

**PARLIAMENT OF VICTORIA**

**PARLIAMENTARY DEBATES  
(HANSARD)**

**LEGISLATIVE ASSEMBLY**

**FIFTY-SIXTH PARLIAMENT**

**FIRST SESSION**

**Thursday, 28 February 2008**

**(Extract from book 2)**

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**Drugs and Crime Prevention Committee** — (*Assembly*): Mr Delahunty, Mr Haermeyer, Mr McIntosh, Mrs Maddigan and Mr Morris. (*Council*): Mr Leane and Ms Mikakos.

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**Education and Training Committee** — (*Assembly*): Mr Dixon, Dr Harkness, Mr Herbert, Mr Howard and Mr Kotsiras. (*Council*): Mr Elasmarr and Mr Hall.

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**Rural and Regional Committee** — (*Assembly*): Ms Marshall and Mr Northe. (*Council*): Ms Darveniza, Mr Drum, Ms Lovell, Ms Tierney and Mr Vogels.

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

*Parliamentary Services* — Secretary: Dr S. O'Kane

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**FIFTY-SIXTH PARLIAMENT — FIRST SESSION**

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The Hon. S. P. BRACKS (to 30 July 2007)

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The Hon. J. W. THWAITES (to 30 July 2007)

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Mr E. N. BAILLIEU

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Mr P. J. RYAN

**Deputy Leader of The Nationals:**

Mr P. L. WALSH

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Herbert, Mr Steven Ralph	Eltham	ALP	Sykes, Dr William Everett	Benalla	Nats
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Holding, Mr Timothy James	Lyndhurst	ALP	Thomson, Ms Marsha Rose	Footscray	ALP
Howard, Mr Geoffrey Kemp	Ballarat East	ALP	Thwaites, Mr Johnstone William <sup>3</sup>	Albert Park	ALP
Hudson, Mr Robert John	Bentleigh	ALP	Tilley, Mr William John	Benambra	LP
Hulls, Mr Rob Justin	Niddrie	ALP	Trezeise, Mr Ian Douglas	Geelong	ALP
Ingram, Mr Craig	Gippsland East	Ind	Victoria, Mrs Heidi	Bayswater	LP
Jasper, Mr Kenneth Stephen	Murray Valley	Nats	Wakeling, Mr Nicholas	Ferntree Gully	LP
Kosky, Ms Lynne Janice	Altona	ALP	Walsh, Mr Peter Lindsay	Swan Hill	Nats
Kotsiras, Mr Nicholas	Bulleen	LP	Weller, Mr Paul	Rodney	Nats
Langdon, Mr Craig Anthony Cuffe	Ivanhoe	ALP	Wells, Mr Kimberley Arthur	Scoresby	LP
Languillier, Mr Telmo Ramon	Derrimut	ALP	Woodridge, Ms Mary Louise Newling	Doncaster	LP
Lim, Mr Muy Hong	Clayton	ALP	Wynne, Mr Richard William	Richmond	ALP

<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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**Thursday, 28 February 2008**

**The SPEAKER (Hon. Jenny Lindell) took the chair at 9.35 a.m. and read the prayer.**

**NOTICES OF MOTION****Notice of motion given.****Ms GREEN having given notice of motion:**

**The SPEAKER** — Order! I believe that notice of motion, while it has been accepted in a form that others have been accepted, would be much more appropriate if it was made as a members statement.

**Further notices of motion given.****Mr SEITZ having given notice of motion:**

**Mr Clark** — On a point of order, Speaker, in his notice of motion the honourable member referred to Minister Batchelor as the Minister for Environment and Climate Change, which is clearly incorrect. Can I ask whether that will be corrected or whether the notice should be listed on the notice paper as moved?

**The SPEAKER** — Order! It will be checked by the clerks and corrected if necessary.

**Further notices of motion given.****BUSINESS OF THE HOUSE****Notices of motion: removal**

**The SPEAKER** — Order! I advise the house that under standing order 144 notices of motion 104 to 114 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 2.00 p.m. today.

**PETITIONS****Following petitions presented to house:****Ballarat Health Services: maternity care**

To the Legislative Assembly of Victoria:

The petition of concerned community members across the Grampians region and greater Victoria draws to the attention of the house the suspension of primary maternity care services (1-2-1 midwifery care) at Ballarat Health Services.

The petitioners therefore request that the Legislative Assembly of Victoria act to honour the Victorian maternity services policy, *Future Directions*, and immediately reopen the Ballarat primary maternity care service.

**By Mr HOWARD (Ballarat East) (576 signatures)**

**Frankston Hospital: urology unit**

To the Legislative Assembly of the Parliament of Victoria:

Residents who require treatment in the area of urology are currently required to travel to Clayton to seek medical assistance. The absence of a urology unit at Frankston Hospital is discriminative to residents who require medical assistance.

We, the undersigned concerned citizens of Victoria, ask the Legislative Assembly of Victoria to request the Victorian government to provide a urology unit at Frankston Hospital as a matter of priority.

**By Mr BURGESS (Hastings) (189 signatures)**

**Rail: Stony Point line**

To the Legislative Assembly of the Parliament of Victoria:

The longstanding safety issues surrounding level crossings on the Stony Point–Frankston line have led to numerous accidents and fatalities. Petitioners feel the installation of boom gates is urgently required to prevent further accidents at level crossings on this line.

We, the undersigned concerned citizens of Victoria, ask the Legislative Assembly of Victoria to request the Victorian government to install boom gates on all level crossings on this line that currently do not have them fitted as a matter of priority.

**By Mr BURGESS (Hastings) (24 signatures)**

**Emergency services: south-western Victoria helicopter**

To the Legislative Assembly of Victoria:

The petition of the citizens of western Victoria draws to the attention of the house the lack of a multifunction emergency helicopter rescue service based in western Victoria. The petitioners therefore request that the Legislative Assembly of Victoria immediately provide a rescue helicopter for the region, as western Victoria remains the only area of the state not covered by an emergency helicopter service. Our desired helicopter service would include air ambulance, firefighting capabilities, day and night search-and-rescue facilities, and would be available for onshore, coastal and offshore operations. We seek a speedy establishment of such a helicopter to cover all of western Victoria.

**By Mr DELAHUNTY (Lowan) (3015 signatures)  
Dr NAPTHINE (South-West Coast)  
(552 signatures)**

**Rosebud Hospital: obstetric services**

To the Legislative Assembly of Victoria:

The petition of the residents of Victoria draws to the attention of the house that obstetric services have been removed from the Rosebud Hospital, forcing mothers-to-be to travel to Frankston to have their babies.

Your petitioners therefore request that the Legislative Assembly of Victoria ask the Minister for Health to provide sufficient funding to enable Peninsula Health to provide the necessary infrastructure and resources to attract obstetricians to work in Rosebud Hospital.

**By Mr DIXON (Nepean) (29 signatures)**

**Port Phillip Bay: channel deepening**

To the Legislative Assembly of Victoria:

The petition of the citizens of Victoria points out to the house that:

The economic rationale for deepening shipping channels is inadequately justified against the environmental costs. The vast majority of benefits will stay with overseas shipping lines and shippers, and a POMC witness admits that financial benefits to individual consumers will be 'immeasurably minor'.

Port Phillip Bay heads area outranks the Great Barrier Reef for diversity of reef life, colour and interest. Dredging will cause turbidity and sedimentation; smothering of marine species, and re-release of toxicity from Yarra sediments — all of which will seriously threaten our recently created marine parks, Ramsar wetlands, dolphins, seals, penguins, recreational and commercial fisheries, residents around the bay and tourism industries.

The petitioners request that the Legislative Assembly of Victoria ensure that the proposal to deepen shipping channels is rejected, and that alternative solutions making better use of a mix of interstate rail from existing deep water ports and sea transport are engaged.

**By Mr DIXON (Nepean) (23 signatures)**

**Rail: Shepparton line**

To the Legislative Assembly of Victoria:

The petition of concerned residents and V/Line Shepparton and Seymour line travellers draws to the attention of the house that the changes to V/Line timetables effective 4 March 2007 have not only further slowed train services, but have also resulted in longer distance travellers to Cobram, Echuca, Griffith, Murchison and Numurkah sharing the 1833 Shepparton train with short-distance commuters to stations between Craigieburn and Seymour. The petitioners therefore request that the Legislative Assembly of Victoria restores the previous departure time of 1815 for the Shepparton train and that it resumes its previous express running between Broadmeadows and Seymour.

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

**By Mrs POWELL (Shepparton) (8 signatures)**

**Tabled.**

**Ordered that petition presented by honourable member for South-West Coast be considered next day on motion of Dr NAPHTHINE (South-West Coast).**

**Ordered that petition presented by honourable member for Lowan be considered next day on motion of Mr DELAHUNTY (Lowan).**

**Ordered that petition presented by honourable member for Ballarat East be considered next day on motion of Mr HOWARD (Ballarat East).**

**Ordered that petitions presented by honourable member for Hastings be considered next day on motion of Mr BURGESS (Hastings).**

**Ordered that petition presented by honourable member for Shepparton be considered next day on motion of Mrs POWELL (Shepparton).**

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

**Ordered that petition presented by honourable member for Benalla on 27 February be considered next day on motion of Dr SYKES (Benalla).**

**Ordered that petitions presented by honourable member for Swan Hill on 27 February be considered next day on motion of Dr SYKES (Benalla).**

**PARTNERSHIPS VICTORIA****Royal Children's Hospital project summary  
2008**

**Mr ANDREWS (Minister for Health), by leave,  
presented report, February 2008.**

**Tabled.**

**DOCUMENT**

**Tabled by Clerk:**

*Judicial Remuneration Tribunal Act 1995 — Further  
Statement of Reasons under s 14.*

**BUSINESS OF THE HOUSE****Adjournment**

**Mr CAMERON** (Minister for Police and Emergency Services) — I move:

That the house, at its rising, adjourn until Tuesday, 11 March 2008.

**Motion agreed to.**

**MEMBERS STATEMENTS****Box Hill Hospital: redevelopment**

**Mr CLARK** (Box Hill) — Yesterday's publication of figures showing that 14 935 people were waiting for operations and other treatment at Box Hill Hospital at the end of September — the highest number of patients waiting at any hospital in Melbourne — highlights both the failures of the Bracks and Brumby governments and the urgent need for the government to commit to the hospital's long-awaited redevelopment.

Box Hill Hospital opened in 1956. The last major upgrade of the hospital was in 1998. Redevelopment plans drawn up in 2002 were scrapped by the government after the 2002 election. In the 2006 budget the government funded preliminary redevelopment works. In its eastern suburbs election policy, Labor promised that over the next four years it would continue the redevelopment until a new facility was completed. However, there was no funding for the project in last year's budget, and time is running out. The existing hospital is estimated to have a remaining lifetime of only 10 years before it is forced to close. If the project is not funded in this year's budget, major redesign work will be necessary, which will effectively bring the current project to a halt, and already stretched staff morale and retention will slump.

This project is vital for hundreds of thousands of eastern suburbs residents, including many ageing residents with increasing needs, as well as young families, currently suffering some of the longest waiting times in Melbourne. The full project is currently costed at \$1.045 billion, or \$850 million for stage 1. However, just to bring existing facilities up to standard so that the hospital can stay open is estimated to cost over \$750 million.

Labor denied in the state election campaign that it could not afford to pay for its capital works promises.

If it is going to honour this election promise, it must fund the next stage of the Box Hill Hospital redevelopment in this year's budget.

**Police: Werribee**

**Mr PALLAS** (Minister for Roads and Ports) — I rise to acknowledge the efforts of local police and community members working together to make Werribee the best place to live, work and raise a family. Under the leadership of Acting Inspector Bill Weatherly, who is the officer in charge of Werribee police station, local families have seen great advances in community safety. A new crime desk has been introduced, and I understand that 90 per cent of all reported burglaries are investigated by the team, which carries out such preliminary work as fingerprinting and forensic tests. That is above the state average.

Werribee police have also developed innovative programs to build stronger relations with local migrant and cultural groups. Progress is being made on the new \$6.5 million Wyndham North police station. This state-of-the-art facility will increase policing capacity in Werribee and epitomises the Brumby government's commitment to increasing police resources.

I am very proud that the crime rate in Wyndham has dropped by 21 per cent over the past year. This is in no small part due to the hard work of the local police, under the leadership of Acting Inspector Bill Weatherly and his team. It is therefore fitting that Acting Inspector Weatherly was awarded the Australian Police Medal in the Australia Day awards this year. With 19 extra police at Werribee police station and construction about to commence on the new Wyndham North police station, the Brumby government is delivering improved community safety for families in Werribee.

**Emergency services: south-western Victoria helicopter**

**Mr DELAHUNTY** (Lowan) — Western Victoria needs a rescue helicopter, and the community is showing its support by holding a rally on the steps of Parliament today. This morning I presented a petition with 3015 signatures to the house calling for a rescue helicopter to be based in western Victoria. I commend the work of Mr Keith Meerbach, Mr Geoff Downes and many others who have worked tirelessly to get this petition distributed. Over 28 000 people from western Victoria, including local government,

have shown their support for the establishment of an all-purpose rescue helicopter service.

It should be noted that the Western Highway is the second busiest road in Victoria and leads to a number of iconic and much-visited tourist attractions, including Mount Arapiles, the Grampians and various national parks. Western Victoria also boasts a magnificent seaboard. Sea rescues need a helicopter. It should also be noted that a rescue helicopter has been a policy of The Nationals for the last two elections, and we have lobbied long and hard for the service. There have been numerous occasions that have required people to be airlifted as a result of accidents at Mount Arapiles and the Grampians. Another example happened only last week when Horsham resident, Frank Kelm, a Darwin Defender, required urgent and swift transfer to the Royal Melbourne Hospital to prevent the onset of an aneurysm which could have been fatal. Thankfully a helicopter was deployed which flew Mr Kelm to Melbourne, not only saving precious time but, more importantly, saving his life.

The lives of western Victorians along with those who visit our wonderful part of the state are being put at risk because of the lack of government support for this helicopter service.

### **Bill Pride**

**Mr NOONAN** (Williamstown) — I rise to congratulate local Williamstown legend Bill Pride, who was recently awarded the Medal of the Order of Australia for his services to sailing, particularly the development and promotion of the sport, Australian Rules football and the community of Hobsons Bay. During his decades of service to our community Bill has held numerous executive and committee roles with the Williamstown Football Club and the Footscray District Football League, which is now known as the Western Region Football League. However, having known Bill for just a short time, I think his true passion is sailing. In fact I get the impression that Bill has spent more time down at the local Williamstown Sailing Club than he has at home over the years. Throughout that time he has chosen to help others enjoy the sport of sailing, holding numerous positions at the club, including a 15-year stint as the club commodore between 1966 and 1981. Bill was responsible for introducing the club's Learn to Sail program in 1974, and he also teaches boatbuilding at Victoria University's Newport campus. Such is Bill's commitment to ensuring that others enjoy the benefits of sailing that he has chosen to remain the club's captain.

Although he is modest about his contribution, Bill is a more than worthy recipient of this honour, which would not have been possible without the love and support of his family, especially Phyllis, Bill's wife of 58 years. It is terrific to see both of them here in the gallery this morning. Well done, Bill.

### **Emergency services: south-western Victoria helicopter**

**Dr NAPTHINE** (South-West Coast) — Today's tabling of petitions from the member for Lowan and me brings to over 28 000 the number of people demanding that the Brumby Labor government provide a lifesaving multipurpose emergency helicopter for western Victoria. Already in February this year there have been at least 18 cases where a chopper was needed or should have been used in life-and-death cases in western Victoria, including car accidents at Macarthur, Harrow, Portland, Eurack and Hamilton; workplace and home accidents at Camperdown, Warrnambool and Casterton; and last Friday there was a delay in getting a chopper to a young boy in Lismore whose scalp was partially severed in a farm machinery accident. There are also many emergency transfers of seriously ill patients in western Victoria.

There are at least 180 such life-and-death cases each year — one every two days in south-western Victoria — where an emergency helicopter is needed. Lives are at risk. Lives are being lost while the Brumby government delays the implementation of this vital program.

Dr Campbell McKellar of the Warrnambool hospital accident and emergency unit says that the government has a large surplus and a moral obligation to provide this life-saving service. The south-west is the only region not covered by an emergency helicopter. It is time the government invested in such a helicopter to help save the lives of local residents and visitors to western Victoria who require emergency treatment.

### **Harness racing: Inter Dominion**

**Mrs MADDIGAN** (Essendon) — I would like to congratulate Neil Busse and the Harness Racing Board on their great efforts in organising the Inter Dominion this year. The final will be held at the wonderful Moonee Valley Racecourse, the home of the Cox Plate, on Saturday this weekend. Those great efforts resulted in the biggest crowd for 15 years attending one of the lead-up races at Geelong. I think

they even ran out of beer and had to pop across to the hotel opposite.

One of the really good things about harness racing is that there are many women involved in it. I would like to congratulate Tanya McDermott on winning the harness racing woman of the year award, which was presented at the Pearl Kelly dinner last week. There are three women drivers and three women trainers involved in the final, including Natalie Rasmussen, who is driving the favourite, *Blacks a Fake*.

The Minister for Racing will be there, but I doubt if the shadow minister will be. The last time he went to harness racing it was still called the trots! However, harness racing is going extremely well in Victoria. It is very well supported by the community in the country, and particularly in the Geelong area, as well as in Melbourne. I look forward to the Inter Dominion being a really successful race this year, as was the last year's Hunter Cup, which was won by a woman driver.

### **Crown land: water races**

**Mr TILLEY** (Benambra) — Development in goldmining towns such as Beechworth, Mitta Mitta and Yackandandah is being impeded by the existence of a plethora of disused Crown land in the form of water races that are still in existence despite the historical significance of and need for these narrow strips of land being completely redundant.

In goldmining days water races ensured water could be directed to individual mining claims for use in the search for gold. The water races appear on Department of Sustainability and Environment Crown land maps as a labyrinth of snake-like narrow squiggles. This Crown land bisects freehold properties and makes development or subdivision near impossible. Development is discouraged because the owner needs to be able to establish a significant public benefit for the sale process to begin. An extension to a house, the building of a villa, the putting up of a garage and even extensive landscaping are not seen as public benefits. If a sale is approved, the administrative process can take eight years. The red tape involved in the disposal of these otherwise useless strips of land is so extensive and so labour intensive that few are sold. The burden of the existing mechanisms needs to be reviewed so that red tape can be cut to rationalise the process for the disposal of this land.

### **Police: Mornington Peninsula inspector**

**Mr TILLEY** — In relation to another matter, we are now seeing the bullying and intimidation of police Inspector Gordon Charteris, who has taken sick leave. It is an absolute disgrace that this person has been forced to go on sick leave. What is wrong with police speaking openly and honestly? After all, they are the protectors of our community. Inspector Charteris has spoken about the resources that the government does not provide.

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

**Mr FOLEY** (Albert Park) — I rise to bring to the house's attention an event that was held in St Kilda to mark the national apology to the stolen generations by the Australian Parliament on 13 February. The event, which was held in the O'Donnell Gardens, was co-hosted by me and the City of Port Phillip. It was addressed by a local elder of the traditional owners of the land, Carolyn Briggs; a member for Southern Metropolitan Region in the other place, Mrs Andrea Coote; the mayor of the City of Port Phillip, Ms Cribbes; and me. It was attended by many representatives of our Koori community, local churches, community groups and the Port Phillip Citizens for Reconciliation as well as by many other supporters of the long-stalled process for reconciliation with the indigenous communities of Australia.

The event marked the beginning of perhaps one of the most significant days in the history of the relationship between the indigenous and non-indigenous communities. As the Prime Minister put it later in the day:

The time has now come for the nation to turn a new page in Australia's history by righting the wrongs of the past and moving forward with confidence to the future.

In my own electorate this meant putting aside the divide of party politics and recognising that the process starts with, in the words of another Australian Prime Minister:

... the act of recognition. Recognition that it was we who did the dispossessing.

We took the traditional lands and smashed the traditional way of life. We brought the diseases. The alcohol. We committed the murders. We took the children from their mothers. We practised discrimination and exclusion.

The event was an honour to be part of, and I congratulate all those who took part and call upon them to again redouble their efforts to tackle disadvantage for indigenous Australian's in the new

climate of leadership created by the actions of the Rudd Labor government.

### **Police: Swan Hill electorate**

**Mr WALSH** (Swan Hill) — I want to bring to the house's attention the lack of on-the-beat police in the Swan Hill electorate. Despite the position the police minister tried to put in question time yesterday, there are numerous unfilled vacancies in my electorate.

Cr Nick McIntyre from Yarriambiack Shire Council has raised concerns that Minyip has been without a policeman for 12 months. The *Warracknabeal Herald* of 15 February reports that he:

... commented on the sorry state of the station and its surrounds, which indicates to all visitors that there is clearly no police based in the town.

Birchip's two-man station is currently staffed with one officer and is likely to stay that way. Sea Lake, which used to be a sergeant-and-one station, is now only a single-officer station. The Culgoa single officer is regularly absent filling temporary vacancies at other stations. There is a threat to the continuation of the one-man station at Piangil, despite its being on the intersection of two main highways — the Adelaide to Sydney highway and the Murray Valley Highway between Swan Hill and Mildura. Kerang is constantly calling in outlying officers to help fill its roster, leaving smaller towns without a police presence.

Local policing is about having a presence in that town and building relationships in that town, not about having empty police stations.

In the Mallee it appears that the thin blue line is getting thinner.

### **Whittlesea Country Music Festival**

**Ms GREEN** (Yan Yean) — A sell-out crowd and some great performances were just some of the highlights of another brilliant country music festival at Whittlesea. The organisers and volunteers worked hard to put on a quality show that attracted more than 130 artists and drew spectators and visitors from across the country. The creative genius of directors Merle and Graeme Gillis was again evident in the quality and variety of performers.

Since Adam Harvey has become the festival patron, the festival has really come of age. He and J. R. Williams were again great comperes at the awards, and I was privileged and delighted to award

Adam the Male Performer of the Year. He is a great advocate for country music in Victoria.

The festival would not be able to come together and be as good as it is without the work of the volunteers, council staff, the committee, Mayor Liz Nealy and Cr Rex Griffin. I would like to thank the outgoing president, Innes Creighton, for his work over the last few years in making the festival a success.

Since the festival I was, however, saddened to hear the passing of country music legend Smoky Dawson at the age of 94. The original singing cowboy attended the awards ceremony twice at the festival, where I was privileged to meet him, and I will treasure the photo taken of us together. As well as his music, his memory will live on through the Smoky Dawson music award for best independent release. Vale, Smoky Dawson, and all the best to the Whittlesea Country Music Festival. May it continue to be a success.

### **Rail: Lardners Track crossing**

**Mr BLACKWOOD** (Narracan) — I wish to raise an issue for the attention of the Minister for Roads and Ports that was raised in this house by me last year, and I am still waiting for a response.

The Lardners Track rail crossing is on the route of the fast train that travels between Gippsland and Melbourne. The danger of this intersection and level crossing had been raised with me by a number of constituents, and subsequently I raised the issue in an adjournment debate last year and also wrote to the minister and met with one of his advisers.

I also had a video taken of this intersection during busy times before and after school to give the minister a clear impression of the complexity of this intersection and the amount of traffic using both the level crossing and the intersection of Lardners Track and Princes Way.

About three weeks after I raised this with Minister Pallas, there was a collision between a train and a four-wheel-drive. Thankfully the young male driver escaped serious injury but I am certain he and the driver of the train would have been seriously shocked by the incident. I would have thought that a near-miss near-fatal accident would have been enough to spur the minister into action but, as I have said, I have heard nothing and still await his response.

I urge the minister to act before we lose another country life at another country level crossing.

### Ivan Bjork

**Mr TREZISE** (Geelong) — I take this opportunity to mark the passing of Mr Ivan Bjork, who died last Tuesday, 19 February, aged 82. Ivan was born in Natimuk in 1925 and moved to Drysdale at the age of three. He left school at the age of 14 and worked initially as an itinerant worker before enlisting in the army at the age of 20. Ivan later became a shearer and then a fencer, with both jobs taking him the length and breadth of the Western District.

Ivan played a huge part in the Drysdale Football Club for more than six decades, with no doubt the highlights being the 1955 premiership side and his rightly deserved life membership.

Ivan was also a genuine true believer in the Australian Labor Party. He was a member for more than 50 years, earning a life membership. Ivan worked tirelessly for the party with one objective in mind: to make life better and fairer for working-class people.

Ivan also served as a councillor, scout leader, advocate for the disabled, life member of the Drysdale Snooker Club and as chair of the Port Phillip Authority, and I can assure members that the list goes on. But above all, Ivan Bjork was a man who loved his family. He was married to Marj for a loving 54 years, and they had two children, Daryl and Carolyn. Tragically Daryl died from cancer in his mid-20s, which of course rocked the family to the core. But in true Marj and Ivan fashion, they took on Daryl's wife, Dawn, as their own treasured daughter. Ivan was also a much-loved grandfather of Naomi, Shaun and Reece, and was recently a great-grandfather to McKenzie.

Ivan Bjork was a good man, a very humble man and a man who dedicated his life to his family and to helping others. I was proud to call him a friend, and this world will be the poorer for his passing. My condolences to his wife, Marj, and his family.

### Anticorruption commission: establishment

**Mrs FYFFE** (Evelyn) — Yesterday we read in the daily newspapers of the lengths to which the Brumby government, with its secret plans, will go in its attempts to avoid scrutiny by refusing to appoint a standard anticorruption commission. The reason we need an independent, broadbased anticorruption commissioner is to end Victoria's rapidly growing reputation as the secret state.

Premier Brumby dismisses the need for such a body and will not tell us what his closest advisers like Sharon McCrohan knew about the Office of Police Integrity probe into former police media director Stephen Linnell. Linnell told Noel Ashby on 22 December last year that he had been called to an OPI hearing. McCrohan told Linnell that they needed to have a coffee, and yet Premier Brumby has refused to say how and why his closest advisers were involved.

Victorians want the truth about what is going on in this state. The Premier must listen to what the public wants and appoint a broadbased anticorruption commission. Victorians do not like the smell of corruption now hanging around this government. Is it because the Premier is worried about what such a body would find out about his government, about his departments and about what is happening in this state?

### Regional and rural Victoria: regional forums

**Ms DUNCAN** (Macedon) — I refer to yesterday's press release of the Leader of The Nationals which sought feedback on regional development issues from country councils. Packaged as a big announcement, this is nothing but a cynical game of catch-up, and country councils will see straight through it. They know from bitter experience that whatever issues they raise and whatever actions they call for, the member for Gippsland South will have to scuttle back to his more senior colleagues in Melbourne to get them approved. They also know that during the Kennett government the member for Gippsland South voted 1150 times to cut services, shut schools, sack nurses and cut jobs in regional Victoria. As if that were not enough, he is still saying, as he said on radio recently:

Maybe we —

The Nationals —

need to be able to compromise a bit for the greater good of being able to present a united front ...

This cynical game of catch-up will be seen for what it is.

Last year the Minister for Regional and Rural Development undertook massive statewide consultations with regional Victoria through a series of regional forums with local government, industry representatives and key stakeholders. The minister is reported as saying in December 2007:

Today's forum is about looking hard at what we have achieved under Moving Forward and mapping out a way forward that builds on our successes and responds to the new trends and challenges.

While The Nationals play catch-up, the Brumby government will continue the meaningful partnership it has with local government and regional communities to meet the challenges of the future and to make Victoria the best place to live, work and raise a family.

### **Planning: coastal strategy**

**Mr MORRIS** (Mornington) — The matter I raise this morning is the draft Victorian coastal strategy 2007, for which submissions recently closed. The strategy is of interest to all members with electorates adjacent to the coast, but it is of particular interest to members from the Mornington Peninsula, who share a heavily populated and sensitive coastline. That coastline will bear much of the pressures anticipated from Melbourne's growth over the next 22 years.

Submissions to the draft closed on 28 January after extensive consultation. It is important to consult, but it is equally important to give serious consideration to the views expressed. One of the challenges of coastal management — or the management of state national parks, for that matter — is not to get too far ahead of the community. It is all very well to lead opinion, but if you are too far ahead, the public will be left behind. The strategy will not be worth the paper it is written on.

A recent report to the Mornington Peninsula Shire Council suggests that in this instance a gap is developing. I do not criticise the Victorian Coastal Council for its work so far, but I do urge it to give significant weight to the opinions of people on the ground. The council committee view is that the report:

... does not adequately or appropriately acknowledge the range and variety of coastal management responses necessary to meet community needs and expectations.

