

**PARLIAMENT OF VICTORIA**

**PARLIAMENTARY DEBATES  
(HANSARD)**

**LEGISLATIVE ASSEMBLY**

**FIFTY-SIXTH PARLIAMENT**

**FIRST SESSION**

**Tuesday, 26 February 2008**

**(Extract from book 2)**

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<sup>1</sup> Resigned 6 August 2007

<sup>2</sup> Elected 15 September 2007

<sup>3</sup> Resigned 6 August 2007

<sup>4</sup> Elected 15 September 2007



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## Tuesday, 26 February 2008

**The SPEAKER (Hon. Jenny Lindell) took the chair at 2.04 p.m. and read the prayer.**

### DISTINGUISHED VISITORS

**The SPEAKER** — Order! I make welcome in the gallery today a delegation from Ireland and extend to them our very best wishes.

### SHADOW MINISTRY

**Mr BAILLIEU** (Leader of the Opposition) — Consistent with the decision of the Liberal Party and The Nationals to come together as two independent parties working in coalition — —

**Mr Eren** — Back to the future!

**The SPEAKER** — Order! The member for Lara!

**Mr BAILLIEU** — I am pleased to advise changes to portfolio responsibilities and new portfolio responsibilities for the Liberal Party. The member for Brighton, as Deputy Leader of the Opposition and Deputy Leader of the Liberal Party, will have responsibility for urban water; the member for Bulleen will have responsibility for Innovation; the member for South-West Coast will have responsibility for regional cities; and the member for Doncaster will have responsibility for Women's Affairs.

In the other house Richard Dalla-Riva, a member for Eastern Metropolitan Region, will have responsibility for industry and state development, and major projects; David Davis, a member for Southern Metropolitan Region, will have responsibility for Environment and Climate Change; and Gordon Rich-Phillips, a member for South Eastern Metropolitan Region, will have responsibility for finance including the Transport Accident Commission and WorkCover, and Community Development.

**Mr RYAN** (Leader of The Nationals) — In keeping with the arrangements the Leader of the Opposition has outlined to the house, I confirm the responsibilities of the five members of The Nationals who will form part of the shadow cabinet — five!

*Honourable members interjecting.*

**The SPEAKER** — Order! The Leader of The Nationals!

**Mr RYAN** — Indeed, Speaker. I will have responsibility for regional and rural development, and manufacturing, exports and trade. My deputy, the member for Swan Hill, will have responsibility for agriculture and country water resources. The member for Shepparton will have responsibility for local government and Aboriginal affairs. The member for Lowan will have responsibility for youth affairs, sport and recreation, and veterans' affairs — he has got them all covered! Finally, a member for Eastern Victoria Region in the other place, Peter Hall, will have responsibility for skills and workforce participation, together with tertiary education and training.

**Mr Hulls** — On a point of order, Speaker, I seek clarification in relation to the matters that have just been raised about the new marriage, the new coalition. I seek clarification in relation to three very important matters. The first matter is the arrangements that have just been announced. They were previously announced on 13 February by the leader of the coalition, the Leader of the Opposition, and they have been confirmed now by the member for Gippsland South. They are in relation to the fact that there is a new shadow ministry which includes five members of The Nationals. However, in relation to the media release that was put out at the time and the announcement that has been made — —

*Honourable members interjecting.*

**Mr Hulls** — I will tell you what the point is. On the same date The Nationals — —

*Honourable members interjecting.*

**Mr Hulls** — It may be a matter of misleading the house. An announcement was made that there were six members of The Nationals — —

*Honourable members interjecting.*

**The SPEAKER** — Order! I will clarify that first point. The announcement today was quite clear. There are five Nationals shadow ministers.

*Honourable members interjecting.*

**The SPEAKER** — Order! I believe that dispenses with the first point. There are two other points.

**Mr Hulls** — In relation to further clarification, I seek clarification as to who the Deputy Leader of the Opposition is.

*Honourable members interjecting.*

**The SPEAKER** — Order!

**Mr Hulls** — Or indeed do we have a vice-deputy?

*Honourable members interjecting.*

**The SPEAKER** — Order! The Deputy Leader of the Opposition will not interject across the table in that fashion — and I believe I have just addressed point 2.

*Honourable members interjecting.*

**The SPEAKER** — Order!

**Mr Hulls** — I would ask you, Speaker, to make inquiries in relation to The Nationals website, which makes it clear that the shadow Minister for Roads and Ports is Mr Paul Weller, and indeed — —

*Honourable members interjecting.*

**The SPEAKER** — Order!

**Mr Hulls** — That is not what has been announced today, because the Leader of the Opposition — —

*Honourable members interjecting.*

**The SPEAKER** — Order! I understand that these are exciting times for the chamber, but I ask for members' cooperation. The Speaker cannot be held responsible for what may or may not be on The Nationals website.

**Mr Hulls** — If that is the case, I seek clarification as to who the shadow Minister for Roads and Ports is in this new arrangement, because we are told that it is Paul Weller.

*Honourable members interjecting.*

**The SPEAKER** — Order!

**Mr Hulls** — We have got Denis Napthine and we also have Terry Mulder, so there seems to be a misleading of the Victorian public as to who the shadow minister is.

*Honourable members interjecting.*

**The SPEAKER** — Order! The house was advised 5 minutes ago that the spokesperson for roads is the member for Polwarth, if my recollection is correct, and ports is the member for South-West Coast.

*Honourable members interjecting.*

**The SPEAKER** — Order! I warn the member for Polwarth. I will not allow him to make a mockery of this chamber.

*Honourable members interjecting.*

**The SPEAKER** — Order! And I will ask once again the Deputy Leader of the Opposition not to interject across the table.

**Mr Hulls** — On another point of order, Speaker.

**The SPEAKER** — Order! This is another point of order?

**Mr Hulls** — Another point of order. I seek clarification as to who the shadow Minister for Small Business is, because according to The Nationals website, it is Mr Paul Weller, so I seek clarification.

**The SPEAKER** — Order! I have been advised, but I did not bring the paperwork with me. The Deputy Leader of the Opposition may wish to advise the house who it is.

*Honourable members interjecting.*

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

*Honourable members interjecting.*

**The SPEAKER** — Order! The member for Footscray is warned and will not be warned again.

**Dr Napthine** interjected.

**The SPEAKER** — Order! I warn the member for South-West Coast and he also will not be warned again.

## QUESTIONS WITHOUT NOTICE

### Teachers: enterprise bargaining agreement

**Mr BAILLIEU** (Leader of the Opposition) — My question is to the Premier. I ask: why are Victorian teachers amongst the lowest paid in Australia?

**Mr BRUMBY** (Premier) — I thank the Leader of the Opposition for his question. This is an extraordinary question coming from somebody who worked with the Kennett government to sell off the 178 schools that were closed.

*Honourable members interjecting.*

**The SPEAKER** — Order! The Premier will answer the question and not debate it.

**Mr BRUMBY** — Unlike the former Kennett coalition, we have been busy investing in schools, and we have embarked on what is the biggest school

rebuilding program in this state's history. If you look at our state education system, you will see that we made a conscious decision in government to do a number of things. Firstly, we set out to produce the lowest class sizes in the primary years 1 to 3 of any state in Australia, and I am proud to say we have succeeded in doing that. All of the evidence shows that if you give children a good start in life — in their preschool, in their child care and in their early formative years in primary school — that is the best opportunity for them and the best investment that the state can make. We have succeeded in doing that, and that has meant the injection of thousands of additional teachers into our state education system.

Secondly, we have been conscious of making sure our secondary schools are properly staffed — unlike in the years under the Kennett government, when 8000 teachers were taken out of the system. If you look at our secondary schools in this state, you will see that our staffing ratio — the student to staff ratio — is the best in Australia.

**Mr Baillieu** — On a point of order, Speaker, you have already counselled the Premier about debating the question. He has not addressed the question, and I reiterate that the Premier is debating it. I ask you to call him back to answering the question.

**The SPEAKER** — Order! I uphold the point of order.

**Mr BRUMBY** — The third major initiative on which we embarked was to put more teachers back into our education system. Class sizes, staffing ratios, more teachers and the biggest school rebuilding program in the state's history give us an education system that we can be proud of.

**Mr Baillieu** — On a point of order, Speaker, the Premier is defying your earlier ruling. He is debating the question. Victorian teachers are listening carefully to this answer. The Premier today said he was ready and willing, but he appears not to be.

**The SPEAKER** — Order! The opportunity to take a point of order is not an opportunity to enter into debate. I uphold the point of order and ask the Premier to come back to being relevant to the question.

**Mr BRUMBY** — The investments that we have made in our education system are unprecedented. It is as a result of those investments that our students in Victorian government schools enjoy the highest completion rate of any state in Australia. We are presently engaged with the Australian Education Union in an enterprise bargain, as we were four years ago and

as we were three years before that. We will continue to negotiate with the AEU.

We want to achieve an outcome on salaries which is fair and responsible and which appropriately rewards teachers, but one too that reflects the fact that we want to continue to make investments in our state education system, that we want to continue to employ more teachers and not less and that we want to continue to offer the highest quality of education of any state in Australia.

### **Royal Women's Hospital: redevelopment**

**Mrs MADDIGAN** (Essendon) — My question is for our Premier. I refer to the Premier's commitment to make Victoria the best place to live, work and raise a family, and accordingly I ask him to update the house on the progress of the new Royal Women's Hospital.

**Mr BRUMBY** (Premier) — I thank the member for Essendon for her question and also for her very strong support of the new Royal Women's Hospital. This morning, with the Minister for Health and the chair of the women's hospital board, Rhonda Galbally, I visited the new site of the women's hospital.

The significant new investment there by our government builds on all of the previous investments we have made in public hospitals in our state. When you think of those, you think of the new Berwick hospital we opened, an initiative of the Labor government in Victoria, and you think of the Austin Hospital, which was proposed for privatisation and closure under the former Kennett government but which was rebuilt under our Labor government. Of course in Flemington Road you now have an almost completed women's hospital, and almost next door to that the new \$1 billion children's hospital, where substantial excavation works are already under way.

The new women's hospital is an extraordinarily impressive facility, which builds on 150 years of proud service to the women of Victoria. We unveiled a foundation stone today confirming the progress on this building and also confirming that it will open as scheduled in June of this year. This will be the best facility for women anywhere in the Southern Hemisphere. This hospital will provide for 5000 births a year and it will provide for up to 12 000 treatments a year — and I am pleased to say that 50 per cent of the rooms, the wards, are going to be single rooms. I expect that this hospital will be in huge demand by the women of Victoria because of the quality of services and facilities that it will offer.

In addition to the 5000 new babies and the new facilities — as I said, 50 per cent of all rooms are single-bed rooms — there will also be improvements to intensive care and special care facilities for babies, which will allow more parents to spend more time with newly born children.

We are embarking on a \$4.1 billion program of investment in our public health system. As I have said, it has meant new hospitals and new super-clinics — and the biggest project of all is now under way, which is the children's hospital. In addition to that we have increased hospital funding by 96 per cent, recurrent budgets, and as a result this year Victorian hospitals will treat 500 000 more patients than were treated in 1999 in the last year of the former Kennett government.

Of course on top of all of that is the recent \$60 million boost to elective surgery. This will be the biggest one-off boost to elective surgery we have seen in Victoria's history, courtesy of a partnership between the Rudd government and our government, and up to 10 000 elective patients will be treated. If you build the best facilities, put them with the best staff and make the best investments in new hospitals, you will get the best quality and the best services available to the families of Victoria.

I am proud of this hospital, and I thank the hospital board for the leadership it has shown in partnership with the minister and previous ministers in bringing this great project to fruition.

### Crime: assaults

**Mr RYAN** (Leader of The Nationals) — My question is to the Minister for Police and Emergency Services. I refer to comments yesterday by Assistant Commissioner of Police Gary Jamieson, who said the level of violence is just horrendous, and I ask: can the minister explain why across Victoria random violent assaults by strangers have increased almost threefold during the term of this government, from 1500 per annum in 1999 to 4200 assaults last year?

**Mr CAMERON** (Minister for Police and Emergency Services) — I thank the vice-deputy leader of the coalition for his question. What audacity this mob has to come into this house when the Kennett and National Party coalition slapped 800 police and gutted our police services.

**Mr Ryan** — On a point of order, Speaker, the minister is debating the question. I ask him to answer it.

**The SPEAKER** — Order! I uphold the point of order. The minister is clearly debating the question, and I ask him to cease.

**Mr CAMERON** — As you know, Speaker, Labor has put the heart and soul back into the police force. We now have the lowest attrition rate in the country; the situation that we inherited was that we had the greatest attrition rate in the country. What we have seen is a Chief Commissioner of Police who does an excellent job, a chief commissioner who is a moderniser, a chief commissioner who has had over 1400 extra police to go about the business that — —

*Honourable members interjecting.*

**Mr CAMERON** — The opposition wants to know where the police are. The police are out there reducing crime by 23.5 per cent. Where are they? They are out there tackling family violence. They are out there on the streets dealing with a growing problem on the streets which the Brumby government has been prepared to tackle.

**Mr Baillieu** — On a point of order, Speaker, the minister is clearly debating the question and not answering it. If the minister does not have an answer to a simple question, all he has to say is that he does not.

**The SPEAKER** — Order! I remind the Leader of the Opposition once again that the opportunity to take a point of order is not an opportunity to enter into debate. If the Leader of the Opposition wants the Chair to recognise him on further points of order, he will stop entering into debate via points of order. The minister, to continue.

**Mr CAMERON** — The opposition can belittle the role of police when tackling family violence, and it can belittle the role of the police on the streets, but we totally reject that. The chief commissioner, with the Premier, recently released the five-year plan for Victoria Police with a particular focus on the growing problem of tackling assaults — and all we had from the opposition was an attack on the chief commissioner's five-year plan.

*Honourable members interjecting.*

**The SPEAKER** — Order! The minister should confine his remarks to referring to the question.

**Mr CAMERON** — We fully support the chief commissioner. We fully support her in modernising and the police force so that there are more police out on the streets, just as she has done in the city and as she is doing across this great state.

**Mr Ryan** — On a point of order, Speaker, people are being bashed on Victorian streets, and we want to know why this has gone up 300 per cent since 1999.

**The SPEAKER** — Order! There is no point of order. I suggest to the Leader of The Nationals that if he chooses to continue to go down the path of entering into debate through points of order, I will cease to hear him as well. The minister has concluded his answer.

### **Water: goldfields super-pipe**

**Ms OVERINGTON** (Ballarat West) — My question is to the Minister for Water. Can the minister explain to the house how the government will ensure adequate water supplies for Ballarat and Bendigo?

**Mr HOLDING** (Minister for Water) — It is with great pleasure that I thank the member for Ballarat West for her question, because it is an opportunity to provide information to the house about how we are managing all of Victoria's water — Victoria's urban water and Victoria's country water.

*Honourable members interjecting.*

**Mr HOLDING** — Do you know what country water — —

*Honourable members interjecting.*

**The SPEAKER** — Order! I will not have a constant slanging match across the table. For the third time today I ask the Deputy Leader of the Opposition not to interject across the table.

**Mr HOLDING** — Of course it reminds us that in Bendigo and Ballarat for some time now, with the drought and particularly with climate change, circumstances have been very challenging for those communities. Therefore it is important that the government plan for, invest in and put in place infrastructure which will enable those communities to have water security going forward. That is exactly what the Brumby government is doing. It is exactly why we are making these very important investments.

We are pleased that the people of Ballarat and Bendigo, firstly, have taken a range of water conservation measures that have saved huge volumes of water and helped those communities get through these difficult times. But we also know that these conservation efforts, as well as their water recycling efforts, which I had the opportunity of seeing a few weeks ago during visits to both towns, are alone not enough.

It is for that reason this government decided to embark upon the construction of the goldfields super-pipe. It is a very important infrastructure development that will now provide water security for both Bendigo and Ballarat. The \$278 million project, with 158 kilometres of pipe, already provides water to Bendigo and has the capacity to provide it with up to 20 billion litres — 20 gegalitres — of water, which is sufficient to meet its needs now but is also sufficient to meet its needs as a rapidly-growing inland city. The Ballarat leg of the project continues. We expect that to open in the middle of this year. It is on budget and on time. It is a very important project that will deliver another 18 billion litres — 18 gegalitres — of water to provide for Ballarat's water needs, not only its needs now but its growing future needs.

How does that contrast with the other propositions that have been put forward? We know that in the past there was a proposal to take away Geelong's connection to the Lal Lal Reservoir, which would have had a disastrous impact on that city's access to water. Through this investment not only are we providing water security for Bendigo and Ballarat, we are also providing water security for Geelong, because silly proposals, such as the proposition of the Leader of the Opposition to take Geelong away from the Lal Lal Reservoir, will now not proceed.

What do we see now? We see that not only in Bendigo and Ballarat is support for the construction of the goldfields super-pipe going from strength to strength but other people are coming on board to support this very important investment. That is why we were so pleased last week to see Pragmatic Pete say that the pipe is now a reality — so he supports it. That The Nationals support the goldfields super-pipe is high praise indeed for this government's strategic investments in providing water security for Victorians, in providing water security for Victorian towns and cities and in providing water security for Bendigo and Ballarat.

We are not creating a divide between urban and country water but recognising that the water needs of Victorians have to be addressed in a comprehensive fashion, that the construction of a statewide water grid is one of the most effective things we can do to provide water security for all Victorians and that the goldfields super-pipe represents a fundamental component of that project. This government is getting on with the job of investing in important water infrastructure to provide for the water needs of all Victorians, including those in Bendigo and Ballarat.

We will not be in for the cheap solutions; we will not be in for dividing city against country and creating the impression that there is an urban water market and a rural water market and that the two can be separate one from the other. We are governing for all Victorians. We are putting in place the best possible infrastructure to meet the needs of Victorians for 50 years to come.

### Hospitals: waiting lists

**Mr BAILLIEU** (Leader of the Opposition) — My question is to the Minister for Health. Will the minister advise the house how many Victorians are currently on outpatient waiting lists at Victorian public hospitals?

**Mr ANDREWS** (Minister for Health) — I thank the Leader of the Opposition for his question. As a government we have given proudly each and every one of our health services the record funding they need to treat more patients and to provide better care to meet the health challenges of the future. As the Premier noted in his answer to an earlier question, today is a proud day on which we saw the foundation stone laid for the new \$250 million Royal Women's Hospital.

There is some commentary in the *Age* today about a range of waiting list issues. I want to make it very clear that the elective surgery waiting list is a list of people waiting for elective surgery. It is as simple as that. That is exactly what it is. People who in the view of their treating doctor are not ready for care do not appear on that list. It is as simple as that. We have an elective surgery waiting list, the purpose of which is clear. We have judgements made by dedicated nurses and doctors about who is fit for care and who can be listed on the elective surgery waiting list — —

**Mr Baillieu** — On a point of order, Speaker, the minister is debating the question. It was a simple question about outpatient waiting lists, which have to date been kept secret.

**The SPEAKER** — Order! I am not prepared to uphold the point of order at the moment. I have been listening carefully to the minister and I believe he is framing his answer in a way that is relevant to the question.

**Mr ANDREWS** — Thank you, Speaker. We have an elective surgery waiting list. We have individuals who, in the view of their treating clinician, are not ready to be listed on that list — for instance, it would not be safe for them to be listed and then receive elective surgery. We then have a whole range of other different streams of care, or if you like, different

categories of care — outpatient care, for instance. As a government — —

*Honourable members interjecting.*

**Mr ANDREWS** — Those opposite do not like this, but as a government we have provided record funding in relation to outpatient appointments. In this year's budget alone 77 000 additional outpatient appointments have been funded by this government.

**Mr Baillieu** — On a further point of order, Speaker, could the question have been any simpler?

**The SPEAKER** — Order! I will not hear — —

**Mr Baillieu** — He is debating the question.

**The SPEAKER** — Order! The minister is talking of outpatients and his answer is clearly relevant to the question. I remind all members of the house that the Chair cannot force a minister to give the answer that members may wish. The minister is being relevant to the question.

**Mr Baillieu** — On a further point of order, Speaker, the Premier and other ministers have declined to answer questions. They have an obligation to answer questions. We are simply on a waiting list for answers.

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

**Mr ANDREWS** — As I was saying, in this year's budget this government provided record funding in relation to outpatient appointments; 77 000 additional outpatient appointments were funded through record boosts by this government. When we came to office there was in the order of 1.5 million outpatient appointments per year. That figure has now grown to about 1.7 million outpatient appointments a year split between medical outpatient appointments and allied health outpatient appointments. We are continuing to invest in that. Our commitment, as it was made during the election campaign in 2006, was through record funding to grow the total number of appointments by a further 200 000. The first instalment of that growth funding was the 77 000 funded in this year's — —

**Mr Baillieu** — On a point of order, Speaker, the minister is debating the question. He has given us a number of figures but not the figures that were sought in the question.

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

**Mr ANDREWS** — There can be no doubt that this government has invested record funding in elective surgery, only a month ago announcing \$60 million worth of additional funding — the biggest one-off blitz this state has ever seen — and record funding for outpatients, with an additional 77 000 appointments funded in this year's budget alone. Right across the system we are giving our health services the resources they need to meet the demand pressures they currently face.

**Dr Napthine** — On a point of order, Speaker, the minister is continuing to debate the issue rather than answering the question, which was: how many people are on the outpatients waiting list. It is a simple question requiring a simple numerical answer.

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

**Mr ANDREWS** — Finally, I simply say that outpatients and outpatient services, with record funding from this government, are managed on a clinic-by-clinic, health service-by-health service basis. Unlike those opposite, I have confidence in the care provided to each and every Victorian outpatient.

### Port Phillip Bay: channel deepening

**Mr LANGUILLER** (Derrimut) — My question is to the Minister for Roads and Ports. I refer the minister to the government commitment to deepening the port of Melbourne's channels and ensuring job creation across Victoria, and I ask: can the minister detail to the house what support the government has received for this project?

**Mr PALLAS** (Minister for Roads and Ports) — I thank the member for Derrimut for his question and his continuing support for the channel deepening project, which of course is a vital project for the state of Victoria. Channel deepening is critical. It effectively means that there will be a \$2.2 billion economic benefit to the state of Victoria and that something like 2000 jobs are likely to be delivered from this vital project. In port logistics alone we are likely to see something like 14 000 jobs affected by this project, and of course we are committed as a government to supporting them.

We are not the only ones who have demonstrated commitment and continuing resolve to make sure this project continues. The Victorian Employers Chamber of Commerce and Industry, the Maritime Union of Australia, the Australian Industry Group, the Victorian Freight and Logistics Council and the Committee for

Melbourne have all voiced their support for this project — and of course the Victorian Farmers Federation has said it is time to get on with this project and has described it as essential for Victoria.

The new junior deputy leader of the opposition — —

**The SPEAKER** — Order! I ask the minister to refer to members by their correct title.

**Mr PALLAS** — The Leader of The Nationals has previously described this project as magnificent and indeed as essential, recognising the need to maintain a modern and efficient export port in Victoria. Despite the government's using best practice to deliver this project and providing levels of reporting never before seen on a project of this nature across the state, the Liberals continue to say it is not good enough. They want to consign Victoria to quagmire of process and meaningless reporting. For all practical purposes, they oppose this project. In contrast, the Brumby government's position has remained steadfast and clear. We remain resolved and committed to delivering this project because it is critical to our economy and critical to our industries, and it will ultimately encourage job growth.

Work has now commenced on the project pursuant to the orders of the Federal Court resulting from the environmental monitoring. Independent monitoring was today reported in the *Herald Sun* as indicating that water is now clearer at Rosebud than before the project commenced. These results are indeed consistent with the reporting that the port itself has monitored and provided to the public.

Clarity of course is not a strong point when it comes to the opposition and its position on this issue. In fact while the members for Polwarth and South-West Coast — —

**The SPEAKER** — Order! The minister should confine his answer to government business.

**Mr Mulder** — On a point of order, Speaker, the minister is clearly reading his answer. He is reading from a document, and I ask him to table the document.

**The SPEAKER** — Order! Is the minister reading his answer?

**Mr PALLAS** — I am referring to my notes.

**The SPEAKER** — Order! The minister is referring to notes.

**Mr PALLAS** — It is clear that as a government we continue to support this project and continue to demonstrate our unshakeable resolve in terms of delivering the project, unlike opposition members, who do not even know who their shadow spokespeople for this project are. The poor old member for Rodney has not even been told — —

*Honourable members interjecting.*

**The SPEAKER** — Order! The minister will confine his remarks to answering the question.

**Mr PALLAS** — This government is of course committed to retaining and maintaining Victoria's competitive position. We remain committed to making sure that we deliver the channel deepening project to protect our exports and industries more generally — dairy, grains, manufacturing and of course winemaking — from facing higher costs for their products and ultimately Victorians having to pay higher prices for things such as clothing, DVDs and whitegoods. That is what it translates as. If you do not support this project, in effect you do not support the economic vitality of this state. If you sit on the fence or if The Nationals consign their principles to the dustbin of their coalition arrangements — —

**The SPEAKER** — Order! I will refuse to hear the minister if he does not confine his remarks to government business.

**Mr PALLAS** — This government remains committed to a candid engagement with the community about where our position stands in respect of channel deepening. We have not seen that candour from the opposition. We have not seen it from members of the Liberal Party, who have continued to indicate a willingness not to declare their position.

**The SPEAKER** — Order! I think the minister has concluded his answer.

### **Bendigo Hospital: waiting lists**

**Mr RYAN** (Leader of The Nationals) — My question is to the Minister for Health. I refer the minister to the publicly reported waiting lists at the Bendigo Hospital, including a list of 590 people waiting for surgery, and I ask: why has the minister failed to disclose that an additional 2000 regional Victorians are languishing for up to 1000 days on the Bendigo Hospital outpatients waiting list just to see a doctor?

**Mr ANDREWS** (Minister for Health) — I thank the Leader of The Nationals for his question. The first and obvious point would be to say that there is no elective

surgery being conducted in the 12 hospitals that were closed by this rabble here with the support of the member for Gippsland South — zero.

**The SPEAKER** — Order! The minister will not debate the question.

**Mr ANDREWS** — As a government — I have made this point many times and I will make it again — we have proudly seen every single health service in this state receive a funding boost in every single year of our term in government. That is not a boast — and it is not a claim that can be made by those opposite, least of all those who sat idly by as hospital after hospital in rural community after rural community was closed.

**Mr Ryan** — On a point of order, Speaker, the minister is debating the question. I ask you to have him return to answering it.

**The SPEAKER** — Order! I uphold the point of order.

**Mr ANDREWS** — There can be absolutely no doubt about our government's support for the health services that are critical to rural and regional communities through a \$4.1 billion boost to capital works and a fair share for country Victoria. There has been record funding of every single health service, and again a fair share for country Victoria.

**Mr Ryan** — I renew the point of order, Speaker. The minister is debating the question. I have asked a specific question, and I would ask that you direct him to answer it.

**The SPEAKER** — Order! I uphold the point of order and ask the minister to come back to the question.

**Mr ANDREWS** — In terms of elective surgery waiting lists at the Bendigo health service or other regional or rural health services, or indeed in a statewide context, we as a government have made it clear, in partnership with the commonwealth government, that there is more to be done in terms of — —

*Honourable members interjecting.*

**Mr ANDREWS** — They were not this loud in the 1990s, Speaker.

**The SPEAKER** — Order! The minister, to continue.

**Mr ANDREWS** — Thanks to investment by this government and funding sought and secured from the commonwealth government — for the first time in

11½ years the commonwealth government is prepared to invest in and work with the states — we will see \$60 million worth of elective surgery done in calendar year 2008. I would have thought that would be of relevance to Bendigo and other country communities.

**Mr Ryan** — I renew the point of order, Speaker.

**The SPEAKER** — Order! I am not prepared to uphold the point of order at this stage. I believe that the minister was being relevant to the question.

**Mr ANDREWS** — That record investment, that \$60 million that will be spent in additional episodes of elective surgery in rural and regional Victoria and right across the state, is the biggest one-off boost to elective surgery in this state's history.

**Mr Baillieu** — On a point of order, Speaker, the minister is debating the question. He has not even mentioned outpatients.

**Mr ANDREWS** — The question was about elective surgery.

**The SPEAKER** — Order! I do not uphold the point of order, but I ask the minister not to enter into a conversation across the table in that manner.

**Mr ANDREWS** — The Leader of The Nationals and all members opposite, indeed all members of this house and the broader Victorian community, can be absolutely certain that when it comes to elective surgery we will continue to give health services right across this state the resources they need to treat more patients and provide better care.

**Mr Ryan** — On a point of order, Speaker, the minister is debating the issue. I asked about outpatients waiting lists. He has not mentioned them.

**The SPEAKER** — Order! The minister has concluded his answer.

### **Rail: freight network**

**Mr HARDMAN** (Seymour) — My question is to the Minister for Public Transport. Can the minister outline to the house actions the government has taken to support rail freight and passenger services in regional Victoria?

**Ms KOSKY** (Minister for Public Transport) — I thank the member for Seymour for his question and his ongoing interest in our rail system right around Victoria. Everyone knows the commitment that this government has made to rail freight and passenger services right around Victoria. We know that the

previous coalition government closed down six regional rail lines and sold off the entire network.

*Honourable members interjecting.*

**Mr Ryan** — On a point of order, Speaker, the minister is debating the issue, and I ask you to have her answer the question.

**The SPEAKER** — Order! I am not prepared to uphold the point of order at this time as the minister has only just started to answer the question.

**Ms KOSKY** — I ask whether the opposition members could in fact name the lines they did close.

**The SPEAKER** — Order! This is not the minister's opportunity to ask questions.

**Ms KOSKY** — We have reopened lines and we have built new stations right around Victoria, but we are equally committed to rail freight services right across Victoria. We know the drought has had a far-reaching effect.

*Honourable members interjecting.*

**Ms KOSKY** — The opposition says it is a shambles. Why is it a shambles? It is because of the privatisation that the coalition engaged in when it was in power.

**The SPEAKER** — Order! The minister should ignore interjections.

**Ms KOSKY** — Speaker, of course you would know that we changed around that shambles last year when we bought back the track which was sold off under the failed privatisation of the Kennett coalition. Having done that, we are continuing to invest in our rail freight network right around Victoria.

We have had a very severe drought, and that has meant lower grain harvests. It has also meant fewer exports, and it means less rail freight. Many in this house would be aware that just before Christmas, Asciano announced that it was looking closely at its Victorian rail freight operations because they were running at a loss. Unlike those opposite, we sat down with all those in the industry and talked with them about their needs. We talked with industry, we talked with the farmers and we talked with country Victorians about the way forward. We listened to our backbenchers, who are very active in advocating on behalf of the rail freight network.

I again have great news for Victoria. Today I was with the Premier when we made an announcement about a

rail freight support package that would support rail freight going forward. It is only under a Brumby government that you will see this level of support for the rail industry right across Victoria. History speaks for itself. The support package is a two-year, \$20 million package to retain containers and grain on rail. The Brumby government will provide a rebate for containers carried on rail services from Warrnambool, Horsham, Mildura and Shepparton over the next two years. This is great news for farmers, it is great news for exporters and it is great news for the environment, because it will keep thousands of trucks off Victoria's regional roads which otherwise would have been there if we had not provided this support package. The rebate will be based on a benchmark rate of \$100 per container, and that will be adjusted for volume and distance.

Last year, as members will be aware, we announced a rebate also for domestic grain, and we have been successful in keeping regular deliveries of domestic grain on rail. Today the Premier and I announced that we will be extending that rebate to export grain, and this has been widely welcomed by industry. The only people who are not supporting this are members of the coalition sitting opposite, and that is unfortunate. But of course all government members and local members have been very supportive — for example, two members for Northern Victoria Region in another place, Candy Broad and Kaye Darveniza, and the Minister for Agriculture, have been of great assistance in this process.

