about education and society's expectations of those who drive vehicles on our roads.

Mr CARLI (Coburg) — I rise to speak in support of this very important bill, which is part and parcel of a series of legislative changes in the state government's

strategy to reduce the road toll and improve safety on our roads. I was pleased to hear that the honourable members for Mordialloc and Swan Hill do not oppose this bill. Both members commented on some positive elements of the legislation. That is very commendable and to some extent it indicates the bipartisan nature of this Parliament in terms of road safety.

However, I have some concerns about the issues raised by the honourable member for Mordialloc. The bill is only one step in a government strategy and the honourable member queried where the rest of the strategy was. Late last year the government released a 10-year blueprint for road safety in Victoria, called Arrive Alive. The blueprint contains a series of strategies for education and technology and involves an enormous amount of consultation, research and study. As I said, the bill is simply one step in a much bigger government strategy. I recommend that the honourable member for Mordialloc read the government strategy. There is no lack of government strategy: there is a clear indication, with a clear blueprint, of where the government wants to go.

I am concerned about the honourable member for Mordialloc's statement that habitual drink-driving cannot be stopped and that while the bill is a positive measure habitual drink-drivers will ultimately get around the system either while the interlock device is in their vehicle or by returning to their bad habits once the device is removed. The work being done in South Australia, Quebec, Alberta and Sweden has shown that what started out as a scheme to control people's behaviour — there is no doubt that the interlock devices were devised as a means of stopping people going out drinking and starting their vehicles afterwards — has been a very successful means of changing behaviour. It is about lifestyle change. That is one of the exciting things about this innovation. It not only works as a punitive action, if you like, but also performs a very successful rehabilitation function. That is very important.

The honourable member for Swan Hill was also concerned that what is proposed is simply a punitive measure. I ask him to look at the literature. It is apparent now, after a number of years of application in other countries, particularly Canada, some of the states in the United States, and Sweden, that it is very much about lifestyle and behavioural change. Therefore, it cannot be simply put into the basket of punitive measures. It is punitive in as much as if you have had numerous offences and you want to get your licence back you will have to have an interlock device or if you have committed a serious first offence you may have to have an interlock device.

In that sense it is punitive, but in its impact and effect it has an element of rehabilitation and behavioural change. If you like, it is a hybrid of being punitive and rehabilitative. In a sense, that is what is exciting about this. The legislation can really only be understood in terms of the whole Arrive Alive package and government strategy to improve safety on our roads and reduce the road toll. Clearly we have to look at this legislation as being part of a bigger picture. Equally, we have to look not simply at it as a punitive measure but also at the behavioural change elements which are of great importance and which need to be measured.

The honourable member for Mordialloc suggested that Parliament needs to be kept informed about this. That is absolutely right. We need to continue to monitor the impact of this and to assess whether we are dealing with simply a punitive measure or with something that involves lifestyle changes. If it is capable of bringing about lifestyle changes and of reducing habitual drink-driving, we should make sure that we maximise its use by using it in ways that are most successful.

The honourable member for Mordialloc also pointed out that a petrol tanker company in Victoria has interlock devices in its trucks as occupational health and safety devices. It is interesting that it has chosen to do that. Is it punitive? Is it a lifestyle change? Is it a behavioural change? It is an interesting issue. In fact, it is all those things.

The honourable member for Mordialloc also raised the issue of the 12-month review, saying that currently drivers who are repeat offenders and who have lost their licences have to undertake two reviews. What changes with this bill is that the requirement for a first assessment for those who get their licences back subject to an interlock condition is dropped. So instead of having two reviews they end up with the first one being dropped and having one review. I believe having two is unnecessary, given the introduction of the interlock device as the interim between their having gone from a lost licence to regaining their licence without the interlock device.

The honourable member for Swan Hill raised the issue of hardship, and the honourable member for Mordialloc referred to comments by the Royal Automobile Club of Victoria. Envisaged in this bill is an ability for Vicroads to allow a cross-subsidy, involving people paying a bit more for renting interlock devices from the suppliers and that being cross-subsidised for people on health cards. It is important to emphasise that there will be a level of cross-subsidy involved. The government understands that there is an issue of hardship but it does not believe the cross-subsidy should come out of the

public purse. It believes it should not come from the taxpayer but out of the system itself. As the honourable member for Swan Hill said, there will be something like 2000 interlock devices per year, and certainly within that is the capacity to ensure that those on health cards have some savings.

Another major issue about these devices is their servicing and recalibration in rural and regional Victoria. Those people who were briefed by Vicroads received a map of Victoria indicating where large numbers of repeat offenders are and therefore where interlock devices will be. Some 75 per cent of those are in metropolitan Melbourne, which means that 25 per cent are in rural and regional Victoria.

The intent of the guidelines that will be developed as a result of this bill is that it will ensure that the suppliers of interlock devices will either have to provide a mobile van or mobile service for the calibration or license local auto-electricians. My understanding is that the work can be done at a local level and that people with a trade, such as auto-electricians, can be trained up and provided with the ability to download and process the data and recalibrate the equipment.

Clearly, in going to the suppliers and ensuring that we have the supplies for these systems in place, one of the parts that will be absolutely integral will be the ability to deliver the service throughout Victoria. As I suggested — and it was certainly in a letter from the minister to the Honourable Barry Bishop in another place — it will be part of the guidelines and part of choosing the suppliers. So it needs to be repeated and restated in debate that although it is of concern, equally it is possible to ensure that there is equity in the system and that all Victorians who will have to have the interlock devices will be able to have them recalibrated. As the honourable member for Swan Hill pointed out, if you do not recalibrate them the machines will actually go off and you will not be able to drive.

It is important, again, that we look at what this is all about and why this is part of a bigger program or blueprint of government. The reality is that we in Victoria have a very proud record of reducing the road toll. We can talk about seatbelts and a few other things, but there is no silver bullet: there is no one answer to how you reduce the road toll. We have to take a whole lot of issues on board. They can be about education, training or the childhood experience that the honourable member for Swan Hill talked about. They can also be punitive in terms of cracking down on speeding, on drink-driving and on substance abuse — both legal and illegal drugs. These are all part of the toolbox, if you

like, that the government is developing, which adds on to a long, detailed and proud tradition in this state.

The Australian Drug Foundation is very supportive of interlock devices. Primarily its arguments for having these devices are, firstly, that they have an effect on driver behaviour by changing the attitudes and intentions of drivers. So the foundation has identified and demonstrated that these devices — and the evidence is coming to the fore in the literature — are about rehabilitation and behavioural change. The other issue is that they are a benefit to offenders, their families and their employers, because they give people the ability to drive again and to have their licences reinstated. Given that we are dealing with a group of people where there is need for behavioural change — they have lost their licences and are likely to lose them again — it is important to say there is some benefit in this, because it is targeted at behavioural change and gives them an opportunity to drive, even though with limitations, in that they must have a blood alcohol reading of zero.

It is important to emphasise that the benefits go beyond the punitive. This scheme has been used in a number of countries — Sweden, Holland, the United States of America and Canada. When it is in operation in Victoria it is envisaged that about 2700 people will have interlock devices. It is clearly a major program. Many honourable members have been briefed and may have seen the video from Vicroads or actual interlock devices. When a device is fitted to a vehicle, before the driver can turn on the car ignition and take off they have to provide a breath sample to show that they have not consumed alcohol. If they have been drinking alcohol they will not be able to turn on the ignition.

Interlock devices have grown in use in various countries, and there are a number around. There are two companies already in the Australian market, because South Australia has interlock devices. One of them is a Canadian import, and one is a Melbourne-based product. We know that those two will be available as suppliers to Victoria, and there may well be others. Certainly there are a number of companies in North America that produce interlock devices.

Mr Steggall interjected.

Mr CARLI — One would prefer, as the honourable member for Swan Hill said, the Australian-made product, but Drager Australia also produces breathalyser equipment and certainly is renowned in its field throughout the world.

There is an issue about whether people can circumvent the devices. As with all electronic devices it is clearly possible. It is a question of what we put in technically and also the punitive elements to it, which include a large fine and potentially a jail sentence. Clearly there are technical ways to try to circumvent anyone trying not to use the device, but there are also punitive actions.

The devices have been very successful. A study in Maryland in the United States of America showed a 65 per cent reduction in re-offence rates for multiple offenders in the program over one year. In Quebec there was a 74 per cent reduction in re-offence rates for repeat drivers over a two-year period. The literature shows that this is very much about behavioural change and improving the performance of drivers.

The courts can apply the interlock devices in two ways. One is that repeat offenders who lose their licences must use them. That may also apply to first offenders who are charged with a serious offence. The courts will have a wide discretion, but special attention is given to ensuring the driver complies.

The legislation gives Vicroads the ability to look at the suppliers, provide the guidelines, prepare the various briefs and approve the devices. Once the devices are approved those suppliers will be able to supply to the market. Issues that will be looked at include whether the devices are tamper resistant, whether they satisfactorily record the operation, their effectiveness and the ability of the company to supply. There will be other issues in terms of the suppliers. I have already spoken about the importance of being able to provide recalibrations throughout Victoria. That will be a factor, as will the experience and qualifications of the suppliers. There will be a whole series of issues, including standards and management.

The honourable member for Mordialloc referred to privatisation. It is simply a furphy that we as a government do not believe in using private enterprise. Clearly there are companies with expertise. Through the Vicroads agreement to certify the suppliers we have to ensure those people are able to meet a whole host of technical requirements and requirements that deal with whether people are fit and proper, and also that they are able to provide a service. I emphasise that because the honourable member for Mordialloc was particularly keen to downgrade the capacity of this government to provide services. That is absolute rot. This government has effectively demonstrated its ability to provide services and to manage its contracts. This government has found it much more difficult to manage some of the contracts from the previous government that were

inherently flawed and inherently unsustainable for any government.

This is an important bill. It builds on a series of pieces of legislation that went through the house last year and is part of a much bigger government strategy, Arrive Alive. It fits well with the Parliament's own Road Safety Committee.

I would like to commend the work of that committee. It has demonstrated the bipartisan nature of the issue of road safety in this state, and I find that its work is always at the cutting edge of the debate. I do not believe there is a simple silver-bullet remedy, no quick solution to bringing down the road toll. It is going to be based on a whole lot of individual strategies coming together in a master plan. As the government we have put that forward into the public arena and it has been very well received. The stakeholders are certainly very keen to be part of this exciting government strategy.

The issue of repeat drink-driving offenders is very serious; drink-driving is responsible for something like 5 per cent of accidents and a number of deaths. If we can eliminate — —

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

Mr WELLS (Wantirna) — As the shadow Minister for Police and Emergency Services I am pleased to make a small contribution to the debate on the Road Safety (Alcohol Interlocks) Bill. As stated previously by the shadow Minister for Transport, we will not be opposing this bill, but there are a number of points I would like to put on the record.

In 1999 there were 383 deaths on Victorian roads. In 2000 there were 407, which is an increase of 6.2 per cent; and in 2001 there were 451 deaths, which is an increase of 10.8 per cent. That means that there has been an increase of 17.8 per cent since the end of 1999. There is a certain amount of frustration from our side of the house. We see the road toll, which had been on the decline for so many years, now increasing, and we have to start asking, 'What action is the government taking?'

You simply cannot have a situation in road safety where you are completely reliant on just jacking up fines. Jacking up fines, which seems to have been the approach by this government, will not fix the problem — nor should it. Although there will always be a bipartisan approach to road safety and it will always receive bipartisan support, the level of frustration experienced by this side of the house is caused simply because we believe jacking up fines is not the answer.

Two and a half years later the Bracks Labor government is now at long last going to implement the alcohol interlock device — which, by the way, was an initiative of the previous government. The minister makes a very good point in the alcohol ignition interlock brochure when he says that each year drink-drivers with a prior conviction for drink-driving cause an average of 22 fatalities, 220 serious injuries and an estimated 340 minor injuries. The cost of all those accidents in the community is about \$81 million a year. That is an important point. It is those drunk drivers who have been convicted of a previous offence and have gone out and committed another offence who have caused another 22 deaths and 220 serious injuries — a very telling factor!

As I mentioned before, last year's alarming road toll increase, with many fatalities attributable to drink-driving, must be met with more drastic action of the kind we see in the bill before us. Drink-driving is still a big issue. Although the advertisements prepared by Transport Accident Commission advertising are some of the most dramatic ads on television, the drink-driving message still does not get through to everyone.

I was horrified to read that a couple of weekends ago the police had a booze bus on the Eastern Freeway, which is a heavily trafficked piece of road, and the number of drivers detected as over .05 was quite astounding. Normally a booze bus detects 1 in 200 with .05, but on this particular night the number of drivers detected was 1 in 23. Clearly with those particular people the message is simply not getting through. Some people are becoming blasé about drink-driving, believing that having a drivers licence is a right rather than a privilege.

The bill will be a major step in changing the behaviour of some drink-drivers, including those we cannot get the message through to — and we are talking about serious alcoholics. Maybe it is time to look at the way the Transport Accident Commission does its advertising campaigns, and maybe we need to change the way it tries to get its message through.

The alcohol interlock device is designed to analyse a driver's breath for evidence of alcohol and to prevent the vehicle from being started unless the driver provides a breath sample. Obviously the driver has to breath .00; if not, the car will not start. The device has two basic components — a breath testing device that is connected to the vehicle's ignition system, and an electronic lock on the ignition which prevents the vehicle from starting unless the breath testing device has taken a BAC reading at the preset level of .00.

Drivers who have to use the alcohol interlock device are subject to blood alcohol test readings of .00. The devices must be approved alcohol interlocks, and the installers and suppliers must also be approved. The two suppliers of the devices are Drager, which makes the devices in Melbourne — I hope that it is successful in winning the contract, its device being an Australian made product — and Guardian, which makes the devices in Canada.

We have a number of concerns about the bill. In a serious case the bill will allow the alcohol interlock condition to be imposed indefinitely, and we do not have a problem with that. But the bill introduces a new offence of driving in breach of an alcohol interlock condition, which would cover a person driving a vehicle without the interlock fitted or after circumventing the interlock in any way.

A serious drunk who wants to drive a car could simply say to the passenger next to him, 'Breathe into the device and the car will start'. Of course, if they get caught there are serious penalties. But how easy would it be? I am talking about a seriously affected drunk person who may not have a licence and who should not have a right to have it. The point I am making is that somebody next to them who is sober could start the car and they could be off and running.

The government has it dead right when it comes to who should pay for the interlock device. There is no way that the device should be purchased at the taxpayers' cost. We are not the ones who have committed the offence. It is the repeat drink-driver, the person who has been booked a number of times. If they want their licence back on limited conditions they should be the one who pays for it. I note that concessions have been made for health care card holders — once again, at no cost to the taxpayer.

What happens to a motorcyclist who is pulled over for drink-driving and who is over .05? People may ask how many people are killed on motorcycles while drink-driving. This year to date 10 people have been killed on Victorian roads while driving motorcycles. I am not sure whether they were drink-driving — I do not have those statistics — but the government will have to address the situation of what happens to the motorcyclist pulled over for drink-driving.

I do not believe this interlock device would actually affect motorcyclists, unless they are made — as has been suggested to me — to ride a horse or a bicycle. The problem is that the motorcycle may have to be taken off them and they may not be allowed to drive the motorcycle at all.

The other point is that we on this side of the house have been critical of the way the government has handled the drug-driving tests, because the government has not put enough resources into the police force to carry out effective drug testing. When I was in Shepparton last year I learnt that one of the problems is that when a driver is pulled over for drug-driving, the drug-driving test has to be done within 3 hours. So a driver can be pulled over by the local policeman, who can say, 'Yes, I believe you are drug impaired', but another assessment has to be provided within 3 hours. If no local policeman is authorised to do it then someone has to be sent up from Brunswick, and if officers there are tied up doing other jobs and cannot get there within the 3 hours it means that some drug-impaired drivers get off scot-free because there are no resources or facilities available to test them within 3 hours.

Another interesting point is that under this piece of legislation a vehicle can be clamped under proposed section 50AAD(4), which says:

A court finding a person guilty, or convicting a person, of an offence against sub-section (1)(b) may, if the court considers it appropriate to do so, order that the motor vehicle concerned be immobilised (whether by wheel clamps or any other means) for a period specified in the order of up to 12 months.

That is what the government is proposing in this piece of legislation, and that contradicts what the Minister for Police and Emergency Services was quoted as saying in an article in the *Age* of Saturday, 2 February, which states:

Police and emergency services minister André Haermeyer said that interlocks were preferred over the confiscation of offenders' cars because it was a more targeted punishment. Impounding or selling an offender's car would also punish innocent members of the offender's family ...

What he is saying may or may not be right, but it contradicts what is actually in this piece of legislation. If you have the road safety alcohol interlock device and if you have breached the conditions on a number of occasions, under this piece of legislation you can have your car immobilised for up to 12 months, which means wheel clamping. The minister does not seem to be agreeing with that in other areas of road safety.

With those short comments, I wish the bill well. As has been said, we on this side are not opposing it but we do raise a number of serious concerns, such as what happens to the motorcyclist who is booked for drink-driving; what happens to the warranty on a car if the electronics are tampered with to implement this alcohol interlock; and how strictly will police be able to monitor the calibration of these devices and monitor these drivers?