Concern is also expressed about the 'limited and siloed approach' and the proposed car parking policies and access to the coast 'which appear to ignore the realities and practicalities'. We need to plan for both the coast and for people. The shire's submission reflects a real view and I urge the government and the Victorian Coastal Council to give it appropriate weight.

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

**Mr EREN** (Lara) — I was very pleased yesterday to attend the Geelong ceremony for the apology to the stolen generations at the Wathaurong Aboriginal Cooperative in my electorate, along with my colleague the member for Geelong in the other place; the federal member for Corio, Richard Marles; the federal member for Corangamite, Darren Cheeseman; and the City of Greater Geelong mayor, Bruce Harwood. At the ceremony I presented a message on behalf the Premier, and I would like to share that message here today. It states:

The government fully supports the historic national apology made by Prime Minister Rudd on behalf of the federal Parliament, and we endorse the city of Geelong's apology being made here today.

We believe a national apology was well overdue and is an important part of the reconciliation process, acknowledging the terrible wrong that was perpetrated against indigenous Australians.

It follows the Victorian Parliament's apology in 1997, which was bipartisan and passed unanimously, and states:

That this house apologises to Aboriginal people on behalf of all Victorians for the past policies under which Aboriginal children were removed from their families and expresses deep regret at the hurt and distress this has caused and reaffirms its support for reconciliation between Australians.

The government is committed to providing long-term assistance and services to effectively meet the needs of those affected by the past policies of removal of indigenous children from their families. To this end, the government has committed funding to establish the organisation Stolen Generations Victoria, dedicated to the specific needs of the stolen generations.

Some of the services provided will include pre and post-reunion counselling —

**The ACTING SPEAKER (Ms Munt)** — Order! The member's time has expired.

### **Weeds: control**

**Mrs POWELL** (Shepparton) — Weed infestation and control is a massive and costly problem, made worse by the confusion about who is responsible for controlling weeds on roadsides. Is it the adjoining landowner, the state government, or the council?

I wrote to the Municipal Association of Victoria seeking its response and received a reply from the president, Cr Dick Gross, on 7 January. He advised me that this issue was first brought to the attention of the MAV in 2004 when the Department of Primary Industries (DPI) and the Department of Sustainability

and Environment (DSE) staff gave direct advice to councils that the government was about to transfer responsibility for the management of regionally controlled weeds on roadsides from the adjoining landowner to local government. The advice occurred as a result of new interpretations of the Catchment and Land Protection Act 1994.

Councils are gravely concerned with the financial implications of this shift in responsibility. I understand discussions between the MAV, DSE, DPI and Victorian Farmers Federation (VFF) have occurred since 2004 and yet this issue still has not been resolved. The MAV was advised that the Minister for Environment and Climate Change and the Minister for Agriculture have agreed to change responsibility for weed and pest animal management policy to ensure that a single point of accountability rests with the DPI.

After four years the confusion continues. The state government must legislate to make it clear who is responsible for control of roadside weeds, taking into account that adjoining landowners do not have the time or the money to control the problem, and councils should not bear this responsibility without the appropriate funding from this government.

### **Genetically modified crops: legal risk**

**Ms CAMPBELL** (Pascoe Vale) — Along with all members of Parliament, I received invitations via email to attend a range of briefings at Parliament House about the retention or abandoning of the moratorium on genetically modified (GM) canola. The briefings and information on the risks of GM canola to individual farmers and to Victoria's export trade were open to all MPs. Parliamentarians have been provided with personal evidence and testimonies of Canadian farmers who briefed us in this very building on the court cases instigated by Monsanto against farmers whose non-GM canola has been contaminated with GM canola.

If ever there is a class action against the state of Victoria for failing to protect the traditional and organic farmers of this state from litigation from such multinational companies, it cannot be truthfully asserted in future court cases that parliamentarians were unaware of evidence that GM crops do not remain solely on the property in which they were planted. Parliamentarians were briefed that there was a foreseeable risk of contamination.

Further, I note that in the New South Wales parliamentary debate on GM canola moratorium

reference was made to the Canadian technology use agreement prepared by Monsanto which states that in no event will Monsanto or any seller be liable for any incidental, consequential, special or punitive damages. Effectively the multinationals are passing on all legal risk to the farmers and ultimately the state.

The Department of Treasury and Finance, in preparing the forthcoming budget papers, will need to factor into the risk section a line about future individual or class actions against the state for failing to protect farmers. Victoria to date has not established any protection for our farmers.

### **Public transport: Ferntree Gully electorate**

**Mr WAKELING** (Ferntree Gully) — Residents in the Ferntree Gully electorate can rightly feel cheated by the Brumby government for its belated acknowledgement that it will not facilitate important public transport upgrades in my community. I have consistently raised the need for upgraded public transport services. These important issues have included the need for the Rowville rail feasibility study, the tram to Knox city, upgrades to local bus services and the upgrading of Ferntree Gully railway station to premium status. However, despite earlier commitments the Minister for Public Transport has now confirmed in writing that the government has no intention of helping my community. In correspondence I have received the minister said that:

The Rowville community's desire for a direct rail link is well known. However, Meeting our Transport Challenges gives priority to addressing the bottlenecks in the existing rail system before considering any further extensions. Similarly, improving tram journey times by way of giving trams greater priority on the road are being considered before any further extensions to the tram network.

It is clear the government has turned its back on the Knox community.

### **Daniel Draper**

**Mr WAKELING** — I would like to congratulate the Rowville football and cricket clubs, plus the wonderful work of Ray and Marion Draper, in holding the recent fourth showdown of the Daniel Draper memorial Twenty20 match. This annual event honours the memory of Daniel who was taken tragically at such a young age. The event raises important revenue for both clubs and is a fitting tribute to honour Daniel's memory. All involved had a wonderful day, and I am looking forward to next year's event.

**St George the Martyr parish: hall restoration**

**Ms NEVILLE** (Minister for Mental Health) — It was a great pleasure to be in Queenscliff last Friday to celebrate state government funding of \$167 000 towards the conservation and restoration of the St George the Martyr parish hall. The present hall was built in 1873 and has been an important community resource with significant historic and heritage values. The restoration project will ensure that it can once again be used effectively by local groups and organisations. I congratulate all those who have been involved, in particular Cr Val Lawrence, chair of the St George's restoration fundraising committee, members of the committee, and Father David Lamont, for their hard work and commitment. This is an exciting and important project that will bring back to life a wonderful local facility for the community of Queenscliff and the region.

**Newcomb football netball clubs: netball pavilion**

**Ms NEVILLE** — On another matter, it was a pleasure and an honour on Sunday to be part of the opening of the Newcomb football netball club's netball pavilion. Since 1976 the club has provided the community, particularly our young people, with an opportunity to come together and be involved in sporting activities. This major redevelopment will provide a fantastic boost for netballers and supporters providing a new veranda, change rooms, kitchenette and club room. It was a partnership between the state government and the City of Greater Geelong, and I thank Cr Rod Macdonald for his support for the project.

I also want to congratulate Kyly Hinkley, the president of the Newcomb netball club, and all the committee and club members who have done a great job in contributing to their local community and this particular project. I also want to acknowledge Glenda Werrett and the Kiddle family.

**The ACTING SPEAKER (Ms Munt)** — Order! The member for Keilor.

**Mr SEITZ** (Keilor) — I rise to congratulate —

**Mrs Fyffe** — On a point of order, Speaker, the call should be given to each side in turn.

**The ACTING SPEAKER (Ms Munt)** — Order! I am sorry, I will just clarify who should have the call. I call the member for Kilsyth. My apologies to

the member for Kilsyth; the time for member's statements has expired.

**PROFESSIONAL BOXING AND COMBAT SPORTS AMENDMENT BILL***Second reading*

**Debate resumed from 6 December 2007; motion of Mr MERLINO (Minister for Sport, Recreation and Youth Affairs).**

**Nationals amendments circulated by Mr DELAHUNTY (Lowan) pursuant to standing orders.**

**Mr DELAHUNTY** (Lowan) — I am pleased to speak on this important bill, the Professional Boxing and Combat Sports Amendment Bill 2007, on behalf of the coalition between the two independent parties, the Liberal Party and The Nationals. I also thank my colleagues for the honour of being appointed shadow Minister for Veterans' Affairs, which is an important portfolio in the state of Victoria; shadow minister for youth affairs, because our youth are our future; and shadow minister for sport and recreation, because sport is a passion for many of us.

This bill was introduced late last year, and I thank the member for Bulleen, the former Liberal shadow minister for sport and recreation and the member for Morwell, both of whom did a lot of preparation work on this legislation. As we know, the bill covers a range of revisions that are designed to promote safety, to control the industry and, very importantly, to reduce the risk of malpractice. The main provisions of the bill transfer powers from the minister to the Professional Boxing and Combat Sports Board, provide for the minister to give directions to the board and also enable the board to prevent contestants who lack the necessary professional skills, such as mobility, defensive skills and tactical awareness, from fighting. Also, in a new initiative, timekeepers, who were not previously recognised under the act, are to be incorporated into the legislation so that concerns about malpractice can be minimised.

As we know, there are different approaches to this in different states. It is interesting that we have different regulations across Australia, even though many of these boxers travel interstate — for example, we saw Mundine fighting in Sydney last night. It is a bit like Australian Rules football, where the players move around Australia fairly regularly. We also have to

realise that there is a questioning of the benefits of allowing combat sports, and a number of articles have appeared on the issue, particularly in the *Sunday Herald Sun*. The Minister for Sport, Recreation and Youth Affairs said in a media release of 21 December that he would not permit cage fighting in Victoria. However, there is not one mention of cage fighting in this bill. As members know, the general public support any legislation designed to promote safety and reduce the risk to competitors. Under this bill the board will be able to license promoters, trainers, referees, judges and matchmakers. It will also register contestants and issue permits for boxing, kickboxing and other combat sports.

We are proposing what we believe are common-sense amendments that strengthen the bill, address the concerns of most Victorians and enforce what the minister said he would do in not allowing caged combat sports to be staged in Victoria. The background to our amendments is that cage fighting has developed in the USA and Japan, and it can be watched on Fox TV. Events have been held in Western Australia, Queensland and New South Wales. Cage fighting involves no-holds-barred, mixed martial arts fighting in a 2-metre high metal cage in which contestants can kick, punch, choke and knee opponents into submission. Some people — I know it was even under discussion in our party rooms — believe this type of sport is safer than boxing, because combatants can at any time tap out if they feel they have had enough. The reality though is that most of the fighters go to the ground and their opponent can jump on them, knee them and choke them, and it can be very difficult for them to tap out. Like most people in Victoria, we believe that this sport should be banned in Victoria through legislation.

Contestants in cage fighting events have to wear only small mittens on their hands, with their fingers exposed. A newspaper article in the *Age* of 23 December 2007 headed 'Brawl breaks out over cage clashes', says:

Cage fighting is established in Sydney and an event was held recently at the National Institute of Dramatic Arts' (NIDA) main theatre, where Shakespearean plays are often staged.

NIDA has since said it won't host the sport again.

There is concern even in New South Wales that maybe this sport has gone too far.

An article in the *Sunday Telegraph* of 2 December 2007 says:

Theatre of blood. Welcome to the extreme brutality of cage fights which the New South Wales government is set to legalise.

...

Outside, a crowd of 700, mostly men, screamed themselves hoarse as the blood flowed.

This is the new, ultraviolent sport of mixed martial arts fighting, which the Iemma government is about to legalise.

...

And, unlike in boxing, they are punched and kicked after falling to the floor.

The article goes on to describe it as:

Mixed martial arts fighting in which fighters have snapped ankles, arms and legs in events overseas ...

So it is a very vicious sport and one that I do not believe we need here in Victoria.

An article in the *Sunday Herald Sun* of 6 December 2007 under the heading 'Do we really want this in Melbourne?' says:

Caged combat sport is coming our way.

Ultraviolent Fight Club style brawls — in which opponents elbow, knee and beat each other — are coming to Melbourne.

The brutal new fight 'sport' locks combatants in a 2 metre high metal cage for no-holds-barred, mixed martial arts battle — even choking, stamping, punching and kicking after an opponent is floored.

Overseas, fighters have had arms and legs smashed, ankles snapped and some have been killed.

Instead of protective gloves, combatants wear small mitts to allow them to grab opponents in headlocks and submission holds in front of baying crowds.

A lot of concern has been raised in a newspaper articles here in Victoria. A letter to the editor in the *Sunday Herald Sun* has the heading 'Ban this senseless brutality'.

These are some of the reasons why we believe we should ban the sport in Victoria and put it right up front in the legislation. I know the minister has the power under this bill and the previous act to give direction to the board. He has banned it, and I know he has made statements to that effect. But this legislation before us here today has no mention of cage fighting. We believe if we are strong enough about this, we should put it in the legislation so that it

cannot be changed at the whim of the minister. This minister might be right; he has shown his colours by banning the sport, but he might not be here in another two or three years time. We hope that is the case. The reality is we want to be on that side and the reality is it could be at the whim of the next minister to allow this sport to happen. We need to put it right up front in the legislation. That is why we have put forward these amendments.

The Minister for Sport, Recreation and Youth Affairs said on 21 December 2007 that he would prevent caged combat sports. I have his media release. It is headed 'Merlino to prevent caged combat sports coming to Victoria'. It says:

The Brumby government will not allow caged combat sports to be staged in Victoria ...

The minister said it is a no-holds barred contest. It is in black and white in his own media release.

I think having made those statements the minister must fall in behind these coalition amendments, but I also want to talk about other parts of the bill. Overall it provides many benefits. Clause 6 provides for the power to license persons involved in professional contests, such as judges, trainers and referees, to be transferred from the minister to the board. Clause 7 provides for the power to issue permits to conduct promotions to be transferred from the minister to the board. The reality is a lot of that is going on at this stage. This is putting into legislation what is really going on behind the scenes. We have no problem with transferring these responsibilities.

Clause 13 provides for the substitution of a new section 10B, which transfers the power to cancel or suspend the registration of a professional contestant from the minister to the board. The section sets out the circumstances in which the board must suspend or cancel a contestant's registration. In discussion with the minister's staff — and I thank them for the briefing; I know they gave a briefing to the members for Bulleen and Morwell, but they also did it a third time and gave a briefing to me — I was told that they test mobility, defensive skills and tactical awareness. My understanding is that the board does that by looking at these men and women in their fights and that type of thing.

I have a letter sent to the member for Morwell by one of his constituents which raises a concern that the minister might like to respond to at a later stage concerning overseas competitors. It is from Mr Ray Harris. I will not go through the whole letter, but it refers to the criteria for assessing suitability for

registration of a boxer, including defensive skills, countering skills, fitness, reaction time and the ability to change fight strategy when necessary, and asks:

Who would make the assessment of the above skills —

of overseas competitors? I am not sure if that is covered in the legislation, but I think it is a fair question that we need to have answered by the minister, whom I am pleased to see here at the table today. We strongly support those types of provisions under new section 10B. We think that if the fighters do not have the necessary skills for the sport, they should not be allowed to be involved.

My colleague the member for Bulleen also received a letter from the chairman of the Professional Boxing and Combat Sports Board. I thank him for giving me a copy of that. The paragraph that I want to read to the Parliament summarises the issues very clearly. It states:

It became apparent that some sections of the act were unworkable and did not support decisions that the board was required to make such as skill/competence. The act was silent on this issue, resulting in the board being taken to VCAT by a fighter who the board considered to be a danger to himself.

It is common sense that we go this next step.

Another issue is related to the delicensing of timekeepers, a very important role, as the timekeeper is required to interact with the ringside doctor and referee. Again we think that is common sense. The letter goes on to say:

These amendments also give the board the ability to make decisions without continued and unnecessary referral to the minister but maintaining the checks and balances that he requires.

We would have to support the minister on that because I know he lives a long way out of Melbourne and travels in regularly, even though he has support in that regard and has a young family. He would not want letters and emails coming in in the middle of the night that needed to be answered quickly. It is common sense that these matters be transferred over to the board's responsibility.

I also appreciate the minister's staff providing me with a list of the members of the Professional Boxing and Combat Sports Board. It is made up of six members at this stage, but the board can have up to seven members, one of whom must be a policeman. It is interesting to note the number of licence-holders and registered professional contestants. As at 26 February this year there are 493 licensed

professional contestants, and 54 of them are women. There are also 32 promoters, 185 licensed trainers, 17 matchmakers, 21 referees and 53 judges. These registrations and licences are valid for three years.

We all worry about the obesity issue and about violence on our streets. I will come back to this a little later, but in Coleraine, which is a great little town in my electorate, a fellow has established a gym. He has got a lot of the young kids involved in sport. This gives them an activity and keeps them off the streets. It highlights the importance of physical activity in addressing the obesity issues that confront us. That physical activity might involve playing sport such as football, tennis, hockey or anything else.

I looked through some Australian Bureau of Statistics (ABS) figures on participation in sport and physical activity. An estimated 2 million Australians aged 15 and over reported that they participated in fitness activities in the 12 months prior to the interview conducted by the ABS. The majority of people, 64 per cent, who were involved in fitness activities participated in a non-organised capacity only. This means that about 36 per cent are involved in organised sport — and it could be boxing.

I went on to look further into the details, and I noted that there are about 47 000 people involved with boxing. About 35 000 of them are male and a little over 12 000 are female. When we look at the break-up of ages we see that most are in the age group of 25 to 34 — that figure is nearly 17 000 — and a bit over 12 000 are in the 35 to 44 age group. Those ABS statistics show that boxing is a very popular sport.

**An honourable member** interjected.

**Mr DELAHUNTY** — I do not think the member for Geelong has a nose like mine; he might have had it hit playing football like I did. Often people think I boxed, but I have never boxed.

**Mr Trezise** — You did on the field.

**Mr DELAHUNTY** — Not deliberately.

There are many differences in boxing. As we know there are amateur boxers and there are professional boxers. The main differences between amateur and professional boxers lie in the rules and in the objectives of the two sports. They vary in safety standards and various other things. The distinction is so significant that athletes, referees and judges of professional boxing are not permitted to participate in amateur or Olympic boxing events. The more

stringent rules in the amateur sport allow people to learn and develop boxing skills with a minimal risk of injury.

In amateur boxing there are 3 rounds of 3 minutes or 5 rounds of 2 minutes each. There are shorter rounds for novices and boxers under 17. In professional boxing there are 4 rounds of 3 minutes or up to 12 rounds of 3 minutes each. I can remember watching many fights on television which featured Cassius Clay and others. The gloves are also different. For amateur competitors they weigh 10 ounces and are especially designed to cushion an impact. There is a white area denoting the striking surface. For professional competitors they are 6 or 8-ounce gloves.

There is no novice class in professional boxing, but in the amateur class boxers who have competed in 10 events or less are considered to be in the novice class and can compete only against other novices. There are many protections and a way forward for boxers as they come up through the ranks.

My colleague the member for Morwell, who was looking after this portfolio area before I took over the role, received an email from Mr David Pike, the vice-president of Boxing Victoria, in which he says:

Boxing Victoria runs and regulates amateur boxing in Victoria.

...

Having read through the amendments they seem to be aimed at ensuring both greater safety and better governance in professional boxing, both of which we support.

...

The positives will be better governance and greater safety.

There are people who are vitally interested in this sport and they have made their views known, whether that be to the member for Bulleen or to the member for Morwell.

As I said earlier, I want to highlight some of the good things that sport has done for country communities, particularly in providing physical activity, whether that be football, netball, hockey or cricket. One great example can be found in the town of Coleraine and the excellent work that has been done by Mr Ray 'Mocka' McIntosh. I have a copy of an article from the *Hamilton Spectator* dated 11 May 2006 which says:

Coleraine boxing trainer Ray 'Mocka' McIntosh has been awarded amateur boxing's highest honour for a trainer.

McIntosh, who runs Mocka's Coleraine Boxing Club, has won the 2005 Amateur Boxing Victoria Frank Kenny Memorial Award for most competitive boxing trainer.

The article goes on to say:

McIntosh described 2005 as an 'amazing year'.

He witnessed his team move from a 'piece of carpet at the football club' into a fully functional training ring.

...

The article went on to report him as saying:

'The whole town has rallied around us from the start, it's been a real buzz'.

Mr McIntosh said at that time that he had 10 fighters. Five were registered but there were another five training under him who he did not feel were fit to be registered at that stage.

I was talking to Ray last night, and he told me that in the last three years he has trained winners and runners-up in three divisions. He has trained a junior welterweight winner; in 2006 he trained the winner of the senior lightweight and heavyweight divisions, and he trained the runner-up in 2007. Also in 2007 he had winners in the junior and senior flyweight divisions.

We can see there is a lot of good work being done for people who do not fit into other sports. It is important for people to get some aerobic activity, and it is important for those who want to take on this sport to get some professional training.

We have also seen some people call for boxing to be taught in schools. On the weekend I was talking to Geoff Handbury, who is a dear friend of mine. He is 82 years of age and still very fit. He told me that when he was in school in Melbourne he learnt boxing and that he boxed when he went into the navy. He said it improved his footwork and his skills, which helped in a lot of other activities, and he feels it has carried him on in life.

An article in the *Herald Sun* quotes a great friend of all of us, leading welfare worker Les Twentyman. He called for boxing to be included in Australian school education programs in a bid to combat violence and poor health. The article states:

Les Twentyman, a former teacher and social worker with Open Family, said putting boxing in school curriculums would go a long way to tackling problems such as street violence, bullying in schools and obesity.

Members can see there is a lot of support for the sport.

The other day in the coalition meeting room we had a discussion on cage fighting. There was a lot of support for boxing, but there were obviously some concerns. Cage fighting takes place in a cage. There was some concern that we are seeing a lot of that sort of thing in railway carriages!

**Mr Trezise** — Or in coalition meetings!

**Mr DELAHUNTY** — No way — it was a very amicable meeting. One member wondered if we could extend the terms of reference to include a provision that cage boxing or cage fighting would not be allowed in railway carriages. This might assist the government to control that. Anyway, Les Twentyman is a supporter of boxing.

I go on. In the 1970s, which was known as the golden age of boxing, I was a great supporter of boxing. I watched on television and even attended some of the great fights held in that golden age. One of Australia's greatest boxers was Lionel Rose. When he was growing up he studied his dad, who was also a boxer. He ended up winning his first Australian amateur flyweight title when he was just 15. One of his greatest thrills was winning a world title. He has won more money than any other Australian fighter. In 1968 Lionel Rose was the first Aboriginal to be named Australian of the Year.

The other boxer I want to talk about is Johnny Famechon — we all know him as 'Fammo'. He was trained by the legendary Ambrose Palmer. Back at that time I was fortunate enough to get some tickets to go to a fight in Sydney. I watched Fammo fight the world flyweight and the bantamweight champion, Fighting Harada. I was very close to the ring. I had never been that close to a fight, although I had been to a couple of fights at Festival Hall when I was playing football with Essendon. We used to go there and learn a few things — —

*Honourable members interjecting.*

**Mr DELAHUNTY** — That might be where I got it from. It was a fantastic fight. It was a significant major event for Australia. It was great to be part of it. Thank God I was not in the ring! It was a very controversial fight and was decided on points. Johnny Famechon had to go to Japan to fight, and he won a second time. As we know, he was a fantastic fighter. It was unfortunate that in 1991 he had a tragic road accident, which stopped him in a way that 67 bouts could not. They were great fighters in the 1970s, which was the golden era of boxing.

We know that not everyone supports combat sports, including boxing. We received correspondence from the Australian Medical Association (AMA). Its position is that boxing should be prohibited, particularly for children. I will cover a couple of points it conveyed to us about this legislation. I quote from its issues paper, which states:

AMA acknowledges that the proposed amendments may improve the health and safety features of the Professional Boxing and Combat Sports Act ...

It goes on to say:

The bill amends section 10B of the principal act giving the Professional Boxing and Combat Sports Board the power to cancel or suspend the registration of professional contestants who cannot demonstrate a level of skill that is required to minimise harm. AMA Victoria welcomes the amendment to —

this section of the act. It also says it:

... welcomes the introduction of division 4A — timekeepers in the act.

Even though the AMA says the bill has some limitations, it believes it makes progress in providing some safety for combatants. We know that many people do not support the sport, and we want to be fair and reasonable in relation to that.

In summary the bill overhauls the roles and responsibilities not only of the minister but also of the board. The board will have a lot of responsibilities transferred directly to it. The bill provides for new and revised provisions to assist the board in carrying out its roles and responsibilities. The bill also makes improvements to safety measures, such as those I referred to earlier. There will be more fitness and medical tests. I do not have the detail in front of me, but my understanding is that this will mean fighters will have to have medical tests 24 hours before and after they fight. We support that. It is important that those tests take place, particularly with the blood-borne infectious diseases we have today. We know that even in boxing there are sometimes accidents or the boxers are cut and blood is spilt.

The bill also reduces the risk of malpractice by providing for the control of timekeepers. As we know, normally there are 3-minute rounds in boxing. In my days with the Essendon Football Club, and even much later in my football career, I used to use speed balls in my training. Jim Bradley was a top fitness trainer. He trained a lot of athletes at the Essendon Football Club to improve our pace. People like Andy Wilson and Kenny Fletcher did not have

any worries about pace. We could really burn off those Geelong players! The reality is that a lot of that can come with the support of trainers like Jim Bradley. He came over from Scotland and brought the speed ball to the Essendon Football Club. We would do six 3-minute rounds, with about a minute break in between. In the last three rounds our arms felt very heavy.

Regarding timekeepers, it is very important that rounds last the correct time, because if a round goes 10 seconds more than 3 minutes, it can have a damaging effect on the fighters. If anyone wants to get fit — and I can assure members I need to do more work in that regard — —

**Mr Merlino** — The Premier's active families challenge.

**Mr DELAHUNTY** — I might take that up. Speed ball is a great way of getting fit. It is good not only for your arms but also for your torso and your legs. It helped people like me play a lot of sport, and even though I was never a boxer, it really did help my ability to run and play other sports.

We believe the inclusion of our amendments, which will ban the events known as cage fighting, is a common-sense approach. I am pleased the minister has been in the chamber for the debate, and as I said to him earlier, we would welcome the opportunity to go into committee to discuss these amendments. We think a majority of people across Victoria would support the banning of cage fighting, and I have highlighted a lot of newspaper articles in that regard. This is really Hollywood theatre coming into the boxing ring. It is, as we know, very popular on Foxtel. Let it stay on Foxtel. We do not need this sport in Victoria.

The minister has had many people speak to him — many have spoken to me and I have no doubt many more will — who have said this activity is safer than boxing and kickboxing. The reality is we do not believe that is the case. We believe it should be put right up-front in the legislation. The minister made a statement back on 21 December last year that he would ban cage fighting. Let us see if the Brumby government will support that by putting it into the legislation so that it is not at the whim of a minister at any stage in the future to change their mind, whether under pressure from the industry or others involved, such as the promoters and television companies that might want this sport to be televised out of Victoria. If they want to do it in New South Wales, Western Australia or Queensland, let them do that, but we do

not need this sport in Victoria. That is why we believe that the government, and particularly the minister, should support these amendments. That would be a common-sense decision following on from the minister's strong statement that he would ban this sport.

We look forward to the support of many people who will debate this bill and, importantly, we look forward to the support of the house for these common-sense amendments to ban cage fighting from professional boxing and combat sports in Victoria.

**Ms D'AMBROSIO** (Mill Park) — I am pleased to speak in support of the Professional Boxing and Combat Sports Amendment Bill. The original act provides a framework under which professional boxing and combat sports contests can operate, but unlike many other professional sports in Australia, professional boxing and other types of combat sports are not guided by a governing body; hence the need for government to have a very clear and strict role to ensure that these types of combat sports are controlled for safety purposes.

This bill will enhance the Professional Boxing and Combat Sports Act 1985 in several ways. It will enhance the safety controls to ensure that those without the necessary skills for competing are prevented from competing. It will also clarify the authority for regular fitness and blood tests to be taken during contestants' registration periods. It will reduce the potential for malpractice in these sports, especially in relation to timekeeping. It will also clarify the roles of the board and the minister and modernise regulation-making powers so that new regulations can be made from 1 July this year.

The 1985 act will become more responsive to modern eventualities. In 2005, for example, a case before VCAT (Victorian Civil and Administrative Tribunal) caused doubts to be raised as to the authority of the board to refuse, suspend or cancel a contestant's registration due to a lack of ability or skill. That VCAT case cast doubt in particular over whether the board could step in to prevent a contestant competing, or suspending or cancelling their registration where the matters in question related to ability or skill.