Our government is very committed to rail freight. We are working with industry, we are working with farmers and we are working with country Victorians to make sure that we can overturn what was a disastrous privatisation by the former coalition. We did, as I said, buy back the tracks, and we are in the process of completing the Mildura upgrade at a cost of \$73 million and the Dynon Port Rail Link project. We govern for the whole state, and we will keep working hard for regional Victoria.

### **Alfred hospital: trauma surgeon**

**Mr BAILLIEU** (Leader of the Opposition) — My question is to the Minister for Health. I refer the minister to a statement by Professor Thomas Kossmann on 7 December 2007, when he said:

I am a political adviser for the state government and the health minister. I went on several trips with them to advise them; my role is enormous.

I ask: can the minister detail the enormous role of Professor Kossmann as a political adviser to the state government?

**Mr ANDREWS** (Minister for Health) — I thank the Leader of the Opposition for his question. Let me be clear about the issues that relate to Professor Kossmann. There are very serious allegations made against Professor Kossmann. They are currently the subject — —

**An honourable member** interjected.

**Mr ANDREWS** — These are very serious matters, and I would have thought those opposite, having asked the question, would listen. These are serious matters. Serious allegations have been made against Professor Kossmann. They are being appropriately investigated under a process established at Bayside Health. I have been briefed on that process, and I have confidence that it is a robust process. It is not my intention to run a public commentary on that investigation, on allegations made against Professor Kossmann or these nonsense questions from the Leader of the Opposition. These are serious matters, and I will not run a commentary on them. I have confidence in the process that has been established. What is more, as I understand it, his conduct is the subject of an Ombudsman's investigation, and I will not comment on that either.

**Mr Baillieu** — On a point of order, Speaker, the minister is debating the question. It was a simple question. Professor Kossmann said he was a political adviser. It had nothing to do with an investigation. We are asking about his role as a political adviser.

**The SPEAKER** — Order! There is no point of order. The minister has concluded his answer.

### **Major projects: Gippsland summit**

**Ms DUNCAN** (Macedon) — My question is to the government's one and only Minister for Regional and Rural Development. What action is the government taking to rebuild, revitalise and invest in eastern Victoria, and is the minister aware of any endorsements of the government's actions?

**Ms ALLAN** (Minister for Regional and Rural Development) — I would like to thank the member for Macedon for her question. I was very proud to be in Traralgon last week to officially open the Eastern Victoria Major Projects and Opportunities Summit. That a summit like this was even held in Traralgon, in Gippsland, is an absolute testament to how far Gippsland has come since 1999. It is a result of

investment by this Labor government. Alongside its investments in new schools, in new roads, in new police stations and new rail lines, this government has helped facilitate a massive \$3 billion in new investment in Gippsland. This includes projects such as the expansion of Patties Foods in Bairnsdale — \$3 billion, \$3 billion, three B for billion.

*Honourable members interjecting.*

**Ms ALLAN** — That is right — \$3 billion!

**The SPEAKER** — Order! I think the chamber realises that it is \$3 billion.

**Ms ALLAN** — This \$3 billion includes the expansion of Patties Foods in Bairnsdale, Flavorite Tomatoes in Warragul and the Jindi Cheese company in Jindivick. We are also seeing investments in new clean coal technology; and Australian Paper, Energy Bricks and Murray Goulburn have all had support for major water-saving initiatives. In hosting the summit the chief executive officer of Latrobe City Council said that we have seen over the past five years, and will see certainly for the next 10 years, significant investments in major projects in our region.

As I said, this summit could not have been held in Gippsland 10 years ago when the coalition government was busy sacking teachers and closing 16 schools across Gippsland.

*Honourable members interjecting.*

**Ms ALLAN** — That is 16, in case you wanted to be corrected.

**The SPEAKER** — Order! The minister will confine her comments to government business.

**Ms ALLAN** — Certainly, Speaker. We have worked hard in Gippsland in investing in new schools and employing more teachers, and particularly in making significant investments in new school buildings, including the flagship \$21.5 million Gippsland education precinct. We had to save the Latrobe Valley hospital from a failed privatisation attempt, and we have gone on to employ an additional 129 nurses and increase funding to the hospital by a whopping 65.4 per cent in additional money.

A feature of this summit was the future of Gippsland and how strongly Gippsland is growing. With a government that was closing schools and closing hospitals it is no surprise that in the 1990s we saw people leaving Gippsland in droves. Those who were left in Gippsland had to deal with an unemployment

rate of a whopping 17.9 per cent. Today, under the Labor government, the unemployment rate is down to 4.2 per cent.

All the evidence before us demonstrates that the Brumby government is rebuilding. We are revitalising and reinvesting in Gippsland. We have certainly made Gippsland relevant again right across Victoria, because it is important to the Brumby government. It is interesting to note that political parties maintain government by maintaining their relevance to their local communities. If you do not maintain relevance, you get endorsements like this: 'The truth is, it has been over 54 years since the National Party had any relevance in Victorian politics'. Who said that? The Liberal Party said it. It was the official position of the Liberal Party at the last state election.

**The SPEAKER** — Order! I remind the Minister for Regional and Rural Development that question time is not an opportunity to attack the opposition.

## COURTS LEGISLATION AMENDMENT (ASSOCIATE JUDGES) BILL

*Introduction and first reading*

**Mr HULLS (Attorney-General)** introduced a bill for an act to amend the Constitution Act 1975, the Supreme Court Act 1986 and the County Court Act 1958 to replace the office of master of the Supreme Court and master of the County Court with the office of associate judge, to consequentially amend other legislation and for other purposes.

**Read first time.**

## DRUGS, POISONS AND CONTROLLED SUBSTANCES AMENDMENT BILL

*Introduction and first reading*

**Mr ANDREWS (Minister for Health)** introduced a bill for an act to amend the Drugs, Poisons and Controlled Substances Act 1981 to provide for the supply of drugs during public health emergencies and to further provide for the supply of schedule 8 poisons, schedule 9 poisons and schedule 4 poisons which are also drugs of dependence to patients, including drug-dependent persons, and for other purposes.

**Read first time.**

**BUSINESS OF THE HOUSE****Notices of motion: removal**

**The SPEAKER** — Order! I advise the house that under standing order 144 notices of motion 94 to 112 will be removed from the notice paper on the next sitting day. A member who requires the notice standing in his or her name to be continued must advise the Clerk in writing before 6.00 p.m. today.

**NOTICES OF MOTION****Notices of motion given.****Dr SYKES having given notice of motion:**

**The SPEAKER** — Order! I will seek the advice of the clerks as to whether that notice needs to be edited.

**PETITIONS****Following petitions presented to house:****Water: north–south pipeline**

To the Legislative Assembly of Victoria:

This petition of residents of Victoria draws to the attention of the house the proposal to develop a pipeline which would take water from the Goulburn Valley and pump it to Melbourne.

The petitioners register their opposition to the project on the basis that it will effectively transfer the region's wealth to Melbourne, have a negative impact on the local environment, and lead to further water being taken from the region in the future. The petitioners commit to the principle that water savings which are made in the Murray–Darling Basin should remain in the MDB. The petitioners therefore request that the Legislative Assembly of Victoria rejects the proposal and calls on the state government to address Melbourne's water supply needs by investing in desalination, recycling and capturing stormwater.

**By Dr SYKES (Benalla) (136 signatures)****Colac-Lavers Hill Road: upgrade**

This is a petition to Legislative Assembly of Victoria by the residents of South-West Victoria and in particular concerned citizens of the condition of the Colac-Lavers Hill Road, Victoria.

We would like to draw the Legislative Assembly of Victoria's attention to several concerns we have regarding the condition of the road such as:

The increased level of traffic that use the road.

The surface of the road being comprised i.e. bitumen breaking up due to volume and increased weight of traffic.

The wideness of the road, this road has a narrow seal of bitumen with loose gravel material on either side which is inadequate for the volume and weight of traffic.

The aim of this petition is to make VicRoads identify and allocate funds to upgrade the Colac-Lavers Hill Road; to improve the quality of the surface of the road and to make the seal of the road wider; to improve safety for residents as well as tourists who use this road daily.

The following is a list of concerned citizens who believe that the above aim is justified: (a person must live in Victoria to be able to sign the petition).

**By Mr CRUTCHFIELD (South Barwon)**  
**(107 signatures)**

**Tabled.**

**Ordered that petition presented by honourable member for Benalla be considered next day on motion of Dr SYKES (Benalla).**

**SCRUTINY OF ACTS AND REGULATIONS COMMITTEE*****Alert Digest No. 2***

**Mr CARLI (Brunswick) presented *Alert Digest No. 2 of 2008* on:**

**Criminal Procedure Legislation Amendment Bill**  
**Crown Land (Reserves) Amendment (Carlton Gardens) Bill**  
**Port Services Amendment (Public Disclosure) Bill**

**together with appendices.**

**Tabled.**

**Ordered to be printed.**

**Legislation Reform (Repeals No. 2) Bill**

**Mr CARLI (Brunswick) presented report, together with appendices.**

**Tabled.**

**Ordered to be printed.**

**DOCUMENTS****Tabled by Clerk:**

*Crown Land (Reserves) Act 1978* — Order under s 17B granting a licence over Bells Beach Surfing and Recreation Reserve

*Drugs, Poisons and Controlled Substances Act 1981* — Documents under s 12H:

Poisons Code

Notice regarding amendment, commencement and availability of the Poisons Code

Standard for the Uniform Scheduling of Drugs and Poisons No. 22

Murray-Darling Basin Commission — Report 2006–07

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

Baw Baw — C48, C49

Brimbank — C89 Part 2, C101

Cardinia — C109

Colac Otway — C50

Corangamite — C16 Part 1

Greater Shepparton — C71, C80, C101

Hepburn — C40

Hume — C96

Indigo — C34

Macedon Ranges — C26, C58

Manningham — C65

Melton — C76

Moira — C26

Victoria Planning Provisions — VC46

*Road Management Act 2004* — Order under Schedule 5A (*Gazette S341, 18 December 2007*)

Statutory Rules under the following Acts:

Fisheries Act 1995 — SR 4

Magistrates' Court Act 1989 — SRs 5, 6

Subordinate Legislation Act 1994 — SR 3

*Subordinate Legislation Act 1994* — Ministers' exception certificates in relation to Statutory Rules 3, 6.

The following proclamation fixing an operative date was tabled by the Clerk in accordance with an order of the House dated 19 December 2006:

*Liquor Control Reform Amendment Act 2007* — Section 13 — 7 February 2008 (*Gazette G6, 7 February 2008*).

**ROYAL ASSENT**

**Message read advising royal assent on 11 February to:**

**Equal Opportunity Amendment (Family Responsibilities) Bill**  
**Fair Trading and Consumer Acts Further Amendment Bill.**

**APPROPRIATION MESSAGE**

**Message read recommending appropriation for Crown Land (Reserves) Amendment (Carlton Gardens) Bill.**

**BUSINESS OF THE HOUSE****Program**

**Mr BATCHELOR** (Minister for Community Development) — I move:

That, under standing order 94(2), 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 2008:

Classification (Publications, Films and Computer Games) (Enforcement) Amendment Bill

Consumer Credit (Victoria) and Other Acts Amendment Bill

Professional Boxing and Combat Sports Amendment Bill.

In moving the recommendation contained in this motion the government is following through on the proposal it outlined during the last parliamentary sitting week in the same part of the parliamentary program wherein it said that this week and the preceding parliamentary sitting week would be weeks during which a large part of the response to the government's newly established annual statement of government intentions would be dealt with.

In accordance with the pattern that we established over the last sitting week, we intend to have three bills dealt with as part of the legislative program, and hence they are contained in the motion on the government business program that the house is giving consideration to. But in addition to that, of course, we will also be spending a

large amount of our time in this chamber and a large amount of the government business time dealing with individual responses to the annual statement of government intentions. We would expect that at the conclusion of this week we may well not have completed the responses of individual members to the annual statement of government intentions; however, the bulk of those would have been dealt with.

What we do in terms of the third parliamentary sitting week — whether we deal with legislation that is on the notice paper together with the two bills that were given notice of today or whether we have a shandy of those that are on the notice paper, particularly those that have been held over from last calendar year, and any remaining contributions of individual members to the response to the annual statement of government intentions — will be the subject of notification in this part of the program in the third sitting week. You can see that it is a task for the house that is achievable. It provides, as was always intended, the opportunity for individual members to make their contribution. I think individual members have appreciated being provided with that opportunity at the start of a calendar year, and we will continue that this week. I commend the motion to the house.

**Mr McINTOSH (Kew)** — Certainly given the paucity of bills that are currently before the house — I notice there will be a number of speakers on each of those bills — I do not think they will pose too much controversy to the house. We breathlessly anticipate the elongated debate about the statement of government intent. I note from a couple of notices of motion moved by the Leader of the House in relation to committees that one of those may cause some delay before we move on to the breathlessly anticipated statement of government intent and the contributions from all members of this house, but I have no doubt that we will finish the government business program by 4 o'clock on Thursday. It is not a very busy schedule, but given the government's statement in relation to the statement of government intent about its significance in its eyes and its desire to give it due credit, there will no doubt be ample time for many speakers to make their contributions in relation to that matter.

I have often spoken in this place expressing my personal gratitude to the Leader of the House and the Premier's office for providing us with some certainty as to the nature of the government business program in the forthcoming week. Being an opposition not in control of any of the agenda, of course, we know there are many steps that need to be taken in relation to notice of that government business program. I have often said it would be far better for democracy to have the program

announced some weeks before the sitting week outlining those bills that are going to be discussed. Certainly I have suggested that we could all look at, say, the example of the United Kingdom, where last thing on a Thursday before the adjournment debate the government business program for the forthcoming two weeks is debated some two weeks in advance. That is done even without the guillotine that we have here, but it is very important that this is provided.

My experience on other occasions has been that quite often the process was a bit higgledy-piggledy and it was a bit hit and miss whether you actually got the program within an appropriate time, but certainly since I have taken on this role the Leader of the House and, as I said, the Premier's office have notified the Liberal Party of that government business program on the Thursday of the preceding week at about 5 o'clock, which has enabled us to get our material prepared for the forthcoming week.

However, in this circumstance there was perhaps some assumption made — or it may have been deliberate; I do not know — but for whatever reason that particularly well-worn path was left and that pattern of regular notification was interrupted, because while I got notice of the government business program, the government chose to ignore The Nationals, and, despite a request from the manager of business for The Nationals, it was not forthcoming. The fact is that we are two separate parties. We may have decided to meet together and to have a common view or a common attack point in relation to the government, but we are two separate parties. I note that the manager of business for The Nationals is also The Nationals Whip and that that position is retained. However, for some reason the government did not show the manager of business for The Nationals the courtesy of providing him with the details of the government business program, and it was not until I was able to speak to him late on Thursday evening that I was able to convey that message to him.

**Mr Batchelor** interjected.

**Mr McINTOSH** — I notice that the Leader of the House is commenting across the table that that is not true. Certainly from the discussions I have had with the manager of business for The Nationals, it seems he was deliberately left out. I hope it was a clerical error and not a deliberate tactical stunt on behalf of the government, but appropriate notice was not given to The Nationals. This matter was raised and discussed in our party room. Accordingly, in support of The Nationals and because the government has chosen, for whatever reason, to ignore its obligation to notify the

third party in this chamber, the opposition will be opposing the government business program.

**Mr LUPTON (Pahran)** — I rise today to support the government business program moved by the Leader of the House and indicate that in our work this week we will be debating three important pieces of legislation on which many members will wish to make a contribution. Members will also have an opportunity to take part in the continuing debate on the annual statement of government intentions, as I know many members have already taken great pride and enjoyment in doing.

I note with some interest the comments of the member for Kew on the way he would prefer the notification of debates to take place. It is interesting that the opposition is in some sort of confusion about how such matters normally proceed. This government has made a considerable improvement in comparison with what was done by former governments in the way parties are notified of how the business of the house will be conducted. Notwithstanding that, we have a situation in which this year this government has introduced a statement of government intentions — the first time such a statement has been introduced in any Australian parliament. We indicated to the Parliament and the people of Victoria in that statement that some 60 bills will be dealt with as we go forward this year.

I think it was quite hypocritical of the opposition member to raise that issue in the way he did. But he went further and did the Leader of the House a disservice, if I may say so, in relation to the way notification takes place. The government has been put into a particular position in relation to how it deals with the opposition as a result of the coalition arrangements entered into recently by the Liberal Party and The Nationals.

As the government, we have taken note of the new coalition arrangements between the Liberal Party and The Nationals, and we simply note that the shadow cabinet announced on 13 February names the member for Kew as manager of opposition business in the Legislative Assembly. We have taken that at face value, and we make our decisions on whom we talk to and whom we deal with in relation to the organisation of the business program of this house on the basis of the information that is provided to the government about how the opposition wishes to organise itself.

**An honourable member** — Jointly.

**Mr LUPTON** — Jointly indeed, and the press release to which I refer is a joint press release issued by the Liberal Party and The Nationals. It talks about the

coalition unveiling its shadow ministry and goes on to detail the responsibilities of the shadow cabinet. It talks about the manager of opposition business in the Legislative Assembly being the member for Kew. The member for Lowan, regardless of his undoubted merits in various ways, does not get a guernsey as far as the opposition is concerned as being in any way a manager of opposition business or responsible for those matters.

In the circumstances it is entirely appropriate that the Leader of the House deal with the manager of opposition business in the Legislative Assembly. We operate on the basis that this coalition is a fair dinkum coalition and that these two parties are operating as one entity in this house. They are parties that not only meet together but make joint decisions on how they are to vote in this house. That is what the coalition announced to the people of Victoria on 13 February. We operate on that basis. We accept it at face value and act accordingly. I am perfectly happy with the government business program this week. I commend it to the house.

**Mr DELAHUNTY (Lowan)** — I rise on behalf of The Nationals, one of the two independent parties that have come together in coalition. I want to highlight again that I have had a very good working relationship in looking after the government business program in the house while I have been The Nationals Whip. Since I have been in this role, every Thursday before Parliament has sat, I have received an email from the Department of Premier and Cabinet outlining the government business program. There has often been discussion with the Leader of the House in relation to that business. We have had a very courteous and good relationship.

Last Thursday, before this week's sitting of Parliament, I rang the Leader of the House and left a message on his mobile telephone. I rang a couple of people at Premier and Cabinet with whom I have previously dealt in relation to the government business program and left messages on their mobile phones.

**Mr Batchelor** — Who rang the member for Lowan back?

**Mr DELAHUNTY** — The Leader of the House did ring back, and I appreciated the courtesy. But I was disappointed with his answer when he said that he did not send me the government business program because he had sent it to the coalition. The Leader of the House sent it to the Liberal Party, to the member for Kew. I stated that I am still The Nationals Whip. If the member for Pahran had looked at the press release, I believe he would have seen that I was still listed as The Nationals Whip. I told the Leader of the House that I was

disappointed I had not got the government business program and that I would appreciate it coming through to me.

I checked my email that night and again the next morning, and it was not until I rang the member for Kew and asked if he had the government business program that I received it because he was kind and courteous enough to send it through to us. I was able to distribute a copy of the program to my colleagues in The Nationals to inform them of what bills were going to be debated, but it was a much longer process than was needed. I do not think it would cost much for the Leader of the House and particularly the Department of Premier and Cabinet to email the program to me.

I want to comment on the contribution of the member for Prahran. He was not here when the previous government was in office. He spoke about 60 bills being debated this year. Today we have had only two bills brought forward. Members of the Labor government, and maybe the public servants, not only took off a lot of time over Christmas but they must have taken an extended break. They also might have had a rostered day off, or an RDO. Most Fridays now — —

**Mr K. Smith** — Rudd days off.

**Mr DELAHUNTY** — Rudd days off; that is correct. I think they had more of them over summer. They might have been celebrating and therefore forgot what they should be doing in this place, which is to bring forward legislation.

I am sure that as an Independent member the member for Gippsland East still gets the government business program — —

**An honourable member** interjected.

**Mr DELAHUNTY** — I am sure he would! But the nine of us who sit in this house are part of an independent party, The Nationals, and I do not believe there is anything wrong with sending us the government business program so I can inform my colleagues. I say again to the member for Prahran and to the Leader of the House, that I am still The Nationals Whip; nothing has changed in the last two weeks. I am still The Nationals Whip, and as a courtesy I think the government business program should be sent to me.

In the minute I have left I want to comment on the business program which I finally obtained through the member for Kew. Three bills will be debated in the house this week — the Classification (Publications, Film and Computer Games) (Enforcement) Bill, the Consumer Credit (Victoria) and Other Acts

Amendment Bill and the Professional Boxing and Combat Sports Amendment Bill. The debate on those three bills should take a reasonable time, as did the bills we debated in the last sitting week. But as the Leader of the House said, we also have before us the annual statement of government intentions. In debating that statement, members will be able to get up and speak about things which are important to them. It might be to do with their portfolio responsibilities or it might be in relation to their electorate. We have six members still to speak. I believe the government has a lot more than that, so I am pleased that debate will continue into the next sitting week. It will ensure every member has an opportunity to speak.

We are not really sure what the statement is about, but we are going to make sure the Labor government knows we are coming after it, and we will highlight some of our concerns during the time we have to speak on the annual statement of government intentions.

I say to the Leader of the House, whom I am pleased to see has listened to this debate, that it is only common courtesy that the independent parties on this side of the house should get a copy of the government business program in the week prior to the sitting of the house.

**Mr LANGDON** (Ivanhoe) — In joining the debate on the government business program I commend the Leader of the House, but I also wish to comment on the dummy spit by The Nationals Whip. He complains he is no longer in the loop, but the press release on the Liberal Party and The Nationals coalition, which was mentioned by the member for Prahran, clearly states that the manager of opposition business in the Legislative Assembly is the member for Kew. It also clearly states who the whips are, and that is one of the things I looked at as Government Whip. The member for Bulleen is the Opposition Whip — Liberals and the member for Lowan is The Nationals Whip. It does not say that the member for Lowan is a manager of opposition business.

**An honourable member** interjected.

**Mr LANGDON** — It has changed dramatically. As Government Whip I negotiate with the two whips. The Opposition Whip is constantly telling me that I should not deal with the manager of opposition business; I should deal strictly with the whips, which I do. The Leader of the House deals strictly with the manager of opposition business. The member for Prahran quoted the opposition press release, and I too will quote from a Liberal Party press release. It states:

The Liberal Party and The Nationals have agreed that:

the Liberal Party and The Nationals will form a coalition;

the coalition between the parties will be in place for the next sitting of Parliament ...

A further press release states that portfolio allocations have been determined. The release basically says that the manager of opposition business is the member for Kew, not the member for Kew and the member for Lowan. The press release goes on to say that there will be joint party meetings. Therefore the manager of opposition business should talk to the coalition — the opposition — but clearly there seems to be some difficulty there.

**Mr Batchelor** — We will teach you how to be in coalition.

**Mr LANGDON** — I take up the interjection that we will teach the opposition how to be in coalition. The dummy spit from The Nationals Whip was done with good intentions, but I will deal with him as The Nationals Whip and I will deal with the Opposition Whip — Liberals. I will let the Leader of the House deal with the manager of opposition business, and that is the way it should be.

#### House divided on motion:

##### *Ayes, 51*

Allan, Ms	Kosky, Ms
Andrews, Mr	Langdon, Mr
Barker, Ms	Lim, Mr
Batchelor, Mr	Lobato, Ms
Beattie, Ms	Lupton, Mr
Brooks, Mr	Maddigan, Mrs
Brumby, Mr	Marshall, Ms
Cameron, Mr	Merlino, Mr
Campbell, Ms	Morand, Ms
Carli, Mr	Munt, Ms
Crutchfield, Mr	Nardella, Mr
Donnellan, Mr	Neville, Ms
Duncan, Ms	Noonan, Mr
Eren, Mr	Overington, Ms
Foley, Mr	Pallas, Mr
Green, Ms	Pandazopoulos, Mr
Haermeyer, Mr	Perera, Mr
Hardman, Mr	Pike, Ms
Harkness, Dr	Richardson, Ms
Helper, Mr	Scott, Mr
Herbert, Mr	Seitz, Mr
Holding, Mr	Stensholt, Mr
Howard, Mr	Thomson, Ms
Hudson, Mr	Trezise, Mr
Hulls, Mr	Wynne, Mr
Ingram, Mr	

##### *Noes, 31*

Asher, Ms	Northe, Mr
Baillieu, Mr	O'Brien, Mr
Blackwood, Mr	Powell, Mrs

Burgess, Mr  
Clark, Mr  
Crisp, Mr  
Delahunty, Mr  
Dixon, Mr  
Fyffe, Mrs  
Hodgett, Mr  
Jasper, Mr  
Kotsiras, Mr  
McIntosh, Mr  
Morris, Mr  
Mulder, Mr  
Napthine, Dr

Ryan, Mr  
Smith, Mr K.  
Smith, Mr R.  
Sykes, Dr  
Thompson, Mr  
Tilley, Mr  
Victoria, Mrs  
Wakeling, Mr  
Walsh, Mr  
Weller, Mr  
Wells, Mr  
Wooldridge, Ms

#### Motion agreed to.

## MEMBERS STATEMENTS

### Mineral sands: Iluka Resources

**Mr BATCHELOR** (Minister for Energy and Resources) — I would like to welcome the commitment of Iluka Resources Ltd of \$209 million to a mineral sands project in the north-west of Victoria near Ouyen. Victoria has a large number of high-quality mineral sands deposits and it is great to see that industry is keen to develop them in a sustainable manner. Regional investment through sustainable development is a priority for the Brumby government and undoubtedly has many benefits for our regional communities, including employment, diversification of regional economies and the upgrading of regional services and infrastructure. This Iluka project is no exception.

This second stage of Iluka's operations in Victoria will see the employment of about 250 people in the construction phase and the provision of about 130 ongoing jobs during the operational phase. The project will have more benefits than just those to the people of Ouyen. It will have many flow-on benefits for regional Victoria, with raw products expected to be transported for processing at Iluka's mineral separation plant at Hamilton before being exported through the port of Portland. This is great news for regional Victoria. This project is subject to ongoing development approval, including a rigorous process of public consultation. Provided the project obtains the required approvals, construction is expected to commence in 2009. The Victorian earth resources industry is a vital part of our Victorian economy, contributing more than \$5 billion a year.

### Land tax: rates

**Mr WELLS** (Scoresby) — This statement condemns the Brumby government for totally misleading Victorians on the issue of land tax. The facts

are that land tax bills are set to soar again because the government has scrapped its 2006 promise to mum and dad investors that it would cap land tax. The Treasurer in another place recently boasted in the headline of a media release of 1 February that 'Victorians pay less land tax in 2008 following reforms'. This is simply not true. Victorians are being misled once again by an out-of-touch Labor government.

Only last December in its budget update the Brumby government stated that:

Based on recent strong growth in real estate prices, a revised forecast of the extent of the revaluation of site values as at 1 January 2008 has contributed to a further upward revision to land tax in 2008–09 and beyond ...

The facts are that the budget update revealed that land tax revenue is now expected to be \$880 million this financial year, compared to last May's state budget forecast of \$765 million — a 15.1 per cent increase in only seven months. Land tax has now increased by more than 114 per cent under Labor, soaring from \$411 million in 1999 to a forecast \$880 million in 2008. Victorian families are investing for their future but are being thwarted by the land tax.

### **East Meets West Lunar New Year festival**

**Ms THOMSON** (Footscray) — On the last weekend of January I had the pleasure of attending and participating in the east meets west festival, the 19th to be held in the central business district of Footscray. It was bigger and better than ever before, with more people attending, more stalls, more excitement, more entertainment and a wonderful street parade.

I would like to express my appreciation to Mr Binh Lee and the organising committee for the work they put into this year's festival and previous festivals. It was a sensational success for all who were involved and a great way for cultures to mix, for people to learn from the wonderful rich culture of the Vietnamese community, and for people of many cultures to see how well it is done in the western suburbs of Melbourne, with the festival uniting communities, and people sharing experiences and enjoying what was a wonderful day in wonderful weather, and the traders getting to show all that they can offer to the people of the west — and beyond, for those who crossed the Maribyrnong River to enjoy the festival's activities. There was lion dancing, martial arts, and food. There was a really festive atmosphere and activities went right through until 11 o'clock at night. Congratulations to all those involved in a successful festival.

### **Rail: Toolamba–Echuca line**

**Mr WELLER** (Rodney) — The receipt of correspondence from the Minister for Public Transport is cause for great celebration in my office. Normally a request for information will result in the arrival of a letter many months later, so any reply, particularly one that is relevant, is a rare event. For example, on 28 February last year I sought information from the minister on the restoration of train services on the Toolamba–Echuca line. Due to poor visibility at many of the crossings and the long absence of trains on that particular line, many of my constituents regarded the reopening of the line as the preamble to a serious accident.

On 11 October, some eight months later, the minister replied to my letter, with the somewhat ironic assurance that the government had placed a high priority on rail safety. She informed me that five level crossings on the Toolamba–Echuca line had been nominated for upgrade, but failed to mention the location of these crossings. This being a point of vital interest to my constituents, I made several phone calls and sent a number of emails over a period of several months, all of which were ignored. Finally I approached the minister in Parliament, and in January I received a reply. However, the minister again failed to mention the location of the level crossings, and the letter bore little relevance to my inquiries. I have written again to the minister urging her to make the locations known, but I am beginning to think the minister is probably too busy overseeing the shambles that is Connex to bother with rural train lines.

### **St James Uniting Church, Wattle Park: 60th anniversary**

**Mr STENSHOLT** (Burwood) — Today I would like to congratulate the congregation of St James Uniting Church, Wattle Park, on 60 years of worship as a community of faith. I was honoured to be invited to join with the congregation last Sunday to celebrate the milestone — a congregation which includes the Governor and his wife. We were welcomed by Don Walker, the congregation chairperson, and the minister, Reverend Denis Hawkey. Reverend Jason Kioa, the Uniting Church Moderator for Victoria and Tasmania, was guest of honour and preached the sermon on the special anniversary for the church.

We were provided with a splendid dinner followed by this special service. There were lots of photos around the wall to show the history over the last 60 years. Thanks go to the musicians, Mrs Belle Farmer and Vic Atkinson. Vic has been playing the organ there for

many years although in recent years he has not been able to do it on a regular basis. The church choir was also very good, as was the special Sudanese women's choir. There was also a special presentation on the journey of the church from the original Nissan hut, which was purchased by the Presbyterian Church, through to Staley Hall, which was named after the family who founded the church, to Forsythe Hall, which was named after the first minister, to the church, which was opened in 1964, and the move in 1977 from the Presbyterian Church to the Uniting Church of today.

St James has always been a central part of the Wattle Park and Box Hill South communities and remains so today, having provided marvellous support for Sudanese refugees and the wider community with its kindergarten. Congratulations once again from the Parliament of Victoria to St James Uniting Church on its anniversary.

### **Rail: Stony Point line**

**Mr BURGESS** (Hastings) — I again raise the matter of rail safety across the state for the attention of the Minister for Public Transport and the Premier. Yesterday yet another Victorian lost their life on a level crossing that did not have boom barrier protection. Today I call on the Minister for Public Transport to resign immediately. This situation is costing Victorians their lives and the minister has shown herself to be unable or unwilling to act with the urgency required.

My community is once again in mourning for a life cut tragically short by a collision on the Stony Point line. Kay Stanley was a vibrant, involved and caring member of the community, who taught kindergarten children as a profession and donated her spare time assisting the Pelican Theatre Company. Tragically, Kay was expecting a baby at the time of the accident, and her death has robbed Kay's fiancé, Brett, of the love of his life and their child. Kay's mother, Gwen Bates, travelled from England to say goodbye to her only daughter. I would like to extend, on behalf of myself and the community, heartfelt condolences to Gwen and Brett.