An example I have used is that drug testing across the state clearly is not working and it is something that the government obviously needs to put more resources into to make sure that drug testing is more effective. We are hopeful the monitoring and testing of these drug-drivers with the alcohol interlock device will work more successfully than the current drug testing.

Mr TREZISE (Geelong) — As a member of the parliamentary Road Safety Committee I am very pleased to be speaking in support of this bill today. On being elected to this Parliament in September 1999 there were a number of issues that I wished to focus my attention on, and one of the more prominent issues in my mind at the time was that of road safety — hence my choice to become a member of that committee, which I am pleased to say I have the privilege of being a member of.

It is one of the more enjoyable or rewarding aspects of my job as a member of Parliament to be a member of the parliamentary Road Safety Committee because it is a committee that essentially crosses party lines and, in doing so, addresses in a bipartisan manner road safety issues that are important to all Victorians.

Also, as the member for Geelong I know people would appreciate that the transport issue, including road safety, is a priority. One only has to be aware of the importance of the Melbourne–Geelong road upgrade to understand the importance of road issues to the community of Geelong — the community I represent. Something like 100 000 vehicles use the Melbourne–Geelong road on a daily basis, and many in those vehicles are daily commuters — people going from Geelong to Melbourne for work and then returning in the evening. As one of those regular commuters I have raised my concerns in this house on numerous occasions. I especially raise them at present when we see during the reconstruction of the Melbourne–Geelong road speeding drivers and essentially lawlessness on that road. Because of that I am always pleased on my trips to and from Geelong to see the presence of booze buses on the road.

I know I do not have to highlight to this house the abhorrent effect that drink-driving has on our community. The financial cost of drink-driving is measured in hundreds of millions of dollars, if not billions of dollars. On a personal level the tragedy drink-driving inflicts on many people's lives — the effect on loved ones and their families — is also abhorrent to this community and immeasurable in dollar terms. Any government initiative in relation to drink-driving that saves even one life on our roads, is an

initiative that as a member of Parliament I would support.

I see this as significant legislation. The alcohol interlocks initiative is important because at the end of the day it will save lives. The introduction of alcohol interlocks is another initiative of the Bracks government in fighting the scourge of drink-driving on our roads. Significantly it introduces a preventative measure compared to the traditional reactive and punishment system that is now in place. Instead of relying on booze buses to catch drivers who are already driving under the influence of alcohol, the interlock system will prevent many of these drivers from drink-driving in the first place. Therefore it is a proactive measure that has my full support.

Of course you will always have what we would call bloody idiots, who attempt to bypass the interlock system, but under this bill I note that there are severe penalties for people who try to bypass the system. As we have heard, the interlocks are designed to prevent repeat offenders from driving a car if they have consumed alcohol. A vehicle that has been fitted with an interlock will not start until the intending driver has blown into a breath sampler. As I said, this is to prevent a driver with alcohol on his or her breath from driving a vehicle. It is a proactive approach to the issue of drink-driving.

This legislation is designed to focus on repeat drink-driving offenders, or drivers who on their first offence have blown more than .15. A limit of .15 for first-time offenders is one issue that is of concern to me, because .15 is three times the legal limit of .05, if my maths are right. I would personally support a figure of even around .10, given that is still twice the level of alcohol allowed in a person's blood.

As I have stated before this is an overall package which I am happy to support, but I would like to record that while the bill provides for a penalty for first-time offenders with a blood alcohol content of .15 perhaps we could have looked at imposing an even lower limit of, say, .10, which is still twice the current legal blood alcohol content limit.

Deaths on our roads continue to be a major issue in our state. Addressing road safety — in particular road death reduction initiatives — should and does cross political bounds, as we have seen in the bipartisan approach adopted not only by members of the Road Safety Committee but also in this house today. I am pleased to see that is the case in most instances.

Until the 1990s the rate of road deaths continued to decline dramatically in Victoria. One does not have to go back too far in history to find when we were talking of 1000-plus deaths on our roads, which is a totally abhorrent figure in anyone's language. The road toll figures have steadily and dramatically declined over the past couple of decades.

However, those figures have plateaued in recent years. That issue must be addressed not only by the Bracks government but also by this Parliament. Therefore it is absolutely essential that the government and Parliament put in place ongoing initiatives to ensure that once again we see a real decline in the rate of tragic deaths on our roads. The introduction of alcohol interlocks is one of those initiatives. I do not care whose idea it was or who created the legislation first, it is imperative that we introduce and implement this legislation not only effectively but also in an inefficient time frame. I know that through the Minister for Transport that will be the case.

Lowering the road toll in Victoria is a priority for the Bracks Labor government. In late 2001 the state government released a 10-year blueprint for Victoria entitled *Growing Victoria Together*, a document that was welcomed by all Victorians. Importantly, in that blueprint the Bracks government committed to a 20 per cent cut in the road toll as part of providing a safer Victoria for all. In focusing that aim, the government has unashamedly focused on, firstly, speeding drivers and, secondly, drink-drivers. There is of course a need to focus on drink-drivers. Repeat drink-drive offenders are responsible for around 5 per cent of fatalities on our roads, which we have heard in this house equates to 22 fatalities a year — an absolutely disgraceful figure. Overall it is estimated that more than 20 per cent of fatalities have had some connection with drink-driving. That means 5 per cent of fatalities are caused by repeat drink-drive offenders and 20 per cent, or one in five, fatalities have a drink-drive connection. Therefore, one can see the importance of initiatives such as alcohol interlocks that the house is now debating.

One probably has to look to the United States of America and Canada for first-hand experience on the success of interlocks. In the United States around 38 states use a variety of interlock schemes. In the state of Maryland the use of interlocks has resulted in the reduction of around 65 per cent in the reoffending rate for multiple offenders — and 65 per cent is a significant figure. In Quebec, Canada, interlocks have been introduced only recently but initial studies show a reduction of 74 per cent in reoffending offences for repeat drink-drivers. Those significant figures show that

alcohol interlocks are effective in reducing the number of reoffending drink-drivers.

I believe the legislation has enormous support across the Victorian community. As a member of the parliamentary Road Safety Committee, I have much pleasure in supporting the bill and wish it a speedy passage.

Mr COOPER (Mornington) — This legislation, which will introduce alcohol ignition interlocks into Victoria, is an important piece of legislation and it is one that I welcome. I think everybody in this place takes the view that everything we can do to reduce the road toll and reduce drink-driving should be done. This is another important step forward — one that commenced many years ago — in addressing the road toll and road safety in this state.

This has had bipartisan support. That bipartisan approach has been mentioned by other speakers in the debate, and this bill also has that approach. It is not being opposed by the opposition. We hope that the introduction of these alcohol ignition interlocks will in fact be as successful here as it apparently has been in other jurisdictions, particularly overseas.

There is a question that I think everybody looks at when they think about drink-driving. You see television coverage or advertisements regarding collisions involving drink-drivers and you get that feeling that if something is not done to make this a better situation, tomorrow it could be me or a member of my family. We all have that view every time we see reports of accidents that involve death or injury where drink-driving is involved.

I have no sympathy whatsoever for anybody who is caught over the alcohol limit. I believe they deserve to be treated with the full force of the law, and long may that continue. In fact, many arguments can be advanced to say that our laws need to be strengthened in regard to drink-driving, and we should not be listening to people who believe that drink-drivers are treated too harshly. I do not think they are treated too harshly at all.

I will quote from page 5 of a discussion paper that was put out by the government in June 2001, headed 'Alcohol ignition interlocks in Victoria':

Repeat offenders who have previously been found guilty of drink-driving are an increasing problem, with 3239 repeat drink-drivers caught in 1998 — 970 more than in 1988 when there were 2269.

The discussion paper goes on:

... they make up a significant part of the total number of drink-drivers.

So we do have a problem, and it is not a problem that anybody can say is going away or getting better. It appears from the statistics that have been produced by the government in support of this legislation that in fact the situation is getting worse.

I recall, as most honourable members would, only two weekends ago, when the police caught a significant number of motorists over .05 on three freeways leading out of the central business district. A spokesperson commented on television that night that they just could not understand why many people were out there driving over the alcohol limit, considering the amount of publicity and the effort that goes into telling people how dangerous it is. But still it continues, and those people who are not caught and who run red lights or run through intersections without any care and hit other cars, maiming or killing people, are still out there — and apparently, if the figures in this report are correct, and I am sure they are, they are out there in increasing numbers. We certainly do need to address the problem.

I am a little puzzled with one part of this discussion paper. On page 7, under the heading 'Do interlocks work?', it says:

There is evidence that interlocks work best when combined with probation or treatment, such as counselling or medical monitoring. Alberta, Ontario, Maryland, West Virginia and Sweden all require treatment in conjunction with the interlock.

I think that is a very sensible statement, and I wonder why this bill has not gone that far. I would like to hear, perhaps when the minister sums up the debate, why the government has not taken that extra step, because it would appear to me to be very appropriate, very sensible and very timely to have either medical monitoring or counselling associated with this piece of legislation.

The discussion paper then goes on to say:

It needs to be remembered that, like any other law enforcement tool, the success of interlocks or otherwise depends on the context. It is difficult to draw conclusions between jurisdictions when other factors vary widely.

The paper certainly draws conclusions. The briefing the opposition received from Vicroads and the government representatives certainly drew the conclusion and made the point to us that interlocks are very successful in reducing the road toll, and they determined that from experience elsewhere in the world. Yet the paper itself says:

It is difficult to draw conclusions between jurisdictions when other factors vary widely.

It may well be that we are going into uncharted waters as far as Victoria is concerned, but it is not happening without everybody's support. We would hope that the experience elsewhere in the world will be replicated here in Victoria and that these devices will work as well as they have elsewhere. Again I make the point that if they are going to work to their maximum effect, perhaps the government should have taken its own words to heart with this bill and thought about introducing counselling and medical monitoring as part of the system if we are going to maximise the effect of the interlock device.

On the briefing we had, I understand that the Vicroads estimate is that we will have about 2700 interlock devices in operation each year after the scheme gets up and running. That represents a lot of drink-drivers out there with interlock devices on their vehicles. It is estimated that 75 per cent of those will be in the Melbourne metropolitan area.

In South Australia where interlock devices are in operation they are leased by the drink-drivers at about \$125 a month. That is the cost that is borne by drivers for getting their licence reinstated and being permitted to drive for a period of time — a year or two, or whatever is determined by the court — with the interlock device fitted.

One part of this bill refers to and addresses the issue of concessions for health care cardholders. I know from the quick read I have had of the amendments to be moved by the honourable member for Gippsland West that they also address this issue — that is, that those people should be paying a lesser amount because they are not as well off as other people.

I must say I have a query about that because I think people who can afford to drink and drive, or believe they can afford to drink and drive, should be willing or ready to pay the penalty when they are caught. After all, we are talking about something that can cause serious injury or death to people, and does cause serious injury or death to many people each year in this state. For us to be talking about giving them a concession to get their licence back I find quite strange. I think if you do the crime in this case then you should pay the full penalty. If you cannot pay the full penalty, as far as I am concerned, and you cannot get your licence back, that is just tough luck. But perhaps it might be good luck for the rest of the community because those people will not be on the road and therefore will not be a danger to other people.

The other part of this reinstatement of licences that I find extraordinary — and I would urge the government to look into this again while the bill is between here and the other place, definitely — is the situation of alcohol assessment reports. The minister in his second-reading speech referred to it. He said:

Repeat offender drink-drivers will no longer need alcohol assessments to get their licences back after the period of disqualification.

I find that quite extraordinary. The present system — if I can explain this in a way which everybody can understand because I had it explained to me and I think I understood it — is that if you lose your licence for drink-driving and you want to apply for reinstatement of that licence, you must have an alcohol assessment report done 12 months out from the time you are going to make that application for reinstatement, and again one month out from the time you make your application for reinstatement you must have a further alcohol assessment report. You then take those reports to the court to show the court that you have changed your ways, that you are a reformed character, that your drink-driving ways have changed and that you are no longer a threat to the community.

If the court believes the evidence put before it and if the alcohol assessment reports are of a quality the court believes is reasonable, then you will get your licence back, but with conditions attached of course.

Under the proposal in this bill the system for reinstatement of your licence means that you only have to get an alcohol assessment report, which you take to the court, one month before your application is dealt with by the court. I find that quite extraordinary. The 12-month assessment period has been waived because the government believes a person will have been reformed because that person has been driving for all that time with an alcohol interlock device in their car. It throws an enormous amount of responsibility onto this device and it removes the face-to-face assessment by a skilled person of the offending driver.

As I said, I find that quite extraordinary. I cannot understand why we would want to remove that first alcohol assessment report 12 months out from the time the offending driver makes the application for reinstatement. It has not been done because of cost so far as the government is concerned, because the offending driver has to pay for the alcohol assessment report, yet for some reason or other we are again being seen to be soft on drink-drivers. This appears to be a signal of softness towards drink-drivers.

Mr Spry — And speedsters as well.

Mr COOPER — The honourable member for Bellarine says, ‘And speedsters as well’, but I am concentrating here on drink-drivers. As I said before, Mr Acting Speaker, I have no sympathy at all for people who drink and drive, and I do not believe we should go easy on them when they are caught and when they lose their licences. The more restrictions we put in their way and the more onerous the requirements on them to get their licences back, the more they will value their licences when they do get them back. But if you make things a little easier, the value they place on the licence restoration will not be anywhere near as high as it should be.

I ask the Minister for Transport and his parliamentary secretary to re-examine that particular part of the bill and hopefully while the bill is between here and another place they can do something about that provision, because it is an unnecessary removal of something that is quite important. It would be strongly worth while in my view to keep that alcohol assessment reporting system as it is.

I do not want to delay the house any longer. I simply repeat that the bill is an important step forward in the quest for greater road safety in this state. I wish the interlock system well as it comes into place, and I hope it replicates the successes it has had elsewhere in the world. I hope Victorian roads will become a lot safer and a lot freer of drink-drivers because of the installation of the devices.

Ms DAVIES (Gippsland West) — I rise to speak on the Road Safety (Alcohol Interlocks) Bill. Firstly, I commend the work of honourable members from both sides of the house in the process that has been gone through in moving towards the passage of this legislation, which establishes a new mechanism for controlling the very unacceptable behaviour of drink-driving in Victoria.

The bill enables the Magistrates Court to order that a drink-driver must have an alcohol interlock condition imposed on their licence. The magistrate has a choice about whether to impose an interlock condition under some circumstances when there is a first offence if the blood alcohol content of the driver is .15 or higher, but such a condition becomes mandatory for repeat offenders.

In the case of a first offence the interlock system will be imposed for at least six months. In the case of a second or subsequent offence the condition will be applied for at least three years. The bill also provides that an offender must get an alcohol assessment report when applying to a Magistrates Court for the removal of this

condition. Serious penalties will apply for disobeying the requirements of this interlock condition. A breach of the condition will be punishable by a fine of up to \$3000 or imprisonment of up to four months. The court will also be empowered to order that the vehicle used in any such offence be immobilised for up to 12 months to prevent its further use.

Drink-driving is abhorrent. The fatalities on our roads are too often connected with alcohol abuse and these measures are particularly designed to encourage our repeat offenders to change their behaviour. A driver will need to breathe into a device before starting his motor vehicle and to breathe into the device at periodic intervals while driving. I support the legislation.

I note some of the comments of the honourable member for Mornington, who said he had no sympathy for drunk drivers and that therefore the financial cost of installing these devices should not be a factor in their consideration. He believed that if people were foolish or wicked enough to drink and drive they should suffer the full consequences of their behaviour, including the financial cost of installing these interlock devices. I have a slightly different approach. I do not believe it is equitable for people who are well off to get away with their bad behaviour more easily than people who are not so well off. Amendments I will move during the committee stage of the debate have the issue of equity in mind.

The first amendment I will move at first glance and in practice is an opt-out clause. I have put it forward because I have noted that the purpose of the bill is not to punish but to change the behaviour of people. People who are habitual drink-drivers are obviously people who society wants to encourage to change their behaviour. It was suggested to me that people who have a job are more likely to be able to change their behaviour in positive ways than people who do not have a job. Some people have jobs that involve driving, and often driving different cars. For those people the requirement that they can only drive a car fitted with an interlock device may mean they cannot be employed, and I do not see that as a desirable consequence of the legislation.

My first amendment states that it will be a defence against breaching the interlock condition if at the time of the breach it was a requirement of the person’s employment that he or she drive a motor vehicle, and if the person driving the motor vehicle was only driving for the purposes of their employment and had a zero blood alcohol content.

As I said, that sounds like an opt-out clause, but it is potentially valid if people drive with no alcohol in their blood and if the only reason they are driving another vehicle that is not fitted with an interlock device is that it is a requirement of their job, and I ask the house to consider that amendment.

My second substantive amendment — proposed amendment 10 — concerns arrangements that the government will go into in selecting suppliers of alcohol interlock devices. The bill lists various factors which the government will ask to be taken into consideration when the selection of a supplier is being made. My amendment to clause 7 asks that one factor to be considered when the government chooses a supplier is the capacity of that supplier to install and maintain approved alcohol interlocks in rural areas. When somebody puts an alcohol interlock system in their car they will have to go to an approved supplier. If their battery goes flat and they need to change it, that alcohol interlock system will need to be recalibrated, so they will have to go back to the supplier.