The then presiding member of VCAT said of the concept of fitness existing in the principal act that it could be considered to hold a medical meaning only. Further, counsel for the board raised concerns as to whether the act provided authority to the board to

refuse registration on the grounds of skill or ability. This bill will address those concerns as they were plainly before us through the VCAT case. The bill will enable certain conditions to be met via regulations which will deal with the notion of adequate skills. Any applicants for registration who do not receive the board's endorsement will be able to appeal to VCAT. Clearly we have a very able bill which allows for unsuccessful applicants for registration to be able to maintain the right of appeal. Further, the board can assess the level of skill of existing registered contestants, and contestants in that case will be afforded written notice by the board of any decision to suspend or cancel their registration. Again, a right of appeal will be extended to these contestants.

The bill introduces a more sensitive response to the possible charge that somehow a contestant in the pre-contest phase could be subject to compulsory medical examinations which could perhaps be seen to limit their human rights. The bill therefore removes the obligation to submit himself or herself to a medical practitioner for examination, which of course implies involuntary compulsion. In modern terms, being a government that has very keenly pursued the notion of human rights, especially as they relate to new bills before this house through compatibility statements and the Human Rights Act, we are very keen to ensure that the principal act begins to reflect modern expectations of what practices may impinge on human rights. So the phraseology 'submit himself or herself to a medical practitioner', which carries an implication of involuntary compulsion, will be replaced with a direction to 'present himself or herself'. It is a subtle change but nevertheless one that reflects modern expectations in terms of involuntary compulsion of activities by legislation.

The bill also introduces a more balanced response to a refusal or failure by a contestant to undertake a pre-contest examination. Failure or refusal to undertake a pre-contest medical examination will now be met with either suspension or cancellation of registration rather than what have been disproportionately harsh penalties which have included either large fines or imprisonment. That is obviously a very heavy-handed response to failure or refusal to be subjected to a pre-contest examination, and certainly the removal of those penalties in exchange for either suspension or cancellation of registration by the board is a more balanced and reasonable response to those types of circumstances that can arise.

The previous speaker made a contribution by way of amendments with respect to cage fighting. Much was made by him of the problems associated with cage fighting and the abhorrence of cage fighting, none of which I would quibble with. This government is very strongly of the view that it is an activity that we do not endorse or wish to lend any assistance to its becoming a feature of Victorian sporting life. That is why the Premier has made absolutely clear publicly, and the board has been advised, the position of this government — not an individual minister but the Minister for Sport, Recreation and Youth Affairs and the whole of the government — that we have already announced that cage fighting in Victoria is not allowed and will not be allowed. That is quite clear. No statement can make it more clear than what has already been stated by the Premier and followed through by the minister.

**Mr Trezise** interjected.

**Ms D'AMBROSIO** — Where it is not allowed, it is illegal, as the member behind me quite helpfully suggests. We have made it very clear that we are not going to bend or be swayed by any arguments to the contrary or by the behaviour of any other jurisdictions.

Under section 5 of the act the minister has the power to determine which sports and activities can occur, and by virtue of that it is very clear that that power will not be exercised to allow for or to make cage fighting legal in this state. We cannot make it any plainer than that.

I would suggest that the previous speaker is wanting to gild the lily or perhaps justify his newly acquired position as the advocate or the shadow in the sporting area. It is unnecessary. It is probably heavy-handed in a regime and in circumstances today where we are talking about a more balanced approach to protect the safety of competitors within these combat sports, and when we are also talking about balanced responses to, for example, refusals or failures to comply with or undertake medical examinations.

I would suggest that the amendment presented is not helpful and does not add at all to the debate about cage fighting. It is not a debate. We have made it very clear as a government that cage fighting will not be tolerated in this state. It will not receive any legal recognition or status whatsoever. That is the end of the story as far as we are concerned. There is no debate. It is a debate that has been invented in the mind of the previous speaker to fill up 30 minutes of

speaking time, I would suggest, but that is another matter.

I am very happy to commend this bill to the house and I am sure it will receive a very speedy passage.

**Mr KOTSIRAS** (Bulleen) — It is a pleasure to speak briefly on this bill. I would like to thank firstly the public servants for the brief they provided, and also the adviser to the Minister for Sport, Recreation and Youth Affairs, who was very helpful in this situation and got back to me on time about all the questions that I raised with him, so I would like to thank him for doing that.

It is disappointing that the impression I am getting from the other side is that the government is not going to support the opposition's amendments on this legislation. It is a shame because these amendments are about the credibility of this minister. These amendments are about putting an end to the ad hoc responses by this government to media requests. This government did not think about cage fighting until it got a phone call from the *Sunday Herald Sun* asking the question, 'What about cage fighting?', and reacted, as it normally does, simply to get a story in the newspaper, by saying, 'The minister is not going to allow this to occur'. Could someone on the other side please tell me where in this bill it tells us that this type of fighting will not occur? It is nowhere in the bill.

The minister can instruct the board, yes. What happens if the minister wakes up tomorrow and says, 'Look, I enjoy these types of sports. I am going to allow it', or there could be a change of minister, and the new minister might say, 'I support cage fighting and I want cage fighting in Victoria', or there could be a change of government. Why not allow the Parliament to debate this? Why not allow the Parliament to vote on this legislation to ban cage fighting? I will say it again: there is nothing in the bill which disallows cage fighting as put forward by the minister and this government.

These amendments are all about the credibility of this minister, who in the media — and I will go through it later — has said that he is opposed to cage fighting, does not like to watch cage fighting and is against cage fighting.

**Mr Merlino** interjected.

**Mr KOTSIRAS** — The minister tells me that he will advise the board, or he has advised the board. I would be happy if the minister would like to table the letter that he sent to the board. Is the minister

prepared to table the letter? No. I am happy for the minister to do that. The board could ban cage fighting, but this legislation does not ban cage fighting. It is a shame that the government wishes to play politics and is refusing to support our amendment.

As a young boy I did go and watch a number of wrestling matches. I remember Spiros Arion, the golden Greek; I remember Mario Milano; I remember King Curtis and Killer Kowalski, and in the late 1990s I also went to see Stan 'The Man' Longinidis break the leg of Dennis Alexio. The fight only lasted for 6 seconds. I was in the front row. I was a bit disappointed, but it was a great match.

Recently the Ultimate Fighting Championships started in the United States. Initially they started in Brazil, but they went to the US. It is something that my son enjoys watching. I find absolutely no joy whatsoever from watching cage fighting and I would not attend any match which is inside a cage. It is boring. The contestants spend most of the time on the floor and it is very dangerous.

This is the case not just in Victoria, in Australia: it is across every nation. People are opposed to cage fighting because of the safety aspects. Such a fight took place in Scotland, and an article appeared in the publication *Scotland on Sunday* under the heading "'Barbaric" sport rattles ... cage'. The article states:

Scotland's first major cage fighting bout could be cancelled amid growing concern over the safety of the sport.

...

Organisers insist the sport is no more dangerous than horseracing or rugby. But a recent ultimate fighting championship event in Manchester saw —

a contestant —

... knocked unconscious by a flying kick to the head.

...

Cage fighting is one American import that we can really do without. This sounds less like a sport and more like a return to the barbaric days of old when gladiators did battle in front of crowds baying for blood.

It is not a sport. While I am disappointed that the minister is not supporting the amendment, I believe he supports the view that it is not a sport; it is something that he would not attend or watch because it is not a sport, as I said. But I need to go back to what the minister said as reported in the *Sunday Herald Sun* on 16 December 2007:

A spokesman for sport minister James Merlino said X-Agon would be monitored to ensure it met the provisions of the state's Professional Boxing and Combat Sports Act.

'There are a number of requirements that have to be met under the act before events are approved and contestants are registered to compete, many of which relate to safety', the spokesman said.

'Applications to stage an event must satisfy the ... board, while the minister can also determine what types of combat sports can be held under the act'.

That was the first response on 16 December. Then in the *Sunday Herald Sun* on Sunday, 23 December, the minister spoke out. The article states:

Mr Merlino said that under the Professional Boxing and Combat Sports Amendment Bill 2007 caged combat sports would definitely be banned.

'I have never approved and will not be approving any combat sport competitions staged in cages', he said.

'Contests in cages do not fit with our long-term aims for the industry'.

Again, I feel that he is sincere, and I am not saying that he is only saying this, but I have to argue again: what happens if the minister changes, if tomorrow there is a different minister, and the new minister supports cage fighting? What is the problem with this government supporting the amendments that have been put forward by the member for Lowan? They are simple amendments that ban cage fighting. Is it arrogance? Is it the fact that the opposition has come forward with these amendments? Why is the government not supporting the amendments?

I would like to hear the minister when he is summing up to please explain why, despite the fact that he said that he dislikes cage fighting, he is not prepared to support the amendments put forward by the member for Lowan. Perhaps the minister wishes to go out and redraft them and bring them in under his own name. That is fine. We here care about the wellbeing of fighters, not about playing politics. It is very difficult for this government to understand that. It is more than just media spin. We heard recently about this government being more interested in media spin than caring about Victorians. I really cannot understand why this government is opposed to it.

We support the rest of the bill. It is a good step forward. I spoke to Bernie Balmer, the chairman of the Professional Boxing and Combat Sports Board. Bernie is capable and he knows the area quite well. He also agrees that we have to look after the interests of the contestants.

We support the rest of the bill. It is a good next step. A lot of the work that has been done has been going on for many years. The board has been very good in that situation, and I support the board. There are six members, and all of them have expertise in a particular field which helps the board in making recommendations.

The bill will ensure that timekeepers are registered, because things can happen in a fight. Someone could be on the ropes and the bell might go 3 seconds later or 3 seconds earlier, and it could change the outcome of a match. It is good that the timekeepers have to be registered. People will know who they are and they can feel confident in the quality of those timekeepers.

The bill will provide the board with the power to make some decisions involving day-to-day procedures without involving the minister. It would be unworkable to expect the minister to get involved at that level. That is a good step. The bill will provide the minister with the power to give directions to the board. Where we disagree with the government — we differ, as the minister claims — is the part that will disallow or ban cage fighting.

Overall the bill is good; it assists contestants. We would like to take it a step further to make sure that the welfare of contestants is paramount — that is, we need to look after their interests first and not play politics with their health and wellbeing.

**Mr TREZISE** (Geelong) — I am also pleased to be speaking in support of the bill. I do so not only because it again highlights the commitment of the Minister for Sport, Recreation and Youth Affairs and the Brumby government to sport in Victoria, but because, like the member for Lowan, I grew up on a diet of *TV Ringside* on a Monday night. I was never allowed to stay up late except on a Monday night, so I guess that shows what my dad's priority was.

Some of my fondest memories are of, as I said, *TV Ringside* and the likes of Ron Casey and Merv Williams, and watching great fighters, including — and they have been mentioned before — Lionel Rose, Johnny Famechon and Hector Thompson, and the list goes on.

Whilst it is nice to reminisce about the old days of *TV Ringside*, that program highlighted to me the need for tighter controls in boxing and other combat sports. Whilst those great boxers could defend themselves and were well trained, there were many three rounders on a Monday night that were mismatches with, essentially, street brawlers fighting professional

fighters. In the 21st century we need to make sure, with this legislation, that those types of fights do not happen, because many were hurt. The promoters and the people involved were lucky that the participants in those fights were not injured or did not die.

As the member for Geelong, when I looked at this legislation an incident came to my mind from the 1970s, when at a gala day in Geelong a young man from East Geelong fought in a Jimmy Sharman-style tent. He had had a few drinks, and he copped a hiding from the professional boxer who was fighting in the tent. Later that young man — I think he was a 19-year-old — collapsed in Moorabool Street, which is the main street of Geelong, and died that night. Although that incident occurred some 30 years ago, it really highlights to me the need for the legislation before us today.

The member for Bulleen raised the issue of banning cage fighting, which is the subject of an amendment, which has been circulated, and which will be moved by the member for Lowan. The opposition's proposed amendment is a furphy. I have seen cage fighting on Fox TV; as far as I am concerned it is a violent sport and I would not bother myself with it. Cage fighting has, for all intents and purposes, been banned in the state of Victoria. The minister and the Premier have directed the board to rule that cage fighting be illegal in this state; therefore, cage fighting is illegal. It will not occur in Victoria, full stop. As I said, this amendment is just a furphy for the opposition to use as a filibuster for the next couple of hours.

The member for Lowan also addressed the assessment of the skills of overseas contestants when they are applying to fight in Victoria. Under the legislation the promoter is required to demonstrate that all contestants, including those from overseas, are adequately matched. It is a prerequisite before any fighter can be issued with a permit. The board, in this instance, checks the records of overseas contestants and seeks information from other controlling bodies before granting any approval for an overseas fighter to contest a fight. The member for Lowan raised this issue, and rightly so, but this legislation does cover it.

I am mindful of the time and I know other people want to speak. This is good legislation, and I congratulate the minister on it. I wish the bill a speedy passage through the house.

**Mrs FYFFE** (Evelyn) — I rise to speak on the Professional Boxing and Combat Sports Amendment

Bill. The purpose of the bill is to amend the Professional Boxing and Combat Sports Act 1985 to enhance the safety, reduce the risk of malpractice and regulate the professional boxing and combat sports industry. The bill also seeks to clarify the roles and responsibilities of the minister and the Professional Boxing and Combat Sports Board.

I would like to start by saying that in my electorate of Evelyn we are privileged to have one of Victoria's strongest boxing clubs, which is the Lilydale Youth Club, led by head coach, Nick Lundh, a former Victorian professional middleweight titleholder. I was fortunate enough to visit the Lilydale Youth Club with my colleague and shadow minister, the member for Bulleen, where we were warmly met by Joel Mahon, long-time secretary of the club — and a very hardworking and enthusiastic secretary he is!

Joel proudly told me that the club was started in 1987 and that 500 young people attend the club. In 2007 at the national titles they won four kung-fu and two boxing titles; at the Victorian championships they won four judo, two boxing and five kung-fu titles. The club has one member who holds a 5th dan in judo. It also has basketball. Secretary Joe, a very fit and active 70-year-old, is a professional boxing judge and amateur boxing referee. Mr Lundh, the head coach, has helped train local talent Shane MacDonald, who has gone on to win the Australian super heavyweight crown at the Australian amateur boxing titles. Shane trains for 12 hours a week.

Whilst I understand the legislation applies only to professional boxing, I would like to take this opportunity to express my support for amateur boxing. Like many, I recognise the risks associated with the sport; however, I also believe there are numerous benefits associated with amateur boxing. Boxing training teaches students discipline and mechanisms for controlling aggression to prevent its inappropriate expression in both the public and private domain. Other benefits include improving the fitness and reflexes of our young people. Les Twentyman and Kevin Donnelly — a most unlikely coupling in many areas — are united in their belief that boxing promotes discipline and a healthy respect for and understanding of the damage that can be done by being violent and by being uncontrolled and undisciplined. A recent article states:

Mr Twentyman said that reports of recent assaults in Victoria involving gangs of youths attacking individuals showed that many youngsters lacked respect and were incapable of sorting out problems sensibly and responsibly.

'Apart from the basic point of being able to look after yourself, there's also the issue of boosting your self-confidence; it honours the rules of engagement and also creates a sense of dignity', Mr Twentyman said.

In an article of 30 January, Mr Donnelly is quoted as saying:

Of course, the politically correct fun police will argue that boxing supporters are unreconstructed male rednecks and that teaching boys to box is dangerous and sexist — better if the boys learn about self-awareness, gender respect and land rights for gay whales.

Wrong, as argued by Tony Blair's unofficial biographer and English teacher, Anthony Seldon. Students, especially boys, need to be physically challenged and put at risk.

At a school conference in England last year, Seldon argued about the dangers of wrapping children in cotton wool.

He said: 'We don't give our young people nearly enough physical fear and the triumph of overcoming that physical fear, whether on a football field or whether on a long all-night trek.

As the mother of three sons and the sister of four brothers, I am very well aware of the need for young males especially to test their strength with each other. They just love wrestling — arm wrestling and full body wrestling. In anything that involves physical contact, they want to test their strength. I think boxing in the youth clubs and in other areas is an excellent opportunity for them to see how strong they actually are, and it teaches them how to control their aggression.

Joel Mahon told me that he has been approached by teachers who have had boys who have caused problems and who have been very difficult in the playground and around the school. They have commented on how different the boys become once they have been involved with the club. In fact one boy who was a serious problem in school with his aggression and dominance of the schoolyard had turned around and was actually using the skills he had learned at the youth club to calm things down and tell the boys who were playing up that what they were doing was wrong. He is now an asset to that school — and that is purely because of his involvement with the youth club.

A lot has been said about the damage that can be done by boxing. A 2000–03 study by the Australian Institute of Health and Welfare revealed that just 1 per cent of sports and leisure-related hospitalisations were the result of combat sports. If you compare that to the results of the institute's 2004–05 study, you find that 31 per cent of all sport and leisure-related hospitalisations were the result of

football. A USA study found that 50 per cent of head injuries sustained in sports or recreational activities occur during bicycling, skateboarding or skating incidents. The report states that sports and recreational incidents contribute to approximately 21 per cent of all traumatic brain injuries among Americans, but it makes no mention of boxing as a major contributor to the incidence of brain injury.

I was talking about the benefits that boxing can bring to young people. Yarra Valley boxer Ed Abel is a 20-year-old specialist pipe technician who took up boxing two years ago. He has won silver medals in the welterweight division, and Mr Abel was quoted in *Sunday Life* as saying:

I was a bit of a hothead before, but boxing has calmed me down. Mostly, I think it stops fights. In the ring I'd hit someone, but I'd go out of my way to avoid a confrontation at the pub.

I congratulate the boxers who have had success at Lilydale Youth Club. I also congratulate Nick Lundh for their successes, which have all stemmed from his training of them. If Mr MacDonald and Mr Abel eventually decide to take the next step in their careers and become professional boxers, I hope this bill will ensure that their health and wellbeing is the foremost concern of the Professional Boxing and Combat Sports Board.

I support the amendments proposed by the shadow minister to ban cage boxing. The previous speaker said the amendments were silly and that the sport was already banned. If that is the case, I challenge the government — I challenge the minister — to discuss the amendments in the consideration-in-detail stage so we can have a vote on them. I ask the minister to let us have a debate on this issue in the consideration-in-detail stage. Cage boxing is appalling. Cage boxing is nothing at all like what I have been talking about — amateur boxing in a youth club, involving the training provided and the skills used there. Cage boxing should be banned forever, and I urge the minister to accept our amendments.

The bill gives the board the power to suspend or cancel the registration of a contestant if he or she lacks the required skills. The criteria for determining this will include testing defensive skills, including evasive skills and speed of reaction, mobility and ring generalship, strategic and tactical awareness, and endurance and stamina. I have a question on this issue. I want to know whether there will be a quantitative measure of standards that contestants must meet for all categories, or whether satisfaction

of the criteria will be determined purely on a subjective interpretation of contestants' results by the board. I ask this because I would like to know if the legislation will be uniform across interstate competitions. Undoubtedly it would be of advantage for any such assessment to be as objective as possible to ensure the integrity of the report, and I believe there should be set minimum requirements in terms of reaction speed, endurance and stamina for each weight division. Failure to set minimums could potentially leave the board vulnerable to abuse by any rogue elements, who would theoretically have the power to issue a licence without a fighter being fully fit to compete.

The Australian states vary in their approaches to the regulation of boxing and combat sports. If someone has been refused a licence here and moves interstate to fight, are we going to be able to police that in any way? Are there reciprocal arrangements with the other states, and how clear are they? Are we going to have people who have been refused a licence in other states coming here? The minister may have covered that; I may have missed it.

Under this bill there are provisions for the regular testing of infectious blood-borne diseases as a condition of registration. We have always got privacy protections with that, and we have to continue with the privacy protections in boxing. I also want to know whether that duty of care also extends to boxers in neighbouring states. If a blood test picks up an infectious disease that would prohibit a boxer from boxing here, will that information be relayed around the rest of Australia to prohibit them moving interstate and taking up their boxing career there? They are just some of the questions that come out of this. Again, I may have missed that information, but those are my two concerns.

Looking at the statistics on injuries, and having had sons who played Aussie Rules, I have got to say I am beginning to think that perhaps they should have taken up boxing. Given the hospital bills for the injuries my sons suffered and the number of times I have gone racing down to Maroondah Hospital with them, I might have been several thousand dollars better off. I support the amendments proposed by the shadow minister. I would ask that the bill be considered in detail so that we can debate the clauses in it.

**Mr NOONAN** (Williamstown) — It gives me great pleasure to rise today to make a brief contribution in support of the Professional Boxing and Combat Sports Amendment Bill. In doing so I

want to place on the record that I have had the great pleasure of knowing professional boxer Sam Soliman for quite some time. People might recognise that Sam fought Anthony Mundine last year and unfortunately lost; however, I think he will get another crack this year. I have also had the good fortune of seeing Sam train down at St Kilda with many other professional boxers, and their level of professionalism, commitment and dedication to their sport is quite staggering.

Sam has also been a terrific advocate for men's health, and has specifically been working with my previous employer, the Transport Workers Union, going around and speaking to workers about men's physical and mental health issues. Every time Sam Soliman wanders into a workplace I am staggered at just how popular he is, and of course by connection, how popular the professional sport of boxing is.

This bill seeks to make a number of amendments with the intent of improving safety and professional conduct within a range of professional combat sports which include sports such as boxing, kickboxing and various martial arts. I have referred to Sam Soliman, who was in fact a kickboxer before becoming a professional boxer. Because there is no non-government organisation controlling all aspects of professional boxing and other combat sports, it is the responsibility of the individual governments of each state to control the industry through legislation. In Victoria this task falls to the Professional Boxing and Combat Sports Board.

In my view this board is probably one of the most proactive of all boards in any state that license professional fighting. For instance, it requires medical checks before and after bouts as well as MRI (magnetic resonance imaging) scans for all professional fighters, both when they register initially and at the time when their licence is renewed every three years. The board also mandates that a physician be present ringside throughout the course of a fight, giving them the power to stop the fight should it be deemed necessary. This bill will give the board even further powers and responsibility in terms of operational matters such as the registration and licensing of contestants, as well as making rules for the proper conduct of professional contests.

Professional boxing, along with other combat sports, has long — and rightly so — been considered to pose some element of risk for contestants. It is for this reason that they remain, as sports, somewhat contentious within some segments of the community including, as the member for Lowan has pointed out,

the medical associations. Others will go as far as saying that these sports are barbaric and dehumanising.

I make reference to the tragic death of a contestant in a South Australian motor sport competition last weekend and I point out that all sports, in some capacity, carry an element of danger. Our role as legislators is to ensure that the risk is minimised wherever possible. I certainly do not oppose these professional sports: they are legitimate sports, freely entered into by the contestants, who are aware of the dangers. They provide an attractive spectacle, and I have already mentioned my observations of the sport through firsthand experiences.

The member for Lowan also makes a good point when he mentions Les Twentyman, who is a bit of an icon in the west, and about how these sports take young people off the streets. Many of these young people are from socially or economically disadvantaged backgrounds. These sports can teach people discipline, and I understand that through my own family's history because my great-grandfather had a boxing gymnasium in Footscray many years ago. The stories that have been passed down through the generations in my family talk very highly of many of the young people who had the experience of training and competing in that gymnasium.

In the brief time I have left I point out that the amendment put up by the opposition is not necessary in my view because, as the minister has pointed out, he already has the power under section 5 of the act to determine which sports and activities will be combat sports for the purposes of the act. Cage sports would then be deemed illegal. Of course I do not support the notion of cage sports — I think they are absolutely barbaric and illegal — and there is no need for the amendment. Certainly I support this bill in its entirety and wish it a speedy passage through this house.

**Mr NORTHE** (Morwell) — It gives me great pleasure to contribute to the debate on the Professional Boxing and Combat Sports Amendment Bill. The purpose of this bill is to amend the Professional Boxing and Combat Sports Act 1985 by means of a range of provisions designed to promote safety, reduce the risk of malpractice, and control the professional boxing and combat sports industry. In addition this bill seeks to clarify the role and responsibilities of the minister and the Professional Boxing and Combat Sports Board under the act.

Firstly, I thank the minister and his staff, and Peter Herten and David Hobbs for providing me with a

briefing. I support and endorse the shadow minister for sport and recreation, the member for Lowan, on his amendment to the bill. As we have seen at various times over the last couple of months, boxing and combat sports have been very much to the forefront in the media throughout Victoria, and the amendment proposed by the honourable member for Lowan deals with the issue of cage fighting.

I refer to newspaper articles that have already been brought before the house today. One is an article in the *Sunday Herald Sun* of 16 December 2007 headed 'Do we really want this in Melbourne?' which states:

Caged combat coming our way.

The article features photographs that depict graphic scenes from cage fighting which have really upset many people in the community. Of course it has upset the minister, and I shall quote some of the media releases that have been attributed to him on the subject.

In the *Sunday Herald Sun* of 23 December 2007 there was a comment from a member of the community under the heading 'Ban this senseless brutality', which states:

No, we don't want caged combat —

sport in Melbourne. It continues:

It is professional wrestling ...

But it also has a much more dangerous and brutal element. That conveys the sentiment of the broader community in that regard.

The members for Lowan and Bulleen pointed out some comments attributed to the minister last year and I quote from a couple of those articles:

Sports and recreation minister James Merlino said yesterday he would not follow the lead of other states and allow cage fighting.

Further on, another quote attributed to the minister is:

I have never approved, and will not be approving, any combat sport competitions staged in cages.

...

I believe the spectacle of two competitors in cage combat-style competition does not meet the community's standards of what is acceptable for professional combat sports in Victoria.

I think most of the members of this chamber — and it is the general consensus in the community — would agree with those comments. In further

comments in the media the minister is reported as having announced that any attempt to stage 'no-holds barred contests' in large cages would be blocked. Mr Merlino was reported as saying that under the Professional Boxing and Combat Sports Amendment Bill 2007 caged combat sports would definitely be banned.

That is the whole point we are raising today through the amendments that have been proposed by the member for Lowan. The action mentioned in the comments made by Mr Merlino on that occasion is not provided for in the bill. What we have attempted to do is ensure that it is part of the legislation. Both the member for Lowan and the member for Bulleen have said that if there is a change of minister or a change of portfolio there is nothing to say that the incoming minister may not change their mind. We need to reflect the views of the community and of the Parliament in this regard. I think the proposed amendments are sensible and practical, and hopefully government members will support them.

The member for Lowan also raised a concept proposed by Les Twentyman, who is a prominent youth worker in Victoria. He called for boxing to be conducted in schools. I guess that has opened up a whole new debate. In the 1980s and 1990s we saw boxing as a way of improving physical fitness. Boxercise was very popular then and continues to be popular. Boxers at the professional level are elite athletes. I think the member for Lowan said he might have to do a little bit of boxing in the future to enhance his fitness. Perhaps we could have a contest to improve our physical fitness. Overall it is a very good sport for improving physical fitness without having to get into a ring.

The bill also deals with the transfer of powers from the minister to the board. They are mainly of an operational nature and deal with such things as the registration of contestants and the licensing of trainers. That matter has been raised in the house before, and it would seem to be a common-sense approach to do that. There are also a number of matters to do with testing boxers and so forth, which are referred to in the second-reading speech. The board will be allowed to cancel or suspend a contestant's registration if they consider that person lacks the required skills. The board will have to assess a range of different elements of a contestant. They include defensive and evasive skills, their speed, their mobility around the ring, strategic and tactical awareness, and their endurance and stamina, among other issues. That is a really important aspect. I reinforce the point that those practices are occurring

now but that it is important they be included in the legislation.

Over time we have read in the media about potential mismatches. In fact there was a bout last night — the Mundine fight — which many people said would be a mismatch. The board has a very important responsibility in assessing the capabilities of contestants. I refer to some past events, which other members also referred to earlier today, such as *TV Ringside* and so forth. Early last year I saw a documentary on the ABC about the Lester Ellis-Barry Michael bout in, I think, 1985 in Melbourne. It was enthralling television to have a behind-the-scenes look at the bout and the publicity that was generated about it at the time. What was sad to see was that some years later — in 2002 — Lester Ellis stepped back into the ring to fight Mundine when Lester was 37 years old and probably well past his peak both physically and mentally. At the time it was deemed to be a real mismatch. You would hope that the New South Wales board which appraised Lester at the time would have been very concerned about mismatches and elements surrounding that.

Talking about *TV Ringside*, back in the 1970s there were some famous Gippsland boxers. Lionel Rose has been mentioned. Rocky Mattioli was a Morwell boy and still lives there. The infamous Arie Gringuis and a local up-and-comer, Clinton Johnston, are all participating in the sport and generating a lot of local media. The member for Lowan also referred to a letter from Ray Harris, who is a local boxing trainer in Gippsland. Ray made some comments and relayed his concerns. One of those was about fighters making their weight. We know about fighters fasting prior to a fight, and he expressed concern about that and how it is policed. I understand that medical tests are conducted 24 hours prior to a fight, but they are concerns which are out in the community and the board needs to be aware of them.