Mrs Bates has pledged to campaign for as long as it takes to ensure that boom barriers are installed on all crossings on the Stony Point line. She is working with the community, distributing petitions that call upon the Brumby government to install boom barriers on the remaining unprotected Stony Point line crossings. I tabled the first of these petitions today. Kay Stanley touched many within her community. Her life had real meaning; she will be forever missed and never forgotten. Mrs Bates has pleaded with the Premier to

meet with her face to face, and I urge him to answer her call with urgency.

### **Santa Maria College, Northcote: achievements**

**Ms RICHARDSON** (Northcote) — On 5 December last year I visited Santa Maria College in Northcote to present the Duke of Edinburgh awards bronze medallion to 190 year 9 students. Santa Maria College is a Catholic girls secondary school built on the tradition of the Sisters of the Good Samaritan. The college caters for 950 girls from 47 different language backgrounds, who come mostly from the northern suburbs of Melbourne. It has a long history of empowering young women and promoting social justice.

The girls participated in all four components of the award — service, skill, adventurous journey and physical recreation. Each activity ran for a minimum of three months and for at least 1 hour per week. Students pursued their new challenges in their own time, which was testament to their commitment to building a strong community spirit. I was impressed to hear that these young women undertook service in a variety of areas, including a women's refuge, the Open Mind Fiesta, Royal Children's Hospital fundraising, after-school care, and refugee support agencies. The achievement of the students in gaining this award is a credit to them and to Santa Maria College, which provides such an excellent foundation for young women in the north.

I also wish to bring to the house's attention, especially in light of the apology to indigenous Australians by our Prime Minister, an important work by young indigenous students at Santa Maria College. Emily Leon, Jade Coombe, Natika Cunningham, Nikita Tabuteau, Sammantha Mintem and Sarah Thorpe researched and wrote *An Indij Sport Report*, an excellent publication that arose from the indigenous readers program. It is an excellent publication, and given the strength of it, I feel sure these six indigenous authors will make many more significant contributions to our community in the future.

### **Firearms: licensing**

**Mr McINTOSH** (Kew) — I am very grateful to the members for Benambra and Benalla, who have brought to my attention the recent publication of a regulatory impact statement regarding amendments to the firearms regulations. Most particularly, the amendments proposed by this regulatory impact statement could see a sevenfold increase in the cost of many licences under the current statutory regime. Most particularly, firearm dealers could see their licence fees increase from a little

bit below \$1000 to \$7000 — a sevenfold increase. We all know this is brought about because the government wants to move to cost recovery, but if that is the case we must have the most antiquated, out-of-date and expensive licensing regime in this country. To compare it with New South Wales, the fee for a dealer's licence is a mere \$500; in Queensland it is \$143. The next most expensive licence fee after Victoria's is in South Australia, where it is still only \$1500, not the \$7000 that this government wants to take.

I am sure the Minister for Agriculture and the member for Ripon would understand, if you take the dealers out of small country communities, you impact upon the regime and certainly the social aspect that is one of the great enforcers, and it could see 60 per cent of dealers go.

### **Seymour District Memorial Hospital: maternity services**

**Mr HARDMAN** (Seymour) — I rise to congratulate the local Seymour doctors, staff, management and board of the Seymour District Memorial Hospital who have worked together to bring about the resumption of birthing services to support mothers and families in the Seymour district. It has not been an easy road for the many dedicated professionals, families and volunteers who give so much to ensure that Seymour District Memorial Hospital provides a full suite of services for the local community as well as for surrounding rural communities. To resume a safe and sustainable service the hospital required a work force of obstetricians, anaesthetists and midwives — people who are passionate about providing quality services for people in the local area. These people stayed around and helped to attract, recruit and be recruited. They have also maintained their qualifications during the period of suspension of services.

Being able to bring all this together speaks volumes for the dedication of the workforce and the dedication and support of the management, the volunteers and the Department of Human Services. On behalf of the local community, families and future mothers I thank those who have brought about this fantastic outcome for our community and I wish them well in continuing their important work into the future.

It was also a great pleasure to visit the hospital with the Minister for Health on Friday, 15 February, to announce \$45 000 of equipment funding for a neonatal resuscitator, a CTG, or cardiotocographic machine, and two sonicaid to ensure mothers and babies receive the

care they need and the nurses and doctors have modern equipment — —

**The ACTING SPEAKER (Mr K. Smith)** — Order! The member's time has expired.

### **Environment: container deposit scheme**

**Mr INGRAM** (Gippsland East) — Next Sunday is Clean Up Australia Day, and I, like many other members of this place, will be participating. This year, as in previous years, beverage containers will make up a large proportion of the rubbish that will be collected. Last year's rubbish report by the Clean Up Australia Day organisation indicated that:

Six of the top ten items were beverage containers and bottle caps, with plastic and glass bottles, bottle tops and cans accounting for 42.7 per cent of the top ten and 22 per cent of all rubbish found.

It is time that Australia had a container deposit legislation (CDL) scheme, and I draw members' attention to the *Community Litter Report* compiled by a community-based group which did surveys across South Australia and Victoria. It reports that 21.6 beverage containers per kilometre were found along Victorian roads, and in South Australia there were 7.3 containers per kilometre. A CDL scheme would be one way of removing our roadside litter. It would also be an important way of increasing recycling rates.

I give notice that I will be inviting all members in this place to stand on the front steps of Parliament with me at 12 o'clock on Tuesday of the next sitting week to support the introduction of a CDL scheme in Victoria.

**The ACTING SPEAKER (Mr K. Smith)** — Order! The member's time has expired.

### **Torquay and Jan Juc: surfboat crews**

**Mr CRUTCHFIELD** (South Barwon) — I have great pleasure in informing the house that the Torquay under 19 men's surfboat crew recently took out the prestigious Australian Surf Rowers League Australian Open at Stockton Beach, New South Wales. The Torquay crew is coached by sweep, Brett Mazouris, and comprises 16-year-old Jackson McCaffrey, 17-year-old Jackson Costa, 18-year-old Tas Cockerill and 18-year-old Zach Anderson. A majority of the boys have been together for four years, and the past 12 months, under the guidance of coach, Brett Mazouris, have seen a number of major milestones accomplished. They include a 2007 silver medal at the Victorian titles; the highest placed Victorian crew at the Australian titles; the highest placed Victorian crew at the Australian open last year; winning the age group final

at the Torquay carnival this year; and a number of other awards I do not have time to list.

To qualify for competition the crews must first spend at least 16 hours of patrol time on the beaches during each season. This is in addition to four nights per week training. That is a considerable sacrifice by these rowers at a crucial time in their teenage social lives. The boys have a strong commitment to each other, and they comprise their own patrol group when patrolling and supervising swimmers during the season.

I would also like to congratulate the Jan Juc open women's squad which finished second in the same event against more than 50 other crews. Over the years they have consistently been one of the strongest female crews in the country. These girls are the current Australian Surf Rowers League interstate champions. The crew has also just completed the Ocean Thunder series, in which they placed in three of the four finals and came third in the overall standings. The crew is undefeated in Victoria this season and is on track to take out the Victorian and hopefully Australian titles over the next few weeks. The team consists of Birte Knaus, Lara Jeffery and sisters Jessica and Emily Stirling. It is swept by Scott Tannahill. I wish both crews the best of luck at the Victorian titles.

### **Crime: minimum sentencing**

**Mr R. SMITH** (Warrandyte) — I wish to raise the issue of lenient sentencing in our state. I recently met with Annette van der Hoek, whose daughter Linda-Anne was callously murdered by her husband and left to be found by her children. Annette came to see me about tougher sentencing and remains a strong advocate for change. My meeting with Annette brought home to me the issue of lenient sentencing and what we as responsible legislators must do to ensure that our justice system remains in step with what the community expects of that system.

As it stands, maximum sentences are rarely given to violent offenders. The recent bashing of 75-year-old great-grandmother, Barbara Durea, and the sentence her attacker received — which many in the community perceived as a slap on the wrist — is exactly the kind of example that infuriates our community. The community continues to demand that heavier sentences be handed down to reflect the violence of crimes committed by the offender, a call recently taken up by the Director of Public Prosecutions, Jeremy Rapke.

Victorians seems to have been treated with some disdain by our judiciary when they have voiced their discontent with lenient sentencing. Victorians should

not be treated as though they do not have a clue about these matters, and their views should be respected and acted upon. It is remiss of this government not to effectively tackle the issue of lenient sentencing. Victorians need to be heard. I urge the Brumby government to finally listen to Victorians concerns and enter the debate regarding standard minimum sentencing in Victoria.

### **Moonee Valley: charity fundraising event**

**Mrs MADDIGAN** (Essendon) — Last Friday night I had the pleasure of attending a fundraising function at the Boathouse restaurant in Moonee Ponds. This was organised by the mayor of the City of Moonee Valley, Cr Paul Giuliano, to assist with the medical expenses for Trishna and Krishna, the conjoined twins from Bangladesh who are in Australia under the auspices of Moira Kelly. The mayor was very keen to make a contribution, and due to a great deal of community support, \$18 500 was raised from the function on the night.

The manager of the Boathouse restaurant, Gary Mehigan, was very helpful in making the restaurant available for the function. All of the food and wine was donated and raffle prizes and auction items were donated by members of the Moonee Valley community — it was a great community event. Part of the evening involved a demonstration of the cooking of the food that was served that night, and the chefs from the Press Club and from La Luna assisted on the evening. I know the Minister for Agriculture, who is at the table, was very sad that he did not get an opportunity to taste the beautiful food that was provided for us.

I congratulate the mayor and everyone involved in the fundraising exercise. It is good for local councils to occasionally look at other areas and take on causes that are important to them. It was a great night.

### **Police: Sandringham station**

**Mr THOMPSON** (Sandringham) — While I welcome the impending construction of a new Sandringham police station, I do have concerns regarding the breadth of consultation with the local community. In particular I quote a well-written series of comments by Yvonne James, a Sandringham resident. She notes:

Top of my list —

in relation to the new police station —

would be access and parking.

My access, as well as other homes, is from ... a narrow single-width lane which currently requires consideration and patience when householders want to travel to and from their garage.

My visitors take their chance for parking with customers to the library, Coles and the other shops and restaurants which abound in the area. Abbott Street is parked out all day, from early hours, up past Fernhill Road and along side streets such as Essex Street.

High-rise built in Waltham Street have added shops and residences but not sufficient parking spaces to deal with same.

If the police station does not include sufficient parking for all staff plus all expected clientele, then we locals will face even more traffic problems. Also, if the station's plans give access via Chamberlain Lane or Brooklyn Place, I will be greatly inconvenienced and, at age 80, I depend on easy access for my car.

The letter by Yvonne James is complemented by a number of other contributions from local residents, the majority of whom regard car-parking provision in the local Sandringham precinct as being of fundamental importance, with increased levels of patronage on the Sandringham train line, with the importance of car-parking access to local shops — —

**The ACTING SPEAKER (Mr K. Smith)** — Order! The member's time has expired.

### **Elizabeth Fitzgerald**

**Ms MUNT (Mordialloc)** — I was recently privileged to have Lizzie Fitzgerald from Melbourne University spend a few days with me, and she would like to say this to the Victorian Parliament:

My name is Elizabeth Fitzgerald. I'm currently studying arts and law, and I'm really excited to be here on work experience this week. Perhaps one of the most important things that the studies I have undertaken so far have taught me is that it's impossible to feel satisfied with how much you've learned. Quite often, all learning seems to do is open my eyes to how much more there is still to know. This is frustrating, because it means that my political beliefs are not yet fully developed, as I am loath to form conclusions based on incomplete evidence. By the same token, though, I suppose it is important, because it encourages caution in making judgements.

These very feelings of uncertainty do make me feel 'grounded', though, in at least one political belief: that education should be a governmental priority. If we cannot know anything for sure, we should strive to make the evidence on which we base our beliefs as thorough as possible. I feel that a proper investment in education yields long-term solutions to problems to which it is often tempting to apply 'bandaids'. Educated citizens can participate in democracy in the fullest sense and make for empowered and prosperous societies.

I figure that the only way to remedy the impossibility of really knowing anything is to have as many different experiences as

possible and to make them as diverse as possible. That is why I'm really glad to have the opportunity to spend these few days in Parliament — —

**The ACTING SPEAKER (Mr K. Smith)** — Order! The member's time has expired.

### **Traralgon bypass: route**

**Mr NORTHE (Morwell)** — I speak today on the Traralgon bypass saga which continues to disturb many in the Latrobe Valley. Despite an original proposed route W4B being agreed upon in 2004 and supported by the vast majority of the community, including key stakeholders such as the Department of Primary Industries, a supplementary inquiry was convened in 2006 at the request of DPI. The Traralgon bypass supplementary inquiry determined a new route which would effectively prohibit future residential development between Traralgon and Morwell, despite a lack of available land in the region and the fact that Traralgon is one of Victoria's fastest growing regional centres.

The panel's decision was adopted by this government, much to the chagrin of those who had invested considerable sums of money and resources into the inquiry process. The government, in its wisdom, applied a buffer zone 400 metres to the south and 600 metres to the north from the centre of the new proposed bypass route. By applying the northern buffer zone the government has now impinged upon land earmarked for future residential development as well as on a number of important local businesses. Some of the affected businesses include National Foods, the Century Inn motel, the Tandara caravan park, the Village caravan park, various car yards and, most unbelievably of all, Latrobe Regional Airport and Latrobe Regional Hospital. These businesses, along with local developers and Latrobe City Council, are once again faced with the prospect of an uncertain future. The ineptitude of the Minister for Planning and the Brumby government throughout this whole sorry saga has been nothing short of appalling, and one can only hope that eventually common sense will prevail.

### **Chisholm Institute of TAFE, Frankston: funding**

**Dr HARKNESS (Frankston)** — Students in Frankston were delighted to hear about a recent funding announcement by the state government for Chisholm Institute's Frankston campus. In a major funding boost, the campus will receive \$405 000 to upgrade a range of facilities. It is particularly pleasing to see this money going into energy-saving renovations. The upgrades will help to reduce the carbon footprint of Chisholm's

Frankston campus, which is an important issue for many staff and students at Chisholm and in the broader Frankston community.

I congratulate the Minister for Skills and Workforce Participation on her commitment to vocational training in Frankston and across Victoria. By investing more than \$1.1 billion in vocational education since 1999 the state government is doing its part to expand the capacity of Australia's economy — a crucial step in the fight against inflation. I encourage the minister to keep skills training in Frankston a top priority.

### **Federal member for Dunkley: performance**

**Dr HARKNESS** — Unfortunately, not everyone shows the same level of genuine commitment to residents in Frankston. The federal Liberal member for Dunkley demonstrated this in a puzzling speech to the House of Representatives on Friday. The member for Dunkley seems to have a highly selective memory when he talks nostalgically about the final days of the Howard government. While he asserts that his election campaign focused on local issues, Frankston residents know that the reality was different.

The truth is that Frankston residents were bombarded almost daily with mountains of misleading propaganda defending WorkChoices. While it might be politically convenient for the member for Dunkley to try to rewrite history, Frankston residents know that the Liberal Party ran a defensive, expensive fear-mongering election campaign.

### **Hospitals: waiting lists**

**Mrs VICTORIA** (Bayswater) — How timely that Victorians were today made aware of the waiting list crisis in our hospitals. Members of the coalition have been screaming this point from the rooftops for several years. Finally the public might start realising that the Brumby Labor government has been dudding them and pulling the wool over their eyes for far too long. Why are there thousands upon thousands of people living with excruciating pain on a daily basis? The state's surplus is around \$800 million, but still the waiting lists grow.

Take 45-year-old Ross, for example, who wrote to me explaining that he requires two knee replacements and major back surgery, and that he suffers from life-threatening pancreatitis. The hospital will not do his knees until he is 50 and it will not do his back operation until after his knees are done, and as a result this young man is on six to eight Valium tablets per day to control the back spasms. If he walks too much his knees

dislocate, then he endures the pain of having to 'put them back in'. It is not his fault that a car accident 20 years ago left him in this condition.

As for his pancreatitis, it is severe enough that he has been admitted to hospital on two occasions, including to the intensive care unit. He often takes four to five doses of morphine a day. When it flares up, the ambulance officers believe he is ill enough to be taken to the local emergency department, but he is often told there are no beds available. The Brumby Labor government needs to stop covering up its secret waiting lists and start providing Victorians with the services their increased taxes are capable of paying for.

### **Aboriginals: federal government apology**

**Ms CAMPBELL** (Pascoe Vale) — On occasions parliaments and political leaders understand basic human decency and act to right a grave wrong perpetrated by past legislation, regulation and departmental practice. On even rarer occasions parliaments say sorry for past errors. Since the Victorian Parliament last met, Australia's Prime Minister, Kevin Rudd, gave an apology to Australia's indigenous people. It was a moment of which many of us were particularly proud. Prime Minister Rudd recognised that most basic instinct of what is right and wrong when he said, 'Decency, human decency, universal human decency' requires that we 'right an historical wrong'.

We learnt in the Prime Minister's statement that from 1910 to 1970 between 10 per cent and 30 per cent of indigenous children were taken from their mothers and fathers and that up to 50 000 children were forcibly taken. He said:

... this was the product of the deliberate, calculated policies of the state as reflected in the explicit powers given to them under statute ...

The laws that our parliaments enacted made the stolen generations possible. We have to be mindful that we do not do the same in the future. We have to be mindful of 13 February and that we should not have to say 'Sorry' on another occasion in the future.

### **Cr Peter Stephenson**

**Mr SCOTT** (Preston) — I draw to the attention of the house the good work in the community of the current mayor of the City of Darebin, Cr Peter Stephenson. He has served the community of Spring ward since his election in 1998. He is a former youth worker who also served the Australian community as a member of the army. He is committed to good,

systematic public policy, particularly in the fields of youth services and housing. He has played a critical role in ensuring innovative housing solutions for low-income earners in the Darebin community. He is a proud member of the Australian Labor Party and a proud trade unionist, working as a trainer in the Health Services Union, which is a great union representing health workers.

He is a Reservoir boy through and through. He lived locally in his childhood and returned in adult life to live in the area with his wife, Terrie, and son, Jack. Peter is one of those people who gives to community life not just in his actions representing constituents but also in the development of good public policy. I commend Peter's work and am proud to draw it to the attention of this house.

### Government: performance

**Mr KOTSIRAS** (Bulleen) — I rise to condemn this lazy, incompetent Labor government for ignoring the wishes of the ethnic communities of Victoria. It promised — —

**The ACTING SPEAKER (Mr K. Smith)** — Order! The time for members statements has concluded.

## CLASSIFICATION (PUBLICATIONS, FILMS AND COMPUTER GAMES) (ENFORCEMENT) AMENDMENT BILL

### *Second reading*

#### Debate resumed from 22 November 2007; motion of Mr HULLS (Attorney-General).

**Mr CLARK** (Box Hill) — The Classification (Publications, Films and Computer Games) (Enforcement) Amendment Bill makes a series of amendments to administrative arrangements consequential on the commonwealth's Classification (Publications, Films and Computer Games) Amendment Act 2007. This amendment act was passed by the commonwealth Parliament during its last term, under the Howard government. In the words of the Attorney-General in his second-reading speech:

These amendments were agreed to by censorship ministers through the Standing Committee of Attorneys-General (censorship) forum.

The amendments are quite straightforward. The first set of amendments clarifies that additions to already classified films of descriptions or translations such as

subtitling or captioning are not to be considered modifications requiring reclassification. The second area of amendment allows authorised industry assessors to make classification recommendations to the Classification Board about films containing additional content such as subtitling. The third area of amendment confers responsibility for determining classification markings and the manner of their display on the commonwealth minister after consultation with participating ministers — that is, ministers of states and territories. In order to give effect to these three broad heads of amendment the bill also contains a series of consequential and mechanical amendments. As I said, the provisions of the bill itself are straightforward. The opposition has received no feedback raising any concerns about them, and they have our support.

The significant issue about this bill is not so much what is in it as what is not in it. The issue of the classification of material and, even more importantly, the enforcement of the classification laws in this state is one that has justifiably received some public attention in recent times. I refer in particular to an article that was published in the *Sunday Age* of 17 February at page 20 entitled 'The X files'. This article confirms what has become apparent through feedback from other sources — namely, that there is a proliferation of illegal material throughout Victoria and that little is being done to tackle that proliferation. The article says:

Victorian laws ban the sale of films that are X-rated, unclassified or have been refused classification because they feature images showing sexual violence, the offensive or demeaning treatment of women, or child pornography. What, then, do the stocked shelves of our adult stores say about the state of those laws?

As the *Sunday Age* discovered, adult stores openly flout prohibitions against the sale of X-rated or unclassified films with seemingly no fear of reproach. Rows of such DVDs are displayed brazenly on the shelves ...

At best, the law appears ineffectual — at worst, unworkable. Victoria Police have the power to enter and search adult stores and to seize any illegal material, but police sources complain such prosecutions are typically time consuming, protracted and ultimately unsuccessful.

On the record, Victoria Police will only say there is no evidence of an increase in the illegal trade of X-rated or unclassified films, or films that have been refused classification.

Our investigation suggests the contrary is true.

Elsewhere in the article the journalist gives numerous examples of material that the *Sunday Age* was able to obtain from visiting various stores around Victoria.

Later on in the article the author says:

In 2003–04, Victoria Police recorded 152 offences for breaches of the classification law and arrested, charged or cautioned 64 people. Between 2006–07 —

and I interpolate that I think the text should say ‘by 2006–07’ —

those figures had plummeted to only 14 recorded offences and 12 people. Indeed, a Club X employee in Melbourne, who asked not to be named, told the *Sunday Age* his store had not been raided by police since 1991.

Later on there are some further remarks which in some sense are the most disturbing of all insofar as they reflect on some of the thinking of senior legal and possibly government figures in our state. The article states:

Professor Neil Rees, chairman of the Victorian Law Reform Commission, instead compares the ban on the sale of X-rated films with previously stringent laws against any use of so-called soft drugs.

Quoting him directly the article states:

A generation ago, the laws relating to marijuana were quite draconian and for some time huge efforts were not made to enforce those laws because community attitudes were in the process of changing ...

It is not unusual for there to be a gap between the law as written on the books and what actually happens in practice, and that may result from changing community attitudes and the government deciding that the best approach is to sit quietly and do nothing until community attitudes evolve to a point where there might be support for some significant change in the law.

That final quote in particular is most concerning, not only in terms of the attitudes espoused by the chairman of the Victorian Law Reform Commission himself but also in what he suggests may be the attitude within government to the proliferation of this material. To be fair to Professor Rees, and of course we are assuming he has been accurately quoted, his remarks related only to X-rated material and not material that has been refused classification or unclassified material. However, if his remarks can be taken in one context, they can also be taken in the broader context.

What he seems to be saying is, ‘The law ought to be changed, we know better than the community or the Parliament that the law ought to be changed and we are supporting a policy of the police and others, including the government, doing nothing to uphold the law and allowing the proliferation of this material throughout Victoria’. As I quoted, he referred particularly to the proposition of the government deciding that the best approach is to sit quietly and do nothing. I think government speakers in this debate need to make clear

to the house whether in fact it is government policy to sit quietly and do nothing about the proliferation of this material around Victoria.

I need hardly say to the house that much of this material, almost by definition, is material that consists of actual or simulated violence against women and actual or simulated abuse of children. It is material which has either been refused classification by our national censorship authorities because of those factors or which were it to be submitted would be refused classification. It should not be the policy of the government of this state, and hopefully it is not, to, as the professor says, sit quietly and do nothing about such material.

It certainly should not be for the government to say that because it has passed the laws, it is in the hands of the police and they have to set their priorities, and that it has nothing to do with the government. That answer would be completely unacceptable, because ultimately the enforcement regime and mechanism that is applied is a matter for the government. The Parliament determines the law that should be applied. If the government believes that the law should be changed, let it bring legislation to the Parliament to propose changes to the law. Let it not change the law by stealth and inaction.

It is perhaps particularly revealing and disturbing that Professor Rees drew an analogy with marijuana to justify the approach he seems to be advocating. As our colleague the member for Doncaster, alongside many others over recent years, has been pointing out, the effects of marijuana in terms of triggering mental illness and other very serious complications are increasingly coming to be appreciated. So if the lesson of the metaphor or analogy that Professor Rees uses of marijuana is to be followed, it should be giving us even greater warning that the approach of going quiet and doing nothing about material that encourages and depicts violence against women or abuse of children should not be condoned or tolerated.

I hardly need to remind the house that Victoria continues to have a very serious if not increasing social problem with violence against women and abuse of children. It is something that the government has recognised on the record, has promised to do something about and has been incredibly tardy in doing many things about. We are still awaiting legislation that was the subject of a detailed report to the government by the Law Reform Commission many years ago and which the Attorney-General promised to act upon in terms of measures that would intervene to provide greater protection, particularly for women and children in

circumstances of family violence. There is every good ground to think that the sort of material that I am referring to simply exacerbates and adds to those social problems, and that indeed is one of the very compelling reasons why as a community we have determined to have laws that ban those sorts of materials.

Action needs to be taken on these matters. Action could well have been included in the bill that is before the house. Some of the action that we need to be contemplating in order to tackle this problem includes considering whether there needs to be any change to the specification of offences in terms of how they are defined or are to be evidenced in the courts. This is to overcome some of the problems that the *Sunday Age* quoted police sources as referring to regarding prosecutions being time consuming and protracted. To be fair, this is an issue that goes back some time, but if the evidence is that the police are finding it increasingly difficult to operate under existing laws that is something we need to be looking at changing to make their enforcement more effective.

We also need to look at the issue of who is doing the enforcement. Our police force is certainly very stretched for resources at the moment, as is evidenced by the struggles that police are having in coping with the wave of street violence to which this state is subject. The police certainly have to set priorities, but if police priorities and resources are proving inadequate to extend to enforcement of laws prohibiting this material which are strongly supported across the community, then we need to look at other ways of achieving effective enforcement. For example, we should consider whether a greater range of responsibilities in this area should be vested in consumer affairs or a similar inspectorate.

The consumer affairs inspectorate has its own shortcomings, as my colleague the member for Malvern, amongst others, can bear evidence to. However, it may be that its skill set, based on its ability to police other forms of consumer products, may be more effective in tackling the proliferation of illegal material across Victoria. The ultimate question is not who does the enforcement but how effective the enforcement is. If vesting powers in an inspectorate such as the consumer affairs inspectorate can assist that process, that is something that ought to be contemplated.

These are the serious issues that are confronting the state in relation to this illegal material that are not being effectively dealt with at present. These are the sorts of measures that we would have expected to see in the bill currently before the house, but regrettably those

measures are not in the bill. As for the very limited measures — mechanical and administrative — that are in the bill, they in themselves are worthwhile and have our support, but there is a lot that should have been in this bill that is not.

**Mr HUDSON** (Bentleigh) — It is a pleasure to speak on the Classification (Publications, Films and Computer Games) (Enforcement) Bill. I think most members of the house would know that you cannot have an effective national classification scheme for publications, films, videos, DVDs and computer games without cooperation between the commonwealth and the states — that is, a national scheme requires cooperation between the commonwealth government and the state governments. Under the national classification scheme, commonwealth legislation establishes the Classification Board and the Classification Review Board. Together these two bodies provide the classifications, ratings and information to consumers on material which is available to members of the public for their consumption.

I want to emphasise that a national cooperative scheme requires a cooperative approach. It is of concern that in recent years there was a departure from that by the former Howard government. It completely subverted the proper consultation process, for example, for appointing the director of the Classification Board. What we saw last year was the then Attorney-General, Philip Ruddock, unilaterally appointing one of the government's well-known mates, the former Prime Minister's friend Donald McDonald, as the director of the Classification Board. Previously all those appointments had been approved by the Standing Committee of Attorneys-General. There was agreement that there should be consultation and agreement amongst those ministers. Unfortunately, that was not followed in that case, and Mr McDonald has been appointed until 2011. I hope and anticipate that the new Rudd government will return to that cooperative approach when that position next comes up for appointment.

Likewise we saw last year the Office of Film and Literature Classification folded into the commonwealth Attorney-General's Department. Again, that was a unilateral decision made by then Attorney-General Ruddock. At the time the Victorian Attorney-General, Minister Hulls, expressed concern about that because, by abolishing the Office of Film and Literature Classification, what Minister Ruddock was effectively doing was folding the policy and administrative functions of that office into the federal Attorney-General's Department. That creates the

concern that functions of that office that were previously exercised independently are not seen to be sufficiently independent of and at arm's length from the government of the day.

Clearly, the commonwealth has legislative power in this area of film and literature classification. The commonwealth Classification (Publications, Films and Computer Games) Amendment Act made amendments to the commonwealth act to give effect to the commonwealth's unilateral decision to abolish the office and, as a consequence of that, we as a state government, in order to maintain a nationally consistent scheme, are introducing these amendments to give effect to that and other aspects of the commonwealth changes.

Other commonwealth amendments that were made at the time basically streamlined the processes to make it easier for industry to release material that has already been classified but has undergone some modification. For example, you might have a film that has been classified as being suitable for release to the public, and it subsequently — as it does these days in a very short period of time — goes to DVD, and there may be some major modifications made to that video or DVD which would include captioning to give assistance to the people who might have problems with hearing or language, or there may be subtitling, or indeed there might be the introduction of a navigational aid into the DVD which allows people to move through it into various episodes or other aspects of that film. The legislation says that basically that film is essentially the same as the material that was classified originally and that it does not have to be classified again. That is of huge assistance to the Australian and indeed the Victorian film industries, because now of course there is a much shortened period of time between when a film is released and has a short run in the cinema and when it is subsequently released on DVD, and that may well be the time when some of these small filmmakers will be seeking to recoup the investment they made in the film, and they will be able to do that without having to experience the regulatory burden of having that film reclassified just because there has been a small modification made to it.

Secondly, the commonwealth legislation conferred responsibility for determining the classification markings and the manner of display of those markings in the film or other product on the commonwealth minister after consultation with participating ministers. Again this reinforces the fact that this should be a cooperative approach and not a unilateral approach, as was used by Attorney-General Ruddock.

This power was previously conferred on the director of the Classification Board who could determine where that classification mark was put in the film and the nature of the marking contained in the film itself. The commonwealth amendments also make it clear that the Classification Review Board is independent of the Classification Board, and what our bill does is implement the amendments to our classification enforcement act that are consequentially necessary to streamline those processes for the release of a product such as a DVD where there have been only minor modifications. This will obviously be of substantial benefit to the film industry. What the commonwealth and state legislation does, however, is ensure that there are still adequate safeguards in place for consumers of that film product they are purchasing by informing them about their choices and making sure that they are aware of the classification whilst allowing more of that product to be released.

The member for Box Hill raised the issue of unclassified material and said that there is far too much unclassified material out there available on the black market, in adult book shops and at trash-and-treasure markets, and he talked about the availability of this material, particularly material that depicts violence against women and children. I think every member of this house would express abhorrence at that, and it is quite clear that in amendments we passed here in 2005 we made it much easier for law enforcement agencies to obtain evidentiary certificates that would allow the prosecution of those who are distributing and selling unclassified material. So in fact we have initiated legislation in this house that makes it easier for law enforcement agencies to actually bring prosecutions against those who are distributing such material.

I notice that the member for Box Hill, whilst complaining about the law, has not proposed any amendments to this bill to strengthen the legislation to deal with unclassified material, and that is because the law is robust and adequate to mount prosecutions against those distributing unclassified material. Indeed this government has made additional resources available to operational police to allow them to seize such material and to mount appropriate prosecutions. We have not cut the number of police, as the last government did; we have actually added to the number of police so that they can enforce the law in this area. As to the question of the deployment of those police to enforce the law in this area, that is an operational matter for the Chief Commissioner of Police. We do not direct the Chief Commissioner of Police as to how she should use the resources at her disposal to enforce the law. We do not tell her how to go about enforcing the law, but I think members of this house can be confident that the

law is very clear on the issue of unclassified material and that it is very strong. There are no weaknesses in the law, and that is precisely why the member for Box Hill moved no amendments. I commend this bill to the house.

