

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

LEGISLATIVE ASSEMBLY

FIFTY-SIXTH PARLIAMENT

FIRST SESSION

Wednesday, 5 December 2007

(Extract from book 17)

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By authority of the Victorian Government Printer

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Professor DAVID de KRETZER, AC

The Lieutenant-Governor

The Honourable Justice MARILYN WARREN, AC

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Standing Orders Committee — The Speaker, Ms Barker, Mr Kotsiras, Mr Langdon, Mr McIntosh, Mr Nardella and Mrs Powell.

Joint committees

Dispute Resolution Committee — (*Assembly*): Mr Batchelor, Mr Cameron, Mr Clark, Mr Holding, Mr McIntosh, Mr Robinson and Mr Walsh. (*Council*): Mr P. Davis, Mr Hall, Mr Jennings, Mr Lenders and Ms Pennicuik.

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

Economic Development and Infrastructure Committee — (*Assembly*): Ms Campbell, Mr Crisp and Ms Thomson. (*Council*): Mr Atkinson, Mr D. Davis, Mr Tee and Mr Thornley.

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

Electoral Matters Committee — (*Assembly*): Ms Campbell, Mr O'Brien, Mr Scott and Mr Thompson. (*Council*): Ms Broad, Mr Hall and Mr Somyurek.

Environment and Natural Resources Committee — (*Assembly*): Ms Duncan, Mrs Fyffe, Mr Ingram, Ms Lobato, Mr Pandazopoulos and Mr Walsh. (*Council*): Mrs Petrovich and Mr Viney.

Family and Community Development Committee — (*Assembly*): Mr Noonan, Mr Perera, Mrs Powell and Ms Wooldridge. (*Council*): Mr Finn, Mr Scheffer and Mr Somyurek.

House Committee — (*Assembly*): The Speaker (*ex officio*), Ms Beattie, Mr Delahunty, Mr Howard, Mr Kotsiras, Mr Scott and Mr K. Smith. (*Council*): The President (*ex officio*), Mr Atkinson, Ms Darveniza, Mr Drum, Mr Eideh and Ms Hartland.

Law Reform Committee — (*Assembly*): Mr Brooks, Mr Clark, Mr Donnellan and Mr Foley. (*Council*): Mrs Kronberg, Mr O'Donohue and Mr Scheffer.

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Public Accounts and Estimates Committee — (*Assembly*): Ms Graley, Ms Munt, Mr Scott, Mr Stensholt, Dr Sykes and Mr Wells. (*Council*): Mr Barber, Mr Dalla-Riva, Mr Pakula and Mr Rich-Phillips.

Road Safety Committee — (*Assembly*): Mr Eren, Mr Langdon, Mr Mulder, Mr Trezise and Mr Weller. (*Council*): Mr Koch and Mr Leane.

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

Scrutiny of Acts and Regulations Committee — (*Assembly*): Mr Brooks, Mr Carli, Mr Jasper, Mr Languiller and Mr R. Smith. (*Council*): Mr Eideh, Mr O'Donohue, Mrs Peulich and Ms Pulford.

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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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Deputy Speaker: Ms A. P. BARKER

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

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The Hon. R. J. HULLS (from 30 July 2007)

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

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Mr P. J. RYAN

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Kotsiras, Mr Nicholas	Bulleen	LP	Weller, Mr Paul	Rodney	Nats
Langdon, Mr Craig Anthony Cuffe	Ivanhoe	ALP	Wells, Mr Kimberley Arthur	Scoresby	LP
Languiller, Mr Telmo Ramon	Derrimut	ALP	Woodridge, Ms Mary Louise Newling	Doncaster	LP
Lim, Mr Muy Hong	Clayton	ALP	Wynne, Mr Richard William	Richmond	ALP

¹ Resigned 6 August 2007

² Elected 15 September 2007

³ Resigned 6 August 2007

⁴ Elected 15 September 2007

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Wednesday, 5 December 2007

The SPEAKER (Hon. Jenny Lindell) took the chair at 9.33 a.m. and read the prayer.

CRIMES AMENDMENT (CHILD HOMICIDE) BILL

Introduction and first reading

Mr HULLS (Attorney-General) introduced a bill for an act to amend the Crimes Act 1958 to create a new offence of child homicide and to increase the maximum penalty for certain offences, to make consequential amendments to the Children, Youth and Families Act 2005, the Coroners Act 1985 and the Sentencing Act 1991 and for other purposes.

Read first time.

BUSINESS OF THE HOUSE

Notices of motion: removal

The SPEAKER — Order! I advise the house that under standing order 144 notices of motion 70 to 91 will be removed from the notice paper on the next sitting day. A member who requires the notice standing in his or her name to be continued must advise the Clerk in writing before 6.00 p.m. today.

PETITIONS

Following petitions presented to house:

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) (135 signatures)

Water: north–south pipeline

To the Legislative Assembly of Victoria:

This petition of residents of Victoria draws to the attention of the house the proposal to develop a pipeline which would

take water from the Goulburn Valley and pump it to Melbourne.

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

By Mrs POWELL (Shepparton) (578 signatures)

Tabled.

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 Hastings be considered next day on motion of Mr BURGESS (Hastings).

AUDITOR-GENERAL

Response by Minister for Finance, WorkCover and the Transport Accident Commission

Mr HOLDING (Minister for Finance, WorkCover and the Transport Accident Commission), by leave, presented response to reports for 2006–07.

Tabled.

EDUCATION AND TRAINING COMMITTEE

Dress codes and school uniforms in Victorian schools

Mr HOWARD (Ballarat East) presented report together with appendices and minutes of evidence.

Tabled.

Ordered that report and appendices be printed.

DOCUMENTS

Tabled by Clerk:

Audit Act 1994 — Report on the Performance Audit of the Victorian Auditor-General's Office, November 2007

Auditor-General:

Funding and Delivery of Two Freeway Upgrade Projects — Ordered to be printed

Results of Financial Statement Audits for Agencies with 30 June 2007 Balance Dates — Ordered to be printed

Disability Act 2006 — Report of the Community Visitors 2006–07 — Ordered to be printed

Health Services Act 1988 — Report of the Community Visitors 2006–07 — Ordered to be printed

Mental Health Act 1986 — Report of the Community Visitors 2006–07 — Ordered to be printed

Mildura Cemetery Trust — Report 2006–07, together with an explanation for the delay

Ombudsman — Investigation into VicRoads driver licensing arrangements — Ordered to be printed.

MEMBERS STATEMENTS

Victorian patient transport assistance scheme: reimbursements

Mrs SHARDEY (Caulfield) — I raise an issue regarding the Victorian patient transport assistance scheme. Currently the VPTAS provides minimal reimbursement for travel and accommodation costs incurred by rural Victorians accessing specialist medical services who need to travel more than 100 kilometres one way or an average of 500 kilometres for a minimum of five consecutive weeks. While I am pleased to see that the private car reimbursement has been increased from a minimal 14 cents a kilometre to a measly 17 cents a kilometre as of 1 October, the 3-cent-a-kilometre increase hardly compensates for recent increased fuel costs.

Additionally country Victorians are able to claim accommodation costs. While they have increased from \$30 a night to \$35 a night, I challenge the Minister for Health to find accommodation in Melbourne for \$35 a night, particularly accommodation close to a metropolitan tertiary hospital. For example, I ask the minister if the proposed 90-room hotel at the new Royal Children's Hospital will provide \$35 accommodation for parents who qualify under the VPTAS scheme.

I also wish to raise the matter of late or outstanding reimbursements from the VPTAS, which further disadvantages rural Victorians. I have been approached by members of the Colliccoat family of Maryborough, who have to travel to the Royal Children's Hospital every fortnight for life-saving treatment for their three-year-old daughter Nicole, who suffers from Pompe's Disease. The family are on a single income

and have to wait an average of three to four months for reimbursement from the Victorian patient transport assistance scheme.

Australian Labor Party: federal election

Ms MORAND (Minister for Children and Early Childhood Development) — I want to congratulate Anna Burke on her re-election as the member for the federal electorate of Chisholm. Anna is a fantastic, hardworking member of Parliament who will now be part of the new Rudd Labor government. I also want to acknowledge Alan Griffin on his re-election in Bruce and his appointment as the federal Minister for Veterans' Affairs.

Judy Collard

Ms MORAND — Last Thursday I was really pleased to be able to join the Nara preschool community in Mount Waverley to pay tribute to Judy Collard, who is retiring after 31 years of teaching service to the Nara preschool. The celebration recognised Judy's great service to Nara and also presented an opportunity for the Mount Waverley and broader communities to show their appreciation and gratitude for the enormous contribution Judy has made over 31 years. It was an opportunity to say thank you on behalf of the hundreds of children that Judy has taught over the years. The number of past students and guests at the celebration and the collection of memorabilia demonstrated the history of goodwill in the local community for Judy's 31 years of service.

Judy started her career at South Richmond preschool in 1963 and was the director of the city council kindergarten in Kensington in 1965. She then worked at St Mark's Chadstone until joining the Nara preschool in 1977. Judy Collard will finish her teaching role at the end of this term, but her legacy in teaching and having a positive influence on the development of so many children will remain long after she leaves Nara for the last time.

Rail: V/Line disabled access

Mrs POWELL (Shepparton) — I have received a letter from Ms Wendy Shanks, the chief executive officer of Shepparton Access, advising that on Friday, 30 November, Shepparton Access and the local community celebrated International Day of People with a Disability and invited Ms Wendy Brooks from the University of Melbourne, Parkville, to be their guest speaker.

Ms Brooks lives with a degenerative neuromuscular disorder and uses a motorised wheelchair. Shepparton Access pre-purchased a first-class rail ticket for Ms Brooks in Shepparton and was advised by V/Line staff that the train would be wheelchair accessible. While boarding the train at Southern Cross station Ms Brooks was told there was no access for her to travel in the carriage and was offered an area in the baggage compartment. Ms Brooks indicated that she did not want to travel for 3 hours in the baggage compartment and was allocated an area near the buffet.

When interviewed on WIN TV a V/Line spokesperson said that the wheelchair did not meet the standards and also implied that the problem was Ms Brooks's wheelchair and not a V/Line problem. Shepparton Access would like clarified which wheelchair standards are used by V/Line, as it believes wheelchairs are designed to meet the individual needs of the person with a disability.

The Victorian State Disability Plan 2002–2012 states that:

The Victorian government believes that people with a disability should be able to live and participate in the life of the Victorian community, with the same rights, responsibilities and opportunities as all other citizens of Victoria.

Given this policy is now five years old, I ask the Minister for Public Transport to ensure that all V/Line trains are able to accommodate people needing wheelchair access to allow them to travel in dignity and to participate in community life and community events.

Laverton Secondary College: innovation design challenge

Ms KOSKY (Minister for Public Transport) — I rise to congratulate four students from Laverton Secondary College years 9 and 11, Dat Cao, Ayen Makur, Huyen Cao and Steven Doyle, who as a team won the F1 Schools Innovation Design Challenge national finals held in Brisbane in November 2006. The culmination of that team's national competition win is a trip to Germany in February 2008. The students will visit several engineering firms, including Bombardier, which of course has a connection in Victoria. Unfortunately I am not accompanying the students. We in Victoria know Bombardier well through its manufacturing of the trains for V/Line.

The team is called Dasha the Eagle — self-named — and it beat schools from all over Australia. They are led by their teacher, Michael Germano. The students were the national winners of the competition, having

designed the miniature powered Formula One racing vehicle, developed an engineering portfolio and done all the marketing and all the work with businesses to get sponsorship for their project. They did a fantastic job. They went on to compete in the world championships held at the Melbourne grand prix. Twenty-two nations competed in the world championships, and they came sixth in that race. It is a fantastic result.

Education: Program for International Student Assessment results

Mr DIXON (Nepean) — The Organisation for Economic Cooperation and Development's 2006 Program for International Student Assessment (PISA) report, which was released last night in Paris, is a damning indictment of this government's lack of investment in and lack of commitment to education. If you do not invest in education and if you do not value your teachers, you receive the lousy results the OECD has given Victoria.

In mathematical literacy Victoria is the worst performing mainland state, with the lowest number of students in the top two proficiency levels and the most students in the bottom two proficiency levels. In reading, where Victoria has always been a poor performer under this government, we have sunk to an even lower level than we had in 2000 and 2003. Once again Victoria is Australia's worst performing mainland state. It has the lowest number of students in the top two proficiency levels and the most students in the bottom two proficiency levels.

This year's PISA results concentrated on science assessment. Once again Victoria performed badly. Winning the trifecta, Victoria is once again Australia's worst performing mainland state. In identifying scientific issues Victoria was the worst state. In explaining scientific phenomena and using scientific evidence measurements Victoria was the worst mainland state. As in literacy and mathematics, Victoria has the lowest number of students in the top two proficiency levels and the most students in the bottom two proficiency levels.

This government is not extending its brightest students and is letting down its least talented students. It needs to reassess its commitment to education and its policy direction.

Oakleigh pool complex: funding

Ms BARKER (Oakleigh) — I thank the Minister for Sport, Recreation and Youth Affairs for visiting the Oakleigh pool on Monday morning to announce that

through the better pools category of the Brumby government's 2008–09 Community Facility Funding program the \$2 million requested by Monash City Council for this important project has been granted. It was a wonderful celebration for a community that has fought a very long campaign to get Monash council to change its decision to close the Oakleigh pool and commit to a refurbishment of this local facility.

I thank the mayor, Cr Tom Morrissey, and the council as a whole for listening to the community and for earlier this year voting to both retain the pool and allocate \$6 million to refurbish the complex. That \$6 million certainly ensured that the pool could be refurbished and opened again, but extra funding was needed to ensure a total refurbishment and particularly to enable the diving tower and diving pool to be retained. I also thank the council for working with me following that decision to prepare and submit the application to state government for that much-needed extra funding of \$2 million to absolutely ensure a total refurbishment.

As I have indicated, this has been a campaign by the local community. The Community Life Action Group — or, as we know it, CLAG — led that campaign, united the community and worked very hard to ensure that the council had absolutely no doubt as to the importance of this much-loved and much-needed local facility. Any successful campaign has a great leader, and I very much thank Julie Clearwater, who led the campaign. This result is absolutely due to the community, which did not give up but just kept campaigning to ensure that the Oakleigh pool complex can once again be a great place to meet, to get to know one another and to enjoy very healthy activities in a beautiful parkland setting. I respect very much the community's strength and determination and am very proud of it.

The SPEAKER — Order! The member for Bullen, without the assistance of his cheer squad.

Youth: body image

Mr KOTSIRAS (Bulleen) — Young Victorians can be justifiably disappointed with this Labor government's failure to satisfactorily deal with negative body image and reasonable expectations of body shape among young people. In 2005 the then Minister for Youth Affairs made a big song and dance about the Labor government's commitment to positive body imaging. Two years on, very little has been done to combat eating disorders.

The results from this week's survey conducted by Mission Australia highlight the failure of the Brumby government's policies and programs to assist young Victorians in dealing with body imaging. In 2006 body image was ranked as the fifth biggest issue for young Victorians, but today it is the no. 1 issue. The Labor government's message has failed to sink in. The Go for Your Life positive body image strategy, unveiled with much fanfare by the Labor government last year, has been a dismal failure. While the members of the two working groups on body image were interested and motivated by the desire to help young Victorians, it is clear from the lack of results that this government has neither the direction nor the drive to support young Victorians.

There is reported evidence linking negative body image to a range of behaviours, including anger, depression, loss of interest in education, isolation and eating disorders. Despite the urgency of this issue, the minister continues to sit on his hands, hoping that distributing media releases, producing catchy titles, creating photo opportunities for ministers and providing small amounts of funding will be enough to assist young Victorians. The Victorian government seems complacent, old and devoid of any ideas.

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

Siena College: awards

Mr STENSHOLT (Burwood) — I commend Siena College on its inaugural awards evening, held at the college last Monday, which I had the great honour to attend. I congratulate the principal, Mrs Gaynor Robson-Garth, on her initiative in reinstating an awards event. I note that the program included an excerpt from the Siena College's first speech night in 1940. The Siena girls were inspired by the keynote speaker, Dr Lisa Begg, a former pupil, who is now the staff specialist obstetrician at the Royal Women's Hospital. Parents, families, staff, friends and students were entertained by the school's contemporary vocal ensemble, the Galway Flute Quartet and a solo piano performance by Jessica O'Farrell.

A wide range of academic excellence and academic endeavour awards were presented in all subjects to students in years 7 to 12. A feature of the night was the presentation of the honour awards. I was privileged to provide an achievement award to Adrienne Ringin for all-round achievement and contribution to the life of the college by a year 10 student. It is an award which I have provided to the college now for a number of years, and I was privileged to have this award included in the

main program for the honours evening. The other awards included the Caltex and Monash awards, and music, arts, sports and general proficiency and leadership awards. The Margaret Smith awards went to Elizabeth Miller and Catherine Ringin, and the Siena award for excellence went to Rachael Clements.

I congratulate all the students at Siena on their endeavour in 2007, especially those receiving awards, and I wish the 2007 Victorian certificate of education class all the best for the future.

Saver Plus program

Mr NORTHE (Morwell) — I speak today on a valuable program called Saver Plus, which assists individuals and families on lower incomes to establish long-term saving habits. Saver Plus was developed by the ANZ and the Brotherhood of St Laurence in 2002, and is partially funded by the state government. Saver Plus is Australia's first financial literacy and matched savings program, assisting participants to save for their own or their children's education and rewarding their efforts by matching every dollar they save with another dollar — up to \$1000. Apprentices, university and TAFE students, and parents of children in primary and secondary schools may be eligible to participate.

Berry Street, which delivers the Saver Plus program in the Latrobe Valley, is currently seeking additional families to join the program. Berry Street currently does not receive any state government funding to deliver this important initiative, despite the potential expansion of this service in Gippsland. I hope this government will acknowledge the value of the Saver Plus program and provide additional support, where necessary, particularly given the onset of increased prices for consumers of essential services such as water, electricity and gas.

It is expected that up to 80 participants in the Latrobe Valley will have successfully completed the program prior to Christmas this year. They are each to receive up to \$1000 of funds towards their education and their tools of trade expenses. This is a dollar-for-dollar matching of what they have saved in the last year. Well done to both Berry Street and the ANZ in delivering this important program to the Latrobe Valley! We look forward to many more positive outcomes as a result of Saver Plus, particularly if the state government is able to provide additional funding in delivering this program to regional communities.

World AIDS Day

Mr LUPTON (Pahran) — Last Saturday, 1 December, was World AIDS Day, and I was very pleased to be able to be part of the World AIDS Day concert which took place at Federation Square and to speak at that event, along with the Parliamentary Secretary for Human Services, the member for Derrimut; the Lord Mayor of Melbourne, Cr John So, and the acting director of the Burnet Institute, Professor Mark Hogarth. There were many great performers who provided entertainment at the concert, and I want to congratulate the Burnet Institute, the Department of Human Services, the City of Melbourne and other sponsors who made the event such a success. I would certainly encourage many more people to attend such a worthwhile event in future years.

On the preceding day, Friday, 30 November, here at Parliament house I also launched an AIDS awareness week on behalf of people living with HIV/AIDS in Victoria. We heard from some speakers who speak to public gatherings on behalf of the PLWHA (People Living with HIV/AIDS) Speakers Bureau, which is involved in training speakers under the leadership of Jo Pearson. We heard a particularly moving story from one young girl who was born with HIV. I commend the PLWHA organisation on the particularly important work it is doing in the community.

Warragul Returned and Services League: funding

Mr BLACKWOOD (Narracan) — I wish to raise a matter for the Minister for Community Development. Almost 12 months ago the Warragul sub-branch of the RSL submitted an application to both the federal and state governments for matching funding of around \$376 000 each. Federal government approval was granted; the state government rejected the application. On the advice from the former Department of Victorian Communities, a new funding submission was sent on 3 October this year to the Department of Planning and Community Development.

The revised application will see the Baw Baw Shire Council contribute \$50 000, the Warragul RSL \$100 000 and the state government contribution reduced to \$182 800. The federal government funds will be provided by DOTARS (Department of Transport and Regional Services) under a regional partnership program which is dependent on a state government contribution. The RSL has had three extensions from DOTARS and is now at serious risk of losing the federal government funding if the state government does not respond before Christmas.

The Warragul RSL has over 200 members and has been without a habitable building for 12 months. Members have been forced to use the Exhibition Hall, which has poor access, substandard heating and other issues which have made it very difficult for these elderly members. Our war veterans, their families and the Warragul community will all benefit from this project. They do not deserve to be hung out to dry by continuing state government inaction. I call on the minister to act immediately and approve the application to ensure the RSL does not lose the federal government allocation of \$376 000.

Building trades: Geelong picnic

Mr TREZISE (Geelong) — Last Monday, 3 December, I had the pleasure of attending the annual Geelong building trades picnic at the Geelong racecourse. The picnic day is held on the first Monday of December for families of union members working in the building industry. It is a great day out and one I know the kids really look forward to as there are plenty of amusement rides, games, music and food. At the same time the adults can get together with workmates and their families, kick back and relax. That is of course if they are not taking part in footraces or the big event of the day, the annual builders tug of war challenge. This year the tug of war was again hotly contested, with the final being taken out by the CFMEU (Construction, Forestry, Mining and Energy Union) from the plumbers union.

The organising committee is made up of Tim Gooden of the Trades Hall Council, Brendan Murphy and Dave Aird of the CFMEU, John Irvin and Craig Marshall of the Australian Manufacturing Workers Union, Glenn Menzies of the plumbers union and John Doran and Troy Gray of the Electrical Trades Union. Of course there are plenty of volunteers on the day who work hard to ensure the day is a great success with the key group including Anne Morrison, Tonia Willis, Vicki Hodgeson, Linda Marshall and Nada Ishka. I congratulate all those people whose efforts once again made the annual Geelong building trades picnic another great day out for all.

Wantirna Road, Ringwood: pedestrian crossing

Mrs VICTORIA (Bayswater) — Over the past six or seven years the residents around Wantirna Road, near Dandenong Creek, have been unrelenting in their push for a pedestrian crossing. I have met with residents, including those from Waldreas Lodge retirement village, and VicRoads on several occasions, always with the same outcome. Locals realise the need for a crossing and VicRoads always says no. Last week

a group of people aged 7 to 90 gathered at the site to protest against the stubborn refusal of VicRoads to protect them. Banners were held high, saying things like ‘Blood before action?’ and ‘Not your parents? Not your problem? Think again, Minister’.

VicRoads cites state prioritisation and a limited pot of funding as reasons for its rejection, but surely we do not have to wait for a death to occur before we climb up its priority list. Every life is precious and prevention is much better than cure. A road count showed few pedestrians cross at this point, but this is the most blatant case of chicken and egg I have ever seen. Give them a crossing and they will use it. The minister needs to intervene quickly before blood is shed.

Vietnam veterans: Christmas family day

Mrs VICTORIA — I wish to register my sincere thanks to Rob Lowe, Paul Curran and all involved with the Royal Australian Army Service Corp Vietnam Association. Every year they come together for a family Christmas day and illustrate what camaraderie and mateship is all about. Local members and volunteers from the Aussie Veterans Op Shop in Boronia join with their patron, retired Brigadier Geoffrey Christopherson, and his lovely wife, Leonie, for a fun-filled day.

Rotary: Forest Hill youth achievement awards

Ms MARSHALL (Forest Hill) — On Monday, 3 December, I was the guest speaker at the Forest Hill Rotary Club youth achievement awards. These awards acknowledge the enormous contribution made by students to their schools and our community through their leadership and achievements in extracurricular activities.

Congratulations to Edward Smith from Burwood Heights Primary School, James Franklin from Weeden Heights Primary School, Andrew Hewitt from Livingstone Primary School, Sophie Scott from Blackburn Primary School, Hayley Short from Orchard Grove Primary School, Nathan Begley from Vermont Primary School, Lucas Rutherford from Blackburn Lake Primary School, Rachel Rybar from Parkmore Primary School, Cassie Moloney from Rangeview Primary School, Lachlan Brooks from Kingswood College, Sally Manning from Nunawading Primary School, Tessa Borchard from Mitcham Primary School and Salam Kim from Nunawading Primary School and his amazing can-do attitude. We are all very proud of you. Our very best wishes for the future!

Forest Hill College: deaf facility

Ms MARSHALL — On 30 November I was honoured to unveil a plaque at Forest Hill College to mark the official opening of its deaf facility, which is catering for 15 hearing-impaired students this year and will increase to 19 students in 2008. The principal and staff are inspirational. You cannot help but feel the warmth and respect between the teachers and students. The deaf choir performed a song in Auslan. I was amazed to discover that only one of the performers was hearing impaired. Congratulations to all involved and very best wishes for the school and the students' continued success.

Bushfires: heavy equipment

Mr TILLEY (Benambra) — With the 2007–08 bushfire season just around the corner, this government is risking the lives of Victorians by not paying private contractors for essential firefighting services for the people of Victoria.

ACD Excavations has not been paid for invoices totalling a staggering \$118 000 for machinery provided to assist the Department of Sustainability and Environment in its firefighting efforts during December 2006. Two excavators and a bulldozer were supplied, and the small family company is out of pocket for the freight costs to get the machinery to the sites, not to mention the income it would have derived from jobs that were cancelled or missed when the machinery was not available. This government does not pay its bills and is risking contractors rejecting calls for help during the forthcoming fire season. What company is going to assist when there is such a high risk of non-payment? This government should hang its head in shame. Such a financial burden should not be carried by contracting companies while this government quibbles over the price it is prepared to pay to protect the lives and properties of its taxpayers.

It appears that the responsible minister, the Minister for Environment and Climate Change in the other place, cannot even manage his housekeeping matters, because he could not even pay his accommodation bill when the community cabinet visited Beechworth. If the government will not even pay its accommodation bills and ensure that a small business in Beechworth is satisfied, how is it going to take responsibility for protecting Victoria?

Kyoto protocol: ratification

Ms CAMPBELL (Pascoe Vale) — It takes Labor Party leadership and vision to recognise the reality of

climate change and the necessity for Australia to be part of the global community and to sign the Kyoto protocol. With the election of a Labor government led by Kevin Rudd, Australia has committed to ratify the treaty and to legally commit the nation to an emissions target of 108 per cent of 1990 levels by 2012.

To begin putting Labor's commitment into reality, federal climate change minister Penny Wong has announced an audit of commonwealth greenhouse gas emissions. Victoria will be represented at next week's United Nations conference on climate change at the highest level by our Premier. This morning we saw the welcome sight of one business — namely, iPrimus — lodging a large advertisement, which read: 'Congratulations Kevin07 for ratifying the Kyoto protocol'. This advertisement will hopefully be the prelude to other businesses highlighting their initiatives to neutralise greenhouse emissions.

Australians have to continue to reduce their environmental impact in 2008, because last week's release of the United Nations Human Development program report showed that Australia is the third worst world polluter. It must have been Brendan Nelson's trade union leadership training that enabled him to find the backbone to get the federal Liberal Party to join Kevin Rudd and state that it was important that Australia sign that protocol.

Health insurance: family coverage

Mr CRISP (Mildura) — It has been brought to my attention that once a person turns 18 they are no longer covered by a family membership with Rural Ambulance Victoria. One of my constituents has been very frustrated by this policy and recounted the following story. When the family's renewal was due, Rural Ambulance Victoria informed them that because their son had turned 18 he would have to take out his own membership. It was explained that the son was not working and was dependent on the family, but Rural Ambulance Victoria was adamant that he needed his own \$60 membership in addition to the \$120 family membership that the family already pays.

It is the same story with private health insurance. Once a person turns 18 they are no longer covered by the family option and instead must have their own policy. I call upon the health minister to implement temporary cover until these young adults are working and are able to take out and pay for their own policies. Even raising it to the age of 20 would ensure that young people had ambulance coverage and private health insurance under the family membership policy until they started work. The drought and limited employment options in many

small country towns puts pressure on country families. This is an area where government can make a difference to the stress that rural families are currently under.