It is an additional penalty for people in rural areas, an additional disincentive for them to use the system — and to use it honourably — if that supplier is not able to deal with them within their area or a nearby vicinity. I ask the government to add that paragraph to ensure that people in rural areas can access a legitimate supplier or body that can maintain the alcohol interlock system within their area.

My third substantive amendment, proposed amendment 17, states that the minister must consider establishing a financial assistance scheme. The motivation for making this amendment was that, even though the government has stated it will endeavour to make the company that is the preferred supplier set up some kind of scheme to make sure that people on health cards pay less than the full price for alcohol interlocks, it puts the onus back on the company to subsidise people with lower incomes. However, I understand the practical problems behind my proposed amendment and I have agreed to withdraw it on the understanding that the government will aim to strengthen its concession provisions beyond what is currently contained in the bill. My other amendments merely concern renumbering or are consequential.

In conclusion, I strongly support the Road Safety (Alcohol Interlocks) Bill 2001. I took note of the previous speaker's comment that in some states, side by side with legislation to bring in the alcohol interlock system, there is also a requirement for offenders to be counselled and rehabilitated. I strongly suggest that it would be a good idea for the government to look at

doing the same thing. I would support any additional measures aimed at counselling, behaviour modification and other rehabilitation programs. Overall, I support the bill. Driving when drunk is completely abhorrent behaviour to all members of the community and costs far too much in terms of trauma and money. Any additional measure aimed at changing people's behaviour and encouraging safer driving is to be commended. I commend the bill to the house.

Mr LANGDON (Ivanhoe) — It is with great pleasure that I add my support to the Road Safety (Alcohol Interlocks) Bill. I note from previous speakers that, as with all the road safety bills that come through this house, this bill has universal support. There are a few question marks and suggestions, which is only natural as well, but it is universally supported.

I also note with interest that my colleague and fellow member of the Road Safety Committee, the honourable member for Geelong, has spoken on the bill. My colleague from Bellarine, who is also on the Road Safety Committee, is also preparing to speak. I see that the honourable member for Shepparton, also a member of the Road Safety Committee, will be speaking on this bill. It gives us an example of how the three parties in the house — and an Independent has also finished speaking — have come together on the issue of road safety. The Road Safety Committee is a prime example of a committee that leaves politics at the door, examines issues and tries to solve problems. It gives the government recommendations and suggestions of how to cope with the ever-increasing problems on our roads.

When I read the second-reading speech for this bill the meaning of the opening paragraph really hit me. It states:

Drink-driving continues to be a scourge on our community, taking or ruining many lives, causing economic loss and an untold amount of grief and emotional distress.

The last part, 'grief and emotional distress', hit me particularly. The road toll affects not just the people who are unfortunately killed or maimed; it also affects families across the board, friends and so on who also grieve. Regrettably, drink-driving is an enormous source of that grief. The statistics show that alcohol is still one of the main causes of road accidents. In the last couple of years at least 400 people have been killed on our roads each year, and about 80 fatalities a year were because of drink-driving. Accidents resulting in 22 of those fatalities and 220 serious injuries have involved drivers who have previously been convicted of drink-driving. Clearly the problem is not only alcohol, but the fact that people are going back and drinking and driving again and again.

We have all seen Transport Accident Commission ads and heard about increases in penalties. In the last 10 to 20 years Victorian governments have done everything humanly possible to get the message across to drivers that drink-driving is not the way to go. The statistics clearly show that while the vast majority of Victorians is heeding the warning a small group continually flouts the law. The interlock legislation is an attempt to address one aspect of the problem — that is, people who continually drink and drive will not be permitted to drive a car without at least having their breath tested by an interlock device. Hopefully that will reduce the number of lives lost.

I notice that another member of the Road Safety Committee is also in the house at the moment, the honourable member for Benambra. It gives the house an example of how the members of the Road Safety Committee have taken on the issue of road safety. This bill is part of the government's approach, and when I say 'the government' I do not necessarily mean only the Bracks government.

The Minister for Transport, obviously in the Bracks government, has taken this issue seriously and he is committed to government action. I commend the minister for trying to reduce the road toll by 20 per cent, as is set out in his *Growing Victoria Together* statement. Twenty per cent is an ambitious figure, especially when over the last couple of years the road toll has plateaued and increased. Legislation passed in the last 12 months — for example, the legislation that reduced the speed of traffic on residential streets — and now this bill are all aimed at the same thing: chipping away at the road toll.

I know many speakers before me have outlined, as speakers following me will also do, what the proposed legislation will do and how magistrates will be brought in. I do not want to go into those sorts of details, because I am sure people who have read the second-reading speech and the bill will know those things. I do not want to repeat that just for the sake of repeating it. Its intention is to reduce the road toll. We have to get those drink-drivers who will not listen to what we are telling them to stop, and this is a way of doing it.

I pick up on one point that various opposition speakers have mentioned which is the issue of the health care card and reducing the costs of the interlock device. In conversation the point has been raised that if someone gets a fine and they have a health care card, the fine would not be reduced. That is a valid point and I can see the direction that the member or members are coming from. However, the legislation is not so much

about fining as about allowing someone to drive who has a drinking problem. It is a cost factor so you can get something installed in your car.

This is where economic rationalism and the ability to pay comes in. I would hate someone to miss out on getting this device because of socioeconomic circumstances, for example — just because they cannot afford it — whereas someone with the same drinking problem who has had previous fines but who has the ability to pay for the device, can get it. That is the difference. I can understand the people who have said to me that just because this is a device those people should not be separated, because a fine is a fine. This is a fundamental difference. It will allow people who can get the benefit of the interlocking device to purchase it.

The honourable member for Gippsland West will introduce an amendment and the parliamentary secretary has said that the government is considering it. South Australia already has interlocking devices and has already seen the benefit of a reduction. A fascinating point, and an example of where the device has been exceptionally effective, is in Quebec where the number of drink-driving offences has reduced by 74 per cent. If that 74 per cent is a reduction in the percentage of those who drink and drive and cause fatalities, the road toll will be reduced. At the end of this year we would all like to see the road toll under 400. It has been creeping up further and further, and last year there was a substantial increase. This and other legislation brought in by this and previous governments all have the one aim of reducing the road toll. I commend the bill to the house.

Sitting suspended 6.28 p.m. until 8.02 p.m.

Mr SPRY (Bellarine) — I have great pleasure in rising to speak on this bill and in joining my colleagues on both sides of the house in commenting on this legislation. It was pleasing to hear two members of the all-party Road Safety Committee speak earlier. I am the third one in the group, and I think the honourable members for Shepparton and Benambra will speak later this evening. I can assure the house that we on that committee take our duties in trying to diminish the road toll very seriously. We work well together as a unit and I think we are making some progress in some directions at least.

Every person in this chamber has probably been affected by the tragedy and trauma of road deaths at some time. It is not something that we human beings are immune from and it should occupy the minds of all legislators when they are trying to address the very real issues of reducing the road toll in this state, across

Australia and around the world if it comes to that as it is estimated that something like 1 million people are killed on the roads each year.

As the honourable members for Wantirna and Mornington and probably others have mentioned, on Saturday, 16 February, a blitz was conducted on Melbourne's freeways. At that time 1 in 43 drivers who went through the booze buses was found to have a blood alcohol reading in excess of .05. That is an absolutely staggering figure given that the benchmark figure for blood alcohol readings at booze buses is something like 1 in 200. It was instructive to read an article by Jodie Menzies a couple of days later in the *Sunday Age* and a comment from Superintendent Peter Keogh. He said that police were mystified as to why public education campaigns had failed to deter people from drink-driving. It is not just an issue that mystifies the police, it mystifies everybody. Why on earth would people continue to drink and drive when they are well aware of the fact that excessive alcohol in the blood impairs driving skills and can lead to such trauma and drama on the roads and such heartfelt trauma — the best way to put it — for the families and loved ones affected by the loss of people in road fatalities?

As the biggest single factor contributing to road fatalities, excess alcohol intake to the point where driving skills are impaired is a major concern to all Victorians. I am not just talking about the adult population, I am talking about school students including those at a school in my electorate. Students from the primary school at Ocean Grove are due to come into the chamber later and listen to the debate; it is a pity they cannot be in here right now. Teachers are beginning to make their students aware of the evils of drinking alcohol and the effect it can have on the population.

Speed and fatigue are the other two major factors in road trauma. All three of these issues can be targeted for reform and they should be. To date the Bracks government has regrettably presided over a steadily increasing road toll. I am not casting any particular aspersions on the Bracks government; I am simply making the comment that the people on the other side of the house occupy the Treasury bench and the ball is in their court to do something about this.

When we look back on the figures from the Australian Transport Safety Bureau reflected in the annual road fatalities by state and territory from 1981 to 2000 we see a total figure 20 years ago of 3321. At least that had been reduced to 1756 by the end of 2001. The sad fact in examining these statistics is that we reached a low point in Victoria in 1997 and a year later nationwide.

That year there were 377 road deaths in Victoria. It is still too many but it was a huge reduction on the 766 road deaths 17 years earlier. We were making some inroads into those statistics.

I am sure the people who have gone before me and my colleagues on the Road Safety Committee made a contribution to reducing that figure, particularly under the chairmanship of the honourable member for Forest Hill. That is not to say that the rising road toll is the responsibility of the current all-party Road Safety Committee — very much to the contrary, we are doing what we can to address these issues. By any standards these sorts of figures are totally unacceptable. I suppose we are a little bit like sheep: most of us feel that if it is not affecting us directly we do not have to deal with the problem but when you are affected directly — as I and many others in this chamber have been — you feel a very real responsibility to try and get something done.

In looking at some of the features of this bill, which proposes to amend the Road Safety Act 1986 by introducing alcohol interlocks in the vehicles of the worst drink-drivers, it is interesting to reflect on the fact that in other jurisdictions such as 38 states in the United States of America, Sweden, Canada and more recently South Australia —

Honourable members interjecting.

The ACTING SPEAKER (Ms Barker) — Order! I am sorry to interrupt the honourable member for Bellarine. I ask those honourable members wishing to carry on a conversation to leave the chamber.

Mr SPRY — In those other jurisdictions this measure has proved very effective. In his contribution the honourable member for Geelong mentioned the jurisdiction of Quebec, where road fatalities due to impaired driving through the intake of alcohol were reduced by 74 per cent, which is a significant reduction. Obviously, therefore, it is worth pursuing this initiative.

I go back to the features of the bill. Interlocks will be fitted to the vehicles of those convicted of a repeat offence or first-time offenders who are quaintly called excessively drunk — those people who record a blood alcohol reading in excess of .15, which, I would remind the house, is three times over the legal limit anyway. They will be forced, or required, to fit an alcohol interlock into their car.

Another feature of the bill is that after a 10-year period the slate will be cleared and, provided the driver is free of convictions, they will go back to the status they enjoyed before first being convicted. In serious cases the bill will allow an interlock condition to be imposed

by the courts on a person's licence indefinitely. In those cases removal will only be at the discretion of the court.

In consequence of all this legislation new offences will be introduced for driving in breach of an alcohol interlock condition, driving a vehicle without an interlock fitted or circumventing an interlock in any way, and in some cases the penalties will include — as they should — imprisonment or the immobilisation of the vehicle used.

One of the interesting features of this bill which I am not entirely happy about is that the cost of fitting the alcohol interlock mechanisms to the vehicles of those members of the community who hold health care cards will be borne in part by other drivers who do not have health care cards. The whole issue of making concessions available to anybody convicted of a drink-driving offence to the extent where they have to use an alcohol interlock device is questionable, because it raises the issue of whether concessions should also apply to people who are convicted of speeding offences. Indeed, should concessions apply to people who go for a driving licence?

We are getting away from the whole concept of what driving licences are all about. I believe a driving licence should be regarded by people who qualify for it as a privilege, not a right. When you reflect on the road toll and road trauma and the drama they cause, I do not think that hypothesis could be expected to meet much resistance. As I mentioned, the idea of making concessions available sets a precedent which is hardly justified in this particular case.

There is no doubt about the issue that compliance needs to be resolved. So often we read in the daily media of people driving without a licence and just abusing the system completely. We can probably expect the same sort of abuse of the system to continue in this case, with people simply ignoring the fact that they have to have an alcohol interlock fitted to their car.

The cost is not insubstantial. I understand that in South Australia the cost has been estimated at about \$120 to \$125 a month. I suppose for many people who are required to fit them the temptation will be to simply ignore the legislation and the court order and continue to try to drive without them. So compliance will be a real issue.

The Royal Automobile Club of Victoria and many others have been consulted on this bill. I am pleased to note that in the broader sense the RACV supports the initiative.

I shall take just a moment to comment on the proposed amendments which stand in the name of the honourable member for Gippsland West. I refer to amendment 18, where she seeks to make it a defence if a person is driving with a requirement recorded on their licence but is driving a vehicle which has not got an interlock device fitted. She proposes to make it a defence if the person is driving to or from their place of employment. I totally reject that proposal because in this case it is a very serious offence. You are either guilty of breaching the law by driving under the influence of alcohol or you are not. If you are guilty of it you cop the consequences. If people are driving to or from work or their vehicle is required for their work, then surely those are the very people who should be most careful to avoid a conviction for drink-driving. They are the very people at whom some of this legislation is aimed.

An issue was brought to our attention when members on this side of the house were briefed on the provisions of this bill and mention was made that one oil company has fitted alcohol interlocks to its heavy vehicles. I do not know to what extent they have voluntarily fitted them or that initiative has been taken by that company, but I commend it. It will be interesting to see, as alcohol interlock devices become more prevalent in this state, whether other haulage companies or truckers carrying hazardous materials are tempted to use the same sort of initiative. If that is the case it may need further consideration in this house in due course.

The perception in the community is, I think, that there are fewer booze buses on the roads while at the same time there are literally hundreds more speed cameras. To my mind it is quite obvious that more deterrents are needed, especially in the form of an increased police presence across the state. Again it is instructive to observe that the Minister for Police and Emergency Services, who is keen to get more active police operating in this state, has presided over a regime that has decreased the total number of active police in Victoria by about 40. So I urge the government to address that issue and try to get more police in patrol cars across the state to give drivers out there the impression they are being watched and that there will be increased surveillance in the future.

In conclusion, despite some misgivings about the mechanics, we on this side of the house support the bill and trust that its implementation will result in a reduction in drink-driving and, as a consequence, a reduction in the literally unconscionable rising road toll.

Mrs MADDIGAN (Essendon) — I am pleased to speak in support of the Road Safety (Alcohol Interlocks) Bill. This is one of a number of issues that

the current Bracks Labor government has taken to improve road safety. Certainly measures such as the reduction of speed limits to 50 kilometres an hour; the increased black spot program, which has assisted in some areas in my electorate, particularly Lincoln Road; and the increased numbers of police, which the honourable member for Bellarine referred to, have all been very useful and sensible approaches to try and improve road safety for Victorians.

My experience with the police numbers is a little different from that of the honourable member for Bellarine. I know that my local police station at Moonee Ponds now has a full complement of staff as a result of our increased recruitment of police, which it never achieved through the whole seven years of the Kennett government. It is quite obvious from seeing the increased police presence in my street how it is having the effect that the honourable member for Bellarine mentioned, and I think we will see that right across the state.

The bill introduces a worthwhile measure, one in which we are not the leaders. Previous speakers have referred to the experiences of other countries that have tried alcohol interlocks.

I refer to an article titled 'Programs and policies for reducing alcohol-related motor vehicle deaths and injuries' in the fall 1998 *Contemporary Drug Problems* magazine. That article defines the characteristics of hard-core offenders as:

They repeatedly drive after drinking; they often do so with high blood alcohol concentrations ... and they appear relatively resistant to changing this behaviour.

The interlock device is particularly useful in addressing the resistance to changing this behaviour. The article profiles a hard-core drinker as a male between the ages of 25 and 44 — so the honourable member for Bellarine does not have to worry about it — who drinks heavily and exhibits a variety of antisocial and deviant behaviours in addition to drink-driving — and I do not have to worry about it either, so we are both all right!

Males between the ages of 15 and 40 often have family responsibilities, they need to keep a job, and for them to lose their licences and to continue to be unlicensed for a long time can impose quite significant penalties on their families, both in terms of the family income and other areas. In that respect this is a really good measure. Of course, interlocks are only a measure; they are not intended to replace other sanctions but are used as an adjunct. They provide a stepping stone between losing a licence and then coming back onto the road, allowing a driver to drive but at the same time providing a safety

net for the community so that people can feel more confident that they are not at risk from such drivers.

Of course, it is not a perfect system. People will always find ways around any sort of regulatory system. However, the fact that there may be ways around it does not detract from the fact that it is a very useful system. We in Victoria, coming after a lot of other jurisdictions, have had the benefit of seeing what works and what does not work, and that should be really useful.

The article I referred to details a number of studies that show that alcohol interlocks are quite successful. A study held in Hamilton County, Ohio, examined a sample of 273 hard-core drink-driving offenders who were selected from a population of repeat offenders, first-time offenders with a blood alcohol concentration of 20 milligrams per cent or over and offenders who refused a breath test. The article further states:

Each interlock participant was matched with a comparison offender on the basis of problem drinker status, number of previous alcohol and drug-related arrests and previous DWI arrests. After 30 months only 3.4 per cent of the interlock group had been re-arrested for DWI compared with 9.8 per cent of the control group.