**Mrs POWELL** (Shepparton) — I am pleased to speak on the Classification (Publications, Films and Computer Games) (Enforcement) Amendment Bill 2007 and to say that The Nationals will support this legislation. We would support any bill that improves the operation of the national classification scheme and also responds to the technological environment and the advances that are happening at the moment. These advances include things like computer games, computer sites, videos and video games. The bill implements consequential amendments to Victoria's principal act, and this is as a result of changes in requirements in the commonwealth act which were brought about, as other speakers have said, under former Prime Minister John Howard's government.

The amendments are to provide separate statutory powers to the convenor of the review board to manage the administration functions of the review board independently of the board. They also give new powers to the convenor for matters associated with the review board, which also include obtaining copies of material that can be reviewed. The board considers applications for waiver of fees and issues classification certificates. The amendments also confer on the commonwealth minister, after consultation with participating ministers, responsibility for determining classification markings and the manner of display, so they clearly talk about the responsibility of the commonwealth minister. The bill clarifies that additions to already classified films of descriptions or translations such as subtitling or captioning are not considered a modification requiring reclassification.

The member for Box Hill talked about the law not being adequate for enforcement under this legislation, and I totally agree. The member for Bentleigh said that there are enough police whose job it is to go out there and enforce the law relating to material that may not be appropriate. We have been told today and over the course of the last few days — and we have seen it in the media — about the lack of police numbers, and in fact former Assistant Commissioner Noel Ashby has been saying that the violence on the streets has become quite appalling. I think that what we want is for our police to be out there on the streets rather than trying to dilute their services by having to go into adult bookshops to make sure that they are complying with the law.

There is confusion out there about who is supposed to be monitoring these illegal products and who is supposed to be prosecuting. Obviously the courts prosecute, but whose job is it to go into adult bookshops or other organisations to make sure they do not have at point of sale X-rated or unclassified material or indeed material that is refused classification? When I talk to the councils, they say it is not their job to go around to those adult bookshops and to monitor those materials and confiscate them. The police believe it is not their job to do that, and when Consumer Affairs Victoria is asked, it says it believes it is also not its job to do that.

This bill is actually a bit silent on that and on how the government is going to make sure that it promotes who is supposed to monitor these sorts of premises that are selling such products. Whether they be videos, whether they be books or whether they be sex aids, where you have to have a permit to sell sex aids, there is nobody who goes into these shops to ensure they have appropriate permits.

**Ms Duncan** interjected.

**Mrs POWELL** — I will ignore the interjections, because I could get into trouble.

At the moment there are a number of places that are obviously selling inappropriate products, but there is nobody monitoring them and they have been allowed to open. In fact when we were looking at adult book shops in Shepparton, one such bookshop said that it had been operating for about 15 years and that nobody had visited to enforce the law or to see what it has on its shelves. When a number of people went into shops around the state it was found that there were products being sold that obviously should not be on the shelves. There is confusion and there needs to be some clarification.

My understanding is — I can be corrected, and I will be happy for a government member to correct me — that there has been no prosecution of anybody having this sort of material. When you talk to the police they say the reason is that they are so busy they investigate only if a complaint is made. The police will act on a complaint, but at the end of the day this material is obviously out there and it should not be. It should not be on sale in Victoria.

We have to make sure there are people monitoring these book stores and sex shops to make sure that people do not have access to or are able to view illegal videos and so forth. Impressionable young people should not be able to go into these places to pick up the

sort of material that we are talking about, which is material that could contain depictions of violence against women or children or pornographic material using children. This is the sort of stuff we do not want people viewing.

I was a member of the Family and Community Development Committee a number of years ago. One of our inquiries was into the effects of television and multimedia on families and children in Victoria. We looked at the issue of copycat crimes, including strong, violent crimes against women and children, and paedophilia. The evidence from Victoria Police was that people who commit violent crimes have usually viewed a video, seen a film or read an article containing certain material, and the issue was that viewing such material desensitises the viewer and affects their behaviour. We really need to make sure that if we are fair dinkum about limiting access to those sorts of videos and books, we have laws in place to ensure the removal of that sort of material from the shelves or from sale. The police also told us that paedophiles usually have pornographic material in their homes when their homes are searched. We are told there is a link between paedophilia and pornography. If we are really fair dinkum about laws in this state we should make sure that those sorts of books and videos are not available to people who may want to commit those sorts of crimes. We need to make sure that the sale of unlawful material is stamped out.

We urge the government to clarify whose responsibility it is to monitor this material and enforce the law. I know that some government member will stand up and tell me who it is, but when you read some of the newspaper articles I have read, you find there is confusion about it in the community. Is it Consumer Affairs Victoria, is it the police or is it the local council? Sometimes local councils give permits for premises to be opened and put conditions on those premises. Is it up to those councils to go along monthly or yearly and monitor those sorts of premises to make sure they are complying with the law of the land? In Victoria we have strong laws against being able to access illegal material. Again I urge the government to clarify the responsibility, but I say that this legislation is a step in the right direction.

**Mr SCOTT** (Preston) — I rise to support the Classification (Publications, Films and Computer Games) (Enforcement) Amendment Bill 2007. This is important legislation, as previous speakers have outlined. It has been generated as a result of commonwealth amendments to the Classification (Publications, Films and Computer Games)

Amendment Act 2007 in the commonwealth Parliament.

Any bill that deals with the classification of publications, film and other material, even DVDs and computer games, is an important bill that we should consider carefully, because such bills, in effect, limit freedom of expression. I do not shy away from that because I do not think there should be freedom of expression to, say, produce child pornography, sexually violent material, snuff films or many of the other things that are refused classification in Australia. I hope those are abhorrent not just to government members but to all members of this house. Freedom of expression is not absolute. There are things which as a state and a community we say are not protected by the right to free expression, such as political freedom of speech and other activities, or artistic expression. There are limits that a Parliament like this, or the commonwealth Parliament, will place on freedom of expression. It is important when dealing with this sort of bill to acknowledge by passing it we are limiting freedom of expression. But it is a freedom which should not and cannot be absolute. I will not shy away in this contribution from dealing with that limit to freedom of expression. It is something I am quite comfortable with, and this bill deals with it sensibly.

The member for Box Hill touched upon the issue of material which is unclassified. I reiterate from a government perspective that there is an absolute abhorrence of the sort of unclassified material which the member was highlighting. In no way or in any sense would government members want to lessen the regulation of such material or make it available to the community.

As I stated earlier, the bill has been generated as a result of commonwealth legislation. It really stems from a cooperative arrangement between the federal government and the states and territories under which the federal government is responsible for the Classification Board and the Classification Review Board, and for the classification ratings for certain publications and films including videos, DVDs and computer games, and the states and territories are responsible for enforcement. Therefore when a commonwealth act is passed there is a need for the states to also pass legislation, and that is the reason for this bill.

There is one aspect of the bill I would like to touch on, and I know other speakers have already touched on the various components of the act. There is an issue around the captioning and subtitling of films, particularly DVDs. There can even be subtitling on computer

games and other materials, it is not just on DVDs. That is an important aspect of this legislation, because there has been a significant change to the way in which information is communicated in DVDs and films.

We have to stop thinking about a film as a single entity or just as a video display. Often data files are attached which convey other languages. You can watch a film in Spanish or Chinese instead of English because someone has dubbed it. There are a range of ways in which material is provided in digital format. It is simply a collection of ones and zeros rather than an analogue tape to be played on, say, a video cassette recorder. It means we have to change how we regulate things. I have to say that this is a sensible step to ensure that while such material is still regulated the regulation is not onerous and does not impose, in effect, penalties and hurdles to jump over which are completely unnecessary and which provide an impost on the Australian entertainment industry.

This is a sensible balancing act which provides, in a sense, a streamlining of regulation without removing the core regulation of entertainment material. I feel quite happy in supporting the bill. I am pleased it has been brought before the house, because in a way I think it reaffirms the determination of parliaments like this one to maintain control over what is abhorrent material which we would not want in the broader community. I think the ratings system also provides a very important tool for parents in controlling what material is shown in a household and providing some sort of guidance to children.

I am sure this will not be the last bill that ever comes before this house in regard to classifications. The sort of changes in DVDs that I was outlining are really the tip of the iceberg — and I am sure there will be further changes to the way material is delivered to people which will pose significant challenges. For instance, material is coming in from overseas. It is accessible on the internet in the form of downloadable movies from overseas locations and other material which in the future will pose significant challenges to the classification system and will require further legislation. This is a work in progress. I think this is a very significant and sensible addition to the previous regulatory regime. I commend the bill to the house. I am pleased to note that the opposition parties support the bill. I hope all members support this sensible piece of legislation, which addresses a number of issues regarding the classification of entertainment material.

**Mr WAKELING** (Ferntree Gully) — It gives me pleasure to rise to make a brief contribution to the Classification (Publications, Films and Computer

Games) (Enforcement) Amendment Bill of 2007. The purpose of the bill is to provide amendments to the administrative arrangements which are consequential on the commonwealth government's recent amendment bill in 2007 in regard to this area. As has been said by the member for Box Hill, members on this side of the house will be supporting this bill because it seeks to introduce important amendments to the current legislation which are consistent with amendments that have been introduced nationally. I am pleased to see that all parties will be supporting the bill.

In short the bill seeks to make a number of amendments. These include clarifying that additions of descriptions or translations such as subtitling or captioning to already classified films are not considered to be modifications requiring reclassification. As the member for Preston, who spoke just before me, pointed out, we are now in a digital age with the advent of DVDs replacing traditional videos. Many people are utilising DVDs, which enable a range of different actions, such as being able to watch a film in another language. It is imperative that we do not have to reclassify films as a consequence of modern developments, so certainly we support that. Another amendment seeks to allow authorised industry assessors to make classification recommendations and give consumer advice about films containing additional content. The amendments will also confer responsibility for determining classification markings and the manner of display on the commonwealth minister after consultation with participating ministers.

They are all good amendments, and we support them. I suppose the concern we have on this side of the house is not about what is in the legislation but, more importantly, what is not in it. As was pointed out by others on this side of the house but obviously not picked up by those opposite, more work needs to be done by this government with respect to the proliferation of unclassified, refused classification and X-rated material that is currently abundant throughout Victoria.

I have only to refer to an article by Peter Munro in the *Sunday Age* of 17 February. Peter sought to investigate a number of adult bookshops throughout Melbourne to see exactly what type of material that falls within that category is available. We are talking about material which includes violence against women and children and which would certainly be abhorrent to most people in our community. As a consequence, having made investigations, he said:

Victorian laws ban the sale of films that are X-rated, unclassified or have been refused classification because they

feature images showing sexual violence, the offensive or demeaning treatment of women, or child pornography. What, then, do the stocked shelves of our adult stores say about the state of those laws?

As the *Sunday Age* discovered, adult stores openly flout prohibitions against the sale of X-rated or unclassified films with seemingly no fear of reproach. Rows of such DVDs are displayed brazenly on the shelves ...

The article goes on to say:

At best, the law appears ineffectual — at worst, unworkable. Victoria Police have the power to enter and search adult stores and to seize any illegal material, but police sources complain such prosecutions are typically time-consuming, protracted and ultimately unsuccessful.

On the record, Victoria Police will only say there is no evidence of an increase in the illegal trade of X-rated or unclassified films, or films that have been refused classification.

The article concludes:

Our investigation suggests the contrary is true.

They are not the words of the Liberal Party or the words of The Nationals. They are words from a *Sunday Age* article. It behoves this government and the Attorney-General to sit down, look at this issue and take it seriously to ensure that, firstly, there is enough power in current legislation to deal with this issue, and secondly and more importantly, to ensure that the system allows for police to not only go out and investigate those matters but to feel that if they seek to take a prosecution, it will get somewhere through the system. The article effectively tells us that those in the police force are saying off the record, 'We can go out and investigate these matters but nothing is going to come of it, so why bother?'. I am sure all of us in this house would be of the view that that is highly inappropriate. Our police force needs to ensure that the laws that are currently in place are up to date and are of a standard which is appropriate, but more importantly that our court system allows for it.

I also ask whether current police levels are adequate to deal with this issue. Those opposite have been banging on for months about police resources being adequate in this state, but one had only to listen to the comments of Mr Noel Ashby, who is a former assistant police commissioner and who is obviously not a member of the Liberal Party, when interestingly he talked about the level of reduction in police numbers in the transit area. Assistant Commissioner Simon Overland said on radio that Mr Ashby was wrong because the reduction figures he was talking about were wrong.

He did not say that figures for police in the transit area had gone up — he actually said they had gone down —

but I appreciate that that is an issue that the government will need to deal with. All I can say with respect to issues affecting the operation of police is that it behoves this government to ensure that police in this state are provided with adequate resources so that they can go out and investigate these matters and feel as though they can prosecute a claim and seek an adequate outcome from any such prosecution.

This article in the *Sunday Age* tells us a very different story, and I can only hope that the government will listen and will go away and have the system changed to ensure that this material, which members on all sides of the house have indicated is not appropriate to be sold in the community, is not sold. Unclassified, refused-classification, or X-rated material featuring violence against women and against children is deemed to be inappropriate. It is imperative that this government gets on top of this issue and ensures that appropriate work is put in place to fix it.

**Ms DUNCAN** (Macedon) — I am pleased to rise to speak in support of the Classification (Publications, Films and Computer Games) (Enforcement) Amendment Bill 2007. Currently it is the role of the states to enforce classification decisions by the Classification Board and the Classification Review Board. This bill makes consequential amendments to Victoria's act to ensure our enforcement provisions are consistent with recent amendments to the commonwealth act — and members have heard a little bit about what those amendments have been. The amendments were agreed to by the censorship ministers through the SCAG (Standing Committee of Attorneys-General) censorship forum.

This bill does a number of things. It clarifies that additions such as subtitling or captioning to films already classified do not mean that films need to be reclassified. It allows authorised industry assessors to make recommendations and give consumer advice to the Classification Board about films containing additional content, such as subtitling. It also confers on the commonwealth minister responsibility for determining classification markings and the way they are displayed after consultation with participating state ministers. The amendments in this bill also ensure that Victoria's act is consistent with the commonwealth act. The bill also inserts a number of provisions, including a new section 5A that provides that a film that is contained on one device and consists of only two or more classified films is to be treated as if each film is contained on a separate device. It amends provisions which require a film to be exhibited in a public place and to be sold under the same title as the title under which it was classified without modification. This

makes the relevant offences consistent with the new provisions in the commonwealth act. It makes technical amendments to ensure that the requirement for the display of determined markings and consumer advice for classified films, publications and computer games are consistent with the commonwealth act. It also makes amendments which ensure consistency following the commonwealth decision to abolish the Office of Film and Literature Classification.

The focus of this bill is to make sure that we continue to improve the operation of the national classification scheme and also to acknowledge and respond to the changing technological environment in which we find ourselves — surrounded by DVDs, the internet and all the other forms of media such that we are under constant bombardment, if I might say, by technical information in differing forms and manners. I am still back in the old school of not going much past watching a VHS and seeing a movie at the pictures.

**An honourable member** interjected.

**Ms DUNCAN** — Yes, I have moved on from Beta, but a DVD player is a new addition to our home.

These are technical amendments. They will not make front-page news but they are important amendments because a lot of people spend a lot of time watching films and videos and, increasingly, playing computer games. I know loads of people who have actually bought videos and DVDs for their kids and then realised they were not quite appropriate.

The amendments are intended to make it easier for consumers to make these choices. I still remember when my parents went to see *Last Tango in Paris*, thinking it was a musical, and left after about 15 minutes. I am not sure that any of this would have necessarily helped them — they clearly did not know what 'R' stood for — but classification is important and provides consumers with choice. We need to make sure that the state acts are consistent with the commonwealth act. It has been the practice for many years for there to be cooperation between the commonwealth and the states on these issues. This bill makes a number of consequential amendments to make sure that continues. I commend the bill to the house.

**Mr MORRIS** (Mornington) — It is a pleasure to have the opportunity to make a relatively brief contribution to the debate on the Classification (Publications, Films and Computer Games) (Enforcement) Amendment Bill 2007. The title certainly is not brief. The bill implements in the Victorian arena changes which arise from the

implementation of the national classification scheme. The commonwealth legislation, the Classification (Publications, Films and Computer Games) Act 1995, and changes made to it by legislation as recently as 2007, has established the framework for the classification of items and the classification review process.

It is important to achieve consistency in these matters across state and indeed territory boundaries, because we need not only to provide a consistent framework for business — many businesses operate nationally of course — but also to recognise that Australians move around the country with increasing frequency. Lots and lots of people travel and many relocate for work, lifestyle or other reasons, and these items that we are talking about are highly portable.

The obvious shortcoming with this bill is that it fails to address the anomalies between the kinds of films or other things that can be classified and those that can be displayed. Essentially though, these amendments to our own principal act are consequent on amendments to the federal structure. The state legislation, while in a large part mirroring that of the commonwealth, provides the framework for local enforcement. I have not studied the commonwealth legislation closely, but I understand the state legislation also reflects the enforcement provisions in the commonwealth legislation and is consistent with it.

I will not go through the bill clause by clause but will just refer to a few changes. Essentially the proposed changes include clause 5, which inserts a new section 5A into the principal act. It will ensure that a film which has already been classified but which is stored on a device together with another similarly classified film will be treated as if each were stored on a separate device. I guess that is a sensible recognition of the currently available technology. Certainly there has been a huge expansion in the digital capacity of devices, particularly in recent years. It is not that long ago that a 20 megabyte drive was as big as a hard drive got; now it is more likely to be 200 gigabytes.

Clauses 6 and 7 insert new sections 6(2) and 16(2) to ensure that the provisions relating to the exhibition and sale of classified films are not breached if the films are contained on a device that consists of two or more films and has a different name, or if they have been modified by the addition or removal of navigation functions, a description or a translation that is not likely to alter upwards the classifications of the product.

Clause 8 transfers the power to determine classification markings and the manner of display to the federal

minister. I believe in this case it is the commonwealth Attorney-General. It is interesting to see a Labor government actually wanting a minister to make decisions, take control of the process and take responsibility for it. It is quite a contrast to the serried ranks of public bodies, officials and quangos that the Victorian government seeks to erect to insulate ministers from responsibility for their functions.

The bill also contains provisions to allow the authorised industry assessors to make classification recommendations on additional content. There are some other technical amendments as a result of the abolition of the Office of Film and Literature Classification. All the changes are both reasonable and sensible. As my colleague the member for Box Hill indicated, the bill will be supported by the Liberal Party.

There was an interesting report from the Scrutiny of Acts and Regulations Committee (SARC). It reported to the Parliament in *Alert Digest* No. 16 of 2007 noting:

... the committee observes that the bill makes two substantive amendments that may alter Victorians' charter rights not to impart information.

Those comments were made particularly in relation to clause 4(1) and clause 8. The committee noted:

... that these changes may engage the charter rights of exhibitors, sellers, demonstrators and advertisers of classified publications, films and computer games not to impart information ...

The argument centres on whether or not clause 4(1) and clause 8 may be considered reasonable limits, which may depend on what sellers, exhibitors, demonstrators and advertisers may be required to say by the federal minister.

In the second-reading speech the minister has already indicated his view that the rights established under section 15 of the charter are not limited, and I certainly support that view. Nevertheless the committee has referred to the Parliament for its consideration, and I quote once again:

... the question of whether or not clauses 4(1) and 8 are reasonable limits on the charter rights of sellers, exhibitors, demonstrators and advertisers of classified films, publications and computer games not to impart information ...

I have no argument with the way SARC discharges its duties, but a report like this demonstrates clearly the difficulty we have with the sort of wide-ranging toothless charter that we seem to constantly come up against in this place. My view is that a far more effective way to ensure the rights of individuals, and

indeed all human rights, is to have a robust parliamentary process where full debate is allowed and not gagged, where questions are answered and not avoided. SARC's comments clearly indicate the dilemma when there is a legitimate argument that the commonwealth legislation cannot authorise a commonwealth minister to set limits. I think it is a nonsense that we even have to consider that sort of argument. I am not criticising the committee; I am criticising the process that needs us to have that debate. The ultimate extension of the logic is government by an independent body and not by a responsible minister.

Another matter I want to raise is the difficulty that remains unaddressed by this bill. It is the elephant in the room in the context of the classification debate. It is the matter of what can be sold or exhibited in Victoria and the variations with other jurisdictions. No matter what the merits or otherwise of this bill — and it is almost entirely merit — the real problem is the failure to address this issue of what can and cannot be sold. In 2005 the member for Kew described the legislation which was being debated at that time, which was the principal act, as a complex and convoluted piece of legislation. Unfortunately it remains that way. We still fail to have a common approach between all jurisdictions as to what can and cannot be classified and what can or cannot be sold or exhibited.

Until legislation around the country is brought into line, enforcement police will still have difficulty with prosecutions and with determining whether in fact prosecutions should proceed. The enforcement will be patchy at best. That leads to uncertainty both for the officers charged with enforcing the law and for the businesses and employees trading in this particular area. Despite that particular shortcoming, which hopefully the government will address at some point, the bill as it stands at the moment is certainly worthy of support, and I will be supporting it entirely.

**Ms MUNT (Mordialloc)** — I rise to speak in support of the Classification (Publications, Films and Computer Games) (Enforcement) Amendment Bill. This bill is largely technical in nature and is necessary to bring Victorian law into line with changes made to the commonwealth act in 2007. The commonwealth act is known as the Classification (Publications, Films and Computer Games) Amendment Act.

The commonwealth act abolishes the Office of Film and Literature Classification and transfers these powers to the federal Attorney-General. It also addresses added subtitles and captioning, without the need for further classification in the case where further subtitling or captioning is added after the video game or film has

already been classified. It allows authorised industry assessors to recommend classifications to the Attorney-General and the relevant authorities. There are a number of other technical amendments in this bill.

The Victorian legislation we are debating today is being introduced to bring Victorian law into line with federal law, and it has a number of parts. It inserts a new provision which stipulates that a film that is contained on one device and consists only of two or more classified films is to be treated as if each film is contained on a separate device. This definition implements the classification requirements in the commonwealth act which provide that a new application and classification of a compilation of already classified films on a single storage device is not required. The bill amends the offence provisions which require a film to be exhibited in a public place and be sold under the same title as that under which it is classified, and without modification. This is to make the relevant offences consistent with the new provisions in the commonwealth act — which I mentioned earlier — which provide that certain modifications to a film are not modifications requiring the film to be reclassified. This streamlines the operation of the act.

This bill makes technical amendments to ensure that the requirements for the display of determined markings and consumer advice for classified films, publications and computer games are consistent with the commonwealth act. Finally, it makes technical amendments consequential upon and ancillary to the commonwealth's decision to abolish the Office of Film and Literature Classification consistent with the convenor of the review board having new statutory powers to manage the administrative functions of the review board independently of the board. They are the technical parts of the bill.

In general I would like to say that I am always very proud to stand in this house and be a part of the process of passing a law that protects children. Once again this bill falls into that category. I try to make a point of speaking on legislation that protects children, and that is what this bill does. There is a growth in multimedia, and our children are increasingly preoccupied with it. I have children myself, and they love a computer game — as do I. They love watching a film and they love the internet. I have wondered about the level of violence in some of the video games I have played, but they are classified. You can make a choice as a parent to buy the G classification or the M classification, whichever it may be, and there are clear indicators as to the games that are suitable for younger children, older children or adults.

Local families in my electorate expect the smooth operation of laws that affect both state and federal governments, especially when it concerns the safeguarding of our children. This legislation will aid the smooth operation and enforcement of the law, which is the job of Victoria Police. For that reason I support this piece of legislation and I commend the bill to the house.

**Mr CRISP (Mildura)** — I rise to make a contribution to debate on the Classification (Publications, Films and Computer Games) (Enforcement) Amendment Bill. The purpose of the bill is to amend the Classification (Publications, Films and Computer Games) Act 1995 to bring certain aspects up to date with technology and to set out the rules concerning the exhibition and sale of films. It also changes definitions of some terms to bring them into line with the commonwealth legislation.

I will deal with some of those changes. Proposed new section 8(1) of the commonwealth act empowers the minister, rather than the director of the Classification Board, to determine the markings for each type of classification giving information about the classification and to determine the manner in which the markings are displayed. It is interesting to note that this also reflects the changes by the Howard government. It is good to come into this house and for a change find that we are doing something that everybody agrees was good during the Howard years.

Those changes of powers have been proposed, and the areas about which we are concerned — although this is a technical amendment to do with some of the devices — are principally related to enforcement. Currently this rests with the police, and the police have other priorities. If we want to be effective we need to find a body other than the police force to do this enforcement. Perhaps Consumer Affairs Victoria would be able to undertake this task. The police are certainly too busy doing other things. It would be better to chase down some of the anomalies with a resource other than our precious police force.

This bill takes into account that ever-changing certainty which is technology. With the expanding capacity of devices to hold data it has become necessary to outline the rules concerning classification of films that are held in two or more devices. For the purposes of classification each film will be treated as though each were stored on individual devices. Keeping up with technology is going to be quite a challenge. I conclude with those concerns, particularly in the enforcement area, but The Nationals support this bill.

**Mr STENSHOLT** (Burwood) — I am delighted to speak on the Classification (Publications, Films and Computer Games) (Enforcement) Amendment Bill 2007. Those of us who have kids are well and truly aware of the great variety of games you can now play on your iPod and mobile phone, which fit into your pocket. The member for Mordialloc talked about VHS. We have well and truly moved on, and Blu-ray seems to be the new technology about to sweep Australia. Films and computer games in all sorts of varieties can be played on bigger screens in the home, and that is something which as a society we need to pay continual attention to, as other members have stated.

The purpose of this bill is to give effect to the commonwealth/state/territory scheme. The national classification scheme, as other members have said, is a cooperative arrangement between the commonwealth, states and territories, and we are particularly pleased about this new era of cooperation. The background to this bill was not a happy period, because the previous federal government unilaterally decided to change the administrative structure of the body which does the classification without consultation with the state and territory censorship ministers, which was very typical of that government, I must say.

There is a Classification Board and a Classification Review Board. The Classification Board decides the classification of films, videos, DVDs, computer games and some publications by applying the relevant law and the classification guidelines. The head of that board is the director. The commonwealth Attorney-General can apply for review of a classification decision by the Classification Review Board, and the convenor is the head of that board. The clauses in the bill show changes to titles of various people, and one example is in clause 9, 'Obtaining copies for review', which substitutes 'Convenor' for 'Director'.

The state and territory censorship ministers subsequently agreed through SCAG (Standing Committee of Attorneys-General), which has been mentioned before, to implement complementary technical amendments to the state and territory classification legislation following the amendments made to the commonwealth act after the unilateral federal decision. Other members, including the member for Ferntree Gully, have described what these changes were, and I will not go into them again. I was a bit disappointed with the member for Ferntree Gully, because when talking about the present act and how it is enforced he seemed to give more credence to a former police officer who was the subject of an OPI (Office of Police Integrity) investigation than he gave to the police commissioner. He seemed to imply that there

are not enough police. Let me assure members that the Leader of The Nationals — the deputy deputy leader of the opposition — agreed with the coalition government to cut police numbers. That was one of the 1150 times he agreed with the government. The former government cut the numbers by quite a few, but over the last eight years or so we have put 1550 police back on the beat, and most of those are in our stations. They are in my local stations: I know they are in Camberwell and I know they are in Ashburton. There are more police there than there were in 1999. I know that because when I went down there in 1999 as a candidate I asked how many there were. I have been there since, and I know there are a lot more police on the beat doing their jobs. One of their jobs is to enforce these sorts of laws.

This is a pretty simple piece of legislation which implements what has been agreed at a national level following the passage of commonwealth legislation. I regret the fact that there was unilateral action, but I am sure that there will be cooperation in SCAG, as is already happening, between the commonwealth Attorney-General and the ministers and attorneys-general at the state and territory level into the future. I assume there will be far more comprehensive consultation, agreement and cooperation than there has been in the past. I commend the bill to the house.

**Mrs FYFFE** (Evelyn) — I am pleased to rise to speak on the Classification (Publications, Films and Computer Games) (Enforcement) Amendment Bill. This bill brings amendments to the administrative arrangements consequential on the commonwealth's Classification (Publications, Films and Computer Games) Amendment Act 2007. As the member for Macedon said, this bill is not exactly front-page news. What is in this bill is tidying up and complying with commonwealth legislation, and therefore I support it. What should be front-page news is what is not in this bill. Things that are front-page news are date rapes and assaults of women, children and young men. When the police investigate these crimes and finally locate a perpetrator they often find pornography on computer disks and in magazines.

Pornographic material is very different from erotic material. Several members referred to a very good article which appeared in the *Age* on 17 February. It is a very thoughtful and well-researched article in which Professor Neil Rees, chairman of the Victorian Law Reform Commission, compares the ban on the sale of X-rated films with previously stringent laws against any use of so-called soft drugs. We have certainly learnt that the opinion that marijuana is a soft drug that does not cause harm is completely wrong. We all now know

that marijuana does cause harm and are still not sure exactly how much harm it is causing. He also makes reference to the banning of the book *Lady Chatterley's Lover*. I well remember that book. I was one of those schoolchildren who had it in a brown-paper cover and giggled about it on the school bus going home. That was not pornography. That book was about consensual sex that showed some love between two people. There was nothing wrong with that book, but there is an awful lot wrong with things that are now being portrayed as pornographic.

An A. C. Nielsen survey found that only 30 per cent of Australian adults said they were offended by explicitly erotic films. I believe that, but erotic films are definitely not pornography or violent pornography. I would treat X-rated films in the same way as erotic films. The marketing for the horrible films mentioned in this article depict women as sluts and whores and talk about them in a derogatory way. From this marketing some men will learn that it is normal to treat women in a way that would appal any sensible, decent person, and I think most people in this house would support me in regarding it as abhorrent. We are legislators, but the other side is also the government. It is up to us to protect the young, both male and female, and to protect women. If it is too difficult to enforce the laws already in place as they should be enforced, then the government should put more resources into enforcement.

There is increasing domestic violence towards women; there are increasing numbers of rapes. We have an increasing number of offences that are not reported. We have attacks on very young children, which are being depicted in this material as though they are normal when they are definitely not normal. Although we know there is a black market in this material — it is on the shelves of stores in Melbourne, in our town — nothing is being done about it. The material is not being taken off the shelves. Anyone over the age of 18 can go in and buy it. There are a lot of people over the age of 18 who are not mature enough to look at any of this material, and I am sure a lot of them are sharing it with younger people. We read about gang rapes and pack rapes. We read about women being tied down and about young children being abused. I just do not understand why this government, which has so much money at the moment, is not putting more into enforcement and pursuing those who are dealing in this illegal, abhorrent material.

We need to have respect. We hear from the police that there is no respect for police officers. I think it was this morning that I heard on the radio a comment from a police officer who is well over 6 foot tall and weighs

about 110 kilograms; he said that a young person just looked at him with complete disregard and with no respect. There is no respect for teachers, and a lot of teachers are saying that they are not receiving respect. How can we get future generations to show that respect unless we stop this material that shows no respect at all for women or for young children, male and female? It is up to us to make sure that this material is not allowed. This bill is another missed opportunity, and it is such a pity. It is a reflection of an attitude towards women that permeates right through this government.

**Mr LANGDON** (Ivanhoe) — It is my pleasure to add to the debate on the Classification (Publications, Films and Computer Games) (Enforcement) Amendment Bill 2007. I have heard a few speakers speak on the bill, although I have not been in the house for the entire debate. People have expressed their opinions on illicit films, computer games and things like that. I must admit when speaking to the house as I am now that when it comes to computer games and such things I am really back in the Stone Age or in the troglodyte era. I can barely play the computer game on my Blackberry, and that is called *Brick Break*. But most of us who have young children or grandchildren are aware of what computer games can be downloaded or purchased.