Timekeepers are an important element of the sport. Not many people in the community understand their importance and the role they play in upholding the integrity of boxing by ensuring that if a fight comprises 3-minute rounds they are specifically 3-minute rounds and are not cut short. If somebody is on the receiving end it is important that 3 minutes is 3 minutes. We need to make sure that timekeepers are accredited and appointed by the board. That is an important aspect, and we fully support that measure.

We are also concerned about the assessing of interstate and international fighters when they come into Victoria. We have concerns about how that will

be policed. I am sure it is addressed by this legislation. It is important that we do not have mismatches, and that we uphold the integrity of the sport. In closing, I think the bill addresses and enhances the health and safety of contestants. It is important we recognise that. Having said that, I think the amendments proposed by the member for Lowan further enhance that, and I ask the government to support them.

**Ms DUNCAN** (Macedon) — I am pleased to rise in support of the Professional Boxing and Combat Sports Amendment Bill 2007. I will initially address the contribution of the shadow minister for sport and recreation and tell him why the government is rejecting his amendments. It was suggested there was nothing in the bill that specifically prevents cage fighting from occurring. It would be true to say there is nothing in the bill that prevents fighters from coming into the ring and hitting each other over the head with a tyre lever, but it is not allowed and it would not occur. Trying to specifically designate every type of combat sport that may be introduced and highlighting and formally banning a particular type of combat sport would create a precedent and imply that if something is not specifically banned in the act that it is therefore allowed.

It would also be true to say that any new government or an existing government that has a change of heart can overturn legislation if it has the numbers in the house. Just because something is currently legislated for by this government does not mean that future governments may not overturn some of it. There is nothing that prevents that from occurring. All you can do is say, 'This is what is banned. This minister has banned it. The government has made its position very clear on this particular form of fighting'. And why would you not? I did not know what cage fighting was about. A newspaper article of December 2007 talks about this issue and states:

Contestants participate in no-holds-barred mixed martial arts fighting that allows kicking, punching, choking and kneeing of opponents in a 2-metre-high cage.

It further states:

Competitors wear small gloves that do not cover their fingers, enabling headlocks and submission holds, and can be punched and kicked after falling to the floor.

That just seems to fly in the face of everything that any professional boxer would hold dear and true. That is why the government is rejecting the amendments.

In regard to the bill itself, a Victorian Civil and Administrative Tribunal hearing suggested that the current act does not provide clear authority to the board to refuse, suspend or cancel registration because a contestant lacks the necessary skills to participate. Clearly this is a huge safety issue. Currently if a fighter is refused registration in another state they could be registered in Victoria and have reciprocal registration, allowing them to fight here and interstate.

This bill allows the Professional Boxing and Combat Sports Board to cancel or suspend a contestant registration if it considers the applicant lacks the required skills. There are a number of further safety measures in the bill, such as making it a requirement for serology tests for HIV, hepatitis B and hepatitis C to be taken every six months. While this is the current practice in the sport — and the board has done a fantastic job in regulating the sport — it is not currently provided for in the act. The bill provides for regulations to be made regarding a range of regular skill-based performance tests, and for one-off testing where there is an indication it is needed — for example, for a magnetic resonance imaging scan to be conducted on a fighter before that fighter's registration is continued.

The bill also enables the board to exercise some control over timekeepers. We have heard about this previously. I think it was said by the previous speaker that it seems fairly self-evident that if someone knows how to read a clock they would be able to be a timekeeper, but this bill has highlighted, for me at least, some of the practices that could exist among timekeepers, such as making a round slightly longer or shorter depending on how the contestants are going. This legislation will enable the board to exercise some control over timekeepers by maintaining a list of timekeepers who have the relevant skills and knowledge and requiring that promoters only use timekeepers who are on this list. The board can remove timekeepers from the list if it feels that they no longer meet the skill level required. With those few remarks, I commend the bill to the house.

**Mr SEITZ** (Keilor) — I rise to support the Professional Boxing and Combat Sports Amendment Bill 2007. I commend the minister for bringing in this bill and for the steps he has taken in delegating his responsibility in part to the board — in other words, empowering the board to have a direct say in running its own sport, whilst preserving the ministerial power to give it direction.

The main purpose of the legislation is to amend the Professional Boxing and Combat Sports Act 1985 to provide that the powers, duties and functions of regulating the sport be exercised by the Professional Boxing and Combat Sports Board; provide for the minister to give directions to the board; enable the board to prevent contestants who lack the necessary professional skills from competing in professional contests; provide for a list of persons who may act as timekeepers for promotions; provide the board with the power to make regulations about the list of timekeepers, about medical testing conducted for the purpose of the act and about the contents of promotions; and otherwise improve the operation of that act and the industry itself.

The boxing industry occasionally gets some bad media, which is usually if a serious injury occurs. This bill gives the board power to make decisions about day-to-day processes. It will be able to check medical records, ensure that medical checks are done, and will have the responsibility for licensing trainers and training premises and licensing boxers. It will give the board the opportunity to create a very professional industry. It will provide the board with the flexibility to meet and be able to make arrangements. As I said, it delegates the powers to the board to engage professionals without the minister's approval, and that is again important, because it is the board and the people in the industry who have the experience in that particular sport.

Again, I commend the minister for going in that direction because it shows that he has confidence in the board to be able to manage its own affairs, and it will work a lot quicker when actions need to be taken — for instance, if there is a proposed mismatch of boxers, of two individuals, the board will be able to act quicker to intervene with the promoters of such schemes, who like to arrange mismatches simply to get the publicity and attract more spectators.

This legislation is a step forward. The boxing industry has come a long way, particularly in this country. It is a clean, healthy sport, in the sense that there is not any corruption in it, with big bets going on like those we hear about in other sports and activities. We do not hear anything about drugs being used in the sport. It is really a fitness sport that is enjoyed by many young people today. It has a loyal following of not only male but also female supporters who enjoy taking part in and watching the sport.

In my younger days I used to train and try my luck at boxing with Jack Rennie, who had the studio at Footscray and another studio out at Seddon. Those

were the days of Lionel Rose and Georgie Bracken. Georgie Bracken was basically coming out of boxing and Lionel Rose was our big role model and hero in those days. Suffice to say, even today boxing is still very popular in the western suburbs.

In most of the boys police clubs that used to exist, boxing was always on the agenda. It was available for young people to try out as a clean, healthy sport to keep them fit and active. And if you are training for boxing, using the skipping rope for half an hour, you do not have to worry about obesity, I can tell you that! Maybe we need some more of those physical exercises like running and walking. It does keep you fit, even if you are only playing an amateur round of 1½ or 2 minutes, with the protective gear on, which is compulsory these days.

As I said, it is a sport that is enjoyed on our side of town. In the western suburbs it still has a strong following and there are several small studios that are working and operating training sessions. Of course in latter days we have had more promotion of kickboxing, which I am not really fond of, but that is popular in our area as well, and it is being promoted. With those few comments, including some on my own experience, I commend the bill to the house and wish it a speedy passage.

**Mrs VICTORIA** (Bayswater) — I rise to speak on the Professional Boxing and Combat Sports Amendment Bill. The main aim of this bill is to control professional boxing and combat sports, reduce the risk of malpractice and promote safety. Currently boxing in Victoria is governed by the Professional Boxing and Combat Sports Board, which I will refer to from now on as the board. It allows only people who are registered or licensed under the act to participate. The act needs to be amended to address some issues that have come from legal matters — there was a VCAT (Victorian Civil and Administrative Tribunal) hearing not so long ago. The legislation serves to accommodate the new levels in medical and fitness testing for contestants.

Previous legal rulings show the existing legislation is not effective in guaranteeing that the governing body can refuse, suspend or cancel the registration of a contestant because they lack sufficient skills. I will come back to the skill set in a minute. There have been major safety issues. If there are unscrupulous people, that can increase the risk of fighters who are not adequately skilled. We know this is a combat sport, whether you are talking about boxing, kickboxing or other martial arts. The idea is that we

allow people to compete in an arena that suits their capabilities.

Other states have tougher registration requirements, which leaves Victoria very open to unscrupulous — I think that was the word I used before, and it is probably fitting here again — fighters and promoters coming across the borders if they cannot get, provide or stage a fight in their own home state. The bill provides the right to the board to cancel or suspend a potential contestant's registration if they lack the required skills. Some of those skills as listed are: the contestant's defensive skills, including evasive skills and speed of reaction; the contestant's mobility; the contestant's strategic and tactical awareness; the contestant's endurance and stamina; and any other factors relevant to the contestant's ability to defend himself or herself. We have add 'herself' because we know that probably about one-quarter of all registered boxers are female.

I have had the great pleasure of being an amateur commentator on sport on community radio for the last couple of years. It is fair to say I have a great love of most sports. I do not really understand boxing; I do not understand the will to go in and deliberately damage somebody else. A few people have said to me that that is not the point, but I think any time you are trying to land a blow that actually knocks somebody out, then that is the point. I have problems with some other sports that I do not really understand. I am trying to get a handle on them, and as a sports commentator that is something I have to come to grips with. I do not understand test cricket, for example.

Boxing is very, very serious and there are some other things that could have been put into this legislation. I do not understand caged combat. I do not know many people whom I have spoken to who do not understand it. Someone comes in to deliberately harm another in a closed environment that is 2 metres high inside a metal fence; it is no holds barred. It is not just kicking, boxing and blows to the head but also choking and the whole lot. Basically once you are down you can still be preyed upon by your opponent. The amendment being proposed by the coalition is very sensible and should be taken up by government members.

I want to talk a little bit about head injuries in this sport and quote from a source called About.com. An article from that source states:

The American Association of Neurological Surgeons says that 90 per cent of boxers sustain a brain injury. Boxing may account for fewer deaths than some other sports —

such as horseracing and motor racing. We had the tragic death of the young race car driver Ashley Cooper earlier this week. The difference is that we are talking about incidental damage versus deliberate damage. The number of boxers suffering brain damage is believed to be much higher than that which is recorded. It is not surprising that head injury is so common in boxing. It is estimated that when a boxer gets a direct blow to the head it is like being hit by a 6 kilogram padded wooden mallet travelling at 32 kilometres per hour, so it is very serious. Perhaps one day we should have the debate as to whether protective headgear should be compulsory in professional bouts and not just in the amateur circles.

If you look at contestants in the South Pacific Games and the Commonwealth Games, you know that it is logical for people to have headgear. Denis Wellbeloved, who coached the Australian Atlanta Olympic boxing team, says professional boxers should be forced to wear headgear. This was after the Victorian bantamweight title fight in 2001. The boxer was left in a coma and died several days later, which was tragic. There is an anomaly in that there is no national approach. There is the opportunity now that the states are aligned politically for the government to pursue this.

One of the other interesting features of this bill is that timekeepers are to be registered. An incompetent or corrupt timekeeper could shorten or lengthen rounds for their own fighters — I am not suggesting they have been paid — or for whomever they are biased towards. They might keep them boxing even if the time has expired. This of course would compromise the safety and wellbeing of contestants. This is a terrific step forward. Now there will be an official list of timekeepers and only those on the list will be used. They can be struck off if they become unsuitable. This is a good step forward. The bill allows for penalties like suspension or cancellation of registration or licence as a consequence for breaches such as non-compliance with conditions.

There are provisions in this bill which make changes to the roles and responsibilities of the minister and the board. Previously, under the old act, a lot of the day-to-day running of the system was governed by the minister. He then passed a lot of his powers back to the board. This simply tidies all of that up and makes sense. Clearly the minister should not be involved in the day-to-day running of the system, so this is a step forward, but I think we have left a lot of things out. We need to leave it to those who have the resources and the knowledge to carry out these functions.

The board will also be responsible for making rules for the proper conduct of professional contests. Again, the board members are the ones who have the skills and knowledge to do that. They will also have the same power as the minister to commence legal proceedings for an offence under or against the act. I have to say that certainly the people I have spoken to think that this is a common-sense approach. I have spoken to many people about this bill. A friend of mine had a martial arts academy and was not involved at a professional level of combat. I said, 'Look, I don't get boxing. Maybe we should ban it'. He said, 'Don't be ridiculous. It is a great outlet. It is a great physical fitness test. It is a very skilful test for many people, and it is a great way for some people to participate in sport who would not necessarily get out and participate in some other way'.

The Australian Medical Association (AMA) certainly has for many years called for a ban on boxing, and I understand its reasons. But if this sport is to continue we certainly need to ban the more extreme forms of it, so caged combat of any sort needs to be banned here in Victoria and, I believe, nationally; it is something we should be lobbying on. We certainly are taking a good step forward in many of the places in this bill. Certainly I will not be opposing it, but I would like to see other areas of safety explored.

**Mr LIM** (Clayton) — This bill has my strong support. Boxing is a dangerous sport which can permanently maim or kill the participants. While it can be said that there is the risk of physical injury in other contact sports such as Australian Rules football and Rugby, there is a significant difference between those sports and boxing. In boxing the aim of each contestant is to hurt the other, with a particular target being the head. You do not need to be a brain surgeon to understand that repeated and violent blows to the head can cause brain injury, and tragically from time to time death.

This is why medical associations around the world have longstanding policies calling for boxing to be banned. For instance, the Australian Medical Association (AMA) in its position statement in 1997, reaffirmed in 2007, said:

All forms of boxing are a public demonstration of interpersonal violence which is unique among sporting activities. Victory is obtained by inflicting on the opponent such a measure of physical injury that the opponent is unable to continue, or which at least can be seen to be significantly greater than is received in return. This particularly applies to professional boxing.

The AMA makes it clear that it opposes boxing and then goes on to say that until such time as boxing is banned, the AMA supports a range of steps designed to minimise harm to amateur and professional boxers.

That is why I welcome this bill. If boxing is not to be banned, it needs to be heavily regulated to try and reduce the risks to the health and safety of the combatants. I especially welcome the provisions relating to fitness, medical and blood tests. Infectious diseases such as hepatitis and HIV can be spread by blood. Contestants not fit to box are at grave risk of serious injury.

The minister's statement of compatibility identifies several provisions of the bill which engage the Charter of Human Rights, these being discrimination on the basis of impairment or physical features, medical treatment without consent, and privacy. However, as the Scrutiny of Acts and Regulations Committee found, these provisions are reasonable under the circumstances. To put it even more simply, there are times that the state has to intervene to protect individuals from themselves. This is clearly the case in barring individuals who are not fit to compete in boxing.

The specific details of this bill, which I do not necessarily want to go through, are fairly significant. I believe these provisions, while not banning boxing completely, will ensure greater health and safety for participants. I highly commend the bill to the house.

**Mr THOMPSON** (Sandringham) — In considering the bill today I have been reminded a little bit of question time during the week when many serious blows have been landed upon the government. There has been a reluctance to adhere to a commitment that government members would answer all questions directly and with sufficient information to enable the public and the house to fully understand the issue raised, but regrettably that has not occurred. Direct blows have clearly connected, but there have been determinations made on points. The government has been ducking and weaving for a long period of time.

**The ACTING SPEAKER (Mr Stensholt)** — Order! On the bill!

**Mr THOMPSON** — Sometimes this chamber has been referred to as the House of Stoush, though not quite in the character of the Taiwanese Parliament, but it might give the members of the gallery a little bit more value for money when they

come along. If they cannot get a good answer from the government, they might be able to see a few heavy blows landed.

**Mr Robinson** interjected.

**Mr THOMPSON** — The member for Mitcham has alluded to some sort of coathanger blow that one might have seen at a Labor Party state conference at the North Melbourne town hall or Festival Hall, but I will not reminisce about the days of the Labor Party negotiations, so to speak.

Nevertheless boxing has had a great tradition in Australia, and anyone who has grown up in Victoria would be aware of the great exploits of Johnny Famechon, a world champion. His fighting record shows he had a total of 67 fights with 56 wins, 20 by knockout. He has struggled with some wider health issues in recent times, but he has been a great king of boxing in Australia. He also served as King of Moomba back in 1970 or thereabouts. It is regrettable that he sustained horrific injuries when he was hit, not by the glove of an opposing boxer but by a passing car. His neurological rehabilitation has taken some time, and he suffers from an acquired brain injury.

Another great Australian boxer, Lionel Rose, had great wins against Rocky Gattellari in the late 1960s. He then headed off to Japan, where he took on Fighting Harada. As happened when Australia won the America's Cup in 1983, the day that Lionel Rose beat Harada in Japan more or less brought the nation to its feet. Lionel was a great Australian sportsman.

The question might be begged as to whether boxing could or should be banned. The member for Bayswater alluded to the neurological damage that has been caused to many sportspeople who engage in the art of boxing. Mohammed Ali, formerly Cassius Clay, has had some struggles in the last decade or so with his health. To what extent his circumstances are attributable to his former engagement in the sport of boxing is perhaps not fully known.

There are some sports, such as rugby, in which players have been convicted of assault because of punches behind the play. In one case that was ruled to be an assault. In the case of *R. v. Lloyd* a blow was deemed to be outside the ambit of the game. As one studies the sport of boxing over succeeding decades one sees that where a boxer suffers a serious injury or brain damage the question remains as to whether the law may be applied more harshly against the promoters of the game or the organisers of the sport

if a serious injury is sustained. A former minister for sport in Victoria, Tom Reynolds, who was a master cricketer and footballer — and a very keen racing minister — unusually, drew the line at the sport of boxing. Tom was a former shearer and may have witnessed the odd blow thrown in the outback of Australia, but curiously he was very strongly opposed to the sport of boxing. If he had had his way, he would have had the sport banned.

The bill before the house implements a number of provisions. It transfers powers from the minister to the Professional Boxing and Combat Sports Board, particularly those of an operational nature such as the registration of contestants and the licensing of trainers. It would appear there are no major changes proposed to current practices, and on one reading of it, from a practical viewpoint it is a tidying up of existing legislation that reflects mostly what is already occurring in the industry. It provides for the minister to give directions to the board and enables the board to prevent contestants who lack the necessary professional skills from competing in professional contests. There is a great responsibility given to the industry to self-regulate to a degree so that when a fight is organised there is an appropriate matching of skill. I trust that that will avert the entrepreneurial and marketing endeavours of Anthony Mundine in Sydney, who seems to have embarked upon a wider promotional foray in recent times that has been generated to sell tickets for the sport rather than to do what might be in the immediate interests of the sport.

The opposition has a number of areas of concern in relation to the bill. They might be said to be the same concerns raised in the *Herald Sun*, which has questioned the benefits of allowing combat sport in Victoria. In a media release late last year, the minister noted that cage fights will not be permitted in Victoria, but there is nothing in the bill that will directly prevent a cage fight from taking place. While the government has argued that there is a ministerial direction to that effect, who is to say what the circumstances may be should another minister take a position and be persuaded by promoters that there is some benefit in changing the format and context of fights. The opposition would prefer to see the legislation amended in the terms of amendments prepared by the member for Bulleen, which state in part:

... the board may not issue a permit to conduct a promotion that involves a cage-fighting contest.

They also state:

... cage-fighting contest means a professional combat sport contest conducted in a cage.

The public generally supports legislation that is designed to promote safety and reduce risk to competitors. The opposition is of the view that with those amendments to the bill the interests of the community might be protected in the longer term. It is all very well for a young person to engage in the art of boxing at an early age, but it is another thing to see an outcome where a person acquires a brain injury through prolonged engagement in the sport or through misadventure or the mismatching of contestants.

I look forward to question time in the chamber today. I trust that the Labor Party will fulfil its commitment to answer all questions directly with sufficient information to enable all members to be fully informed on the matters raised, rather than ducking and weaving like an Olympic aspirant rank amateur.

**Mr PERERA** (Cranbourne) — I am very pleased to join members of both sides of the house in supporting the Professional Boxing and Combat Sports Amendment Bill. The bill amends the Professional Boxing and Combat Sports Act 1985 to reduce malpractice and improve the safety and integrity of combat sports in Victoria. It provides a framework within which professional boxing and combat sport contests are required to be operated. However, the Brumby government has completely ruled out cage fighting, which is brutal and uncivilised. It involves kicking, punching, choking and the kneeing of opponents. This is the type of fighting you can see in the streets of a country where law and order does not prevail.

The Australian Medical Association has a longstanding policy of opposing all forms of boxing. This is not a practical approach. Boxing is an Olympic sport, and we should not ban Olympic sports.

Research indicates that before World War I, boxing-related deaths were most common in anglophonic countries — for example, the United Kingdom, Australia, Canada, New Zealand and the USA. However, since World War II boxing deaths have become increasingly common in non-anglophonic countries, such as Indonesia, Japan, Mexico, the Philippines, and South Africa. In other words, after World War II boxing became a global sport.

Victoria is a multicultural society. A number of culturally and linguistically diverse communities have long traditional associations with boxing and combat sports. If they are banned, there is a potential for the activities to go underground, posing much more danger to contestants. This is exactly what happened to cockfighting and dog fighting — the promoters carried out underground operations. Policing a ban could be a significant drain on law enforcement resources.

The case for banning boxing is directly linked to the notion that the aim of the sport is to cause harm to the opponent. If harm were minimised and injuries became less frequent, the case for banning boxing would be weak. That is why the Brumby government is tightening the regulatory framework to license promoters, trainers, matchmakers and contestants.

It is important that professional boxers and combat sports contestants only compete when they have the required skills. At present there is not a non-government organisation that controls all aspects of professional boxing and combat sports. Therefore it lies in the hands of the government to control the industry through legislation. In Victoria it is controlled by the Professional Boxing and Combat Sports Board. The bill allows the board to cancel or suspend a contestant's registration if they consider that the person lacks the required skills. The board will have to consider a comprehensive range of factors relevant to the contestant's ability to defend himself or herself before taking such action.

There is a higher probability of incurring serious permanent injury or death from boxing and combat sports than from other sports. Statistics compiled by the USA-based *Journal of Combative Sport* show that between 2000 and 2005, 53 people died around the world as a direct result of boxing — an average of 10.6 deaths per year. That is why the Brumby government has decided to tighten procedures and introduce a new framework within which professional boxing and combat sports will operate.

The bill transfers the rule-making powers to the board. This makes sense since the rules are very technical and operational in nature and need to keep pace with the changes in the industry. I commend the bill to the house.

**Mr BURGESS** (Hastings) — I rise with great pleasure to speak on the Professional Boxing and Combat Sports Amendment Bill 2007. The purpose of this bill is to amend the Professional Boxing and Combat Sports Act 1985 by means of a range of

provisions designed to promote safety, reduce the risk of malpractice, and control the professional boxing and combat sports industry. In addition this bill seeks to clarify the roles and responsibilities of the minister and the Professional Boxing and Combat Sports Board under the act.

Boxing is certainly a vexed issue in our community. I can speak with some experience, having been a boxer at one stage — I trained under Jack Rennie in the company of some very good boxers such as Graeme Brooke and Paul Ferrari — and having had quite a lot to do with Barry Michael and a number of other good boxers at the time. Given my age, I have had the opportunity to watch the likes of Johnny Famechon and Lionel Rose, and of course, more broadly, the great Muhammad Ali. It is very clear that at its finest boxing is an art — an art of hitting and not being hit. With the right sort of mechanisms in place boxing can be elevated to what would more fittingly be referred to as a sport.

There is a lot to be said for the things that are taught through boxing, particularly to young males. It is certainly a discipline builder. The fitness that is required just to hold your hands up for 3 minutes during a round has to be experienced to be understood. It builds respect and teaches people to comply with the rules, even when they are under pressure. It challenges the mind and body. These are things that do not occur as much these days as they did in the past, and we see the results of that in our community.

As one speaker said earlier, boxing teaches people to deal with physical fear. That is important, because in the real world our kids grow up and have to live in a world where there is such a thing as physical fear, and they will need to deal with that at different times during their lives. Boxing also allows the learning of aggression control, and that is something that is not necessarily taught very well throughout our community.

The things that the bill is trying to achieve are to be commended. The testing of reaction speed, fitness and skill level is necessary and to be applauded. However, the bill could have gone a little further. In my opinion we could do with a bit more protection for boxers' heads. It is worth looking to amateur fights, particularly in the Olympic contests, for an example of that. I encourage the government to look at that.

The only criticism I have of the bill as it stands is with respect to cage fighting. I think that regardless

of the views of either side of the chamber there is an opportunity missed to make it very clear that cage fighting is unacceptable in our community. It is a grotesque thing that these people do, and it brings out the worst in our community. It is voyeurism of the worst kind to watch two people get into a situation where there is very little control and try to hurt each other. I commend the bill to the house and encourage the government to look again at the protections that are available to boxers.

**Debate adjourned on motion of Mr LUPTON (Pahran).**

**Debate adjourned until later this day.**

## CONSUMER CREDIT (VICTORIA) AND OTHER ACTS AMENDMENT BILL

*Second reading*

**Debate resumed from 27 February; motion of Mr HULLS (Attorney-General).**

**Ms MARSHALL** (Forest Hill) — I am very happy to rise to make a contribution to the debate on the Consumer Credit (Victoria) and Other Acts Amendment Bill. A bit of background to this bill is that it originated from the state government's social action plan A Fairer Victoria — a nearly \$800 million investment in 14 strategy areas aimed at reducing disadvantage and creating opportunities. The Brumby government has a whole-of-government approach going beyond the traditional welfare areas, including improving access to affordable credit so that low-income families are not forced into a debt spiral by taking out excessively costly credit.

The consumer credit review was initiated to ensure that all Victorians, regardless of their circumstances, are able to access fair credit on fair terms. In 2005 the member for Monbulk, who is now the Minister for Sport, Recreation and Youth Affairs, on behalf of the then Minister for Consumer Affairs, led the consumer credit review which investigated the credit industry in Victoria, its effects on low-income earners and how the industry as a whole could be better regulated and fairer for all. Public forums were held throughout Victoria and provided the public, consumer groups and industries with opportunities to get involved and contribute based on their personal knowledge and experiences.

The report was handed down in March 2006. In September 2006, the Bracks government released the government's response to the consumer credit

review, pledging better protection for consumers, improvements to the registration system for credit providers and more flexible powers to prosecute dodgy credit providers. An affordable credit summit held in August last year at Consumer Affairs Victoria brought together representatives from the banking and financial sector, community groups and government to discuss how best to promote affordable credit and encourage non-banking institutions to offer more affordable credit to vulnerable consumers.

This bill is a continuation of the Victorian government's commitment to making this state a fairer place for all. Whilst we readily think of the importance of fairness on issues such as equal opportunity, discrimination and human rights, we are slower to focus on the need to protect people from predatory and unfair credit loans, yet it is no less important. Consumer credit has never been so readily available, and whilst credit is important to our economy, has an effective use in consumers' lives and is one of the main means of purchasing many consumer goods and services, it is vital that we not only encourage responsible use of credit by consumers but also legislate to stop shonky credit and unscrupulous individuals from hurting the community.

The reality is that credit is debt, and as such we as a government must continue to ensure that all consumers, particularly vulnerable and disadvantaged consumers, many of whom live in the electorate of Forest Hill, have access to information and support that will assist them in this matter. With levels of credit debt at record highs and inflation a real threat to working families' lifestyles, it is important that we act now. Currently the average credit card balance is more than \$3000. There are now more than twice as many credit cards in circulation as there were in 1995 — more than 13 million — and this comes at a time when as many as 400 000 Australians are under mortgage stress.

The enhanced registration scheme that this bill introduces will give the director of Consumer Affairs Victoria the power to conduct targeted compliance monitoring and run compliance advice programs for credit lenders. Consumers will also be able to make more informed judgements about which credit provider suits them best. All credit providers in Victoria will have to subscribe to an external dispute resolution scheme approved by the Australian Securities and Investment Commission, giving consumers more protection and an independent way of dealing with fringe credit providers — that is,

those providers that are outside the mainstream market.

Rent-to-buy arrangements will be brought under the Residential Tenancies Act 1997, which means consumers who have entered into one of these arrangements will have the same rights as other residential tenants in Victoria in addition to having access to dispute resolution via the Victorian Civil and Administrative Tribunal. The bill will also repeal the outdated and unnecessary exemption to pawnbrokers from being required to be registered as credit providers under the Consumer Credit (Victoria) Act 1995.

The bill will make the credit industry more efficient, fairer and accountable. It will empower and protect consumers, and I believe will go some way to stopping financial hardship that is affecting more and more Victorians who have spiralling debt. It will improve access to services, reduce barriers to opportunity, strengthen assistance for disadvantaged groups and places, and ensure that people get the help they need at critical times in their lives. I commend the bill to the house.