That was the Morse and Elliott study from 1992, and it shows a significant difference between those who have had alcohol interlocks on their cars and those who have not.

A further ignition interlock program in Alberta, Canada, showed similar results. It compared:

... the subsequent driving records of the first 1007 interlock participants (all of whom were repeat DWI offenders) with 11 127 DWI repeat offenders who did not have an interlock installed ... Over a 36-month period, only 7.2 per cent of interlock participants had been reconvicted of DWI compared with 22.2 per cent of the comparison group.

Over a longer time that study showed an even greater disparity between repeat offenders who had the opportunity to have alcohol interlocks fitted than those who did not.

Other honourable members today have referred to studies in other states that have also used alcohol interlocks. In one way I suppose alcohol interlocks are only a small measure, because the problem of persistent alcohol abuse by drivers is a much more deep-seated problem and one that takes a deal of assessment and rehabilitation over a number of years, possibly targeting a whole range of services that may be required to assist those people with their behavioural patterns. As a short-term measure alcohol interlocks provide some protection for the community at the same time as

allowing people to still drive and take that step from perhaps irresponsible driving to more responsible driving.

A further study appearing in a different report in Maryland showed that a much smaller percentage — 2.4 per cent of the interlock group — were rearrested, while 6.7 per cent of the control group were rearrested — once again, a very significant difference between those who had interlocks and those who did not.

Figures prepared by Vicroads show the number of repeat offenders by location and reveal some quite significant changes of pattern. I am glad to say that in my electorate, on the figures here, there are no repeat offenders, which I am sure my residents will be very pleased to hear. However, you can highlight quite easily some areas where there is a significant problem, where the proportion of repeat offenders is 25 to 33 people who have this problem. That shows that it is quite a serious community problem. Hopefully alcohol interlocks will be able to assist those people and also ensure there are less people killed on the roads by drivers who have a problem controlling their drinking. Everyone in the community would agree there is nothing sadder than people being killed in road accidents through no fault of their own due to the behaviour of other drivers.

There are a number of ways the community can assist in trying to ensure that people who do have a persistent alcohol problem are restricted from driving, and these provisions will be very welcome in many areas. I commend the bill to the house, and believe the report from the Road Safety Committee was very worthwhile.

It does have to be compulsory. Some of the studies I have read show that in areas where they have tried self-selection, where people undertook to use an interlock device on a voluntary basis, it has not worked. I do not suppose that is all that surprising in the long run.

The honourable member for Bellarine indicated his concern that people on health care cards would get a concession and that the rest of the community would have to pay for it. In considering that question you have to ask, 'What is the alternative? What else would you do with these people?'. If they cannot afford it, does that mean they go without their licence longer, or that they are allowed to drive without any restrictions? If their licences are restricted for a longer period problems arise that I have referred to earlier: the person may lose their job, and the family may be dependent on the

person for income. It affects not only themselves but many other people as well.

Another point is that if you allow people who may not have their alcohol abuse problem under control to drive, you will increase the likelihood of their being involved in other accidents where other people may be severely injured or there may be fatalities. Looking at it in that way, there really is no alternative if you really want the process to work and the system to be accessible to the whole community.

It is not unusual for us to grant concessions for people who do not have incomes appropriate to whatever activity they might have to undertake, whether a regulatory activity or not. By and large the community will be happy with concessions in this case if they mean protecting the community from people who are repeat drink-driving offenders, because at least they know the chance of those people driving with an excessive amount of alcohol in their system is likely to be much lower than without this provision.

The community is well aware and very concerned about the high level of road deaths and accidents in this state. The Road Safety (Alcohol Interlocks) Bill and its provisions will be welcomed by the community in Victoria, and I am sure my community will be very pleased once it is passed as legislation.

Mr McINTOSH (Kew) — I rise briefly to add my support to the Road Safety (Alcohol Interlocks) Bill, which is another step in the search for a solution to our horrific road toll in Victoria.

First, I will digress a little by way of introductory remarks. Road deaths can traumatise individuals, families and members of the community. This was driven home recently when I attended a local church service for close friends. She and her husband were killed on the Newell Highway in New South Wales. It was a head-on accident. Two children aged six and two survived that horrific accident, instantly orphaned as a result of it. The New South Wales coroner has yet to report as to the reasons for that accident, but such deaths traumatise a community.

Only this morning I was speaking with the Deputy Premier, who also knew the couple and attended the funeral in my electorate. Road death has a pervasive effect and impact. That search to resolve, to overcome and to reduce road death and injury is one that we must continue. This bill is but one step towards that ultimate goal.

This state has more than 400 fatalities a year, 80 of which can be directly attributed to drink-drivers — that

is, 20 per cent of all fatalities occur through drink-driving. That does not take into account the serious injuries caused by drink-drivers, the suffering caused by injuries and to families, friends and the community, and the cost to the public purse — which is measured in the hundreds of millions of dollars.

This legislation is designed, although not exclusively, to deal with repeat offenders. The statistics produced by the government as set out in the second-reading speech and in a briefing note provided to opposition members show that some 22 fatalities on Victorian roads in 2000 were directly attributable to repeat drink-drivers. I also understand that some 220 people were severely injured and about 340 suffered minor injuries as a result of repeat drink-driving offenders on the state's roads.

The cost, if one can put a dollar figure on 22 fatalities, 220 seriously injured and 340 suffering minor injuries, is \$81 million annually. I suspect that incidence is increasing, because one of the frightening statistics is that the number of deaths occasioned by repeat offenders is increasing dramatically to the point where about 30 per cent of fatalities caused by drink-drivers are attributable directly to repeat offenders.

Any step to deal with that will have an impact not only on the public purse and the lives of the people who survive the fatalities — the husbands, wives, children, mothers and fathers — but also on those who suffer serious injuries as a result of such accidents. Surely this is about more than the \$81 million we will save by addressing this problem. Government statistics suggest that a properly implemented scheme to reduce repeat offences could see the number of deaths drop from 22 to 11 a year. That is commendable and certainly something the opposition is supportive of. Any mechanism that will reduce the toll and the impact on people's lives — on individuals, families, relatives and the community itself — as well as the public purse must be supported.

I wish to raise a fundamental point upon which the legislation is based: to drive on Victorian roads is not a right, it is a privilege. Every person who holds a motor vehicle drivers licence is given a privilege to drive a very dangerous weapon. It could be argued that the car is the most dangerous weapon that we have in society today, when you compare it with the number of murders and serious assaults and so on, together with their consequences. A number of us drove to work this morning — I came with a colleague and did not drive — but the point is that most of the community uses the motor car, and it is growing exponentially. At the end of the day driving on the roads is a privilege and not a right.

What this legislation does is ameliorate that right. It says that if you are a repeat offender or somebody who has breached the laws by a significant amount then you will be treated differently — that is, you must have an alcohol ignition interlock in place and you must not drive a motor vehicle unless it is in place. I have no difficulty with that, and I have no difficulty with the length of time that these people are expected to operate these interlocks. I agree with the government that these draconian steps should be taken, together with a range of mechanisms such as an education and rehabilitation.

At the end of the day, if someone does not pass the minimum expectation then they do not deserve to drive on our roads. Accordingly I have no difficulty in supporting this dramatic impingement on what some people might consider to be their right but which I believe is a privilege. I support the legislation.

I will highlight two issues in conclusion, one being the idea that there should be a time limit of 10 years in relation to a repeat offender. I cannot understand the logic of wiping the slate clean after 10 years. If 22 people are killed by repeat offenders, those 22 people do not get any time for remission, their loved ones do not get them back and the community must pay. The children of the two people who were killed on the Newell Highway in New South Wales will never get their parents back.

I do not understand why there should be a 10-year rule. I understand why in other areas of criminality a 10-year rule might be considered, but not for repeat offenders in this area. If you are a repeat offender you are a repeat offender, and whether your offences are 20 years apart or 30 years apart, they should be taken into account.

The second issue relates to the health concession card. I can understand someone having a warm and caring feeling about doing the right thing by people with health concession cards, but I question whether people who have transgressed the law to such an extent actually warrant being treated differently from other people who have equally transgressed the law. If that were to be the case, the idea that the cost would be taken out of a pool, thereby increasing the cost for those who may be better able to afford it, would seem to me to be a ludicrous response.

However, this is commentary only in relation to those two matters. I would certainly like to see the 10-year rule abolished and all offences taken into account in determining whether someone is a repeat offender.

In conclusion, I have no difficulty in depriving people of a privilege when they have transgressed our laws so

significantly, which can so dramatically impact on individuals, on families and on communities.

Mr SEITZ (Keilor) — I rise in support of this bill and, in particular, the important steps we are taking in introducing a new method of providing safety for our community and our society. When talking about repeat offenders having to use ignition interchange locks to test whether they can drive their vehicles and be mobile, we must remember that when road fatalities occur the real concerns are the people who are left behind and the cost to society of their grief in monetary and emotional terms. Sometimes people never get over the tragedy of a fatal car accident and cannot get their lives back together, whether it be a young member of the family or an older person who has been killed.

I commend the minister for bringing in this legislation to implement the use of these devices, because it is just another step in the direction of preventing people who have already offended from taking control of a motor vehicle.

I well recall in my youth, driving through Ballarat and being pulled over by the police. A young constable — it was actually a female — came up and said to me, ‘This is a deadly weapon you are in possession of’. I could not understand what the constable was talking about. I was 18 and had just got my licence and I was driving — exploring the world. She started kicking my car and said, ‘This is the deadly weapon I am pointing out’. Then the penny dropped and I realised what she was talking about. I have always been thankful that I was pulled up at that early age in my driving career, because it made me a more careful driver and conscious of the fact that my car is not there just to transport me around but that it is a dangerous weapon that can kill people if you are not properly in control of it.

I was not familiar with Ballarat and I admit I went through a stop sign. I did not realise while driving down the middle of the road that I was approaching crossroads with stop signs. I played it very naïve and I got away with a severe dressing-down, but it served me well and I still remember it today. It is a privilege to drive a vehicle, but our society has regulations and we must consider other people. Over the years I have used this example many times as a teacher in discussions with students who were eager to begin driving lessons and get behind the wheel to illustrate all the pitfalls there are. It is a pleasure and a joy to own and drive a vehicle, but it can also be a dangerous weapon. It is doubly dangerous if the driver is intoxicated or high on drugs. It is not only people under the influence of alcohol, but also people who are high on drugs and are driving vehicles when they are not in control of their

faculties who can cause grief, whether it is the drivers themselves who are killed, or whether it is passengers or other people involved.

This weekend in my electorate a young driver who was trying to avoid a booze bus made a U-turn and drove into an oncoming vehicle, causing a fatality and putting the other person in hospital. As a society we have an obligation to educate people, young and old and anybody else involved, such as people who dispense alcohol in bars at licensed premises. They have a responsibility to caution people. In the home also, at birthday parties, family functions and barbecues it is the responsibility of friends and people in general to say, ‘I do not think you should drive. Leave the car here and I will drive you home’. It should not be treated as a stigma.

Introducing this new method for the Magistrates Court to apply — having an alcohol ignition interlock fitted so that the driver has to do a breath test in the vehicle before it can be started — is a very important step in the right direction, but it should be only a last resort when everything else has failed. I think we should still continue our education program right through because that is of vital importance. I see less of that nowadays with young people, when they are going out to disco or a party, saying that one of them is the designated driver and the others can have a drink. I think that is important, and when that program was running and being promoted it was very successful. We should continue with the education programs on all of those issues because they are very important.

We all know that if you have been partying until 2 or 3 o’clock in the morning and you get up at 8 o’clock to go to work the effect of the alcohol is still there. Again, an education program needs to continue and we should not just rely on this mechanical device where you breathe into it and if your alcohol level is above the limit, the car will not start.

I commend the bill to the house. I commend the work that has been done in our society by law reform committees, social welfare committees, drug advisory bodies and others that have made reports and conducted reviews on the issues. But we are still facing the problem that people drive their cars when they are not in control of their faculties. That is the key area where we still need to do a lot of work to educate people in understanding and accepting their responsibilities.

In this nation we do not want to take responsibility when it means telling people off or pulling them up. We are used to our freedom, we believe the individual can do what they like and we respect other people’s

opinions, but there comes a time — when a person has had too much to drink or is high on drugs — when it becomes the responsibility of other people within their circle to take the necessary steps and action. I have personally seen people becoming aggressive about the matter, saying, 'I am all right. I am not drunk. I am not handing over my keys. You are not going to drive me home. I am not going to be embarrassed'. I do not think it is a matter of their being embarrassed but a matter of caring for other members of society. That is the important message we have to continue to get across to people.

The interlock devices we are now talking about present a far better way of handling the problem than locking people up in jail and preventing breadwinners from being able to get to work. The use of these devices will enable people to go to work, meet their other commitments and undertake other activities. If they are habitual or compulsive drunks or addicted to other substances this device provides a method of control.

A person's circle of friends can also assist, whether it be on a fishing, golf or bowling trip away, or even at home, by reminding them of their responsibility and that driving a vehicle is dangerous, particularly if they are not in control of their faculties. Sometimes it is difficult enough to drive, especially in peak hour, even when you have full control of your senses. At times along the Geelong road people become impatient because of the speed restrictions. People are always tailgating you, trying to pass you and jumping from one lane to the other just to get one or two cars ahead of you, yet when you get to the traffic lights you catch up with them anyway — they do not get very far ahead.

It is important to get to your destination safely, even if you go a bit slower and are not on time. It is no advantage to anybody if you end up in the morgue. It creates sadness in society, particularly for people who are left behind. It is also sad that people who have been injured as a result of an accident have to pick up the pieces and face major problems in their lives.

I welcome the introduction of this interlock device, which might go some way towards preventing car accident fatalities. I know some countries have been trying alcohol interlocks. Some have had them for 10 or 15 years and claim some success with them. I hope the device will be implemented in Victoria as soon as possible, that it will gain acceptance and that it will function properly so that it cannot be bypassed. Some honourable members who spoke earlier talked about the ability of someone who has been drinking to get around the device by getting someone else who has not had any

alcohol to blow into it, thus enabling the person who has been drinking to start the car and drive away.

The device needs to be treated seriously and people need to exercise self-control in the matter. Everybody who drinks and then sits behind the wheel and drives takes their own life in their hands and puts themselves and everybody else at risk, including family members and friends who are also in the car and others on the roads. Those who are injured as a result never get over the shock. Drink-drivers who have caused such accidents never get off lightly because when they sober up they realise the problems they have created for themselves, their families and society.

We have a reasonable insurance process and a legal system that in most cases does not allow people to get away with drink-driving. Insurance companies will not cover people who drink and then get behind the steering wheel and drive, but people seem to worry more about the financial side — like the cost of replacing vehicles or repairing damage — than the human cost.

A human life, once it is gone, cannot be replaced. Worst of all, if somebody finishes up a paraplegic in a hospital bed, the nursing and care that is needed for those people and the stress it puts on family and other people for the rest of their lives is a big tragedy in our lives. I think that Parliament and our society in Victoria needs to continue with the education process that the two things do not mix: alcohol and being in control of a vehicle. For that reason, I wish the bill a speedy passage through the house and hope that the minister is able to implement it as soon as possible and get the bill gazetted as soon as practicable.

Mr LUPTON (Knox) — This bill amends two acts, the Road Safety Act 1986 and the Sentencing Act 1991, in relation to the introduction of alcohol interlocks on motor vehicles. I do not suppose there is any one person in this place whose life has not been affected by somebody who has been killed or injured by a drunk driver, or a driver of a motor vehicle who has been under the influence of alcohol. Some of those experiences may have been quite traumatic; others may not have affected people quite as seriously, but I doubt that there is anybody in this place who has not been affected.

I was fortunate enough to attend the briefing on the legislation which was provided only last week, and criticism has been made about the fact that there is nothing to stop a person who has an alcohol interlock instrument installed in their car from having a passenger sitting beside them or a person walking past breathe into that machine so that the drunk driver or

alcohol-affected driver can use the car. I thought it was very well explained that if anybody is stupid enough to breathe into the machine to allow a person who is drunk to drive the vehicle, we have a real problem.

Apparently, the statistics show quite clearly that this is not a real problem because the average person usually has enough brains not to try to circumvent the law by allowing a person who is affected by alcohol to drive a vehicle. I hope that comes to fruition.

It is also interesting to note that the government is attempting to introduce penalties for the person who is supposed to drive a vehicle with the alcohol interlock in place so that when that interlock has been circumvented they will suffer a very real penalty. I think the government is to be congratulated on that aspect.

There are three main points that I want to bring up on this bill, and they cause me a great deal of concern. I refer particularly to the fact that the alcohol interlock device is installed in the car, and yet a person who is a health care cardholder is going to be subsidised by the non-health care cardholder driver who has been convicted of an offence.

For the person who does not have a health care card, the expected leasing cost of this machine is about \$120 a month, which works out at quite a bit of money over 12 months — \$1240. But for a convicted drink-driver with a health care card we are looking at a lease cost, as stated in the second-reading speech, of around \$50 a month lower than would otherwise be charged.