Seymour Primary School: 150th anniversary

Mr HARDMAN (Seymour) — I rise to congratulate the Seymour Primary School community on its 150th birthday celebrations last week on 27 and 30 November. Seymour Primary School began at the Tallarook Street site, which is now the Seymour Special School, on 27 November 1857. It has since moved to the new Grant Street site, where it adjoins the Seymour Technical High School. As it grew over the years Seymour East Primary School was also established. These Seymour state schools all strive to provide the best possible education for students and families, no matter what their circumstances, as they did when state education began 150 years ago.

A special feature of the Saturday celebration was a guest speaker who was the great-great-grandson of the original head teacher, James O'Neill, and who was federal member for the area in 1983–84 when Seymour was in the electorate of Bendigo. The main speaker was the current Premier of Victoria, who maintained the commitment he made to help celebrate this occasion when he was Treasurer, along with his parents, who were also special guests on the day.

I wish to congratulate the organising committee and the principal, Stephen Pink, and the staff for all the events they held to mark this special occasion. There was a great feel to both days. Congratulations and thanks also go to former principal, John Jennings, and teacher Virginia Jennings, who spent a great deal of time ensuring the event was a special day by actually writing a history of state education in Seymour so that it will be remembered in the next 150 years.

Croydon Memorial Pool: funding

Mr HODGETT (Kilsyth) — I have previously raised in this house the issue of funding for local councils to upgrade local swimming pools, and I make particular note of the \$250 000 coughed up by the state government for the Croydon Memorial Pool in May this year after I pursued, lobbied and pressured the government to honour its election commitment to my local community. The pool was closed in late 2006, which was met by a huge negative reaction from the community. Hence the government's election pledge to try and hold on to the seat I now represent.

It is unfortunate that the government could not contribute more as costs for the project increased to include plans for a water-saving filtration system, amongst other changes to the original configuration of the pool. In a climate of drought, the Maroondah City Council made an effort to plan for the responsible use of one of our most precious resources. The Minister for Sport, Recreation and Youth Affairs, however, advised me at the time that given that the Maroondah City Council had already commenced work on the site, it was not possible for any government grant money to be given to the project. Regardless, this financial year will see the Maroondah City Council invest approximately \$1 million in refurbishment and maintenance of the Croydon Memorial Pool. I congratulate them for having proceeded far enough in the project to open the pool in late November and for the work they are doing to save water at the site.

I note, however, that the federal Labor candidate for Deakin, Mike Symon, promised that a Rudd government would invest \$600 000 in projects, including undertaking associated upgrading and sanitation works at the Croydon Memorial Pool as well as a backwash water system. I will be holding the member for Deakin accountable for this promise, and I trust it will be one of his priorities.

Yarra Ranges: mayor

Mr HODGETT — I congratulate Cr Tim Heenan on being elected mayor of the Shire of Yarra Ranges for the 2007–08 council year, and Cr Graham Warren on being elected deputy mayor.

Eureka rebellion: 153rd anniversary

Mr HOWARD (Ballarat East) — Last weekend saw the 153rd anniversary of the Eureka massacre. A full range of commemorative events were held in Ballarat to commemorate this significant event. Culminating in the battle on 3 December 1854, which saw over 30 men killed at the stockade, the Eureka rebellion brought to a head a series of injustices perpetrated by an undemocratic, colonial administration. Soon after the Eureka rebellion, democracy was extended to allow for men to vote regardless of whether or not they owned land.

This event clearly holds a significant place in Australia's history and was rightly commemorated by many people in Ballarat over the last weekend. The program commenced on Thursday with the raising of the Eureka flag at Bakery Hill and was followed later that day by the Eureka lecture, which was given by Professor Weston Bate at the Australian Catholic

University's Aquinas Campus. Later that day I was also pleased to view the replaying of the 1949 Chips Rafferty film version of Eureka.

Other events which took place were the diggers' march and the commemoration at the cemetery, and on Sunday further events were held. The dawn oration was at the Eureka Stockade given by Rod Quantock; a Eureka mass was celebrated at St Alipius' Church; and a Eureka luncheon was also held.

Schools: Free Fruit Friday

Dr HARKNESS (Frankston) — Schools in Frankston are delighted with the Brumby government's Free Fruit Friday initiative. Six Frankston government primary schools have received funding for this program, enabling them to provide fresh, nutritious fruit to their students every Friday. This program, in addition to the Go for Your Life campaign, is part of the Brumby government's sustained effort to encourage Victorian kids to have healthy lifestyles. I visited Frankston Heights Primary School last Friday and was helped by Lockey and Anita from prep 1H in looking at the program.

Much is being done in tackling these issues. The challenge is absolutely immense. Obesity is one of the most serious health issues facing Australia today. This practical measure is by no means the whole solution, but it is a crucial step in tackling this challenge.

GRIEVANCES

The DEPUTY SPEAKER — Order! The question is:

That grievances be noted.

Government: policy development

Mr WELLS (Scoresby) — I grieve for the people of Victoria given the lack of policies developed by the Brumby government. Furthermore, I note the number of policies that show that the Brumby government has had no idea of how to fix problems itself. It has had to visit the Liberal Party website and check Liberal Party press releases and transcripts of press conferences to get some idea of how to fix contemporary problems in the state. I will go through some of the problems that the state Labor government has not had a clue about how to fix. The first one is hoon drivers.

I remember years ago when the state was doing absolutely nothing to fix the problem of hoon drivers. I

clearly remember that on 28 January 2005 the Liberal Party declared that legislation on hoon drivers:

... to allow the confiscation of hoon drivers' vehicles must be immediately introduced to provide police with the power to rid our streets of menacing drivers.

That was on 28 January 2005. That was copied by the government, when 70 days later it brought out a policy — implemented 519 days later — headed 'Supercharged anti-hoon laws for Victoria':

Hoon drivers face having their cars impounded or confiscated permanently under tough new laws to be introduced by the Bracks government —

as I said, 519 days later. The Liberal Party believed there was such concern in the community about hoons that there should be a hoon hotline. Over and over again the Bracks government put that initiative down, saying, 'It can't work. It won't work'. A Liberal media release of 5 April 2005 states:

A Liberal government will introduce a 'hoon hotline' in an effort to curb the alarming increase in dangerous and antisocial driving on our roads ...

What happened? It was copied by Labor on 2 July 2007, 818 days after the Liberal Party announced what it would do, when it came out and said it would introduce a new statewide hoon hotline. The one that I think the member for Bass would find most interesting — —

Mr K. Smith — Anything you say I find interesting!

Mr WELLS — This would be the classic of all classics. On 12 November 2006 the Liberal Party leader announced that a Victorian Liberal government would construct a desalination plant to help drought-proof our state.

Mr K. Smith interjected.

Mr WELLS — We all remember it. We were all there at the Liberal Party launch.

Mr K. Smith — What did the Labor Party say?

Mr WELLS — This is what the Labor Party said at the time. The Labor Party lambasted the policy, claiming, as reported in November last year, that 'the energy consumption is enormous, the intrusion on the community is enormous, and of course it's extraordinarily expensive'. That is what Labor said after the Leader of the Opposition announced that a Liberal government would build a desalination plant. So on 12 November 2006 the Leader of the Opposition

announced that we would build a desalination plant, and that was copied by Labor on 19 June 2007. Labor had the audacity to then come out and start a very expensive ad campaign, saying, 'The desalination plant has always been part of a three-year water plan'.

Mr Nardella — That is right.

Mr WELLS — On 13 and 14 November last year, after we announced it, Labor said, 'The energy consumption is enormous, the intrusion on the community is enormous, and of course it's extraordinarily expensive' — but 220 days later we heard a different story, and Steve Bracks was wheeled out for another water ad.

One of my favourites is the policy on graffiti. The Liberal Party announced in its 2002 graffiti prevention draft bill discussion paper that graffiti vandalism is a crime against private and public property that is estimated to cost tens of millions of dollars a year to the Victorian economy alone. On 24 April 2002 we announced that we would be banning spray cans for people under 18 years of age. The Graffiti Prevention Bill, copied by Labor, came in on 19 September 2007 — wait for it — 1974 days, or 5 years, 5 months and 25 days, later. How much graffiti damage has been done to ordinary citizens and to businesses across the state by the inaction of the Brumby Labor government for 5 years, 5 months and 25 days? That is another absolute classic.

On 16 November 2002 the Liberal Party announced the abolition of zone 3 on public transport, with areas falling within zone 3 to be considered as part of zone 2, thus reducing costs for people in electorates such as Bayswater, Kilsyth, Warrandyte and Ferntree Gully.

Mr K. Smith — And Pakenham.

Mr WELLS — And Pakenham. It is interesting that they are all Liberal now. That policy was copied by Labor on 26 October 2006, 1351 days later. For those on the back benches of the Labor Party who do not understand, that is 3 years, 11 months and 20 days of inaction for people who want to use public transport.

Let us go to education. We have seen the figures come out from the Organisation for Economic Cooperation and Development showing how poorly Victoria is travelling with regard to education. Let us just take a couple of examples. On 14 June 2006 we announced that we would move preschools to the education department. Labor then said on 2 August 2007 it would do the same. On 20 August 2006 the Liberal Party announced its selective entry schools initiative, and on 30 June 2007 Labor copied it; as it did with regard to

the underperforming schools policy, which is obviously going to be a big issue, and salary bonuses for hard-to-staff schools. So on preschools it announced 414 days later; on selective entry schools, 314 days later; and on intervention in underperforming schools, 327 days later.

I am sure all members would be interested in our initiative regarding water from Lal Lal Reservoir going to Central Highlands Water. The Leader of the Opposition announced on 13 July 2006 that all water from Lal Lal Reservoir should be allocated to Central Highlands Water, and that was copied by Labor on 18 October 2007, 462 days later. Labor members said, 'What are we going to do to fix the problem? We had better go to the Liberal Party website to get an answer. There it is right there'. They have no ideas themselves, so we helped them out 462 days later.

Internet webcasting of Parliament is an interesting one. The Liberal Party announced its initiative on 20 November 2006, and it was copied by Labor on 7 August 2007, 260 days later. Is it still happening? I have no idea. That is typical of Labor. It makes an announcement to get it out of people's thoughts, yet nothing ever happens. One issue close to all our hearts, and especially those of opposition members, is our announcement on a processing and administrative ombudsman and recommendations on FOI reforms.

Mr Helper interjected.

Mr WELLS — The Minister for Agriculture is busting to know how many days it has taken for them to sort it out, so I will tell the minister it took 260 days for them to copy it. Now we are up to December, and there has still been no action. Where is the legislation? When is it happening? Still no idea! Regarding FOI reforms, I was under the impression that a bill was going to be brought on for debate yesterday after agreement with the shadow Attorney-General that that is what would happen. What happened?

Mr Nardella — What happened?

Mr WELLS — Our understanding is that it is flawed and the government has had to take it back and rewrite it because it could not get a simple FOI reform bill right. It is an embarrassment to the Attorney-General. We in opposition understand what it is like to go through the FOI process, especially when looking at travel or accommodation for any of the ministers. Boy, did it shut that down! The last thing this government wants is any openness or transparency. What a classic!

The next Liberal policy initiative on my list is 'Travelling expenses of ministers published in annual reports'. We announced it on 13 November 2006, and it was copied by Labor on 7 August 2007 — and the member for Melton is busting to know that that is 267 days later. We announced our initiative regarding transferring the functions of the Department for Victorian Communities to other departments on 16 November 2006, and Labor copied it on 2 August 2007.

Mr Nardella — How many days was that?

Mr WELLS — The member for Melton has to know that that was 259 days later, and it is very important to say it. It is a pity the member for Benalla is not here, because he would be jumping. What an embarrassment the toxic waste dump was! Another shambles created by the Brumby government. On 20 October we announced what we were doing, and it had to be copied. The government had no choice but to copy it on 10 January.

One that really concerns me, and one that I put a lot of work into, is the issue of interim intervention orders in cases of domestic violence. One of my priorities is to make sure that there is a very fair deal when it comes to domestic violence, and I have worked on this issue with Wendy Lovell, a member for Northern Victoria Region in the upper house. The Liberal Party policy initiative was the provision of police officers to issue interim intervention orders lasting up to 72 hours with the verbal telephone authorisation of a magistrate or bail justice, which would save hours and hours of police time in very difficult situations. With the old system police have had to send faxes off at 2 and 3 o'clock in the morning trying to find a bail justice or a magistrate.

The system was not working, and families were being put at more and more risk. On 24 November 2003 we made that announcement, and it was copied by Labor on 19 July 2007, 1333 days, or 3 years, 7 months and 28 days, later. Domestic violence is a very important issue and one that we pleaded with the government to make sure was addressed. Our initiative was straightforward, but Labor criticised us because it believed it would interfere with the judicial system. We had a different stance; we wanted difficult situations sorted out.

We announced our initiative concerning water tanks for major infrastructure on 19 November 2006, and Labor copied it, as it later copied Southern Cross station and Federation Square. We are talking days and days and days. We mentioned the Erskine pipeline on 24 May 2006, and it was copied by Labor just a week later. It

got onto that one pretty quickly; the website was working overtime on that one. We announced our policy on the Geelong aquifers on 13 July 2006, and it was copied, a bit later, on 17 October 2006 — a policy lag of about 96 days.

I know the Labor government hates technical colleges, because it wants to wrap everything up into the TAFE system, but we announced on 19 August 2006 that we would bring back technical colleges, and Labor had no choice but to copy it on 9 November 2006. We also talked about the introduction of taser guns in siege situations. I was personally involved in that, and I remember going to a demonstration of a taser gun. The response from the minister at the time was that he was going to investigate how we got involved in that demonstration. Why not just bring on the introduction? Our announcement was made on 7 November 2002, and Labor announced it on 14 November 2006, 1468 days later. Labor has obviously copied us on other issues, and we just want the government to start thinking of its own brilliant ideas.

Liberal Party: factionalism

Mr NARDELLA (Melton) — Today I grieve for the Liberal Party and the open factional warfare that is occurring within it. Its members are sinking deeper and deeper into a malaise, and nothing will stop them. The factionalism is between the Costello-Kroger forces and the Kennett-Baillieu forces. We know that Peter Costello, the former federal Treasurer, has no ticker. He is the man who spent all his life seeking to become the Prime Minister of Australia and all through his 11 years in government undermined the then Prime Minister, yet when it came to doing the heavy lifting, the heavy work, he squibbed it.

Ms Beattie — Who?

Mr NARDELLA — It is Peter Costello who squibbed it. Peter Costello has no ticker and is really part of the silver spoon faction. He has no guts, but he has the silver spoon syndrome, and shortly he will be leaving the Parliament to pursue money — the old gold coin in the pocket. The member for Hawthorn, the Leader of the Opposition, confirmed a point I made in a speech I gave in this house on 8 August 2007.

Ms Beattie — I remember that!

Mr NARDELLA — So do I, and I actually reread it yesterday. The Leader of the Opposition confirmed on *Stateline* last Friday night, 30 November, that he was done in by the opposing faction in regard to not standing a candidate in the Albert Park by-election. The

Liberal Party did not have the guts to support the Leader of the Opposition but followed the orders of Peter Costello because he, Peter Costello, wanted a free ride into the next federal government and the prime ministership, which he never got.

This open factional warfare was discussed and exposed in that *Stateline* program last week. Josephine Cafagna, who is a brilliant journalist, had Senator Judith Troeth explain the open warfare on television. We heard Senator Troeth lashing out at the Liberals party factionalism. She said:

I think we've had the cult of the personality, where the efforts of and energies of the party became focused on getting one individual, probably, into being Prime Minister.

Senator Troeth went on to say this was deleterious to the party 'in terms of the way that other party functions should be run'. Further:

I'm talking about Peter Costello.

It was a very interesting discussion, because she then talked about the preselections being run only to support Costello. I quote Senator Troeth:

... so that we have not selected candidates of suitable merit, or of suitable commitment to the party and its philosophy ...

The relevance of these statements and their effect on the Victorian Liberal opposition are exposed in what Senator Troeth went on to say:

... you would simply be eliminated at the first opportunity by a hand-picked member of that faction, to take your place on the party committee.

The party committee is a reference to not only the preselection panels but also the administrative committee.

The relevance was further confirmed by the Leader of the Opposition when on the same program he explained the factional divisions thus:

... it's no secret one group has dominated the Victorian Liberal Party in recent years.

Both the Leader of the Opposition and Senator Troeth have confirmed that they are not part of the dominant, major faction within the Liberal Party — that is, the Costello-Kroger faction. This is the reason why the Leader of the Opposition was rolled in his proposal to run a candidate in Albert Park, even though the Deputy Leader of the Opposition and the leader and deputy leader of the Liberal Party in the Legislative Council were also at that administrative committee meeting.

But there is more. In the *Age* Paul Austin, another insightful journalist, reported on this factional warfare. He wrote:

Senator Troeth ... told the *Age* the Costello-dominated committee's decision to override Mr Baillieu's bid to run a candidate in last month's by-election for the state seat of Albert Park was 'simply disgraceful'.

He reported also that:

... David Kemp had contributed to undermining of Mr Baillieu's leadership by backing the decision not to contest the seat vacated by John Thwaites.

Both Costello and Kroger have installed hand-picked henchmen at various levels who are beholden only to them — not in the best interests of Victoria, not in the best interests of the Liberal Party and certainly not in the best interests of the Leader of the Opposition here in Victoria. This open factional warfare is expanding, because the Libs are now attacking The Nationals. The Liberals are planning to challenge The Nationals in three key Nationals seats.

Ms Beattie — Name them!

Mr NARDELLA — I will name them. They are Benalla, Shepparton and Murray Valley. These challenges are revolving around the Plug the Pipe campaign that is currently being run within these Nationals seats by key members of the Liberal Party. Who are these nefarious people, these water terrorists, who are going around creating mayhem and putting out secret documents, saying that they are going to destroy property and disrupt people's lives?

They are the twice-failed candidate for Seymour, Mr Mike Dalmau; Wendy Stoney, who is a prominent Liberal but also the sister-in-law of the Leader of the Opposition; the indelible Sophie Mirabella, who is out there campaigning against The Nationals; and then the Nat rat. She was in The Nationals, sought preselection through The Nationals for the federal seat of Murray, got knocked off by The Nationals, went over to the Liberal Party, got preselection for the Liberal Party and knocked off the Nats — that is, Dr Sharman Stone. These prominent Liberals are out there running the Plug the Pipe campaign and trying to knock off Nationals members in those seats.

Ms Beattie — Which seats?

Mr NARDELLA — Let me go through them again. They are Benalla, Shepparton and Murray Valley. Let me explain that another factional battlefield is opening up within the Liberal Party.

Mr K. Smith — Where?

Mr NARDELLA — The honourable member for Bass asks where. Let me explain to the honourable member for Bass: it will be the battle for Higgins. Already the factions within the Liberal Party are sharpening their knives. You can see them sharpening their knives.

Honourable members interjecting.

Mr NARDELLA — I will name them. A number of prominent members are vying for this plum seat, the jewel in the crown in the Liberal Party in Victoria. What is really interesting is that not only is this one going to be vying for the seat of Higgins, he is also vying for another leadership position in this place. It is going to be very interesting. The honourable member for Malvern is on the phone.

Ms Beattie — He is just new.

Mr NARDELLA — He is just new, but he is on the phone to his pre-selectors, making sure he can get the numbers — not only the numbers for Higgins but also the numbers for a position in this place. He has phones on both ears at the moment, and he is making the phone calls.

I understand David Davis in the other place is also on the phone. We also have — I have not got her name as yet, but I will try and dig it up — a woman Liberal who went for Liberal preselection for Kew but missed out because of the now honourable member for Kew. This bunfight will be ugly, because it is about who wins the factional wars within the Liberal Party in Victoria.

The other really interesting thing at the moment is the Liberal Party retreat that occurred last Friday. Again it was on *Stateline*. We saw them with their butcher's paper, and they were scribbling away madly. They had desalination, they had environment effects statements and they had the really critical issues of our day, but my sources told me that at this love-in there were a number of very interesting discussions about the state leadership. They discussed the disastrous results of the federal election and their effect on the operation of the Liberal opposition in Victoria. They also discussed the role of the leadership within their own ranks, the strengths and weaknesses and the options, and referred especially to successful leadership and learning the lessons.

Ms Beattie — They should have phoned John Brumby.

Mr NARDELLA — They could have, or they could have — for a fee, I suppose — phoned up Steve Bracks, who is doing some consulting work with

KPMG. He could have given them some ideas about leadership. Even though no numbers were counted at this Liberal retreat, the discussions did occur.

We also had the other situation at this retreat, where the direction was brought down that there was to be no drinking because it was a working retreat. After dinner members of the Liberal Party had to go and do some more sessions. There was no drinking at the Liberal Party retreat, and my understanding is that there will not be a Christmas party either.

It was ludicrous, but that did not stop members of the Liberal Party from having the discussions I outlined to the house, and it did not stop them from having a drink. Knowing some of my honourable colleagues on the other side of the house, I imagine they would have had their pocket flasks and had a couple of swigs every now and then in defiance of their leader. They would have snuck a few round the back of the shelter shed. I do not know where they went, but there must have been a shelter shed out the back. They probably would have had a smoke and a bit of a swig from the old flask in defiance of their leader.

The Liberal Party is racked with factionalism. It is in disarray. We had *Stateline* exposing the Leader of the Opposition as having no power. He is not able to put his best foot forward. He is not able to represent the Liberal Party in major decisions and major by-elections in this state. It is a sad day for this Liberal opposition when not only is it in that position but it is attacking The Nationals and still has no policies for the future. I grieve for its members sincerely.

Country Fire Authority: volunteers

Mr RYAN (Leader of The Nationals) — I grieve today for the 60 000 volunteers who are the heart and soul of the Country Fire Authority. The CFA commenced its formal operations on 2 April 1945. It was formed, as members would know, as a result of the royal commission into the 1939 bushfires. It is now amongst the world's largest volunteer-based firefighting services. Today it comprises 1228 brigades. By definition, most are located in country Victoria, with a measure of them being in the outer suburbs of Melbourne.

The critical thing about the CFA is that it is an organisation born of its people. Ninety-nine per cent of the 60 000 people comprising the organisation are volunteers. They are not paid; they do not receive remuneration for what they do, but in every other respect, as all members of this chamber well understand, these people are professional. They are

amongst the best on the face of the earth. In country Victoria there are generational representations of the Country Fire Authority. In many of our towns families have had a direct participatory role in the CFA for literally decades upon decades.

It is a humbling experience for members of any political persuasion who go along to events where medals are presented to CFA members for service to see the way in which this wonderful tradition has so often been passed down from generation to generation. It is an ethos well established amongst these people, of courage, literally in the face of fire. These are the people who last summer, as we know, stood the line on behalf of all Victorians in the face of raging bushfires. About 1.2 million hectares was destroyed in those fires, and it was the CFA volunteers who were at the forefront of combating what we then faced as a state.

Obviously they were well and truly supported by the professional firefighters within the Department of Sustainability and Environment and by the many other organisations and agencies — both volunteer and paid — from around the state in all their different forms. But at the end of the day it is the CFA volunteers who are regarded by the Victorian public as being the faces of the firefighting efforts which are regularly mounted on behalf of our communities. They truly are champions and recognised as such by the Victorian community at large.

Unfortunately there is a growing sense of disquiet amongst those CFA volunteers. They believe they are not being treated as equals in the way the Country Fire Authority is being run. They do not believe they are being treated appropriately by the administration of the CFA. There is growing concern amongst them that they are not being respected for who they are and for the contribution they make. There is an awareness and sense amongst them that a lot of encouraging words are being spoken, that documents in the form of the charter are being signed and things of that nature are being talked about, but on the other hand when it comes to the actual delivery of those expressions of support the volunteers feel that things are pulling up well short of where they ought properly be.

We should all remember that by their nature these volunteers are practical people. They go about their usual daily lives. It is when the emergencies are on that they drop everything to fulfil their volunteer roles with the CFA. But these practical people are into actual practical outcomes, and what they fear at the moment is that the strong words of support coming from government and the way in which the board presently operates are not necessarily always matched by

practical outcomes. It is causing a growing sense of disquiet amongst the volunteers.

These people acknowledge that in today's world there must be an administrative structure in place which is appropriate to running the organisation of which they are a part. It requires formal structures. There are statutory obligations that have to be complied with. They understand all that. But in the final analysis it is these 60 000 volunteers in the organisation who are its backbone and who should be the true focus of the way in which the organisation functions. If I can put it in colloquial country terms, there is a sense amongst the volunteers that the tail is now wagging the dog, and that the best interests of the CFA are being suborned by degrees of political correctness and there is a failure to represent the interests of the volunteers particularly in relation to issues to do with industrial relations.

There are many current issues that highlight the problems which the volunteers have raised with me and with the member for Benalla, who is our party's spokesman for this critical area. Amongst these issues, and without any necessary order of priority, there are a number of matters that I would like to raise. The EBA — the enterprise bargaining agreement — has recently been signed between the CFA and the United Firefighters Union of Australia (UFU). It contains within its terms what is in effect a power of veto. I emphasise that as I understand the word 'veto' does not appear in the EBA. It never has and it does not now. But the terms of the EBA are such that the UFU membership has a capacity to be consulted.

Ultimately if the members of the UFU are dissatisfied about a particular initiative that is proposed by the CFA, then they have a capacity to disagree with that initiative, resulting in that initiative not being implemented. The volunteers do not believe that is fair. They have been championing the cause of deleting that veto provision from the EBA for about the last two or three years or thereabouts. They now find the EBA has been signed, and they are angry about it. It is no good saying one thing and meaning another; they are angry about it.

There is a further issue regarding a letter of agreement which has been established between the CFA and the UFU and which is intended to address concerns about the capacity to consult with volunteers. Obviously the volunteers are not privy to that letter, because it is between the CFA and the UFU, but what they have said to the board of the CFA and to its management is that there needs to be included in any such arrangement a binding mechanism applicable to both the UFU and the volunteer associations where any matter that impacts on

both volunteers and paid staff is to be subject to fair, genuine and transparent consultation between all the parties as equals — and I emphasise ‘as equals’ — with neither the union nor the volunteers association having any right to withhold agreement on the CFA’s ultimate decision. They have put that proposition in writing to the board of the CFA. As I understand it, they are yet to receive a formal response in relation to what that correspondence set out. In the meantime the EBA has been signed.

There are other issues, apparently minor on the face of them but nevertheless important to these people. The capacity of each of the brigades to have their own Australian business number has been withdrawn. It is not so much the decision itself, but the lack of consultation about that change of position which has annoyed so many of them.

They are concerned about the ongoing growth of what they see as red tape around the development of the procedures in relation to prescribed burns. They accept that in today’s world you cannot go about this in the same way as once happened. I have been out with different people over the years in various parts of country Victoria when the notion of a prescribed burning was simply to light a match and drop it. The volunteers well understand that these things cannot be approached in that way these days, but by the same token they are frustrated by the way in which red tape seems to have taken over the essential purpose of conducting the prescribed burns in the way that so many of the volunteers believe they should be and could be done.

A variety of things have been raised with the board and management. There are issues the volunteers want resolved, yet they do not believe appropriate action is being taken fast enough in having those matters dealt with. There is the issue of the map books that was raised last night in the adjournment debate by the member for Benalla. As I understand it the volunteers were given to understand that they would have the right to be able to review the content of the map books before they were actually distributed. As it now transpires, the books are being distributed and their content is not necessarily accurate.

In addition there is a concern amongst the volunteers that much of the content of the map books is confusing to those who need those documents and need them to be accurate, particularly at the time when fires are running and decisions have to be made on the back of the content of those important documents. The volunteers wanted the opportunity, and believed they would have it, to be able to comment on the content of

that material. Alas it does not seem to have occurred. As I understand it the minister has acknowledged to at least some degree that there is a problem there, but again we do not see any solution being offered to deal with it.

There is an issue in relation to what the volunteers regard as a slow response to the consideration of brigade-owned vehicle policy matters. This has been an ongoing issue so far as the volunteers are concerned: it has been the subject of discussion for a long time.