**Mr MORRIS** (Mornington) — The Consumer Credit (Victoria) and Other Acts Amendment Bill 2007 will amend the Consumer Credit (Victoria) Act 1995 and four other acts. It makes minor changes to the Business Licensing Authority Act 1998 and the Subdivision of Land Act 1988 and repeals the Credit Reporting Act 1978. The various acts being amended by this bill regulate the provision of credit in Victoria. They provide oversight of credit providers, protect consumers and promote fair trading and essentially a culture of fairness in doing business. They provide statutory warranties, set out the functions and powers of the office of consumer affairs, prescribe the rights and duties of landlords and their tenants and all the associated procedures that go with that — the way we deal in real property. In other words, they deal with the fundamentals of everyday life.

Every Victorian, large or small, young or old, is a consumer, mostly in their own right but some through agents or proxies, particularly the infirm or the very young. In some way we are all consumers, as are most businesses, including small businesses. This is not the first time that the 56th Parliament has dealt with consumer legislation, and I am sure it will not be the last. That is not surprising, because markets and all their constituent parts have the characteristics of living, breathing entities. The attitudes and expectations of consumers, government

and business are all on a path of constant evolution. Also, the acquisition of household goods and the provision of a home, whether rented, being purchased or owned, are central concerns in people's lives.

The challenge that is always before us as legislators, particularly in this sort of area, is to ensure there is a balance between on the one hand putting in place controls that might, through red tape, tie up business and consumers and be regulation that becomes an end in itself and completely irrelevant to the original purpose, and on the other hand preventing the excesses of Adam Smith's 'invisible hand' and ensuring that the interests of the individual are protected. That is clearly the path that we are embarking on in this debate.

The last couple of decades have seen enormous changes in social attitudes, most particularly in attitudes to credit. It is hard to believe that it is something like 35 years since Bankcard was introduced in Victoria. Looking back it seems that the arrangements in those days were almost quaint, because we have since seen the introduction of American Express cards, Diners Club cards and department store cards. Then, if you wanted to go outside that line, which a very limited portion of the community elected to do, you put goods on lay-by, bought them on hire purchase or perhaps went to somewhere like Waltons, which I understand also provided consumer credit. Consumer credit had not been generally available to the wider community, but with Bankcard, it became much more widely available over a period of probably three or four years.

Thirty-five years later there has been a huge expansion not only in credit cards but in the whole field. Again, it is a balancing act. You need to have access to credit. You need to allow people to have access to credit, but not too much of it, and you need to have a framework in place to ensure that the unscrupulous cannot take advantage of the consumers.

It is important that individuals be able to make their own decisions on the timing of their purchases — whether to save up for a new lounge suite and wait one, two or three years before purchasing it or purchase one now and pay it off over one, two or three years. It is an individual decision, and I think people generally have used that opportunity very wisely.

In that vein, the minister in the second-reading speech talked about credit card debt of \$31.5 billion in 1995 and a figure of \$40 billion in 2007, which by my arithmetic is a rise of some 27 per cent. I thought that was interesting because it did not seem to me to be excessive over a 12-year period, so I had a look at some other related figures. If you look at the Australian Bureau of Statistics consumer price index weighted average of the eight capital cities, you see that the figure for the March quarter 1995 was 114.7 and the figure for the December quarter last year was 160.1 — a rise of 39.6 per cent. The rise in credit card debt compares quite favourably with that, and I think we should also bear in mind that the government's own spending since 1999 has risen by over 50 per cent, so it is drawing a long bow to say that a rise of 27 per cent in credit card debt is out of line.

Moving along, given that we are a bit short of time, despite those comments and perhaps the enthusiastic rhetoric, the proposals in this bill are quite reasonable, because if the industry report that was also referred to in the second-reading speech is correct and 40 000 households are victim to predatory lending practices, that is a totally unacceptable figure. I recognise that it is a national figure, but even so it is a totally unacceptable figure and clearly something needs to be done about it.

I think we all understand in this place that people from low-income households and even high-income households are often fully committed and can succumb to the need for expensive short-term credit. It is our duty to ensure that the credit providers who provide that service do so on reasonable terms and that people do not get caught in a debt spiral.

The principal changes proposed by this bill — to allow the director of Consumer Affairs Victoria to bring proceedings under the consumer credit code to the courts, to amend the Residential Tenancies Act and add protection for rent-to-buy contracts, to improve the Sale of Land Act, to require credit providers to belong to an external dispute resolution scheme and other changes — will all do something to provide additional protection for consumers and at the same time probably will not add excessively to the costs incurred by credit providers. On that basis I think the bill is certainly worthy of favourable consideration by the house.

**Mr LIM** (Clayton) — This is an important consumer protection bill which provides increased support and protection for low-income Victorians

who are vulnerable when borrowing or obtaining credit.

This bill is timely legislation given a number of factors such as the USA subprime crisis and the Howard, the Costello legacy of rising inflation and rising interest rates, and the cost of housing for both tenants and first home owners. I particularly welcome this bill because of measures it provides to protect those low-income earners resorting to housing loans outside of the mainstream.

The subprime crisis in the US is important to understand, not only because of its potential knock-on effect to Australia but also because it also shows how vulnerable low-income borrowers are in the housing market. In the subprime market, after an initial low interest rate period, interest rates have doubled, particularly as the crisis has worsened. At the same time, in 2007 there was a drop of between 8 per cent and 10 per cent in house prices in the US, and in some areas there was a glut of unsold properties. This has meant financial ruin for those subprime borrowers who can no longer service their loan, and with the surplus of houses for sale on the market they have no equity in their property.

In Australia, some of those who have been unable to borrow through mainstream financial institutions such as banks to buy homes have resorted to other mechanisms such as vendor terms and rent-to-buy schemes. The vulnerability of these borrowers is spelt out in the 2006 report of the consumer credit review chaired by the member for Monbulk, who is now the Minister for Sport, Recreation and Youth Affairs and the Minister Assisting the Premier on Multicultural Affairs. I congratulate him on his fantastic work which led to this bill.

On page 157 of the report, for example, it vendor finance is described as follows:

There are two critical features of a vendor finance property purchase. The first is that the purchaser cannot or does not obtain finance from a third-party credit provider (such as a bank, credit union or mortgage originator). Instead, the vendor supplies the credit, either by agreeing to accept instalment payments until the price has been met or by obtaining third-party mortgage finance and then 'wrapping' (onselling) that finance to the purchaser. The second critical feature of vendor finance is that there is no transfer of title until all the instalments are paid in full.

The report then describes the risks as being that the borrower pays significantly above the market value, does not gain title to the property until the last payment and may lose all equity in the property if they default on the loan.

In this bill the provisions in the Sale of Land Act 1962, which provide protections for consumers who enter into vendor terms contracts to buy their home, will be simplified and clarified. The member for Monbulk's report had this to say about rent-to-buy contracts:

Rent-to-buy contracts are another method by which low-income consumers looking to achieve home ownership are induced into contractual arrangements of questionable fairness. There is no single model for rent-to-buy, but the consumer usually enters into what looks like an extended residential lease, with an associated option to purchase. The option is commonly available at the end of the extended lease, which often exceeds five years.

The report listed a number of risks, including that:

1. Rental payments are not necessarily netted off against the price of the home.
2. The owner may not have to reimburse improvements to the premises, which may be forfeited if the consumer defaults and the contract terminates.
3. The owner may not be legally obliged to sell the property even if the consumer exercises the option to purchase.
4. The owner may be able to unilaterally set the price of the home.
5. Victorian residential tenancy laws do not apply if the rent-to-buy contract runs for more than five years.

I am proud to say that under the Brumby Labor government this bill will ensure that consumers who enter into rent-to-buy arrangements will be given greater protection by bringing rent-to-buy contracts under the Residential Tenancies Act 1997. By bringing these contracts under the legislation consumers who enter these arrangements will have the same protections given to other residential tenants in Victoria, such as protection against unconscionable rent increases, rights in relation to repairs and controls on owners entering onto the property, as well as access to dispute resolution at the Victorian Civil and Administrative Tribunal.

This bill provides important protection for vulnerable Victorians. It is the sort of legislation that I am proud of as a Labor member of Parliament. It is not legislation that one would expect to be introduced by the coalition on the other side of the house. I commend the bill to the house.

**Mr CRISP (Mildura)** — I rise to make a contribution to the Consumer Credit (Victoria) and Other Acts Amendment Bill 2007. The Nationals in coalition are supporting this bill.

The bill looks at a number of consumer credit issues. It amends the Consumer Credit (Victoria) Act 1995 by setting out some new definitions, including definitions for an approved external dispute resolution scheme, for a disqualifying offence, a domestic partner and relevant business. Basically, it is about bringing some modern terminology to the act.

The bill inserts new sections in the Credit (Administration) Act 1984 in relation to prosecution measures concerning consumer credit matters. The director of Consumer Affairs Victoria can decide whether or not to proceed with a prosecution or the defence of a person or people. This, too, is an updating.

The bill amends section 6 of the Residential Tenancies Act 1997 concerning tenants who have been renting a property for more than five years and who are given an opportunity to purchase the property. This is something that I strongly support. Homeownership is still a desirable ideal for country Victorians, and it is one way to secure your future. We need to have high levels of homeownership, particularly in an ageing society.

The bill inserts new sections in the Fair Trading Act 1999 in relation to dispute resolutions and credit between customers and credit providers. Again, this is a modernisation of the act.

The bill amends the Sale of Land Act, the Business Licensing Authority Act and the Subdivision Act. It also amends the Transfer of Land Act, which keeps us up to date with the new changes that are occurring. These are mostly technical and modernising amendments.

There are a number of concerns that everybody shares in this community when it comes to credit, and they are the billowing and burgeoning — often burdensome — credit cards and consumer credit. Like many I share their concerns, particularly when you see long periods of interest-free payments available to people who are being seduced into having something now and perhaps paying for it long after it has worn out. This is of concern for both country and city people alike. Although the interest payments are a long way off, the companies rely on people not paying and then having to pay a high interest for their products. It is a concern. People are individuals, and they have a right to make their own financial decisions. However, it concerns me that the wisdom of this is something that we cannot impart.

We see many people caught in this credit trap in great stress and difficulty.

The bill does what the bill needs to do — that is, it keeps the credit process modern and up to date. I am sure we will be back to amend it, and Victorians will continue to, hopefully, manage their credit as well and as wisely as they can.

**Mr HOWARD** (Ballarat East) — I, too, am very pleased to speak on the Consumer Credit (Victoria) and Other Acts Amendment Bill. Credit, as it has become available in our community, is something that needs to be monitored carefully. We are aware that with the advent of credit cards some years ago, credit card debt has increased considerably across this country and is now at a level of \$40 billion.

I find credit cards to be great things. I enjoy using my credit card, but I am in a position where, through my bank account, I am able to ensure that my credit card is automatically paid off before I incur any interest on it. I am in that fortunate position where I rarely have to pay any interest on credit that I borrow using my credit card. But, of course, we know that many other people are not in that position and therefore fall into credit card debt.

I am aware that in recent years in my electorate and around the city of Ballarat there has been a rapid increase in the number of new fringe lenders — payday lenders, as they are also known. They have started to leave flyers in people's letterboxes advertising that they provide loans for all sorts of reasons. It is easier for people to see the benefits of gaining money to buy things that they would not otherwise have, and there is, of course, significant potential for them to get into debt that they cannot deal with.

This government has initiated processes to put several safeguards into place to protect people from the lending industry and to try to protect them from getting into debt that they cannot otherwise meet. The review carried out by the member for Monbulk, which we have heard about before, was important in teasing out a number of these issues. This legislation follows on from that.

The legislation recognises that a number of issues associated with lending cannot be addressed at only the Victorian state level; they must be addressed at a national level, through ministerial councils and federal legislation in terms of codes of conduct for lenders. The legislation is important in that it provides increased benefits and support in regard to

the industry, both for people buying land and for people taking out vendor finance. It also provides protections to ensure that all people who provide credit should be registered. It also puts all lenders in a position where they need to satisfy certain conditions before they are registered.

This is important legislation. There are a number of people who will be wanting to speak on this legislation. It is going part of the way to ensuring greater protection for people who borrow, that they are better informed and that we try to weed rogues out of this industry. I am very much prepared to support this legislation and any further legislation that might come later on in the piece.

**Mr THOMPSON** (Sandringham) — There is a popular colloquialism about giving credit to whom credit is due. However, there have historically been a range of rorts inflicted on Victorian consumers through unscrupulous dealers or operators. We have seen in the housing market that the availability of low-interest-rate loans has ballooned. There have been a range of examples where there have been onerous imposts on Victorian consumers. One is in the area of low-interest-financed loans which have subsequently ballooned. The other area the bill addresses is the area of terms contracts, where there is extensive regulation. One particular provision limits the opportunity for a legal practitioner within 50 kilometres of the GPO to act on behalf of both the vendor and the purchaser in a transaction. While the distance of 50 kilometres may be somewhat arbitrary, the intent behind that provision is certainly understood.

The principal provisions of the bill require that credit providers belong to an external dispute resolution scheme that allows the director of Consumer Affairs Victoria to bring proceedings under the consumer credit code in a court rather than in the Victorian Civil and Administrative Tribunal. The bill amends the Residential Tenancies Act 1997 to add residential protections to certain protracted leases — so-called rent-to-buy contracts — on a prospective basis, updates the Sale of Land Act 1962 regarding terms and contracts and makes other minor amendments. The burden of debt is not something that is just sustained, incurred or suffered by consumers. It might be said that the Victorian taxpayer has also suffered from the debt burden from time to time, whether it be the \$30 billion Cain-Kirner debt that was a legacy inherited in the Kennett years, the trebling of stamp duty, the doubling of land tax or the remarkable increases in police fines that are hitting Victorian working families very hard. While on the

one hand we are dealing with some important reforms, on the other hand we need to ensure that there is not an infliction of massive debt on Victorian taxpayers — and not only Victorian working families but also their children in the next generation.

**Ms BEATTIE** (Yuroke) — I rise to support this bill. There is a saying that if it seems too good to be true, then it is too good to be true. Many of the statements made by credit card providers offering free time for credit and some of the statements made by retailers are too good to be true. In electorates all over Victoria, I suppose — and this relates particularly to my area, where there are a lot of first home buyers — there are people who go out and buy a house full of furniture on terms of four years interest free, fully intending to make the repayment at the end of three and a half or four years or whatever the time is. At the end of four years they find that with other household expenses they do not have the money. They then have to go back and pay as though they had taken up that interest from day one, so they have got four years of interest to pay on their furniture, which will by then be quite old.

I would just like to focus on that. I know there are many on this side of the house who want to speak on the bill, but I would like to praise the Brumby government for bringing this bill into the house and for doing its best to protect consumers. With those few words, I will close my contribution and wish the bill a speedy passage.

**Ms MUNT** (Mordialloc) — I would like to make a very quick contribution to the debate on the Consumer Credit (Victoria) and Other Acts Amendment Bill of 2007. Downstairs from my office in my electorate of Mordialloc is a gentleman who actually helps people who have run into trouble with the credit that has been advanced to them. He often pops into my office to tell me about certain instances where people who have run into trouble with their credit providers and with keeping up with their repayments have rolled their loans into one so that they can manage to keep their head above water. Generally speaking the people that this happens to are people who can least afford to get into this sort of terrible trouble, as the member for Yuroke has already pointed out in her contribution.

I support this bill because it puts in place further protections for consumers of credit and tightens up the regulations in that regard. Once again, it is another very good piece of legislation from the Minister for Consumer Affairs, and I congratulate him. I commend the bill to the house.

**Mr FOLEY** (Albert Park) — I rise to very briefly express support for the Consumer Credit (Victoria) and Other Acts Amendment Bill. I do so because it continues the proud work done by this government under the banner of the A Fairer Victoria strategy of making sure that the most vulnerable Victorians are protected. I will restrict my comments to perhaps acknowledging the good work that the minister has done in ensuring that the benefits of alternative dispute resolutions will give Victorians even greater access to a safety net rather than their having to deal with the lengthy and costly mechanisms of court action in the areas on the fringes of the booming credit market, such as no-doc or low-doc loans and rent-to-buy strategies, which have created new areas in which the competitive market sometimes seeks to exploit those who are vulnerable because they are not attuned to the difficulties in this area.

I think that the work the minister has done in listening to the concerns of those in the area who deal with consumer protection and consumer law reform is to be commended. In my own electorate I am well aware of the valuable work done by consumer advocates whom the minister kindly funds — I look forward to his continuing to fund them — in the Inner South Community Health Service and the St Kilda Community Centre. I commend the bill to the house.

**Mr SEITZ** (Keilor) — I rise to address the Consumer Credit (Victoria) and Other Acts Amendment Bill and to congratulate the minister for bringing in this bill. There is only one section of the bill that I want to address, and that is the removal of the exemption that the pawnbrokers have had so far. That is an excellent step forward, because the pawnbrokers and their industry have absolutely changed. They are no longer pawnbrokers; they are really finance companies nowadays. In my electorate in particular a huge amount of money is going through them, and their loans are being backed behind the scenes by a number of banks that provide the funds they use to issue that credit. As one honourable member said, it is payday credit and similar arrangements that are negotiated through pawnbrokers nowadays. They are not so much to do with people handing in equipment and receiving money based on the value of the property they pawn as simply dealing in straight out financial transactions at high interest rates.

With those comments I congratulate the minister on the fact that that anomaly has been removed and the legislation has been modernised to deal with the pawnbroking industry having developed and crept

into the finance business. I wish the bill a speedy passage through the house.

**Mr ROBINSON** (Minister for Consumer Affairs) — I appreciate the contributions from the members for Malvern, Prahran, Murray Valley, Yan Yean, Ferntree Gully, Preston, Evelyn, Forest Hill, Mornington, Clayton, Mildura, Ballart East, Sandringham, Mordialloc, Albert Park and last, but not least, the member for Keilor.

This has been a valuable debate and is the way the Parliament should work. A number of members have made reference to the Merlino report, which was the basis of the amendments debated in this chamber. That report represents a good solid policy process where we have taken an investigation, which has been chaired by a backbencher, through to the department for departmental responses, and actually enacted a number of those recommendations.

There is a broader macro setting to credit, though — and that is, as members would understand, that credit is not covered by the commonwealth. The commonwealth has responsibility for finance and financial services and it deals with the banks, but credit has not been transferred over. That is an historic anomaly. There is no reason for credit to still be the responsibility of the states, and there are continuing recommendations made to the states that indicate the transfer of that power would be desirable, the most recent of which I think was in a Productivity Commission report.

I was at a recent meeting of state and territory consumer affairs ministers and officials, where it was the collective view of ministers that we should have a transfer of the credit powers to the commonwealth at some stage. That is not able to be achieved quickly because the states have quite different credit settings. The degree to which they work on uniformity is only on those matters that they have in common, and there are other matters extraneous to that where the states do their own thing. A good example of that is predatory lending where the states agreed some time ago that they would conform to a certain policy, but in recent years we have seen New South Wales, I think Queensland, and now South Australia signal that they will amend the capping arrangement, the maximum interest rate, to be inclusive of all other charges.

Victoria has had to consider whether or not that is a good thing. I believe it is a valid question, and to address that I have asked the member for Preston to undertake a limited amount of work in that sector —

in what we might call the predatory lending sector, although it is more than just payday lenders — to ascertain whether the recent developments in other states are something that Victoria should follow and to look at the emerging trends. I suspect that sector is one in which there are some relatively good practitioners and there are some shonks. The member for Preston will come back to me in about three or four months, I hope, with some further advice.

This is an area that continues to evolve. We will be revisiting it in the period up until, I hope, the transfer of powers is possible, but as I said that transfer will take some considerable time. I thank members for their contributions on behalf of their constituents and their interest in this area, and I finish by acknowledging the valuable work of Ian Clyde and his team at Consumer Affairs Victoria.

**Motion agreed to.**

**Read second time.**

*Third reading*

**Motion agreed to.**

**Read third time.**

**Sitting suspended 1.00 p.m. until 2.04 p.m.**

**Business interrupted pursuant to standing orders.**

## DISTINGUISHED VISITORS

**The SPEAKER** — Order! I welcome to the gallery today the newly appointed Consul-General of Japan, Mr Hasegawa. I also welcome former member, Mr Noel Maughan.

*Honourable members interjecting.*

**The SPEAKER** — Order! I know we would all love to have him back, but I am sure he has found a new life.

## ABSENCE OF MINISTER

**The SPEAKER** — Order! I advise the house that the Minister for Agriculture, who is also the Minister for Small Business, is absent today. Questions to him will be answered by the Minister for Regional and Rural Development.

**QUESTIONS WITHOUT NOTICE**

**VicRoads: licensing database**

**Mr MULDER** (Polwarth) — My question is to the Minister for Roads and Ports. I refer to the Ombudsman’s report of December 2007, which reveals that the government’s expenditure review committee rejected the proposed overhaul of the VicRoads licensing database in early 2007, and I ask: given that the government was aware of security breaches to the database at that time, how does the minister justify the decision not to protect the private details of several million Victorian licence-holders?

**Mr PALLAS** (Minister for Roads and Ports) — I thank the member for Polwarth for his question. VicRoads conducts a very substantial job for the Victorian community. It manages over 17 million business transactions involving all members of the community. Importantly, as a government we recognise it means we need to put in place additional services, and the government has been going about that process. We have put in place additional call centres, we have put in place improved online services, we have put in place additional call centre staff — I beg your pardon — we have put in place improved systems for validating the identification of documents — —

**Mr Mulder** — On a point of order, Speaker, the minister is clearly debating the question, and I ask you to bring him back to answering the question about the security of the database and the Ombudsman’s report.

**The SPEAKER** — Order! I do not uphold the point of order. The minister is being relevant to the question.

**Mr PALLAS** — It is clear the Ombudsman’s report sought for the government to put in place arrangements that would ensure greater data security and integrity, but the Ombudsman’s report did not of itself require that there be a substantial change in terms of the database. Since 2005 the government has put in place improved database security, whether that process be improving the security associated with overseas licensing and identification of the individual seeking that licensing or improving the security associated with access to the database.

Additional to that the government has also approved \$3 million for the purposes of ongoing work associated with the development of the database, but

unlike those opposite, who had made no changes to the database since 1996 — —

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

**Mr PALLAS** — This government remains committed to putting in place systems of integrity and appropriate management. We have already indicated that in terms of both the 2005 Ombudsman’s report and subsequent advice to government in the most recent Ombudsman’s report, we have accepted that and we are going about the process of implementing those recommendations. Simply to say that this government has got advice seems to avoid the obvious — that we are going about implementing an effective system for the entire community.

As a government we remain committed to putting in place a quality system of database security. Work has been going on, particularly with the Queensland government, which is leading the push in this area of developing appropriate database security. It would be entirely ridiculous and a waste of money for a government to seek to reinvent the wheel. Database security is a national issue. It is also an integrity issue, and we intend working in the best interests of all road users to ensure appropriate database security for the entire community.

**Murray–Darling Basin: federal plan**

**Ms GREEN** (Yan Yean) — My question is to the Premier. I refer the Premier to the government’s commitment to securing Victoria’s water future, and I ask him to update the house on the state government’s position on the Murray-Darling Basin water plan.

**Mr BRUMBY** (Premier) — I thank the member for Yan Yean for her question. Obviously this is an important issue in terms of both Victoria and the national interest. On 7 February the Minister for Water and I met with the federal Minister for Climate Change and Water, Senator Wong, to discuss the future of the Murray–Darling Basin and the commonwealth’s proposed water plan. We had frank, constructive discussions, and we agreed there would be further meetings over the weeks and months ahead.

This Monday, 25 February, Senator Wong and the Minister for Water again met, and I understand those discussions were also positive, allowing the commonwealth to better understand Victoria’s

position in relation to the Murray–Darling Basin —  
—

*Interjections from gallery.*

**The SPEAKER** — Order! I ask the attendants to remove that person from the gallery.

**Persons escorted from gallery.**

**The SPEAKER** — Order! The Premier, to continue with his answer.

**Mr BRUMBY** — The government’s position in relation to this matter has always been very clear and consistent — that is, we do support a national approach to the management of the Murray–Darling Basin through an agreement between the commonwealth and the states, but at the same time we are not prepared to sacrifice good water policy and we are not prepared to sell out the interests of Victorian irrigators.

This week the commonwealth announced that it would buy back \$50 million worth of water from the Murray–Darling Basin for environmental flows. I want to make the point that water buyback was an integral part of the initial Howard government plan, and that was a plan of course that was supported by the Victorian coalition. This buyback was part of the same policy that those opposite vigorously supported, which they argued I must sign up to, and presumably the same policy now that both coalition shadow water ministers support.

I will quote from another group reported in the *Age* yesterday. I was surprised to see these quotes saying that the buyback policy:

... was to the detriment of agriculture ... and could prompt water prices to rise.

The person who said that was the country shadow water minister, the member for Swan Hill.

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

**Mr BRUMBY** — We always supported a national approach and we had the state coalition parties supporting the Howard approach, which involved a buyback of water entitlements, but this week we read in the press that that position has changed. However, I did hear a comment yesterday that caught my attention about what state governments should be doing when it comes to water reform in the basin. This was reported in the *Age* yesterday and was on ABC radio. It was that the

states have to get pipes in the ground, they have to cover up channels and they have to fix up any leaks. I thought that was a visionary statement and a great endorsement. Who said it? That was Greg Hunt, the federal shadow minister for climate change, environment and water.

Our position as a government has been very clear — that is, at a time when water resources are becoming scarcer and scarcer what we all need to do is invest in water saving infrastructure and water saving technology to create new water resources; and that is exactly what the food bowl project does. I am delighted, despite the prevarications of those opposite — supporting buybacks one day and opposing them the next — that the federal shadow minister for the environment is so strongly supporting our vision and our project.

### **VicRoads: licensing database**

**Mr RYAN** (Leader of The Nationals) — My question is to the Minister for Roads and Ports. I refer to the three secret leaked documents revealed in question time yesterday, being a cabinet-in-confidence report, a cabinet-in-confidence letter from the Premier to the minister and a confidential ministerial briefing, and I ask: is it not the case that had it not been for the Ombudsman’s 2007 investigation into VicRoads, the fraudulent operations of the VicRoads licensing system would have continued unabated despite the fact that the government had known for some 18 months from its own secret inquiry that the practices of VicRoads were being abused?

**The SPEAKER** — Order! I ask the Leader of The Nationals to rephrase the question so that it is not framed as a hypothetical question.

*Honourable members interjecting.*

**The SPEAKER** — Order! All government members will come to order.

**Mr RYAN** — My question is to the Minister for Roads and Ports. I refer to the three secret leaked documents revealed in question time yesterday, being a cabinet-in-confidence report, the cabinet-in-confidence letter from the Premier to the minister, and a confidential ministerial briefing, and I ask: is it not the case that it was only through the Ombudsman’s investigation into VicRoads that the fraudulent operations of the VicRoads licensing system were halted, and that the government did nothing to intervene despite the fact that it knew from

its own secret inquiry of some 18 months beforehand that the practices of VicRoads were being abused?

**Mr PALLAS** (Minister for Roads and Ports) — I thank the Leader of The Nationals for his question. Without making direct reference to matters that are the subject of cabinet in confidence, I can make it very clear that the issue of the integrity of the database security is a matter that is of considerable significance and is important to this government. Indeed if we go through the chronology of events, it is quite apparent that the Premier at the time was one of the instigators in seeking to ensure that the Ombudsman made the inquiries and broadened them to actually look at the issue of database security. The Premier at the time sought to do that.

What is more, the government received the Ombudsman's report of 2004 and indicated in the report of 2005 that those practices and recommendations were largely accepted, and they have been substantively implemented. The only issue of substance that the opposition has raised in respect of database security is essentially around the issue of the new licensing and registration database. The government is taking action in respect of that matter as well.

**Mr Ryan** — On a point of order, Speaker, the minister is debating the issue. The document produced yesterday was the final report undertaken by the State Services Authority as a result of section 50, the systems review that was ordered by the Premier and was ultimately provided to the government. They had that report for 18 months and did nothing about it before the Ombudsman's report was —

**The SPEAKER** — Order! I warn the Leader of The Nationals. I do not uphold the point of order. The minister is clearly being relevant to the question. The minister has concluded his answer.

### Health: funding

**Mr FOLEY** (Albert Park) — My question is to the Minister for Health. I refer the minister to the government's action to ensure families have the best health system, and I ask: will the minister outline to the house recent examples of investment in health services across metropolitan and regional Victoria?

**Mr ANDREWS** (Minister for Health) — I thank the member for Albert Park for his question and his ongoing commitment to the very best health service in his local community. As I have noted on many

occasions, this government takes funding health services, appropriately and properly, very seriously. As a government we have increased funding right across the health system by 96 per cent —

*Honourable members interjecting.*

**The SPEAKER** — Order! The members for Bass and Hastings are in control of their own destinies for this question time. They will cooperate with the smooth running of question time or they will be suspended from the house.