Where is that additional money coming from? The government is indicating that this service or law is not going to cost the government anything. So that means that the other driver who has been convicted of driving while drunk has to subsidise the health care cardholder by paying a higher fee.

I find this totally incorrect. The second-reading speech states:

A person who should have to use an interlock should not be able to avoid that requirement merely on grounds of cost. In the community's interest the person will have to bear the additional cost if they wish to drive.

Yet if you have a health care card, that does not apply because Joe Blow down the road who does not have a health care card has to subsidise your use. Is that justice? After all, when a person with a health care card goes to buy grog the card does not give them any sort of discount. Whether or not you have a health care card you pay the same price when you purchase alcohol. You pay the same price when you buy a car. But some

people who are convicted of being drunk or who are repeat offenders on drink-driving charges are entitled to a discount on the installation of interlocks and the average man in the street who has been caught driving under the influence and who has to have an alcohol interlock installed in their car has to subsidise the health care cardholder. I cannot see the justice in that.

I would like to see the figures which relate to this particular matter and find out how many people are driving motor vehicles which are not insured in any shape or form. I say that if a person cannot afford to pay for the alcohol interlock to be installed in their car, I would bet London to a brick they cannot afford to have insurance. We are assuming that although they have been caught once it may have been the first time they have been caught. But let's face it, when you are caught once, you can bet your bottom dollar you have done it before today.

I see this as a flaw. I cannot see why anybody who is a health care card holder should have any sort of subsidy afforded to them in this particular case. They pay the same price for their grog as a normal person; they pay the same price for their car; and I think they should have to wear the same sorts of financial consequences. I would like to see the statistics on motor vehicle insurance because I would suggest that if they cannot afford to pay for the interlock at roughly \$120 a month, there is no way they are going to afford the insurance.

The honourable member for Kew said that driving a motor vehicle is a right, not a privilege. When you have that right you should not be allowed to drive on and on while you are under the influence of alcohol. Therefore, you should wear the same costs as anybody else.

We are looking at the recalibration of the machines. What is anticipated at this stage — and I emphasise that it is only at this stage — is that because it is not considered to be fair and equitable that a person convicted of being a drink-driver should have to drive for an hour or an hour and a half to have the machine recalibrated, the government is looking at having the organisations that install these particular devices run a mobile service. Who is going to pay for the cost of that? I would have to assume again it will be the person who has been convicted, and the person who has the health care card will get a discount because the other mug will be supporting them. I have a concern about that. I go back to the situation that if you drive a motor vehicle, it is a privilege; it is not a right. Nobody, if they break the law, should have to be treated with kid gloves in this particular matter. If they have to drive for 2 hours to have their machine recalibrated, that is stiff.

The other item I would like to raise is the 10-year rule. After 10 years a person who has been a repeat offender has the slate wiped clean and they go before the magistrate without any offence on their particular rap sheet. I believe the 10-year rule in this particular case is absurd. Once you have been convicted of being a drink-driver the 10-year rule should be waived and it should stay on your record forever. I indicated before that the number of times you get caught probably bears little or no resemblance to the actual times you have broken the law.

Overall the concept of the bill is good, but I have those three main areas of concern: the recalibration, the health care card holders — that is not appropriate — and the 10-year rule, which I think is unfair. If you are a repeat offender and you have been caught again I believe it should stay forever.

Ms DUNCAN (Gisborne) — It gives me great pleasure to speak on the Road Safety (Alcohol Interlocks) Bill. As has been said by many members it is generally supported by those on both sides of the house and that is an excellent thing.

I will respond to a couple of comments made by the honourable member for Knox in relation to his concerns about subsidies for health care card holders. We as a community provide subsidies for a whole range of people and for a whole range of reasons, some not particularly logical — for example, concession cards for particular users of picture theatres and such like. However, in the criminal system in particular we acknowledge a person's ability to pay or not to pay as something that needs addressing. We provide legal aid for people who cannot afford their own lawyers. Other people could be paying tens of thousands of dollars for legal representation. We accept that people who cannot afford to pay for lawyers should be given one as a right.

If we do not accept that some people may not be able to afford an interlock device, then when they have completed their penalty without driving and seek to regain their licence, if they are not able to afford an interlock device they will never drive again, and that would seem to be a disproportionate penalty for someone to say, 'Well, because you do not have the money to pay for an interlock device, you will never drive a vehicle again'. For those in remote areas we know that would be an enormous penalty and disproportionate to those who could afford to pay for an interlock device.

Similarly with the 10-year rule it is not an uncommon provision again in the legal area that 10 years absence of a related offence is considered to demonstrate there

is not a pattern of offence. For example, if someone is not picked up for a drink-driving offence over a 10-year period it would suggest that this person does not have an ongoing problem. That is not necessarily always the case and it can be seen in various circumstances to be an anomaly, but 10 years without an offence is a fairly broad rule that applies.

To get back to the specifics of the bill, the point that I make is that it is only one component of a much broader strategy released by the Premier in November of last year as part of the road safety strategy called Arrive Alive — an excellent strategy that has many facets to it, this being just one of them. So it is important that we understand and acknowledge that this is not done in isolation and is part of a much broader strategy. We have had for many years the drink-driving Bloody Idiot campaign, and that has been very well accepted. As the Premier said at the launch of the Arrive Alive campaign, the idea is that that we would like to see speeding become as socially unacceptable as drink-driving, and I think that indicates how successful the drink-driving Bloody Idiot campaign has been.

There are existing penalties, which this government made tougher last year and which reduce the discretionary area in which someone may not lose their licence. The other strategy this government has implemented is to improve police numbers across the state. That has been as effective as anything because all of this is reliant upon detection, and without those police patrols and increased police coverage across the state, that improved detection would not be available. It is therefore important that we keep in mind that this is one part of a broader strategy. The bill seeks to protect drink-drivers from themselves and non-drinking drivers from those who are affected by alcohol.

The studies in the briefing notes indicate that this is an effective way of handling the problem. Although there are ways to get around almost anything, most of the studies done in the United States of America and in Canada have shown that interlock devices have been extremely effective. They are not easy things to get around. As I said, the legislation is part of a broader strategy and is another sentencing tool available to magistrates. Although the legislation is prescriptive, it gives a broad discretion to magistrates, which is what should occur.

The bill amends the Road Safety Act 1986 and the Sentencing Act 1991. The provisions will require interlocks in vehicles of certain drink-drivers, establish the legal and administrative machinery for the interlock scheme and create offences for breaching interlock conditions, with penalties similar to disqualified

driving. The penalties can be circumvented, but appropriate penalties that are extremely harsh can be applied. A fine of up to \$3000 and a period of imprisonment of up to four months can be applied. They are severe penalties and would be applied on top of the penalty that the driver has already received. So they are additional penalties for the driver who has had his licence cancelled for a period.

Minimum interlock periods of six months will apply for the first offender if a magistrate determines that that condition should be imposed; for a second offender with a blood alcohol content below .15 the period will be six months; and for other repeat offenders the period will be three years. The court can fix longer minimum periods subject to appeal. The condition will not be automatically revoked at the end of the minimum period and can only be removed by court order. It is appropriate that the discretion is in the hands of the court.

I commend the bill and the road safety strategy to the house. This bill is part of the Growing Victoria Together strategy, a 10-year blueprint for Victoria, which seeks to cut the road toll by 10 per cent over the next period. This bill is also part of delivering a safer Victoria and safer roads for those who live in country Victoria. Victorians know the seriousness of our road toll and know how dangerous our roads are. This is part of the program of protecting Victorians from drink-drivers and protecting drink-drivers from themselves. I commend the bill to the house.

Mr MAUGHAN (Rodney) — I am pleased to contribute to the debate on the Road Safety (Alcohol Interlocks) Bill. During the course of the debate I have listened to contributions from members on both sides of the house. This is an example of the Parliament working together on legislation where there is bipartisan support. As the lead speaker for the National Party, the honourable member for Swan Hill, indicated in his contribution, the National Party will not oppose the bill.

I will make a few remarks on the importance of this legislation. We all travel on the roads; every member of this house travels regularly on the roads. We all have sons, daughters, parents, siblings and family members who travel on the roads regularly and are entitled to travel safely.

Accidents happen — I stress the term ‘accidents’ as opposed to ‘crashes’ — yet they are becoming increasingly rare. At one stage there were many accidents because motor vehicles were not as reliable as they are today and because road conditions were

nowhere near as good as they are today. However, today’s motor vehicles are mechanically excellent — almost perfect. Most of us have no trouble with our vehicles, and I suggest that most of us rarely do so much as change a tyre. We hop into motor cars and they are very safe. Tyres are well designed and well maintained, and from a technical point of view we have safe vehicles.

Road conditions have also improved dramatically over the last 20 years. Great engineering works on such roads as the Hume Freeway, the Goulburn Valley Highway and others have resulted in safer driving conditions. By way of illustration, there are 132 members of this Parliament and many of us travel more than 100 000 kilometres on the roads each year. My good friend the honourable member for Benambra does, the Leader of the National Party and the Deputy Leader of the National Party do, and I do; and so do many of my country colleagues, including the honourable member for Gippsland East. We all spend a great deal of time on the roads, but I cannot recall a single incident where a member of this house has had an accident due to mechanical failure or a blown tyre. These days road trauma is almost invariably caused by driver error of one sort or another, such as excessive speed, inattention, impatience or fatigue. In the case of younger drivers road trauma can be caused by inexperience, and in many cases by the effects of alcohol and drugs, which is the main issue dealt with by this legislation.

Although I do not know how long ago it was — somewhere of the order of 30 years — I well remember the *Sun* newspaper, as it was then, pointing out that the number of people killed on roads had risen exponentially. From memory the road toll reached 1034, or something of that order. There were well over 1000 deaths on the road each year until, goaded by the *Sun*, the community said, ‘Enough is enough’.

I also remember the time when it was socially acceptable for people to drink and then hop into motor cars and go onto the roads knowing they were not capable of properly controlling their motor cars. There was a totally unacceptable level not only of deaths but more particularly of injuries. The focus is usually on the number of people who are killed on the roads and not on the much larger number who are very badly injured, and who in many cases bear the consequences of those injuries for the rest of their lives. They are often ignored. We tend not to pay enough attention to the personal cost paid by families of people who have been seriously injured through road trauma. As has been documented many times elsewhere, the cost to the community is horrific in loss of productivity and in

providing medical attention and hospital facilities for those who are injured.

Sadly many of those deaths and injuries are preventable. The legislation before the house is yet another step in the many progressive steps taken in this state to reduce the personal and economic costs of the death and injury caused on the roads.

A number of initiatives have been introduced in this state that collectively we can justifiably feel proud of. The first involved the introduction of seatbelts. I think I am right in saying it was a worldwide first. I well remember the protests at that time. The seatbelt initiative was something we were not used to — it was almost intrusive — and many people resisted wearing them. Now, and I think I can speak for everyone in the house, we feel uncomfortable when we get into a vehicle without buckling up. Yet I can remember the time when we used to ride around in motor cars without seatbelts. In retrospect that was a foolish thing to do. The introduction of seatbelts was a good initiative.

Victoria introduced the offence of drink-driving. I well remember attending National Party meetings some 30 years ago. At that time I did not drink any alcohol at all — I drink in moderation these days. I can see the honourable member for Swan Hill looking at me very carefully. I was telling him earlier that in those days I was one of a group known as the fresh orange boys. The point I am making is that it was acceptable in those days for people to get into a car with a skin full of alcohol and go out and drive. At my National Party district council meetings I railed against that behaviour and said that something should be done.

Something was done. The government of the day introduced drink-driving legislation, which was yet another step forward in providing greater safety on our roads. It introduced the offence of driving with a blood alcohol level of .05 or more. One could argue about whether that is too high or too low, or whatever, but I do not think there is any need to get into that debate tonight. It was a significant step in the right direction.

Following that we had the introduction of booze buses. Initially roadside tests were conducted by police who pulled up drivers and asked them to blow into a bag. The Transport Accident Commission financed booze buses in an effort to reduce road trauma and the cost of the insurance payouts it was having to make. It was a significant step in the right direction which indicated to drivers that if they drank and then drove there was a high probability that they would get caught, because booze buses are very mobile. Aligned with that

initiative were penalties that really hurt. As I said, it was another significant step in the right direction.

I spoke briefly about engineering solutions. Over time we have improved road conditions, and that has again reduced some of the crashes caused by roads that are not up to standard. Generally speaking our highways are now in good condition. In a good motor car you can travel within the speed limit perfectly safely.

The next point is speed limits. I had the privilege of chairing the subcommittee of the Social Development Committee when it inquired into speed limits in this state. I heard evidence from a range of different groups including the Royal Automobile Club of Victoria, other motoring organisations and surgeons.

From that inquiry I learned that speed limits have to be credible and that drivers have to have a high probability of being caught if they are going to obey those speed limits. After they have been caught, there have to be penalties that really hurt. That has happened. We have now significantly reduced the number of speeding drivers. Perhaps we have not gone as far as we could in changing driver behaviour and driver attitudes.

Many people out there listen to and receive road safety messages but believe they apply to somebody else. They say, 'I'm a good driver. I can therefore drive at 120 or 130 kilometres per hour because I am experienced and I can drive'. The reality is that none of us has the experience to drive at those speeds without very significantly increasing the risk of death and injury if and when we have an accident — or a crash rather than an accident.

The government has also significantly improved driver training, although it can do far more. It puts far too little effort into training drivers to be aware of all the road conditions and to be efficient drivers who can drive under all sorts of conditions. For example, the Driver Education Centre of Australia (DECA) at Shepparton has done a marvellous job, but the government is not putting a single brass razoo — —

Ms Allan — Did you?

Mr MAUGHAN — No, we did not, and I accept that — —

Mr Steggall interjected.

Mr MAUGHAN — That is no excuse. The previous government did not put any money into it, but neither has this government, and if we are going to be fair dinkum about road safety then we should be fair dinkum about driver training. I was at Rochester

Secondary College last week, where they take driver training very seriously, but because of the cost of transporting their students across to DECA and the cost of the training course it is becoming impossible for some students to get that sort of training. I appeal to the government, if it is fair dinkum about road safety, that although this initiative before the house tonight is one I welcome, we can and should do more. We should be providing some money to assist driver training institutions like DECA in Shepparton.

The most significant thing we have to do to improve road safety is to change attitudes and driver behaviour. It is difficult because many people understand the message but believe it applies to somebody else, and I have already indicated why. The bill deals with the important issue of driving under the influence of alcohol. Previously this house has legislated with regard to driving when impaired with drugs. That was another step in the right direction, which I welcomed. This is one of a series of initiatives that is providing safer roads.

The purpose of the bill is to amend the Road Safety Act and the Sentencing Act to require alcohol interlock devices to be fitted in vehicles of certain convicted drink-drivers when they regain their licences. It establishes the legal administrative machinery for the interlock scheme and creates offences for breaching interlock conditions, with penalties similar to those for disqualified driving. It also requires a person to demonstrate to a court that his or her behaviour is sufficiently under control for them to be fit to drive without an interlock.

I do not intend to describe what an interlock is. That has been done adequately by other honourable members in their contributions to the debate. In his second-reading speech the minister said that prevention is far better than punishment, and I concur with the sentiments he expressed. The bill is not about punishment; it is about preventing repeat offenders from repeating their offences to the detriment of others, where they are a danger not only to themselves but more particularly to innocent motorists out on the roads.

In his second-reading speech the minister set out the progress in road safety legislation. In 1969 drink-drivers began to lose their licences if they had a blood alcohol concentration of over .05. In 1988 the then Social Development Committee presented a report and some of the recommendations which flowed from it were implemented by the government of the day. People who had been convicted of drink-driving were required to undertake an accredited drink-driving education program.

Alcohol is still one of the major causes of road trauma. Roughly 400 people are killed on the roads every year; alcohol is a factor in about 20 per cent of those fatalities, and about 80 deaths each year are alcohol related. Recidivist drink-drivers, people who have repeated their offences, are responsible for 22 fatalities and 220 serious injuries each year. This legislation is an attempt to reduce those numbers. I believe the proposals will reduce those 22 fatalities and 220 serious injuries and the lots of other more minor injuries, the cost and inconvenience to the people concerned, the damage to vehicles et cetera.

In passing I want to commend the outstanding work of an organisation to which I have not heard any other honourable members refer tonight, and that is Alcoholics Anonymous. For the last 10 years I have had the privilege of opening the annual Alcoholics Anonymous mini-conference in Kyabram. The principles that Alcoholics Anonymous espouses are ones that we can all apply in our daily lives. It is a very practical, worthwhile program for those who have a drinking problem. I recommend that the sort of people with whom this legislation deals go to AA and seek help in dealing with their drinking problems. I commend the outstanding work of Alcoholics Anonymous not only in this state and this country but around the world.

Interlocks will be required for all repeat offenders who regain their licences, and there are some 2000 people in Victoria each year who are repeat offenders and fall into that category. As the honourable member for Swan Hill pointed out, about 25 per cent of those people are from country Victoria. I simply make the point that there will be a disproportionate penalty on people in the more remote areas of Victoria when they need to get those interlock devices fitted and checked from time to time.

In conclusion, I welcome the legislation. I think it is a logical extension of the various initiatives I have referred to. The National Party will not be opposing this legislation. However, I express concern about the disproportionate burden having those interlock devices installed and monitored will place on country people. I again express my concern about the lack of funding for driver education in this state. I also express my concern about the need to change the attitude of drivers out there on the road and change their behaviour in a range of areas.