I think downloading from the internet poses probably the greatest danger for the simple reason that controlling what is on the internet is, as we all know, exceptionally hard. However, this bill is not necessarily about that. I know a lot of people have been speaking about that, but this bill was brought into the house because of amendments in the commonwealth Classification (Publications, Films and Computer Games) Amendment Act 2007. The consequential amendments in this bill are designed to improve the operation of the national classification scheme by responding to the changing technological environment in our entertainment media.

The bill has been introduced because governments around Australia got together, following the lead of the federal government — and there have been some comments about that — to bring all the states in line with what is occurring. This bill is designed to catch up, to make sure this state is doing what every other state and the commonwealth are doing. Other speakers have spoken about additions they want to make to the bill, but that is not the purpose of the bill. The purpose of the bill is simply to bring all the states into line with legislation introduced by the previous federal government.

This bill amends the Victorian Classification (Publications, Films and Computer Games) (Enforcement) Act 1995 in relation to additional content, determined markings and the commonwealth's decision to fold the policy and administrative functions of the Office of Film and Literature Classification into the commonwealth Attorney-General's department. It is really more a procedural bill than a bill breaking new ground and establishing new watermarks and benchmarks for what we should and should not see in games, films and publications.

I share many of the concerns raised in the house about what is out there and what can be looked up or purchased. We have current laws to protect us. This bill brings our laws into line with those of other states. Members have been speaking in general terms about the sorts of things that can be downloaded or picked up which we find objectionable. As a parent and a citizen of this state, some of the things people watch appal me. I must concede that fact. When I have seen some of the games my children are playing I have counselled against them, and they are the games you can purchase. These provisions seek to protect those who download things that they should not be downloading at all.

The bill is a procedural bill. It is not being opposed by either The Nationals or the Liberal Party, or the opposition as we can call them these days. It is a bill that will pass through this house relatively quickly — I suspect by dinnertime, unless more people want to come and speak on it. This is only a brief contribution on my part, but I support the bill and the intent of it. I wish it a speedy passage.

**Mr THOMPSON** (Sandringham) — The purpose of the bill before the house this afternoon is to make a number of amendments to administrative arrangements consequential on the commonwealth's Classification (Publications, Films and Computer Games) Amendment Act 2007. The main provisions include amendments to clarify that the addition to already classified films of descriptions or translations such as subtitling or captioning is not considered a modification requiring reclassification. The bill allows authorised industry assessors to make classification recommendations and consumer advice about films containing additional content. It confers responsibility for determining classification markings and the manner of their display on the commonwealth minister after consultation with participating ministers.

The opposition has a couple of areas of principal concern. The first is that the bill fails to address the proliferation of unclassified, refused classification and X-rated material. The opposition notes that this is

squarely a state government responsibility and the Attorney-General either does not know, does not care or cannot get his colleagues to support taking action. I refer to the Attorney-General's second-reading speech to the house which says:

The states and territories are responsible for the enforcement of the classification decisions.

There are a number of wider comments that I would like to make. I was speaking to a Greek scholar recently. He made a remark in relation to a group of young children and whether they would attend a particular recreational or social venue. He posed the following question to them: in going to this particular place will you exert an influence where they will copy your example or will you in fact be influenced by the venue and the range of activity that might take place within the venue? It is an interesting question, and one that we as legislators need to confront.

In terms of films, two great films I have enjoyed viewing in recent times and not so recent times include Roberto Benigni's film *Life is Beautiful*. I once told a parliamentary colleague that it was one of the best films I had seen in recent times and after he had viewed the film he took a different position and asked me how many films I had seen in recent times. The film portrays a heroic reaction to the terror of the Nazi occupation and how Benigni, in his film style, looked after and cared for the needs of his son. His role required courage, pathos and leadership and example. It was a very interesting film that was controversial in some ways. It was regarded as black humour and offensive in some quarters, but it also received widespread acclaim, including among members of the Jewish community in Melbourne. They did not wish to see the events of the Holocaust portrayed in a manner that was reflective of black humour, but at the same time that humour conveyed a very powerful message — a message for good and the altruism and courage of Benigni.

Another film I had the privilege of viewing was shown in Federation Square recently. A Greek film entitled *Brides* it portrayed the journey of Russian, Turkish and Greek mail-order brides to the United States in 1922 and the varying experiences of women who at a young age predominantly were making that voyage. There were examples of exploitation, of tragedy and also of virtue. It is those examples of virtue — whether it be Benigni's film *Life is Beautiful* or the character of Niki in the film *Brides* — of commitment to a purpose, a value and a range of altruistic principles that are important.

In my former role as shadow Minister for Aboriginal Affairs I considered the plight of indigenous Victorians

across a range of spheres. The experience of the indigenous Victorian Australian is different from those interstate in the sense that our community is more strongly urbanised, but as I contemplated the issues presented to me in a number of parliamentary inquiries relating to the importance of improving housing, educational outcomes, employment opportunities and disengagement with the criminal justice system, the example had arisen in other states where there were adverse reports on the degree of violence that was perpetrated in some remote communities.

On one occasion I was in Darwin liaising with some legal aid representatives. The circumstances which were being prosecuted in the Northern Territory were quite horrific and beyond description. To the extent that these outcomes are the product of access to inappropriate materials, it is important that there be good legislative measures in place to ensure that there are not adverse influences in the community that can damage and harm women and young children.

A few years ago I had in my electorate office the distraught mother of a young girl who had worked at a local takeaway food store. After work she had been invited by a fellow worker to go down to the beach. Drinking ensued and this young lass was subsequently gang-raped by a number of people. She became pregnant as a consequence and contracted a venereal disease. Her life had been tragically impacted by the aggression and violence — the actions of people who behaved in a most abhorrent way.

To the extent to which we as legislators can encourage altruism, good, the portrayal of life as it should and could be, where the noblest human virtues are encouraged and developed within our young children and within our community, we will build a stronger community and avert the tragic physical hurt that might otherwise occur to people through there being access to material that has an adverse influence on behaviours in this state.

**Mr LIM** (Clayton) — I am pleased to be speaking in support of the Classification (Publications, Films and Computer Games) (Enforcement) Amendment Bill. This bill amends the principal Victorian act as a consequence of changes to the commonwealth act. The bill makes Victoria's act consistent with the national classification scheme.

I hate to contradict the member for Evelyn who spoke earlier and suggested that as far as these acts are concerned the government is not doing enough to protect children. If we have a really serious look at the

bill, we see that in fact it goes a long way to doing just that — protecting our children in Victoria.

The other point I want to make is that many speakers appear to be alluding to the fact that this is very much a very technical bill. While the amendments are of a technical nature, the interesting aspect of this legislation is that the technical amendments are being made as a consequence of the dramatic technological changes that have occurred in the broadcasting and storage of media. We have heard the effect the changes will have on the member for Ivanhoe, who suggests that he cannot handle the computer games that are available in the market at the present time.

Much change has occurred but several of the main features of the bill are important for us to have a look at. It clarifies that additions to already classified films of descriptions or translations such as subtitling or captioning are not considered a modification to the film which would require it to be reclassified.

The bill inserts a new section which provides that a film that is contained on one device and consists only of two or more classified films is to be treated as if each film is contained on a separate device. The definition implements the classification requirement in the commonwealth act, which provides that a new application for and classification of a compilation of already classified films on a single storage device are not required.

The bill also amends offence provisions which require films to be exhibited in a public place and to be sold under the same title as that under which it is classified and without modification. This makes the relevant offences consistent with the new provisions in the commonwealth act, which provide that certain modifications to a film do not require the film to be reclassified. As I mentioned earlier, there have been dramatic developments in the technology of distributing and storing media in the 13 years since the passage of the principal act.

If one thinks back to, say, 1995, movies were viewed at cinemas and some time later on rental videotapes, either in VHS or Beta format, or on TV. The internet, primarily accessed from home by dial-up, did not have the capacity to stream films into the average home. Fast forward 13 years and one can appreciate the enormity of change. DVDs, which rendered tape obsolete, are now being replaced by HD DVD or Blu-ray discs. The growth of broadband internet access allows film to be streamed live into our homes.

While file-sharing programs raise copyright issues, there are many legal issues involved — and in the case of the television series *Underbelly* further legal issues. For example, full motion pictures can be rented and downloaded online, free-to-air television and radio place audio and video ports on their websites for downloading and later viewing or listening, iPods can store hundreds of video clips, and a 16-megabyte memory stick can store up to four entire motion pictures.

Clause 5 appropriately inserts in the principal act new section 5A, which provides that:

... a film that —

- (a) is contained on one device; and
- (b) consists of only 2 or more classified films —

is to be treated, for the purposes of this Act, as if each of the classified films were on a separate device.

DVDs are now frequently sold that have more than one film on the one device. Subtle changes to titling and captioning may be made between the various versions of the media and might be made between the various versions of a particular film. Indeed it is now common for DVDs to offer subtitles in various languages.

I am sure we will be back from time to time to consider further changes to this legislation, particularly with the convergence of computers and television in homes into the one media device. I commend the bill to the house.

**Mr BURGESS** (Hastings) — This bill is called the Classification (Publications, Films and Computer Games) (Enforcement) Amendment Bill 2007, and the purpose of the bill is to make amendments to administrative arrangements consequential on the commonwealth's Classification (Publications, Films and Computer Games) Amendment Act 2007. The amendments clarify that additions to already classified films of descriptions or translations such as subtitling or captioning are not considered a modification requiring reclassification. They also allow industry assessors to make classification recommendations and give consumer advice about films with additional content. They confer responsibility for determining classification markings and the manner of display on the commonwealth minister after consultation with participating ministers.

There are a number of concerns relating to this legislation. I was really heartened, as were a lot of other members, to see this bill coming on. The evidence is very clear that when you look at the community at this stage — and I also refer back to Mr Munro's article in

the *Sunday Age* several weeks ago — you see that the community is flooded with the kinds of materials that you would prefer it not to have available to it. Other pieces of our legislation indicate that we do not want that material on the street, and yet it is available.

I was certainly encouraged to see a bill come before this house which, to me, had the intimation that it was going to be enforcing legislation to prevent this sort of material being available, but I was greatly disappointed, as I am sure many other members were. It is typical of either a weak or a disinterested minister or government to have an opportunity like the drafting of this piece of legislation that deals with process and implements requirements by another tier of government, and yet to completely miss the opportunity to put in place law that would really reflect what we currently would hope was already the situation out there in the community. Unfortunately that is not the case.

The minister has certainly let a great opportunity go by. As I say, the evidence is clear that this material is available out there in the community and that it is more readily available than ever. When you look back at the history of pornographic material and other degrading types of material you see that it was available in books, it was available on VHS, then it was available on broadband and now it is available basically at will in a streaming format. This sort of information is now available to be streamed straight into the homes where the children are, and that is something that I think we should be acting on as a matter of urgency.

The more you tend to utilise this sort of material and allow it to normalise, then obviously the more extreme the extremes become. As this material becomes more available, it becomes more accepted as the norm, and again the extremes become more extreme. That is not a good message for our children and not a good standard for us to be showing to our children, and I think we should take the opportunity to address that particular problem right now. I encourage the government to act to bring the reality of this material out there in our community more in line with what we expect and what our current law assumes the situation to be. I ask that this government act to make sure that we can actually have the sort of legislation that encourages that material out of our community rather than into it.

**Mr SEITZ** (Keilor) — I rise to support the Classification (Publications, Films and Computer Games) (Enforcement) Amendment Bill. The purpose of this bill is to make consequential amendments to the Classification (Publications, Films and Computer Games) (Enforcement) Act 1995 as a result of the Classification (Publications, Films and Computer

Games) Amendment Act 2007 of the commonwealth. We, as a government, are cooperating with the commonwealth here in bringing our legislation in line with the commonwealth legislation so that our enforcement agencies — the people who operate in the field — will have a clear understanding of what is taking place in this country. We are becoming a smaller country, therefore it is eminently sensible to have enabling legislation like this to be in line with the commonwealth legislation rather than having different legislation and different laws applying here in Victoria. I commend the minister for bringing this bill into the house.

Previous speakers have spoken about modern technology, about the duplication processes that are available and about the access to films that are available on the internet, on your computer, on your cable TV and even on CDs. CDs have become really old-fashioned now for members of the younger generation, because they rely mainly on the computer and on broadband, and they are downloading films straight from the internet.

It is important to have clarification of titles, whether we are talking about giving a film a title in a different language or giving it a different name. Whatever name a film is classified under, that is the classification under which the film has to be sold, promoted and shown publicly. That is also a safeguard in the sense that we know what film we are talking about, because many times you will see a film and then 10 years later you see it once again, but the film has been cut, edited and dubbed, and you almost think you are looking at another story or another movie altogether. I am pleased that this aspect is part of the legislation for the industry involved.

I commend the bill on those issues that have been included. I have listened to some members of the opposition saying that the bill should go further and deal with other matters. I think that would only serve to confuse the issue, because it is very clear what the processes are. To ensure that the Victorian act is consistent with the commonwealth act specifically and the national classification scheme overall, the bill implements a consequential amendment which inserts a new section which provides that a film which is contained on one device and which consists only of two or more classified films is to be treated as if each film were contained on a separate device.

When the original bill was voted on by Parliament and enacted, the sort of technology was not available where you could store a whole movie on a CD or on a memory stick, which could even have two or three

movies on it. Today when you go to buy a CD you see them advertised with three movies on the one CD, and they are being promoted as such because of the technology that allows more than one movie to be stored on them. People are selling those things and promoting them as a bonus for the community. Again, this legislation closes some of the gaps by requiring films to be properly labelled and properly marked and clarified.

I will finish at this point, because I can see some of my colleagues wish to speak on this bill as well. I commend the bill to the house and wish it a speedy passage in the upper house.

**Ms RICHARDSON** (Northcote) — I am very pleased to speak on the Classification (Publications, Films and Computer Games) (Enforcement) Amendment Bill. As many earlier speakers have said, the state legislation will be brought into line with commonwealth legislation through the passing of this bill, which deals with the increasing range of media that material can be viewed on. The bill inserts a new provision to ensure that one device containing only two or more classified films is to be treated as if each film were contained on a separate device. The bill also ensures that classifications are displayed appropriately. It also makes some other changes. In short, it better protects our children and the wider community from being misinformed through inaccurate or insufficient warnings on media and other material.

While the commonwealth determines classifications — and this bill just brings state legislation into line with the commonwealth legislation — I take this opportunity to urge governments to examine the classification or lack of classification of films that are being previewed in the following circumstances. Often a preview is of a film the classification of which is to be determined, yet it is shown in a cinema as you wait for the main event to begin. A by-line appears saying, ‘This film is yet to be classified’. You are sitting there waiting and having a look at all the various films that are coming up.

I know we have the competing interests of promoters of films that are coming versus the classifications office, but I believe the use of this by-line can create circumstances that provide discomfort to viewers and in particular to children. I want to draw upon one particular incident that happened to my children and me. We went to see the film *Shrek 3*, which is obviously a G-rated film. We sat there and watched as the audience was given a preview of a film with the by-line ‘This film is yet to be classified’. I later found that the film received M15+ classification, and I am not surprised, given the response from my children and

other children in the audience when the preview appeared.

Many other parents, like me, received very interesting and somewhat disturbing questions from our kiddies who were watching the preview, and we tried to explain to them why particular individuals were acting in a certain way against other individuals, and said that this would all pass because we were all going to watch *Shrek* and enjoy *Shrek* any moment now, any moment now et cetera. Clearly it did not distress just my children; it distressed other children waiting for a G-rated film to commence.

I know that it is an offence for a preview of a film to be shown if it has a rating greater than the main film that is to be shown, but clearly in this circumstance, where you have a film that is yet to be classified, you can have a situation where children are watching previews of films which clearly are not appropriate for their age. In that particular circumstance, other parents and I did complain to the cinema operators, but you can imagine when you have got a couple of kids who all want to talk to you about what happened in the main film that they were to see, *Shrek 3*, you do not get a lot of time to make a complaint and register your concern on behalf of your children.

As I said earlier, I think this bill is an important bill as it brings state and commonwealth legislation into line where there are breaches. I note too that there are penalties that arise from breaches, but I urge some sort of attention to the circumstances that I described where an unclassified film appears in, say, a G-rating spot. As I said, this bill is all about protecting our children and the wider community from viewing material which needs proper classification and needs to be promoted as such. I therefore commend the bill to the house.

**Mr LANGUILLER** (Derrimut) — I am happy to rise in support of the Classification (Publications, Films and Computer Games) (Enforcement) Amendment Bill 2007. The objective of the Victorian Classification (Publications, Films and Computer Games) Enforcement Act 1995 is to give effect to the cooperative commonwealth, state and territories scheme for the classification of publications, films and computer games set out in the commonwealth classifications. The Victorian act provides for enforcement of classification decisions made under the commonwealth act. It prohibits the publishing of certain publications, films and computer games and prohibits certain online information services. That is the objective of the overview of the bill and what it does.

The other matter which I think is important to raise relates to my capacity as a member of the Scrutiny of Acts and Regulations Committee. We examined this bill in the light of potential human rights issues. I commend the Attorney-General and his staff for the work and the report provided in terms of the human rights issues and the compatibility with human rights in terms of the bill and the amendments. It is good.

It does potentially raise an issue. Section 15 of the charter provides that every person has the right to freedom of expression, which includes the freedom to seek, receive and impart information and ideas of all kinds. So in some ways this provides a restriction: the regulatory system that has been put in place certainly restricts what some individuals may or may not be able to receive. The national classification scheme established before the charter commenced limits the freedom of expression, and the purpose of this scheme is to establish a regulatory regime for certain categories of publications, films and computer games.

Section 15.3 of the charter recognises that the right to freedom of expression:

... may be subject to lawful restrictions reasonably necessary —

(a) to respect the rights and reputation of other persons ...

In those circumstances it might well make a provision for the purpose of restricting access to certain information. The charter continues:

(b) for the protection of national security, public order, public health or public morality.

In that context, whilst there might potentially be an issue, I certainly concur with the assessments of the committee and the Attorney-General and conclude that on balance there are no issues of human rights. It is worth pointing that out at this time.

These are consequential amendments to streamline classification processes effectively — that is what this is about. This is a national scheme, so it is useful to have arrangements put in place in terms of jurisdictions between the states and territories and the commonwealth, so we streamlined that. We provide uniformity, which is something that the community would want. Constituents have spoken to me about this issue, and there is an expectation that there be uniformity. People move around states and territories, and I imagine that it is useful to have uniformity in terms of the schemes that are provided.

The bill provides for classifications and systems to be consistent, and that is an additional component that is

useful for people. It is important to recognise that it also provides consumers with the ability to be properly informed through information to be provided to them. In this context consumers will be able to form views and be educated about the choices they make in relation to films, games and other aspects, which is a good contribution that is being made by the proposed changes. They will be able to be better informed and better educated and consequently be able to make good choices.

The bill will make sure that classifications are up to date and respond to the technological changes and issues that come with them. In the same way as some other speakers have mentioned — I am pleased to hear that I am not the only one — I can hardly manage my own phone, but I am told by those who understand such things that these days you can actually add new material to the internet and so on. I cannot even imagine what the technical process for that would be. I quite honestly would not have a clue about that. I am told that it is potentially an issue, and this bill deals with that issue.

The bill deals with the expectations of communities. The bill is consistent and informative. The bill is useful, consequential and will streamline the classification process. It responds to a national scheme. This is a good bill, and it contains good amendments. I know that members will rush into the chamber to contribute to the debate on the bill. I can see that the member for Pascoe Vale is anxiously waiting for me to end my contribution so that she can make hers. I therefore conclude by commending this bill and its amendments to the house.

**Ms CAMPBELL** (Pascoe Vale) — I appreciate the opportunity to speak on the Classification (Publications, Films and Computer Games) (Enforcement) Amendment Bill 2007. Like the previous speaker, I support this legislation. I feel greatly reassured by the fact that as a result of the bill the various forms of publications, films and computer games are being looked after at the commonwealth level by the establishment of frameworks and at the state level by enforcement provisions for any offences against it.

This bill, as was outlined by other members, is largely consequential upon the national classification scheme. After copious amounts of study on this piece of legislation I have learnt that the commonwealth did extensive consultation by targeting the relevant stakeholders and that at the Victorian level, Arts Victoria and Film Victoria have been consulted to make sure the enforcement provisions that will come in under the Victorian legislation meet their requirements.

Previous speakers have stated that this legislation is largely consequential and technical. It strengthens the enforcement provisions here in Victoria. The commonwealth has already made amendments to its legislation, and given that the offences are prosecuted at a state level, it is important that we update our legislation to make sure that the national legislation applies here. The national legislation enables enforcement agencies to respond rapidly to technological advancements. Like the member for Derrimut, I too am very conscious of the fact that our job probably precludes us from understanding the rapid technological advances that are occurring in this field. Our time is spent in other endeavours, but we are reassured by this legislation that there will be effective classification and that consumers will have access to relevant film information, such as subtitles on DVDs. As a result, consumers will be able to make informed decisions about what they watch.

Before the minister responds to items raised here, there are a couple of other points I would like to make in relation to the broad policy objectives which have been implemented by changes to the commonwealth law and which will be implemented by the consequential amendments in this bill. One in particular I want to highlight will allow authorised industry assessors to make classification recommendations and give consumer advice to the Classification Board about films containing additional content, such as subtitling or captioning, that is released with an already classified or exempt film. The proposed authorised industry assessor model is based on the model currently in place for computer games, and we have had the opportunity in relation to previous legislation to be briefed on that and therefore be able to make informed comment in the house.

The other item I would like to cover is that the bill confers responsibility for determining classification markings and the manner of their display on the commonwealth censorship minister after consultation with state and territory ministers. This classification was previously conferred on the director of the Classification Board. Often in this house we hear the comment that it is important for ministers to know and understand their responsibility. This will be one case where the ministers at a state and territory level will be consulted on a particular item.

I want to conclude by saying also that the bill makes some technical amendments to give effect to the commonwealth's unilateral decision to abolish the Office of Film and Literature Classification and fold the policy and administrative functions into the commonwealth Attorney-General's Department. That

will make for ease of administrative processing and I think that is an advantageous component of this bill. With those few comments I would like to commend the bill to the house and wish it a speedy passage.

**Ms PIKE** (Minister for Education) — This has been a very fulsome debate on the Classification (Publications, Films and Computer Games) (Enforcement) Amendment Bill 2007. A number of members who contributed to this debate noted that this is, of course, consequential legislation which brings Victoria into line with a national regime. It is an area that attracts much public interest because with the rapidly changing nature of technology and its application in the multimedia environment there is always a need to ensure our laws are up to date and ultimately achieving the results that are most important to the community. What members of the community are really most concerned about is that as consumers of this kind of material their rights are protected, they have adequate information, there are not problems when it comes to exposure of minors to material that might be offensive or a problem, and that the new regime as described satisfies those criteria.

A number of members contributed to this very important debate, including the members for Box Hill, Bentleigh, Shepparton, Preston, Ferntree Gully, Macedon, Mornington, Mordialloc, Mildura, Burwood, Evelyn, Ivanhoe, Sandringham, Clayton, Hastings, Keilor, Northcote, Derrimut and finally the member for Pascoe Vale, whose contribution rounded out the work that members have put into making sure this is a meaningful debate.

On behalf of the Attorney-General, who has carriage of this bill, let me once again say thank you to members for their contribution to the debate on this very significant and important matter of public policy. I commend the bill to the house.

**Motion agreed to.**

**Read second time.**

*Third reading*

**Motion agreed to.**

**Read third time.**

**Sitting suspended 6.29 p.m. until 8.02 p.m.**

## ANNUAL STATEMENT OF GOVERNMENT INTENTIONS

**Debate resumed from 7 February.**

**Dr NAPHTHINE** (South-West Coast) — I rise to respond to the statement of government intentions and say from the outset how disappointed I was with this very poorly presented document and poorly presented case. It shows that the government has run out of steam, is simply not listening to the community and unfortunately is proving itself to be an arrogant, city-centric government that does not care about country Victoria or accept its responsibilities in the areas for which it has responsibilities.

The classic example is on page 45 of this document, where the government has indicated that it is going to push ahead with the provocative action of making the Cobboboonee State Forest a national park, despite the wishes of the local community, which has made it very clear, in a loud voice and in large numbers, that that is not its wish. Cobboboonee is a well-managed state park that looks after the environmental and conservation values of the area, and it is certainly well used by the local community. The local community has said, 'Hands off Cobboboonee', and I support them quite strongly in that. Unfortunately, though, members of this government — this city-centric government, these latte sippers — are more interested in looking after their mates in North Fitzroy and Albert Park than listening to local country communities and they are pushing ahead with this legislation.

I am also disappointed that there is no provision in this document to deal with the crisis facing our racing industry. One only has to look to recent events with regard to the integrity crisis in the racing industry to see that there is a need for some major overhauls.

I will refer to the Allanson betting scandal. This was first broken by the *Age* in an article of 12 February this year, under the headline 'RVL chief admits to laying bets under a false name'. It says:

The chief executive of Racing Victoria Ltd, Stephen Allanson, yesterday admitted he had broken the rules of racing by betting under a false name during last year's Melbourne spring carnival.

Allanson said ... 'it was a silly thing to do' and that he regretted his actions.

The same day's *Herald Sun* reported, and reported accurately, that RVL chairman Michael Duffy and chief steward Des Gleeson had met Allanson and that no action was taken.

That was the action from Michael Duffy. We all know who Michael Duffy is. Michael Duffy, as well as being the chair of Racing Victoria Ltd, is a Labor mate from way back: former federal minister, mate of the racing minister in this house and a Labor mate from way back. He has been protected throughout this process by the racing minister, and that has to stop in order to protect the integrity of racing.

In an article in the *Age* of 13 February 2008 Stephen Howell said:

He —

as in Allanson —

Gleeson and RVL chairman Michael Duffy told Bartley that the matter had been laid to rest, with Cleary being given a warning.

So what we have had is Allanson doing the wrong thing, but what makes it worse is we then had Michael Duffy, Labor mate, involved in a cover-up, trying to cover up and sweep this integrity crisis under the carpet. It would not go away, though. Finally, on 15 February Stephen Allanson had to resign in disgrace after further bets had been discovered. But that is only part of it, because that just deals with the Allanson betting scandal itself. What has been missed in this whole sorry saga is the role of Racing Victoria Ltd and its chair, Michael Duffy, because, as I said, the initial reaction was to try and cover up, prevent exposure of this scandal and sweep it under the carpet. That is a situation which should not be tolerated, and I believe Michael Duffy must resign.

An article in the *Herald Sun* of 19 February headed 'Why the delay?' states:

Disgraced Racing Victoria Ltd chief executive Stephen Allanson's betting scandal was first detected by its betting services department in late November ... The *Herald Sun* understands RVL betting services manager Anthony O'Connell questioned Allanson in November.

It further says that the matter was discussed by Mr Allanson with chairman Michael Duffy some weeks ago and was dealt with. But there is still an ongoing cover-up, and a further cover-up is being perpetrated by the Minister for Racing.

What we have is a press release from Racing Victoria Ltd with the headline 'Independent firms appointed'. It says:

Two independent companies have been appointed to investigate aspects of the betting activities of former RVL chief executive officer Stephen Allanson under the pseudonym 'Jack Hindon'.

But that is the fundamental problem. The investigation should not be just into Stephen Allanson's betting activities; it should be into the betting activities of Stephen Allanson and the cover-up by Racing Victoria Ltd, including the activities of Labor mate Michael Duffy as chair of Racing Victoria. Why was he involved in trying to sweep it under the carpet? Why was he involved in a cover-up? That goes to the heart of ongoing integrity issues in racing. These are the issues that should be investigated. You cannot call it an independent investigation when the so-called firms are actually employed by Racing Victoria. They should be investigating Racing Victoria; they should not be employed by Racing Victoria.

The Minister for Racing has dropped the ball on this very issue. He is part of the cover-up. He is protecting his Labor mate Michael Duffy. He is allowing the perception that a proper independent investigation is to continue when clearly it is not. These independent firms are actually contracted by Racing Victoria, which should be under investigation. Michael Duffy should be under investigation. The integrity service at Racing Victoria should be under investigation. What we need is a proper, open and accountable process. We need a retired judge with all the powers of a royal commission to conduct a proper investigation into not only the Stephen Allanson betting scandal but also the cover-up perpetrated by Racing Victoria and its chairman, Labor mate Michael Duffy, and his interaction with the Minister for Racing, who is a mate of Michael Duffy's from way back.

What we have here is the Minister for Racing and Michael Duffy trying to put all the blame on Stephen Allanson. Yes, he has done the wrong thing, and yes, he was right to resign, but that is only half the equation. We need to get to the role of Michael Duffy and Racing Victoria.

We read in the *Weekend Australian* of 16 February that the Racing Victoria board was kept in the dark on this issue. I have spoken to Racing Victoria directors, who knew nothing about this scandal until they read it in the paper. Racing Victoria directors were kept in the dark by Michael Duffy, who knew about it and did not tell even his fellow directors. That in itself is a reason why Michael Duffy should step aside. I ask: why is the Minister for Racing protecting his Labor mate Michael Duffy? Why is he not standing up for racing? Why is he not standing up for proper integrity and proper processes in racing? Is it any wonder that the *Age* in its editorial of 24 February states:

The attempt by Racing Victoria chiefs to keep the betting scandal 'in house' was a mistake. As Racing Minister Rob

Hulls has said, racing relies completely on the integrity of its administration. Clumsy attempts to cloak serious claims of misconduct against its senior executives can only damage that.

That is absolutely true. It is about time the Minister for Racing stood up for the integrity of racing and stopped protecting his Labor mate Michael Duffy. We want a proper investigation by a retired judge. This is another reason why we should have an independent anticorruption commission in this state. If we had a standing independent anticorruption commission, these sorts of things could be referred immediately to such a body for proper investigation instead of the ongoing cover-up being perpetrated by the Minister for Racing and Michael Duffy, where they purport to be having an independent investigation when in fact the investigation is being conducted by the very people who should be under investigation.

We need to investigate Stephen Allanson's betting activities, but we need to investigate just as much the cover-up by Labor mate Michael Duffy and the ongoing role of the Minister for Racing, Rob Hulls, in protecting Michael Duffy. The racing industry in Victoria is too important for us to allow it to be tainted by this sort of scandal. It can only remain untainted if there is a proper, full and open investigation by a retired judge.

**Mrs MADDIGAN** (Essendon) — The house would perhaps be surprised to know that we are here to discuss the annual statement of government intentions. In his usual manner the member for South-West Coast has treated this house with contempt in the contribution he has just made in relation to that statement. It is typical of the member for South-West Coast that he should make allegations against a large number of people and provide no evidence to the house to substantiate them. He knows that he is covered by privilege here and can make the most outrageous allegations without having to provide any evidence or any justification for those statements. This house would perhaps hold the member for South-West Coast in much higher regard if he had some evidence to support the allegations he makes about other members.

To suggest that the Minister for Racing is somehow engaged in a cover-up is absolute nonsense — and the member for South-West Coast knows it is nonsense. He provided not one shred, not one iota of evidence in the whole of his 10 minutes of ranting and raving. You would have to say that reflects badly on some members. They come in here and make allegations about people. They have no evidence and no information to support the allegations, but because they are covered by privilege they think they can abuse that privilege and

make unfounded allegations and attacks on people. The member for South-West Coast should feel extremely embarrassed about his contribution to this debate.