There is the fire services levy. It has just been increased again to 52 per cent of premium, which is the second increase in the last three or four months. What frustrates the volunteers is that by definition they are the ones having to pay these increased prices. They are the ones having to fork out the money for the fire services levy, only to find that they have to go out and fight the fires to which most of that levy is, of course, dedicated. This is the highest levy in Australia. It is something that should be abandoned in favour of a property-based solution, which is what The Nationals advanced at the last two election campaigns, and which to this day is not being accepted by the government.

There is the ongoing issue of the incidence of the CFA being involved in fighting fires on public land, or alternatively fighting fires which start on public land and then encroach on private land. These are issues which are imposing enormous strains upon the ranks of the CFA. I witnessed it myself in the course of the fires last summer. Many of these volunteers did two, three, four and five tours of duty, often having to engage people to go and work in their businesses while they went off and fought fires on behalf of the public of Victoria — and all too often those fires were on public land.

There is an enormous sense of frustration about the way in which this has unfolded. This has now translated into action of a nature that I think we have not seen before. On 25 November a meeting of the volunteer organisations was convened and was attended by about 100 people. Representatives of the urban and rural associations, group officers and brigade delegates met to consider these matters. They passed a motion saying that CFA volunteers are losing confidence in the CFA board, CFA management and the government’s commitment to protecting both the rights of volunteers and the future of the CFA as a volunteer-based organisation.

The chairman of the board of the CFA is Kerry Murphy. I have known Kerry Murphy for years, and by any standards he is a great bloke. He is very competent.

He has a proud record of service. He worked for governments of all persuasions in the many years that he was part of the public service here in Victoria. He is of course a serving member of the CFA, and he has the blood of the CFA running in his veins. I have no doubt about Kerry Murphy's commitment to this. Similarly Neil Bibby is a top bloke. I think he is doing a fine job on behalf of the organisation. But I say to them and to the board of the CFA that there is an issue here that has to be addressed.

There is a sense of dislocation between the volunteers and management and the board, and it is something that will have to be addressed. I believe it is something which needs to be dealt with as a matter of urgency. I understand that discussions are imminent between all the parties, and I hope we can see a resolution to this.

I also say to the minister that he cannot stand aside from this. We must make certain that the sort of commentary that we have heard from the government in support of these volunteers is given effect. For example, the other day I saw that another \$27 million had been allocated to enabling Melbourne's water supply to be secured.

There were all-round statements by the minister of a firebreak of 600 kilometres to protect it. These sorts of things ought to be being done on a permanent basis in other parts of country Victoria. Why do these people, our volunteers, see these sorts of initiatives being undertaken in the context of protecting only Melbourne's water supply?

There is a basic and fundamental obligation on government. There are also issues that the board needs to address. I would encourage all parties to resolve this in the name of this great organisation, the CFA.

Abortion: Victorian Law Reform Commission inquiry

Ms CAMPBELL (Pascoe Vale) — I rise in this grievance debate to talk about the law on abortion. Abortion is a contentious issue, as it goes directly to the moral truths we hold both individually and collectively as a society.

I valued the opportunity to lodge a submission with the Victorian Law Reform Commission (VLRC) recently. The commission was instructed to have regard to existing Victorian practices; existing legal principles that govern termination practices in Victoria; the Victorian government's commitment to modernise and clarify the law and reflect current community standards, without altering current clinical practice; and legislative and regulatory arrangements in other Australian jurisdictions. Unfortunately it was not asked to have

regard to the international legal provisions that support women and provide clarity on informed consent, decision-making counselling and documented studies on the adverse effects of abortion. I have recently had the opportunity to examine United States legislation. I believe it is a major oversight that the Victorian Law Reform Commission will not be looking at that legislation. The United States legislation will be addressed in a report that I am soon to lodge in the parliamentary library.

I do not support abortion, and my response to the VLRC inquiry is based on that core premise. I believe women deserve better than abortion. For me, nothing will make abortion moral or healthy for the women considering it. In fact it profoundly harms women. I know my position is strongly opposed by some of my parliamentary colleagues. Such is the nature of this critical social issue that parliamentary discourse is but a microcosm of wider public debate. My concern, though, is not to enter into a tit for tat with my fellow MPs and the community generally. Women absolutely merit more from their elected leaders. My concern nonetheless centres on whether this inquiry will generate the fair, sympathetic and equitable outcomes that women deserve.

For me, the terms of this inquiry should allow the commission to meaningfully explore the profound array of emotions and reactions that women dealing with unplanned pregnancy experience. The positions underpinning the review revolve around supposing that the ultimate decriminalisation of abortion is in society's best interest, and indeed, women's interests. This is utterly contestable. Without an in-depth exploration of the decision-making processes available to women confronting critical, life-altering choices like abortion, how can we reasonably expect the VLRC to derive legislative options that will support and work to foster the best interests of women?

I come to the abortion debate with a wealth of personal experience in supporting, talking to and advocating for the rights of women. In the course of my work before entering Parliament I visited a number of Melbourne's private abortion clinics. The purpose of these visits was to provide the support and assistance in decision making that women were so clearly not receiving. For instance, if a woman attending such a clinic was uncertain about having an abortion, then surely the best option for her at that time would have been to speak with an independent counsellor who could have discussed the full array of options, consequences, supports, experiences and emotions involved in every choice available to her. From my experience that was not occurring, and in fact I learnt it did not occur.

Likewise, if an abortion request arose because of a woman's lack of practical resources and care, then I wanted to make sure that the woman knew that the service I worked for could assist with a range of social supports such as housing, ongoing help for her to continue her education, be it secondary or tertiary, employment, income assistance and family support.

During these visits people at a number of the clinics told us about their work and allowed us to see how they operated. At one of the clinics, after being told about the process undertaken immediately prior to the abortion, we were invited to see the abortion room allocated to first trimester abortions. We saw the chair the woman sat in — a chair not unlike a dentist's chair — and there was a monitor alongside it. Not having any medical training I asked whether the screen was to monitor the woman's blood pressure and vital signs. 'No,' the doctor informed my colleague and me, 'It is the ultrasound screen which shows the heartbeat of the foetus. It ensures that the doctor monitors the heartbeat and when it stops we are sure the abortion is successful'. As you can imagine, such a comment takes one's breath away. In answer to my next question, 'How does the woman or mother cope knowing this, and what is her reaction when she sees it?', I was told, 'We make sure she never sees it, because if she did, she would be out of here'.

I believe this experience is common throughout the abortion industry. Women are rarely told about the embryological stage of the life developing within them, nor about what will occur during the abortion, other than basic descriptions. When I asked on my visits to these clinics what practical information or supports were offered to a woman to assist her to continue with her pregnancy, the reply was a blank. Because women rang to book an abortion, this was all that was provided. Decision-making counselling, as distinct from procedure and post-procedure advice, was not offered.

True choice requires full and truthful information. Decision-making counselling, where the full gamut of a woman's feelings and options are explored, along with the provision of tangible supports, is an utterly essential component of informed consent in abortion — although it sadly remains missing from the service offerings at many of Victoria's abortion clinics. For women enduring one of the most pivotal and heart-wrenching moments in their life, it also means their decision making will not free them from the impossible choice they feel is starkly confronting them — between themselves and their unborn. Women who are considering an abortion or booking an abortion deserve to know the truth and have all the available knowledge

to assist them to make a rational, informed choice. To deny women this truth is to deny women their freedom.

It is time that we as a community and as a Parliament demanded that a basic duty of care be established within the Victorian abortion industry. Such a duty of care would foster women to make individually appropriate choices through decision-making counselling. New laws, regulations and support programs must also provide the opportunity for those who have suffered the lifelong ramifications of abortion to tell the truth of their experience and to have available to these women pregnancy loss and grief counselling.

Ultimately abortion removes the pregnancy, but it never removes the feeling of motherhood. The truth of this is written on a woman's heart and women are changed forever. Whilst abortion removes a pregnancy, the pregnancy will change a woman ontologically. This is because a woman is a unity — a biological, physiological and psychological being. Comprehensive evidence that I have read and witnessed from women suffering post-abortions now clearly shows that women must be recognised as biological, psychological and social beings — a material and non-material unity.

There is also a pragmatic strain common to decision making by women when confronted by an unplanned pregnancy. Abortion is often seen as a fix to a range of personal problems or a very significant personal problem. Again, though, abortion does not provide for a woman's emotional needs, nor does it ensure a boyfriend, partner or husband will be around for the long term. Often the abortion is decided based upon the boyfriend, partner or husband's needs rather than those of the woman. It does not resolve unfair workplace practices or provide educational certificates or housing; nor does it stop family violence or sexual abuse.

Women deserve better than our current one-dimensional abortion regime, and it is our collective responsibility, particularly within this Parliament, to ensure women have available to them all the services and support they need. Legislation should enable and foster a community where there is nothing less — absolutely nothing less! — than an utterly radical solidarity with all women during their pregnancies, particularly for the women worrying about their pregnancy. There is no true justice or loving solidarity when an expectant mother feels a personal lack of hope and society's abandonment. Even the most independent of women also have interdependence within their community and thus they need others.

I would like to refer to recommendations I made to the Victorian Law Reform Commission. It has fallen to the

VLRC to determine what is legally in the best interests of Victorian women. Before this mammoth task can be contemplated, though, the VLRC must come from a place of its own informed decision making. Just as women miss out on this vital stage currently, the VLRC also risks undermining the validity of its inquiry unless important preliminary information gathering occurs.

In the first instance, it needs to study the documentation presented to women in every abortion clinic in the state. Included in the study should be what is handed to the woman to read and the time required for its consideration. How comprehensive is the medical content — for example, does it describe the stages of foetal development or the abortion procedure? Does it include details about known risks? Is the material multilingual? Is it understandable to all women who will have an abortion? Is it understandable to women whose first language is not English, those with low literacy skills, those with an intellectual disability? What is the method used to explain to women about the physical and psychological impact of their future abortion?

The study should also identify the information given to women who are considering abortion regarding the stage of development of the unborn, and it should detail the method of abortion. The study should also identify if anaesthetic is used for the unborn during the abortion and the method of disposal, including whether the mother is asked for permission for use of the aborted foetus for experimental or scientific purposes. The study should identify how many clinics send aborted items for these purposes, what percentage have asked the mother's permission and what level of identification of their usage is given to the mother.

The study should also document for each clinic the period of time between a woman requesting an abortion and an appointment for the abortion. The period of time for consideration of the material provided before the abortion should also be part of the study. Documentation is also needed on how many women are admitted to hospitals when abortion goes wrong, how many per clinic and the nature of the medical emergency. Finally, the information provided by clinics should be crosschecked with women prepared to speak about their abortion experience.

In conclusion, according to research recently reported in *Common Ground? Seeking an Australian Consensus on Abortion and Sex Education*, 83 per cent of women responding to a study on abortion said they would have carried their baby to term had they received the support they needed from their families, friends and so on. If such a statistic can be reviewed and accepted as a

reasonable extrapolation of Victorian women's views, then it is surely incumbent on the state government to extend its review of abortion legislation beyond the parameters of the immediate VLRC inquiry and begin to think about how the state can support the true decision making of women. Women must be freed from the impossible choice between their life and their unborn child. A caring community united in radical solidarity with women would demand nothing less.

Energy: prices

Mr CLARK (Box Hill) — I grieve for the soaring gas and electricity prices with which the Victorian public is being hit — increases made much worse than they need to be because of the failures of the Bracks and Brumby governments. Recently Victorian consumers have been hit with regulated retail price increases of up to 17 per cent.

The *Age* newspaper reported on Friday, 30 November, that the increases mean that a typical household consuming 6500 kilowatt hours of peak and off-peak electricity can expect its annual bills to rise from about \$945 to \$1106, an increase of \$161, and that larger families living in bigger houses can expect to pay up to \$200 more. The *Herald Sun* of Saturday, 1 December, reported that the power price surge will mean that a large family living in an all-electric house will have to find at least \$220 more in their annual budgets.

The *Herald Sun* points out that higher energy bills will put greater strain on household budgets that are already stretched. It reports that Victoria's energy retailers warn that above-inflation increases will become the norm as the cost of emission trading schemes flow through to domestic bills. The article reports St Vincent de Paul Society energy analyst Gavin Dufty as saying that the price of Kyoto could be as much as \$200 a year on the average energy bill. That analysis by the St Vincent de Paul Society also revealed that low-use customers of AGL gas will pay between 20 per cent and 25 per cent more for winter heating and that many country customers will face off-peak electricity increases of 20 per cent — almost double the peak rate rise.

These increases come despite the assurances that were being given to Victorians as recently as May this year by the Minister for Energy and Resources in the other place that they had nothing to worry about and that the price increases they would face would be less than double digits. Indeed the minister told the Public Accounts and Estimates Committee hearing on 16 May:

So I would be surprised — I would be disappointed — if price increases in Victoria got into double-digit figures ...

So much for the minister's assurances. Victorians are entitled to be very disappointed indeed in the Bracks and Brumby governments now that, despite the minister's assurances, they have been hit with these massive price increases. At the time the minister tried to tell us that Victoria was doing much better than other states. He claimed, for example, that the increases in Queensland would be around 10 per cent next year. As it happens, the *Age* of 30 November reported that increases in Queensland have been around 7 per cent, compared with the increases of up to 17 per cent here in Victoria. Not only have Victoria's increases been much higher than the minister assured us they would be, but they have also been much higher than increases in other states such as Queensland and, apparently, New South Wales.

In part these increases are due to the drought conditions that Victoria and most other parts of Australia are suffering, but the increases have been made much worse than they needed to be by a range of failures by the Bracks and Brumby governments. Most striking of all is the government's failure on the issue of demand response, which is sometimes called 'demand management'. At its best it should be about empowering consumers to make usage decisions based on the true costs involved and about providing opportunities to consumers to make savings when they do what is both good for them and good for the community as a whole by reducing their consumption of electricity at times of peak demand.

This is particularly important in the context of the current power price increases, because the main driver of the current increases has been rising power prices at times of intermediate and particularly peak demand, such as hot summer afternoons, which produce huge spikes in electricity prices. At those times you can have the wholesale price, which may be around \$40 a megawatt hour at normal times, soaring up to the market limit of \$10 000 a megawatt hour. These very concentrated and huge increases in price at peak periods are what is dragging up the across-the-board average price.

The reason that this links into drought is that hydroelectricity is one of the main sources of peak electric power. The drought means that less hydroelectricity is available, so there is less capacity to meet those demand peaks. That makes it particularly important that consumers are empowered through proper demand-response mechanisms. What is striking is that this was recognised in principle by the Bracks government as far back as 2002, if not earlier. But having run the flag up the pole and proclaimed the

importance of the issue, it failed to properly act to do anything effective in the intervening years.

In 2002 in a policy document issued by the then minister in the other place, Candy Broad, entitled *Energy for Victoria*, the government said at page 16:

Demand side management (DSM) includes peak demand reduction, energy efficiency, and the use of cogeneration and stand-by supplies. It can contribute to supply security by reducing the size of Victoria's peak and overall demands.

The government has given a statutory role to VENCorp to facilitate demand management.

It should be put on the record that the demand management role given to VENCorp was removed from the legislation earlier this year because VENCorp had not done anything effective with it. Whether that power should have been given to VENCorp in the first place or whether other things should have been done is a moot point. The critical and unavoidable point is that the government, having said, 'Yes, demand side is important, and yes, we are going to do something about it', has done nothing effective at all. In particular what it has failed to do is provide for the availability of smart meters — otherwise known as interval meters — to consumers.

The reason these are important is that they measure the consumption of electricity by household, business and industrial consumers in intervals of, say, half an hour, which means that the prices that are charged for electricity can be varied very effectively between peak and off peak and indeed according to the wholesale price prevailing at any particular time if the consumer and retailer reach agreement on such a package. These meters can also include communications so that there can be automatic mechanisms built in for scaling back use of appliances depending on prices that prevail at the time.

We had the bizarre spectacle when the Minister for Energy and Resources went out the other day to tell Victorians the news about the 17 per cent price increases of him saying, when asked what people can do about it, that they could turn down their air conditioners at times of peak demand. If the minister and his predecessors had got on with what was identified, planned and initiated under the Kennett government — namely, the deployment of interval meters — then all of this could have been in place. Interval meters could have the communication smarts built into them.

The change in temperature of air conditioners could be varied depending on what is programmed via the interval meter, or indeed, as is being trialled in South

Australia, the compressor motor could be turned off at various times which are rotated among different customers. Each customer might have the compressor turned off for just a few minutes in any half-hour period, but the overall aggregated and coordinated effect is to lower the demand peak. There is so much that could have been done in properly managing demand response had the government got its act together. It has failed to do so.

Another significant failure of the Bracks and Brumby governments that has been driving up energy prices in Victoria has been the role of industrial disputes in adding to the costs of and deterring investment in power generation plants. In particular there was notoriously the experience of delays and cost blow-outs at the Somerton and Laverton gas-fired plants which sent a signal to potential investors in generating plant in Victoria to be very cautious indeed. That does not mean investment is not taking place at all. It is, but it is very slow — far slower than it needed to be, because investors need a higher rate of return than otherwise required to overcome the drag of cost and delay from industrial disputation.

On top of that we have had the failure to properly plan for gas pipeline expansions, which I raised in the house yesterday. That is perhaps just the latest in a series of poor management decisions and responses by the government which contribute to an overall assessment by many in the industry in Victoria that when it comes to detail and actually getting changes and programs rolled out and implemented, the Bracks and Brumby governments have been very badly lacking. They have relied for the big picture on the reform framework established by the Kennett government, which they denigrated at the time but are now extolling the virtues of, but the detailed implementation is lost on them. Although they have one or two key staff members of some ability in senior ranks within the department, they have lost many able staff members at lower levels, and that has contributed to the problem.

We have seen mismanagement from the time the government came to office to recent days. We remember that in the 1999–2000 summer our state was hit with unscheduled blackouts across our suburbs due to power shortages, whereas at the same time in South Australia the crisis was properly managed and unscheduled blackouts were avoided. But the government failed to learn the lessons of that, and just last summer again we saw unscheduled blackouts because of the lack of an emergency power reduction framework when there was the tripping of an interstate transmission line. VENCORP ducked for cover on that issue, but VENCORP, under the state government's

control, is the body that should have primary responsibility for that sort of emergency supply response. It and its political masters have been found wanting.

The problems have also been added to by the focus of the Bracks and Brumby governments on spin and media opportunities over substance. We have seen that with the Victorian renewable energy target scheme, the brainchild of the former and unlamented Deputy Premier which the current Minister for Energy and Resources signalled in the house yesterday the government is now trying to look at unwinding, given that it is going to be superseded by a national scheme. We have similarly seen with the Victorian energy efficiency target scheme that was debated in this house recently that many issues of detail that were raised on this side of the house still need to be resolved.

There is much more to come. Federal Labor has come to office on a platform of the rapid introduction of an emissions trading scheme, but honourable members may be interested to know that when one searches for the Labor Party policy document on emissions trading, there is none. This is a centrepiece of federal Labor's election policy, yet the most detailed statement that can be found in writing is a speech made by Kevin Rudd to the Belconnen Labor Club on 30 May 2007. There is no policy document explaining how federal Labor will deploy an emissions trading scheme. The very sketchy details are set out in just three pages of the speech. So the Victorian minister had a heck of a nerve to tell this house yesterday that federal Labor would simply be filling in the fine details, as he put it, of policy work that has already been done.

Labor governments, both state and federal, have been great on posturing about emissions trading, but they have done nothing more than set a broad-brush framework, and there is an enormous amount of work to be done. Billions of dollars of cost and revenue are involved in an emissions trading scheme, and this is something that is very frightening when it is being tackled by inexperienced state and federal Labor governments.

Iraq: refugees

Mr CARLI (Brunswick) — I rise to grieve for the people of Iraq, who are facing the greatest humanitarian crisis we have had so far in the 21st century. Australia has a moral obligation to continue to assist the region and also the millions of Iraqis who have currently left their homes for safer areas. I recently visited Iraq as part of a delegation. I spoke to United Nations (UN) and Syrian officials and had a look at the extent of the

refugee crisis in the region. It is a massive crisis. The United Nations estimates that something like 4.5 million Iraqis have now been displaced. Two million of those are within Iraq, mainly seeking refuge in areas like the north of Iraq. There are also 1.5 million Iraqi refugees in Syria, and a million more mostly in Jordan and also in Iran, Egypt, Yemen and Turkey. In the meetings with the UN it was made clear that this is the worst refugee crisis that has hit the region since the foundation of the United Nations. In numbers it is greater than anything else that has been seen in Middle East, including the flight of Palestinians in 1948.

The new Rudd Labor government has committed itself to an exit strategy for the Australian military's involvement in Iraq. It is also important that we remain committed to the region and take a level of responsibility for a crisis to which Australia has certainly contributed. It was the decision of the Howard government to commit Australian troops to the Coalition of the Willing, which means that we have the responsibility to help meet the humanitarian crisis that is now apparent in the region.

It is important for members to realise that it is no longer a battle between two forces. What has broken out in Iraq is sectarian violence. It has affected all the communities in Iraq and has been extraordinarily brutal. It has touched virtually every individual in Iraq. It has obviously led to the great diaspora of Iraqis, which include the Iraqis in my own electorate and Iraqis in the northern suburbs of Melbourne. There is a very large concentration of people from Iraq who have sought to be refugees in this country and are making very fine citizens.

The crisis has meant that all communities — Sunnis, Shiite, Christians, various ethnic minorities and Palestinians — have all been hit by sectarian violence and have certainly been displaced within Iraq. Very few areas, mainly in the north, have remained safe for individuals.

From my time with Iraqi refugees it is quite clear to me that the armed militias have targeted individuals. Many have been tortured. Many have had their lives threatened. The reasons people are targeted can be very varied. People can be targeted for their religious affiliations, their ethnicity, their economic status and even their profession. I have come across hairdressers, for example, whose profession has been deemed to be un-Islamic. Some fundamentalists have targeted them, and they have been forced to flee the country or otherwise face execution.

One community that has been typically targeted in Iraq has been the Palestinian community. A number of militias and sectarian groups have targeted the Palestinians. The accusation that has been used against them is that they were given preferential treatment under Saddam Hussein. They have been made the subject of a fatwa, which is a collective death sentence, by those militias. Some have sought to escape. Since they do not have passports, just UN documents, they have ended up stuck in the desert.

There are 400 or so who are stuck in what are possibly the most miserable conditions on earth in a makeshift refugee camp in the desert between Syria and Iraq. The camp is called Al Tanf, and it is located in the middle of the desert. Neither Iraq nor Syria will take responsibility. Obviously the UN is very active there and is seeking to provide assistance to these individuals. There are a further 15 000 Palestinians in Iraq who essentially have nowhere to go. Their lives are under threat, and they are stuck in Iraq and seeking as much protection as they can from the forces within Iraq.

While there are Palestinians in a desert camp, essentially the Iraqi refugees that you find in the Middle East are not found in camps; they are found in cities. If you look at the 4.5 million people who have been displaced, you see it is the poorer people seeking refuge who have tended to be displaced in Iraq. Those who had some financial ability to raise some money could get a car, and they are the ones who have basically sought refuge in the big cities of that region — Damascus, Aleppo and Homs in Syria, and Amman in Jordan. Credit needs to be given to both Jordan and Syria, which have opened their borders to these people and have allowed them to find safety and sanctuary.

I must say that Syria and Jordan have a history of doing this. When you look at the great political disputes in that region, you will find many of those communities have resettled, particularly in Syria but also in Jordan. There are Palestinians, there are Greeks who have been displaced out of Asia Minor, there are Muslim communities who were displaced out of Greece in the early part of the 20th century. There are also Armenians who were obviously persecuted and forced out of Turkey. All those people have resettled over time in that region. It is not unusual for them to seek to provide safety and sanctuary to fellow Arabs in their moment of crisis.

However, the refugees have created an increased demand for basic goods and services. Inflation has been created in the great cities of that region. Rents have gone up and the price of food has gone up. Without

foreign aid flowing to Syria and Jordan, those countries have now sought to put greater restrictions on their borders in terms of toughening their visa requirements to stem the inflow of refugees. Certainly the international community has not been forthcoming in providing support for this massive influx.

As I noted before, those who are better off are the ones who have left; the poorer Iraqis have tended to find refuge within Iraq itself. Even within Iraq, the great displacement of people has overrun health, education and other services. The UN has declared that this is an unprecedented urban crisis. Refugees generally do not head to the cities. They are generally displaced into camps. Iraq is very unusual. What it has meant is that cities in that region have increased their population virtually overnight by 20 to 25 per cent.

A huge number of people suddenly head for the cities. They have savings for a while but obviously the savings are being spent. For an outsider it is very hard to see these people as refugees, because to all intents and purposes they look like locals. But obviously to the locals they are clearly different, and there is an increasing level of resentment. The initial response of locals to seeing their neighbours fleeing was to open up and provide refuge, but that attitude seems to be hardening as people begin to resent the housing crisis, the inflation and the overstressed resources because of the increase in numbers in schools and at health centres. Essentially Jordan and Syria are very poor countries.

There is a straining of resources. In Syria a large amount of government expenditure goes into subsidising the price of basic necessities like fuel, bread and other goods, so essentially there is a big cost to government. The problem in the region is partly the making of the Coalition of the Willing. The decision of the Bush administration to invade Iraq has created an enormous displacement of people, and it comes on top of many years of sanctions and deprivation. This is not to condone the Saddam Hussein regime; it is just to note what has happened as a consequence of that invasion, which is a massive humanitarian crisis. I want to focus on the needs of that region.

The Australian government has decided to increase the number of refugees coming from that region to 35 per cent of those in the humanitarian visa category, and that is important. From discussions at the office of the United Nations High Commissioner for Refugees (UNHCR) in Syria it became clear that the commission has managed to register only 135 000 of the 1.5 million people who have crossed the border. Many of those cannot go back. There will be some who will go back when things are quiet, but the sectarian violence has

been so great that for many groups there is no possibility of returning. The region where they come from is no longer available to them, so there is a need to resettle many of them.

As I said, the UNHCR in Damascus has processed 135 000 people, but very few countries have put up their hand to take those refugees. Australia has decided to take some, and that is good, but this is a humanitarian crisis. I think it is comparable to the fall of Saigon and the consequences of that. It is only now that the world is starting to recognise the magnitude of the humanitarian crisis in the Middle East which resulted from the invasion of Iraq. I believe Australia has an obligation, given its role in the Iraq war, to support those Middle Eastern countries that are hosting Iraqi civilians. Australia needs to look at its support for the United Nations agencies and at the provision of aid to both Syria and Jordan in terms of the work they are doing, and it needs to continue to provide opportunities for the resettlement of Iraqi refugees in Australia. United Nations agencies are now working together and are seeking assistance collectively from the world to deal with the magnitude of this crisis.

This is making it incredibly difficult for Iraq to rebuild. As I said, those who have left are those who can, and that tends to be those with the money, the education and the ability. It has created big consequences for the country. Equally we have to recognise that the level of sectarian violence, particularly in Bagdad, the Sunni triangle and the south, means that whole communities will probably not be able to resettle. One person from the Anglican Church who has been involved in issues in that region has said that of the more than 1.5 million — possibly 2 million — Christians who were in Iraq at the time of the 1980s censuses, only about a quarter of a million are left. We might be seeing the end of Christianity in that region, and certainly in Iraq. Clearly there are many Christians in Syria and Jordan, but the future of the Christian churches in Iraq is very bleak.

In terms of the local community here — I have a long history of working with the Iraqi community, and I have had Iraqis working in my office — there is no doubt that they are really feeling the consequences of these events. Many of them supported the invasion. Without doubt they believed that things would change very quickly. They are now concerned about their families, about resettlement and about the psychosocial injury that has been done to many of these individuals. It is a crisis. What has been done has been done. We now need to work out how to fix things.