I conclude by saying that driving is a privilege rather than a right, and I believe people on the roads are entitled to be protected from dangerous drivers, particularly drivers affected by alcohol and drugs. This

legislation is a further step in the right direction. I welcome the legislation, and I wish it a speedy passage.

Mr MAXFIELD (Narracan) — I rise with pleasure to speak on a bill that quite obviously has the support of the various members of this house. Unfortunately the honourable member for Monbulk, who obviously will not be the member after the next election, seems to want to start criticising, even though everyone in the house supports the bill. That is typical of the man. As the honourable member for Narracan I am a member who fights very strongly for his electorate, unlike opposition members in some other electorates who appear to kowtow to whatever whim the party leadership has on a daily basis.

This bill has bipartisan support, and I want to address my comments to the bill. The bill amends the Road Safety Act 1986 and the Sentencing Act 1991. There are four major points in the bill before the house. The first is the requirement for the fitting of interlocks to the vehicles of some drink-drivers; the second is the establishment of administrative and legal machinery for the interlock scheme; the third is the introduction of an offence of breaching the interlock conditions, with penalties that are similar to those for disqualified driving; and the fourth is the requirement for a person to demonstrate to the court that their drinking behaviour is sufficiently under control to be able to drive without an interlock. That basically gets to the core of what this bill is about.

Effectively, in terms of road safety the bill is about delivering a safer road for all users. I acknowledge that the vast majority of drivers within the state go out of their way to ensure they do not drink-drive, and are very careful if they do drink. A lot make a decision that they will drink nothing at all if they are to drive to ensure there will be no danger of accidentally slipping over the limit.

The reality is that society is changing its views. As the honourable member for Rodney mentioned, there was a time when different attitudes prevailed. But it is pleasing to see that today the vast majority of drivers in our community acknowledge their social responsibilities, not only to themselves and their families whom they are driving with, but also to the wider community who are using the roads, pedestrian crossings and so forth. The bill certainly has widespread support, but unfortunately there is a small number of people who have not heard the message, do not want to hear the message or, sadly, have an alcohol problem which really affects their judgment in a range of areas, including driving.

I get down to the core of the bill: interlocks. What actually is an interlock in relation to this bill? An interlock is effectively a device connected to the ignition system which, when a person breathes into it, very simply stops a car from being started. Effectively if somebody has an interlock in their vehicle they would have to breathe into that device, which would establish the level of alcohol in their body system and determine whether or not the vehicle could start. Obviously if they have drunk too much the vehicle would not be able to be used.

There is some evidence from overseas that the interlock seems to be having some effect. In the United States of America 38 of 50 states have already introduced interlocks. The state of Maryland has had a 65 per cent reduction in reoffenders since the introduction of interlocks. In Quebec in Canada over a two-year period there was a 74 per cent reduction in the use of interlocks.

I think this emphasises that there are some gains to be made. No provisions will be perfect and stop all problems; but quite frankly, if we save just one person from dying we can say that what we are doing here tonight and what we are doing as a community is worth the effort. If you look at the statistics from other countries you will realise that there will be more benefits to the community. Not only will it bring down the road toll — I am sure this bill will save more than one life — but we forget that for every person who dies on the road there are many people who are seriously hurt as a result of accidents. It is clearly the case that this measure will deliver benefits to the community.

Mr McArthur interjected.

Mr MAXFIELD — It is really sad that the honourable member for Monbulk has such a low regard for people who are killed, maimed or hurt in accidents caused by drink-drivers as to act as he is now in this house. You are a disgrace to the Liberal Party, you are a disgrace to your community and you are a disgrace to your electorate!

Mr McArthur interjected.

Mr MAXFIELD — It is a shame that you want to politicise such an important issue. I think you need to take a good, hard look at yourself, to quote a football term.

Mr McArthur interjected.

Mr MAXFIELD — You should know!

I now move on to the issue of how the interlock will work and its legal implications. We should look at the position of someone who has been caught drink-driving. If it is their first offence there will be a minimum suspension imposed of six months. For a second offence, if their blood alcohol reading is below .15 there will be an automatic minimum of six months. If they are above that level it will be a higher minimum. For other repeat offenders there will be a three-year minimum. The courts will also have the provision to impose higher minimums for those for whom it is deemed necessary.

The other important point to take into account is when these interlocks will be removed. Will these interlocks be removed automatically? Under this bill it is quite clear that interlocks will not be automatically removed, and a person who has an interlock in their car must convince the courts that they can be safely trusted not to drink and drive. It is important, even though some libertarians make comments about this, that these people who have been repeat offenders for drink-driving have to be able to prove that they can be trusted to drive a car without an interlock. Obviously people can improve, but those who are alcoholics know that the only way to resolve this issue is not to drink at all. As a result there may be requirements to convince the courts that they can be somebody who can be trusted.

I now get to the point of road safety in general, which is where this bill is heading. The honourable member for Rodney touched on the issue of driver training. I will expand on his comments and say that as a local member I have had a great interest in road safety. As someone who has had an interest in motor sport I am certainly aware that a lot of fun can be had from motoring activities, but we must remember that we are not alone on the road. We must take other people's needs and concerns into account. As result of that we need to look very closely at how we address the issue of driver education.

A good example is in Pakenham, where the Pakenham Auto Club has a racetrack. My 16-year-old son and I go down there occasionally to compete in autocross. At that club they have a great focus on training young drivers, so my 16-year-old son is able to get driver training in a safe and secure environment on that track. The club must be commended for its approach to youth. I know that the Confederation of Australian Motor Sport is looking closely at the model the auto club is following because that club is looking to the future. It is saying that we need to train our drivers early and give them experience in a range of conditions. The club requires young drivers to wear helmets, to improve

their skills in a controlled environment and to have their cars checked out properly. These young people can do things in cars on the track which will hold them in good stead until they are 18 years and are given their licence to drive on the road.

Driver education is something we have to look at closely. We have to monitor it and be very much alert to future needs. We cannot rest on our laurels. The reality is there are young people still getting into trouble on our roads. Drink-driving is a component of it, but it goes beyond that. As a community we must continue to look at ways of monitoring driver education and improving it. I will continue to investigate ways in which we as a community can deliver safer roads. This was brought home in a very stark message to me a week and a half ago. While I was lying in bed at night I heard a screech and a mighty crash. Despite living on 5 acres I could hear, after the noise died down, some screams and yells, and I soon discovered that a car had rolled on the road below my property.

I was the first to get to the scene after the occupants had staggered from the car in a shaken and distressed manner. Those people were quite shaken up, although fortunately not badly hurt, and were well looked after not only by other local residents but by the police. I commend the police for the speed with which they arrived on the scene. That accident brought home to me how dangerous driving can be and how with one slight slip, as occurred with that car, before you know it you have a nasty accident. Obviously having a car roll and block a road at 10 o'clock at night was very unpleasant for those involved. I commend the bill to the house.

Mr PLOWMAN (Benambra) — The Road Safety (Alcohol Interlocks) Bill is clearly bipartisan legislation. It is not opposed by the Liberal and National parties and is obviously strongly supported by the government. During his contribution to the debate there was a moment when the honourable member for Narracan got a little excited, but I felt to some extent he was stimulated by the honourable member for Monbulk. In the main every contributor to the debate tonight has shown bipartisan support for this legislation.

Clearly driver accidents and driver crashes occur for many reasons. Fatigue is one that has been mentioned, and inexperience is another. Distraction is also a major cause of accidents and will become a greater cause, largely because of the distraction of mobile phones. The honourable member for Geelong and I, as members of the parliamentary Road Safety Committee, have talked about this at length. The current regulation of the use of mobile phones will have to be changed in order to cut

out that level of distraction, which is causing accidents and crashes.

The three big killers on our roads are speeding, at about 23 per cent; drivers not wearing seatbelts, at 20 per cent; and drink-driving, also around the 20 per cent rate. I wish to touch on drivers not wearing seatbelts. Twenty per cent of road deaths involve drivers who are not wearing seatbelts and who possibly would have survived had they been wearing a seatbelt. Yet 94 per cent of all drivers use seatbelts, so as little as 6 per cent of all drivers actually cause 20 per cent of deaths on the roads. To me this indicates that we have a problem with repeat offenders not using seatbelts. Repeat offenders are also speeding, and tonight we are dealing with repeat offenders who are drink-drivers.

As has been said plenty of times during the debate so far, the level of repeat offenders who are guilty of drink-driving with a blood alcohol concentration over .15 is getting to the extent where nobody with that level should even be in a car. It is interesting that drivers with a blood alcohol concentration of .15 are not only evident in the number of deaths — as I said, drink-driving causes 20 per cent of fatal road accidents and they are highly represented in that 20 per cent of drink-driving deaths — but also overly represented in the serious crashes that occur in this state. It is a serious issue, and the legislation is designed and will go a long way to assist reducing the number of not only deaths but also serious crashes caused by drink-driving.

It is interesting to note that the Scrutiny of Acts and Regulations Committee (SARC) looked at this and wondered whether it was infringing on a right that drivers have. After a fair bit of debate the committee members came to the conclusion that it was not a right — and they are, after all, members of the committee that looks at the rights of all Victorians in all legislation.

Mr Robinson interjected.

Mr PLOWMAN — Having served on that committee for a term, I agree with the honourable member for Mitcham that it has a fine record. The SARC made the determination that it was a privilege, not a right, to be able to drive and that therefore it was no infringement of a right to restrict people under those sorts of circumstances. I commend that committee for coming up with that decision.

Undoubtedly the interlock restrictions will go a long way towards overcoming repeat offenders continuing to offend. One thing, however, concerns me a bit. As has been suggested by honourable members in the debate,

you could easily have someone else blow into the interlock device to allow a mate — a driver who should not be driving — to drive that car.

Frankly the way to overcome that is to identify those cars. The identification should be something like a P-plate or an L-plate so that it is clearly indicated that people have interlock devices in their cars while they are on the road and should be restricted in driving if they are in anyway intoxicated. That would add a lot to the opportunity to pick up those drivers who are abusing the opportunity they have been given. I hope that in the future we will bring this legislation back and amend it slightly to introduce a means of identifying those cars.

The thing with driving offences and reducing the road toll, which as I said is absolutely a bipartisan aim of this Parliament, is to implement enforcement and education programs. Those programs, particularly the education campaigns, have gone a long way towards reducing road deaths in this state. There is, however, clearly an argument that there is a certain type of driver who is a risk taker. You only have to go back to the fact that the 6 per cent of drivers who do not wear seatbelts are involved in 20 per cent of fatal accidents. They are the repeat offenders and the risk takers.

In the main they are young males, and they are largely but not exclusively blue-collar workers. These young males do not seem to respond to the education programs. Clearly it is a case of, 'It cannot happen to me!'. How many of us when we were young thought we were invincible? How many of us when we were young had the attitude that whatever was going to happen on the road was not going to happen to us. It is obvious that this is still a main reason why we have the repeat offenders we are tackling with this legislation.

I am privileged to say that I am a member of the Road Safety Committee, numerous members of which have spoken tonight. As the honourable member for Rodney has pointed out, the Road Safety Committee has been shown in the past to be a world leader. Having travelled through a few countries in July, I have seen clearly that Victoria is regarded worldwide as an innovator and has a reputation of being at the forefront of all road safety activity in the world. Although the committee was not involved with this immediate legislation, it certainly strongly supports it, and as a member I certainly strongly support its aim.

I do have concerns about issues to do with the bill. I have a concern about whether we should be subsidising those drivers who are health care card holders, but that is a small issue in comparison with the fact that if this

legislation is successful we will be saving lives. That is the important thing about the introduction of the legislation.

The current reference to the Road Safety Committee is about older road users. I have a feeling that I was made a member of the Road Safety Committee just to be there for that reference! But it has been a wonderful experience to be part of the committee considering the worldwide issues surrounding the phenomenon of a great increase in the number of older road users — and not only the problems associated with keeping those people mobile but keeping them and the rest of the community safe.

One thing that is evident — and again it was drawn out by the honourable member for Rodney — is that current motor cars are remarkably safe. Finland, which has a compulsory retesting of all drivers at the age of 65 years, has a much higher percentage of drivers who no longer drive after reaching 65. In Sweden, a sister country, the rate of deaths of older people not in a motor car is much higher than the rate of deaths of people of the same age who were able to continue to drive, which again points to today's cars being remarkably safe. When there are deaths on the roads it is not the cars that are at fault, it is the drivers. The experience that committee members heard about when looking at the issues for older road users has brought home to me the need for drivers to be properly educated.

I conclude by saying that two weekends ago I attended an advanced driver training course. They are no longer called advanced driver training courses because of the inference that undertaking advanced driver training will make drivers drive faster or handle their cars better when driving faster. Most of the drivers at the course were 40 years younger than me, but the main thing that came out of the course was the difficulty of handling a car travelling at 60 kilometres an hour and the understanding of how fast you are travelling when the car is moving at 60 kilometres an hour.

We did our driver training on the flat section in the middle of the Calder Park Thunderdome and had to drive 300 or 400 metres at 60 or 65 kilometres an hour, towards two conical witch's hats. The witch's hats were positioned just wider than the car itself and the instructor was standing on one of the witch's hats. When driving at 65 kilometres an hour at one of those witch's hats there is the temptation to forcibly put your foot on the brake, because the closer you get to someone standing only a matter of feet away from where you are travelling to the more you realise how

fast you are driving and the more you are concerned about the level of control you have of that motor car.

I believe young drivers should undertake that course. I suggest that the Road Safety Committee, which is bipartisan, should examine and consider whether when drivers go from having their L-plates to being fully fledged drivers they should be forced to undertake a driver training course and have it do exactly what it did for me — that is, not teach them how to drive better at speed but make them appreciate how fast they are driving in a restricted area when the car is moving at 60 or 65 kilometres an hour.

The main objective of the advanced driver training course was to get across the message which is clearly put by the Transport Accident Commission advertisement — 'Wipe Off 5'. If they did the course such a message would get through to all young drivers when they change from being learners to fully licensed drivers.

I believe the intent of this legislation is excellent, and I have great pleasure in supporting it.

Mr ROBINSON (Mitcham) — The Road Safety (Alcohol Interlocks) Bill deserves support because it is both reasonable and progressive and complements a long line of Victorian initiatives in dealing with road safety issues which stretch back some 30 years. In that time the parliamentary committee on road safety has been very active and has drawn credit from around the world for its activities.

The bill draws attention to the disturbing incidence of drink-driving. This was recently highlighted in an operation on the Eastern Freeway on a Friday night in February which recorded a disappointingly high percentage of drivers who were driving in excess of the prescribed blood alcohol limit.

The bill raises a number of issues. Firstly, today we are seeing alcohol packaged in what we might loosely describe as soft forms. Drinks like Lemon Ruski, for example, are becoming more and more common. They have great appeal, but one might be forgiven for forgetting that they are quite high in alcohol. Secondly, the increasing consumption of wine in this country, to the point where its per capita consumption will shortly overtake the per capita consumption of beer, may mask the fact that wine is much more potent and brings with it far more dire consequences for road usage if consumers are not careful. Thirdly, we have the issue of nightclubs and entertainment venues which sometimes, either deliberately or for other reasons, do not provide low-alcohol beer — and I might have more to say about

that at another point in time. Nevertheless, personal responsibility must remain the cornerstone of the licensing system and our road safety measures.

This bill is significant because it allows a very practical use of technology. In the brief time available to me I want to make one comment on a related issue which in no way detracts from the utility of the bill but which highlights a problem that more work is needed on. Section 55(5) of the Road Safety Act requires that:

A person who furnishes a sample of breath under this section must do so by exhaling continuously into the instrument to the satisfaction of the person operating it.

That is not an unreasonable request, but for asthmatics that can create some problems. Recently a constituent approached my office and highlighted the great stress that her daughter, an asthmatic, suffered upon being asked by a police officer at a breathalyser station to provide a sample in the prescribed fashion. She had to make repeated efforts to give the sample, and this contributed — certainly in the parent's mind — to a later, very serious asthma attack.

That is a rare example admittedly, but it would appear that the devices which are used by the police force and which will be used in the interlock technology we are legislating for today operate on the assumption that the person tested is of average fitness and able to exhale an average breath, and this may not be the case with asthmatics. That is something I hope to take up with the minister and the police force to see whether the technology can be modified to make allowance for asthmatics in those circumstances.

The honourable member for Benambra referred to the work of the Scrutiny of Acts and Regulations Committee, of which I am very pleased to be a member. That committee considered a number of arguments. The Law Institute of Victoria, for example, asked whether the legislation provided for a form of mandatory sentencing. My view on that is that this is no more a case of mandatory sentencing than were the old arrangements that were in place for people who lost their licences and had to go back onto L-plates at a time when if you had L-plates you were allowed to drive at only 80 kilometres an hour rather than 100 kilometres an hour. I do not agree with the question posed by the law institute.

The bill is very good legislation. It is a sensible use of technology to curb the very disturbing incidence of drink-driving on Victorian roads, and it is deserving of the support of the house.

Debate interrupted pursuant to sessional orders.

ADJOURNMENT

The DEPUTY SPEAKER — Order! Under sessional orders the time for the adjournment of the house has arrived.