But let us get back to the annual statement of government intentions and the interesting responses we have had from the opposition. We are the first jurisdiction in Australia to bring in such an open and accountable process. It was introduced first in the United Kingdom by another Labor government under the prime ministership of Tony Blair. What has the opposition's response been? Opposition members have barely spoken about it at all. They have used their responses the whole way through to bring up complaints about the most obscure issues. That is a shame, because the statement of government intentions is a great gift to an opposition that is prepared to get out there and do a bit of hard work. It actually provides a document that makes the government accountable. Some of the legislation that is foreshadowed in this document is the sort of legislation that people in Victoria really want to know about.

**An honourable member** interjected.

**Mrs MADDIGAN** — Perhaps members who are yelling out there in their usual uncouth manner should read the statement of government intentions and they might learn something that will be of benefit to them in the future.

**Mr Wakeling** interjected.

**Mrs MADDIGAN** — The member for Ferntree Gully has a great deal to say for himself.

**Dr Sykes** — I am reading it. Can you point to a paragraph that makes sense?

**Mrs MADDIGAN** — I do appreciate the assistance from the members of the opposition — the coalition, now: the member for Benalla, who of course is now in coalition with the member for Ferntree Gully. We look forward to their continual love and understanding as they work together in the future. We on this side of the house will be interested to see how they overcome those policy differences they have had in the past, and we are anxious to see how this love and understanding will outline itself and how it will go along in the future. That is something for us all to look forward to.

The member for Benalla asked me to mention some of the really good legislation that is outlined in the statement. I am glad he asked me that, because I was actually intending to do that, so I am more than happy to accede to his wishes. I would be interested to know if the member for Benalla supports these initiatives,

because I think there is a fair show that most Victorians would. What will we look up? The speeding up of public transport projects — I wonder if the member for Benalla would support that?

*Honourable members interjecting.*

**Mrs MADDIGAN** — No, he does not. Improvements to road safety, improving underperforming schools — —

**The ACTING SPEAKER (Ms Campbell)** — Order! The member for Essendon knows that when speaking in debate in this house she needs to speak through the Chair.

**Mrs MADDIGAN** — Acting Speaker, I was just helping to involve the member for Benalla, who is very keen on this issue, but I am more than happy to address any comments to the member for Benalla through the Chair.

The first complete rewrite of the Health Act for 50 years — the opposition is not happy with it. Legislation to curb public drunkenness and violence — the opposition is not happy with that either. I would have thought that considering the press coverage we have had of these matters recently, people in Victoria would be very interested in this. Modernisation of the planning process is another project that I think many people in Victoria would be pleased about. Regarding governance of universities, the universities are covered by many acts, and the government is helping to make them run more smoothly. Of course there are universities in country Victoria and in areas that the Liberal Party covers as well, so I am sure that is a piece of legislation that the opposition will be very interested in. Laws to tighten control of livestock and plant diseases to protect agricultural products — —

**Dr Sykes** interjected.

**Mrs MADDIGAN** — Through you, Acting Speaker, the member for Benalla is happy with that one. We have got one run on the board, so that is a good start. We have not got a winner yet from the Liberal Party, but I will keep going through this list. Improvements in public service efficiency I am sure it would be pleased about because we recall the Liberal Party sacked many public servants when it was in power. I am sure Liberal Party members are very interested in public service efficiency. Other pieces of legislation coming through concern improvements in financial management and major events.

We have told the opposition that this is what we are going to do as a government — the first time in the

152 years of the Victorian Parliament that the opposition actually knows what the government is going to do. It is very different from when the Liberal Party was last in government, because when Jeff Kennett was Premier even members of the Liberal Party did not know what he was going to do next, let alone the opposition. It really has changed the whole structure of Parliament, and it gives members of the opposition, both parts of the opposition, a great opportunity to hold the government to its program and to be involved in it.

The other good thing about this statement of government intentions is that it allows the community to be involved. It outlines what the public processes are going to be and outlines where there are going to be draft bills for consideration. These things were never a feature of previous governments. The community at large wants to be involved in the decision-making process and wants the opportunity to be able to give its views. If we refer back to other changes that have been made in previous parliaments, the community of Victoria has often felt it was not part of it, that it was kept out of the process. This new program allows the community to have a say and, if it wishes, to contact local members. Of course there would not be much point in contacting any of the opposition members, because they have not read the annual statement of government intentions, so it would probably be a bit of a waste of time. But if they come and see Labor members, the Labor members will be more than happy to discuss with them the proposed legislation and listen as part of an open and accountable government to any comments they might wish to make.

**Mr Wakeling** interjected.

**Mrs MADDIGAN** — I am sure if the member for Ferntree Gully, through the Chair, has some comments that he would like to make, even though they may be uninformed, we as a government will be more than happy to hear his comments as well and to consider them in the light of other comments from people in the community. There is an opportunity for members of the opposition to also be involved in the legislative program of the government in the future.

This is a great process. As I said, it is the first time that any parliament in Australia has introduced such a process. It seems extraordinary to me, having listened to the comments of the Leader of the Opposition, the Deputy Leader of the Opposition and the leader of the other coalition party, The Nationals, that they barely referred to the statement of government intentions at all. I think that is really quite sad, because obviously you can stand up here and complain to your heart's content,

but if you expect the people of Victoria to take you seriously, you are expected to get out there, scrutinise what the government is doing and really hold the government accountable to ensure that it meets the promises it has made to the people of Victoria.

For the first time ever in the history of this Parliament the opposition knows what the government intends to do this year and has an opportunity to make sure the government does it — and the statement allows the people of Victoria to also be part of the process. I think it is a great initiative on the part of Premier Brumby. I congratulate him on the annual statement of government intentions. It is the first of many that will be made while we are in government, which will of course be for many years to come, and it is a great opportunity for Victoria to have open and accountable government.

**Mr KOTSIRAS (Bulleen)** — It is with pleasure that I stand to speak. Can I just say what a disappointment the speech of the member for Essendon was. The statement, which consists of a statement of about 10 pages and a 52-page booklet in which there is very little of substance, is also a disappointment. This government is renowned for its Hollywood-style media stunts, and this is just another example of its arrogance. As I said, in 10 pages of motherhood statements and 52 pages of waffle there is no substance whatsoever. There is nothing in there about delivering for Victoria.

What this government is all about is media stunts. What happens is that when it is about to announce something the minister gets a confidential proposed media event brief. It is confidential, but it fell off the back of the truck, and I have a copy of it. It does not take into account what Victorians have to say or how good it is for Victorians; it just talks about what they should do to make the minister look good. This one here is in regard to Minister Theophanous in the other place. It is very hard to make Minister Theophanous look good, but for about three pages the government attempts to make him look good. There are a number of options. The brief is headed 'Proposed media event', 'Parkville Gardens (former Commonwealth Games village) demolition of clinical services building'. It goes through a page of waffle, and then states:

Option 1

*Proposed event — photo opportunity of minister and media release.*

The minister to workers to kick-start the demolition of the old clinical services building or visit the site during the demolition. As the site will be an active construction site, the minister may be constrained by what he can do.

Later it states:

*Photo opportunities ...*

1. Minister sitting in bulldozer.
2. Minister mingling with construction workers.

**Ms Beattie** — On a point of order, Acting Speaker, the member is reading from a document, and I ask that that document be tabled.

**Mr KOTSIRAS** — I am happy to table this document. I ask permission for it to be incorporated in *Hansard*.

**Leave refused.**

**Mr KOTSIRAS** — The brief continues:

Option 2

*Proposed event — photo opportunity of workers and media release only.*

If the construction timetable does not fit in with the minister's diary, it is possible to provide a photo opportunity on the site with workers, supported by a strong media release from the minister.

...

1. Workers demolishing the clinical services building.

Target media

Suburban media in Moonee Valley, Brunswick and Parkville  
Metropolitan media

But there is a warning here, and I quote:

However, the site is not a union site.

Here they are telling the minister that it is not a union site, so he really cannot do everything he wants to do. There are three pages on how to make the minister look good — and all ministers get this every time they come down from their ivory towers to make a media announcement. This is exactly what they get. They do not care. How many media advisers has the Minister for Roads and Ports got?

**The ACTING SPEAKER (Ms Campbell)** — Order! I remind the member for Bulleen that when he is addressing the house he does so through the Chair.

**Mr KOTSIRAS** — I refer now to page 14 of the annual statement, which is about multicultural affairs. I am glad the member for Yuroke is in the house. After eight years all this government can come up with is to combine the Victorian Office of Multicultural Affairs and the Victorian Multicultural Commission. After eight years in government all they can do is change the letterheads and business cards of the minister and the

public servants. That is all they can provide to Victorians after eight years in government: after eight dark years in government all they can do is change the letterheads! It is a shame they cannot do anything. There is no mention in this document of language services, there is no mention of LOTE (languages other than English). Under the previous government LOTE was very important and schools took it seriously. Under this government it is a luxury option. They have cut back on the money. They do not provide the funding that is required — and very few schools now offer a LOTE to their students — because they do not care about LOTE in this state.

There is no mention of newly arrived refugees and that this government does not know what local councils and the federal government are doing. They are duplicating services, and there are gaps in services. The Premier is also the Minister for Multicultural Affairs. We have a Minister Assisting the Premier on Multicultural Affairs and we have a Parliamentary Secretary Assisting the Premier on Multicultural Affairs. Even though the government has three people looking after this very important area, this area lacks any vision and any policies. The government is taking our communities for granted. It is a shame that the member for Yuroke does not take this seriously and perhaps speak to the Premier and request that he step aside and give the job to a full-time minister who would be able to carry out his duties. Unfortunately, as the member for Warrandyte said, the mushrooms on the other side refuse to challenge the Premier.

Prior to the last election this government promised \$8 million for the cultural precincts in Lygon Street, Lonsdale Street and Chinatown. After one and a half years nothing has occurred, nothing has been spent. Three backbenchers are responsible for each of these precincts. Do you know, Acting Speaker, that they refuse to speak to each other, so none of them knows what the others are doing? The Minister for Industry and Trade in the other place, Theo Theophanous, has been going around saying that his government will bring in legislation to compulsorily acquire all the buildings in Lonsdale Street and will turn the area into a Greek precinct. However, I have been told that the Premier is calling the minister's bluff and that the minister is now urging members of the Greek community to telephone the Premier and tell him that the minister is correct, that he is very influential in the Greek community and that unless the Premier listens to the minister the government will lose the Greek vote.

That is what the government is all about: media and spin. All government members care about is votes. They promised \$8 million for Lonsdale Street and yet

nothing has been spent. They promised some money to Lygon Street and nothing has been spent. They promised some money to Chinatown and nothing has been spent. You have to ask yourself what they are doing after one and a half years. One and a half years ago they promised \$8 million for the three cultural precincts, which are very important, but nothing has happened — not even a plant has been put in. I ask: what does this government do? What do its members do?

In the little time I have left I will talk about innovation. In August 2007 the government appointed a new Minister for Innovation, Mr Jennings in the other place. Nothing has happened since 2007. Mr Jennings has been overseas, travelling first class. He went to see some Hollywood stars, and he has made some announcements, but there is no direction and no vision; there is no vision whatsoever for innovation. It is a shame that a minister such as Mr Jennings is happy with the perks of office — he is happy with his white car and his ministerial advisers, he is happy to travel first class overseas — yet when it comes to looking after Victoria he has no vision and no ideas. He is more interested in his faction and in ensuring that his people get to become ministers than he is in looking after the interests of Victorians.

Innovation is very important to this state, but unfortunately this Premier has chosen a minister who is not capable of dealing with this very important area. He is out of his depth; I would be surprised if he knew what the word 'innovation' means. The government has chosen a minister who is out of his depth and who has no vision for Victoria. He goes with the flow, makes a few announcements and has photo opportunities here and overseas, but there is no plan and no vision for the future. This government is all about spin, all about rhetoric and all about the past.

**Ms BEATTIE (Yuroke)** — Thank heavens that diatribe has finished. I am very pleased to join other members in supporting the annual statement of government intentions. This is a significant document which demonstrates the Brumby government's commitment to openness and accountability, something I think members opposite would do well to learn about. It reflects the government's support of participatory democracy in Victoria. It empowers all Victorians to become informed about and indeed involved in the decision-making process. I urge those opposite to become involved.

I for one welcome this initiative. I know that my electorate of Yuroke welcomes it. My constituents are always very forthcoming, as I am sure are most

constituents; they provide me with their views on matters. This initiative will assist them in being aware of the government's intentions, and it will assist me in turn in representing their views. The statement sets out themes, visions, objectives and indeed tasks for the year ahead. It provides a real blueprint for the legislative framework the government intends to bring forward during the calendar year.

The broad elements of the statement are investing in Victoria, building stronger and more livable communities, promoting innovative and sustainable growth, and leading Victoria and the rest of the nation. The statement outlines the Brumby government's priorities for 2008. Those priorities include delivering better services to families, particularly in education and health, and addressing the needs of disadvantaged Victorians. The government also intends to improve local communities through upgraded public transport — I will talk a bit about public transport in a minute — better planning and greater community safety. The statement also talks about job creation, about growing the economy through good financial management and investment in skills and key economic infrastructure, and about addressing the absolutely critical challenge of water and climate change, something the opposition and the former federal government denied was happening.

The community has already seen and welcomed many projects that will address the issues. Members will know of those great projects, including the \$115 million Craigieburn rail extension, which involves new stations at Roxburgh Park, Craigieburn and Coolaroo. We have seen improved bus services and the emergence of new schools as well as the upgrading of many existing schools. In my electorate Wilmott Park Primary School and Gladstone Park Secondary College have been well and truly upgraded. The agenda set for the year ahead will build upon those initiatives and deliver further benefits to my community.

I would also like to comment on a few of the initiatives included in the statement of intentions for the year ahead. I am pleased that the statement includes many initiatives which support a fairer Victoria and narrow the gap between disadvantaged Victorians and the rest of the community. These initiatives include important consumer protection. One good example is the lemon laws bill, which will provide a fair, simple and comprehensive system to redress motor vehicle purchases. The Equal Opportunity Act will be updated to address systemic discrimination and to increase the Victorian Equal Opportunity and Human Rights Commission's powers to tackle discrimination.

Supporting a fairer Victoria and addressing social issues are key components of the government's legislative program. I am also pleased to support the inclusion of these initiatives. I am pleased the government will tackle the long overdue review of abortion law and address the recommendations of the Victorian Law Reform Commission in regard to access to assisted reproductive technology and surrogacy. These social initiatives will build upon previous initiatives which illustrate this government's commitment to tackling social issues.

I want to talk about some of the comments made by the previous speaker because, as the Parliamentary Secretary Assisting the Premier on Multicultural Affairs, I look forward to the initiatives which are proposed through amendments to the multicultural act. The legislation will improve the delivery of Victoria's multicultural strategies, policies and services, and it will provide greater community focus through enhanced community input and participation. Apparently the previous speaker thinks that including the multicultural community is just about building things. It is not; it is about being inclusive.

The previous speaker really broke longstanding traditions. Although I am not one to get up and praise the Kennett government, I note that Jeff Kennett in particular took a bipartisan approach to multicultural affairs and became a bit of a champion for multicultural affairs. What we have here is a shadow minister who is divisive and is trying to play wedge politics in the multicultural community. We saw him trying to pit Greek against Greek, one community against another, and he is to be condemned for that attitude. In Australia, and particularly in Victoria, we welcome people no matter where they come from and no matter what their religion, and we urge them to make their home here and become part of multicultural Victoria. In doing so we do not pit one community against the other.

We have seen two shameful attacks here tonight. We saw the shadow minister for getting the Cox Plate away from Moonee Valley — it seems to be the member for South-West Coast's grand plan to get the Cox Plate away from Moonee Valley and over to Caulfield — come in here and trot out those things. We saw a shameful episode of unsubstantiated attacks and allegations against members of the community. Now we see the shadow minister for multicultural affairs and citizenship trying to pit community against community and create divisiveness in the multicultural community, and he is to be condemned for that.

I ask the shadow minister for multicultural affairs — —

**The ACTING SPEAKER (Ms Campbell)** — Order! I remind the member for Yuroke to address her comments through the Chair and not to direct questions to the opposition or the member for Bulleen in particular.

**Ms BEATTIE** — I wonder where the Liberal Party was when the HYP fest was on — the harmonious youth participation festival. What did I see there? I saw a poor old member for Northern Metropolitan Region in the other place sitting outside on a 35-degree day in a little tent by himself with nobody speaking to him. At least he turned up. The shadow minister did not turn up at all.

**Mr Kotsiras** — On a point of order, Acting Speaker, I understand that perhaps the member woke up very late, but I have to advise the member that I was present at that festival early in the morning when the member was in bed sleeping.

**The ACTING SPEAKER (Ms Campbell)** — Order! There is no point of order.

**Ms BEATTIE** — It is not my intention to pit multicultural community against multicultural community. All the communities make up this great state that is Victoria and they all deserve our respect and admiration, and I will not be playing divisive politics with the multicultural community.

This statement of intentions is a good statement. I am proud to support it. I would like to congratulate the Premier on this initiative. He is committed to open and transparent government, and this is the opportunity for it. I would have thought the opposition would have grasped it with both hands and tried to make something of it. Instead, what did we hear? We heard the member for South-West Coast complaining that it was not well presented. What did he want? Did he want thousands of dollars spent on colours? It is a good statement, and if those on the opposition benches are smart, they will speak on it and speak well on it.

**Mr DIXON (Nepean)** — It is not really a pleasure to be speaking on the statement of government intentions, because in this place we should be debating legislation and talking about our electorates, but I feel obliged to comment on this bit of fairy floss. It is a waste of this Parliament's time, but we have got it and I will comment on it.

The genesis of this document is the fact that the Premier is suffering from a bit of limelight withdrawal now that he is no longer the Treasurer and no longer has his yearly bringing down of the budget. He is suffering, so this annual statement is going to be his new opportunity

to say, 'Here I am; look at what a wonderful job I am doing and at the wonderful job I am going to do'. But unfortunately the big day of the party was spoilt, and you could see it in the Premier's face and in the faces of many members.

A disparate array of groups gathered out on the steps of Parliament House, most of whom probably would not usually talk to each other, but they were all united. Some people say the Premier is a divider; I say he is a uniter. He unites every single group in this state against him and against his government. He has done a great job of uniting Victoria. I do not think he is a divider; he is a uniter of everybody who has a bone to pick with this government. It was even more apparent when members of the groups gathered on the steps came inside. They feel they have never been listened to by this government. They do not get access to the Premier, so the only way they could force the issue — even though it was unparliamentary and was out of order — was to ask questions from the public gallery. They got a few questions in; they got their message across.

What happened on the day the government was talking about how open and accountable it was? What did the government do? Unfortunately it tossed them all out of the public gallery and put them back out on the street. I reckon they will be back next year. In 12 months they will be back, but it will be a bigger and better demonstration. There will be more unity in the state. More groups will be united together in their hatred of this government and the Premier, and they will all be back. But I do not think we will see a third statement from the Premier. By that time the Premier will have become a bit sick of it all and he will have come up with a new idea. But we have a glossy little document here, even though it is short on detail. It contains a lot of reannouncements. It is short on action, but it is big on rhetoric. Unusually for a major government announcement, there was no helicopter.

I will now move through some of the sections of this document which are relevant to my electorate and also to my portfolio. First of all, section 1.2, which is headed 'Further reform of education'. There is a great announcement that we are going to have another blueprint. Five years ago we had a blueprint for education. That blueprint for education delivered the lowest mainland state results in reading literacy, mathematical literacy and science literacy. That is what the last blueprint delivered. It delivered the worst paid teachers in Australia. It delivered the lowest funding of government education in Australia. The last blueprint delivered the lowest funding of non-government education in Australia. That is what the last blueprint delivered. God knows what this next one is going to

deliver. It cannot get any worse than that, so hopefully, in a positive vein, it might improve education in this state.

The document talks about leadership development, professional development of teachers and how important our leaders and our teachers are, but look outside! Look at what happened outside the Premier's office today, look at what is going to happen outside many government members' offices over the next six weeks, and look at what happened outside here on the last sitting day. Tens of thousands of teachers are upset with this government because they are the worst paid in this country. The government is not listening to them, and the government does not value them. No matter what it might say, the government does not value them. It will not even talk to them. I can go and talk to the union, but the minister will not go and talk to the union. Teachers have got legitimate concerns, and they have been totally unvalued by this government. No wonder they are leaving in droves! No wonder they are leaving the profession in droves, and no wonder the other teachers are also leaving Victoria to teach in other states where they are going to be recognised more and they are going to be paid more. There is absolutely no mention of that in this statement.

There is going to be a new focus on student outcomes and poor-performing students. Of course they need that! As a result of the education system this government has delivered over the last nine years there are record numbers of underperforming students. Our students need that sort of focus. There have been cuts in that funding, and hundreds of children with real educational need have had their funding just totally taken away from them.

I think the best illustration of that is the case of Rebekah Turner, whom this government dragged through the courts and dragged through the Victorian Civil and Administrative Tribunal. It is now going to appeal against the VCAT decision that handed damages to young Rebekah Turner and ordered the government to do what it should have done in the first place over a number of years and in a number of schools. This has not just happened over one year. For six years of primary and secondary school this young lady has not had the care, the attention and the extra help that she deserves. The government has been ordered to provide remedial education, an integration aide, specialist training for all of her teachers, plus \$80 000 in damages. What is the government doing? It is taking this further. It is going to appeal that decision.

This poor young lady whom this government has neglected has got another two years of schooling — her

vital Victorian certificate of education years — but the government is still arguing and will not let her have the help that she deserves. I just cannot believe the cheek of the government to say that over the next number of years there is going to be a new focus on student outcomes and poor-performing students. How about Rebekah Turner, for a start?

There will also be provision made in legislation over the next 12 months for the transition of early childhood services, preschools and kindergartens from the department of education to form the new department. That is something I agree with. I think it is fantastic, because it was our policy. This government did not go to the last election with this policy. Its members were the only people who did not believe in that — the only people in Australia and the only people in Victoria — and with the change of leadership in the government here the government has finally woken up to what is going on in the rest of the world and the rest of the country. That will be good to see, but, as I said, there are many major educational issues confronting this state that are not in this statement. There is nothing in the statement about maintenance plans for our schools; there is nothing about better pay and conditions for our teachers; there is nothing about strategies to help our teachers, to keep our teachers and to attract new teachers into the profession; and there is nothing about plans to improve funding and to lift standards in any area of education at all. I give the government 1 out of 10 for education.

**Mr Kotsiras** — You are very generous.

**Mr DIXON** — I am a soft marker. Moving on to some of the other areas in this statement, under major transport projects we have got project facilitation legislation. I look forward to that! I would have thought making a project actually happen would have been something that, after nine years, could already have happened. I would love some projects down my way on the Mornington Peninsula Freeway, the sound barriers and the lack of roads. There has been no major spending at all in my electorate in the last nine years of this government.

Under paragraph 5.1 relating to planning for the environment we are going to have the release of a discussion paper. That should be good. We are also going to have the establishment of an expert panel. That will be good, too. But this is very hard work, and it cannot be delivered until 2009. This cannot happen in one year; it is going to take years for those two very important things to happen. In terms of planning, the big issue in my electorate is the fact that Melbourne 2030 does not belong on the Mornington

Peninsula, no matter what the government might say. The government says that the Mornington Peninsula is part of Melbourne; it is not part of Melbourne. Melbourne 2030 is being exploited ruthlessly by developers in my electorate, and we have got these unbelievably monolithic constructions being planned for and being applied for in the little towns of Shoreham, Flinders, McCrae and Dromana — six storeys in Dromana — because that is what is allowed under Melbourne 2030. You cannot do that opposite the beach, but that is the way the planning laws are. The Mornington Peninsula should have a separate planning scheme. This government is ignoring that, and there is nothing in this statement about delivering that in the next number of years.

I also wish to briefly comment on the issue of water infrastructure. No mention is made in the statement of the upgrade of the eastern treatment plant. We actually had the sixth anniversary of the first announcement of the upgrade of the eastern treatment plant. It still has not happened. Apparently it is going to be delivered in 2012. Some 450 million litres of effluent are pouring out of that pipeline day in and day out, and there is no commitment from this government to clean that up or reuse that water. Instead we are going to get a \$3 billion desalination plant and a very controversial north-south pipeline that is going to steal water from the food bowl in the north of Victoria.

Finally, the last issue I want to mention is national parks. The commitment by this government was that we would be handed Point Nepean National Park and the old quarantine station by the federal government in October. The problem is that Parks Victoria does not want it, and it is the one that is going to have to look after it. It has got no funding. It is short of funding, and it cannot do what it needs to do around the state, and it is going to be handed this massive infrastructure development — a fantastic asset for Australia, for Victoria and indeed for the world, because it is quite unique in its flora and its fauna, its geography and its history, and its built form — and Parks Victoria is going to take it, yet it has got no money to do anything with it.

**Mr FOLEY** (Albert Park) — I rise to speak in support of the statement of government intentions. Before I do so, I say in passing that I think it was the member for Benalla whom Oscar Wilde was thinking about when he said that some people bring happiness wherever they go, others bring happiness whenever they go. I think he meant the member for Benalla, who really does bring happiness whenever he goes. I would urge him to think very seriously about how he can

support the government's statement of legislative intent here in this house.

So far from our friends on the other side we have heard various attempts at character assassination, attempts at wedge politics in the ethnic community and allegations of a waste of time in regard to how this whole important reform of this Parliament is actually going to contribute. I think it is a pity that our friends opposite do not see the opportunities that this process might bring to debate about what kind of Parliament we want and what kind of Parliament we actually want to operate in. Equally it is an opportunity to engage constructively around the kind of legislative agenda we want. It is indeed an opportunity — and this is the key point that I think our friends opposite are missing — to engage in the debate about what kind of Victorian community we want and what underpinning values and principles we would like to bring to the Victorian community. Instead all we see is an opportunity for our friends opposite to respond with attempts to grab headlines and curry favour with particular select causes they have rather than make constructive opportunities to deal with the performance of the Parliament — how it operates and how it engages with Victoria's people.

What we are trying to do through this process here on the constructive side of this house is to engage with Victorians about what sort of a process government can bring to them to make their lives better. That is what government is seeking to do, and that is actually what this statement of legislative intent seeks to deliver in a conversation with Victorians. What we are really trying to do, I suppose, is set out the underpinning values and principles that we would like to reflect in our community. It is really an opportunity to engage in debate about what kinds of values and principles we would like to bring to the public policy that underpins our legislative program and our legislative agenda. It is not actually, as our friends opposite might like to think, just for slinging off about pet causes. Our friends opposite have just succumbed to the uncreative opportunities, rather than really trying to engage here.

What the statement is trying to deliver is pointing out to the community that these are the kinds of values and principles that we would seek to bring to build our community. It is about a preparedness to look at some of the tough key issues that are facing our community, including our infrastructure needs. It is about planning for the next 10, 20 and 30 years, rather than for the next 10 or 20 minutes, as seems to be the attention span of those opposite. It is about dealing with the risks of an ageing community. It is about dealing with the skills issues. It is about dealing with innovation. It is about dealing with social policy issues that reflect the world

view of an outward-looking, confident Victoria, rather than the inward-looking, moaning, groaning, carping attitude that our friends opposite would like us all to have to put up with.

Let us look at just a few of those policy positions the government has indicated it will introduce in the statement of legislative intent. These are measures that actually reflect a forward-thinking world view and that the government knows where it wants to take the Victorian community. I do not think we could do any better than look at section 12.1 on climate change under 'Protecting the environment', which begins at page 42 of the document. Here we recognise the challenges of climate change, unlike some of the denialists opposite — and the denialists now in coalition will be very interesting to listen to in debate over the next two years.

I quote briefly from the document, where it states:

Victoria will need to pursue policies that prepare households and businesses for the impact of the introduction of a price on carbon and will formalise this through a climate change bill. We will promote innovation and work with industry to ensure that it improves resource efficiency and reduces emissions. We will assist families and individuals to reduce their environmental impact, and ensure that our response to climate change is consistent with our broader commitment to social justice.

That is an important combination of linking environment into the social justice policies of this government. The climate change bill will not only bring about reforms that are necessary in government and industry activity but also promote community changes. We need to grasp those bigger issues. The vehicles for those are already there in the Victorian energy efficiency target scheme and the mandatory renewable energy target. Sadly, some of these measures were opposed by our friends opposite in former governments, but these measures, together with links to the new federal Rudd Labor government's programs in this area, are fundamental to what we are seeking to deliver here.

Again, in terms of leadership on this important issue, the Council for the Australian Federation received the Garnaut report last week. That report had its genesis with this government through the former Deputy Premier, the then member for Albert Park, who engaged with the proposition of bringing Professor Garnaut into the service of the states to contribute to this important area.

What the Garnaut report is really seeking to contribute to in the interim position is the issue of how we move our economy and our community along in the debate of

how we deal with the carbon-constrained future. It is an opportunity for the carbon trading system to be there for us to make sure that we are sustainable and delivering opportunities for a new economy into the future as well as addressing how mechanisms for these can be exported to our growing Asian neighbours in particular.

It is not just about that; it is also about what happens locally. In my own electorate it has some very direct implications. It goes beyond the obvious implications of dealing with the wonderful foreshore and beach activities around the district of Albert Park, which have already seen an increase in activity from global change with storms and tidal damage, and also deals with a lot more than that. My electorate has one of the highest private rental rates in the state. The issue that is very important for private renters is how, in a carbon-constrained future, measures that address efficiency of energy-saving arrangements, including water-saving methods, can be implemented and how private landlords can be encouraged to deal with the retrofitting of buildings that, in many cases, are the best part of a century old.

These are significant issues in how we operate as a community. It disturbs me that, rather than looking for these big-picture opportunities to engage in serious issues like climate change, sadly all we have had in the contributions this evening from our friends opposite are, as I say, attempts under the cover of parliamentary privilege at character assassination and wedge politics with inaccurate allegations about what the whole program is designed to do. Rather than taking these narrow, inward-looking opportunities, our friends opposite really need to grasp the nettle and engage in a conversation with Victorians about what sort of future they would like to bring to all communities in Victoria.

What they have missed fundamentally is the proposition that this document — a first in an Australian Parliament — gives us the opportunity to see how we can engage with the community about what sort of future we want and how the legislative agenda reflects the policies, principles and programs of the values we want to bring to our community. Sadly I think that the friends in the new coalition opposite fail to understand that principle about how you engage with communities in a policy conversation underpinned by values and principles. Until such time as they understand that, they will continue to languish in opposition.

I think it is a fantastic document, one which the government should be very pleased to have launched to Victorians.

**Mr CRISP (Mildura)** — I rise to give reply to the statement of government intentions on behalf of The Nationals in coalition. In country Victoria and in my electorate, families are looking to government to improve what I call the basic pillars of life: health, education, law and order, and transport. The Mildura electorate is also worn out by the water crisis.

In health, our hospital, the Mildura Base Hospital, has extensive waiting lists. The best efforts of the government to address waiting lists have been to no avail in Mildura because there are no beds. The hospital is not big enough. You can do and say all you like about waiting lists, but the people of Mildura will not benefit from that initiative. We have outgrown our hospital. A rate of 2.4 per cent growth over a long period has meant that the hospital does not have the facilities to cope. Specialist doctors are having to postpone surgery. Probably the best example of this postponement is Bruce Lawn, a constituent of mine who has regularly visited my office. Bruce has been waiting for years for a knee replacement. Now he limps because of his knee, and he is in line for a hip replacement as well as a knee replacement. The false economy of delaying that elective surgery is going to be paid out in pain to Bruce and to the state's purse.

In education, participation rates show there is a marked difference between the city and the country. The causes run deep. I believe there is a need to look at why so many of our children are disconnected from the education system so early in their education. The retention trend in country schools is going the wrong way. Again, that vital pillar is failing, and the statement of government intention does not give them confidence that it will be addressed.