**Mr ANDREWS** — A 96 per cent funding increase in terms of recurrent budgets across our health services right across Victoria is an important step in meeting the health challenges of the future. What we have always said, and I have always said, is that there is more to be done. That is why consistent investment is essential to meeting those health challenges in the years to come. I was asked about recent examples of the government's investment program, and it is appropriate that I be asked that because in recent weeks we have laid the foundation stone at the new \$250 million Royal Women's Hospital. We have seen very substantial progress in relation to the Royal Children's Hospital. Documentation released today and tabled by me in this place shows it as a clear best-value project — a new Royal Children's Hospital that will treat 35 000 more patients a year. It is a modern, best-value, best-practice facility for Victoria's children.

There are other investments which may be smaller in money amount but which are very substantial as we go forward. The Deputy Premier and I just last week announced \$36.4 million for additional high-tech, high-cost medical equipment right across metropolitan and rural and regional health services. The best staff given the best equipment to provide the best care is what that \$36.4 million is all about.

I have been asked a question in relation to not just metropolitan Melbourne but also rural and regional communities. I was very pleased recently to visit a number of rural communities to announce medical equipment funding, including additional funding at the Bendigo hospital for a new computerised tomography, or CT, scanner and additional funding for the Latrobe Regional Hospital, where I was last Friday, a hospital saved by this government — a \$630 000 investment there in terms of additional medical equipment. In terms of ambulance services there were upgrades to computer-aided dispatch

(CAD) services, and I recently viewed the new CAD programs running at Morwell and Geelong.

But probably the centrepiece in recent times was turning the first sod in a proud moment for the Nathalia community. Whime delivering our funding allocated in this year's budget I broke ground at the new Nathalia health service. It is an \$18 million project. There were many local residents present. It was a proud day for that particular township and clear evidence of our commitment to giving communities large and small, city and country, the support they need, whether it be in terms of recurrent funding, with every single health service having received a budget increase in every single year of our government, or sharing around, moving around, the capital works spent. It is a record investment program of \$4.1 billion right across Victoria.

All of this comes on top of the recently announced elective surgery blitz — a \$60 million commitment and the biggest one-off injection of funds for additional elective surgery activity that the state has ever seen. In the calendar year 2008, 9400 additional elective surgery procedures will be performed targeting those patients who have waited longest — patients who have waited longer than the clinically appropriate time. We have achieved a lot: 132 000 episodes of elective surgery a year are being performed, 15 000 more than in our first year in government. But we can do more with that additional money, and we will. A contribution from the commonwealth government and a contribution from our government will continue to bring down the time to treatment, and this is particularly targeted at those who wait longer than the clinically appropriate time.

It is timely to mention elective surgery waiting lists, because there have been many claims this week about elective surgery. It is important to refer to one comment I heard today in relation to the allegation that elective surgery waiting lists in this state are dodgy. The quote I was drawn to was:

They are only dodgy when they are added up like a primary school kid would add them up'.

Who might have said that? It was the chair of Melbourne Health defending the good name of the doctors and nurses that work at that fine health service. Who might that be? It was Robert Doyle, a fine judge of these matters, a good chair of Melbourne Health and someone who has put the lie to the nonsense of the rabble opposite.

### VicRoads: licensing database

**Mr BAILLIEU** (Leader of the Opposition) — My question is to the Minister for Roads and Ports. I refer to the Ombudsman's report of December 2007 into the fraudulent use of the VicRoads driver licensing database and specifically to the following comment in that report by the Ombudsman:

On 2 March 2007, I wrote to the Minister for Roads and Ports, the Honourable Tim Pallas MP ... to advise that I was commencing an investigation ...

Upon receiving the Ombudsman's letter, did the minister provide to the Ombudsman the extensive April 2006 report by the State Services Authority canvassing the matters in issue; and if not, why not.

**Mr Burgess** interjected.

**The SPEAKER** — Order! It would grieve me to have to ask the member for Hastings to leave the chamber. If I hear his dulcet tones one more time, I will enforce the standing order.

**Mr PALLAS** (Minister for Roads and Ports) — I thank the Leader of the Opposition for his question. Of course the Ombudsman can access those documents he sees as appropriate. Let us be entirely clear how secret the so-called secret State Services Authority document the opposition is so obsessed with actually was. In terms of the actions and the report, that document was publicly identified in the SSA annual report in which the review of VicRoads was made public. What a secret document that was! It was out there for the world to see in the SSA annual report. I actually have a heck of a lot more professional confidence in the capacity of the Ombudsman — —

**Mr Baillieu** — On a point of order, Speaker, the minister is debating the question. It was a simple question. Did he provide the document or not?

**The SPEAKER** — Order! The minister is relevant to the question. I do not uphold the point of order.

**Mr PALLAS** — We of course accept that statutory office-holders and those who are charged with the responsibility of investigating government are adequately empowered to do their jobs, unlike those opposite, who effectively trashed the powers of the Auditor-General when they were last in government — and of course the former president of the Liberal Party was complicit in that process.

**The SPEAKER** — Order! The minister is debating the question.

**Mr PALLAS** — In conclusion, this government has confidence in the Ombudsman. The two reports that the Ombudsman provided to this government have been substantially implemented. As a government we continue to work towards providing the community with the database security it is appropriately entitled to, and we expect that the Ombudsman will get access to whatever documents he sees as necessary to conduct his important duties.

**Aboriginals: federal government apology**

**Mr LANGUILLER** (Derrimut) — My question is to the Minister for Aboriginal Affairs. I refer to the Prime Minister's apology to the stolen generations on Wednesday, 13 February. Can the minister advise the house of Victoria's participation in the apology and other initiatives affecting Victoria's indigenous people?

**Mr WYNNE** (Minister for Aboriginal Affairs) — I thank the member for Derrimut for his continued interest in issues relating to the Aboriginal people in Victoria. As members of the house will be aware, Wednesday, 13 February, was an historic day for Australia. It was the day when our new Prime Minister made his historic and moving apology to the stolen generations. The Victorian government helped to ensure that all Victorians had the opportunity to either attend or to watch the apology. At Federation Square the then Acting Premier, Rob Hulls, chaired a wonderful event attended by in excess of 10 000 people, who witnessed the apology.

Similarly, at the historic home of the Aboriginal people of Victoria, the Aborigines Advancement League, we had a standing room only situation, where in excess of 1200 Aboriginal people attended to watch the event as well. Many Victorian government departments, schools and workplaces also participated in the event. Local governments around Victoria, in their own separate way, paid their respects to the stolen generations.

Yesterday my colleague the member for Lara attended an event at Geelong auspiced by the City of Greater Geelong. I understand the member for Shepparton, the shadow Minister for Aboriginal Affairs, will be attending an event shortly which will be auspiced by the Shepparton City Council. It is an opportunity right for local governments across the state in particular to play their part in respecting the apology and the stolen generations.

It is appropriate that we acknowledge that in 1997 the former government and the Victorian Parliament made a unanimous bipartisan apology to the stolen generations of Aboriginal people. We hope very much to continue that spirit of bipartisanship across this Parliament and with the new shadow Minister for Aboriginal Affairs, the member for Shepparton.

I had the honour of travelling to Canberra to represent this Parliament along with a large group of Victorians from Stolen Generations Victoria. This was of course a very emotional time for those people. The night before the apology I met with the Victorian delegation and delegations from around Australia who had come together at a function prior to the next day's event. It was a time of expectation, a time of hope, a time when people felt that some of that burden would be lifted from them, when the Parliament had the opportunity in a bipartisan way to say, 'We are sorry. We are sorry for the historical wrongs that have been done to the indigenous people of this country'.

I must say that that night before the event was a very moving time. I met many people. I will not forget an 85-year-old man who had travelled all the way from Perth. He stood there and said with tears in his eyes that he had thought he would never see the day when people would acknowledge the hurt that had been done to him and to so many other people who were there that day.

That is a bridge we have now crossed. As a government we will continue on the path of practical reconciliation with our indigenous people here in Victoria. As you know, Speaker, in 2006 we made the biggest single investment ever to assist and support Aboriginal people in the state of Victoria. We changed the state constitution, making sure the first Australians had their place in it. Of course we recently tabled our yearly report on our whole-of-government outcomes for indigenous Victorians, which was a frank assessment of the progress and of the future challenges for indigenous Victorians.

We want to work in partnership. We want to work in partnership with our federal government, which has established some very ambitious goals going forward: to halve the gap in education and employment outcomes for indigenous Australians within 10 years; to halve the gap in infant mortality rates between indigenous and non-indigenous children within 10 years; and to close the life expectancy gap, which is currently 17 years, between indigenous and non-indigenous people within one

generation. You can only do those things if you do them in partnership — a partnership between the Victorian government, the federal government and the indigenous community in Victoria.

We welcome the federal government's focus on indigenous affairs nationally, but particularly here in Victoria, and most particularly in relation to my other portfolio responsibility of housing. Already in Victoria we have afforded 1300 Aboriginal households currently in public housing the opportunity to transfer to an Aboriginal landlord through Aboriginal Housing Victoria, one of our new not-for-profit housing organisations. I am delighted to announce that the Premier has today approved a further \$7.5 million to deliver 30 additional homes for Aboriginal households across Victoria. This will double the acquisitions budget for the Aboriginal housing program, which will be run by the Aboriginal Housing Association, to 60 houses. These new homes will of course be under the direct management of Aboriginal Housing Victoria.

Whether it be in the areas of education, early childhood development, health, justice or housing, we are seeking tangible outcomes in partnership with the Aboriginal people. That is what we are about in Victoria: strong, practical efforts to empower and assist Aboriginal Victorians to overcome historic injustices and disadvantages. Finally, I say that the apology was an excellent start to that.

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

**Mr INGRAM** (Gippsland East) — My question without notice is to the Premier. Given that the majority of Australian states have now expressed their willingness to support the introduction of a national system of beverage container deposits, and that state and overseas experience shows clearly that container deposit systems do not need to harm kerbside recycling, I ask: will the Victorian government support the introduction of a national container deposit legislation scheme when the nation's environment ministers meet to discuss this issue in April?

**Mr BRUMBY** (Premier) — I thank the member for Gippsland East for his question and make the observation that we all aspire to having a better and cleaner environment. I know the member for Gippsland East feels particularly strongly about the issue of container deposit legislation.

Victoria has in place an excellent kerbside recycling system. It is for that reason that we have not

implemented container deposit legislation. In fact 95 per cent of Victorians have access to kerbside recycling, which on my understanding is probably the highest proportion of any state in Australia. The consequence is that we have made remarkable progress in recycling. If you look at the total amount of household waste that is recycled, you will see in the last financial year the figure was 60 per cent of all waste. To put that in context, that is four times higher than it was just over a decade ago, in 1995. All of us in major cities, provincial cities and Melbourne have the bins out the front, and the rubbish is sorted. There has been an extraordinary growth in that level of recycling.

Victoria, along with 500 other state and local governments and private businesses across Australia, is also a signatory to what is called the national packaging covenant (NPC). That NPC is all about further reducing waste, further recycling and further reducing the amount of waste that goes to landfill. I think the national packaging covenant, in conjunction with kerbside recycling, has been spectacularly successful in improving our environment and in keeping our streets cleaner. This year the national packaging covenant comes up for renewal and reconsideration. It will be the subject of discussion by environment ministers both in April and later this year. I understand there is a meeting in November. The advice I have is that if the review which is being undertaken of the national packaging covenant finds that the covenant is unlikely to deliver its objectives going forward, then environment ministers from around Australia will consider a range of alternative economic options in November, which would include container deposit legislation.

We have a system in place. That system generally works well. I am aware that the member has written to me, and I have seen the advertisements in the newspapers, with many organisations supporting container deposit legislation. The issue is really whether those two can coexist and whether that would improve the aggregate level of recycling. I do not think we know the answer to that question yet. It is a matter that environment ministers will discuss at their meeting in April and again in November. Certainly we as a government have an open mind on the issue, but we would need to be convinced by the evidence that container deposit legislation could further assist by providing encouragement and greater levels of recycling in our state.

**Regional and rural Victoria: football and netball clubs**

**Mr HOWARD** (Ballarat East) — My question is to the Minister for Sport, Recreation and Youth Affairs. I refer the minister to the government’s investment in regional communities, and I ask: can the minister update the house on how the country football and netball program continues to revitalise country sporting clubs, and is the minister aware of whether country sport enjoys bipartisan support?

**Mr MERLINO** (Minister for Sport, Recreation and Youth Affairs) — I thank the member for Ballarat East for his question. Both he and his community are very familiar with the country footy and netball program and the thousands of dollars that it has delivered for his electorate and his community. The Brumby government knows that in this time of drought more than ever before sport is playing a crucial role in keeping communities together. Under the country footy and netball program \$6.7 million has already been invested into 195 projects. That is 195 of our country clubs with new change rooms, new clubrooms, new courts and new lights. The flow-on benefits are enormous.

Next Friday night I will be joined by the recently retired Bulldogs champion Chris Grant in Shepparton to officially turn on Deakin Oval’s new set of Australian Football League-standard lighting, which was funded through a Brumby government grant of \$200 000. This will be a great occasion for the north-east, not only for local clubs and leagues that will use that facility but because next Friday night for the very first time we will be able to see an Australian Football League match played live in Shepparton. Thousands of people from the community will be at this historic occasion, and the economic and social benefits will be great. This would not be happening — elite football would not be travelling to Shepparton — if it were not for the Brumby government’s country footy and netball program.

Go anywhere in country Victoria, Speaker, and people will tell you what a tremendous program this is, and The Nationals will also tell you. They claim our facilities:

provide invaluable support to the vital volunteer networks which work so hard to keep our clubs going.

I would agree very much with those sentiments of The Nationals. This support is welcome, but the question is how long it will last. Not everyone is so supportive of the country footy and netball program,

and not everyone is so supportive of country sport in general. In alternative policies put to the people of Victoria there was no mention of continuing the country footy and netball program, just as there was no mention of other popular regionally dedicated programs such as the country action grants scheme or the VicTalent scheme. Who would ignore country Victoria like this? The Liberal Party would ignore country Victoria. It has shown in its policies — —

*Honourable members interjecting.*

**The SPEAKER** — Order! The minister will come back to answering the question without debating it.

**Mr MERLINO** — I will talk about the regional sports assemblies, which play a vital role in country Victoria. Those regional sports assemblies are described as being ‘a remarkable force in generating participation in a wide range of sports’. The Brumby government would endorse the comment that the assemblies are indeed a remarkable force in generating participation in a wide range of sports. Who said that, Speaker? The Nationals said that in relation to regional sports assemblies. At the same time — —

**The SPEAKER** — Order! I ask the minister to answer without debating.

**Mr MERLINO** — I will not mention the assemblies that would be axed and reinvested in the suburbs of Melbourne. Only the Brumby government is steadfast in its support of country sport. We can have a look at just a few projects in the last 12 months: the Brumby government has funded a synthetic bowling green in Nhill, in the member for Lowan’s electorate; a multimillion-dollar pool upgrade in Wodonga, in the electorate of Benambra; and a pavilion upgrade in Fish Creek for the Fish Creek footy and netball club, in the electorate of Gippsland South. The Brumby government is getting on with the job of supporting country sport.

We previously had bipartisan support, but what of the future? This quote will give us an indication:

Maybe we need to be able to compromise a bit for the greater good of being able to present a united front ...

Who would say that? The Leader of The Nationals on the ABC Ballarat *Morning Show* on 19 February.

*Honourable members interjecting.*

**The SPEAKER** — Order! I advise the minister that he has been speaking for more than 5 minutes,

and I ask him to complete his answer without entering into debate on the question.

**Mr MERLINO** — In conclusion, it is clear — —

**An honourable member** interjected.

**Mr MERLINO** — Easy, tiger! It is clear that only the Brumby government can be trusted to continue to deliver for grassroots sport, ensuring we remain the best place to live, work, raise a family and play sport. We will not be cutting country sport, and we will not be compromising.

### **Emergency services: south-western Victoria helicopter**

**Dr NAPHTHINE** (South-West Coast) — My question is to the Premier. I refer to the fact that when 18-year-old Alycia Fowler was seriously injured in a car accident near Warrnambool it took over 8 hours, four different ambulances and six stretcher transfers before she arrived at the Alfred hospital and that when Alycia died three weeks later her doctors said, 'If only she had got here sooner', and I ask: will the Premier explain why his government is refusing to fund a locally based lifesaving emergency helicopter for south-western Victoria which would have only taken 70 minutes to get Alycia to the Alfred and would assist in 180 similar life-and-death cases each year in south-western Victoria?

**Mr BRUMBY** (Premier) — Earlier today the Minister for Health met with representatives of south-western Victoria, the WestVic group. He met with Keith Meerbach, Dominique Fowler and Sara Napier. I was able to join that meeting for the last 5 or 10 minutes briefly to discuss some of those issues, but I understand the meeting between the minister and the group was constructive and that many of the issues raised in the member's question were discussed at the meeting.

I have before indicated to the Parliament and publicly that I have an open mind on this issue. It is an operational issue, and the government has been advised by Air Ambulance Victoria that the helicopter is not warranted at this stage.

**Dr Napthine** interjected.

**Mr BRUMBY** — I am just telling you what the advice is.

**Dr Napthine** interjected.

**The SPEAKER** — Order! I warn the member for South-West Coast.

**Mr BRUMBY** — The member for South-West Coast will also recall that I had a previous meeting last year at Coleraine, again with Mr Meerbach and with Ms Fowler. The government will continue to monitor the situation and we will continue — —

*Honourable members interjecting.*

**The SPEAKER** — Order! I warn the Leader of the Opposition.

**Mr BRUMBY** — We will continue to seek advice from the Metropolitan Ambulance Service (MAS), which is responsible for air ambulance services. Since we have been in government we have expanded our air ambulance services. We have done that on the basis of advice from the MAS. We have a track record of being prepared to act when the call for services is made by the MAS. I might say in relation to the discussions that I had last year and issues raised by Mr Meerbach — —

*Honourable members interjecting.*

**The SPEAKER** — Order! The member for Warrandyte.

**Mr BRUMBY** — There were matters which I promised to raise as a result of that meeting, which I did. As a result of that, at the end of November last year a new adult retrieval service was put in place. Those adult retrievals are now handled by the air ambulance service. The consequence of that is that the service provided to people right across the state will be significantly faster than it has been in the past. I mentioned that today at the meeting, and that initiative has been well received.

As I have said, I continue to have an open mind on this issue. The issue needs to be decided based on evidence. That evidence is provided and analysed for us by Air Ambulance Victoria, and its view at this point in time is that the helicopter is not warranted.

### **Neighbourhood Justice Centre: achievements**

**Mr NARDELLA** (Melton) — My question is to the Attorney-General. Can the Attorney-General inform the house how Australia's first Neighbourhood Justice Centre is improving access to justice and of community reaction to the centre?

**Mr HULLS** (Attorney-General) — I am very happy to report to this house that the Neighbourhood

Justice Centre in Collingwood will celebrate its first anniversary on 8 March of this year, which is a very exciting anniversary to celebrate. As members would know, the Neighbourhood Justice Centre was indeed the first of its kind in Australia and was based on the very successful Red Hook Community Justice Center in the USA and also the North Liverpool Community Justice Centre in the UK.

The Neighbourhood Justice Centre operates as a modern court with a single magistrate. As anyone who has taken the opportunity to look at the centre will know, it has a whole range of on-site services in the facility, such as legal aid, victim services and referral and support services in the areas of housing, drugs and alcohol, and mental health. These services mean that not only can many community justice issues be identified and acted upon before they reach the stage of going to court, but once they are in court the underlying causes of crime and also the needs of victims and defendants can be addressed in a much more holistic way. Ultimately as a government we believe this will reduce recidivism rates and offending more generally.

Importantly we believe access to justice is improved by the Neighbourhood Justice Centre. Local solutions are being sought for local problems. While the Neighbourhood Justice Centre is a three-year pilot, I expect it would be hard to fathom anyone having a problem with the trialling of this very progressive and cost-effective means of administering justice, which has proven to be a great success not just here but right around the world.

Going to the second part of the member's question, I am pleased to say there was overwhelming community support for the project when a bill was introduced in this place to establish the Neighbourhood Justice Centre. In fact at the time the Leader of The Nationals said the centre was a very interesting concept and was worthy of support. I know the member for Shepparton indicated likewise. The Leader of The Nationals indicated that although he was a bit sceptical to start with, he was supportive of the project.

**Mr Ryan** — On a point of order, Speaker — —

**The SPEAKER** — Order! I will anticipate the point of order and apologise for not bringing the Deputy Premier back and ask him to cease debating the question. The Deputy Premier to continue, but without debate.

**Mr HULLS** — As you know, Speaker, I am dealing with the second part of the question, which concerned community reaction to the proposal to establish the Neighbourhood Justice Centre. I am just complimenting the Leader of The Nationals on his support. Most members of the public, particularly locals, were fully behind the centre. I know the honourable member for Richmond conducted a whole range of community meetings in relation to the centre, and there was a lot of support. It is true that there were sceptics in the community who did not at the time support the concept of therapeutic jurisprudence, therapeutic justice and the Neighbourhood Justice Centre and who no doubt still do not support it. In fact one community member had the audacity to condemn the proposal as an apartheid justice system. I remind members that apartheid is a social policy involving racial segregation, so it seems to me that such terminology in relation to the Neighbourhood Justice Centre is outrageous and offensive, and indeed shows a failure to understand the community concept of a Neighbourhood Justice Centre.

**An honourable member** interjected.

**Mr HULLS** — I was asked — and I do not take up interjections — who it was that described the Neighbourhood Justice Centre as an apartheid justice system. It was the member for South-West Coast. But he was not alone, Speaker; the Leader of the Opposition also opposed the centre.

**The SPEAKER** — Order! The Deputy Premier, without debate.

**Mr HULLS** — Since the Neighbourhood Justice Centre opened in March 2007, it has dealt with more than 1200 matters in the Children's Court, the Magistrates Court, the Victims of Crime Tribunal and also the Victorian Civil and Administrative Tribunal. The centre is changing the way government agencies deal with disputes. For example, it is developing mediation programs for housing workers in the city of Yarra and dealing with very complex tenancy and neighbourhoods issues.

Preventive work is also the focus of the Neighbourhood Justice Centre. It is involved in the Sudanese youth justice project to empower the Sudanese community to respond to their young people being identified by police as at risk of offending. These are fantastic programs and they are making a real difference to people in the city of Yarra. They have the full support of the community in the municipality.

I conclude on this note: we on this side of the house are absolutely united in our support for the Neighbourhood Justice Centre. We are different from those opposite, who are divided on this and many other issues, whether it be the water plan, channel deepening or improving access to justice.

## ANNUAL STATEMENT OF GOVERNMENT INTENTIONS

**Debate resumed from 27 February.**

**Ms NEVILLE** (Minister for Mental Health) — I was speaking last night before the adjournment about the priorities that are outlined in the Premier's very ambitious forward agenda. I spoke about how these priorities will continue to deliver for all Victorians, especially vulnerable Victorians, right across the board. I spoke about the way the government has delivered in my own electorate of Bellarine and said that the agenda we have outlined in the statement of government intentions will help continue to deliver for the communities like Bellarine. I also spoke a bit about the importance of this agenda and how it will continue to contribute to building stronger families and communities in Victoria, a really key priority that the Premier outlined when he delivered to the Parliament the government's statement of intentions.

Some of the strategies outlined in the statement will continue to deliver in the areas of education and early childhood development and in creating a much fairer Victoria. We will be doing this through things such as new laws to tackle public drunkenness and violence. As I said last night, we have made substantial inroads into this area, but we have highlighted the need to continue the work. We are also amending legislation to reflect our strong commitment to give every child a great start in life. The government is committed to increasing the opportunities for those who are disadvantaged, and it will do whatever it takes to tackle these serious social issues and to find solutions.

I am proud to support the government's statement of intentions.

**Mr NORTHE** (Morwell) — It gives me great pleasure to make a contribution to the debate on the annual statement of government intentions. The main focus of section 1 at page 5 of the document is an integrated approach to education, and I will touch on it briefly. The intent of the government to look at education as a main priority is a noble thought — and I agree with it — but there is more to be done. Given

the fact of the teachers strike, which is going ahead as we speak and much is being made about it in the media at this time, we can only hope for a positive outcome, because our students will not have schools to go to if it continues.

Another thing on education I would like to mention quickly is the issue of retention rates in rural schools. The Nationals have instigated an inquiry into the rates of Victorian students participating in higher education in different geographical areas. It is great to see that the Education and Training Committee has taken up the terms of reference on this issue.

Section 2 at page 8 is about preventive health care. I could spend considerable time debating health care, but I want to raise a couple of particular issues which are relevant to my electorate. Firstly, I refer to dental care and the waiting lists. If you sit back and reflect on the figures, you will see they are quite abhorrent. The figures given to me in July 2006 showed that the general-care waiting times for dental were an incredible 65 months — and that is not an error. At that time the average waiting time statewide was 26 months, which was bad enough. A waiting time of 65 months is abhorrent. During that same period the waiting time for denture care was close to 40 months. It is terrible news for those in Gippsland, particularly in my electorate of Morwell. Of course, as a consequence of that, I have had many people come through my door concerned about the waiting lists.

I must confess that since that time the waiting lists have reduced somewhat. The Latrobe Community Health Service has been able to employ full-time dentists and its chairs have been filled, so we have made some inroads into those waiting lists. However, the problem is the recruitment into and retention of dentists in regional areas. Unfortunately, over a period of time the facilities in Moe and Churchill have had difficulty in retaining dentists. At this time the Latrobe Community Health Service is advertising for a senior full-time dentist for its practice. It also has a dentist on extended sick leave, and that is a contributing factor to some of those results.

On page 11, section 3 of the booklet refers to supporting A Fairer Victoria, and it makes reference to 'giving people with a disability more personalised and accessible support'. This issue was raised in the house yesterday. In terms of my electorate, the Gippsland Carers Association has been a long and strong advocate for getting a fairer share for carers and those with a disability. It was good to see that the terms of reference for the Family and Community

Development Committee that were debated in this house yesterday will assist in that regard.

I also want to make just quick mention of the Latrobe Regional Hospital and the statistics that relate to the Morwell electorate. It has been well acknowledged in this house that admissions to regional hospitals are ever increasing. If you compare the figures for the first half of 2007 with the figures for the first half of 2006, you see there was actually an increase in presentations of 10 per cent — in excess of 1200 people. In that time the number of presentations at the emergency department had increased by 4.9 per cent — 620 people. Most concerning to me is that the number of non-admitted patients with a length of stay less than 4 hours has actually gone from 85 per cent down to 79 per cent in 12 months, and the figure continues to decline.

The number of triage category 3 patients seen within 30 minutes had declined from 88 per cent in June 2006 back to 82 per cent 12 months later. Again, that is a decline which is a great concern for the local community. The number of those admitted to a bed within 8 hours had reduced from 80 per cent in 2006 to 73 per cent in 2007. There is obviously something inherently wrong with our system, given that we are not able to keep those figures at least static or improve them. I know that the health minister is aware of the continuing problems that we have with our health system in Gippsland, but it needs action, and we hope that the government will support that.

The third major issue in our local community does not appear to be addressed in the reference, and that is public housing. In particular, just within the last 12 months in Morwell we have seen that the number of those seeking early housing and those who are at most risk of homelessness has risen by 96 per cent. That is a horrendous figure, and it is just getting worse as the figures come out each quarter. The wait-turn waiting list has increased by 48 per cent, or 152, in just 12 months. I have written to the Minister for Housing on many occasions asking how the government intends to address these issues, but unfortunately I have not had a satisfactory response at this point in time. Those three major issues — health, dental health and public housing — are issues the government needs to address in our area.

I want to quickly make mention of section 4.3 on page 19, which deals with road safety legislation. I give credit to the government for taking up some of The Nationals policies on that and also I commend particular elements of the Arrive Alive campaign. Another tick of approval goes to the government for

taking up the issue of body piercing and tattooing, which I know is a matter the member for Shepparton raised. One other matter I commend the government on is the regional hearings. I am sure you will confirm, Acting Speaker, that that is a positive initiative that is well embraced by the local communities.

The Attorney-General in his contribution made reference to the consultation process adopted by the government to give the community and the general public an opportunity to contribute to policies and to take some interest within the policies as they are developed. This does occur in some situations, and I give the example of the Traralgon bypass inquiry, where the public and interested parties had the opportunity to contribute and to provide evidence as to what the proposed route might be. That is all very well and good, but the problem is that none of the local expertise and evidence was taken into consideration. It was totally ignored when that decision was made. That continues to be a process that is handled absolutely appallingly, and the local community is still suffering the consequences of that. The government should continue giving people the opportunity to contribute to policies and to the development of those policies, but in the end the government must make sure that it listens to local expertise in particular in that regard.