University of the Third Age: Frankston

Ms McCALL (Frankston) — The issue I raise — and I am a little confused, like most of us — is I think initially for the Minister for Education and Training. However, as it refers to the University of the Third Age (U3A) it may have an implication for the Minister for Senior Victorians. That is where the confusion arises. It relates to U3A, and it is somewhat timely, given the excellent exhibition that has just opened in Queen's Hall. There was a bit of confusion about which minister was opening it last night, resulting in one of the ministers being 45 minutes late.

The issue that I raise with, I think, the Minister for Education and Training is the location of the U3A in Frankston. It is one of the largest U3As in the state. It has been well established and running extremely well for some time. Nearly four years ago it was allocated two portable classrooms by the then Department of Education. They were to be located on the site of Chisholm Institute of TAFE, but in fact encroached 1500 square metres onto what is designated Crown land known as the Samuel Sherlock Reserve.

One of the problems that has emerged, and I have great sympathy with the people at U3A, is the level of uncertainty in which they now find themselves. They dutifully wrote to both the Minister for Education and the Minister for Environment and Conservation about the location of those portables before the expiration of the three years mentioned as per the agreement. I regret to say that this was nearly 12 months ago and the group has still not received any response, either by telephone or by letter, from either ministerial office. I wrote to the Minister for Environment and Conservation last June expressing my disgust that it had taken so long for them to get any response at all. I got a response from the minister, assuring me it would be passed on, but we are all still living in a ghastly void.

Frankston U3A is very concerned that it has no certainty of tenure and no certainty of the occupation of its portables, particularly with their position on the edge of Crown land. I ask whichever minister would like to assume responsibility for it to do so with some urgency.

Murray River: camp fires

Mr KILGOUR (Shepparton) — I wish to raise with the Minister for Environment and Conservation a

matter referred to in a publication put out by Parks Victoria, the *Murray Babbler*. Some people who live along the Murray River are very concerned about a proposal put forward in this publication about the banning of solid fuel fires along the Murray River between December and April. This will affect thousands of people who camp by the Murray each year. Most of those people believe the camp fire is an absolutely integral part of camping. Most of them are very careful with their camp fires and there are very few wildfires that occur due to camp fires escaping.

Camping gives the family an opportunity to enjoy the solitude of the river environment, and it has been a traditional pastime for many thousands of people — particularly low-income families — who can take their tent, go up to the Murray River and give their families an enjoyable holiday. In addition to swimming and fishing, one of the important things about camping is sitting around the camp fire at night, trying to swat the mosquitoes and really enjoying that family occasion, especially the singsongs and yarns told around the camp fire.

If the people who are proposing this ban get it through, this important part of camping will be taken away from the people of Victoria. I understand from the article that it has been proposed because of concern about the habitat of small species being affected by the removal of firewood, particularly the wood that falls from trees, and also the risk of wildfires occurring. I suggest that very few wildfires occur because of camp fires. There is not a lot of wood lying on the ground in those areas anyway, because it seems to me that the campers clean it up each year. They do a great job, because there is not too much fuel to be burnt if there is a fire. Indeed, that reduces the amount of fuel in the forest.

I ask the minister to assure us that the government will not head down this path, that people will be able to have solid fuel fires and camp fires so long as it is done within the fire restrictions — not on total fire ban days — and people look after them.

This is a very big issue for thousands of people who like to camp along the Murray River. I hope the minister takes note of that.

Wild dogs: control

Mr HOWARD (Ballarat East) — The matter I raise for the attention of the Minister for Environment and Conservation relates to wild dog management in this state. As the minister will be aware, a national summit was held in Wodonga last Friday on the wild dog issue, which affects farmers not only in the north-east,

Gippsland and other parts of this state but also in other states throughout the country. In fact 370 people attended the conference from right around Australia.

I ask the minister to seek a commonwealth commitment to joint funding for state-managed wild dog programs that operate in this state. That is action that the summit sought. It also recognised the need for coordinated national action across the country to help to address the issues of wild dog control.

Many of the people who attended that conference — I talked to a number of them — were devastated on many occasions by the effects that wild dogs had on their sheep flocks over a number of years, especially at lambing time. They really did not know how the lambing situation would go, because they had done well in their breeding but wild dogs were taking those lambs. It is a devastating situation for families that are affected and action needs to be taken in that area.

I recognise that this government has increased funding for wild dog management by over 34 per cent over the past two years. That is needed to fill the hole that was left by the former Kennett government, which took \$250 000 out of this area in its last year in office. The resourcing was clearly depleted under the former government. I am aware this government has increased the funding and committed \$1.4 million in this last financial year to address the wild dog issue. As we heard at that conference — —

Mr Perton interjected.

Mr HOWARD — As the shadow minister, who is interjecting, would have heard, there are complex issues relating to — —

Mr Perton interjected.

The DEPUTY SPEAKER — Order! The honourable member for Doncaster!

Mr HOWARD — I do not know quite why the shadow minister is barking away so much; perhaps he got carried away by the issues raised at the wild dog conference. Clearly people are concerned. They want a national approach to be taken. I ask the minister to follow up on the good action she has already taken to bring about some national action.

Commonwealth Games: triathlon venue

Mr PATERSON (South Barwon) — I ask the Premier to approach the Commonwealth Games committee to ensure that the Geelong bid for the triathlon is treated with the seriousness it deserves.

Geelong is the perfect venue for the 2006 Commonwealth Games triathlon, yet the Bracks Labor government has not bothered to lift a finger to ensure it becomes the host venue.

In the face of compelling evidence from triathletes, technical officials and triathlon organisers plainly demonstrating Geelong's superiority as the venue, as usual Labor has done absolutely nothing.

David Hansen's expert assessment of venues, commissioned by Triathlon Australia, judged Geelong ahead of Elwood on the various criteria by 98 to 61 points. Mr Hansen organised the 2000 Sydney Olympics triathlon events. He also quotes a number of people involved with the sport.

Current world champion and Olympian, Peter Robertson, says Geelong would be a great location. The 1998 world champion, Joanne King, says that Geelong is by far the better venue. Miles Stewart, an Olympian and former world champion, says that other venues cannot provide the same racecourse as Geelong. Technical official Melinda Farr is in no doubt about Geelong — and on it goes.

There is concern in Geelong that the games committee will make a decision before the World Cup is held in the city in mid-April. The World Cup will showcase Geelong to the international community and will clearly demonstrate the city's superiority as the host venue for the Commonwealth Games triathlon. This lazy Bracks Labor government could not care less about Geelong.

HM Prison Won Wron

Mr MAXFIELD (Narracan) — Listening to the previous speaker talk about triathlons, I think honourable members opposite should get ready and train for some, and long ones at that, because they are going to be in opposition for a long time.

The DEPUTY SPEAKER — Order! This is the adjournment debate. If the honourable member has a matter for a minister, I suggest he raise it.

Mr MAXFIELD — I have an issue which I wish to take up with the Minister for Police and Emergency Services. I notice that the shadow Minister for Police and Emergency Services has been to Yarram, which he obviously needed a map to find. Yarram is a fine place in Gippsland, and one that the coalition has very rarely gone near. But I notice that due to the proposed closure of the Won Wron prison the shadow minister has been down there, supposedly to try and beat up a story about how much the Liberals will protect Yarram and to fake

some sort of concern for rural Victoria. It must have taken a lot of effort to try to work up that concern.

The front page of the *Yarram Standard News* says:

Liberals prison support doesn't go far enough.

The state opposition today committed to keep the Won Wron prison open if Victoria's current prison overcrowding crisis is not fixed by the Bracks government.

The funny thing about it is that sounds like our policy. Then it goes on:

Won Wron prison should remain open until the prison overcrowding crisis is fixed, particularly the shortage of minimum security beds.

It sounds more like our policy. He has come down there to steal our policy. What a fine effort!

Certainly the Bracks government is committed to fixing the crisis in prison beds. I know, for example, that we are building more prisons in country Victoria. We are creating more jobs, and we are creating work within the prison system in country Victoria. The action I require is for the Minister for Police and Emergency Services to detail what action he can take as well as act on in terms of the possible closure of the prison. But it is certainly of interest to those on this side of the house that the shadow minister seems to have charged down to Yarram to announce a policy that looks awfully much like our policy. Certainly there is a bit of theft there. Perhaps we can claim copyright or intellectual property rights. Maybe some extra funds could be raised from the Liberal Party by way of copyright.

Gas: Gippsland pipeline

Ms DAVIES (Gippsland West) — I have an issue for the Minister for State and Regional Development, and through him any other relevant ministers. Origin Energy plans to take a gas pipeline from the Yolla gas field to the coast at Kilcunda and up through private grazing farmland to a processing plant just south of Lang Lang on the South Gippsland Highway. It then wants to take the processed gas not back into Bass Coast shire and South Gippsland, where it is really needed and wanted, but on through prime horticultural land a few centimetres under the soil and out to the main Longford gas pipeline.

The Bassgas proponents started well. They did not want a repeat of the continuing furore over the disastrously and poorly conceived and managed Basslink project, so the proponents said they would negotiate properly and would show some real community benefit. The trouble is they have not.

The people in our region would put up with a lot if you promised them that they would benefit by having access to natural gas. But they are not getting it, and nor is the company listening to their fears.

Soil in the swamp, in particular the area around Koo Wee Rup and Bayles, is very fragile. The water run-off is through the soil, not over it. It is prime asparagus, potato and other vegetable-growing country. At the moment Bassgas is planning to put its pipeline along the cheapest possible route — a mere few centimetres under the soil, as shallowly as it can get away with — which will destroy the water flow through that soil. Shallow pipeline will ruin prime country for no benefit to the locals.

I ask the minister to work with Origin proponents of the pipeline to ensure that they provide a very serious and tangible community benefit, preferably natural gas, to the people of this region. I ask the minister to work with Origin to help finalise this pipeline proposal in a way that will absolutely minimise the harm done to affected locals. I suggest the benchmark to aim for: as Origin shares have gone up 40 per cent in value, I hope the land affected will also go up 40 per cent in value so that the locals will not suffer from Origin's profit taking.

Wild dogs: control

Mr PERTON (Doncaster) — I raise with the Minister for Environment and Conservation a matter that relates to the national wild dog summit which was held at Wodonga. The honourable member for Ballarat East raised only one of the motions that was passed by the summit. The action that I ask for is that the minister respond tonight to the other motions passed by the summit. They were:

Support for the continuing use of the poison 1080 for pest control and calls for the introduction of aerial baiting across the wild dog areas;

A call on all governments to enforce that all public land managers be responsible, transparent and publicly accountable for the control of wild dogs and vermin on that land;

A request for the formation of a federal ministerial committee to ensure consistency of the wild dog programs between states and that the federal government share the financial responsibility for wild dog control in national parks—public lands on a dollar-for-dollar basis with the states;

A request for the Natural Resource Management Ministerial Council to improve the uniformity of state-territory legislation relating to pest animal control, and that this should particularly relate to the use of 1080 with a view to standardising practices;

That wild dogs or dingo crosses used for experimental purposes not be released.

It was clear that the almost unanimous view of the conference was that the Victorian state government was the worst in the country and the least committed.

I quote from an article in the *Border Mail* of last week:

Mr Neil Clydesdale of Tintalra said he held the Premier Mr Steve Bracks responsible for avoiding the issue and said the Victorian minister for natural resources and the environment, Ms Sherryl Garbutt, was 'totally out of her depth'.

That is the view from the summit, Minister: 4000 wild dogs on public land — your responsibility — are killing endangered species and livestock. I ask you, Madam Deputy Speaker, to have this minister respond to this summit on the floor of this Parliament tonight!

Police: Endeavour Hills station

Mr LIM (Clayton) — I ask the Minister for Police and Emergency Services to take action to ensure that the police station earmarked to be built at 27 Chalcot Drive, Endeavour Hills, is going ahead without any undue delay. I understand that Victoria Police have requested the amendment to the planning scheme for the site at Chalcot Drive. I understand also that that has been advanced by the council as a site for appropriate police station development.

Council had earlier voted unanimously to make the site, which is council owned, available to Victoria Police. However, despite that earlier unanimous agreement I understand that certain members of the council of the City of Casey had been sabotaging this project for their own local short-term political gains.

I am astounded at this stupidity, which puts at risk the chance of local residents gaining a state-of-the-art police station to serve and protect them and people in surrounding areas. I believe such arrogance and bloody-mindedness on the part of certain Casey city councillors should be exposed. They should be made to account for their actions, because to deprive the local community of such an opportunity to gain such a fine, useful and important facility is irresponsible, to say the least.

I ask the minister to relocate the police station to Clayton, where I know local residents will accept and embrace it with enthusiasm and give it their full support. Like many other suburbs, my electorate is plagued with crime and has young kids involved with chroming, drugs and other problems. We would welcome a state-of-the-art police station, which I understand will be located at the site in Endeavour Hills. For this to be jeopardised by some bloody-minded councillors should not be tolerated. I

know the residents of Endeavour Hills deserve the new police station, and I therefore urge the minister not to be distracted by such stupidity and to push ahead to make sure the plan by Victoria Police comes to fulfilment.

Boneo Primary School

Mr DIXON (Dromana) — I raise a matter for the attention of the Minister for Transport regarding speed limits outside Boneo Primary School. I ask the minister to instruct Vicroads to immediately lower the speed limit outside the school, which has grown rapidly to 350 students and is located on the intersection of two 100-kilometre-an-hour speed limit roads. These are the main feeder roads to local golf courses and surf beaches, so they carry a lot of traffic.

No matter what time of the day it is, even between 8.00 a.m. and 9.00 a.m., when children are being dropped off in their hundreds — not one child walks to the school; they are all driven there — it is chaotic outside the school and the speed limit is still 100 kilometres an hour. At the end of the school day, between 3.00 p.m. and 4.00 p.m., it is just as chaotic and even more concentrated because school finishes at 3.15 p.m., and the speed limit is 100 kilometres an hour.

I raised this issue in October 2000 and the minister replied fairly promptly and said that Vicroads had sought funding for a review of speed limits throughout the state, but nothing has happened. The review appears to have disappeared into the ether because nothing has changed and there has been no movement on a policy towards speed limits throughout the state, but more importantly outside Boneo Primary School. The minister is very lucky that over the past 16 months since I first raised this matter no child has been killed. It is an accident waiting to happen. I ask the minister to take action on this matter immediately. Even if he is waiting for a statewide policy some interim measures should be introduced outside Boneo Primary School before a bad accident happens.

Police: Geelong

Mr TREZISE (Geelong) — I raise a matter for action with the Minister for Police and Emergency Services regarding police numbers in my electorate. As the house is well aware, the Bracks government inherited a police force stripped of police numbers, as it did with nurses and teachers. It may have inherited a fiscal surplus, but more importantly for the community it inherited a deficit in police, nurse and teacher numbers.

I ask the minister to provide and explain to the house police numbers in the Geelong region. The matter of police numbers was a major issue in the election of September 1999.

Prior to its coming to office in 1999 a major election platform of the Bracks Labor government was the recruitment of an extra 800 police during the life of this Parliament. As the newly elected member for Geelong I saw one of my responsibilities as ensuring that the Geelong region received its fair share of police from that recruitment drive. In raising this issue I fully appreciate that the allocation of police and recruits essentially sits with police command. However, I raise this issue with the minister because community safety is an important issue within my electorate.

Only last Thursday I attended a meeting of community representatives, residents and traders in the Pakington Street area of Geelong West, where amongst other things we discussed police numbers and policing issues. As in many other parts of the state, police numbers are an important issue in the Geelong area. In raising this issue with the minister it is important that I note the initiatives that have taken place within the region of Geelong. For example, only two weeks ago the Minister for Police and Emergency Services announced the opening of a 24-hour police station at Ocean Grove. Most people welcomed this announcement, despite the ongoing scaremongering by the honourable member for Bellarine, who is about to retire, and the shadow Minister for Police and Emergency Services.

Policing issues in Geelong are important, and I look forward to the minister taking some action.

Kent Park Primary School

Mr LUPTON (Knox) — I raise a matter for the attention of the Minister for Education and Training. On previous occasions I have raised matters for the attention of the former Minister for Education relating to Kent Park Primary School, to such an extent that on 8 November last year I received a letter from her, which states:

Kent Park Primary School has also been included in the recently announced master planning program for this financial year.

The very next day another letter came from the minister, which states:

... I have recently announced the inclusion of Kent Park Primary School in the Department of Education, Employment and Training's master planning program.

On 10 December last year the former Department of Education, Employment and Training (DEET) sent a letter to the principal of the school. It states:

As your school has an approved master plan, it will not be necessary for you to undertake any further action at this stage. You should be aware that this is not a guarantee that the project will proceed ... It would however be expected that, if funding levels permit ... the project will be initiated for full planning within the 2002/2003 financial year ...

On 17 January the school received another letter from DEET, which states:

You would be aware that the pre-tender estimate for this work is \$160 000, or \$20 000 over the available funding levels for the provision of one classroom under the 1:25 program. As I am informed that no further savings can be made then the project will need to be withdrawn.

The situation is that, although located on a small site, Kent Park Primary School needs additional classrooms. The school requested them so that children would not have to put up with being close to a work site for the next six or seven months. I compare the proposed work to a job that was done at the Lysterfield Primary School, where the government took the lowest tender and extended the works over seven months.