There has been some good news. The recent surge of activity by the United States and Iraqi forces seems to have quietened down some of the conflict, and some Iraqis are returning. That is a good sign. But equally the level of sectarian conflict remains pretty massive. I think giving shelter to those vulnerable individuals who can no longer go back is an important issue that Australia and the rest of the world community should take responsibility for. I think we can begin to grasp the significance of the conflict only when we think about the 4.5 million displaced people. That is a huge part of the population, and the consequences of doing nothing will destabilise the Middle East. Certainly it will create enormous problems for countries like Syria and Jordan, which have opened up their borders and have created opportunities for refuge for those who are vulnerable and really have been under threat.

It is a bleak picture. Clearly Australia has a role to play and a responsibility to be part of the solution. We need to focus on the humanitarian side of that solution and to provide as much support as we can to the efforts of countries in the Middle East like Jordan and Syria. We also need to focus on our commitment to the humanitarian resettlement of refugees, ensuring that we provide opportunities for the Iraqi community.

Minister for Mental Health: performance

Ms WOOLDRIDGE (Doncaster) — Today I grieve for thousands of vulnerable Victorians who are not getting the leadership, services, accommodation and care they need. My contribution undertakes an assessment of the performance of the government and Victoria's first Minister for Mental Health on her first year in this portfolio. What we must conclude is that Victorians with a mental illness, a drug or alcohol addiction, a disability and the elderly have all been let down by this Labor government and this minister. These people are not a priority, and the government's performance over the last year has been marked by underinvestment, failure of services and lack of leadership and accountability. Nothing reinforced this more for me than when the new Premier outlined his six priorities: education, public transport, urban development, cancer and diabetes, major projects and services to our farmers.

Where are vulnerable Victorians in all of this — those with a disability or mental illness, those who suffer daily from an addiction, and their families? The Minister for Mental Health has absolutely failed to get her portfolio responsibilities to be a priority for this government. I would like to go through each area and look at some examples of the failures.

From start to finish, mental health services are in crisis. At the front end of the mental health system is the local CAT (crisis assessment and treatment) team. But a recent review by the Department of Human Services has confirmed what we already know — that under Labor, CAT services have been neglected and are no longer able to provide 24-hour coverage. The review states that the ability of the CAT services to provide acute treatment in the community seems to be compromised and that CAT managers believe their ability to provide treatment in the community has been eroded.

With CAT teams eroded, many are forced to present to hospital emergency departments, but 33 per cent of patients wait more than 8 hours for a bed — that is if they can get admitted in the first place. With 46 per cent of inpatient beds blocked, staff are able only to admit those threatening to harm either themselves or others.

We also know that getting access to suitable accommodation is just as hard, if not more so. Community care units and secure extended care units are too few in number and they are also blocked. Today's community visitors report on mental health services asks the government, yet again, to urgently address the secure extended care unit shortage. It talks of eight-month waits in an acute bed to get a place. Sixty-five per cent of secure extended care unit consumers and 30 per cent of community care unit consumers stay more than 300 days because Labor has fundamentally failed to invest in any long-term supported accommodation options, which is another issue highlighted in today's community visitors report. As a result Victorians with a mental illness are being left out in the cold — often literally.

Two-thirds of residents in pension-level supported residential services (SRSs) — they are low-care facilities for the frail aged — have a mental illness; up to 50 per cent of our over 4000 prisoners have a mental illness; and so too do 80 per cent of homeless Victorians. While accessing mental health services is incredibly difficult, for those in the system there is simply no continuity of care.

The Boston Consulting Group report argues that Victoria's 'mental health care and support system is so fragmented and complex ... that even a knowledgeable, healthy consumer would find it difficult to navigate'. In hard figures, 40 per cent of mental health inpatients receive no pre-admission care in the community; 30 per cent receive no post-discharge care within 30 days; and as a result 15 per cent are readmitted, unplanned, within a month.

From start to finish our mental health system is in crisis. Care in the community, inpatient services and long-term accommodation options are all desperately overstretched. Victoria's first mental health minister has been missing in action.

A crucial test for new ministers is the funding test, and this minister has already failed this dismally. Only 27 per cent of Labor's mental health election pledges were funded in the last budget. The non-government sector was particularly hard hit in the budget, with a funding cut in real terms, despite ballooning demand. The government's own mental health policy and funding guidelines show that mental health spending will increase by only 3.3 per cent this year, less than half the increase in acute health expenditure.

While Victoria used to lead the nation in expenditure for mental health, the Productivity Commission has reported this year that the state government's discretionary per capita spending on mental health has now fallen to fourth among the states and territories. Minister Neville's failure to deliver adequate funding, and the resulting staff and bed shortages, is causing real problems for mental health consumers.

Since December young people have been unable to be admitted to the Austin Hospital's adolescent psychiatric ward because of an unsafe environment, which Labor was first notified of three years ago. Despite massive demand the children's hospital was forced to close six eating-disorder beds in August, commenting that in the absence of increased funding the current level of activity is unsustainable. This leaves 12 eating-disorder beds for the entire state.

These service closures have placed even greater demands on mental health nurses. Low bed and staffing numbers have led to assaults on staff and restrictive treatments, which prompted mental health nurses to strike earlier this year in the eastern region, in Geelong and also in Ballarat. This minister must do better.

Victorians suffering because of drug and alcohol abuse also fail to get the care and treatment they and their families so desperately need. We know that every year 400 000 Victorians use cannabis, 114 000 use methamphetamines and ice, and 12 000 use heroin. We also know that 76 per cent of young people have recently engaged in binge drinking. In the drug and alcohol sector, as in the mental health sector, despite the clear need, treatment services for people battling with drug and alcohol addiction are in crisis. The Salvation Army has argued for some time that Victoria's treatment system is 50 per cent under capacity, with long waiting lists and knock-backs the norm.

What has the minister been doing in her first year to fix this crisis in alcohol and drug services? The answer is that she has been reducing funding, breaking promises and cutting services and key policy bodies.

Despite massive revenue from record levels of taxation and a GST bounty flowing like a river of gold from Canberra, the drugs services budget was actually cut this year by 3.5 per cent. This means people with drug and alcohol issues and their families are suffering more than ever. Rather than there being the much-needed investment in treatment and education, the minister says she is putting together an alcohol action plan. This was first promised in 2002, and even last year Labor said it would be finished by the end of 2006–07, a commitment now broken on this mental health minister's watch.

The minister's failure to fund the sector has also had negative consequences for existing services. On 30 June funding for seven beds at Odyssey House in Lower Plenty was withdrawn, despite waiting lists for the service of more than 40 days.

The northern assessment referral and treatment team, which diverts drug-related offenders away from the criminal justice system, has been denied funding despite the fact that it continues to win major awards for its groundbreaking work, even from the state government. In March the Premier's Drug Prevention Council was abolished. The council had been the government's key policy advisory body since 2001. No equivalent committee has been appointed in its place. Recently the Premier surprised us all with his recognition of alcohol as the biggest social problem in Victoria. However, no-one has told the Minister for Mental Health. Despite her having responsibility for this important area, she has not mentioned alcohol once in the past 12 months in this Parliament. This minister can do better.

Victorians with a disability are also experiencing unacceptable difficulties in accommodation access. The 2006–07 report of the public advocate makes for enlightening reading in this regard. It says that the board is deeply concerned at the increasing number of young people with a disability being placed in pension-level SRSs, which are private, low-care facilities for the aged, as I mentioned. The report goes on to say that this is apparently the case because other accommodation and support options are not available. It is ridiculous that in Victoria in the 21st century people with disabilities are being dumped in facilities like these because there are, quite simply, no other options.

The chorus of concerns about accommodation from both the community and the opposition has now reached a crescendo. Let me go through some of them. Today's community visitors report on disability services says there is a continuing crisis in unmet accommodation needs for people with a disability across Victoria. Our stock of community residential units is also utterly inadequate. Waiting lists for these services have recently blown out to over four years, placing massive and unfair strain on families and carers. The Victorian Council of Social Service has emphasised this point in its 2008–09 budget submission. It states that, as a result of underfunding, more than 2500 people with disabilities are currently unable to access the supported accommodation or support they require. VCOSS calls for the creation of an extra 650 supported accommodation places.

In fact the minister's inaction has been so complete that the former federal government was forced to come to the rescue, despite its being an area of state responsibility. It set up a program worth over half a billion dollars to provide 1750 extra supported accommodation places nationwide, with 350 extra places in Victoria. This minister must do better.

Finally, in terms of services for senior Victorians this government is failing to meet standards that Victorians expect. Seniors deserve our respect, and they deserve quality care. This year there have been revelations of mistreatment of elderly Victorians in the public health system. In October a report was released that showed aged patients were being discharged from public hospitals malnourished, with ulcers, skin tears, bed sores and serious infections.

The report found that 54 per cent of nursing staff surveyed rejected the notion that older Victorians receive appropriate care in Victorian public hospitals. More than two years ago Labor promised \$6 million funding for an elder abuse prevention project. Despite this promise, Labor and this minister have delivered nothing. Labor's failure to protect older Victorians is clearly demonstrated by the fact that since the government pledged this program more than 400 000 cases of elder abuse have gone unreported and undetected. This minister must do better.

Apart from the myriad examples of failure I have already listed, my biggest concern is the minister's lack of leadership and accountability. I am very concerned that while Minister Neville presides over a series of major service — —

The ACTING SPEAKER (Mr Seitz) — Order! I remind the member for Doncaster that in this house

ministers are addressed by their titles, not their family names. This is the second time the member has used the minister's family name, so I caution her.

Ms WOOLDRIDGE — I am very concerned that while the Minister for Mental Health presides over a series of major service and care failures, she is unwilling to answer questions about them. As of this morning the minister is late in answering a staggering 151 questions on notice in the Legislative Council. In total she accounts for 40 per cent of all overdue questions — four times more than any other minister.

When I do get a response it is also interesting to note the quality of that response. In reply to a question regarding the closure of SRSs, which are registered by the government and are under severe stress, the Minister for Mental Health simply stated that SRSs are not owned or operated by this government. It was a legitimate question about facilities where we know there are massive problems, and the government registers them and provides funding programs to them. Trite responses to legitimate questions do not become this minister or this government.

On top of this, six FOI requests to the minister are well overdue, having been lodged with the department in mid-July, more than four months ago. Talking the talk on FOI is easy, but the actions of this government and this minister demonstrate that on their watch FOI has degenerated into a farce. When the member for Broadmeadows became Premier he said the government was committed to keeping pace with people's expectations of accountability. Obviously the Minister for Mental Health did not get the memo. The minister has also failed to represent and argue the case for vulnerable Victorians in the Parliament.

The Minister for Mental Health has introduced no new legislation and has made few speeches in her portfolio areas. She has consistently failed to respond to adjournment matters raised with her. Members of opposition parties have raised 17 adjournment questions with her; however, only three have been answered in the Parliament — so much for openness and transparency, and so much for acting in the best interests of vulnerable Victorians.

So for the first year in her job the Minister for Mental Health gets an F. The minister is unaccountable and is critically failing to champion her portfolio constituency. Vulnerable Victorians deserve better than this minister and better than this government.

Former federal government: performance

Ms GREEN (Yan Yean) — This morning I wish to grieve for the lost opportunities for our country over the past 11 years under the leadership of the Liberals and The Nationals and the Howard government. We have had 11 years of looking to the past and of looking backwards to a 1950s that never existed with a white picket fence that did not want to let anyone in who was different or who did not have a white face; and 11 years of diminishing Australia's good name in international forums and trashing our reputation as a tolerant nation. Over 11 years what did we see? We saw the spectre of Pauline Hanson and the embracing of her outrageous, shameless racist policies by a previously proud Liberal Party no longer able to be called a liberal party.

With the children overboard affair we saw under successive immigration ministers the absolute politicisation of the plight of refugees fleeing from war-torn areas and looking for safety in a peaceful country. We had the appalling situation which allowed Australian citizens such as David Hicks to rot in jail for months and years without being properly charged, and the appalling treatment of Dr Haneef. They are examples of John Howard's dog-whistle politics over the past 11 years, which finally culminated in the outrageous bogus Muslim brochures in Lindsay which the electorate saw through, so it tossed those members out of western Sydney in particular.

We have had 11 years of the abandonment of our indigenous people and the absolute shame of our national Parliament and national government being the only Parliament and the only government in this country of any political colour that has failed to say sorry and failed to apologise for the wrongs done in the past to our Aboriginal and Torres Strait Islander people. We have even seen the newly elected opposition leader, Dr Nelson, still indicating that no apology would be forthcoming from his party. We saw the intervention in indigenous communities when former Minister Brough, who has now lost his seat, sent the army in.

Was that about concern for the plight of indigenous people? That is what we were told at the time, but no, it was not. The former foreign minister, Alexander Downer, has let the cat out of the bag since the election. This was not about improving the plight of indigenous people, this was about trying to improve the standing in the polls of a dying government — another attempt at dog-whistle politics, trying to get a boost in the polls for a leader who was on the skids. That is what Alexander Downer has said in numerous media interviews following the election. It was shameful behaviour.

We have had 11 years of failure to build on the natural strengths of our country and the economic reforms of the 1990s — the floating of the dollar and the reduction of tariffs — which were making Australia's manufacturing more competitive. We have had 11 years of diminishing housing affordability, so that members of generation Y may be contemplating never being able to own their own homes. We have had 11 years of failure to build on our national skills base. Our standing in the OECD (Organisation for Economic Cooperation and Development) has plummeted. Government spending on technical trades training, higher education and early childhood development has diminished massively in real terms, when other similar countries have boosted spending markedly. That has resulted in a shortage of tradespeople, which is having a definite economic impact on the housing boom. There has been a failed decade.

We also have shortages in professions, including in the medical force, particularly doctors. We are having to bring in many professional people from overseas. To my way of thinking, anyone is welcome. We are a country of migrants and we have always welcomed migrants. Once they got here, under this government we have seen the vilification of doctors, particularly those from the Middle East. They have come here to meet our skills shortage, but they have been vilified, as we saw in the treatment of Dr Haneef, including the intervention of former immigration minister, Kevin Andrews. I certainly wish Dr Haneef well in his task of trying to get back his good name after the appalling politicking in relation to his case.

Honourable members interjecting.

Ms GREEN — We have had 11 years of neglect of the dental health of our nation and of the health system overall, with underfunding and short-changing of the states. In particular, in dental health waiting lists have gone through the roof. I do not often spend much time in this place commending the previous Kennett government, but at least then Premier Kennett stood up for Victoria and criticised the commonwealth government when it abolished the commonwealth dental health program.

Honourable members interjecting.

Ms GREEN — I am really pleased to see that the new health minister, Nicola Roxon, has reiterated the Rudd Labor government's commitment to the reinstatement of that program, and I welcome that.

Honourable members interjecting.

The ACTING SPEAKER (Mrs Powell) — Order! I call on members to stop interjecting.

Ms GREEN — We have had 11 years of capricious political expediency in federal-state relations when we could have been looking to reform in this area. I am proud to be part of the Bracks and Brumby governments that have led the discussion nationally on reform of federal-state relations. I am pleased to see that the Prime Minister, Kevin Rudd, is committed to cooperative federalism. What we saw with the former Prime Minister, John Howard, was a commitment to jingoistic opportunism and the constant blame game. Australia and Victoria deserve better, and they will get better now, under a Rudd government.

We have had 11 years of failure to address the problems of our nation head on; we have just been in neutral. We have had 11 years of economic prosperity not shared with the whole nation. We had a Senate that went just too far and overstepped the mark. We had a government that did not have the integrity to be honest with the electorate prior to the 2004 election and say that it would propose enormous industrial relations reform with WorkChoices.

The electorate should have known. We had seen it before, in the docks dispute, with the use of dogs and men in balaclavas in order to try to break a free trade union. One of the marks of a free and democratic country is that we have a free and democratic trade union movement. Over 11 years, and particularly in its final term, the previous government finally overstepped the mark in trying to destroy the trade union movement and the economic prosperity of working families by cutting their wages when interest rates were going through the roof, after the government lied, saying that it would keep interest rates low.

I congratulate the Australian electorate on finally seeing through the lies they were told over the past 11 years. I look forward to a good result in the Senate, where we have not yet seen the election result. I urge members of the Liberal Party to support the ripping up of WorkChoices, as is proposed by the Deputy Prime Minister, Julia Gillard. I understand that members of The Nationals have actually heard the message and have pretty much indicated that they will support the government on this. I urge members of the Liberal Party to do the same.

Over the past 11 years at federal election time we saw the systematic robbing of government coffers under the regional rorts scandal. We now know that the federal Auditor-General discovered — and it came out, inconveniently for the Howard government, during this

election campaign — the absolute spendathon that had gone on in the hour prior to the caretaker period being entered into in 2004. This time, the new instalment of the regional rorts touched my own community in Diamond Creek. The then federal member for McEwen — we are not sure whether she is still the federal member, as that result is still in doubt — told my community an absolute lie, saying that she had secured \$3.5 million from the regional fund. The day before the election was called she made an announcement of \$3.5 million. I was happy that \$3.5 million was going to that much-needed stadium. What happened a week later? The council received a letter from the federal department saying that no such decision had been made at all. It was a lie.

I look forward to working with the Rudd government to benefit my community. I look forward to cooperation, which I get by and large from local government in my area. The one black spot has been the lack of federal cooperation. In this century, with this government, we have the opportunity to right the wrongs of the past 11 years.

The Nationals: Country Fire Authority policy

Ms GREEN — I wish to grieve also about the absolute lack of support by The Nationals for our CFA (Country Fire Authority) volunteers. I heard a contribution earlier today by the Leader of The Nationals, who made an absolutely unbridled political attack on the CFA in the lead-up to a fire season when we need everyone to be working together. We know, as does anyone who knows anything about bushfires and the conditions we face, that this may well be another very bad fire season, when we need every one of our fire services and everyone on all sides of politics to be working together to support our volunteers.

Dr Sykes interjected.

Ms GREEN — We will just have the talking down of the volunteers. I have cautioned the member for Benalla on numerous occasions before not to politicise the CFA. The Nationals do not understand the CFA. When they were in government they did not resource the CFA. Only in recent weeks we saw the opportunity to support volunteers by supporting the Emergency Services Legislation Amendment Bill, which proposed providing additional support to volunteers. Did members of The Nationals choose to support that bill? No, they did not. They have let that bill lapse at the beginning of the fire season in an attempt to play politics on the water issue, which is another of their campaigns. They have sought to involve CFA volunteers in that in an outrageous manner.

The Leader of The Nationals mentioned out of one side of his mouth his great support for the chair of the CFA, Kerry Murphy, and the chief executive officer, Neil Bibby. That was after he had absolutely criticised their leadership. He stands condemned.

The Leader of The Nationals also reiterated the opposition of The Nationals to the fire services levy and their commitment to a property-based tax for this. I agree with a former member for Benalla and a former Minister for Police and Emergency Services that this is bad policy. Only last year on ABC radio former Nationals leader, Pat McNamara, reiterated that the proposed policy of The Nationals was bad for firefighting services and bad for struggling farming families in regional Victoria. He said it was bad policy because it would actually cost them more. It has been tried in Western Australia but it has not worked. It has put additional costs on the country communities and country households that I would not stand for in Victoria. The fire services levy provides cross-subsidisation from the outer suburbs of Melbourne, including the area I represent, but I support that to give country communities a break.

The Nationals need to have a good hard look at themselves, at their lack of support and at their politicisation of volunteers. I am very proud to be part of a government that has doubled the budget for the CFA for emergency services. It has introduced the Community Safety Emergency Support program and the Valuing Emergency Services Volunteers program. We have never had more resources or more new stations. I look forward to continuing to open stations all over the state and to handing out new appliances, which is something that The Nationals never did.

The ACTING SPEAKER (Mrs Powell) — Order! The member's time has expired.

Question agreed to.

STATEMENTS ON REPORTS

Education and Training Committee: dress codes and school uniforms in Victorian schools

Mr HOWARD (Ballarat East) — It gives me great pleasure today to speak on the report of the Education and Training Committee's inquiry into dress codes and school uniforms in Victorian schools, which was released today. As chair of the committee I was very pleased to be able to present the report to the house earlier today ahead of the time line that was given to the

committee to deal with this matter, and I am pleased to discuss that report in a little detail now.

It was clear to all members of the committee, as it would be clear to the broader community and especially to me as a former teacher, that the issue the committee was asked to inquire into — dress codes and school uniforms — was not a high-level issue in terms of determining effective outcomes in the classroom. The committee looks forward to dealing in the future with a number of other classroom issues which determine student outcomes and which are perhaps of greater importance and interest.

But the issue of school uniforms does strike a chord with many people across the school community. The inquiry has given our committee an opportunity to meet and talk with many people across the Victorian school community — teachers, students, parents and people who are associated with supporting schools in a range of ways. This inquiry provided a useful opportunity for the committee to visit schools, to meet with members of the school communities and to meet with broader groups and individuals who have an interest in education.

We heard evidence from 181 witnesses, including 125 primary and secondary school students. I was pleased to see that, as a result of an initiative put forward by the committee, a day in Parliament was held for 125 students, both primary and secondary. They met within the two houses of Parliament to speak on a mock bill associated with school uniforms and dress codes. That was a very successful day from the viewpoint of not only the committee but all who participated.

We also received 125 written submissions to this inquiry. Much research was undertaken, including an online survey of over 600 Victorian schools, both government and non-government, to establish what is happening in those schools regarding uniforms. It was clear that many people have a strong view about uniforms and dress codes, and although the vast majority of schools have a uniform for the students and can offer good reasons as to why that should be the case, there were some schools and school communities which did not have a school uniform and spoke passionately in favour of the benefits of having a no-uniform policy for the school. The committee visited Princes Hill Secondary College and gained some views on the perceived benefits of a non-uniform policy for schools.

It became clear to the committee that it would not be appropriate for the government to adopt a one-size-fits-all policy approach on uniforms and

dictate that policy to all Victorian state schools. School councils are in the best position to determine what is the right policy in respect of dress codes for their school community.

When members read the report they will see that there are many complex issues associated with this policy. These include health and safety, sun protection and the complexity of dealing with legislation relating to antidiscrimination in this state — the Equal Opportunity Act 1995 in particular. Schools obviously need to deal with this. They need to work out how they are going to enforce their sanctions.

The ACTING SPEAKER (Mrs Powell) — Order! The member's time has expired.

Education and Training Committee: dress codes and school uniforms in Victorian schools

Mr KOTSIRAS (Bulleen) — I too wish to speak on the report by the Education and Training Committee on its inquiry into dress codes and school uniforms in Victorian schools. Before I do I pay tribute to the committee staff. Executive officer Karen Ellingford, research officer Jennifer Hope and administrative officer Natalie Tyler have served the committee well over the last few months. The committee as a group worked well together, and I got the impression that we were trying to do research and come up with good recommendations rather than trying to play political games. I hope this working relationship continues with the other inquiries, because, as I said, it was a good working group.

The school uniform inquiry is not groundbreaking. There are bigger issues: we have just seen the Organisation for Economic Cooperation and Development report which shows that Victoria is the worst state in Australia in terms of literacy and numeracy. Nevertheless the school uniform investigation was one we had to have. I support school uniforms, but I also support school councils deciding on whether or not they should have them. We all agreed that there needs to be a school uniform policy and that every school should have a school uniform policy. Schools should consult with their communities, and they should consult with the department as well as with parents, teachers and students. Once there is a school uniform policy, the students, the staff and the department should adhere to it.

The biggest complaint we had was from teachers who said that the department was not supportive of a school when a child refused to wear the school uniform. That was one of those tasks we had to deal with, because the

last thing teachers want to do is spend 8 hours of their day chasing students to ensure they wear their school uniforms only to have the department, in the end, jump on the school and say, 'You cannot do anything about it'. I think we have found a solution whereby both the school and the department can work together to come up with a possible solution.

As I said, I support the concept of school uniforms. When I chose a school for my children, one of the reasons was that the school offered a school uniform. But I understand that other parents disagree with me, and that is why I think it is important that we leave it to the school community to decide whether it has a school uniform.

As part of that inquiry we also had a day in Parliament for students, where in the morning they debated a mock bill on whether school uniform should be compulsory. In the afternoon we had an adjournment debate, and I was in the chair. It was interesting to note the issues that were raised. One question was raised on school uniforms, 5 questions were raised on public transport — I am pleased to see that the Minister for Public Transport is at the table — and 10 questions were raised on other educational issues. It is interesting to note what some of the students had to say about school maintenance. One of the students said:

I raise a matter for the attention of the Minister for Education. As students we have the right to feel safe wherever we are, including in necessities like toilets. How can students in Victorian schools feel safe using toilets with broken doors, disgusting environments and outdated facilities that also do not comply with the energy-efficiency regulations required to erect a rainwater tank?

Another student said:

I want to ask the Minister for Education to take action to change the toilets at Footscray City College. The toilets at school do not work, the toilet rolls do not dispense, only two out of five have locks, and about three out of five flush. This is one of the two sets of toilets in the entire school. We wait for 15 minutes of the 20 minutes that we get for recess just to get to use one of the toilets. We need more and better toilets. Please do something, Minister!

There was also a question for the Minister for Public Transport:

With the contract for Melbourne public transport coming again soon, will the state government finally do something about this vital issue? Will the government stop hiding behind the operator's excuse for late and cancelled trains? It is not guilty. Connex is hamstrung. Connex cannot spend money on trains or infrastructure. Only the state government can.

Yet the government also has the cheek to fine Connex for running late trains. A perfect example of this was at the start of this year.

The students are aware of the bigger issues, and while I urge school communities to come up with a school uniform policy, it is also important for them to look at the other issues as well.

**Public Accounts and Estimates Committee:
budget estimates 2007–08 (part 3)**

Mr SEITZ (Keilor) — I want to comment on part 3 of the Public Accounts and Estimates Committee's report on the 2007–08 budget estimates, and in particular on chapter 15, which refers to caring communities. The key findings of the committee are quite interesting, and I will read out some of them. Key finding 15.1 starts by saying, 'Although suicide figures are not formally included in road toll statistics ...'. That is an interesting comment. When he was before the committee the Minister for Police and Emergency Services pointed out that 12 of the road deaths in country Victoria in 2005–06 could be attributed to suicide. That is something which concerns me, because quite often we hear about the fatalities that occur on country roads. With all our endeavours to improve the black spots in the country road system, particularly at railway crossings and on sharp bends and intersections, it concerns me that we have 12 people who could be recorded as having committed suicide on the road. Sometimes it is pedestrians; sometimes it is drivers.

We need a bigger community awareness education program, and we need to collate further statistics. I would be interested to see work being done on that and to see that happen, because any loss of life is sad and any loss is a loss to our community, whether it be a young person or an older person. In particular it seems to be members of the young generation — those aged between 24 and 36 — who make up most of these fatalities, and again that is a tragic loss to our society and, I am sure, to their relatives. In many cases if they come from a country town the whole community is affected. I urge that more work be done on this and that the statistics presented to the committee are followed up.

I also want to comment on housing affordability. Figures from the Real Estate Institute of Victoria show that the median house price as at June 2007 had reached \$420 000. That is a very high price for a young couple to pay for their own home when they are just starting out, no matter what professional qualifications they have. There is a means test for public housing. People are being prevented from starting a family and planning their lives. We often hear now that women are choosing to have a family much later in life. They are not just making those decisions because of their lifestyle; they are making them because they have to consider the

economic constraints involved. Both partners need to work: they need that dual income in order to save money to purchase a home or to make a good down payment on it — and to then maintain it. The committee found that the government has put \$510 million into social and public housing and is aiming to provide 2350 new or redeveloped dwellings. That is commendable.

The committee has again provided a very concise and clear report, and I urge members to read it. In detailing the government's budget program the committee noted that:

... the Treasurer has stated that to make home ownership more affordable: in December 2006 stamp duty on the average family home was reduced by 14 per cent; the first home bonus was extended to 30 June 2009; land tax reforms will result in a saving of \$700 on the price of an average block of land; and the introduction of a new electronic conveyancing system will reduce the expense of buying a home.

I commend the committee for its concise report. It has gone into great detail in its chapter headed 'Caring communities', and it has detailed the steps the government is taking towards making a better community. It shows that this is a caring government that makes life easier for the community on issues which are sometimes obscure and which the media does not put on the front page. Nevertheless they are very important issues that affect our daily lives — and in particular I mention the suicide rate in country Victoria.