Section 6 on page 22 talks about making the community safer. We have all spoken about police statistics and crime statistics over a period of time, but while I have the opportunity I will just say quickly that the assault rate in our community has actually risen. The overall crime rate might have reduced, but the assaults — which have been very much at the forefront of debate in this house and in the media — have risen overall in our community. I think it has been demonstrated over a period of time in my local community that when there is a police presence, the incidence of assaults and crime has been reduced. I ask the government to have a look at the 350 additional police that it promised through the budget and to let us know where they are going to be. Put them at the forefront and put them on the beat to improve community safety, which is the expectation of our local community.

Section 11 on page 39 talks about water supply. I will talk very quickly on the Gippsland Water Factory, which is a major project within my electorate. The state government contributed \$50 million to this \$174 million project, the problem being that the ratepayers have to pick up the rest of that money, which is \$124 million. I cannot believe

that a government that receives so much funding from the water authorities can see fit to contribute only \$50 million to that particular project. Therefore, the ratepayers are picking up the remainder of that, and I would like to see an easing of the burden there.

**Ms RICHARDSON** (Northcote) — I am very pleased to have this opportunity to speak on the statement of government intentions. It is a first for Victoria and a first for Australia — which is of significance in itself — but most importantly it provides a statement of what our Premier stands for and what the Labor government he leads stands for.

The Brumby Labor government believes in quality health care and in the importance of providing the best education for our kids. The Brumby Labor government believes we need infrastructure developments to keep our economy strong so that Victoria continues to enjoy record jobs growth. The Brumby Labor government believes in governing for the whole of the state to ensure service provision is not dependent on a person's postcode. And the Brumby Labor government believes that delivering on services to all Victorians is a fundamental test of every state government — a test that we must continue to set ourselves and to pass well in order to win the support of all Victorians.

In contrast, our Liberal-National coalition opponents stand for something fundamentally different from what Labor stands for, and we have seen this in their record in government. I am reminded of a theme referred to by the member for Doncaster in her contribution to this debate when she said that words mean little and it is action that counts. How very true. If only she would actually apply this to herself and to her colleagues. Let me do it for them. Their actions when in government revealed that they believe in slashing teacher numbers and selling state schools, and — in the case of the Leader of the Opposition — profiting from the sale of our state schools. To this day they still see nothing wrong with that — and here is the proof. I have an advertisement that was taken out by Baillieu Knight Frank. It says in the title that 48 schools and education centre sites are for sale. There he is, the then leader of the Liberal Party — he was president at the time — and now Leader of the Opposition, selling our schools.

Members opposite also believe in cutting the health budget to the point of crisis, closing hospitals and slashing the number of health professionals caring for Victorians. They believe in slashing police numbers and closing police stations across the state. They also believe in removing other vital services like country

rail lines. But in their response to the statement of government intentions they have tried desperately to deny this record. They have never once referred to their actions while in government. It is true to say that they basically drip falsehood after falsehood in respect to what they truly stand for, and there are a couple of stand-out statements they made that I would like to highlight that illustrate this point.

The member for Scoresby said, 'We on this side of the house are strong supporters of the Auditor-General'. That seems a little odd to me, because was it not the Auditor-General they sacked when they were in government?

When he was speaking on the state government the member for Gippsland South stated that it has to govern to unite communities and not divide them. Again, I find that rather odd, given that the member and his party voted 1150 times with the Liberals to close state schools, country police stations, country hospitals and rail lines. How is that about uniting communities?

Yesterday, what did the Leader of The Nationals do about this particular damning record that was presented before him? Did the member deny the closures? No, he did not. Did the member apologise to country Victorians? No, he did not. The member merely sought to clarify the number of times he had actually voted with the Liberals. He said that it was actually only 750 times that he had voted with the Liberal Party when they were in government together. He voted each time to betray country Victorians, and that was true. I am glad he put the record straight; 750 times by his own count, and he is still not prepared to apologise to country Victorians.

All in all we have had a pretty appalling response from members opposite with respect to the statement of government intentions. Recently, when I was speaking to a Liberal Party member about this lame effort from members opposite he made two comments that stood out in my mind. The first was the constant reference, even now, to the Leader of the Opposition as 'Cottee's: rich and thick'. We know this has been the member for Hawthorn's nickname for a number of years in Liberal Party ranks, but I see that it is enjoying a bit of resurgence of late.

The second comment that stood out was that the Leader of the Opposition is in trouble because he is more comfortable on the polo field than talking to parents in a playground or patients in a public hospital. Having thought about that, and thinking about polo in general, brought to mind a great

Australian poem by a great Australian poet who penned the poem *The Geebung Polo Club*. When I read this poem it seemed as if Banjo Paterson was peering into the future, making comments on recent events and talking specifically about the Leader of the Opposition when he wrote:

It was somewhere down the country, in a city's smoke and steam,  
That a polo club existed, called the Cuff and Collar Team.

Or more rightly, Baillieu's Cuff and Collar Team:

As a social institution 'twas a marvellous success,  
For the members were distinguished by exclusiveness and dress.  
They had natty little ponies that were nice, and smooth,  
and sleek,  
For their cultivated owners only rode 'em once a week.

Now we get to recent events:

So they started up the country in pursuit of sport and fame,  
For they meant to show the Geebung how they ought to play the game;  
And they took their valets with them — just to give their boots a rub  
Ere they started operations on the Geebung Polo Club.

Those familiar with the rest of the poem will recall that the two teams go head to head, they take polo incredibly seriously, and they fight it out to the death. But of course when Baillieu's Cuff and Collar Team headed out to the country, it did not find a robust opponent to do battle with; it found instead the Leader of The Nationals waving a white flag. There he was, so very willing to jump back in the saddle and surrender once again to the big city slicker in a nice white car. The chance to be a member of Baillieu's Cuff and Collar Team was just too irresistible. There was no need to worry about the Leader of The Nationals asking for the Deputy Leader of the Opposition's position. All he will ask for every now and again is for his boots to be given a bit of a rub by the valet.

There is another little sad story that is worthy of being told. Both The Nationals and the Liberals truly know what they think of each other. When they are so busy patting each other on the back in coalition, it is merely to find the soft spots to stick the knife in. But they will do anything for that chance of power, anything at all.

We know the Liberals regard The Nationals as irrelevant, describing them as from the backwater, country bumpkins, easily silenced, easily seduced by the prospect of power, and ready to lay down the lives of others in order to progress their own. But

members should not take my word for what the Liberals think. I have comments from their own mouths which were made at the last state election, which was just a few months ago. A Liberal Party advertisement in the *Country News* of Monday, 20 November 2006, states:

Fact: ...

The truth is it's been over 54 years since the National Party (Country Party) had any relevance in Victorian politics ...

That was for the last state election.

The Liberals have watched with glee the steady decline of The Nationals over the years, and now they have committed an act to accelerate that process, and the leaders of The Nationals, to their shame, know it. It reminds me of the sequence in the American film *Independence Day* when the President is talking to a captured alien and asks, 'What do you want me to do?', and of course the alien, and in this case it would be a Liberal, comes back and says, 'We just want you to die'. That is basically what the Liberal Party's view is with respect to The Nationals: 'We just want you to die'. What better way is there to do that than signing up with a political party who regards country Victorians with disdain and has a record in government supporting this fact; a party which challenged the very basis of the existence of The Nationals, which is standing up for country Victorians — and it will do it all with a glass of champagne in one hand and a bloody great dagger in the other.

In conclusion, I congratulate the Premier for making his statement of government intentions, for standing up for all Victorians, for standing up for what matters and for continuing to make Victoria the best place to live, work and raise a family.

**Mr HODGETT** (Kilsyth) — I rise to respond to the statement of government intentions and say from the outset how disappointed I am with Prince John's abysmal statement. What a day it was for the Premier. It was so he could swan around in his attempt to take the parliamentary spotlight, with the alliance of protesters converging on the opening of the state Parliament, united in their anger towards one man: the Premier.

That once again showed the extent of the anger across the community about the Brumby government's arrogance and refusal to consult. The common message was being espoused that the Premier had stopped listening to his own community. The media reports stated that this was a dangerous

thing for a politician who had inherited power and christened himself a decisive leader. But John Boy was not about to let the protesters spoil the government's first sitting day of the year. To avoid them he made a last minute dash to visit a kindergarten in Carlton. It gave him the excuse to be unavailable to address the protesters on the steps of Parliament House. The Premier must have retreated to his office to reflect and say, 'Wouldn't it be nice if I could simply press 'Ctrl+Alt+Delete' and start again?'

The Premier never listens; he has never listened, and he is not listening now. Ask his own backbenchers, who said in relation to the genetically modified food decision that they were disgusted in the decision. One Labor backbencher said she was devastated Labor backbenchers were given no say in the decision, and was angry that the Victorian Farmers Federation had been told before MPs. Is this an open and transparent Premier — more democratic, more accessible — or does he display an aggressive, confrontational, crash-through style of leadership?

I will now turn to the content of the statement, or more accurately to the lack of content. Members should listen to this. On the opening pages of the statement is the Premier's message commencing with a commitment to increase accessibility and accountability and to:

finding new ways to engage the public, be accountable and strengthen the trust the community places

in government. He then invites all Victorians to join 'the increased consultation opportunities the government is offering'. What an absolute joke! It is laughable. The Premier's commitment to this statement is laughable. His actions and his words are incongruous.

Then we have the message from the Deputy Premier. In 'Prince John's' *February 2008 Annual Statement of Government Intentions — Delivering for Victoria* the Deputy Premier states:

Some of the bills outlined in this statement will not be brought before Parliament until 2009.

Wearing his hat as the Minister for Racing, the Deputy Premier wants an each-way bet. He is saying, 'Look, this is what we would like to get through this year. This is what I think we can do, but I am not really sure. It is the accidental Premier's first run; he has been out in the paddock over Christmas. It is a new track in the sense that we have never done things this way before and we are certainly not good at

getting things done on time and on budget. I will slip in an each-way bet and say, 'Hey, what the heck!. If we do not get it all done this year, we will just bring it in 2009'. The Deputy Premier might say, 'How good am I? I will already have the 2009 statement of government intentions half-written before the end of the year'.

It will be like the Lilydale super-clinic. The government has announced the Lilydale super-clinic in the past four budgets. The very capable member for Evelyn and I are looking forward to it being trotted out again in this budget. Lilydale will then have five super-clinics, but no-one will be able to find the other four.

On page 30 of the annual statement I note the government's intention relating to tattooing and body piercing. On 17 April 2007 I raised the matter of body piercing in the adjournment debate. I wrote to the Minister for Children and Early Childhood Development, to the Attorney-General, to the Minister for Sport, Recreation and Youth Affairs and to the Minister for Health. At the time I called for legislation requiring mandatory parental consent for minors wishing to have body piercing. I said that legislation would flush out the operators who do not apply restrictions and would ensure children are protected from the risk of serious infection, scarring and other health implications.

At that time I said that parental consent ensures parents are involved in this decision-making process; that it can prevent spur-of-the-moment decisions, and can reduce peer pressure. Finally I said at the time that it allows for inspection of premises, allows for discussion on the placement of piercing and offers a period of time for people to think about it. The government should acknowledge this gap in legislation, review the law and make it illegal for children under 18 to receive body piercing without formal parental consent or parental presence. At the time I asked the government to support a common-sense approach to protecting the health and wellbeing of our young people. That was back on 17 April 2007.

As we have heard in the debate on the annual statement of government intentions, the member for Shepparton also raised this issue with the Attorney-General and with the Minister for Health some three years ago. The Nationals introduced a private member's bill in the house in July last year to make it illegal for people to tattoo young people under the age of 18 without parental consent, and the government continues to delay it. While it is delaying

the matter children are still having their bodies pierced and are at risk of infection, injury and scarring. The government has to stop talking about it and bring in the legislation. I will give it a tip: it will probably have a speedy passage through the Parliament.

I now turn to local government. Where is the support for local government? Back on 6 February the Auditor-General's report into local government entitled *Results of the 2006–07 Audits* on local government finances and performances was released. It shows the extent that local government is having to go to in order to fill the financial gap left by the Brumby government. The only option is for councils to put up rates continually. They are being forced to do this by a state Labor government that is continually cutting into the real grants it gives to local government in Victoria, and while it shifts more and more of the costs of running communities to local government — —

**Mr Wynne** interjected.

**Mr HODGETT** — I am pleased the minister is here to listen to this part of my contribution. Local governments are too cash-strapped to maintain local assets such as roads and bridges. This is simply a Labor-made time bomb waiting to go off as these assets rapidly deteriorate. Ratepayers can expect more of the same as the Brumby government increasingly shirks its responsibility to properly finance local government on a sustainable basis. It is about time the Brumby government stopped dismissing the cost-shifting reality and gave local governments a proper share of resources to ease the pressure they face. Where is the mention of local governments' ability to fight against executive intervention on their planning decisions? And what about the cost shifting to local government of the cost of maintenance of local roads and bridges, and the important issues of governance, democracy and accountability? The government should stop the cost shifting and pay local governments for the services they provide.

The government should leave local government planning powers alone. I believe the strength of planning lies in local communities having input to planning what happens in their local area. We support the community's role in the planning process, and we support local communities having a say in what is put in their local municipalities. In relation to gaming machines local communities should have a say about where pokies go in the community.

In the time I have left I will quickly mention public housing. The Minister for Housing's claim that Victorian public waiting lists remained stable in the December quarter is incorrect. Public housing waiting list figures released back in February reveal there are 34 872 families waiting for public housing in Victoria, an additional 231 families since September last year. Of even greater concern are the 7291 families on the early housing waiting list, which increased by 135 families in the quarter. These families are at risk of recurring homelessness, or coping with a disability or special housing need. I ask the minister to do something about that even though it is not in the government's statement of intention.

In conclusion, Victorians deserve better than a government which is splitting communities with its divisive policies and arrogant refusal to listen to people with genuine concerns. I am proud to be working closely, as two independent parties in coalition, to hold this government to account on its broken promises and flawed policies. The government should not mistake activity for achievement. It should not be soft on crime; it should be tough on crime. It should not neglect victims; it should support victims. It should stop appointing its Labor mates to the bench and start appointing judges on merit, and it should cease the secrets and cover-up of corruption and abuse of office, and introduce an independent broadbased anticorruption commission.

**Mr WYNNE** (Minister for Local Government) — I rise to support the excellent initiative by the Premier in his statement of intentions for the forthcoming parliamentary year. This is the first time this particular initiative has been undertaken, and it has been very warmly welcomed by the community.

Opposition members can seek to take a few cheap shots if they want, and I will take up some of the points made by the member for Kilsyth as I proceed through my contribution today. From the point of view of the government I think this is an excellent landscape within which the Parliament can both respond to the government's legislative intent and indeed be very clear about the program going forward for the 2008 parliamentary year. I regard this as a really excellent initiative and one that ought be supported across both sides of the house.

From the point of view of my portfolio it is clear the area of most significance to me is the section entitled 'Making government more accountable', which pertains particularly to local government. As members are aware, in November this year for the

first time in the state's history all 79 Victorian councils will go to the polls on the same date and will be elected for four-year terms. This will be an historic event. As we know, local government is the level of government closest to the people; and the most direct and intimate government relationship is the relationship between constituents and their local authorities. I have spoken in the house before about the intimacy of that relationship, particularly in times of crisis. As we have seen over the last 12 months with the bushfires, floods and of course the drought, people reach out to their councils for leadership and a continued level of support — and local government has stood tall on all of those occasions.

There is also an opportunity to address some longstanding issues in the governance arrangements of local government, and in the year ahead the government will therefore be introducing a local government councillor conduct bill. The bill will do a number of things. It will give candidates at future council elections a clearer picture of their rights and responsibilities if they are elected, it will update a number of key governance processes that will operate within all councils and it will clarify arrangements regarding allowances paid to councillors. As members of the house will be aware, the matter of allowances has been canvassed by an independent panel, which has gone around and talked to local governments —

**Mr Hodgett** interjected.

**Mr WYNNE** — The member for Kilsyth ought to restrain himself a bit. If he had listened, he would know that I indicated that the panel sought some extra time to review its situation. The panel has now reported to me, and the government is considering its report. In keeping with our commitment to working with local government, detailed proposals will be developed after consultation and review.

To encourage that further consultation, in November I released a discussion paper entitled *Better Local Governance*. That discussion paper invited feedback on ways in which we could address issues such as councillor conduct, and of course conflicts of interest. Submissions in response to the paper are due at the end of this month — in the next couple of days.

In relation to the question of councillor conduct, it is my personal observation from my own experience in local government that the overwhelming majority of councillors are hard-working individuals who are dedicated to their local communities. But the

government also recognises that there are concerns about the conduct of a small number of councillors and that existing arrangements have not always proved to be entirely adequate. For that reason, during the 2006 election we committed to establishing a body that would address issues of councillor conduct and councillor disputes. Councils themselves are often concerned about the actions of some members which ultimately bring discredit not only to the councils themselves but to the broader local government community.

While all councils have codes of conduct, many have commented that they cannot effectively enforce those codes. The discussion paper therefore proposes a new two-level arrangement. This would mean that local councillor conduct panels would support councillor codes of conduct and that the Victorian Civil and Administrative Tribunal (VCAT) would be empowered to deal with cases of serious misconduct by councillors. Councillor conduct panels would be able to insist on mediation or training for councillors. They would also have the power to demand a public apology or that a councillor should take a period of up to two months leave of absence. VCAT would also be able, in extreme circumstances, to suspend a councillor for up to six months or disqualify a councillor for up to four years. Preliminary feedback from the community and from the local government sector on these new arrangements appears very favourable. Naturally the final details of the legislation will be developed following a review of submissions, which close in the next couple of days.

Last year's discussion paper also sought comments about better ways of dealing with the issue of conflict of interest. It is essential that communities have confidence that their elected councillors are acting in the public interest, uninfluenced by their own personal interest. It is worth noting that local government councillors are in a unique position as elected members. They regularly make significant decisions that directly affect the rights and legitimate expectations of the broader community. As a result there is significant scope for conflicts between personal and public interest to impact on decision making. As the house will know, in 2004 some changes were made to the Local Government Act that extended the scope of the term 'conflict of interest' beyond just financial interests. However, the core provisions of the current Local Government Act are still based on the previous 1958 Local Government Act. There is good reason of course to update many of these provisions so they better reflect modern community expectations of local government and of public office more generally.

The Victorian Ombudsman has also advised me that he is separately undertaking an own-motion investigation into conflict of interest in local government and that he will be tabling his report in Parliament in, I think, March, according to the current schedule. I certainly will be giving careful consideration to how the public interest can best be served by legislative reform in this area and look forward to the Ombudsman's report on these matters. Our final legislative response will therefore be developed after the close of submissions on the *Better Local Governance* discussion paper and will be fully cognisant of the findings of the Ombudsman as well.

I have canvassed the question of local government allowances. As I indicated in my introduction, the panel has now reported to me, and the government is considering that panel's report. I would hope to be in a position in the next few weeks to advise further as to the government's deliberations in relation to allowances for councillors, but I indicate to the house that we are interested in the question of not only allowances but also what I would call the 'toolbox' of supports that should be made available to councillors to allow them to get on with their work in a proper and professional manner. All of these outstanding issues of course are being brought together in an attempt to resolve many of them prior to the 2008 elections.

In relation to the member for Kilsyth's intervention on the topic of the Auditor-General's report around the funding of local government — indeed I welcome the shadow minister to this debate today — he more than others would know that in many circumstances the financial assistance from the state and state government grants to local government amount to up to half of the total revenue of some small regional councils. These are serious issues for regional councils. The Auditor-General indicated in his report that he felt three councils were under some financial stress. There were a further 19 councils that needed to be closely monitored. In that context both Local Government Victoria and the Municipal Association of Victoria through earlier work indicated that this was the same set of councils.

We need to do further work with the new commonwealth government and indicate to it that financial assistance grants are absolutely fundamental, particularly to regional councils to ensure their long-term viability. They are losing population; they have limited capacity to raise revenue; and of course in the context of this prolonged drought these are very difficult challenges

for those smaller councils. I am off to talk to the federal Minister for Local Government, Territories and Roads in a few weeks time. I can assure the house that I will be continuing to prosecute the case in relation to financial assistance grants to ensure that Victoria continues to get its fair share and not what it got from the previous government.

**Debate adjourned on motion of Mr THOMPSON (Sandringham).**

**Debate adjourned until later this day.**

## PROFESSIONAL BOXING AND COMBAT SPORTS AMENDMENT BILL

*Second reading*

**Debate resumed from earlier this day; motion of Mr MERLINO (Minister for Sport, Recreation and Youth Affairs).**

**Mr MERLINO** (Minister for Sport, Recreation and Youth Affairs) — I am pleased to sum up the debate on the Professional Boxing and Combat Sports Amendment Bill. Firstly, I would like to thank all of the speakers who have made a contribution to this debate — the members for Lowan, Mill Park, Bulleen, Geelong, Evelyn, Williamstown, Morwell, Macedon, Keilor, Bayswater, Clayton, Sandringham, Cranbourne and Hastings. I would also thank members of this house for their support for the bill itself.

The bill will strengthen the Professional Boxing and Combat Sports Act in relation to control of the industry, safety, and reducing the risk of malpractice. It will clarify the roles and responsibilities of the minister and the Professional Boxing and Combat Sports Board under the act. It will do this in a number of ways, enabling the board to suspend or cancel a contestant's registration if the board considers they do not have the required skills.

The bill requires the board to keep a list of persons who may act as timekeepers. It will transfer powers, and that was supported by a number of speakers. It will enable the minister to give directions to the board and require the board to comply. It will allow the board to suspend or cancel a registration, licence or permit if the conditions are not complied with.

I want to quickly just answer a few of the queries raised during the debate. The member for Lowan asked how the skills of contestants from overseas will be assessed. Contestants must be evenly

matched for a permit to be issued to conduct a promotion. Matchmaking is required to be done by a licensed matchmaker. The board checks each fighter's record and seeks other information from the licensing body if needed. Overseas contestants are required to register in Victoria prior to competing. The bill gives the board the power to suspend or cancel the registration of an overseas contestant if they demonstrate poor skills in the ring.

The member for Morwell raised a similar issue about the skills of interstate contestants. In this case the board goes through a similar process of checking records and drawing on industry knowledge. Interstate contestants do not normally need to register in Victoria but require a clearance from their home authority. However, if the board had concerns regarding an interstate contestant, it could deny the person recognition of his or her registration interstate under the existing section 10(3) of the act. This would in effect require the person to seek registration in Victoria where they would have to satisfy the new prerequisites regarding skills. Previously, if there were concerns about an interstate contestant, all the board could do was require the contestant to register, and that was just about passing a medical examination. Now they have to go through a skills test.

There was also a query about blood testing of interstate contestants. All interstate contestants are required to have a clearance from the state where they are registered, including confirmation that their blood tests are up to date, before they can compete in Victoria.

The member for Evelyn asked if skill requirements are quantitative or subjective. The board's assessment of the skills of contestants using the criteria listed in new section 10B(5) will involve an element of judgement, which the board is well qualified to make. I note that many of the members who contributed to this debate acknowledged the skills and ability of the board to make those assessments. The board will document its assessment against the criteria. If a contestant is found not to have adequate skills the board must cancel or suspend his or her registration. The board will give the contestant written notice, and the contestant will have a right of appeal to the Victorian Civil and Administrative Tribunal.

The member for Bayswater advocated consideration of requirements for headgear in professional boxing in the future. A requirement to wear headgear in professional boxing and combat sports would put

Victoria out of step with rest of the world. Contests would not be recognised by the bodies that control international boxing and issue rankings.

I get to the main part of the debate from the opposition's point of view, and that is the proposed amendment regarding the banning of cage fighting. It was acknowledged by the members for Lowan and Bulleen that I agree with their sentiments; I think we have exactly the same point of view in relation to cage fighting. But it is my view, given the provisions of the act and this bill, the amendment is not necessary because the minister already has the power under section 5 of the act to determine which sports and activities will be combat sports for the purposes of the act. Any activities outside the control of the act are illegal.

I have already announced, as has the Premier, that there will be no cage fighting under the act in Victoria. The board has been advised of this decision. There is agreement from members and the government that cage fighting is not an appropriate event for this state. Both the existing act and the bill that is being proposed before this Parliament provide the necessary authority to ensure that that happens. Indeed that is what we have done.

The bill gives the minister the power to direct the board and requires the board to comply. For those reasons the government will not be supporting the amendment proposed by the member for Lowan. We have already stated absolutely and categorically that cage fighting has no place in Victoria. It will not happen, and the legislation provides the necessary authority to ensure that it does not happen.

With those comments I again thank all members for their contributions and commend the bill to the house.

**Motion agreed to.**

**Read second time.**

*Consideration in detail*

**Clauses 1 to 3 agreed to.**

**Clause 4**

**Mr DELAHUNTY (Lowan) — I move:**

1. Clause 4, after line 20, insert—

“‘*cage fighting*’ means no-holds-barred mixed martial arts fighting that—

- (a) allows each contestant to kick, punch, choke and knee the other contestant; and
- (b) is conducted in a cage or other similar enclosed structure;’.

**Mr DELAHUNTY** — The minister has given his reasons for believing that the proposed amendments do not need to be supported, but I can remember years ago a former Prime Minister saying that tax breaks will be l-a-w, law. Given that the minister says that that is his sentiment and the Premier’s sentiment and the sentiment of all members of this house, why do we not put it into black-letter law? That is why we are pushing for it.

The minister made a decision last year and said in a press release on 21 December that he would ban cage boxing, but as we know, ministers change; governments change. We know that lobbying from promoters and from television companies and the like will be enormous. They know they can, and they will try to turn this minister around — and particularly to turn this government around — by saying, ‘This is a very popular sport overseas at the moment. It is popular on Foxtel. We would like to be able to promote it in Victoria’.

The state government has not been so good in relation to major events. People could come and say, ‘We will put on a major event like this in Victoria. It is happening in New South Wales, in Western Australia and in Queensland’. There is no doubt that enormous pressure will be put on this minister and this government to allow cage boxing to happen in Victoria. We are saying that if you put it into the legislation the minister can easily say to these promoters and television companies, ‘I do not mind. I will change my mind, but I will have to change the mind of the whole Parliament — the 88 members in this house and the 40 in the other house — to be able to change the law that bans cage boxing’.

Cage boxing is no-holds-barred mixed martial arts fighting that allows each contestant to kick, punch, choke, knee — or anything like that — another contestant. It is held in a cage, and it is just barbaric in a lot of ways. This legislation needs to be strengthened. We agree with the sentiments of the bill. We think it is common-sense stuff that gives the board more powers, et cetera, but we think it would also be common-sense legislation to include a provision that cage boxing will not be allowed here in Victoria. I call on the other members of this Parliament to support my amendment.

**Mr KOTSIRAS** (Bulleen) — Firstly, I ask the minister whether he has received advice on whether a promoter can take legal action against the board for restricting trade if the banning of cage fighting is not spelt out in legislation. Has there been any legal advice to the minister on whether someone could take legal action against this government?

Secondly, the minister said that he has written to the board. I ask whether it is possible for the minister to make that letter available to the Parliament so we can actually see what was said in the letter from the minister.

**Mr MERLINO** (Minister for Sport, Recreation and Youth Affairs) — I reiterate the comments I made earlier. In the Professional Boxing and Combat Sports Act the minister — that is myself — has the ability to define what a combat sport is. If an event is not defined as a combat sport event under the act then it is an illegal event. In addition, the bill that is before the house today provides the ability for the minister to direct the board, so we are increasing the powers related to what can and cannot occur within this state. I reiterate that anything that is not defined as a combat sport event under the act is therefore illegal. The government has already made a decision, and the board has been advised of that decision, that cage fighting will not be allowed in this state. The board will act accordingly if and when any application to conduct a cage sporting event is made.

**Mr CAMERON** (Minister for Police and Emergency Services) — This is certainly a redundant provision, and the Minister for Sport, Recreation and Youth Affairs has set out the approach that the government is taking, and that is that there cannot and will not be cage fighting during the term of a Labor government. Of course he cannot guarantee what might happen under a Liberal government, and that is why people should vote Labor.

When you have a look at the definition provided by the opposition you find that it is extremely limited. If you operate outside that definition you can have cage fighting, and that is why the minister has said there will be no tolerance of any cage fighting in very broad terms, not necessarily confined to the definition the opposition has proposed in the amendment it has moved. Effectively we are in agreement, and the best way is to proceed, as the minister has pointed out.