The people at Kent Park Primary School are concerned about how a similar program might affect their school, so they have requested additional temporary classrooms at a cost of \$15 000. The reason for doing so was purely and simply to look after the children's health. It was considered inadvisable to have construction work happening near students' classrooms. Because the school council and the school principal have made a decision to look after the wellbeing of their students the whole school has been put in jeopardy, and the building program has been placed on the backburner and will not be funded during this financial year. It is a great disappointment, because the cost of the temporary classrooms will only be about \$20 000.

As a matter of urgency I ask the Minister for Education and Training to review this situation. Kent Park Primary School has been crying out for additional facilities for five years. The last work completed at the school was the Gude wing, which they greatly appreciate. However, it is inappropriate to think that a school that cares about looking after its students has had its funding removed and might have to have new classrooms built this year.

Country Fire Authority: Ballarat brigades

Ms OVERINGTON (Ballarat West) — I raise a matter for the attention of the Minister for Police and Emergency Services that concerns excellent Country

Fire Authority units in the Ballarat district and throughout Victoria. Recently we have seen our wonderful brigades perform brilliantly in New South Wales. While protecting land up there they have also protected land in their home ground in the state of Victoria.

The action I seek from the minister is that as the member for Ballarat West I hope he would agree to invitations — —

The DEPUTY SPEAKER — Order! The honourable member's time has expired. Unfortunately she did not get her request out.

Responses

Ms GARBUTT (Minister for Environment and Conservation) — The honourable member for Shepparton raised the future of camp fires, particularly along the Murray River. I share his enjoyment of camping; it is a great Aussie outdoor activity and pastime, and it is one that my family and I have enjoyed for over 20 years. Having a camp fire is a great part of the appeal of outdoor holidays. It is especially important for families: the honourable member for Shepparton is quite right about that.

I am advised that currently the Department of Natural Resources and Environment and Parks Victoria are encouraging people camping in parts of the state where there are heavy numbers in camping sites to bring their own firewood in order to prevent excessive firewood collection, particularly in the more populated areas. We have to recognise that fallen trees provide habitats for a large number of species, including small mammals and birds. The proposal is also aimed at preventing people from felling dead trees that might still be standing, because they also provide important habitat.

Along the Murray River Parks Victoria is developing an environmental action plan to protect areas of high conservation significance. That includes consolidating camp sites to ensure that areas of high conservation value are protected and that camping occurs in safe sites. Honourable members might be aware of some recent fatalities relating to falling trees at camp sites along the Murray River, so we have to be careful about that circumstance. We also need to be aware of fire risks. All of those factors are considerations.

I have not been advised about a proposed ban, nor would I agree with one. I would take a lot of persuading of the need for that at the moment. There are many other steps that Parks Victoria could take rather than banning camp fires. Encouraging people to bring along their firewood and providing the firewood — as

happens in other parks and camp sites that I have visited — are among the measures that need to be looked at first prior to taking the sort of step mentioned in the proposal.

The honourable members for Ballarat East and Doncaster both raised the issue of the wild dog summit that was held at Wodonga last week. I was pleased that my parliamentary secretary was able to attend on my behalf — —

Mr Leigh — Who is that?

Ms GARBUTT — You're particularly ignorant, aren't you? Department of Natural Resources and Environment officers attended and spoke at the summit. I have been briefed on the resolutions, and I will certainly reply to those.

I want to briefly outline how this government has been turning around wild dog management and fixing the mess left by the previous government. The first thing we had to do was plug a very big black hole left by the previous government. It is interesting that the shadow minister had nothing to say at the summit. What could he say — that the previous government cut \$250 000 out of the wild dog management program?

Mr Leigh interjected.

The DEPUTY SPEAKER — Order! The honourable member for Mordialloc!

Mr Perton — On a point of order, Madam Deputy Speaker, I take objection to those words. The minister said that I did not speak at the summit. I did speak at the summit. She was not there; therefore she has made an untruthful statement.

An honourable member interjected.

Mr Perton — I am explaining what the words to be withdrawn are. I ask that the minister withdraw the untruthful statement.

The DEPUTY SPEAKER — Order! The honourable member for Doncaster has taken exception to the words used by the minister. I ask her to withdraw.

Ms GARBUTT — I withdraw. However, what would he stand up and — —

Mr Perton interjected.

The DEPUTY SPEAKER — Order! The minister, without the assistance of the honourable member for Doncaster!

Mr Perton interjected.

Ms GARBUTT — What would he say?

Mr Perton interjected.

Ms GARBUTT — I said, 'I withdraw'. Now you are not listening either, quite clearly.

Mr Perton interjected.

Ms GARBUTT — What would he say? What would he stand up at such a conference and say? The coalition government — —

Mr Perton interjected.

Ms GARBUTT — A quarter of a million dollars — —

Mr Perton interjected.

The DEPUTY SPEAKER — Order! I ask the honourable member for Doncaster to cease interjecting in that way.

Mr Perton — You should ask the minister to stop provoking me!

Ms GARBUTT — I am not surprised that the shadow minister is so sensitive. Really what could he have said? That the previous government's policy was to take a quarter of a million dollars out of the wild dog program? That would hardly have gone down well, would it? The government had to put that money back in, and we are still putting it back in. What else could he have said? We ripped \$20 million out of the department that manages wild dog programs? That would not have gone down too well either. This is an opposition with no policies, no plans and — —

Mr Perton — On a point of order, Madam Deputy Speaker, on the question of relevance, a matter was raised by the honourable member for Ballarat East, which asked the minister to respond to the sixth motion passed relating to federal–state funding.

Mr Haermeyer interjected.

Mr Perton — You've become Deputy Speaker, have you?

The DEPUTY SPEAKER — Order! I ask the honourable member for Doncaster to address the Chair.

Mr Perton — I would be grateful if Madam Deputy Speaker would also apply the same discipline to the Minister for Police and Emergency Services.

On the point of relevance, the honourable member for Ballarat East, as she was entitled to do — —

Mr Maxfield interjected.

The DEPUTY SPEAKER — Order! The honourable member for Narracan!

Mr Perton — She raised a motion and asked for the minister's response. I raised five other motions and asked for the minister's response. The minister said, 'I will get back to you', and is now proceeding to make statements in debate alleging that there is some superior performance on the part of the government. I put it to you, Madam Deputy Speaker — —

Ms Garbutt interjected.

Mr Perton — Relevance, Minister.

The DEPUTY SPEAKER — Order! The honourable member for Doncaster, without the assistance of the minister!

Mr Perton — I put it to you, Madam Deputy Speaker, not only that the minister is being irrelevant in this debate, but not having attended the summit, her comments are completely irrelevant.

Mr Leigh (to Ms Garbutt) — You should have been dumped!

The DEPUTY SPEAKER — Order! The honourable member for Mordialloc is not contributing in a positive manner to this evening's Parliament.

I do not uphold the point of order. The minister is responding in a manner which is quite appropriate to normal responses in the adjournment debate. People responding to adjournment debate topics are entitled to make general comments in relation to the matters raised by honourable members.

Ms GARBUTT — I think the honourable member protests too much. He is being very loud, very noisy and very outspoken, but it is only to cover up no policies, complete irrelevance and a sad record in government.

Mr HAERMEYER (Minister for Police and Emergency Services) — The honourable member for Narracan raised the issue of the future of the Won Wron prison. There has been a lot of excitement whipped up about this by both the Liberal and National parties. It is interesting because the honourable member for Narracan passed me a copy of the *Yarram Standard News* of 16 January, where we really get to the bottom

of where the Liberal Party stands on that particular issue. In a big headline the newspaper states:

Liberal prison support doesn't go far enough

It is an interesting issue of the paper, because it states:

More police in Yarram

But that is another story! It goes on to say:

The state opposition today committed to keep the Won Wron prison open if Victoria's current prison overcrowding crisis is not fixed by the Bracks government.

The article then talks about the shadow Minister for Corrections and states:

But his promise has received a lukewarm reception from local business and political opponents.

The Leader of the National Party was absolutely overwhelmed by the shadow minister's contribution and stated:

We want to keep the prison open, full stop, end of story

The shadow minister went on to say:

There is a chronic lack of minimum security prison beds and low-risk offenders such as those serving time for failure to pay parking fines should be in minimum security facilities not in police cells or higher security facilities where they may be at risk from more serious offenders.

Perhaps he should have supported the home detention program.

Honourable members interjecting.

Mr HAERMEYER — The prison master plan actually identified an oversupply of minimum security beds and an undersupply of medium security beds. The honourable member for Wantirna wants to put those people who belong in medium security facilities into low security facilities, where there are no fences and they can just walk out at will. Why don't we just throw the doors open?

The honourable member for Wantirna went on to say that Won Wron prison should remain open until the prison overcrowding crisis is fixed, particularly the shortage of minimum security beds. I have to say that in part the honourable member is being quite supportive of the government's policy, because under the previous government we had a situation where the prison population grew by one-third but the number of prison beds grew by less than 10 per cent of the growth in demand. No wonder we have overcrowded prisons! The Bracks government has a commitment to increasing the capacity of the existing prisons by

357 beds and creating 1100 additional prison beds across the system.

Effectively the honourable member for Wantirna is saying that the Liberal Party will close Won Wron prison once the overcrowding in the prison system is fixed. That is exactly what the prison master plan proposes. It is exactly what this government is doing. We now have the Leader of the National Party saying that the National Party will keep Won Wron prison open. That will be the day when the National Party sits in this house as a government in its own right. We have two parties which will presumably govern in coalition, but one is saying one thing and the other is saying another thing. They want to have their cake and eat it too, but we know what happens when these two parties get into government — the National Party just sits down and licks the Liberal Party's boots.

The bottom line is that if the opposition parties were in government Won Wron prison would close at exactly the same time as proposed by this government. That is what it is all about. The opposition parties are committing a fraud. They are pumping up the expectations of the people of Yarram, but they will sell them out just like they sold out Gippsland when they were in government. They will sell them out again, just like they sold out the people of Morwell River when it was closed with about an hour's notice.

Mr Leigh — On a point of order, the last time I checked the adjournment debate was about responses from the government about what it was going to do, not about what the opposition was allegedly going to do. Perhaps the minister might concentrate on what he is going to do. We would all like to hear that.

The DEPUTY SPEAKER — Order! I ask the Minister for Police and Emergency Services to continue, keeping in mind that we would all like to go home fairly early if possible.

Mr HAERMEYER — I understand, Madam Deputy Speaker. The bottom line is that in government the opposition parties sold the people of Gippsland out, and they are trying to con them again and will sell them out all over again.

The honourable member for Clayton raised the issue of the Endeavour Hills police station and asked me to relocate this police station to Clayton. I am glad to see that there is a member in this place who, unlike the honourable member for Berwick, would actually like to see a 24-hour police station —

Mr Leigh interjected.

The DEPUTY SPEAKER — Order! I remind the honourable member for Mordialloc that he is not in his seat. We have heard a great deal from him. I ask members to be quiet and to allow the minister to conclude.

Mr HAERMEYER — The honourable member for Clayton would like to see a 24-hour police station in his electorate. The honourable member for Berwick never wanted the police station. When Labor committed to it prior to the last election he said it was not needed and the local people did not want it. Despite what the local community and the local police were saying, the honourable member for Berwick did not want a 24-hour police station. Ever since Labor got into government the honourable member for Berwick has been opposing the police station all the way. He led a campaign, together with some Liberal-leaning local councillors, to stop that police station being built. Lo and behold the Liberal-leaning councillors of the City of Casey voted against the proposed site, despite the fact that the government had had good cooperation from the officers of the City of Casey who wanted the police station and recommended that the Chalcot Drive site be approved.

The councils voted against it. In fact, one of those councillors, a guy by the name of Cr Hastie, had a \$100 bet resting on the future of this site, yet he did not choose to disclose his pecuniary interest when he voted on whether the site should or should not be approved. The reality is that the fact that Endeavour Hills does not now have a police station under construction is entirely the fault of the Liberal Party.

We are committed to building this station, but we will not beat our heads against a brick wall. Other municipalities are cooperating with us fully and we will build those police stations first. We will build this police station, but it will take a back seat until we get some positive indications from the local council that it will not throw every single imaginable obstacle in its way.

I can understand the concerns of the honourable member for Clayton. Certainly while the Endeavour Hills police station is committed to — it is an operational priority — I will ask Victoria Police to look at the requirements of Clayton and whether at some stage in the near future a member who actually wants a 24-hour station in his electorate can have one.

The honourable member for Geelong raised the issue of the police presence in the Geelong area. On the retiring honourable member for Bellarine, when I was down there last week some people questioned whether they

had ever seen him; they did not know he had anything to retire to — —

Mr Leigh — On a point of order, Deputy Speaker, if the minister would like to stay here for most of the night I am happy to oblige him, but if he is going to make such cheap shots against hardworking local members of Parliament that is disgraceful, and I just caution him.

The DEPUTY SPEAKER — Order! I ask the minister to respond to the issue raised by the honourable member for Geelong.

Mr HAERMEYER — Madam Deputy Speaker, in over seven years Geelong lost police and a strategic facilities plan developed by the previous government identified police stations on the Bellarine Peninsula for closure. The whole area was really struggling to meet its policing requirements, yet from the honourable member for Bellarine — I checked through *Hansard* — not a peep, and from the honourable member for Barwon South — I checked through *Hansard* — not a peep. They promised 1000 police, they cut 800. And of course there was not a peep from Mr Cover, an honourable member for Geelong Province in another place. I understand he is an aspirant to the seat of Bellarine. He is a very funny man, a great comedian, but Bellarine needs a full-time member, not a full-time comedian.

The government has committed to providing a 24-hour police station at Ocean Grove, which will initially open with 47 police, in addition to all of the existing stations remaining open. I add for the benefit of the honourable member for Geelong that I obtained some figures from Victoria Police relating to police numbers in the Geelong region. I will quickly go through those: for June 1999 versus January 2002, Corio went from 50 up to 68 — up 18, or 36 per cent more; Geelong went from 127 to 189 — that is 62 more police, which is nearly a 50 per cent increase in the number of police; Ocean Grove went from 7 to 8; and all of the others have remained more or less constant. This is a vast increase in the police presence in the Geelong region and on the Bellarine Peninsula.

The honourable member for Bellarine and the other two garden gnomes in the area ask how we are going to staff these police stations. It is quite simple.

Mr Leigh — On a point of order, the minister is very tiresome; he is now referring to other members of this chamber as garden gnomes. Can I suggest to the minister that if he wishes to play this game then we will be very happy to oblige him. If he wants to continue

making these cheap shots we will stay here for quite some time.

The DEPUTY SPEAKER — Order! There is no point of order, but I ask the minister to conclude his response.

Mr HAERMEYER — Coming from the high priest of cheap shots, that is quite something!

What we have here is a massive increase in policing in the Geelong region and on the Bellarine Peninsula, no thanks to any of the honourable members on the other side of the house who represent that area but to the great credit of the honourable members for Geelong and Geelong North and an honourable member for Geelong Province in the other place, Mrs Carbines, who campaigned very actively to obtain enhanced police presence in that area.

Finally, the honourable member for Ballarat West raised the — —

The DEPUTY SPEAKER — Order! The honourable member for Ballarat West actually did not get to raising any matter, so I think that is the end of that.

Mr HAERMEYER — No, she did.

The DEPUTY SPEAKER — Order! No, she did not, so I ask the minister to sit down. The honourable member for Ballarat West did not get time to ask for any action to be taken by the minister.

Ms KOSKY (Minister for Education and Training) — The honourable member for Knox raised a matter about Kent Park Primary School and portables in relation to the capital works program. If he is prepared to provide me with the details of that concern I am quite happy to get back to him with a response.

The honourable member for Frankston raised a matter in relation to the University of the Third Age and the difficulty it has with current accommodation using portables located close to Crown land. She has undertaken to provide me with the details of that case and I will get back to her with a response very quickly.

Ms CAMPBELL (Minister for Senior Victorians) — The honourable member for Barwon South raised a matter in relation to the Commonwealth Games triathlon location. The honourable member for Geelong and an honourable member for Geelong Province in another place as recently as today have met with the City of Greater Geelong's mayor and chief executive officer (CEO) in regard to Geelong's push for

the Commonwealth Games triathlon. That matter has already been raised with the Premier and the Minister for Commonwealth Games by the honourable members who met today with the CEO and the mayor of the City of Greater Geelong, so I am happy to pass on that matter raised tonight by the honourable member for Barwon South even though it has already been raised by two members of the government.

The second item I will be passing on is the matter raised by the honourable member for Gippsland West, to be referred to the Minister for State and Regional Development. Origin Energy is running a gas pipeline through her electorate, and the honourable member is concerned to ensure that her electorate and its surroundings have natural gas. This will be referred to the relevant minister to ensure that those concerns are noted.

The honourable member for Dromana raised a matter for the Minister for Transport in relation to the speed limit outside the Boneo Primary School, where there is an intersection of two 100-kilometre-per-hour roads. He wants that limit dropped immediately. That matter will be referred to the Minister for Transport for his consideration and action.

The DEPUTY SPEAKER — Order! The house is now adjourned.

House adjourned 10.54 p.m.