Education and Training Committee: dress codes and school uniforms in Victorian schools

Mr DIXON (Nepean) — I wish to make a few comments regarding the Education and Training Committee's inquiry into dress codes and school uniforms in Victorian schools. I would like to begin my remarks by congratulating the committee staff — Karen Ellingford, Jennifer Hope and Natalie Tyler — on their work. I have been on four parliamentary committees, and I have found that the staff of this committee are excellent. They are committed to the task and work very well with the members of the committee.

I came on to the committee quite late, replacing Bernie Finn, a member for Western Metropolitan Region in the other place, but I found that the process the committee went through was very thorough. This whole inquiry was about consultation with the community — consultation with teachers, parents and students. The way the process went forward was modelled on that, in that the committee consulted with parents, with schools

and, more importantly, with students. Reflective of the general community, there was variation of opinion.

As the member for Bulleen said, the inquiry did not come up with any great, groundbreaking recommendations, but I think it is an inquiry that had to be had. This is certainly not one of the pressing issues facing education at the moment. The timing is ironic. This report was tabled in Parliament within 24 hours of the release of the Organisation for Economic Cooperation and Development's Program for International Student Assessment report last night, which shows Victoria as being the worst mainland state in terms of literacy, numeracy and science. They are the sorts of issues that our parliamentary committees, especially the Education and Training Committee, should be directed to. The timing is ironic, but nevertheless what this committee has done is very important.

If you boil down the recommendations and the outcome of the inquiry, what we are saying is that it is up to local communities to ascertain what their uniform policy will be after a degree of consultation. The important link in that chain is the Department of Education and Early Childhood Development, which needs to be part of the process. It needs to have clear guidelines as to the process schools should follow. Once those guidelines are set in place, schools will know the process they have to go through with their community consultation and that their final decision will be something that can stand up to scrutiny.

Once a school community has made up its mind what its school uniform will be, it will have every right to expect the backing of the department and the Minister for Education for the decision it has made, even in hard areas like what sanctions might be imposed by a school community or a principal if a parent is not abiding by the uniform code. If the proper process has been gone through by the school community and it has followed the guidelines set down by the department, the decisions and the outcomes of those decisions by that school community should be supported by the department.

One of the outstanding points that came out of this whole inquiry was the huge variation in opinion from parents, students — after all, they are the ones who have to wear the school uniform — and school communities. There are very strong reasons for and against the wearing of school uniforms, and they vary across the community. This issue can be very divisive. We have seen a few examples where the debate around school uniforms, an unsettling debate in some cases, is reflective of broader issues within the school

community and the decision-making processes there, and that has manifested in an argument about some aspects of school uniforms. That is why it is so important that the general guidelines of the department are strong and that schools follow those procedures so that when they have to make the hard decisions they are backed up by the department.

My personal opinion is that school uniforms are an excellent idea. They provide schools with a sense of community. I think there is a sense of belonging among students who wear them. I think it cuts out the socioeconomic divide in — —

The ACTING SPEAKER (Mrs Powell) — Order! The member's time has expired.

Public Accounts and Estimates Committee: budget estimates 2007–08 (part 1)

Ms RICHARDSON (Northcote) — I am very pleased to rise to speak on part 1 of the Public Accounts and Estimates Committee's report on the 2007–08 budget estimates. The committee reviews responses from departments on budget estimates and questions ministers from each of the portfolio areas within the government. It is an important part of the transparency of the budget process and ensuring that government programs and policies are introduced and delivered.

I was particularly interested in the section of the report dealing with education, because of course education is the no. 1 priority of the Labor government for this state. Prior to the last election we announced that we would be injecting \$1.9 billion into our schools across the state. This means that in the next four years 500 schools will be modernised. Beyond that the remaining 1600 schools will have their facilities improved. The reason we have made this commitment is that we are aware that education outcomes are directly related to the facilities in which schools are conducting their teaching and learning.

The first of the key matters raised by the committee was school maintenance and capital funding. I have touched already on the \$1.9 billion spend to modernise each and every school. The maintenance funding that will be dedicated is critically important to schools in my electorate. Many of these schools are among the oldest in the state, and maintenance provides them with a unique set of challenges. To give you one example, Thornbury Primary School is a double-storey building, and to clean its gutters requires two different kinds of cherry pickers. Thornbury primary is quite unique in that way, and of course it is quite costly to constantly maintain its gutters.

Another issue discussed in the committee hearings was the regeneration of the Broadmeadows schools. This is a critically important project for the northern suburbs, and something I know the schools and the wider community are very appreciative of. The other major area that was discussed was staff. We know that education outcomes are very dependent on our teaching staff. There was a discussion about the professional development and leadership training that is being given to our school leaders. There was a look at the total number of staff in our education system and also a look at stress-related claims and whether the incidence of stress-related claims is on the increase.

The next major area was funding arrangements for our schools compared with funding levels in previous years. With the massive injection of funds into schools it is obvious that the funding increase has been quite significant and obviously very pleasing to the community.

The final area I want to touch on is educational performance and outcomes. Obviously we as a Labor government are committed to maintaining our state as one of the best performing states in terms of educational outcomes. Looking at the sorts of programs we need to do that, there are programs to assist struggling students, literacy programs and the like. These literacy programs are working very well in the primary schools in my electorate. They bring students out of a class, give them intensive work and then put them back into the classroom in order for them to get the best possible result at each and every level. Our commitment to increasing year 12 completion rates in country Victoria has also been made clear. This is part of our continuing efforts to govern and deliver for the whole of the state.

I found the discussion about the initiatives in place to support teaching innovation and excellence interesting. I have had a think about what has happened at Northcote High School, which has developed a global citizenship centre. It draws on computers and the latest teaching aids but has also reconfigured rooms to enable flexible teaching. It is all part of a program to ensure we are using innovative methods of teaching in order to improve education outcomes. I would like to commend the committee for its report. I look forward to its next report on the budget estimates.

**Public Accounts and Estimates Committee:
budget estimates 2007–08 (part 2)**

Dr SYKES (Benalla) — I rise to speak on the Public Accounts and Estimates Committee report on the 2007–08 budget estimates, part 2. Prior to

discussing the particular issue I have an interest in, which is the funding and support for small kindergartens, I would like to pick up on the comment made by the previous speaker in relation to this government's commitment to education, and the reference to the low year 12 completion rates in country Victoria.

For the education of the members of the house, in country Victoria the year 12 completion rate is less than 70 per cent whereas the state average is 85 per cent. Clearly the system is failing to provide educational opportunities for country Victorians. At the Public Accounts and Estimates Committee hearing the minister chose to try to deny that and continued to deny that until the minister saw a political opportunity to blame the federal government for that state of affairs and get on the front foot. It was a case of politicising our country children's education, and I am extremely disappointed with the Labor government in relation to that. However, I do look forward to the outcome of the parliamentary inquiry into year 12 completion rates.

Moving on to discuss kindergartens, in the interview the then minister responsible for kindergartens outlined the government's current assistance measures to kindergartens, particularly small ones, which are of interest to me. Since that time the government has adopted The Nationals policy to include kindergartens in the Department of Education and Early Childhood Development, and this follows on from the government's implementation of another Nationals policy for pay parity between appropriately qualified kindergarten teachers and primary school teachers. That is a step in the right direction, but problems still exist.

The member for Rodney raised this issue in November, highlighting that the government's announcements in relation to assistance to small kindergartens have not been backed up with any material increase and assistance. Kindergartens in my area share this view. One kindergarten staff member replied to me, saying:

As per the release regarding kinders still under pressure, I would just like to add my voice to the others in saying that there has not even been any correspondence regarding this issue come through to the preschool and certainly no indication on how, what, when or even if any changes (hopefully of a positive nature) will occur. This has merely been a propaganda exercise from the government, spouting what they thought we wanted to hear, but without real change and policies to back it up and a time frame for this to happen ...

Another kindergarten responded by saying:

I too believe there has been no meaningful change to the integration of preschools/kinders into the education system.

So the people out there are not buying the government line.

One kindergarten that has experienced and is continuing to experience difficulties is Euroa kindergarten. One of the parents, Tanya Verge, raised the issue with me, highlighting ongoing funding deficits, administrative challenges and decreasing enrolments. I met with Tanya and another committee person, Jody Delaney, and Strathbogie shire councillors back in October. I was impressed with their passion and commitment and very professional approach to attempting to solve their difficult challenges.

Tanya has recently emailed me with an update, which, whilst encouraging, still highlights that the kindergarten has a budget deficit of around \$12 000 coming up for 2008. That is a heck of a lot of lamington drives. I should say that the improvements in the situation at Euroa kindergarten are principally as a result of the efforts of the kindergarten parents getting out there and doing the lamington drives, rather than any substantial assistance from the state government.

I would like to conclude my remarks by quoting from a press release from the member for Rodney:

It is time that, rather than spin, this government put real support into early childhood development by committing funds and supporting our preschool teachers and the tireless volunteers who support them.

We certainly reject the notion of the current minister responsible for kindergartens that kindergartens have never had it so good. That is an absolute untruth.

BUSINESS OF THE HOUSE

Annual statement of government intentions

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

1. That the following sessional order be inserted after sessional order 3:

‘4. ANNUAL STATEMENT OF GOVERNMENT INTENTIONS

So much of standing orders be suspended so as to allow:

- (1) The Premier to make a statement of government intentions immediately after the prayer on the first sitting day of each year.
- (2) No time limit to apply to the length of the Premier’s statement.

- (3) Council members be permitted to attend the Legislative Assembly chamber to hear the statement.
- (4) Prior to each day on which a statement is to be made, the Speaker to confirm to the President the date and approximate timing of the statement.
- (5) The lower public gallery on the opposition side of the house be deemed to be part of the Legislative Assembly chamber for the duration of the statement to provide additional accommodation for members of the Legislative Council.
- (6) At the conclusion of the statement the members of the Legislative Council will retire to their chamber.
- (7) Responses to the statement to be listed under government business for the next sitting day.
- (8) Responses may be made by:
 - (a) the Leader of the Opposition for a time limited to the time taken by the Premier in making the statement;
 - (b) the Leader of The Nationals for 20 minutes;
 - (c) any other member for 10 minutes.
- (9) Condolences under SO 42 will not take place on the first sitting day of each year but may, at the discretion of the government, be given precedence on any other sitting day of that week.’.

In so moving I would like to make the following comments. This is a significant new piece of parliamentary procedure that is being put forward by the Brumby government today. This type of parliamentary procedure is not unknown in other Parliaments. There are various forms and manifestations of it, but what we are putting forward today is not modelled on any one example elsewhere, nor is it modelled on anything existing within the suite of parliamentary procedures set out in our standing orders.

It is a procedure that is designed fairly and squarely to try to help make the government of the day, and particularly the executive, more accountable. It is also fairly and squarely designed to make the procedures here in the Parliament more open, more democratic, more embracing and more encouraging of input not only from the opposition but from the broader public. It is a change to the parliamentary procedures that we believe will significantly enhance the way Parliament operates in the future and the way it operates for a whole range of people, but particularly for the public at large.

What are we proposing to do? We are proposing that at the beginning of each calendar year the government, via

the Premier, will outline the themes, the vision, the objectives and tasks of both the executive and the government for the year ahead. During this annual statement of government intentions it is proposed that those themes, visions, objectives and tasks will be spoken about. The Premier will relate how the individual parliamentarians and the political parties that make up the parliamentary institution can get much earlier, forward-looking notice of what the government proposes to do in the year ahead.

The statement of government intentions will outline those themes, visions, objectives and tasks and will say in particular how they relate to the prospective legislative framework that the government intends to bring forward during that calendar year. As such it is clearly a well-designed process that will benefit the opposition parties, individual MPs right across the chamber, community groups, stakeholders, interest groups and individual members of the community. As such it is no surprise that this initiative comes from the Brumby government, and it is no surprise that is going to be vigorously opposed by the Neanderthals and Luddites in this Parliament.

Honourable members interjecting.

The ACTING SPEAKER (Mrs Powell) — Order! I ask members to stop interjecting across the chamber.

Mr BATCHELOR — Here they come! The leader of the charge is the Leader of the Opposition. We are wanting to put forward a significant piece of parliamentary reform in the fine tradition of this Labor government, making a series of changes in Parliament to make sure that our work here is undertaken in a more responsible, responsive, open and engaging way. What better way to do that than devise a new process that will enable all those groups that I mentioned before — the opposition parties, individual MPs, community groups, stakeholders and interest groups — to prepare, to do the work, to carry out the necessary investigations and consultations, and to learn to engage with the parliamentary process.

Honourable members interjecting.

Mr BATCHELOR — You can see that the prospect of hard work over a long period of time is not welcomed by the opposition. In fact *Hansard* will be inadequate in that it will not be able to record the interjections and the level of protest that is coming from the opposition in the chamber today at the prospect of being well informed, working hard and longer —

Mr Baillieu — On a point of order, Acting Speaker, the Leader of the House is misrepresenting the

interjections from this side of the house. It is not protest — it is laughter at what is fundamentally a joke.

The ACTING SPEAKER (Mrs Powell) — Order! I do not accept the point of order.

Mr BATCHELOR — Good ruling, Acting Speaker. I rest my case. Members opposite regard the prospect of all those things as a joke. They have never done it, and they are resisting the prospect of having to do it. They do not have to do it — it is not compulsory — but it is what the public of Victoria expects of individual MPs and what it expects of government. It might be news to the current opposition, but it is what the public expects of the opposition.

By doing this it is quite clear that the democratic process in Victoria will be strengthened. It will be better informed, it will be more involving and it will be particularly embracing — but only so long as the opposition parties in this chamber undertake the responsibilities that will be provided to them as a result of this parliamentary initiative. The Premier is very strongly committed to this, as is the government. We as a government have undertaken a whole range of initiatives to try to help the opposition do its work. I will outline some of those later on.

It is important to understand the precise nature of the procedures that we are putting forward today. They are simple and straightforward. Firstly, it needs to be understood that we are seeking to amend the sessional orders. This will enable us to have a look at the procedure and how it works at the beginning of next year and at the beginning of the following year, 2009, before we formalise it in the standing orders later. We want to be able to see what the benefits are and whether it needs to be modified, but I cannot imagine why the Parliament would not want to continue with such an important improvement in parliamentary procedure.

How will it work? If this sessional order is adopted, and I certainly hope it will be, on the first sitting day of the calendar year on which Parliament commences the Premier will provide a statement immediately following the prayer, and accordingly it will precede question time. This will enable the Premier of the day to outline the intentions of the government for the year ahead, as I have outlined already. It will establish the annual statement of government intentions. Because it will be the first sitting day and we will be setting out a whole year's work not only in terms of legislation but in terms of the themes, goals and objectives of the government for that year, we will then adjourn the debate to the following day to give the opposition time to respond. One would expect that it would respond in a

constructive and positive way, but we will certainly have to wait and see.

Ms Asher interjected.

Mr BATCHELOR — The Deputy Leader of the Opposition is foreshadowing now that she does not think that that is likely to be the case, but one would hope with such a new and positive proposal being put forward that the constructive dialogue from the Premier will engender a positive response from the opposition because of the spirit in which this initiative is being taken. Responses by the Leader of the Opposition would take place on the next day, the day after or at a time of his choosing. We would expect that the time allocated to the Leader of the Opposition would be exactly the same as the time taken by the Premier during the presentation of his annual statement of government intentions. There will be that equality of time.

We are also proposing that the Leader of The Nationals in this case, but really it is the leader of the third party — and one expects that it would be The Nationals for quite a number of years to come — would be entitled to make a 20-minute contribution. It would then be open to the Independent member and the individual members of the political parties to make their contributions to this debate. Their contributions would be for 20 minutes.

You can see that it is a simple and straightforward procedure — —

Mr Ryan interjected.

Mr BATCHELOR — Sorry, the individual members would speak for 10 minutes. The leader of the third party, The Nationals, would speak for up to 20 minutes.

You can see that it is quite simple and straightforward in a procedural sense, but it is really an attempt by this government to elevate the proceedings within this parliamentary chamber and to provide the opportunity for people to learn. Accordingly, we have decided to invite members of the Legislative Council to listen to the statements by the Premier. The organisational arrangements in support of that invitation are set out in the sessional orders that are before the house.

This fulfils a commitment by Premier Brumby when he gave an undertaking to improve the accountability and accessibility of government. He has undertaken a whole range of initiatives to fulfil that commitment. We saw the introduction in the last parliamentary week of moves to modernise the freedom of information

legislation. There was a commitment by the Premier to regularly disclose information on the internet so that information is made available not only to members of Parliament but to the public at large.

Discussions and investigations are being undertaken as to the costing of audio webcasting of the proceedings of Parliament, so people would be able to hear our proceedings. It will help reinforce the need for the opposition to lift its game. At the moment there are about half a dozen people in the visitors gallery, but with the proceedings of Parliament available on the internet as an audio webcast the whole world will be able to listen. I am afraid they will be severely disappointed with the standard of behaviour and the intellectual content of the speeches of members of the opposition. That is why we are proposing to give this advance notice.

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

Business interrupted pursuant to standing orders.

ABSENCE OF MINISTER

The SPEAKER — Order! Before calling for questions I advise the house that the Minister for Consumer Affairs and Minister for Gaming will be absent from question time. Questions on those portfolios will be answered by the Deputy Premier.

QUESTIONS WITHOUT NOTICE

VicRoads: driver licensing

Mr BAILLIEU (Leader of the Opposition) — My question is to the Premier. I refer the Premier to the damning report released today by the Ombudsman on VicRoads' driver licensing arrangements, which reveals, amongst other things, crime syndicates penetrating the system, widespread corruption and a failure to protect Victorians' personal details, and I ask: who is responsible for this debacle?

Mr BRUMBY (Premier) — The Ombudsman's report today is very critical of a number of aspects of VicRoads' operations. VicRoads undertakes something like 17 million transactions each year, and of course there has been a huge growth in the volume of transactions which have been undertaken. In addition, technology has not stood still. There are more and more mechanisms now in place, and the demands on the system are greater than ever.

Dr Napthine interjected.

Mr BRUMBY — Nevertheless, the Ombudsman's report is a critical report. There are improvements which need to be made, and the government — —

Dr Napthine interjected.

The SPEAKER — Order! The member for South-West Coast knows full well that his opportunity to ask a question will come later in question time. I ask him not to ask questions across the table in that manner.

Mr BRUMBY — As I said, the Ombudsman has made several recommendations. My understanding is that VicRoads has accepted all those recommendations, and it is currently identifying the best and most suitable options. Can I also advise the house that a range of other security improvements are being considered. Extra staff for the VicRoads investigation and anticorruption group are being put in place — —

Mr Baillieu — On a point of order, Speaker, the Premier is once again debating the question. It is a simple question: who is responsible? Was it the Premier or the former Premier?

The SPEAKER — Order!

Mr Baillieu — Was it the current minister or the former minister?

The SPEAKER — Order!

Mr Baillieu — Who is responsible?

The SPEAKER — Order! There is no point of order. The Premier is being relevant to the question.

Mr BRUMBY — As I was saying, the extra staff are being put in place for the VicRoads investigation and anticorruption group, which has investigated 2015 cases of fraud relating to licences in the last five years. VicRoads is also looking at the use of secure licensed printing centres, separate from the customer service centres, to allow for higher quality printing in a more secure location. Finally, VicRoads is also upgrading the security arrangements in customer service centres to digital cameras.

Mr Baillieu — Speaker, I repeat my point of order: the Premier is debating, not answering, the question about who takes responsibility.

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

Honourable members interjecting.

The SPEAKER — Order! Standing orders are quite clear. Answers must be relevant. The answer is relevant to the question.

Mr BRUMBY — I can also advise the house — —

Honourable members interjecting.

The SPEAKER — Order! I warn the member for Scoresby.

Mr BRUMBY — I can also advise the house that the government has provided \$3 million for the business case for a redeveloped registration and licensing system to build a new integrated and streamlined system.

Mr Baillieu — On a point of order, Speaker, the Premier is debating the question. Victorians — —

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

Mr Baillieu — I had not finished.

The SPEAKER — Order! I have ruled that the Premier is not debating the question. His answer is relevant to the question.

Mr Baillieu — Speaker — —

The SPEAKER — Order! And under standing orders that is all it needs to be.

Mr Baillieu — On a further point of order, Speaker — —

Honourable members interjecting.

Mr Baillieu — On a further point of order, Speaker, Victorians are entitled to know who is responsible — —

Honourable members interjecting.

Mr Baillieu — The Premier and his backbench can attempt to shout down the Victorian people. They are entitled to know who is responsible!

Parliament: regional sittings

Ms LOBATO (Gembrook) — My question is to the Premier. Can the Premier advise the house of the location — —

Honourable members interjecting.

The SPEAKER — Order! I will not have that level of interjection. I warn all members that the next person who catches my eye with an inappropriate interjection

will leave the chamber. The member for Gembrook has been given the call and will be respected as a member of this Parliament and enabled to ask her question in silence.

Ms LOBATO — My question is to the Premier. Can the Premier advise the house of the location of Parliament's regional sittings next year?

Honourable members interjecting.

Mr BRUMBY (Premier) — Speaker, if anybody ever wanted any proof that the Liberal Party and The Nationals still see the toenails, there it is!

Honourable members interjecting.

The SPEAKER — Order! I ask the Premier to confine his answer to the question.

Mr BRUMBY — So, Speaker, I have been asked an excellent question by the member for Gembrook. It is about the regional sittings of this Parliament and is about an issue that matters to the people of Victoria. I am pleased to advise the house that next year both the Legislative Assembly and the Legislative Council will meet in Gippsland. In October next year the Legislative Assembly will meet in Churchill in the Latrobe Valley and the Legislative Council will meet for two days, 15 and 16 October, in Lakes Entrance. This is a very positive thing, I believe, for the Parliament, and it is a very positive thing for the people of Gippsland. At the last election we made a commitment that there would be regional sittings during this term of Parliament.

I remember very well the first regional sitting of the Legislative Assembly, which was in the old town hall in Bendigo. I thought it was a fantastic thing. I thought it provided an enormous opportunity for the public to see the way the Parliament worked and to meet with members of Parliament from right around the state. It was a great example of taking the Parliament to the people.

We had another great meeting of the Legislative Assembly in Geelong in the Geelong Performing Arts Centre, where a huge number of people, hundreds of people, came along. I am reminded that that was the day the government made the commitment to relocate the Transport Accident Commission to Geelong, probably the biggest relocation of government activities ever undertaken in the history of this state — undertaken, of course, by a Labor government, consistent with its commitment to regional Victoria.

The regional sittings of the Parliament are also fully consistent with the government's community cabinets.

We have now had close to 80 community cabinets around the state. We have been to virtually every regional area and every regional local government area. As I think the Minister for Sport, Recreation and Youth Affairs noted during question time in the last sitting week, our recent visit to Towong shire was a stunning success, well received by the local community and a great opportunity to take government to the people.

Mr McIntosh interjected.

Mr BRUMBY — And we had a good time in Beechworth too. Not everybody who goes to Beechworth has a happy time.

Honourable members interjecting.

The SPEAKER — Order! The honourable member for Kilsyth knows better than to bang on the front of the desk in that manner.

Mr BRUMBY — In relation to the sitting in Gippsland, it is an appropriate place for the sitting to occur. Gippsland has had some challenges over the last year, particularly the bushfires and more recently the floods, and all of that is on top of probably the two worst droughts in the history of Gippsland in the last hundred years. Despite that, members may have noted that the *ANZ Regional and Rural Quarterly* released earlier this week shows that in south-east Victoria, which is largely Gippsland, employment growth has been 8.4 per cent over the last year, which it points out is the highest regional employment rate anywhere in Australia. I might just say in conclusion that today the quarterly national accounts for the September quarter were released, and over the quarter Victoria grew 1.1 per cent.

Mr Wells interjected.

Mr BRUMBY — I can understand why the honourable member is interjecting, because — —

The SPEAKER — Order! The member for Scoresby has ample opportunity to ask a question later in question time. I ask him to stop interjecting by asking questions across the table.

Mr BRUMBY — Speaker, I doubt he will ask a question about the national accounts, because the state which had the strongest growth over the last quarter is Victoria. As I said, we have put the appropriate — —

An honourable member interjected.

Mr BRUMBY — By 1.1 per cent. We have put the appropriate plan in place for our state, a plan which is

built around investment in education, in proper services in health, in community safety and in the provision of appropriate infrastructure. Today's announcement about taking Parliament to the people is a very positive announcement which I know will be well received by the people of Gippsland.

Government: advertising

Mr RYAN (Leader of The Nationals) — My question is to the Premier. I refer to a focus group which met in Shepparton last night to view taxpayer-funded advertisements designed to promote the government's flawed water policies, and I ask: in the interests of the Premier's much-vaunted openness and transparency, will the Premier confirm that a television advertising campaign is going to be undertaken, and how much taxpayers money will be spent in its design, production and delivery?

Mr BRUMBY (Premier) — I am not aware of the matter which is raised by the Leader of The Nationals. I was asked about this at a press conference — —

Dr Napthine — You're in one of the ads. You know what they're about!

The SPEAKER — Order! The member for South-West Coast has been a member, and a distinguished member, of this chamber for a long time. I seek his cooperation.

Mr BRUMBY — As I was saying, I am not aware of any focus group work which is being undertaken. I was asked about this matter at a press conference, which was held prior to question time, announcing the regional sittings. I am not aware of the focus group work. I was asked about government advertising, and in my answer at the press conference I made it clear that all governments from time to time need to ensure that the public is fully — —

Mr Wakeling interjected.

The SPEAKER — Order! If the member for Ferntree Gully wants to have a conversation with a government member, perhaps he would like to do so outside the chamber.

Mr BRUMBY — I am not aware of any focus group work which is going on. Having said that, it is entirely appropriate for governments to ensure that the public is informed about major investment proposals.

Children: early childhood services

Mr HOWARD (Ballarat East) — My question is to the Minister for Children and Early Childhood Development. Can the minister inform the house how the Brumby government's investment in early childhood services in regional Victoria is helping working families access high-quality child care, kindergarten and maternal and child health services?

Ms MORAND (Minister for Children and Early Childhood Development) — I thank the member for Ballarat East for his question. Investment in early childhood development and early childhood services is the best investment a government can make. This government has listened to the needs of working families across Victoria and is investing in the services they need and want. It was a pleasure to visit Wangaratta last week to announce that the Brumby government would contribute \$750 000, matched by the Rural City of Wangaratta, towards a new children's centre. I know that the chief executive officer, Doug Sharpe, the new mayor, the councillors and the member for Murray Valley very much welcomed this government's investment in their community.

The current children's centre is located on the campus of the Goulburn Ovens Institute of TAFE, and due to other investment by this government of \$8 million in a new technical education centre, this children's centre has to find a new home. I was really pleased that the Rural City of Wangaratta saw this as an opportunity to develop more integrated and expanded children's services for its community. The centre will initially have long day care, occasional care, a kindergarten and maternal and child health services, and importantly the child-care places that the centre offers will increase from 50 places to 70 places. These are exactly the kinds of services that working families need and want. I want to congratulate the city of Wangaratta particularly for its commitment to the ongoing provision of community-based child care.

This is just one example of many across Victoria of regional communities working with the Victorian government to give Victorian children the best start in life and also Victorian communities and working families the services they need and want. This government has invested in 55 children's centre projects across Victoria, 23 of them in rural Victoria, with funding of nearly \$7.3 million. From Dimboola to Sea Lake, where the Premier and I visited a few months ago, and from Kerang to Mirboo North, Churchill, Torquay, Ballarat and most recently Violet Town — which facility I opened last week — this government is providing integrated early childhood services that

communities want and will greatly benefit from. Next week I will be in Yea with the member for Seymour opening another new facility. This investment will continue, with \$20 million over the next few years for 40 or more children's centres.

This is just part of what the Brumby government is doing in investing in children and families across Victoria and ensuring that Victorian children get the best possible start in life.