**Mr DELAHUNTY** (Lewan) — The Minister for Sport, Recreation and Youth Affairs has addressed my question, but I am surprised to see the Minister

for Police and Emergency Services getting up to speak on this subject. The reality is that this is what cage fighting is defined as in the sport at the moment. If, as the minister said, it is changed a little bit and kicking is banned, or something like that, the minister can still deal with that. The directions to the board can still be enforced. But at the moment there is this enormous event called cage fighting, which is ballooning in Japan and in the USA; it is also happening in Western Australia and other places.

I ask whether the minister has been contacted by any promoters or fighters or television companies that want to put these events on in Victoria. If he has — and I believe that it is the case — he should say now, ‘I have a law in Parliament that bans cage fighting. It is not only my law, it is not only the government’s law; it is legislation that is supported by the whole of the Parliament’. That is why we want him to put it into black-letter law so that everyone knows they cannot twist the arm of the minister and get him to change his mind. I ask the minister to give us that direction.

**Mr KOTSIRAS** (Bulleen) — Unfortunately the minister has not responded to the questions I raised. Firstly, I asked if the minister is aware of any other country where cage fighting has been banned and whether the promoters have sought legal action on the grounds of restricted trade. That is the first thing. Secondly, I again ask whether he will make available to the Parliament the letter that he sent to the board advising it to ban cage fighting.

**Mr MERLINO** (Minister for Sport, Recreation and Youth Affairs) — I reiterate what the existing act provides — that is, the ability to define what combat sport is and is not. In terms of direction of the board, that will occur after the bill has passed through the Parliament. Once the act is proclaimed it will give the minister of the day additional powers to direct the board and have it comply. In terms of the member for Lowan’s amendment, it uses a narrow definition. For example, a cage fight that involves only a single martial art — —

**An honourable member** — Like in Japan

**Mr MERLINO** — Similar to what occurs in Japan. It could arguably occur despite this amendment putting a reference to cage fighting in the act. As a government we have made it crystal clear that any sort of cage fighting is out of step with community sentiment. We do not want to see it in Victoria. Cage fighting is increasingly popular. It is a pay TV — —

**An honourable member** — Bonanza.

**Mr MERLINO** — A bonanza — that is right. There are other jurisdictions that allow it — for example, the United States of America. It is a popular thing, but we are saying — —

**Business interrupted pursuant to standing orders.**

**The DEPUTY SPEAKER** — Order! The time set down for consideration of items on the government business program has arrived. I am required to put the following questions. The question is:

That the amendment be agreed to.

**House divided on amendment:**

*Ayes, 30*

Asher, Ms	Northe, Mr
Blackwood, Mr	O’Brien, Mr
Burgess, Mr	Powell, Mrs
Clark, Mr	Ryan, Mr
Crisp, Mr	Smith, Mr K.
Delahunty, Mr	Smith, Mr R.
Dixon, Mr	Sykes, Dr
Fyffe, Mrs	Thompson, Mr
Hodgett, Mr	Tilley, Mr
Ingram, Mr	Victoria, Mrs
Jasper, Mr	Wakeling, Mr
Kotsiras, Mr	Walsh, Mr
McIntosh, Mr	Weller, Mr
Morris, Mr	Wells, Mr
Napthine, Dr	Wooldridge, Ms

*Noes, 46*

Allan, Ms	Languiller, Mr
Batchelor, Mr	Lim, Mr
Beattie, Ms	Lobato, Ms
Brooks, Mr	Lupton, Mr
Brumby, Mr	Maddigan, Mrs
Cameron, Mr	Marshall, Ms
Campbell, Ms	Merlino, Mr
Carli, Mr	Morand, Ms
Crutchfield, Mr	Munt, Ms
D’Ambrosio, Ms	Nardella, Mr
Donnellan, Mr	Neville, Ms
Duncan, Ms	Noonan, Mr
Eren, Mr	Pandazopoulos, Mr
Foley, Mr	Perera, Mr
Green, Ms	Pike, Ms
Haermeyer, Mr	Richardson, Ms
Hardman, Mr	Robinson, Mr
Harkness, Dr	Scott, Mr
Herbert, Mr	Seitz, Mr
Holding, Mr	Stensholt, Mr
Howard, Mr	Thomson, Ms
Hulls, Mr	Trezise, Mr
Langdon, Mr	Wynne, Mr

**Amendment defeated.**

**Clause agreed to.**

**Clauses 5 to 27 agreed to.**

**Bill agreed to without amendment.**

*Third reading*

**Motion agreed to.**

**Read third time.**

## PROFESSIONAL BOXING AND COMBAT SPORTS AMENDMENT BILL

*Clerk's amendment*

**The DEPUTY SPEAKER** — Order! Under standing order 81, the Speaker has received a report from the Clerk that he has made a correction in the Professional Boxing and Combat Sports Amendment Bill 2007. The report is as follows:

Under standing order 81, I have made a correction in the Professional Boxing and Combat Sports Amendment Bill 2007, listed as follows:

In Clause 13(2)(a), page 8, line 2, I have inserted the word 'suspend' so that the clause now reads —

'(a) must cancel or suspend the contestant's registration if subsection (1)(a) or (1)(b) applies; and'.

**Remaining business postponed on motion of Mr BATCHELOR (Minister for Community Development).**

## ADJOURNMENT

**The DEPUTY SPEAKER** — Order! The question is:

That the house do now adjourn.

### **Police: inquiry**

**Mr BURGESS** (Hastings) — I wish to raise a matter for the attention of the Minister for Police and Emergency Services. The action I seek is the establishment of a judicial inquiry into a very serious situation that is occurring throughout Victoria Police and which has recently reached a crescendo on the Mornington Peninsula. The situation is that members of Victoria Police are being bullied into not speaking out about critically low police numbers throughout the state. A community meeting was held in Moorooduc on the Mornington Peninsula on 12 February to discuss the statewide police resource crisis. At this meeting the district inspector, Inspector Gordon Charteris, was given a standing

ovation by the several hundred strong crowd of police and community members for his courageous stand on the lack of police officers throughout his district.

In the February 2008 *Police Association Journal* Inspector Charteris is quoted as having said:

At the end of the day you need a certain number of people on the roster to do the job. At Hastings we need one and five on a shift and I can't recall the last time we did ...

On the day of the meeting many serving officers expressed their deep concern regarding what may happen to Inspector Charteris and his career for speaking out. In the words of Leading Senior Constable Adam Carrigg:

The culture of Victoria Police under the Brumby government is to bully officers into not telling the community what is really going on with their police service. I spoke up some time ago and received such threats and bullying for it that I have recently had to resign for the good of my health.

On Tuesday of this week, just two weeks after the meeting, this highly regarded police officer with a distinguished career in both the ethical standards department and the general force was hauled into his superior's office. I am informed that at this meeting he was told he was to be moved to another police location, placed on a disciplinary program and threatened with charges for speaking out.

Police officers sign up to protect our community. They are required to deal with violence and threats from a wide variety of criminals and thugs. They should never be subjected to bullying from their own service or government. In a democracy the people within the various public service sectors are a critical check and balance on the accountability of that service and ultimately of the government of the day. It is when such checks and balances are bullied out of existence that our system breaks down, services are allowed to degrade to dangerous levels and corruption begins to emerge.

In order to create the perception that all is well, the Brumby government has developed the habit of gagging a wide range of its public servants. The gagging of health workers, nurses and doctors are further examples of this conduct. There is no doubt that the inability of these front-line people to speak out has also contributed to the disastrous state of our hospitals and the general erosion of public service in Victoria. The minister must act immediately to set up a judicial inquiry that will discover why this courageous and hardworking police officer with

more than 30 years distinguished service, Gordon Charteris, is being rewarded for speaking out on this critical issue by being gagged, punished and banished.

### **Lagoon Reserve, Port Melbourne: lighting**

**Mr FOLEY** (Albert Park) — I seek to bring a matter to the attention of the Minister for Sport, Recreation and Youth Affairs. I seek the specific action of ensuring that his department supports the very sensible proposal from the Port Melbourne community for funding through his community facilities funding program for the provision of lighting at Lagoon Reserve in Port Melbourne, which is one of two public reserves located in Port Melbourne and available for hire by community groups. It consists of an oval, a pavilion and cricket nets, and it is utilised by seven clubs: South Melbourne Districts Sports Club, Emerald Hill cricket club, Power House cricket club, Albert Park Spiders soccer club, South Port United Soccer Club, Middle Park Soccer Club and Albert Park amateurs. It caters for cricket, soccer and Australian Rules football.

The project is supported by the community due to the overwhelming need for lighting at the reserve. Currently the reserve can be used only during daylight and as a result is not being used to maximum capacity. The construction of lighting at the reserve would increase the use of the site, provide flexibility for the sporting clubs and relieve pressure on nearby Murphy Reserve. The project will achieve a significant increase in participation rates by all the clubs. A single floodlight located on the pavilion is currently the only form of light cast on the oval after dark. The light is designed for pavilion use only, but the ever-resourceful clubs have been using the light in their warm-up area for training. This has resulted in severe wear on a very small section of the ground.

Construction of full oval floodlighting would help spread wear and tear evenly across the entire oval. The installation of oval floodlights has the potential to provide an extra 30 hours use per week, as well as increased use by passive recreation users. Currently the clubs are limited in what activities they can deliver to the community. Lack of available usage hours mean the clubs can engage in only limited training, and it restricts the number of members and teams that can be fielded. Without the use of the ground it is almost impossible for the clubs to increase participation levels in a community that is growing by leaps and bounds.

The clubs at Lagoon Reserve cater for a variety of groups, including juniors and people from non-English-speaking backgrounds. They house on an occasional basis the Port Melbourne Colts disability cricket team and the Port Melbourne Colts football club disability team. Whilst the oval is used until 7.00 p.m. during daylight saving, clubs have expressed interest in training until 9.00 p.m. Port Melbourne is experiencing population increases in all areas of its demographic categories. The construction of oval lighting at Lagoon Reserve would play a central role in catering for an expanding population and allowing the clubs to meet expanding demands. On behalf of the people of Port Melbourne I ask the minister to support this important project.

### **Racing: country meetings**

**Dr SYKES** (Benalla) — My issue is for the attention of the Minister for Racing. I request that he immediately instruct Racing Victoria to abandon its plans to rob country racing clubs of meetings and immediately implement a policy which supports country communities that are distant from Melbourne. The background to this request is Racing Victoria's decision to take over 20 meetings from Victorian country racing clubs and relocate them to Melbourne and nearby horseracing tracks. This devastating action was taken without consultation with the affected clubs and without recognition of the broader community impacts of this unilateral decision.

Racing clubs in north-eastern Victoria affected by this poorly considered action include Towong, Wodonga, Benalla, Mansfield and Tatura. The Mansfield local community is outraged at the decision to downgrade their non-TAB Boxing Day race meeting to amateur status and move it to 27 December. Local Mansfield horse trainer Gerald Egan has condemned the decision, stating that it is a city-centric move to lure country jockeys to Melbourne. Mr Egan also said that offcourse punters would not be able to bet on the meeting at Mansfield, thereby lowering its status and reducing the income to the Mansfield race club and the broader community. Benalla Racing Club has lost one race meeting but fears it will lose several more. Ms Tracey Beaton, of Benalla Racing Club, has highlighted the impact of losing race meetings on the fundraising efforts of community groups such as service clubs, kindergartens and parents groups.

The bottom line is that country racing clubs have been stripped of meetings even though they have met Racing Victoria's increasingly stringent standards.

The feeling in the country is that the elite Melbourne-based trainers and jockeys and Melbourne punters are being looked after at the expense of grassroots trainers and jockeys and associated businesses in country Victoria. I call on the Minister for Racing to have a quiet word in the ear of his Labor mate Michael Duffy and persuade him in his capacity as chairman of Racing Victoria to reverse the decision to cut race meetings from country Victoria.

I also invite the minister to live up to his government's claim that it governs for all Victorians and to join me in sponsoring a race at the Benalla Racing Club's St Patrick's Day meeting.

**The DEPUTY SPEAKER** — Order! The member can only ask for one action.

**Dr SYKES** — That is all right. He does not have to do that then.

### **Sydney Road, Coburg: upgrade**

**Ms CAMPBELL** (Pascoe Vale) — I raise a matter for the attention of the Minister for Roads and Ports. The action I seek is that he visit my electorate to inspect road improvements outside Mercy College on Sydney Road, Coburg. Road safety improvements have been announced around the state this week, and I am very pleased to be able to inform my local school that the \$160 000 project allocated by VicRoads for works on Sydney Road will enhance the safety of students at Mercy College and will also assist other vehicular road users between Fame and Renown streets in Coburg North.

The road safety program, which is funded out of the Transport Accident Commission and since 2004 has allocated over \$360 million to improve safety, is one of the sensational initiatives of this government. I think we are collectively proud of the fact that there are more people alive as a result of improvements initiated by so much of that funding. The program under which this Sydney Road allocation was made is one that specifically targets dangerous intersections as well as stretches of roads that are labelled 'run off road crashes'. There is a bit of a bend outside Mercy College, and when the road is wet and there is oil on the road, cars just slide. Of course it is dangerous not only for drivers but for pedestrians, and it has been an impost on the school as the fence has been knocked over a number of times. This project will install anti-skid surfacing on the intersection, so that there will be far fewer crashes. Unfortunately there

have been 22 crashes at this location over the past five years.

It is a great honour as a member of Parliament to advocate strongly for your electorate, and I want to compliment the VicRoads staff who over the last 12 months in particular have made a number of visits to the site to identify how the road could be improved. I pay tribute to Kathy Maiolo from Mercy College and to the principal, Liz Monahan, who have worked with me to highlight the serious dangers for the students, the cost to the school of property damage, and of course the danger to motorists. When the minister visits this site, I hope he takes the opportunity to talk about the road safety message to the secondary school students there, who hopefully will never be involved in any fatalities.

### **Women: violence**

**Ms WOOLDRIDGE** (Doncaster) — I raise a matter for the attention of the Minister for Women's Affairs. The action I seek is for the minister to commit to a greatly increased focus on primary prevention to stop violence against women, specifically including more education and the breaking down of the current service silos.

At the outset I want to put on the record what an honour it is to have recently become the shadow Minister for Women's Affairs, especially in the year of the centenary of women's suffrage in Victoria. Victoria was a slow starter when it came to women's rights. The Victorian Constitution excluded women from voting, and it was not until 1908, after every other state gave the vote to women and 19 failed private members bills, that women finally got the vote. But since then there have been many great advances and glass ceilings shattered.

The Liberal Party has been at the forefront in this. The Menzies government brought in policies on child endowment and a national health scheme. In the Holt-Gorton-McMahon era the party introduced both policies protecting deserted wives and equal pay legislation. The Fraser government signed the Convention on the Elimination of Discrimination against Women and the Howard government invested heavily in a women's safety agenda. Here in Victoria the last coalition government introduced industrial relations reforms requiring contracts to allow for up to 52 weeks maternity leave and invested heavily in child care.

This year is the centenary of women's suffrage in our state. It is a time to celebrate these advances but also

to dwell upon what more needs to be done. An area of great concern is violence against women, much of which is done at the hands of their partners. Intimate partner violence is the leading contributor to death, disability and illness in Victorian women aged between 15 and 44. Forty-two per cent of women who have had a relationship have experienced intimate partner violence. Most concerning is that the violence against women is largely sexual. There were 6082 sexual assaults in Victoria last year and 1631 rapes. These are certainly conservative figures as at least 80 per cent of violence against women goes unreported. As we know, 83 per cent of these victims of sexual assault are women and 72 per cent actually know their attacker. This violence has a ripple effect, and it impacts particularly on children. Research shows that a quarter of young people in this state have witnessed abuse against their mother or stepmother, normalising this horrendous behaviour and perpetuating a vicious cycle.

International Women's Day, which is coming up on 8 March, and the centenary of women's enfranchisement provide a rare opportunity to focus on these issues, and I call on the government to act. Violence against women, and intimate partner violence in particular, is an obvious example. The minister must commit to greater education and to simplifying and enhancing Labor's incredibly complex service system, which is characterised by inaccessible silos. If we can do that, there will be a double reason for Victorian women to celebrate in 2008.

### **Williamstown Cricket Ground: redevelopment**

**Mr NOONAN** (Williamstown) — I wish to raise a matter for the attention of the Minister for Sport, Recreation and Youth Affairs. The action I seek from the minister is that he accept an invitation to visit the Williamstown cricket and footy ground and meet with some of the local community leaders to discuss the redevelopment plans for the ground. As the minister may recall, when I delivered my inaugural speech to Parliament in 2007, I clearly stated my view in relation to this project as follows:

The Williamstown Football Club is an institution in our area. The old stand and historic clubrooms need urgent restoration ...

The ground is home to AFL Victoria side the Williamstown Seagulls, a club that has been in existence for more than 100 years and can boast more than a dozen premierships. The club continues to grow in prosperity and recently realigned with that

other great club in the west, the Western Bulldogs. The ground is very much a focal point for our proud sporting community. It provides both a local and regional hub for participation in sport and recreation across the entire western region of Melbourne. In fact it is estimated that up to 23 000 people used the ground last year.

I have met with Trevor Monti, the president of the Williamstown Football Club, and with Bill Jaboor, the chief executive of the Hobsons Bay City Council, and they are very serious about developing a wonderful community facility at this site. The Hobsons Bay City Council, AFL Victoria and the Williamstown Football Club are prepared to contribute to the redevelopment of the ground, but it would be very difficult for the project to get off the ground without a contribution from the state government. In my view the redevelopment plans are extremely comprehensive and will provide a sustainable mix of facilities, including a reception and conference centre, together with an allocation of commercial office space. This carefully prepared proposal will ensure that the funds derived from the ground's operations can be used to both maintain the facilities and generate revenue back into the local area through a community support fund.

Of course, the greatest beneficiaries of this project will be the thousands of local people who participate in and support grassroots footy and cricket each week — the mums and dads, the boys and girls, and of course the participants. Through a redeveloped ground in Williamstown we can assure that the best possible facilities are available for generations to come. The redevelopment of the Williamstown cricket and footy ground is a community priority in my electorate. It is for that reason that I issue the minister with an invitation to visit the existing facilities, tour the site and meet some of the local community leaders who have created the vision for this important project.

### **Monash Freeway: noise barriers**

**Mr O'BRIEN** (Malvern) — I raise a matter for the attention of the Minister for Roads and Ports. The action I seek from the minister is to urgently instruct VicRoads to provide additional noise attenuation measures for my constituents who are currently affected and will continue to be affected by the upgrading of the Monash CityLink freeway and tollway. If the house believes these words are familiar, it is because I raised essentially the same matter back in May 2007. Unfortunately the minister never replied to the matter I raised during that

adjournment debate. I am assuming that it was through an oversight on the part of the minister rather than because of any discourtesy to me or my constituents. In any event, this matter is becoming increasingly urgent as the upgrade of the Monash is proceeding apace.

VicRoads anticipates that the upgrade of the Monash is going to lead to a 55 per cent increase in traffic capacity. This is surely going to increase the level of noise that affects both sides of that tollway. Already the barriers on the northern side of the Monash, the Scotch College side, are being upgraded. It would seem to me to be only a matter of fairness and common sense that if the facilities on the north side of the tollway are being upgraded, then the noise attenuation measures on the south side of the tollway that affect my constituents should also be upgraded. Scotch College is an excellent school, and I do not begrudge its improved noise attenuation measures, but I would argue, as the member for Malvern, that my constituents are just as entitled to the same consideration. Unfortunately they are not getting that consideration, and there appears to be no good reason for that.

This is a matter which is of great concern, because the current noise levels on the Monash are already affecting my constituents considerably. I have previously related to the house how one of my constituents had to spend over \$50 000 on measures including double glazing, laminated windows, acoustic insulation and higher fencing, but his children still have difficulty sleeping at night due to the noise levels.

There is also the question of a double standard that arises whereby Transurban must take action in relation to noise where the noise level exceeds 63 decibels, but VicRoads apparently only needs to take action when the level is at 68 decibels. If it is good enough for Transurban, it is good enough for VicRoads. I urge the minister to take urgent action to try to ensure that the residents of Malvern are able to coexist with the tollway in relative harmony.

### **Buses: Forest Hill electorate**

**Ms MARSHALL** (Forest Hill) — I wish to raise a matter for the attention of the Minister for Public Transport. The action I seek is for the minister to look at any possible expansion of bus services that run through my electorate of Forest Hill.

My electorate has an older-than-average population and it is not serviced by a train station, so access to

public transport is a concern to many of my constituents. But while I seek to further improve public transport access in my electorate, it is worth noting that much has already been done.

When I first entered Parliament, Vermont South and the Scoresby corridor were not serviced well by the public transport system. The light rail extension of the No. 75 tram along the Burwood Highway to Vermont South is one that has given, particularly young people in the region, better access to Deakin University and, thanks to a bus connection at the end of the tramline, to the Knox City Shopping Centre. According to Bruce Atkinson, a member for Eastern Metropolitan Region in the other place, the extension of the tramline was disgracefully opposed by some opposition MPs in the area, something that clearly shows the difference between the Labor government's can-do attitude and the opposition's lack of sense when it comes to public transport and lack of ability to listen to the community.

Forest Hill is now well served by many bus routes that operate along main roads and through suburban streets and which pass nursing homes and schools and link up with the shopping precincts and with services such as the rail network. However, there is a need for an increase in the hours of operation in some of the bus services, particularly in the evenings and on Sundays. This would allow people in Forest Hill, particularly seniors and young people who cannot drive, to get around the community to the shops, train stations or to just visit a friend. Senior citizens especially need and require access to medical, social and retail services in the area.

Public transport is one of the biggest challenges for the state government, and it is an issue that I hear a great deal about from the community. I have regularly had constituents discuss with me their use of and reliance on our various forms of public transport. The Brumby government is committed to improving standards of reliability and usage in public transport, and I ask that the bus service times be extended in the electorate of Forest Hill.

### **Government: printing contracts**

**Mr NORTHE** (Morwell) — I seek to raise a matter for the Premier. The action I am seeking is for the Premier to consider putting locals first and alter the criteria in determining the successful supplier under the government's print management services contract. I believe the government should consider giving preference to supporting local service

providers, assuming they are suitably qualified, accredited and cost competitive.

In regional Victoria we all understand that buying locally creates local jobs, but printing firms in my electorate are disadvantaged by the government's current approach. As I understand the situation, a three-year agreement for the provision of print management services to Victorian government departments and Victoria Police was contracted to Stream Solutions commencing in June 2007. As the central contact point, Stream Solutions seeks quotations from accredited printers and ultimately determines the successful supplier of print goods or services.

Whilst I understand the intent of appointing one print manager for Victorian government departments, it should not be to the detriment of local economies. I make the point that in no way am I critical of Stream Solutions. However, I do have grave concerns about the implications on the many local and regional businesses who appear to be suffering due to the method and criteria that have been applied by the government in this instance. My understanding of the situation is that we are now seeing Victorian government departments utilising print services and supplies from outside their local regions, including interstate suppliers.

I believe that many local printers are experiencing difficulties in attempting to become accredited agents, and a lack of guidance and assistance appears to be one of the major impediments in this regard. We have examples where local printers simply are not being afforded the opportunity to even quote on work within their region. It is a disgraceful situation to hear that some Gippsland printers are suffering significantly from business lost since June 2007, and of course lost business equates to loss of jobs. These are businesses that previously had enjoyed amicable working relationships with government departments in the Gippsland region. Some have invested considerable time and money into resources and equipment, ensuring quality, timely and cost-effective services to various departments in Gippsland.

Good fiscal management is an important aspect of good governance, and of course expenditure associated with print services by the Victorian government and its departments should be monitored. However, I have concerns with the government's apparent policy position that the printer who comes in with the lowest price gets the

job. Is this to the detriment of Victorian businesses, particularly country businesses?

The Nationals have been long-time advocates for putting locals first through various initiatives including the recent launch of our Putting Locals First campaign. Unfortunately this government does not adhere to the same principle. I ask the Premier to review the current criteria in place under the print management services contract to ensure local printers, where accredited and cost-competitive, are given preference to supply print items and services to Victorian government departments and Victorian police.

### **Alphington Bowls Club: funding**

**Ms RICHARDSON** (Northcote) — I raise a matter for the Minister for Sport, Recreation and Youth Affairs, and it concerns the Alphington Bowls Club, which is located in the beautiful surrounds of Alphington Park, and the club's need for improved greens and facilities. I ask the minister to take action to ensure that the club can maintain its status as a pre-eminent community facility in Alphington. The club has developed a proposal for the installation of a synthetic green, sports lighting, shade structures and improved disability access. If these changes are made, it will have the added bonus of saving over 1 megalitre of water annually, and there will be other savings, too, in maintenance and running costs.

The club has a well-deserved reputation as being at the hub of the Alphington community. Its regular Barefoot Bowls, which are held over the summer on a Friday night, have become a feature of the Alphington community.

**Mr Wynne** interjected.

**Ms RICHARDSON** — In response to the minister, I must say I have spent many a barefoot moment at the Alphington club, although really to be able to hold my head up high perhaps in the future a bit more practice might be warranted for me. Nonetheless, I invite the minister to come out to the club. I am sure the members would welcome his twinkle toes on the greens.

**The DEPUTY SPEAKER** — Order! The member can ask for one only action.

**Ms RICHARDSON** — The Minister for Sport, Recreation and Youth Affairs might also like to bring his family out. The club would of course give him and his family a warm reception. The club enjoys links with many other local organisations in the area.

It shares its facilities with the Fairfield Alphington Angling Club, the Alphington Community Centre, the local Alphington Primary School — which is an excellent school, I must say — the Northcote United Cricket Club, the Alphington Junior Football Club, the South Alphington and Fairfield Civic Association and the Darebin Parklands Association as well. The club also opens its doors for community events, birthdays, weddings and other social functions, but obviously to do all this and more the club needs an upgrade of its facilities.

I take this opportunity to congratulate members of the board of management who have so skilfully managed the demands that have been placed on this club for so many years. The proposed development is very forward thinking, and I was very pleased to give it my support when the application went forward.

I therefore call on the minister to take action to ensure that the Alphington Bowls Club is supported so that it can continue to provide such excellent facilities for the community of Alphington and surrounds.

### Responses

**Mr WYNNE** (Minister for Housing) — The member for Hastings raised a matter for the Minister for Police and Emergency Services seeking a judicial inquiry. I will ensure that that matter is brought to the attention of the minister.

The member for Albert Park raised a matter for the attention of the Minister for Sport, Recreation and Youth Affairs in relation to the lighting of the Lagoon Reserve, Port Melbourne, and I will ensure the minister is aware of that.

The member for Benalla raised a matter for the Minister for Racing in relation to race meetings in north-eastern Victoria and what he alleges to be the downgrading of those race meetings. I will bring that matter to the minister's attention.

The member for Pascoe Vale raised a matter for the Minister for Roads and Ports in relation to Mercy College in Sydney Road, Coburg, about much-needed road improvements in that area and the need for the minister to visit the area. I will make sure the minister is aware of that.

The member for Doncaster raised a matter for the Minister for Women's Affairs in relation to violence against women and the need for what she suggests is a more coordinated approach to these matters, and I

will make sure the minister is aware of that representation.

The member for Williamstown raised a matter for the Minister for Sport, Recreation and Youth Affairs in relation to the much-needed upgrade of the Williamstown cricket and football ground, and he has invited the minister to both review those plans and visit the site. I will make sure the minister is aware of that.

The member for Malvern raised a matter for the Minister for Roads and Ports in relation to noise attenuation matters that pertain to the upgrade of the Monash Freeway and CityLink, and I will make sure the minister is aware of that request as well.

The member for Forest Hill raised a matter for the Minister for Public Transport in relation to the expansion of bus services through her electorate. She advocated for further bus improvements, and I will make sure that the relevant minister is aware of that.

The member for Morwell raised a matter for the Premier in relation to local procurement policies for printing goods and services, and I will make sure the Premier is aware of that matter.

Finally, the member for Northcote — that well-known barefoot bowler — has raised a matter for the attention of the Minister for Sport, Recreation and Youth Affairs in relation to the Alphington Bowls Club and its much-needed upgrade of greens and disability access. The Richmond Union Bowling Club will be taking them on any time they want. And that is it!

**Mr Burgess** — On a point of order, Deputy Speaker, during question time today the Premier, in response to a question on water, used a quote from Greg Hunt from the federal Parliament to support by implication the government's policy on the north-south pipeline. That is clearly not true, and I would like the Premier to make an explanation.

**The DEPUTY SPEAKER** — Order! There is no point of order. The house is now adjourned.

**House adjourned 4.38 p.m. until Tuesday, 11 March.**