In relation to law and order, people want to feel safe both in the community and when they travel. Recent events on metropolitan public transport and at railway stations and tram stops cause great angst in the country. Country people need to visit the city, and they have enough problems in managing the city itself without having to worry about personal safety.

Turning to transport, in a carbon-constrained future country people will be at a great disadvantage, and they look to government to do better in both public transport and freight transport. Today during question time we heard a statement from the Minister for Public Transport about what is going to be done for country rail. However, all that money and all that effort will be totally wasted if the railway line that the government is going to install will not or cannot carry trains. There is no better example of what can happen than the railway line from Ouyen to Murrayville, which is closed for the

summer season. Any export grain that goes out at \$6 a tonne will be of no value. You will not achieve the diversion away from trucks because the railway line cannot be used when the temperature is over 30 degrees centigrade and because as soon as the temperature settles down below that level, trains will be limited to 10 kilometres an hour. Those announcements by the Minister for Public Transport are of no value across that area.

In northern Victoria cross-border issues frustrate everyday life. The statement of government intentions does not address them, and I think it should have addressed them. There is mention that Victoria will repeal some legislation, and that is welcome. However, it does not address the core difficulties people face every day. There is no better example of that than the current P-plate reforms, which although welcome create problems for country P-plate holders as soon as they try to cross the border. Surely we must not allow that cross-border issue to rear its head. Otherwise we are adding to the list of cross-border anomalies as fast as we are taking things off.

We also need to talk about water. On page 8 of the copy of the Premier's speech are the words 'adjusting water entitlements depending on the supply position'. Those words have caused great alarm in my electorate. The statement of intent has been only a statement of intent to scare. Water entitlements are sacrosanct to farmers. It is their water right, and to have entitlements varied or removed eats away at their very security. Surely the government is talking about the allocation process. In water entitlement you have a legal right to the water, and your allocation is how much of that legal right is available to you in a year. To threaten entitlement endangers the security of high-value horticulture — something that is so valuable to my community that to have it endangered is of great concern. The confidence level among horticulturists because of the drought is at rock bottom. They need a reason to go on. The statement of government intent saying in effect, 'You go on, but we are going to take away more of your water' does nothing to get people to maintain their farms — to get out of bed every day and do the work that has to be done to produce the food that the city, the country and our neighbours need.

Are we going to tie ourselves up in a knot with the adjustment to water entitlements? The federal government is indicating that it is going to buy back some water, and Victoria is going to vary its water entitlement through the bulk entitlement process. We could end up in a real mess, and it may come down to the fact that the farmers have no water left. Also, will Melbourne's water, through the pipeline which we

oppose, be subjected to the same water entitlement reduction or will it be preserved above that of farmers? This is doing nothing to improve the status of the government in country people's minds. Adjusting water entitlements removes security, and there must be security for permanent horticulture.

Finally, country Victoria deserves better. I call on the Brumby government to spell out its initiatives for the Mildura electorate in health care, safety, transport and water.

**Mr SCOTT** (Preston) — It gives me great pleasure to rise to speak on the annual statement of government intentions, which I believe is a significant reform to how this Parliament operates. It provides a wonderful opportunity for the public of Victoria to be engaged in the policy development process.

There is a particular aspect I would like to focus on first. I am pleased to see that a former Minister for Consumer Affairs is in the house, because in his speech to the Parliament the Premier stated:

Residential tenancies legislation will also be improved to protect residents of rooming houses, mobile homes, caravan parks and student housing.

The former minister would be well aware of an ongoing issue within my electorate at the Summerhill Residential Park, where for many years a number of the residents have been struggling with the management of the park and to express their rights as tenants. It is wonderful to see the commitment of this government to improving the lot of those who reside in caravan parks. It is really testimony to the struggle of the residents there who, through their courage and willingness to stand up for their own rights, can say they played a major role in the advancement of good legislation in the state. Not many people who are ordinary retirees can say they had the bravery and courage to stand by their principles and ended up with a change in the law.

It is a significant achievement. I would like to pay tribute particularly to Lionel and Marion Foster, who have been at the heart of that campaign. It is something I suspect not every member of this house would have the bravery to do, and I know the former minister has met the residents there on a number of occasions. These people have found themselves in difficult circumstances. They are not rich people; they do not have great financial resources. They have often been subject to some fairly difficult situations, and they have been willing to stand up for themselves and have changed how this society will function. I would like to take the opportunity in this speech to pay tribute to them. As I have said, in the same circumstances not

many people from either side of the house would have the courage of their convictions as displayed by these ordinary residents of my electorate.

It is important to see this legislative reform as part of a gradual shift whereby the rights and the view of the role of the consumer in society are gaining greater prominence. Traditionally in Australia policy was framed either by workers or by business — so really by producers. If you look back at Australian and Victorian history, particularly at some of the debates around the turn of the last century, when the Australian federation was formed, there was almost a deal between business and workers under which business was protected, jobs were protected and competition was removed through the arbitration and tariff processes. There was a view about how competition existed, and the rights of consumers were not really paramount. High prices and other issues that arose through that sort of system were not really part of the political debate. That has changed over time, and I have to say that sort of debate is a challenge for both sides of politics, as it has changed significantly.

If you look at the statement of government intentions through that sort of framework, you see there is also a significant change to how we view the world and competition. Whereas in the past competition has been seen as a negative and something to be avoided, now people are realising that the benefits to the market — and we live in a mixed market economy — really stem from competition. They also stem from international competition and trade and engagement with the world.

Slowly we are moving from the situation where we ignored the role of consumers and how policy would affect consumers to a greater focus on people in their role as consumers. There is no point in focusing on people just as producers, be that either as businesses or as workers, because if you have expensive goods and cannot afford them and do not have a high standard of living or you have only monopoly providers who do not provide good-quality services at low prices, that is a significant issue that cannot be ignored. That has not traditionally been part of the Australian political dialogue, but it is becoming more and more part of it. I think that is something that has changed.

In looking at globalisation and how we trade and so interact with the world, this is a statement that is committed to globalisation; it is committed to trade with the outside world. I know channel deepening is an issue that stirs a lot of emotions, but getting the development required to improve our ability to trade with the rest of the world is very significant and has great benefits for our society in two ways. Firstly, it

allows us to export. I encourage members of The Nationals in particular, in their new coalition status, to think about that issue, because exports play a critical role. This development also allows imports. I know that sometimes imports are discussed as if they were the lepers of the economic world, but people like Adam Smith put mercantilism to the sword intellectually about two centuries ago. Despite that, often it lives on in the public debate. There is no point in selling exports unless you are deriving some benefit from them. One of the key benefits we derive from being able to sell goods to the world is being able to buy from the world goods that are of higher quality and at a cheaper price than we can produce here. That is one of the key ways to raise living standards for the people in our society.

Something like channel deepening is a benefit, not just because it allows us to export more but because it improves trade and commensurately we will have the benefit of some of the imports that we derive. It is important not to see exports as the only benefit that we derive from trade, because imports actually benefit our community as well — but that is often ignored in the public discourse. As I said, it often appears that mercantilism is still alive, even though effectively it died two centuries ago.

Another important aspect of how the statement relates to the world and how it views other people is the commitment to multiculturalism. In looking back to the world of the past we see that we were focused purely on people as workers and business owners, and we were cutting competition out of our society. This is best described in Paul Kelly's book *End of Certainty* in what he described as 'the Australian settlement'. People who were different were regarded as people to be feared, people who undermined wages and who were not human like us. That changed — and I have to say it is now a bipartisan position and is a significant change — because now we see people for who they are and what their character is, not for the colour of their skin. That is an important change.

This statement is a commitment to improve multiculturalism in Victoria. That is reflective of a broader change where we see people not as a threat because they are different but as equal human beings who may come from a different culture and we recognise that that does not make them inferior. In fact it does not necessarily make their views, their beliefs or their religions inferior — not at all. Everyone is equal and everyone is equal before the law, but more importantly, people are equal in how they are treated by our state.

In a competitive globalised world we have to think about what sort of society we are and how we will attract people to come here. There was a reference, I think, in the speech to demography. I have to say one of the few things I agree with our former Treasurer about is that demography is destiny. We have an ageing population, and if we cannot attract people to come to Victoria — —

**Mr Burgess** — John Brumby?

**Mr SCOTT** — I was referring to the former federal Treasurer, Peter Costello.

**Mr Dixon** — It sounded like John Brumby.

**Mr SCOTT** — Not at all. What 'demography is destiny' means for us as a society is that we have to be the sort of place where people want to come to live; we have to be a livable community. I note that it is disorderly to respond to interjections, but we are the sort of community where people want to live. Despite the commentary from members of the opposition, people vote with their feet about whether a place is functioning or not. We can make whatever commentary we like, but a good test of whether a government is succeeding is whether people are coming or leaving the place. In our society people are free to live where they choose. They can leave Victoria and go somewhere else. People are choosing to come from all over the world to Victoria because there is a commitment, a commitment reflected in the document, to building a community where people live comfortably, happily and in a society which is safe.

There is an important aspect to this where there is a shift in some aspects of traditional left-wing politics, in that now people in the Labor Party see that community safety is not a dirty word. It is something we celebrate. Often the victims of crime are poor people. Often the people who are subject to criminal activity are the most disadvantaged in our community. We are proud to say that we support community safety.

What I say further to that is that there is another aspect to being part of the globalised world, and that is dealing with the environment. As a society we have a responsibility to the rest of the world in how we impact on the environment. The biggest challenge we face is climate change. Climate change is an important challenge not only for our society but for the rest of the world. We have to do our part, and our part will be done firstly, as can be seen in this statement, through the climate change bill. We as a government are committed to dealing with climate change and ensuring

that Victoria, as a good global citizen, as part of the globalised world, will make the world a better place.

**Mr R. SMITH** (Warrandyte) — I would like to start my contribution to the debate with a quote from the *Age* of 14 February, which states:

The government's intentions statement is an insult to voters.

...

Last week we saw the worst a Parliament has to offer in a joint sitting of the Victorian Parliament initiated by the Brumby government to present what is planned to be an annual statement of government intentions.

The statement was so utterly threadbare that the demonstrations both inside and outside the Parliament ... were probably a blessing in disguise for the government, which is giving increasing signs that it is struggling in several key portfolios.

I would say that is a pretty accurate assessment. This document is an example of a waste of time and resources and is an exercise merely to pump up a very insecure Premier's ego, a Premier who desperately needs the limelight. I want to go through the document section by section and see if it is truly a document that should be touted as the answer to all our problems.

I go first to section 1. No. 1 on the government's priority list is education. In the first two sentences we again see mention of the government's plan to modernise all schools over the next 10 years. I must say that when I read this I was very excited. I thought, quite reasonably, that I would see a plan for when the rollout of this modernisation program would actually occur. Unfortunately, as is inevitable when dealing with this government, I was disappointed. In fact not only was the modernisation program not even mentioned again, but I saw, in the third sentence, that this program will not even be a focus for 2008.

The modernisation program is a con and a disappointment. The reality is that principals have absolutely no idea where their schools fit into this program. School communities are left to wonder whether they should use their meagre resources to actually address the many maintenance issues they have or just sit back and wait and hope that the government will slot them into this process sometime in the next decade. At least if they had some idea of where they fit into this process, they might be able to make some sort of plans. But they have absolutely no idea where they fit, and they are left in limbo. I have visited a number of schools in my electorate in recent times, and I have to say people in them are devastated to see the callous axing of the Howard government's Investing in Our Schools program. They have a very real concern that

the Rudd government is going to treat them with the same scant disregard that this Brumby government has.

As I read through section 2, on health, I was unable to find any reference at all to the issue of hospital waiting lists. Am I correct in assuming that its absence from the statement of government intentions means that the government does not intend to actually do anything about this crisis? I say 'crisis' because, despite the fact that the waiting lists are much longer than the government would care to admit, this government seems to have absolutely no intention of addressing the issue; in fact it is absolutely blinkered on it. The *Age* of 10 October 2007 reported:

Victoria's surgical waiting lists are far bigger than the state government has admitted, with leaked internal documents from Melbourne's biggest hospital revealing it has almost 1000 people on a 'secret' waiting list.

Again, today's *Age* stated:

The number of people waiting for treatment at Victoria's biggest hospital, the Royal Melbourne, is nearly three times as big as the official waiting list declared by the state government.

The health minister actually treats Victorians as fools. A spokesman is reported as saying that some people appear on the lists but are not counted in the official numbers. The health minister seems to think that is okay and that it is an okay thing to tell the public. If you couple that with the fact that according to the most recent figures most of Victoria's hospitals posted financial deficits, you really have to wonder whether by any measure the health minister is up to the job at all.

Section 4 deals with public transport. There are many things to say about public transport in this state, including, indeed, so many things about the government's complete and utter failure to deliver its much-vaunted ticketing system. I looked under the heading 'Accelerating public transport' and could see absolutely no mention at all of the word 'myki', so I can only assume that the government has no intention to have myki ticketing up and running this year, despite the fact that the myki website still says:

The rollout of myki will begin with the first stage of the pilot program in 2007 and continue into 2008.

I somehow doubt that that is going to happen.

Going forward in this section you come to 4.2, 'Major transport projects'. You expect under a heading 'Major transport projects' to actually see some major transport projects. Instead you just have an indication that the government intends to add another layer of bureaucracy and give us another year of procrastination in order to

delay actually delivering something to Victorians. It is really quite disappointing.

Section 5 deals with the issue of planning. I have to say that nowhere in my electorate is there a better example of the government's contempt for the green wedge than in the case of the On Luck Chinese nursing home. This nursing home was built against the express wishes of much of the community, and I will quote from the document that a former planning minister put out in relation to the amendment allowing the On Luck retirement village to be built. The minister said:

The amendment prohibits particular land uses not considered appropriate to be located on green wedge land, including a nursing home ...

She also said:

Under the provisions of the Manningham planning scheme the proposal is prohibited.

This is my favourite:

The amendment is generally considered not to be in accordance with the directions, policies or initiatives of Melbourne 2030.

So the government does not even pay attention to its own policies. Despite all those comments the government went ahead in allowing this nursing home to be built on the green wedge site anyway. Whatever is said about this government's intentions in developing a new planning and environment bill, history shows us that this government will not honour any commitment to the green wedge — —

**Mr Stensholt** — What have you got against the Chinese On Luck nursing home?

**Mr R. SMITH** — The member for Burwood should really calm down. He should take a lesson from the Attorney-General and just calm down.

In relation to section 6, 'Making communities safer', I can only assume that this government has the intention of persisting with the line that crime rates are going down — even in the face of the chief commissioner finally admitting that the level of violence is higher than we have seen before. But it is heartening to note that Victoria does not have a gang problem. We do have, however, what the chief commissioner describes as 'groups of young people who come together and they will often be around in large swarms'. So we do not have a gang problem at all, but we do have groups of young people coming together. We are fortunate indeed to have a chief commissioner who can so succinctly identify the problem.

All I can say about section 8, 'Securing Victoria's economic future', is that the former Cain and Kirner Labor governments almost bankrupted this state with debt in excess of \$30 billion.

**Mr Wakeling** — How much?

**Mr R. SMITH** — Thirty billion dollars. By 2010 we will be pretty much halfway back to those levels, but according to the government we have absolutely nothing to worry about. Talk about fiddling while Rome burns!

Section 9 is one of my favourite sections, and I will quote from it:

The delivery of major projects is a vital part of ensuring that the provision of infrastructure meets the demand of Victoria's growing population and economy.

We are coming to my favourite, and the funniest, six words of this entire document:

While our delivery record remains strong ...

I think the government record on the delivery of major projects is there for all to see. Suffice it to say that the phrase 'on time and on budget' would be very unlikely to feature in any list of the government's achievements.

In relation to section 12, 'Protecting the environment', I would like to quote from a report released by Environment Victoria on 7 December last year, in partnership with some other groups like the Wilderness Society, which is headed 'Half committed — report card reveals Brumby government dragging its feet on environment'.

More than half of the Victorian government's environment election promises are at risk of being undelivered or have already been broken...

...

One year since its re-election in 2006, the state government has broken four of its 69 pre-election environment promises, while another 33 show no signs of progress.

Perhaps the member for Albert Park would like to read an article in the *Age* of 7 January. He spruiks how well the Victorian government is doing regarding greenhouse emissions, but the article says:

Annual greenhouse gas emissions from energy in Victoria have soared by nearly 30 per cent since 1990, challenging state government claims that it is serious about tackling climate change.

That is unbelievable! The promises that the government gives us today are exactly the promises it has given us in the past. They will not be delivered on.

Section 13 of the statement is about making government more accountable. In the short time I have left, I would like to make reference to [www.yoursay.dpc.vic.gov.au](http://www.yoursay.dpc.vic.gov.au). This website apparently gives all Victorians a right to say what they want. But you have to register to do that; the government wants to know who is bagging it. Of course none of the comments which are made are going to appear on the website. I am sure that in the future we are going to see an edited version of the few favourable comments the government might receive, but I am sure the large numbers of comments which are received about how badly the government is doing will be absolutely hidden and eventually discarded.

In conclusion, a close examination of this document — perhaps in fact a not-so-close examination — exposes a Premier who is racked with insecurities and a government that is bereft of ideas. The fact is that Victorians no longer believe this government.

**Ms THOMSON (Footscray)** — After that diatribe, it is terrific to be able to stand up and support the annual statement of government intentions. I do so by saying this: governing is about leadership and about leadership that brings the community with it. Governing is about dealing with the issues of now but preparing this state for the issues which it will confront in the future. This government has been tackling those issues for the last eight years. It will continue to do so.

Government is also about realising that things change; that expectations within a community change; and that the circumstances that a community operates under also change. The member for Preston spoke very eloquently about some of the issues we are confronting.

I want to talk about the question of globalisation. For many years Australia has tried to say, 'Let us buffer ourselves against globalisation'. But globalisation is something that is not just hitting us economically; it is something that is hitting us environmentally. We now have to tackle it as citizens of the world. Previously, we saw globalisation only in the context of the economy; we only saw it as a threat in some instances. This government said, 'We are going to embrace the global economic circumstances. We are going to embrace our responsibility to the global environmental needs of global warming'.

But another issue is the global society. The truth is that more and more young people are now concerned about the environment, where new jobs are going to be and what work they will do. They are also concerned to ensure that we are providing a society to support that. As we enter into the global marketplace, as we get

involved in global environmental issues and as we get involved in social standings, we are seeing the world change. We are seeing countries like China, India and Malaysia — all of those sorts of countries — now improving the standards of their working people. That has an effect on the marketplace of Victorians.

This issue is about recognising the place in which we now have to legislate and realising that there is a far more challenging world that we are dealing with, in regard to the legislative processes under the statement of government intentions, under the policies we put in place as a government and under the programs we put in place. It is an eye on the bigger picture; it is an eye on what our children today will have to confront in the future; and it is about laying down those plans for who will effectively be world citizens — that is what we are doing. We are recognising our responsibility to them.

I want to touch on a number of issues. I want to talk about the importance of recognising innovation in our economy. This government has led the way in innovation. It has led the way in recognising the importance of research and the commercialisation of its being a very vital part of our economic future and jobs of the future. It is about realising that unless we capture the intellectual depth of our citizens and put it to work our economy will dry up and jobs will dry up. We have a responsibility not to let that happen. That is why there has been such an investment in innovation and making people believe we can achieve, because we can.

Another issue I want to broach is the notion of society and cohesiveness. We lived for 11½ years with a federal government that set about dividing communities on many grounds. It did not look at the strengths that come from cohesive communities that are made up of people from many cultures, backgrounds and religions, from many countries and cities, and who are poor and wealthy. It is about bringing them together and making them feel part of a greater Australia. Over the last eight years the Victorian government has worked hard to build that cohesive society. It has worked hard at recognising and acknowledging differences and embracing those differences, whilst at the same time realising that we are all citizens of Victoria and we all have a worthwhile contribution to make. More importantly, we can share and celebrate each other's cultural differences, and that is something we should be very proud of.

I refer to some of the local issues we face. I want to talk about the effect of the government's statement on my own electorate. Footscray is a multicultural electorate; you probably could not get more multicultural than Footscray. But it is a really cohesive community. It is a

community that shares and celebrates its diversity. It is a community where people look after each other. There are some huge pockets of disadvantage in Footscray, and that has been recognised by this state government. We have seen \$25 million go into upgrading the Western General Hospital and another \$20 million into Sunshine Hospital. We have seen the government's commitment to the rebuilding of schools over the next 10 years — it is actually 9 years now — and we have seen a commitment to improving the access of students in those schools to a really good-quality education. Our schools have the smallest class sizes in Australia. These are things to be proud of, and we are continuing to work on that.

We are also investing in renewal. We are taking Footscray from an old economy to a new economy. We are accepting that change is inevitable, and we are going to prepare Footscray for it. We have put \$52.1 million into Footscray's renewal. It will not be just about infrastructure; it will be about private sector engagement and private sector investment. On the back of that comes the Eddington review. I know my colleague from Williamstown is also looking forward to that report coming down so we can deal with the fact that we have a port as our neighbour. That port is crucially important to jobs in the west, but we want transport to move fluidly in and out without disrupting the lives of the people in the inner west.

I want to talk about channel deepening and about governments that are courageous enough to make decisions. Although at the time they might not be popular with certain elements in the community, they are about the long-term best interests and viability of this state. It is important to recognise, as I said at the very beginning of my contribution, that government is about leadership. It is about understanding where we need to go, but it is also about taking your community with you. That is what we are doing in relation to these issues.

I also want to talk a little about housing. We have heard a lot about affordable housing, and this government is tackling the issue. We have had numerous announcements; I think the Minister for Housing has been out to my electorate four times to talk about investments that are being made to provide various models of affordable housing to the people of Footscray so they are not pushed into the outer suburbs but can continue to live in the inner suburbs of western Melbourne and enjoy all that that brings.

This is a government that is intent on developing a plan for Victoria's future. It has been doing that for the last eight years, and I know it will continue to do it for the

next eight years. It is not only about the policy and the programs, it is about the legislative intent. This will be the legislation to back up the programs that will occur over the next 12 months. The initiatives that will come from the legislation that is before us will build the long-term future of the state of Victoria.

The statement is about the government being prepared to listen to and engage with the community. I believe it will help our community cabinet process — the notion that members of the community can meet with cabinet members and talk about the legislation program. It is a great initiative for Victoria and a first for Australia. I am proud that we are the first government to do it, and I am proud to be part of the Brumby government.

**Mrs POWELL** (Shepparton) — The 2008 annual statement of government intentions was delivered by the Premier on Tuesday, 5 February. The Premier had the vanity to call it 'an historic occasion'. I think those who have read through the statement will start to know it as the 'annual gonna statement', because it talks about what the government is gonna do. What Victorians need are achievements after eight years of intentions.

The member for Footscray talked about the importance of not dividing a community, and I totally agree with that. But on the same day that this statement was read out to the house we had a large number of divided communities opposing the government's policies and business practices. A lot of different people with a lot of different proposals — most of them country Victorians — came here to put across their point of view. As the member for Nepean said, it was 'a disparate group of people coming into the Parliament to put across their point of view, and the Premier walked out'. He would not meet them on the steps of Parliament, and he would not listen to them in Parliament.

The Premier acknowledged in the statement that this year is the centenary of women's suffrage. I agree that needs to be acknowledged. The Liberal Party and The Nationals have been involved in that event. I am on the committee, and I helped to choose the grants for community events celebrating the centenary of women's suffrage around the state.

The statement says the government has made Parliament more relevant. One of the ways it says it has done that is by introducing a more regular sitting schedule. The sitting schedule we had before was autumn and spring. We had three months on, three months off, three months on, three months off. The parliamentary session was intensive. Now we meet

from February to December, a week here, a week there, hardly ever consecutively. I believe this is just to avoid scrutiny of this government's policies, or lack of policies, and its lack of achievements.

The statement said that it lets the community know what parliamentary actions the government is taking to deliver election commitments. We have one huge, mammoth broken election commitment in the north-south pipeline. The government went to the last election saying it would not take water from north of the Great Dividing Range. It further said that it would not go ahead unless the project was supported. It spoke to councils and virtually told them they must get behind it or other projects would be in jeopardy. The government said it would not do this, as did other governments, and now it has done it, even after going to the Victorian people and saying it would not do it. As soon as the government got back in, it started to make the decision to do it.

The reason it gives is that a small group of businesspeople from the Shepparton district went to the government and did a \$2.2 billion deal. They would receive \$2.2 billion, and the government would get one-third of the savings, with one-third going to irrigators and one-third to the environment. Very shortly after that the deal changed. We now have the government providing \$600 million, Melbourne Water providing \$300 million and Goulburn-Murray Water providing \$100 million — that is \$1 billion in total. Now the deal has changed again. The first 70 gigalitres of water will go to Melbourne — —

**Mr Weller** interjected.

**Mrs POWELL** — The first 75 gigalitres, the member for Rodney reminds me. We were told that that would come from savings, but again the bar has changed. If there are no savings, or if the savings target is not met, the government will borrow water from other storages around the area. I have that in a letter from the Premier. It says if it does not come from savings, the government will take borrowings. All this when it already owes about 170 gigalitres of borrowings to the Snowy and Murray rivers. I would like to know where it is going to get the water to give back all these borrowings.

The statement talks about Melbourne growing at twice the rate of Sydney and how it could become Australia's capital city within 20 years. You would think that if the government knew that, it would plan for growth. But no, it has not. We have infrastructure that has not kept up, we have a rail system that is overcrowded, we have

breakdowns, we have delays, we have systems breaking down — —

**Mr Burgess** — Violence.

**Mrs POWELL** — I will get to that. We also have the issue of water. We have not had any new dams, and we have not had any recycling plants. We have had 10 years of drought, but nothing has been put in place other than deciding to take water through pipes from stressed areas to go to Melbourne and other places.

One of the members talked about community safety and violence, and the statement talks about community safety. We have increased violence, with police now saying enough is enough. It is not just about the police. The government must step in and start looking after our streets. We do not have enough police. In the Shepparton district we are understaffed by about 20 police, and I know it is similar in other areas around the state.

We are calling for standard minimum sentencing. The Nationals have been calling for that for a number of years, and the member for Warrandyte raised today in his members statement the importance of what the community is saying. It is all very well to train judges and to work around the edges of our justice system, but at the end of the day what the community really wants is not just maximum sentences increasing but that there be standard minimum jail terms so that the community has confidence in our judicial system.

We have a lack of affordable housing, a lack of public housing and a lack of emergency housing. Melbourne 2030 is out of date and was never accepted. We asked for a review, and there was going to be one after five years. We are now told it will be an audit which will not be looking at wholesale changes. That is not good enough.

The statement talks about the protection of agricultural land. The only thing this government did to protect agricultural land was change the name of zones. The government said to councils that they must automatically change the name of rural zones to farm zones. That is how this government saw the protection of farm zones. It needs to do much more.

The government talks about tackling the social and health impacts of alcohol use. We have youth binge drinking at an unacceptable and crisis level. We have violence on the streets escalating all the time, with ambulance officers calling for reforms and work to be done to provide some sort of support for people who abuse alcohol and drugs. We do not have enough rehabilitation centres in country Victoria. We do not

have enough social services in country Victoria. We have waiting lists for people who want to get off alcohol or drugs. It is no good saying to somebody that we can fit them into a service in three months. The time is now when a person wants to no longer be an addict or to avoid becoming one.

It is ironic that the issue of body piercing is in this statement. I raised the issue with the Attorney-General and the Minister for Health three years ago after complaints from parents in my electorate about under-age children being able to go to a body piercer and have a piercing. The Nationals brought in a private members bill in the upper house in July last year to make it illegal for people to tattoo young people under the age of 18 without parental consent. This government told us to remove our bill, that it would not debate it but would still talk about it. The government has delayed it by bringing in not a bill but its own exposure draft which has been released to the community to talk about, and while we are speaking children are still being body pierced. I had a parent ring my office just last week saying that their young son went to a body piercer, had his tongue pierced and has an infection.

A survey has found that 96 per cent of doctors have treated infections from body piercing. This government has to stop talking about it and bring in the legislation. What we were asking for was that the Summary Offences Act be changed, because although it is illegal to have a tattoo without parental consent if you are under 18, there is no law governing body piercing. Our children are at risk, and we are calling for that to be fixed straightaway.

The government said it is making it easy for local councils to enforce planning provisions against illegal brothels. That is important, because it is difficult to get a prosecution, but we think it needs to go further than that. It needs to be made easier for councils to reject a planning application for a brothel or the like. When councils like Shepparton and Echuca have their communities saying they do not want certain businesses in their towns, as was the case recently, it should be possible to reject the planning applications. A community should be able to say that it does not want the business and that it adds no value to that community. Instead, when it goes to VCAT it is told no, it cannot oppose it.

We are being told by the planning minister that section 60 will take into consideration social, environmental and economic issues. That is not the case when we go to VCAT. It is thrown out. The

government needs to deliver now instead of just having intentions. We have had eight years of intentions.

**Mr BATCHELOR** (Minister for Energy and Resources) — The Premier in his statement of government intentions committed this government to strong and decisive action to respond to the very real threat of climate change. Make no doubt about it, climate change is a threat. It is the challenge for the 21st century, and that is why governments and communities are no longer debating the existence of climate change but are instead debating its size, its timing and its potential impact on their economies and way of life.

CSIRO modelling has found that Victoria is expected to warm at a rate that is slightly faster than the global average. On Tuesday, 21 February, Professor Ross Garnaut released his interim report on climate change. In that report he warned that the recent rises in global temperatures were at the upper end of what was predicted earlier in 2001, and as a result urgent intervention was required.

Our future success here in Victoria depends on all Victorians doing more to reduce the pace of climate change and to protect the environment. In my portfolio area of energy and resources I am personally very proud of the record this government has in providing an affordable and reliable supply of electricity while at the same time working to reduce greenhouse gas emissions and to deliver green energy solutions. Climate change is a broad issue that requires a broad approach. That is where the energy and resources sector has been for some time now, and we have done an enormous amount working with the energy and resources sector. Looking back, the government has done a number of things since 1999. It has made a significant, long-term investment in new, clean energy technologies; it has been driving research and development; it has been promoting renewable energy and cleaner fossil fuels; and it has been actively helping Victorians to reduce their energy use, particularly in the home and at the workplace.

Less than one year after it was elected this government took the first major step in the development of Victoria's first ever greenhouse strategy by releasing the *Greenhouse Strategy Discussion Paper*. By 2003, as a result of that paper, the government's *Greenhouse Challenge for Energy* paper was encouraging new discussions between it, industry and other interested parties on how to balance the environmental, social and economic imperatives facing the energy sector in particular and the broader community.

It is worth remembering that since 2001 this government has committed more than \$180 million to its energy technology innovation strategy (ETIS), which has been used to support coal and renewable energies. ETIS has attracted more than \$1.5 billion of investment from private and commonwealth sources, and through that strategy the government has contributed \$50 million to the HRL project which will see the development of a \$750 million 400-megawatt demonstration power station in the Latrobe Valley.

The key feature of that project is that it is going to use new clean coal technology. The Victorian government has also provided \$30 million to International Power Hazelwood for a \$369 million coal drying and combustion technology project which is based on Australian and German ingenuity. It is worth noting that this project is expected to cut CO<sub>2</sub> emissions by up to 25 per cent compared to current levels.

Under the ETIS program we have also invested up to \$50 million with Solar Systems Generation to build the world's largest and most efficient solar power station of its kind, to be located in north-west Victoria; \$12 million has been provided in grants for brown coal research and development both to boost the utilisation of Victoria's massive brown coal reserves for new forms of high-value, high-volume applications and to advance low-emission technologies associated with power generation; \$10 million in grants has been provided for research and development in sustainable energy technologies; and just over \$2 million has been provided to the Cooperative Research Centre for Greenhouse Gas Technologies for a project to test pre-combustion carbon dioxide capture technologies in power generation. You can see that the Victorian government has been maximising opportunities at the technological edge.