Education: Program for International Student Assessment results

Mr DIXON (Nepean) — My question is to the Minister for Education. Given that Victoria is the worst performing mainland state in literacy, mathematics and science according to the Organisation for Economic Cooperation and Development's Program for International Student Assessment, will the government now admit its record of being the lowest per capita funder of education is having a negative effect on Victorian student outcomes? Will the minister advise the house who is responsible for failing Victorian schoolchildren?

Honourable members interjecting.

Mr Kotsiras — What have you done? You were the minister. You sat on your hands.

The SPEAKER — Order! The member for Bulleen!

Mr Kotsiras — You sat on your hands and did nothing.

Questions interrupted.

SUSPENSION OF MEMBER

The SPEAKER — Order! Under standing orders I ask the member for Bulleen to leave the chamber for half an hour.

Honourable member for Bulleen withdrew from chamber.

Questions resumed.

Ms PIKE (Minister for Education) — I thank the member for Nepean for his question. He has asked about the Program for International Student Assessment, which is a program that analyses the performance of 15-year-old students right across the world and compares those performances. In fact the PISA results reveal that Victoria continues to be well

above the Organisation for Economic Cooperation and Development average in reading, maths and science.

Honourable members interjecting.

Questions interrupted.

SUSPENSION OF MEMBER

The SPEAKER — Order! The member for Ferntree Gully will also leave the chamber under the standing orders for half an hour.

Honourable members interjecting.

The SPEAKER — Order! The member for Warrandyte might also like to leave the chamber. The member for Ferntree Gully is definitely leaving the chamber. The member for Warrandyte has a decision to make: he cooperates with question time or he leaves.

Honourable member for Ferntree Gully withdrew from chamber.

Questions resumed.

Ms PIKE (Minister for Education) — As I said, the data is based on the results of about 2000, 15-year-old students across the government, non-government and Catholic school systems, so it encompasses all students within that age cohort in the Victorian community.

I have to say that it is well recognised that government schools have been and are being supported more effectively under the Bracks and now the Brumby government. We have provided record additional funding to the system. Of course we have hired an extra 8000 teachers since 1999, and we have needed to engage in a lot of rebuilding of our system, considering the decimation that occurred prior to 1999.

It is important to recognise also that we are looking at a cohort of 15-year-olds. Of course 10 years ago those 15-year-olds were 5-year-olds. Our record in — —

Honourable members interjecting.

The SPEAKER — Order! The conduct of all members today is unacceptable. I ask government members to show some respect for the minister on her feet, and I also ask members of the opposition to show respect for their fellow members of Parliament.

Mr Burgess interjected.

Questions interrupted.

SUSPENSION OF MEMBER

The SPEAKER — Order! Under standing orders, I ask the member for Hastings — —

Honourable members interjecting.

The SPEAKER — Order! The member for Hastings will leave the chamber for an hour and a half.

Honourable member for Hastings withdrew from chamber.

Questions resumed.

Ms PIKE (Minister for Education) — It has been a very intentional aspect of this government's education policy to invest significantly so that we can lower class sizes, certainly in the early years. We now have the lowest primary class sizes on record. As a result, of course, primary students are achieving, in terms of literacy and numeracy, at or above the national average. We also have now the highest year 12 retention rates: the number of young people completing school is higher than it ever has been. Of course these — —

Mr Baillieu — On a point of order, Speaker, if the minister is not debating the question, she is avoiding the question. Once again, she has been asked to indicate to the house and to the people of Victoria who is responsible. If no-one in this government takes responsibility for anything, I am sure the people of Victoria would like to know.

The SPEAKER — Order! I uphold the point of order and ask the minister to confine her comments to answering the question.

Ms PIKE — We recognise that in the area of education we have to continue to look at our policies. We also have to continue to make sure that we invest in the most strategic ways possible. Therefore these results are helpful for us in identifying some specific strategies that are going to lift performance in some particular curriculum areas. That is why, for example, we are focusing on the areas of maths and science, including a \$75 million upgrade to maths and science equipment in every school, establishing a specific maths and science expert round table, and of course committing to employing maths and science teachers.

Mr Baillieu — On a point of order, Speaker, I repeat the point of order I made before, which you supported. There is a popular song with the words 'not, not, not responsible'. If that is the theme song of this government, let the people of Victoria know!

The SPEAKER — Order! The Leader of the Opposition knows that to debate a point of order is most disorderly. The minister was being relevant in her answer and in my opinion was not debating the question.

Ms PIKE — In fact the Program for International Student Assessment particularly focuses on maths and science and literacy. I was asked what this government is doing in those particular areas. In fact I was outlining strategies in terms of maths and science, so I would highly recommend that the Leader of the Opposition inform himself about what PISA actually is before taking ridiculous points of order.

Honourable members interjecting.

The SPEAKER — Order! The minister, to confine her comments to answering the question.

Ms PIKE — The other matter that is of course relevant to the PISA results is that here in Victoria we have led the push for national policy reform in education. Yesterday the Premier spoke about the need for cooperative federalism. We certainly have continuing challenges in education within our community and in Australia as a whole. It really is only through a genuine shared agenda that we will be able to rise up and meet these challenges into the future. I am certainly looking forward to working very closely with the Rudd government on that cooperative federalism, because education is genuinely a shared responsibility.

Honourable members interjecting.

Ms PIKE — I will again remind the house that the Program for International Student Assessment assesses the performance of 15-year-olds in the government, non-government and Catholic systems. The last time I looked, education across all those sectors was a national and state responsibility.

Honourable members interjecting.

Ms PIKE — Really the laughter on the other side just illustrates their ignorance of the education system, which is clearly apparent. We are committed to improving outcomes in all stages of learning, whether it be in the early childhood area or primary or secondary education. Education is our no. 1 priority and it is the federal government's no. 1 priority, and we look forward to working very closely with it on continuing to improve educational outcomes for all our children in Victoria.

Schools: Victorian plan

Mr TREZISE (Geelong) — My question is also to the Minister for Education. Unlike the Liberal Party, which spent the 1990s sacking teachers and decimating schools — —

The SPEAKER — Order! I warn the member for Geelong that that is not a way to ask a question. I ask him to ask the question in accordance with standing orders.

Mr McIntosh — On a point of order, Speaker, that ruling having been made, the question should be ruled out of order and the call for a question should move to the other side.

Honourable members interjecting.

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

Mr TREZISE — Can the minister detail to the house how the Brumby government is delivering on its commitment to rebuild, renovate or extend 500 government schools over this term, particularly in rural areas?

Ms PIKE (Minister for Education) — I thank the member for Geelong for his question. It is timely of the member for Geelong to remind us that we are of course in an environment where we need to rebuild our education system.

Honourable members interjecting.

Ms PIKE — The Brumby government is making an unprecedented investment in our schools, and we are creating modern and innovative teaching spaces and facilities that reflect the high-quality teaching and learning practices that take place in Victorian schools. Since 1999, rather than closing schools we have been putting capital funding in — \$2.3 billion — —

Honourable members interjecting.

The SPEAKER — Order! The minister would assist with the smooth running of question time if she curtailed her comments to answering the question.

Ms PIKE — The government has invested \$2.3 billion since 1999, and over the next four years it will invest a further \$1.9 billion through the Victorian schools plan to rebuild, renovate or extend 500 government schools. The 2007–08 budget saw \$555 million allocated to begin these works in 131 schools. Part of these works include the Better Schools Today program, in which additional schools

requiring modernisation and upgrades are given extra resources.

Last week I was very pleased to announce that an additional 13 schools will be included in this program, most of which are located in rural Victoria. The investment in these schools totalled \$7.4 million worth of works — including the previously announced Stonnington, Ripponlea and St Kilda primary schools — to build better classrooms, toilets, staff rooms and information technology facilities. Each of these projects will help to provide more modern facilities for students and staff.

I had the privilege of travelling to Skipton Primary School, where I made this broad announcement but also told members of the Skipton Primary School community that they would receive an extra \$350 000 to demolish an existing relocated weatherboard school building, construct a classroom, staff centre, teacher lounge and workspace, and refurbish existing classrooms. I have to say that the school community was absolutely rapt with this announcement.

With the new investment we are making we are genuinely focusing on what is happening within the classroom. The program is directly tied to improving educational outcomes for students right across Victoria. It is not just about new buildings, it is about increasing the participation and the performance of all of our children. One of the best ways we can continue to improve our education system is to ensure that as much of our effort as possible can be devoted to student performance and educational outcomes, and this is one of the absolutely underlying principles of the Victorian schools plan.

Building industry: warranty insurance

Mr INGRAM (Gippsland East) — My question without notice is to the minister for finance. Since 2002 Victorian home builders have paid three-quarters of a billion dollars for builders warranty insurance that has failed to protect consumers, failed to protect builders and seriously impacted on home affordability. I ask: will the Victorian government show national leadership and implement real home warranty protection for Victorian families struggling to meet home construction costs, or will the state government wait for the new federal government to highlight Victoria's five-year policy failure?

Mr HOLDING (Minister for Finance, WorkCover and the Transport Accident Commission) — I thank the member for Gippsland East for his question. It is certainly part of my responsibilities as minister for

finance. It is also partly the responsibility of the Minister for Consumer Affairs, and I know the Deputy Premier will be very pleased if I answer on behalf of the government!

The first point that I would make is that builders warranty insurance is a very complex matter, and it is also a matter about which there is a lot of confusion amongst consumers. There is also a lot of misinformation. Whilst it is confusing because of the complex nature of the material, some of that misinformation is a consequence of a small number of builders encouraging certain consumers to make complaints.

Mr Baillieu interjected.

Mr HOLDING — I will come to the question that the Leader of the Opposition interjected in relation to in a moment.

The SPEAKER — Order! The minister will ignore interjections.

Mr HOLDING — The starting point is that here in Victoria we have a comprehensive set of arrangements and protections for consumers who are engaged in the domestic building industry. Firstly, as honourable members would be aware, we have a system of builders registration. We also have a system of conciliation — a free conciliation service. We also have access to courts and tribunals, and I refer particularly to the role played by VCAT (Victorian Civil and Administrative Tribunal) in providing protections for consumers. And finally we have as a last resort a system of builders warranty insurance. I want to just quickly deal with each of those elements, particularly the builders warranty insurance element, which relates to the question asked by the member for Gippsland East.

In relation to conciliation we have the Building Advice and Conciliation Victoria service, which is jointly run by the Building Commission and Consumer Affairs Victoria, in particular. This service provides advice and access to a conciliation service for about 2000 consumers every year. The vast majority of those cases are resolved without access to the courts and without expensive legal disputes. It is a free service, so it is done in a cost-effective way. As with all contractual matters, there is access to the courts and to VCAT, and that works in an effective way.

Finally, as a last resort, there is builders warranty insurance. That provides protection for consumers in cases where a builder either dies, is declared insolvent or disappears. The question then is: should it be appropriate for the Victorian taxpayer or for the

government to intervene and mandate a first-resort insurance product, which is what some shonky builders and some builders who engage in shoddy building practices might seek? The government takes the view that the current set of arrangements, providing as they do a comprehensive set of consumer protections, is the best possible protection for consumers rather than the government intervening in a way which would not result in lower premiums and would not result in building innovation or product innovation through an insurance product. The government takes the view that, rather than requiring a comprehensive product where the government intervenes and which is underwritten by the Victorian taxpayer, the current system provides a better method of protection.

Members of the opposition might take the view that a comprehensive taxpayer-guaranteed product is appropriate. I would be interested if that is their view. What I would point to instead is the Victorian Competition and Efficiency Commission inquiry in 2005 into the regulation of the domestic building industry. It found that on balance the current elements of the consumer protection arrangements, including those relating to builders warranty insurance, provide the best possible protection for consumers. That is exactly what VCEC found, and that is the position that the Victorian government continues to support.

Housing: affordability

Ms OVERINGTON (Ballarat West) — My question is to the Minister for Housing. Can the minister update the house on how the Brumby government is helping councils to deliver local action on affordable housing, particularly in regional Victoria?

Mr WYNNE (Minister for Housing) — I thank the member for Ballarat West not only for her long service in the area of local government but indeed for her continuing commitment to a broadened and more ambitious role for local government in relation to housing affordability.

As I have talked about in the house before, we believe there is a broadened role available to local government to use its planning powers to intervene in a very productive way to provide more affordable housing. I went out to local government with an expressions of interest proposal in October, essentially seeking from local councils proposals which we would fund going forward to look at opportunities where they may have parcels of land in their own right, where they may have parcels of land conjointly with the state government or indeed where they may have parcels of land which involve public and private sector proposals. What we

have been seeking from local councils is for them to take the next step, not only to be advocates on behalf of affordable housing but to use the opportunity provided by their planning tools to wrap up proposals that they could bring back to the government or put into the market for more affordable housing propositions.

We went out looking for expressions of interest with a \$500 000 program whereby we would support local councils that wanted to come forward with innovative proposals. I am pleased to report to the house that in fact we had 16 proposals from local councils, and following the announcement today we are funding the first 6 of those. I am pleased to advise the house that the first three councils are in regional Victoria. They are the Surf Coast shire, the Swan Hill Rural City Council and the Wodonga City Council. I am very pleased that the City of Darebin, the Maribyrnong City Council and the Manningham City Council are the other three councils that will be funded in the first stage of this proposal.

We believe that local government has a leadership role to play, and certainly we have wonderful examples of where local government has played a fantastic role in terms of supporting affordability. I refer to councils like the City of Port Phillip, which in its own right has been a housing provider for many years. There are many councils that we can point to throughout the Melbourne metropolitan area and indeed in regional Victoria that have stood up and wanted to play an active partnership role with this government.

The key to this proposal is partnership. It is a partnership between the state and local government. This proposal has been very warmly embraced by local government, and indeed we believe we are going to see more of these proposals come forward. I believe we will see the success of these six particular projects over the next 12 months, and we look forward to further partnerships going forward in the future.

The key to the relationship that there is between the state government and local government is partnership. We are in the business of supporting local government, not talking it down, not making extraordinarily florid attacks in this house under parliamentary privilege, not making all sorts of extraordinary allegations — —

Honourable members interjecting.

The SPEAKER — Order! The minister should confine his comments to the question.

Mr WYNNE — We are not about making extraordinary allegations in relation to local government. This is a partnership — —

Mr K. Smith interjected.

The SPEAKER — Order! The member for Bass!

Mr WYNNE — This is a partnership that is going to bring real benefits to local government. It is going to bring real benefits to the communities that local government serves, and it is going to put affordability right on the map with local government. I commend this to the house.

Freedom of information: Court of Appeal decision

Ms ASHER (Brighton) — My question is to the Premier. Given the Premier's announcement on 7 August that he would be more accountable and transparent than the previous Premier, will he now abide by the decisions of both Victorian Civil and Administrative Tribunal and the Court of Appeal and release freedom of information documents on major projects to the Liberal Party, or will he dump his commitment to transparency and appeal to the High Court?

Mr BRUMBY (Premier) — I thank the honourable member for her question. I am aware of the decision which was made by the court yesterday, and obviously I have sought urgent advice in relation to that decision. If the advice provided to me is that the government should release those documents, I will release them as soon as possible.

Water: regional industries

Mr EREN (Lara) — My question is to the Minister for Regional and Rural Development. Can the minister outline to the house how the Brumby government is helping regional industries to expand and remain water efficient compared to alternative approaches?

Ms ALLAN (Minister for Regional and Rural Development) — I thank the member for Lara for his question. As we know, it is the Brumby government which has a comprehensive plan to secure Victoria's regional water supplies and which will support the ongoing growth of regional industry. We have a \$4.9 billion water plan that will provide greater water security right across the state of Victoria. We know this is a plan that is opposed by those sitting opposite, particularly by The Nationals, who were prepared to buckle to their former masters in Canberra and sell out Victoria's irrigators.

As well as securing Victoria's water supplies the Brumby government is also working with regional industries to help them become more water efficient

through our \$10 million Water for Industry program. Just last week, with the member for Lara, I had the great pleasure of visiting Boomaroo Nurseries to announce a \$325 000 grant under our Water for Industry program that will help Boomaroo Nurseries to replace its demand for potable water by a staggering 100 megalitres each year.

For those members who may not be aware of it, Boomaroo Nurseries is a major supplier of seedlings across south-eastern Australia. Boomaroo Nurseries is currently undertaking an \$8 million expansion. This will increase its production by 60 per cent. With the assistance of the Brumby government's Water for Industry grant we will see Boomaroo Nurseries being able to expand its operations while at the same time, importantly, saving significant amounts of water.

Our Water for Industry Fund is one of a number of flexible and strategic investments we have established under the Regional Infrastructure Development Fund to support communities across the state. We have now reached a significant milestone, as I informed the house last sitting week — the RIDF has achieved \$1 billion of investment across Victoria's regions as a result of funded RIDF programs.

While the Brumby government is the government that will continue to govern for all of Victoria, and we have a concrete plan to support regional economic development and a concrete plan to secure regional water supplies, this cannot be said for members opposite. The once proclaimed champions of country Victoria, The Nationals, are opposing the biggest upgrade in Victorian irrigation history.

The SPEAKER — Order! The minister should confine her comments to government business and not use question time as an opportunity to attack the opposition and The Nationals.

Ms ALLAN — This investment in regional Victoria, and particularly in the Goulburn Murray irrigation district, will see an incredible attraction and expansion of regional industries. It will be a boon for regional economic development. It is no wonder that we read in today's *Weekly Times* that The Nationals are in complete disarray, because they do not have a plan to support regional communities. It is the Brumby government — —

Honourable members interjecting.

Ms ALLAN — They are not my words.

The SPEAKER — Order! The minister is to confine her comments to state government business.

Ms ALLAN — As I have said, it is the Brumby government that has a plan for economic development. We have a plan that will see our regions continue to grow and prosper. We have a plan, and it is the Labor plan that supports irrigators and farmers. It is the Brumby government that supports regional communities and is prepared to work with other governments. It is no wonder we also read in today's *Weekly Times* that The Nationals are increasingly seen as a pale imitation of their Liberal partners — because they do not have a plan for regional Victoria.

BUSINESS OF THE HOUSE

Annual statement of government intentions

Debate resumed.

Mr BATCHELOR (Minister for Community Development) — Before the luncheon break I was outlining to the house a significant new parliamentary procedure that the government is proposing to introduce from the beginning of next year. This new procedure, the annual statement of government intentions, will be a significant new addition to a whole suite of initiatives this government has introduced to the Parliament to make it easier for individual members to make a meaningful and worthwhile contribution. These initiatives seek to inform the public at large. They seek to make the government and the executive more accountable and to make sure that the actions of the government are transparent and open.

This annual statement of government intentions, while not exhaustive, will cover the major legislative initiatives to be set in place in the following year. As well as that, it will identify the themes, visions, tasks and objectives the government will seek to undertake over the following year. You can see that this type of procedure will set out in a very clear, open and transparent way what the government of the day expects to be doing in terms of its actions and tasks and also what it expects to be doing in terms of its legislative agenda for the next 12 months.

This contrasts with the traditions of this chamber, where the normal level of formal notice provided for legislation is two weeks. We will be seeking to set out an agenda up to 12 months in advance. As I indicated before lunch, this will provide an opportunity for all those who are interested in the democratic process to be well prepared and able to participate to the fullest extent. It will not only enable people who are members of this chamber to prepare and to understand, and to seek advice and to consult, it will also allow interest

groups and individual members of the public to participate and put their views forward to the government, to the opposition, to Independent members and, to their local members of Parliament. It will enable them to be better placed to do that.

While we in the parliamentary chamber are used to the need to move and work quickly to identify issues so we are able to respond to them during the course of the normal legislative program, it is my view that by signalling these sorts of issues through the annual statement of government intentions individual members, pressure groups and stakeholders will be better placed to understand what is coming in the year ahead. If they want to take any steps to lobby their local members, to lobby the opposition parties or indeed to lobby the government, they will have plenty of time to do that.

This is an initiative the Premier indicated he was going to put before the Legislative Assembly to make sure that it was included in the suite of initiatives he has put in place for open and accountable government in this chamber. We think openness and accountability should not only apply to the government but should also apply to the opposition. We believe this mechanism will enable the opposition to understand what is going to happen and to seek advice. One only hopes that the opposition takes advantage of that and actually listens to what is being said. If you compare what is said by opposition members in this chamber during parliamentary debates with the attitudes of the population at large, you can see that opposition members are out of touch. They are behind the times, they are ill prepared and they are not doing a very good job of representing interest groups or the people in their electorates. The government will continue to do in the future the good job it has done in the past.

We see it as an important part of our commitment to do that. We have a good record in trying to make sure that Parliament is relevant. What are the sorts of things we have done since coming to government? Firstly, we have introduced fixed four-year terms for both the upper and the lower houses of the Victorian Parliament, creating a bit of certainty and stripping away the potential for the charade that took place with the recent commonwealth election. Now there is no uncertainty as to when the election for both houses will be held; it is held on a fixed date every four years. In making that commitment we understood that it would take away from the numerical representation that the Labor Party had in the other chamber, but we saw it as an important way of providing a more democratic and participatory outcome for this Parliament.

We have made the upper house more representative. We have provided it with the opportunity to keep the government accountable, and that is providing the opportunity for opposition members in that chamber to be very politically active. We welcome the political engagement of the political parties, and that is why we think this annual statement of government intentions will assist and help the political process in this chamber.

We also understand the importance of the independence of parliamentary officers such as the Ombudsman and the Director of Public Prosecutions. We have entrenched and strengthened their independent roles. That has been an important reform. We heard about the importance of the Ombudsman making reports as recently as question time today. We have also enshrined the office of the Auditor-General in the constitution, requiring that any changes to that position be approved by a referendum. We did that because under the previous government the position of Auditor-General was targeted for abolition because it did not meet that government's requirements. We took the opposite approach and insisted that the Auditor-General's office was absolutely crucial and integral to the democratic process. We provided that constitutional protection, putting the office of Auditor-General out of harm's way in case of a return of a Kennett-style government.

As the house heard today, we have taken the Parliament to the people of regional and provincial Victoria. Both houses of Parliament have toured the Victorian countryside. This has been an important feature of parliamentary procedure and programming under this Labor government. We have held community cabinets across the length and breadth of Victoria. This has been an ongoing feature. I can say that community cabinets are very popular in regional Victoria, and the government of the day not only gets a good and warm reception from local councils but finds it to be a very useful and productive exercise as well.

The government has strengthened the freedom of information laws and will continue to do that. We have a bill before the Parliament to remove the application fees for FOI requests in order to take the FOI legislation back to its original intent as proposed by former Premier John Cain.

We have made it a requirement that the Premier and all the ministers attend the Public Accounts and Estimates hearings — in complete contrast to the actions of our predecessors. We have introduced the Financial Management Act, which requires midyear reports for the state government, quarterly financial reports for the general government sector and a budget update for the

general government sector, and of course there is the all-important pre-election budget update. All of these initiatives are designed to frequently provide certain information that is of use not only to our political opponents but also to the public at large, and in particular to those people who are trying to make investment decisions for the benefit of Victoria. We have also published details on the internet of government contracts worth more than \$10 million, and we have provided headline details of contracts worth more than \$100 000.

In addition to these specific initiatives the government has implemented a number of initiatives in this parliamentary chamber by updating the standing and sessional orders to make it easier for individual members to participate. They include things like 90-second statements by individual members, which are very popular, and we have extended the number that can be made. Interestingly that has been opposed on all occasions by the Liberal Party, notwithstanding that it finds its members are very keen to participate in this parliamentary procedure. We have got rid of the farce associated with the adjournment debate and replaced it with an MPI — —

Honourable members interjecting.

Mr BATCHELOR — You don't remember what the special adjournment debates were like? The debates under former standing order 26 were a special feature. You would spend all your time arguing about procedure rather than debating the substance. We now provide political parties with the opportunity for more time for opposition business, and we provide that without any of the procedural tricks or trip-wires or landmines that were so much a feature of the previous regime. We have provided a time frame for debating committee reports. Previously, hardworking members from both sides would work away on parliamentary committee reports but have no formal time in the Parliament to debate them. It is now there, every Wednesday morning.

We also provided a guarantee that at question time there would be 10 questions. There were times under the Kennett government when very few questions were asked because the government would filibuster and talk out the time. Whichever way we go, we have seen this government provide increased and expanded certainty and opportunities, particularly for individual members and particularly for the opposition. We propose to do that again with this annual statement of government intentions.

I understand that, notwithstanding how popularly members of the opposition will use the initiatives I have outlined and how well they will use the annual statement of government intentions, they are proposing to attack this proposal today without even giving it a fair try, without even allowing their members to participate in this process. They have made a predetermined political decision that will manifest itself and has already been foreshadowed by the Leader of the Opposition when before the parliamentary debate began he attacked this proposal publicly.

This proposal is a significant procedural improvement of the parliamentary agenda. The only reason why the Liberals will attack it today is that it will require them to do a bit more work. They are a lazy, good-for-nothing mob and they do not want to have placed before them the opportunity to participate in a new parliamentary procedure. Other chambers do it. It is significant, and this one will be significant, and the test will be, if they ever get back into government, whether they eliminate it.

Mr BAILLIEU (Leader of the Opposition) — If only! Wouldn't it be nice if only the Premier had honoured his commitment to have video internet broadcasting of debates in this chamber? If that promise had been honoured, we would have seen the face of the Leader of the House when he introduced this measure before lunch — smiling, laughing, mocking and knowing that this is nothing but a stunt. Post-question time he has put on the serious visage of a serious Leader of the House.

This is theatre. What we have here is a proposal not from the Leader of the House but from the Premier, and I will get back to that. This is the Premier's show day — an annual show day — sponsored by the Labor Premier of Victoria. It is a wonder that we do not have an additional dot point on this proposal to make it a public holiday.

This will be nothing more than an opportunity for the Premier to sate his appetite for a new tie. How the Premier misses his role as Treasurer introducing the budget and all those budget papers with their coloured covers! We will see the coloured cover of the Premier's statement of intentions. And what is the bet that American Tailors sells a new tie that morning?

This is the Premier making his demand that Parliament genuflect to his will. The Leader of the House is right on one score: we will oppose this measure. This is nothing but the government, and the Premier in particular, seeking to impose an extraordinary arrangement for an additional filibuster. You would never, ever have seen this from the previous Premier,

and I will come back to that. This is this Premier's arrogance on show, and we will oppose it.

The proposition here is that we will have an annual statement by the Premier to this house and that standing orders will be effectively suspended. If this were, as the Leader of the House described it, a significant piece of new parliamentary procedure and a serious change, one might have imagined that the Standing Orders Committee would have been consulted. What a surprise! It was not consulted because this has come from the arrogant Premier. This is the Premier who has a problem with his recognition and applause in the community.

It is proposed that there be a new form of parliamentary procedure and that standing orders be suspended, but under standing order 43 there is currently a provision to enable a minister, the Premier, to make a ministerial statement. It is a longstanding tradition. Under standing order 131 there is a provision for the government, indeed any member of the house, to move a motion to this house. Either would provide a parliamentary opportunity for this government to make a statement of intentions. Either would be satisfactory. There are plenty of other options, but those are two options under the standing orders now.

But no, we have a significant piece of new parliamentary procedure, which even the Leader of the House has to laugh about. 'This is something special', it was declared. Let me tell you, Speaker: this provision is not what is provided for in a ministerial statement, it is not what is provided for in a motion under the standing orders. Under these provisions there will be no right to adjourn this matter, as occurs with a normal debate; nor will there be any right to continue the debate at the time, as is the case with a ministerial statement. This is nothing but the government's show day, and it is an opportunity for the Premier to do what he loves to do — that is, strut. When we look at the detail in this proposal, we see it is proposed that this statement of intentions will take precedence over question time. Why?

An honourable member — Why doesn't it replace the prayer?

Mr BAILLIEU — Indeed, that is an interesting proposition. The Premier's intentions are moving up the agenda, up the notice paper.

Paragraph 2 of the motion says no time limit will apply to the length of the Premier's statement. A Premier with unlimited capacity to speak forever will be a challenge. Paragraph 3 says Council members — and we presume

that refers to the other place — will be permitted to attend. What a generous proposition from the Premier that Council members will be permitted to attend, as if they are not permitted to attend now and as if they are not permitted otherwise to know what the Premier might have on his mind. It is extraordinary.

Paragraph 4 says prior to each day on which a statement is to be made the Speaker is to confirm to the President the date and approximate timing of the statement. The Speaker tells the President but does not tell anybody else. Why no-one else?

Paragraph 5 says the lower public gallery on the opposition side of the house is to be deemed part of the Assembly so that members of the Legislative Council can attend. This is not on the government side but on the opposition side. Who will fill the government side? The acolytes, flunkies and spinners will be there. It will be show day for the Premier.

Paragraph 6 says that at the conclusion of this statement the members of the Legislative Council will retire to their chamber. They will leave here and go over there. They are not allowed to go anywhere else; they are being told.

Paragraph 7 says responses to the statement are to be listed under government business. The intentions are government business. How did the Leader of the House describe this? This is what he came up with — I think I got it right: 'themes, visions, objectives and tasks'. We will come back to that.

In responding the Leader of the Opposition is given the same time as the Premier. We can only hope the Premier does not speak for less than 20 minutes otherwise the Leader of the Opposition will have less time than the Leader of The Nationals, not that this has not been thought through carefully!

Paragraph 8, subparagraph (c), says any other member can speak for 10 minutes. This will go for weeks; there is no provision here to stop it. I love paragraph 9 which says condolences will not take place. In other words, this statement of intentions, as if it were a grand secret, will take precedence over condolences. At the start of a parliamentary year sadly there often is a need for a condolence motion. The replacement condolence motion will be at the discretion of the government, according to this motion — that is, not the house but the discretion of the government. I think that betrays again the arrogance of this proposition.

The extraordinary thing is if you look at this, you see it is, as I said before, in effect a statement about the arrogance of the Premier, his contempt for the

processes of this Parliament and for the Governor. What is it? It is the Governor's speech without the Governor. What will we be rolling out next? Will we have the marquees, champagne and red carpet so the Premier can roll in here and make his statement?

Mr Batchelor interjected.

Mr BAILLIEU — Oh dear! We can see it all coming.

Ms Beattie interjected.

The SPEAKER — Order! The member for Yuroke will control herself.

Mr BAILLIEU — This is show day for the Premier. It is a contempt for the Council, being summoned — —

Mr Batchelor — You are such a hollow man.

Mr BAILLIEU — If only we had that broadcast so we could see the Cheshire minister here, smiling his way through what he knows is a farce. He knows this is a farce. Members of the upper house are to be summoned by the Premier to come and hear his wisdom. They will be told. You have to ask yourself why? Why are we doing this? Why is it necessary when there are so many other opportunities to do this? It is because this government is on the nose and this Premier is widely recognised as being arrogant. Even his backbench say so. In the *Age* of 24 November a government member is quoted as saying the Premier is:

... like a bull in a china shop. He just won't listen ... This is Brumby's arrogance and crash-through style at play here. He's good at numbers but he can't read people.

An honourable member — I dispute that. He's not good at numbers.

Mr BAILLIEU — It is a fair point. He has never delivered an accurate number to this chamber once. This Premier has already demonstrated his aggressive and confrontational style, and he has done it with almost every community group in this state. We saw that arrogance on display yesterday.

Here is a Premier who has fundamentally got a chip on his shoulder because he has not received the acclaim and plaudits that he believes he deserves. It is not a chip — it is a pulp mill on both shoulders! The one thing I do not think you can say about the previous Premier, Mr Bracks, is that he had a big ego. But the ego has landed here. We saw it yesterday. It was not good enough to have the chamber photographed earlier in the year — we had to have it done again yesterday, a

special one for the new Premier, so he would be there and history would be demonstrated.

This is a Premier who desperately wants acclaim. Instead all he has got are protesters everywhere he has gone and all he has attracted is resentment. What will come next in this ministerial statement? This has been proposed as an annual statement. I suspect it is a oncer, because this Premier did not get to write the Governor's speech. What is the bet this is dropped? He missed his chance. If only he could get the marquee, the carpet and the tiara.

What could the Premier have done to signal his intentions — his themes, visions, objectives and tasks? He could have told the media; that would have been novel. He could have tabled a statement in this house. He could have made a ministerial statement. He could have moved a motion. No, he is messing with standing orders without consulting the Standing Orders Committee.

What has this government and this Premier done to Parliament? Everybody knows that this Parliament has been dumbed down. The government has killed off question time.

Honourable members interjecting.

Mr BAILLIEU — Here is the wonderful commitment from the brave hearts of the Labor backbench!

Honourable members interjecting.

The SPEAKER — Order! The members for Prahran and Yuroke!

Mr BAILLIEU — We have had the cheerios introduced — and don't government backbenchers do great cheerios! Speaking time has been reduced. We have had a reduced number of members statements, we had a reduction in the adjournment debate, and we have never had a minister turn up for the adjournment unless they have been on duty.

Mr Batchelor — That is not true; I have.

Mr BAILLIEU — Come on, intervene.

Mr Batchelor — That is not true.

Mr BAILLIEU — And the rest?

Mr Batchelor — What the Leader of the Opposition is saying is not true.

The SPEAKER — Order! I ask the Leader of the Opposition and the Leader of the House not to have a private conversation across the table.

Mr BAILLIEU — The Leader of the House is absolutely correct; I misrepresented him. In his previous interjection he said, ‘I have!’ — and he has. Fundamentally, the Leader of the House knows these procedures are a sham. He likes to think he represents parliamentary procedure, and he has to put up with the other people on his side who have come up with this crazy proposition.

What will this statement include? It will no doubt contain a lot of puffery, self-promotion and spin. I am sure it will include a statement that the government will dump 350 annual reports on one day at the end of the year and make sure that no-one has a chance to scrutinise or read them. I am sure it will include the tabling of reports on the last sitting day of a Parliament, which fundamentally means they avoid scrutiny. I bet we will see that tomorrow.

What will it not include? We know it is going to include themes, visions, objectives and tasks. I do not think the Leader of the House referred once to the legislative program, so I suspect it is not going to include any statement about what legislation is on the way.

Mr Batchelor — That is not true either.

Mr BAILLIEU — It will include themes, visions, objectives and tasks, but it will not include any obligation to answer questions. I do not know how many times we have to go through what has become the farce of question time. It will not include any requirement for ministers to attend adjournment debates. It will not include any requirement, other than on one occasion in 2008, to sit on consecutive weeks. It will not include any guarantees that the government is going to perform. It will not include any requirement for accountability. Put it this way: do we think it will include a statement of advertising purchases? Do we think it is going to include all its intentions or just those it wants to spin on day one, and then bury any commentary because we will not be able to consider it until a subsequent day?

This is a stunt. It is the Premier’s show day. What we really need is an accounting day at the end of the year for the government’s failures. This is the Premier getting carried away with himself. He is changing standing orders without consulting the Standing Orders Committee and creating his own Governor’s address without the Governor. This is about spin, not substance.

It is about pomp and ceremony. It is probably the sort of thing that the last King of Scotland might have considered. This is a piece of nonsense. Think of all the opportunities the Premier had to make a statement of intention over the last eight years which he never took up. Think of all the opportunities currently provided by the standing orders that have not been taken up. What has been introduced here is a way for him to have a show day with nobody else to spoil his show. This is a nonsense and we will oppose it.

Mr RYAN (Leader of The Nationals) — What a circus of a proposition from the government! When this whole conversation started and we were initially approached about it, I think I am right in saying that our initial reaction to it was positive. If the government was wanting to do something in the nature of a ministerial statement, which would have about it the structure of a process which is accepted by the house as occasionally happening, and that would be the appropriate model for it, then we would be prepared to consider it if that was what the government wanted to do.

What we have is an absolute circus. This is the current Labor government’s version of the State of the Union address. It is a bit like President George W. Bush, when he comes down the middle hall and all the acolytes line up on each side and they shake hands with him and they clap their hands and they cheer and he is carried in on a sea of emotion. He stands up the front, delivers his State of the Union address and everybody thinks it is absolutely terrific. When I looked further through some of the elements of what the government is proposing it occurred to me that in fact it falls far short of what the government is now considering.

Members might be aware that the word ‘hubris’ has had a fair bit of mention over the course of the last 12 months or so in an entirely different context — and usually unfairly it seems to me. But I sought and obtained the definition of the word ‘hubris’, and I think it is at least on the way to being pertinent to this exercise. The word ‘hubris’, according to the *Concise Oxford Dictionary*, means insolent pride or presumption. It is derived from a Greek tragedy. ‘Overweening pride towards the gods, leading to nemesis’ is the expression derived from Greek history. That in turn pointed me to where, if the government is truly fair dinkum about wanting to do this in the way that the Leader of the House has proposed, we ought to go the whole hog.

I think we ought to make it a Greek tragedy production. And if we are going to do justice to it, we need to bring back the dancing nymphs. We should have — —

Honourable members interjecting.

The ACTING SPEAKER (Mr Ingram) — Order! The Leader of The Nationals does not need the assistance of members of the opposition.

Mr RYAN — We should have dancing nymphs, clothed and bejewelled. They can enter through the doors, throwing out rose petals at the feet of the Premier, who can make his way amongst his lorded gentry across to his chair. We will need a slightly higher chair, and he will need to be accompanied by those who are of his office. He will need his Deputy Premier beside him. We will need to move the table over here a bit because there will not be enough room to fit the two of them in — and we will need to move the table way over here to fit the egos in.

The Premier will be seated in his slightly higher chair, where the Minister for Water now is. He will give his address, to which we will all sit and listen in silence. I note that the members of the upper house have been invited across, although it is said they have been told to be here. I do not think they ought to come over here and not participate. If they are going to come here, they have to be in this show. I think they should trumpet the Premier in. When the Premier concludes he can lay his specially cast staff across here. It will be of gold and have stuck on the top of it a map of Victoria. The Premier will then ascend attended by hallowed angels up to the media and be escorted by that throng into the back garden where he can give a press conference.

That is more in accord with what the Premier certainly has in mind and what the Leader of the House has had the unfortunate task of having to bring before us today. I might say in fairness that I think the Leader of the House is one of the hardest working beavers on behalf of this government. I am prepared to grant that. But I think there is a limit to what any member should have to put up, and for the Leader of the House to have to come in here today and put up this sorry nonsense is taking him beyond the pale. The Leader of the House has my greatest sympathy.

Let us look at some of these proposals, because they do bear further consideration. The Premier will make a statement of government intentions immediately after the prayer on the first sitting day. I was almost — no, I will not — going to say we could have another form of prayer to fit the occasion, but I will not do that. That might cause more difficulty than I am otherwise intending. Suffice it to say that after the prayer, as we now know it, the Premier will make his statement of intentions. I will just pause there for a moment and go to some of the comments made by the Leader of House.

The Leader of the House assures us that the statement will deal with certain themes which will relate to visions, tasks and objectives of the government for the year. I think I am correctly quoting the Leader of the House in what he had to say. What I immediately thought when I read this was how would this have all gone had this laudable event been undertaken at the start of last year. What would the government have had to say? I wondered, as I pondered this, would the government have told us that the Premier was going to resign? Would we have heard from the government that the Deputy Premier was probably going to resign? Then I thought, no, well that probably would not be the case because that did not happen until this year.

Where would all these things have gone? No doubt the government would have wanted to make sure, in making the statement going into 2006 — an election year — that it provided a fulsome outline of its program in relation to water issues. Would we have heard from the government about its absolutely gold-plated, set-in-concrete promise that it would never, ever pipe water from north of the Dividing Range into Melbourne? Would it have said that? Ultimately it must be said that the policy that was there when the election happened was what was said. Would we have had the government say that it was going to build a desalination plant? The policy that the government took to the election last year was no desalination plant under any circumstances. I pose these questions rhetorically of course, in Kevin Ruddish fashion, because what they challenge is the reality of what it is this process is all about.

What it says is that the process is a farce. Because in the end, no matter what the government may say at the start of the year in the course of making this big statement, it simply will not carry it out. What sort of faith will people have in listening to this great statement of intent by the government when they know from experience that so much of what will be said by the government will simply not be carried out? We are told that this notion is part of the fine traditions of the Labor Party — and did you not like the line about enabling the opposition parties to be given the opportunity to prepare to do the work that is necessary to learn and engage? That is what we were told by the Leader of the Government. We were told that the government was going to engage in a democratic process which would strengthen the way this Parliament operated. What a lot of absolute patronising rubbish!

Apart from anything else, one issue that you would like to be talked about in a statement such as this is the capacity of the government to honestly answer — to answer, for a start, and then to answer honestly — the

questions that are to be put to it in question time. Day after day — and this is all in the context of the Leader of the Government talking about the democratic process and fine Labor Party traditions — questions are put to the government on issues which are about the obligations of government, yet what we get are no answers at all or answers which are at a distance, with due respect to the Speaker, from conforming with the standing orders or the interpretations of them. Certainly they are not about answering the questions. Would there be any commentary from the government on those sorts of issues?

In looking at paragraph (1) of the proposed changes, that in itself is sufficient cause to pause, stop where we are and forget it — but it gets better. No time limit will apply to the length of the Premier's statement. I want to plead guilty to an offence. I think I am probably the one most responsible for time limits being introduced into this Parliament. It happened because years ago —

An honourable member interjected.

Mr RYAN — I am, I admit it. One morning years ago I was asked to speak on a motion moved by Minister Gude, who was then Leader of the Government. The 10 minutes that I had turned out to be 2 hours 57 minutes.

Mr Baillieu interjected.

Mr RYAN — I agree, I did it. It may well be that as a result we have the time limits we now see imposed under this government's rule. How can the government possibly now construct a situation where the Premier will speak for whatever length of time he thinks appropriate?

Mr Baillieu interjected.

Mr RYAN — As the Leader of the Opposition has observed, it would be unfortunate if the Premier sat down after 15 minutes, because otherwise I would have 20 minutes and the Leader of the Opposition would have only 15 minutes to respond. That aside, it is completely contradictory to everything this government has done with the sessional orders and standing orders since it has been in office. I get an hour for the budget response. What if these periods of time were to be applied to the way in which members spoke in other debates, for heaven's sake? In the context of the proposition as set out here, surely the Premier can convey whatever he wants to convey within the sort of time normally devoted to a ministerial statement. How can there be a position whereby the Premier can just keep yapping on for as long as he might choose and no time constraint is imposed? It is this government that

has been telling us for a long time that, in this chamber at least, those times are gone.

Paragraph (3) says that:

Council members be permitted —

at least not 'required', but 'permitted', do you mind! —

to attend the Legislative Assembly chamber to hear the statement.

The next paragraph says:

(4) Prior to each day on which a statement is to be made, the Speaker to confirm to the President the date and approximate timing of the statement.

That is a fair thing, because the members of the Legislative Council would hate to miss it, I am sure. The next paragraph says that the lower public gallery on the opposition side will be made part of the chamber for additional accommodation for members of the Legislative Council. I must ask: why is that not being allowed on the government side? There must be a reason for that, which I am sure someone in the government ranks will explain. The next paragraph is a great one:

(6) At the conclusion of the statement the members of the Legislative Council will retire ...

Don't you love the word 'retire'! They will 'retire' to their chamber, with port and cigars, no doubt. The next paragraph says that the responses to the statement are to be listed under government business for the next sitting day. This is a little ripper! You can make some sort of a case for saying that if you are going to have a process like this, it is reasonably fair for the parties that are going to respond to follow on straightaway and do their thing, particularly if you impose time limits. But this is so transparent. This is all about the all-singing, all-dancing Brumby government doing its thing on day one — and the rest of us can look after ourselves. The government is drawing a line under the process. After the Premier ascends with the hallowed angels into the media pool, the idea is that the media will pack up and go away and whatever might happen the next day happens the next day. It is absolutely transparent that this is a self-serving process designed by the government to suit its own purposes.

The next paragraph says that responses may be made by the respective leaders — the Leader of the Opposition and me. I give notice now that I intend to seek an extension of time. I am doing the right thing: I am giving the Leader of the Government notice that I am going to seek extra time. I do not see why, when under this grandiose process the Premier of the state

will be able to come in here and talk for as long as he likes and the Leader of the Opposition will be able to get up and talk for just as long, the leader of the party which has a strong representation on behalf of country Victoria, and that is generally acknowledged, will be confined to a 20-minute response. I am now giving notice to the Leader of the House that I am going to be seeking an extension of time.

Then we have the issue of condolences, and there is an awful line there about a synergy between what the Premier is going to do and condolences, but I will not raise that issue either. Suffice it to say we think that the proposition being advanced by the government is an exercise not only in hubris but in gross hubris. Where do you go after hubris? 'Hubris' is an absolute term, as I understand it. I do not know that you can have degrees of hubris. If you could have degrees of hubris, this would be hubris upon hubris. When people hear about all this and what the government proposes to do, let alone when they see it transpire at the start of proceedings next year, they will suitably think this is just an awful process that the government has introduced and foisted upon the Parliament of Victoria.

If this were an exercise in which the Parliament, in the true sense of the expression, were able to participate realistically in what are to be the aspirations of all Victorians, then that would be something about which, as I said at the outset of this, we would be much more likely to very supportive. As opposed to that, what the government has done is gone off on a frolic of its own. I do not think the propositions being advanced in the motion that has been moved today by the Leader of the House are appropriate for the government itself, I must say, or for the Parliament of Victoria, let alone for the people of this state. Doing what the government, in theory, wants to do could be managed in a much more constructive way, but to do it in this way is just completely inappropriate. The Nationals will certainly be opposing what the government has moved.

Mr LUPTON (Pahran) — I am very pleased to be able to make a contribution to the debate today in support of the proposed sessional order moved by the Leader of the House. I have to say at the outset, though, that this chamber has been exposed today to what would have to go down as one of the worst performances by a Leader of the Opposition in living memory.

Honourable members interjecting.

Mr LUPTON — This lazy and pathetic opposition would not work in an iron lung. The Leader of the Opposition has press-ganged a certain number of his

backbench to come and hear his contribution, and all we can say about the Leader of the Opposition's contribution is it will not help his leadership.

Honourable members interjecting.

The ACTING SPEAKER (Mr Ingram) — Order! Other members have been given a fair amount of silence to enable them to speak without interjection. The present level of interjection is unnecessary and disorderly.

Mr LUPTON — What we have seen today from the Leader of the Opposition is a pathetic performance in front of a number of press-ganged members of his own party, and he will have done his leadership no good as a result of the performance we have seen here today. We have seen no constructive engagement with this proposition at all. We have seen nothing but an example of jealousy. We have seen nothing but an example of dripping sarcasm, which the Leader of the Opposition believes is a substitute for genuine parliamentary debate and policy.

The fact of the matter is that this proposal gives members of this chamber a greater opportunity to participate in parliamentary debate than we have had in the past. It will be a great improvement that will allow members of this chamber to be more actively engaged in the parliamentary process and in the discussion of legislation as it comes before this chamber. If members of the opposition do not want to take advantage of that opportunity, that is certainly a loss to them, but this is an example of opening up parliamentary procedures and giving members of Parliament a greater opportunity to make a contribution in this place over the course of the year.

This government is responsible for making some particularly good changes to the ways in which members of Parliament are able to contribute to debate during the course of a sitting week. Members statements were introduced by this government.

Mr Hodgett — Cheerios.

Mr R. Smith — Cheerios, you mean.

Mr LUPTON — That is a procedure which every morning allows members to make 90-second statements about matters of concern to them and their electorates, yet we hear constantly from opposition members that members statements are not a proper or appropriate procedure. They ridicule members statements whenever given an opportunity, but at 9.30 a.m. this morning they were all lining up to make their members statements. They take advantage of that

opportunity, but they seek to ridicule the standing orders under which those changes were made.

Mr K. Smith — What are you on about? Get back to the motion.

Mr LUPTON — We heard the interjections previously when members statements were mentioned. Members of the opposition laugh about them. They ridicule them. They call them cheerios and regard the whole thing as a bit of a joke — but they take the opportunity to participate in members statements. If they were fair dinkum and honest about it, they would admit that members statements are an advantage for all members of Parliament that enables them to put matters of interest in their local communities before this house on any day. It is important to make sure that members of Parliament have opportunities to raise issues of general concern outside the often confined limits that parliamentary debate imposes on members when we are speaking on legislation itself.

It is important when members of Parliament have an opportunity to speak about matters of general concern that those things are supported by members, and I would have hoped for better from the opposition and certainly a lot better from the Leader of the Opposition. We were then given the opportunity to hear the stand-up comedian, the Leader of The Nationals, who should be at the comedy festival at the Comedy Club in North Melbourne, because he has not had enough interest in the debate to have stayed here today.

Having said that, one opportunity exists in every term of Parliament for any member of this house who wishes to contribute to make a speech about broad-ranging issues affecting the government of Victoria, their electorates and matters of general policy. That occurs in the address-in-reply debate once every four years. This proposal will give members of Parliament — every member of this house who wishes to contribute — an opportunity to make a contribution about the broad legislative program of the government and the way in which it may affect their local community and the state as a whole. It gives them a broad-ranging opportunity to debate in a way that does not exist now, and I would have thought a sensible opposition would have supported such an idea wholeheartedly. But what do we see from the opposition? Nothing but ridicule, empty gestures and sarcasm.

After today's little performance from the opposition is over it will be interesting to see what its members do next year when they are given an opportunity, as they will be, to comment and make speeches on the statement of government intentions and the ways in

which that may affect their electorate and the state as a whole. They will be given that opportunity, and I can say now that I am very confident that we will find, just as with members statements, that the members of the opposition are all going to be lining up to make their contributions.

We have already heard from the Leader of The Nationals. Not only does he want to participate in something that he had just spent nearly all of his allotted time ridiculing, but he wants to have an extension of time so he can speak for even longer. That is a classic case of wanting your cake and eating it. We will see how this progresses, and what we will find is that members of the opposition, once they are over the histrionics they have come in here with today, will take advantage of this opportunity which will be given in every sitting year rather than just once every four years.

This is even broader than that, because not only is this an opportunity for members of Parliament to have a better opportunity to engage in that process, it is also an opportunity for the wider public of Victoria. The wider public of Victoria will have more forewarning about the government's legislative program. This will enable the community of Victoria in a very broad way to have more engagement and participation in the development of the Victorian government's legislative program year to year.

We are going to make sure that there is the opportunity for that debate to go on between members of the government and members of the broader Victorian community in the development of that legislative program going forward. We will be making sure that there is an opportunity, with greater public consultation than ever before, to further involve members of the Victorian community in the development of the government's legislative program each year and the way those particular pieces of legislation are developed and progressed through the legislative program.

This is not only good for the institution of Parliament, the broadening of debate in Parliament and the ability of members of Parliament to engage in that process but it is also an extremely positive and progressive move for the people of Victoria as a whole. It will make sure that they are given a better opportunity than ever before to participate in the development of the Victorian government's legislative program, which is absolutely important going forward. We as a government do in fact engage with the community, and we want to make sure the community has better opportunities for that engagement to be positively undertaken as we move forward.

Unlike members of the opposition, members of the government think that opening up those processes and giving members of Parliament more opportunity and the people of Victoria a greater ability to have input, to have a say and to have a dialogue with the government as we develop our legislative program each year is in fact an important, progressive and modernising thing. We think that is appropriate for this government to be doing, and we will be positively taking this annual statement of government intentions out into the community to make sure that we are engaging even more progressively and positively with the people of Victoria going forward than we have in the past. It is a progressive motion and we on this side of the chamber support it wholeheartedly.

Mr McINTOSH (Kew) — It is regrettable that I have to follow the member for Prahran because he obviously did not address the significant issues. Perhaps he has been spending too much time with those nymphs that will be preceding the Premier, practising his dancing steps or blowing his own trumpet.

The most important thing in this whole issue is that there has been a fix from the very moment this motion was mooted by the government. That fix was made very clear from the outset. Representatives of all the parties, including the minor parties in the upper house: the Greens, the Democratic Labor Party — although I do not think the DLP bloke turned up; he saw through it from the start — the Liberal Party and The Nationals. I do not know whether you, Acting Speaker, were included in that as the Independent member of this house. The most important thing is that we were all given the opportunity.

We were called into the office of the Leader of the House to have explained this brand-new parliamentary process. It was very clear when we were invited to give our views, which were a variety, that the fix was in. Under no circumstances was a simple proposition that the proposed annual statement should be seen as a ministerial statement and dealt with in exactly the same way going to be accepted. We kept getting back all the time that this proposal is a great thing for democracy, a wonderful, all-singing, all-dancing thing for the Premier of this state, who will be able to outline the intention of what he proposes to bring before the Parliament. Although we were told that this is an all-singing, all-dancing proposal, what is the difference between it and a normal or ordinary ministerial statement? We were never adequately provided with any difference. I kept emphasising that it was the words, perhaps — what the Premier was going to say in the statement — that might make it important or significant. We were told that it had to be treated as something even more

grandiose. Clearly this is nothing about parliamentary democracy.

After listening to the Leader of the House and other government members, including the member for Prahran, speak about this issue in this debate, I can tell members what the fix is. I will bet my bottom dollar that we will wake up on the Tuesday morning, on the first sitting day next year, and see across almost all the newspapers — particularly the *Age* and the *Herald Sun* — a blow by blow description of exactly what the Premier is going to say in his speech that very afternoon. It is typical of the way this government goes about its business. It is more interested in media spin than substance. It is more interested in getting the media hit than in actually dealing with and addressing those critical issues that Victorians want their government to deal with. That fix was in from the very first moment.

I will bet my bottom dollar that the Premier of this state would like to see himself on national TV. He is probably unlikely to get on national TV, but he will go onto the Neil Mitchell program and he may even try to get onto the Jon Faine program and at least have a fight with Jon Faine on the Tuesday morning before he announces the government's intentions. Everybody will be aware of what he is going to say in the afternoon. Therefore his speech will be completely redundant.

It is highly unusual that the statement is to be delivered before question time. Another significant event, something that is a real, concrete event for this state, the presentation of the budget, still comes after question time. This statement is so important that it will have to be delivered before question time. All it will be about is to get good vision for the TV cameras, with the Premier standing up there, like God Almighty himself, declaring from on high what will be his intentions, even if those intentions are wrong, like the desalination plant and the north-south pipeline.

Rather than being accountable during question time, we have a government that will not even acknowledge who is responsible for the most minor let alone the major problems in this state. We are getting a media fix. All that we will be doing is sitting here for an hour, listening to the Premier drone on — after we have had the trumpeters and the nymphs. I disagree with the Leader of The Nationals. Unfortunately the Premier will not be conveyed in some special motion up to the media room, because it will already have been done on the Tuesday morning.

Notwithstanding the fact that opposition members said that we are quite happy with the Premier making a

ministerial statement and, if he wants to, aggrandising that statement — it will be about the words he uses in this place, not his actions or the TV grabs — why will the statement be so different that it will be treated differently from the budget or a normal ministerial statement and be moved off to the government business program the next day? That is not because the opposition seeks that it be adjourned, as the budget debate is.

The opposition should have an opportunity to participate in that debate on whether it is adjourned until the next day or the Thursday, as happens following the budget. If they choose that, so be it. If the government is truly interested in getting democracy back into this place, then it should let the debate occur and not move it off to some other day without any further debate or discussion about whether it should be adjourned. It should be put on for debate then and there, after question time. It should be treated as something as significant as the budget. That is not what the government was listening to. I understand a similar position was put by The Nationals.

At the second meeting the Greens did not bother turning up — let alone the DLP member. The fix was in from the very beginning. It had nothing to do with enhancing democracy. It had nothing to do with the opportunity of participating in a debate about critiquing a government's performance or, indeed, holding it accountable to this place. We can hardly do that anyway — ministers do not have to answer questions. I would have thought that, if members of the government were really and truly interested in enhancing democracy in this place, then they would enhance the very thing that becomes the focal point of a parliamentary day, which is question time. I would have thought they would have insisted on demanding that ministers be responsible to this place. It is a responsible government and ministers should be responsible and answer the questions that are put to them. They seem to be able to answer the Dorothy Dixers, but they do not answer the real questions that are put to them, which is a disgrace. That will be what this process will evolve into and it will be debased.