On top of this, in May last year we provided \$10 million towards the Carbon Down project. This is a joint initiative between the Victorian Employers Chamber of Commerce and Industry, the Department of Innovation, Industry and Regional Development, and Sustainability Victoria. It is an interesting program because it provides funding to small and medium businesses to explore specific technology, research and support activities that will allow carbon reduction initiatives in their industrial processes.

Another critical part of the Victorian government's climate change strategy is the introduction of carbon capture and storage, or CCS. Victoria is endowed with vast coal resources which create wealth and jobs, particularly in regional Victoria, but our responsibility is to use the energy warehouse in the Latrobe Valley

more sustainably and cleanly. Carbon capture and storage offers the potential to reduce greenhouse gas emissions and possibly virtually eliminate them, while enabling the ongoing use of our brown coal endowment. That is why carbon capture and storage is central to Victoria's climate change strategy.

In January the government released a paper outlining the potential legal framework and regulations for operating carbon capture and storage processes in Victoria, but the key driver to making CCS economically viable is a national emissions trading scheme. An emissions trading scheme is something which the Victorian government has long called for from a concerned commonwealth government. Last year Australia took a big step towards setting up a greenhouse emissions trading scheme after state and territory environment ministers met and agreed to a proposal for mandatory reporting by companies emitting more than 25 000 tonnes of greenhouse gases a year. With the commitment of a new, sensitive federal government, we will see the introduction of an emissions trading scheme in 2010. That is the time frame that has been set for us to work out the mechanics of how carbon capture and storage will work in Victoria.

Victoria has also been leading the nation in renewable energy investment. Our renewable energy target scheme will save 27 million tonnes of greenhouse gases. That is the environmental equivalent of removing every car from Victoria's roads for a period of two years. It requires energy retailers to purchase a minimum of 10 per cent renewable energy by 2016, up from the current level of around 4 per cent. Energy efficiency is important to our strategy because the cheapest and cleanest power station is the power station that does not have to be built. Energy efficiency is essential to both household budgets and companies.

Through the Victorian energy efficiency target scheme we will be encouraging efficiency in the household once it comes into operation from the beginning of next year. We have also participated in other programs aimed at producing energy efficiency here in our community. They include Grow Me The Money, rebates for being green, and the most recent successful campaign, Change the Globe. Together with our black balloons campaign, where we are bringing about community and behavioural change right across Victoria, we believe the Premier's commitment to taking serious and determined actions in his statement of government intentions will be a prime objective of the government this coming year.

**Dr SYKES** (Benalla) — I have listened to some interesting presentations tonight and some fascinating espousing of Labor Party ideologies. Certainly Labor can talk the talk, but it does not walk the walk.

First of all, Labor cannot manage money, and it cannot manage major projects. We have seen the massive cost blow-outs occurring time and time again. That is epitomised by the so-called fast rail project.

The second issue is that raised by the member for Footscray talking about divisiveness. This government is the master of divisiveness. It is a Melbourne-centric government. Various key government members have referred to country Victorians as quasi-terrorists and a sorry bunch of people, and the last time Parliament met, the Leader of Government Business in the house referred to country Victorians, mums and dads, family people, as ugly, ugly people.

**Honourable members** — Shame!

**Dr SYKES** — Then the member for Melton backed up the next day and referred to a group of people who were exercising their democratic right to protest about the pipeline as the anti-pipeline resistance extremist group. This is a divisive government led by a very arrogant and divisive Premier.

The third issue is that the people of Victoria cannot trust this government. Why should we believe what has been proposed in the statement of intent when we look at the track record of this government, which has said one thing and done another?

**Business interrupted pursuant to standing orders.**

## ADJOURNMENT

**The DEPUTY SPEAKER** — Order! The question is:

That the house do now adjourn.

### **Water: desalination plant**

**Ms ASHER** (Brighton) — The issue I have is for the Minister for Water. The request I have of him is to stop strutting the world stage on his numerous overseas trips and find out what is actually happening in his portfolio. The reason I am raising this issue is that some land-holders with land close to the desalination site have been sent notices of acquisition of their private property, and these notices are insensitive. Some of these properties have been gazetted for acquisition today.

The background to this is that the desalination plant site has been declared a project to which the Project Development and Construction Management Act applies. The Secretary of the Department of Sustainability and Environment has been declared the facilitating agent, and VicRoads has been appointed as the delegate of DSE to acquire land. This of course gives the lie to the government's previous assertions that it needed the critical water infrastructure bill to acquire land for water projects.

I have a copy of one of the notices of acquisition, which shows such arrogance from an out-of-touch government. In particular I will refer to the document headed 'Statement to Accompany Notice of Intention to Acquire Interest in Land', which is form 4 under the Land Acquisition and Compensation Regulations 1998. The form shows that this government could not even be bothered filling in specifics on the pro forma for, of all things, acquiring private property. The government is accustomed to riding roughshod over individuals — and this is yet another example of that. I refer in particular to point 5, which is an explanation of the procedure if, for example, this particular land-holder wanted to negotiate directly with the Secretary of the Department of Sustainability and Environment by agreement to acquire his private property. The form says:

If you want to do this, you should contact [insert relevant contact details].

What we have here is a government that could not even be bothered inserting a minor detail in the form. One of the gravest things a government can do is acquire private property, and this government cannot even fill in the name of a human being for this particular person to contact to discuss the matter. I urge the Minister for Water to acquaint himself with what is going on with water projects in his portfolio. I urge the minister to forget London, Paris, New York — whatever turns him on — Raffles Hotel, wherever he has been strutting around the globe.

**The DEPUTY SPEAKER** — Order! The member can only ask for one action.

**Ms ASHER** — I have; it was the initial request. I opened by asking the minister to do his job here and acquaint himself with what is actually happening in his portfolio instead of strutting around the world.

### **WorkChoices: Australian workplace agreements**

**Dr HARKNESS** (Frankston) — I wish to bring a matter to the attention of the Minister for Industrial

Relations. I have been approached by a constituent who has been asked very recently to sign an Australian workplace agreement (AWA). The action I seek is that the minister ensure that the Office of the Workplace Rights Advocate continue to assist constituents who are still being affected by unscrupulous employers who either have not taken notice of the decisive 2007 federal election result where the Australian people conclusively spoke out against the unfair Liberal Party WorkChoices policy or are deliberately trying to take advantage of WorkChoices in its dying days.

The Office of the Workplace Rights Advocate was established to, amongst a variety of tasks, monitor the impact of WorkChoices on Victorian businesses and workers and to encourage employers to develop cooperative workplace arrangements that attract and retain quality workers, so it is extremely disappointing that there are some employers who are still desperately trying to sign up employees to AWAs. I know there are some people who are completely wedded to the draconian and unfair WorkChoices legislation. The federal Liberal member for Dunkley, for instance, spent thousands of dollars on glossy publications during the last federal election campaign, bombarding the unsuspecting people of Dunkley with his forcefully pro-WorkChoices agenda. Even Western Australian hardliners such as Julie Bishop are renouncing their support for WorkChoices, but so far there has been no public statement whatsoever from the member for Dunkley about this. Even though the policy was resoundingly rejected at the last election and demonstrably hurt working families, he has remained shamefully silent about it.

We now know just how devastating this policy was for working families. The Rudd government has released statistics which were hidden from the public before the election — statistics which the Liberal government claimed at the time did not exist. The figures are absolutely alarming. A staggering 89 per cent of AWAs removed at least one so-called protected award condition. Almost 70 per cent removed annual leave loadings, 65 per cent removed penalty rates and 31 per cent removed the basic right to rest breaks. But what a difference an election can make, and most working families in Frankston will soon be enjoying the benefits of a new era in workplace fairness and intergovernmental cooperation. A unique opportunity certainly has presented itself for the commonwealth, the states and territories to work together to reform industrial relations in this country for the long term.

So the unfair and divisive Howard government anti-family agenda is all but dead and buried. Hopefully the federal Liberal member for Dunkley knows and

appreciates this. I sincerely hope that the Office of the Workplace Rights Advocate can continue to stand up for working families against sneaky and unscrupulous employers intent on rushing through further AWAs in the dying days of WorkChoices.

### **Schools: welfare officers**

**Mr WALSH** (Swan Hill) — I seek action from the Minister for Education. I ask her to reverse the decision to cut the funding for primary welfare officers for schools in my electorate. Since 2003 welfare officers have played a vital role in our schools by working with at-risk students to encourage attendance, tackle bullying and address issues which may affect student education. They refer students to other services, apply for disability funding on students' behalf and coordinate welfare services provided by the schools. They engage students and bring them back into school life.

The schools in my electorate report that due to the drought, welfare officers are being increasingly sought out by students and their parents to provide support and advice. The Swan Hill Primary School in particular believes its welfare officer is vital to the health of the school and its students. In 2007 its welfare officer held a fully-funded position with a salary of \$62 000. In her press release dated 29 January 2008, the minister announced that the number of schools receiving funding for primary welfare officers would increase from 450 to 573. What the minister did not say was that schools which already had primary welfare officers would have their funding cut to fund the additional positions.

For Swan Hill Primary School that means slashing funding for the position to \$27 000; which means the school must find \$35 000 from elsewhere in its budget. At Woorinen District Primary School, funding for its welfare officer has been slashed by \$7000; this is on top of funding cuts to its overall school budget. Cuts to the welfare officer funding have also been made at Swan Hill North Primary School, Lake Boga Primary School and in the southern part of my electorate at Minyip. Schools cannot afford to make up the funding shortfall. Global budgets are already under significant and increasing pressure, and these cuts will impact heavily on schools' ability to provide vital support to vulnerable students. To retain their welfare officers schools warn they must cut back on other essential programs such as support classes and reading recovery.

I again ask the minister to reconsider and fully fund welfare officers for our primary schools so that they can continue to help students and their families at risk of falling through the cracks in the system. Additional

places should not be funded from cuts to existing positions within the education system.

### **Buses: Gowanbrae**

**Ms CAMPBELL** (Pascoe Vale) — In July 2007 I raised in the adjournment debate the importance of a bus service in the Gowanbrae estate in my electorate. I again raise this important transport initiative and ask the Minister for Public Transport to provide some bus transport within the Gowanbrae estate.

Last year the government conducted the Hume and Moreland bus review, and I would hope the review is now almost complete. I reiterate the points made in my submission to that review, and I am sure that these points were also made in submissions of other constituents and council. The fact is that the residents need a bus service because there is no bus service currently, there never has been, and they require one.

I ask the minister to consider in her final decision making on the allocation of buses to provide for a bus service to Gowanbrae residents. The consultation process now concluded with local residents, council and bus operators is, I understand, close to completion. I also understand the recommendations from that review would about now be under active consideration both within the department and then by the minister.

The addition of a Gowanbrae bus service would provide a much-needed linkage to adjacent public transport and other amenities. Gowanbrae is an area that is basically locked between the Western Ring Road, the Tullamarine Freeway and the Moonee Ponds Creek. On that estate there is not a school and there are not kindergartens; it was a piece of real estate sold off by the Kennett government that was once part of the Glenroy Valley. Many families have moved in there now, and they require the provision of public transport.

I ask the minister, in consideration of the review, to as soon as practicable support the introduction of a bus service in Gowanbrae. The residents would be absolutely elated. Many public transport trips would be able to replace car travel, and that, of course, is convenient for families, it is convenient for children going to school, it saves the environment and it cuts the costs for families of providing an extra car and buying very expensive petrol.

### **High Street Road, Wantirna South: duplication**

**Mr WELLS** (Scoresby) — I would like to raise a matter of concern with the Minister for Roads and Ports. I ask him to take immediate action to duplicate High Street Road between Stud Road and Burwood

Highway in Wantirna South. At the moment this road is single lane both ways, it carries an enormous amount of traffic, and when you have High Street Road crossing over Stud Road, it goes from two lanes to one lane. When you turn right or left from Stud Road you also turn two lanes of traffic into one lane. It is a very dangerous section of road. If this part of the arterial were duplicated, then it would mean that the main east-west road networks in my electorate would be duplicated, but, of course, they are now waiting for triplication. The other main parts of the network are Burwood Highway, High Street Road, Ferntree Gully Road and Wellington Road.

I raised this matter on 9 October, and this week I have received a response from the minister — I have only had to wait four months for the response! I am a little concerned by the response, because I was asking for the duplication of High Street Road between Stud Road and Burwood Highway, and the first thing he tells me is that the government is putting so much money into Meeting Our Transport Challenge. That has nothing to do with High Street Road. He then goes on to tell me that they are going to widen Monash–West Gate freeway and that there is a \$2.5 billion EastLink project — which, as we know, was a Labor lie to the people in the outer east. I am still not sure about the relevance of what he was saying in his letter.

The minister then goes on to talk about a statewide funding project on roads of \$5.8 billion and compares it to other periods of government. He then goes on to talk about the widening of Ferntree Gully Road between Cootamundra Drive and Jells Road, and he is also talking about the Wellington Road SmartBus. Not one part of the letter is relevant to anywhere near the road that I need duplicated in my electorate. The minister has spent all that time on spin and rhetoric, and still we do not have any answers.

I again, with the greatest respect — and hopefully I will not have to wait another four months — ask him to duplicate High Street Road between Stud Road and Burwood Highway. It is a dangerous road. The traffic is bumper to bumper at every peak hour, morning and night. As I said, you have the two lanes turning in and you have the continuation of High Street Road. It needs to be duplicated to ensure that it is a safe section of road. I ask him to make his next letter to me factual.

### **Consumer affairs: finance brokers**

**Mr LANGUILLER** (Derrimut) — I rise to register my concerns in relation to dodgy finance brokers in the western suburbs and the potential for exploitation of residents, including new settlers. Reports that I have

received in my office include some from members, for example, of Sudanese and Somalian communities and Latin Americans who unfortunately have found themselves in difficult financial circumstances and who have been taken advantage of by dodgy or potentially dodgy finance brokers. I ask the Minister for Consumer Affairs to take action in relation to these dodgy finance brokers who take advantage of people in the western suburbs. I think more education is needed, and I think more information is needed for these residents so they know how to deal with difficult circumstances, particularly when they and their families go through financial difficulties.

Economic circumstances at the moment set the framework for some unscrupulous individuals to take advantage of these people. Household debt in terms of mortgages has risen to \$893.9 million, and credit card debt is in the order of \$36 billion. Consequently there are difficult circumstances being experienced out there by many people, and unfortunately some brokers have taken advantage of these people.

A federal parliamentary committee recently recommended that the federal government take over the regulation of mortgage brokers and non-bank lenders as a means of reducing predatory lending. That is an example of a response to some of these issues. Federal and state consumer affairs officials are, as I understand it, working together in order to have national regulation of the industry. An economist at the University of Western Sydney, Mr Steve Keen, has called for an inquiry into debt and warned of a looming debt-fuelled recession. He said that lenders should not be able to enforce their contracts if it could be shown that they lent with disregard for the capacity of people to repay. He also said that lenders are ultimately responsible for defaults, given that the income levels of borrowers were easily determined.

The Reserve Bank data shows that in the year to August 2007 there were 2775 court applications in Victoria for property repossession. Last year, again, 13 871 applications were made to the Australian Prudential Regulation Authority for early release of \$135 million in superannuation benefits in order to overcome financial crises. This is compared with 10 459 applications in 2005 for \$77 million. This sets the framework, and we must tackle these dodgy brokers head on.

### **Nurses: training costs**

**Mrs FYFFE** (Evelyn) — My request for action is for the Minister for Skills and Workforce Participation. I have been contacted by a constituent who is a

division 2 nurse and is about to commence the March medication administration course at Kangan Batman TAFE. She was offered a place in the October course last year but decided to defer due to family reasons.

The course has been developed to encourage more nurses to go back into hospitals. In October the course fee was \$340. The fee for the same course this year is now \$1030, and in May it will go up to \$1280. I have contacted the TAFE, which was extremely helpful. It was explained to me that the reason for the increase is that the funding provided by the state government to subsidise the course last year is not being provided this year.

Nurses who are currently going through the system have the medication administration course included in their general training and do not have to pay for the course as a separate item. The government itself has brought in the new rule that division 2 nurses should be able to give medications in Victoria once they have successfully completed the course.

The action I request from the minister is to reintroduce the funding immediately and so assist nurses wanting to upgrade their qualifications and return to work. We are desperately short of nurses and are supposedly encouraging them to come back to work, yet they are being penalised by the removal of the subsidy. Because it is treated as a postgraduate course, its cost is not eligible for pension discounts. My constituent is a single mother on a pension and is struggling to pay the extra \$690, and if she leaves it until the May course she has to find \$940 extra compared to the cost last year.

It is very important that the minister act on this immediately because a group of nurses who want to return to work are finding this an impossible amount to meet. As I said, for those who are doing nursing training now it is incorporated in their course, but any nurse who has been out of the workforce for a period of time has to do this course at their own expense. Although term payments can be offered by Kangan Batman TAFE, it is still very difficult, especially for a single mother. I sincerely and seriously urge the minister to reconsider. I do not think she realised that a number of people would actually fall into this gap.

### **Climate change: greenhouse gas emissions**

**Ms MUNT** (Mordialloc) — I wish to raise a matter for the Minister for Energy and Resources. I call upon the minister to take action to accelerate our government's work to reduce greenhouse gas emissions through energy efficiency and investment in clean technology. I note that yesterday, 25 February, the

Premier announced the go-ahead of Solar Systems Generation and TRUenergy's partnership to build the world's largest solar power plant, worth \$420 million. It will be in northern Victoria and will provide enough power for 45 000 homes, or a city the size of Geelong. The Victorian government actually contributed \$50 million to ensure this investment was made in Victoria.

I have kept a bit of an eye on this project. I know it will be a world-first plant using world-first technology that the rest of the world will be keenly interested to take forward. In fact my husband is in Hong Kong and he sent me an SMS today to say that the announcement of this particular plant is on the front page of the business section of the *Hong Kong Times*, where it particularly notes that this investment and this plant would not have come to fruition without the support of the Victorian Brumby government. It is a wonderful initiative.

**Ms Thomson** — It is a wonderful government.

**Ms MUNT** — It is a wonderful government, that is absolutely right. As the house will be aware, Professor Ross Garnaut's interim report on climate change was released last week. In line with several other international reports, it emphasises the need for urgent and significant action in tackling climate change. It also highlights the need for international cooperation. As we on this side of the house know, climate change is increasingly being recognised as a critical global issue. Victoria should be taking advantage of the global resources and expertise being generated internationally through the universal concern about this issue.

I think most of us now accept that the costs of doing nothing, or doing too little, far outweigh the costs of combating climate change in a meaningful way. Once again, this side of the house and the Rudd federal government have recognised this increasingly important issue for us to tackle. This is why I now call on the Minister for Energy and Resources to accelerate our government's work to reduce Victoria's greenhouse emissions. This is a critical issue; it is something that we can do for our children and our children's children to ensure that the world in which they grow up is the best possible world it can be.

### **Roads: Ferntree Gully electorate**

**Mr WAKELING** (Ferntree Gully) — I wish to raise a matter of grave concern with the Minister for Roads and Ports, and I call upon the minister to take action and construct the extension of Dorset Road south of the Burwood Highway. At present Dorset Road runs south from the Maroondah Highway in Croydon to the

Burwood Highway in Ferntree Gully. Consequently motorists wishing to continue heading south are forced to commute through the local road network. Residents residing near Glenfern Road, Blackwood Park Road, Ormonde Road and Mountain Gate Drive have repeatedly complained to me about the volume of traffic forced to travel on their local road network.

Glenfern Road is deadlocked in the morning and evening. Many Ferntree Gully residents have approached me complaining about their inability to access Glenfern Road. This problem is further exacerbated by the fact that many commuters travelling on Glenfern Road reside in the shire of Yarra Ranges and the city of Casey. Many of these commuters are using local Ferntree Gully roads to avoid congestion on Heatherton and Stud roads plus the former south-eastern arterial, now called the Monash Freeway.

There is a significant volume of traffic which travels along Dorset Road. Recent figures provided by the Minister for Roads and Ports indicate that 3460 vehicles travel along Dorset Road in Ferntree Gully prior to 9.00 a.m., with 2040 vehicles travelling between 7.30 a.m. and 9.00 a.m. It is very clear that the Brumby government has no clear plans to upgrade the road network throughout the Knox community. For many years, both as a councillor and as a candidate for the state Parliament, I campaigned with local residents for the duplication of Kelletts Road, Rowville. Whilst the community welcomed the important duplication of this road, the Brumby government has no plan or vision for the duplication of Napoleon Road, nor the future construction of the Dorset Road extension.

The construction of Kelletts Road did not occur due to any strategic planning or vision. It came about because of consistent pressure brought about by local residents. My community deserves better. People do not expect projects such as the Napoleon Road duplication or Dorset Road extension to occur straightaway, but expect long-term planning to reassure them of the government's understanding of the growing needs of the local community. This is the same approach adopted by this government in its unwillingness to upgrade urgent public transport services throughout Ferntree Gully, Rowville and Lysterfield.

The Knox community has been calling for government action on the Dorset Road extension for many years. A reservation currently exists for part of the proposed extension route. This land was set aside many years ago at a time when parts of Rowville and Lysterfield were farmland. Today, many thousands of residents in the Ferntree Gully electorate reside in these suburbs yet the road network has not kept pace.

I call upon the Minister for Roads and Ports to take action and construct the extension of Dorset Road in Ferntree Gully.

### **Braybrook: renewal plan**

**Ms THOMSON** (Footscray) — My adjournment matter is for the Minister for Sport, Recreation and Youth Affairs. In my electorate a plan has been developed for the renewal of Braybrook. Within the Braybrook master plan there is a provision to create sporting spaces for the people of Braybrook and the surrounding areas. Two applications for funding for these areas have been submitted to the minister's office. I ask the minister to look favourably at the applications as the impact they will have on the community will be substantial and far reaching. This is a very disadvantaged area of Melbourne and is now under a neighbourhood renewal program. These facilities would be very useful.

The first application for funding is for the construction of a multipurpose court. This court would allow participants to play several types of sport on the one surface, including netball, street soccer and basketball. These sports in particular are immensely popular among the diverse communities that call Braybrook their home, and so this type of court would be invaluable to the community. It would also allow for a greater range of people to play sport on the surface, from the very young to those who may be a little bit more mature, and both men and women.

The second proposal is for the funding of tennis courts in Braybrook. These tennis courts are designed to be free for all users, unlike many privately run courts across Melbourne. This type of free-to-all arrangement is very attractive to the people around Braybrook, as it allows people from across the socioeconomic spectrum to participate in sport, which is something I think the government and the minister's office in particular have put a lot of time and energy into. As I said at the outset, this is a community that has been very much disadvantaged, and I ask the minister for his support.

### **Responses**

**Mr BATCHELOR** (Minister for Energy and Resources) — I thank the member for Mordialloc for raising with me the need to accelerate the government's work to reduce greenhouse gas emissions. This undoubtedly is a very important issue, not just here in Victoria but globally. How well informed the member for Mordialloc is in understanding this issue in the first instance and also understanding and being well informed about how the initiatives the Victorian

government is taking are reported and admired around the world.

Last week there were a couple of very interesting developments in relation to Victoria's battle against climate change. Firstly, Professor Ross Garnaut release his interim report on climate change. As the member for Mordialloc explained, it highlighted the need for urgent and meaningful action to reduce our greenhouse gas emissions here in Australia. It also emphasised the need for international cooperation in tackling this important environmental issue.

That leads me to the second development that has taken place in the last week that concerns our battle against climate change. Last week I met with Ira Magaziner, the chairman of the Clinton foundation and a leader of the Clinton climate initiative. The Clinton foundation, as members would know, is a global non-governmental organisation established by former USA President Bill Clinton, and its mission is to strengthen the capacity of people throughout the world to meet the challenge of global interdependence. One of the challenges the Clinton foundation has identified is climate change, and this is why the Clinton climate initiative was launched in 2006. The Clinton climate initiative is currently working with a number of large cities around the world through its C40 large cities climate change leadership group, to which the city of Melbourne is already a signatory. The C40 group is working to develop and implement a range of actions that will accelerate carbon dioxide reductions, but there is the potential for Victorians to do even more.

The member for Mordialloc will be pleased to know that in my discussions with Ira Magaziner we talked about the possibility of a partnership between the Clinton foundation and the Victorian government that could help accelerate the process of reducing greenhouse gas emissions here in Victoria. We also discussed the key Brumby government projects here in Victoria, including our plans to increase clean power generation and to accelerate work on the energy-efficient building retrofit program. As part of that program, the Brumby government has committed itself to achieving at least 4.5-star ratings for office buildings controlled or tenanted by the government. This star rating is determined by the Australian building greenhouse rating (ABGR) system.

The Brumby government has decided it should lead by example when it comes to climate change. Accordingly the government has committed \$5 million to environmentally upgrade some 83 000 square metres of office accommodation in 16 Victorian government buildings across the state. The project involves the

design, supply, commissioning, monitoring and verification of energy efficient measures that will pay for themselves within 10 years, and water conservation measures that will pay for themselves within 20 years. The works will be completed in 2009 and will be undertaken with the support of the Clinton foundation's climate initiative.

These improvements will lift the average Australian building greenhouse rating across the government's property portfolio to at least 4.5 stars. Of the 19 office buildings owned by the Victorian government only 2 currently achieve better than 4 stars, and the average ABGR results still amount to only 1.67 stars. When you take green power into account it still gets up to only 2.46 stars, so you can see that this \$5 million retrofit of our office buildings will add significantly to the rating of those buildings. While numerous energy and water efficiency measures have already improved the environmental performance of office accommodation, this budget spend of \$5 million is a clear commitment to the leadership that will be provided by the Brumby government. An Australian greenhouse rating of 4.5 stars is the stated target for Victoria's government office accommodation guidelines, and that is what we are striving to deliver in partnership with the Clinton climate initiative.

The Premier has said that the works will be undertaken using the energy performance contracting system that has been recommended by the Australasian energy performance contracting alliance. This approach will allow the Victorian government to set out the targets, the up-front capital commitment and the time frame for the return on our investment. It will then be up to the successful contractor to tailor environmental solutions to meet those needs and any costs of delivering the project over our capital commitment. In effect, the long-term efficiency savings both in energy and water will fund the upgrade. This is a concept that has been promulgated by the Clinton climate initiative.

It is interesting to note that because of the Brumby government's commitment to govern for the whole of the state, offices will be made more water and energy efficient in locations as diverse as Geelong, Ballarat, Mildura, Shepparton, Horsham as well as in East Melbourne. The member for Mordialloc will also be pleased to know that during my discussions with Ira Magaziner we talked about the possibilities of a partnership between the Clinton foundation and the Victorian government that could help speed up the process of reducing greenhouse gas emissions here in Victoria. We also discussed a number of other initiatives.

With regard to clean power, the government is developing a strategic framework for the development of Victoria's brown coal resource which will encourage the investigation of carbon capture and storage. Already \$10 million has been committed to a sustainable energy research and development grant and \$6 million to a carbon storage trial in the Otway Basin.

Tackling climate change is a priority for the Victorian government, and I welcome the opportunity to further develop this working relationship with one of the world's most powerful foundations, the Clinton foundation. Through the Clinton climate initiative the Brumby government is clearly focused on adopting practical measures to reduce the human impact on climate change. We seek to forge a strong partnership as just one of the measures that will help reduce Victoria's greenhouse gas emissions by 60 per cent by 2050.

**Mr ROBINSON** (Minister for Consumer Affairs) — I am pleased to respond to the member for Derrimut, who raised an important issue: that of occasional complaints which are received about substandard lending practices and particularly the exploitation of migrant families and others who might be considered to be vulnerable through the unethical practices of those who seek to take advantage of them. I am familiar with these claims. They do arise from time to time in conversation with colleagues in this place, and similarly there are occasional media commentaries on the incidence of substandard lending practices.

Last October I visited the member's electorate and we participated in the launch of a Consumer Affairs Victoria program with schools. That was at the Sunshine West Primary School. It was a very successful launch at a great school, let it be said. I took the occasion whilst I was in Sunshine of calling in on my old primary school, Our Lady's in Sunshine, which is still going strong after all these years. I took the opportunity to have a bit of a discussion with the principal. Amongst the matters that were touched on, the principal raised the issue of unethical lending practices and how he was concerned that people in the community — particularly recently arrived migrant families and, more particularly, Sudanese families — were being taken advantage of.

I followed that up, and back in the office we had a discussion about this matter and undertook to write to principals across the western suburbs. Ultimately I think we wrote to 30 of them, at schools in Sunshine and Footscray in particular, asking them to advise my office if they were familiar with these sorts of claims. The good news for the member for Derrimut is that

those letters generated only one or two reports from amongst that group of school principals of unethical practices that they were aware of, so I take that as a relatively positive response. However, I understand that we need to constantly be on the lookout for this sort of problem, and I would be more than happy to discuss with the member how we might repeat or modify that exercise amongst other community leaders this year. Certainly I can assure the member that Consumer Affairs Victoria maintains a close eye on these sorts of powers — that is, if they are reported, CAV will respond and use the powers it has under various acts to investigate and bring the perpetrators to account.

Beyond that, I can say that at a macro level there have been some very positive recent discussions between me and other ministers, and indeed with the new commonwealth government. We have a far more productive relationship than has been enjoyed for the last decade in discussing what might happen with credit reform going forward. Currently there are some aspects of credit that lie with the states still, and it is the desire of the state ministers that this power be transferred to the commonwealth at the right time in the medium term, and we are working actively on that. Ultimately that would enable an even more effective response to be arranged right across the country, and it would be a more uniform response than can be mustered on this occasion. But I do thank the member for his interest, and I am more than happy, in conjunction with Consumer Affairs Victoria, to assist him in the future in dealing with these complaints.

**Mr Wells** — On a point of order, Deputy Speaker, the Premier assured us of greater accountability in Parliament. We have raised some important issues about roads and ports, and we want to know where the minister — —

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

**Mr ROBINSON** — The member for Brighton raised an issue for the attention of the Minister for Water that related to overseas travel and his unhealthy obsession. I am sure he will be flattered by her continuing interest in his workload.

The member for Frankston raised an issue for the attention of the Minister for Industrial Relations concerning a constituent dealing with an AWA (Australian workplace agreement) and sought the assistance of the workplace rights advocate, and I will pass that matter on.

The member for Swan Hill raised an issue in relation to primary school welfare officers in his electorate for the attention of the Minister for Education, and I will pass that on.

The member for Pascoe Vale raised an issue for the attention of the Minister for Public Transport in relation to the provision of bus services in the Gowanbrae estate. That will be passed on.

The member for Scoresby raised an issue with the Minister for Roads and Ports relating to the duplication of High Street Road — —

**Ms Asher** interjected.

**Mr ROBINSON** — I am responding now and you are not listening. I am responding.

**The DEPUTY SPEAKER** — Order! The minister should ignore interjections.

**Mr ROBINSON** — I will pass that matter on.

The member for Evelyn raised an issue for the attention of the Minister for Skills and Workforce Participation regarding a nurse in the electorate who is involved in the March medication course at Kangan Batman TAFE, and I will pass that matter on.

The member for Ferntree Gully also raised an issue for the Minister for Roads and Ports in relation to Glenfern Road and I will pass that on.

**The DEPUTY SPEAKER** — Order! I think it was the Dorset Road extension.

**Mr ROBINSON** — I am sorry, the Dorset Road extension.

The member for Footscray raised an issue for the Minister for Sport, Recreation and Youth Affairs in relation to sports facilities in Braybrook, the home of Ted Whitten and Doug Hawkins — a great source of football talent in Victoria.

**Mrs Fyffe** interjected.

**Mr ROBINSON** — No, it is not. I will pass on to the minister the matter raised by the member for Footscray.

**The DEPUTY SPEAKER** — Order! The house is now adjourned.

**House adjourned 10:43 p.m.**