This is not about democracy. This is about a Premier, for whatever reason, having to go through this process to enhance his own ego and his position rather than dealing with issues of substance for the people of Victoria.

It is a disgrace; it is a joke. It has been a fix from the very start. The opposition has been cut out of it; The Nationals have been cut out of it. Nobody has listened to our concerns about this matter. It is all about the ego

of a Premier, and whether it is trumpets, whether it is nymphs or whether it is helicopters, we will have the whole lot on that day, even before he gets to his feet. We will have it on Tuesday morning, even before the Premier gets to his feet to announce it. He may say the words, but it will all be about the television. It will never be about the substance of what the people of this state actually want the Premier and the government to consider.

With those few remarks I indicate that the opposition opposes this motion, but before concluding I want to address one other matter. The member for Prahran dealt with the issue of members statements. Yes, we all participate in members statements; no, we did not oppose members statements. I do not know where the member got that from, because he was not here at the time. He would not know. Again this is another Labor lie that has been told, and it has sucked him right in. The Liberal opposition will be opposing this motion.

Ms BEATTIE (Yuroke) — I have been in this chamber since 1999, and I have never seen such an appalling show as I have seen today. The Leader of the Opposition summoned everybody. All the boys and girls were summoned to listen to him, and what happened? He proceeded to stand up and give the most appalling performance I have ever seen. He has certainly diminished completely the very important role of the Leader of the Opposition. To see the Leader of The Nationals come in on the back of some sort of comedy routine, which diminishes them all, was just appalling. I do not normally find slapstick comedy very funny, but I found Abbott and Costello funnier than those two. What they did was diminish the Parliament and diminish the people of Victoria who come into this place and expect to see good and reasoned debate. That is the opportunity being offered to this Parliament, and it is an opportunity which I will be supporting.

We saw the boys and girls on the back bench really cringing in embarrassment. They did not know what to do when their leader revealed his true hand. What was his first concern? Whether there would be champagne and a garden party. That was one of the things he raised — would there be champagne and a garden party? We certainly know how the members of the opposition love garden parties. I remind members opposite about the garden parties they love so much. Several of the honourable members in the house at the moment were not here at the time, but I know that the member for Brighton was here when there was an election in 1992. Parliament was prorogued in 1994 and there was another garden party. There was another election in 1996, and again Parliament was prorogued, so what could they have? Another garden party —

more opportunities to go out and buy new hats and new gloves and participate in the champagne drinking they all love so much.

What members of the opposition should do is go away, have a good holiday, relax and come back next year. We know that they have had a very hard year — some critical things have happened to them this year. They should come back refreshed next year and listen to the Premier outline a vision for the state.

Mr R. Smith interjected.

The ACTING SPEAKER (Mr Ingram) — Order! The member for Warrandyte has been warned already during this debate. He should cease interjecting.

Ms BEATTIE — What we will have is an opportunity in the new year to listen to the Premier outline a vision for the state. I remind honourable members who talk about the current Premier and about the process by which he became Premier that he became the Premier of this state because he was elected by the party that holds the majority of the seats in this Parliament, and that is the Labor Party. That is how the current Premier was elected — by the party that holds the most seats in this house.

An honourable member — That is the Westminster system.

Ms BEATTIE — As has been pointed out, that is the Westminster system. This seems to be what members of the opposition do not like.

I must also say that they are insulting to their electorates when they demean 90-second statements. We had 90-second statements today, and we heard volunteers thanked. A great Australian, Mr Bernie Banton, was paid tribute to in a 90-second statement today, and what did we see from the rabble on the other side of the house? We saw that man's contribution to Australian society completely diminished, and members opposite should hang their heads in shame.

I want to talk about some of the democratic initiatives this government has taken and the great legislative programs that have been introduced. We have legislated to implement the Ombudsman's recommendations on freedom of information (FOI). We have published the names of people who sit on public boards and advisory committees, and we have also published their remuneration band. We will provide funding for live audio webcasting of all sessions of the Legislative Assembly, and we will be releasing quarterly reports that detail the costs and benefits of all overseas ministerial travel.

We have also reformed the upper house, and I do not think that was supported at the time. We have introduced fixed four-year terms — and members of the opposition are very glad that we have introduced those four-year terms. There has been great legislative change, with 80 community cabinets out talking to people all around Victoria. The cabinet is not only talking to the people of Victoria but listening to the people of Victoria.

I know many opposition members have attended community cabinet meetings; they fall all over themselves to get to those meetings. Another great thing that we have introduced is the regional sittings, and we heard today about the regional sitting of the Legislative Assembly which will take place down in the Gippsland area, at Churchill.

Dr Sykes interjected.

Ms BEATTIE — As the member for Benalla points out, we are not afraid to take the Parliament to places where the government does not hold seats. We take the community cabinet out to all Victorians. After all, this government governs for all Victorians; it does not just govern for those who voted for us. We govern for all Victorians.

It has been said that this will be the Governor's speech without the Governor. It is certainly not the Governor's speech without the Governor. We have the Governor's speech once every four years; after an election the Governor sets out the legislative program. But, of course, that is at the opening of Parliament. That is when there are the garden parties that opposition members like so much. It is not at the start of every year.

We will have the Premier outlining the legislative program. It will not be exhaustive, but it will have some detail around it. Of course we know that circumstances change during the year. There are things that have occurred this year that obviously could not be in the Premier's statement. We have seen terrible tragedies; we have seen floods and fires that occurred during the year. Of course the Premier would not be able to touch on those sorts of things. We have seen tragedies like the train crash at Kerang, so of course the statement could not be exhaustive. But it will be a statement — if you like — of intent. It will have vision. It will have the theme of the coming year, and I would have thought that opposition members would welcome it. I would have thought they would welcome hearing of the government's intentions. Then they could go away and prepare some speeches and do the hard work, because

they know the government's intentions. But what do they do? They oppose it.

Here is an opportunity being handed to the opposition and to The Nationals, and indeed to the Independent, but they do not know what to do with it because it might interfere with their holidays. They might have to do a bit of work. We are giving them this golden opportunity and they are looking a gift horse in the mouth. They should knuckle down to work and forget about the garden parties. They should knuckle down to the hard work and know what they are doing. They should forget about the jokes and the garden parties and about having a drink here and there. They should knuckle down and do some good work on policy. The government will tell the opposition most of the things it is going to do. Opposition members should do the hard work so they can address what the government is going to put forward to them. Do the hard work!

The ACTING SPEAKER (Mr Ingram) — Order! Through the Chair!

Ms BEATTIE — Someone should do the hard work, because the Leader of the Opposition has diminished the Parliament today. He has diminished the very important office of the Leader of the Opposition, and it has done him no good. It is up to his backbenchers to do the work for him.

Ms ASHER (Brighton) — I wish to say a few words about the government's latest piece of nonsense, the annual statement of government intentions. As I listened to the Leader of the Opposition and the Leader of The Nationals it struck me that this statement is Keating-like in its proportions, and I am wondering whether in fact Premier Brumby will soon make an announcement that he will only be attending 50 per cent of question times, because it appears to me that he has modelled himself very much on the hubris and arrogance of former Prime Minister Paul Keating.

I want to pick up on the definition of the annual statement of government intentions which was offered by the Leader of the House. He said the statement would have visions, tasks and objectives. However, that is in opposition to what the Premier said in a press release on 7 August. It appears to me that the government is making up what this annual statement of government intentions will actually be. On 7 August the press release stated that the Premier:

... unveiled a range of reforms to make Parliament, MPs and the executive more accountable and accessible to the Victorian people.

At one of the dot points in the press release the Premier said he would be:

Releasing an annual statement of legislative intent from 2008 — outlining the year's major legislative program.

Of course there is no reference to visions, tasks and objectives. The press release then goes on at page 2 to expand upon the idea. The Premier said that a statement would outline 'major legislative initiatives coming up each year'. He then went on to say:

Such a statement would not be exhaustive, but would cover major legislative initiatives, and would inform and encourage public debate on the government program for the year.

He has broken that one already. This is not encouraging debate on the government program for the year; this is showcasing something for his own ego with no rights immediately to follow. As I said earlier, this is a stunt; it is a nonsense.

The first point I want to make is that this is not about a proper debate; it is about a dissertation from the Premier of the day. The opposition's response is mandated by these amendments to the sessional orders; it must occur on the next day. This is in contrast to the budget, where the opposition has the option, if it wishes, to respond immediately. This is in contrast to the address-in-reply, where debate continues on that particular day and members of both sides of the house take part. This is in contrast to a motion, where the opposition gets to respond in debate in the Parliament immediately. This is in contrast to a ministerial statement, where the opposition gets 2 hours notice and can make an immediate response. As others have commented, this is akin to a presidential State of the Union address, although I prefer to regard it rather as a royal address to his loyal subjects. King John setting forth the agenda from the parliamentary chambers with no immediate rights of reply.

The second point I want to make is one that has been made before, and it is about the issue of unlimited time. Again this is in complete contrast to what the Premier said when he was in opposition. I refer to a document that he released called *Making Parliament Work — Labor's Plan for a Harder Working and More Democratic Parliament*. The document was released by John Brumby as Leader of the Opposition, now Premier, and authorised by the now Treasurer, John Lenders, with an address of 23 Drummond Street. The following observation was made about lengths of speeches. Then the Premier said:

Legislative Assembly standing orders allow a maximum of 30 minutes for speeches to bills and unlimited time for the

responsible minister and the first opposition speaker, but members can usually put a case in 15 to 20 minutes.

He then went on to say:

Labor will reduce time limits for speeches in debate in the Legislative Assembly.

What do we see here? A complete about-face. The maximum time the opposition gets for a budget — considered to be the most important parliamentary document — is 1 hour. We now have an unlimited dissertation from the Premier with no immediate right of response by the Liberal Party or The Nationals.

The third point I wish to make is that there is no obligation at all on the government to adhere to this statement of government intentions. It is much like its own policy. You write it out; you spit it out; you deliver it; and then you ignore it. There are no consequences for failure, and again that is a significant shortcoming in the statement of government intentions, which obviously gives truth to the view that it is simply a stunt and simply nonsense.

I also want to pose the question as to why members of the upper house are permitted to attend. There are certain circumstances set out for joint sittings of this Parliament when there is legitimate joint business of the Parliament. Obviously the Governor's address is something which takes place in the Council, but there are also other joint sittings — for example, for appointing Victorian Health Promotion Foundation representatives. There are legitimate circumstances already set out for a joint sitting, but this is not a joint sitting; it is a stunt. I love the language.

The motion states, 'Council members be permitted ...'. I noticed one Council member observing proceedings earlier. Members of Parliament from the other place and members of the public have an entitlement — a right — to view the proceedings of Parliament. It is not the government's or the Premier's legacy to permit certain members to attend or not attend. This is symptomatic of an enormously out of touch, egomaniac Premier.

Of course he is a Premier with no mandate. I am wondering whether this statement of government intentions is designed to give him, if you like, a mini or semi-mandate. He is pretending to be a statesman. However, the one thing that we need to recall and understand when we assess the background of this Premier is he craves that mandate that he never had. He was a failure as a federal member of Parliament when he was the member for Bendigo. He was a failure in the upper house, and he has come over here to be a failed

Premier. He has already lost one election. He desperately craves a mandate.

Mr Holding interjected.

Ms ASHER — I would stay out of this, Twinkle Twinkle. It is your ambition to have a go, so stay out of it. What this Premier wants to do is cosset himself in this chamber without debate.

Honourable members interjecting.

The ACTING SPEAKER (Mr Ingram) — Order! Members will stop interjecting across the chamber.

Ms ASHER — The young Premier-in-waiting over here is just learning a few things from an ego out of control. Watch it, young fella. Do not do that!

I want to return to the purpose of Parliament. The purpose of Parliament of course is to have legitimate debate and to ask questions and to receive answers. That is not something that we are seeing in this chamber. I refer to an *Age* article entitled 'A question of hubris' dated 18 October 2007. The quote from the Premier is:

... my intent will be to answer succinctly and concisely questions that are put to me as Premier ...

He went on make the comment in the same article, when it was pointed out to him that he does not answer questions — which I would have thought was his prime responsibility as Premier:

I don't think there's an issue with answers, I think there's an issue with questions.

What sort of arrogance is this from the Premier? His attitude is almost, 'I want you to ask me the questions that I like'. Instead of answers to questions in this Parliament, we are seeing a complete avoidance by the Premier, and the Premier needs to do better. Rather than turning his mind to a display of opulence and carrying on with a great presidential, or regal should I say, address in the chamber of unlimited time and without response, I would prefer, and I suspect the Victorian public would prefer, the Premier to just answer the questions.

I would also like to make reference to ongoing commentary about the Liberal Party's position on members statements. We are quite happy to use members statements; we are simply critical of government members using them as cheerios or, in the case of the member for Burwood, as an opportunity to describe fruitcake recipes, and there is something quite apposite about that one.

In conclusion, may I say that this is the Premier's ego out of control. This is absolute hubris. The Premier is out of control; his ego is out of control. We do not need this sort of statement. We just need to get on with the business of Parliament, which is asking and answering questions and getting on with proper debate.

Mr Hodgett — There is a fruitcake recipe coming on!

The ACTING SPEAKER (Mr Ingram) — Order! The member for Kilsyth should not interject in that manner.

Mr STENSHOLT (Burwood) — I am delighted to support this motion. It is a matter of getting on with the business of Parliament, and the business of Parliament is to talk about genuine and significant issues in the state of Victoria. The statement will talk about the visions and the plans and about the legislation coming before Parliament. That is what this annual statement of government intentions will set out to do. It will provide an opportunity for Parliament to do what it is supposed to do. We are here to represent the people, to discuss policies and to discuss legislation. This particular sessional order will allow for that by virtue of an annual statement of government intentions. It is about taking Parliament seriously. It is about providing a plan and a vision. It will contain elements of the legislative program going forward for the year.

Unlike the Liberal Party, the Labor Party takes Parliament seriously. We do not treat Parliament as a joke, as we saw here this afternoon with the terrible behaviour of the Leader of the Opposition and the Leader of The Nationals who were not taking Parliament seriously. This particular proposal is not just about executive action; it is about reinforcing the role of Parliament and giving a clear indication, as I have said, of the legislative program for the year.

I have sat through many debates on the weekly business program. I have heard the Hanrahans opposite weep and gnash their teeth over a lack of notice on legislation. Here we are now and they are weeping and gnashing their teeth yet again and saying, 'You are giving us too much notice; you are giving us a whole year's notice. It is terrible'. Members opposite need to make their minds up. What do they want: no notice or lots of notice?

This sessional order will give the Parliament the opportunity to know, right at the beginning of the year, what the full intentions of the government are in respect of its legislative program and its activities during the year. What are members of the opposition and The

Nationals saying? They are unwilling to talk about the future of Victoria. This sessional order will allow all members of Parliament, whether they are from the government, the opposition or The Nationals or are an Independent member, to talk about what is happening here in Victoria, what is going to happen in the next year and what legislation is coming forward. The whole purpose is to make sure the people of Victoria are able to make a contribution. One of the major ways of making a contribution is through members of Parliament, but of course they can also make a contribution outside Parliament because they will know what is going to happen in the year that is coming up.

The Liberal Party is unwilling to show leadership. We have talked about clown hall. The Leader of the Opposition is the clown of Parliament, quite frankly, trying to turn Parliament into the comedy club. He is not showing leadership; it is about the Liberal Party being unwilling to show leadership. The Liberal Party is unwilling to articulate a vision or a view on the key policies and legislative action which are required to make Victoria a great place to live, a great place to work and a great place to raise a family. Members of the opposition and The Nationals fail to understand the real role of Parliament. This initiative does that; it enables Parliament to reach the people. The voices in Parliament reach the people.

We represent the people. In talking about the legislative program going forward, that is exactly what members of Parliament do. This sessional order will provide the opportunity for this to happen every year. It will be a positive opportunity to lay out the plan for the year. It will be a positive opportunity for members like me to talk about that plan and how it relates to the people in my electorate. I am proud to stand up for the people in my electorate. I am proud to talk about the people in my electorate and the things that are important to them and their achievements. I will not back away from that in any way.

This will be an opportunity to improve accountability and accessibility. Being accountable is actually telling Parliament, telling the people, what you are going to do and what you are doing. This is exactly what this sessional order intends to do. It is about providing a plan for the year. That is accountability. Accessibility is making sure that you can talk about it. Members of the opposition say they want to get up and talk about it straightaway. The normal process is a bill comes before the Parliament, the second-reading speech is delivered by the minister and it lays over for several weeks — two weeks is the convention — so members can talk to people, get themselves informed and make a response. This is exactly what is being provided here. It is the

normal process and it is being included in this sessional order.

I was amazed by the speech from the Leader of the Opposition. He talked about filibustering, he talked about contempt. I thought it was a comedy club contribution. He was not serious. He was making Parliament a joke. He spoke about arrogance, but his speech was dripping with sarcasm. Sarcasm, let me tell the Parliament, is the sister of arrogance, and that is exactly what he displayed here today. He showed it in the way he talked about members statements. He was not willing to give height and importance to the achievements of the ordinary people in our community and the issues people are able to bring before the Parliament.

I must admit that I am not sure whether members of the opposition have actually read the statement. The Leader of the Opposition said, 'It won't be able to be considered on a subsequent day'. But let me read from the motion, which says: 'Responses ... to be listed ... for the next sitting day'.

An honourable member — He said 'the same day'.

Mr STENSHOLT — 'Subsequent day' is the term he used; I wrote it down. We can check *Hansard*. Neither did the Deputy Leader of the Opposition seem able to read clearly what was written in the motion. She said the Leader of the Opposition will be compelled to make a response. She said the response to the budget is optional. Let me read what it says in paragraph (8): 'Responses may be made by ... the Leader of the Opposition'. The member for South-West Coast might take the place of the Leader of the Opposition. There is no-one else who seems to want to do it, as I understand it. We are going to have to wait for the member for Malvern. But maybe he will become the next member for Higgins and the Liberal Party will have to wait for the next generation to come forward before we have a new Leader of the Liberal Party in this house. They did not read it all that well.

What concerns me is that the Leader of The Nationals also attempted to stoop to ridicule. He ridiculed the processes of Parliament and he ridiculed the people of Victoria. He does not seem willing to share in inviting a public response by talking about the government's program and legislative intent for the year. He ridiculed accountability and transparency in that regard by saying that this is not a serious activity. It is serious. It is simple, it is direct and it is about the government talking about its intentions in terms of legislation, in terms of vision and in terms of action for the coming year. It allows the Parliament to actually debate that,

and it allows all members of Parliament to make a response in that regard.

The Leader of the Opposition will have the opportunity to speak for the same length of time that the Premier, representing the government in the house, will be able to speak, and the Leader of The Nationals will get 20 minutes, as he does to speak on bills. Interestingly enough he ridiculed it — but then he said, 'But I want more time'. He obviously regards this, deep down, as a serious endeavour of the Parliament, yet on the surface he wishes to ridicule it, like the Leader of the Opposition. The Leader of the Opposition seems not even to acknowledge deep down that this is a serious matter. He just thinks this is a comedy club and chooses to use sarcasm — as I said, the sister of arrogance — to show his arrogance.

This is a very important proposed sessional order. It is about providing greater transparency and accountability, which of course are the hallmark of this government. In terms of accountability we have restored the powers of the Auditor-General, we have changed the constitution, we have reformed the upper house and we have made sure that we have four-year terms.

Honourable members interjecting.

Mr STENSHOLT — Accountability is a strange bedfellow for members of the opposition. They would not recognise it if it crawled under the sheets on the other side. We are the ones who made freedom of information available, and of course we have already made many other changes in terms of accountability. Under this government the Premier and all the ministers, and even now the Speaker and the President, appear before the Public Accounts and Estimates Committee. We had never seen that before. We used to see the occasional minister appear — and I do not know whether the member for South-West Coast ever appeared when he was a minister in the previous government. Of course they bleat about accountability, but what did the previous Premier do? He used to prorogue Parliament — —

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

Dr NAPHTHINE (South-West Coast) — I rise to speak on the debate on the sessional orders. The debate relates to the proposal to insert a new sessional order to provide for an annual statement of government intentions. We know whenever the government is on the back foot on an issue, because its members become

louder and increasingly irrelevant and irresponsible in their comments.

Honourable members interjecting.

Dr NAPTHINE — Fundamentally that is because they have been sent in here to defend the indefensible. They know that this proposed annual statement of government intentions is nothing more than an arrogant, ego-driven stunt by the unelected Premier of Victoria. He is a Premier who could not get elected in his own right. He has become Premier without the support of the people, and he is now creating an ego-driven arrogant stunt to strut his stuff. It will be known throughout the length and breadth of Victoria as the Brumby statement.

Ms Thomson interjected.

Dr NAPTHINE — I have never lost an election as leader of the party — not like the Premier, who lost in the only election he contested as leader. He is batting zero for one!

Ms Thomson interjected.

The DEPUTY SPEAKER — Order! The member for Footscray will get the call at some point in the future. In the meantime the member for South-West Coast to continue, without interruptions.

Dr NAPTHINE — This statement will become known across the length and breadth of the country as the Brumby statement, and it will be abbreviated, as country people abbreviate such things, to ‘BS’. Most country people understand exactly what ‘BS’ stands for, and that is exactly what this statement of government intentions will be about.

When you think about the sorts of places where you would introduce a statement of government intentions to provide a platform for an ego-driven, arrogant and unelected Premier, you would have to liken it to the sort of thing you would expect Robert Mugabe to do in Zimbabwe or Idi Amin to have done in Uganda. That is the sort of thing you would have expected them to do in their parliaments. That is exactly what is happening here. This is not about accountability or democracy or Westminster parliamentary traditions. This is an absolutely trumped-up stunt by an ego-driven arrogant Premier.

It is not just me who says that this Premier is an ego-driven, arrogant personality; it is also Labor members of Parliament. I refer to an article in the *Age* of 24 November, in which one MP, who declined to be named, talked about Premier Brumby:

‘He is like a bull in a china shop. He just won’t listen’, the MP told the *Age*. ‘This is Brumby’s arrogance and crash-through style at play here’.

This statement of government intention is exactly the same. This is about his arrogance and his not listening and this is why this Premier was unelectable when he was Leader of the Opposition. He will, I believe, not be elected if he has the honour of leading the Labor Party to the 2010 election. Indeed it has been suggested to me that if the Premier needs this sort of stimulation to get excited, it would be cheaper and quicker if we all chipped in and bought him some Viagra. That would be an easier way for him to get his excitement rather than giving him a stage in Parliament to satisfy his ego.

The Labor government and this Premier are very strong when it comes to announcements and stunts, but they are fundamentally wooden-spooners when it comes to delivery and accountability. If we are going to have this statement of intention, perhaps what we should have is an end-of-year statement by the opposition and The Nationals on what has and has not been achieved to provide some accountability. We could have a look at a statement of outcomes. When we are examining this, we should look at what procedures are already available for the Premier to make his intentions known on behalf of himself and the government. Firstly, the government could prorogue Parliament and make a statement each and every year, but unfortunately for the Premier it would be the Governor who delivered a speech. Of course the Premier has the opportunity — —

Ms Thomson — To have an election?

Dr NAPTHINE — You can prorogue Parliament at any time.

Ms Duncan — To have a garden party?

Dr NAPTHINE — You do not need a garden party. That is within the realm of the government. No one else wants a garden party. The only one who wants a garden party is the government, which keeps organising them. The garden parties have been organised by the Labor government; let us not make any mistake about that.

The Premier has the opportunity to make a ministerial statement at any time on any issue. The Premier can move a motion that can be dealt with under government business, and because the government controls the government business program it can be debated at any time. It is interesting that this proposal was not the subject of any consultation with the Standing Orders Committee. The process is fundamentally flawed when it comes to representative democracy. It is a scaredy-cat, arrogant approach, because it proposes that

the Premier will make his statement but that the opposition parties and other members will not respond in the same time frame. They will be ordered by the sessional order to wait until the next day to make a contribution to the debate. That is an absolutely disgraceful approach by a scaredy-cat, arrogant Premier. It just shows there is fundamentally no accountability. The Premier can say what he likes in the statement, and there will be no accountability for what is said in it.

It will be the same as we saw in question time today. The Ombudsman's report details problems with VicRoads, highlighting corruption and malpractice. When the Premier was asked who is responsible for that, there was no acceptance of responsibility. When the Minister for Education was asked about the poor performance of Victorian schoolchildren aged 15, who have spent all their lives in an education system run by and under the control of the state Labor government, there was no acceptance of responsibility for the poor outcomes of those students, who will suffer because the Labor Party has let them down.

Various Labor ministers for education have let them down. Their premiers have let them down. It is all well and good to make a statement of intention saying, 'Education is our no. 1 priority', or, 'We think education is important'. The real issue, the proof of the pudding, is the results, and that is where you have to accept responsibility. This government is more interested in making more statements of intention rather than accepting responsibility and improving outcomes for our students, improving the reliability of our water supplies, improving infrastructure in country Victoria and increasing opportunities for jobs in country Victoria.

What happens if, six months after an election, the Premier and Deputy Premier up and resign? Do we have another statement of intention by the new Premier? Do we have to amend the sessional orders to have another statement of intention? Let me just conclude on this point. You would never ever have seen this sort of misuse of Parliament for reasons of ego and arrogance by former Premier Steve Bracks or former Prime Minister John Howard, because they provided genuine leadership in a responsible way. What we have now — even government MPs are saying it to the media — is an arrogant, non-listening, bull-in-a-china-shop person who just wants accolades for himself. This is Emperor John, or King John, and this statement of government intention is an absolutely arrogant, ego-driven proposal to change sessional orders. It should be opposed.

Mr Wakeling interjected.

The DEPUTY SPEAKER — Order! Before I call the member for Gippsland East, I remind the member for Ferntree Gully that interjections are disorderly, particularly interjections that do not use the correct titles of other members of this chamber.

Mr INGRAM (Gippsland East) — It is interesting that while we mostly debate legislation and other matters in this chamber, sometimes the most intense and interesting debates are about the issues that are of the least importance to the community at large and, I would argue, to the state and the nation.

Normally in the lead-up to a federal election there is the usual amount of intense debate in this chamber. I thought the last sitting week was unlike some of the others I have experienced during federal elections in that the level of excitement and interest was not necessarily there. When this motion was moved the level of excitement among different members of the Parliament was surprising. Some members were excited just a smidgen about the level of importance of the motion before the house.

I have been here a few years now, and I have seen a number of these types of debates on changes to sessional orders, standing orders and parliamentary processes. As I said, they end up being quite interesting and sometimes a bit divisive. When the new Premier made the statement about some of the things that would set his leadership apart from his predecessor's, I think most people in this chamber would have said that more accountability and more openness are always good. It gives the opposition more opportunity to scrutinise, and it gives the public more opportunities to look at what is going on.

I listened to the Leader of The Nationals, who indicated that when this was first raised with him he gave it his general support. Likewise when I first listened to the proposal being put forward, I thought it was sensible. It gave me, as a member of Parliament, the opportunity to get up and say, 'Yes, I agree with some of those things. I do not agree with some of those. Why has the government not done anything about something else?'. For example, today I asked a question about building warranty insurance. It gave me an opportunity to get up and say, 'Sorry, this government has for five years failed to do something about that. Why is it not doing something?'.

This change is an opportunity for members of this place to get down to issues that are important to their constituents. Too often we see debates on legislation in

this place when members try to get issues up which are irrelevant to the legislation. Sometimes they are called to order; sometimes the Chair lets them go on and talk about something that is off the issue at hand. As part of the processes of this place, when we as members of Parliament are given opportunities, we need to use those opportunities on behalf of our constituents to set the agenda about what they believe are most important to them at that moment.

There has been a lot of debate about some of the changes to the opportunities in this place, and there have been criticisms about 90-second statements. As someone who was involved in the negotiations about the changes to the sessional orders at the time, I think 90-second statements are a bit short, but they give members an opportunity to raise important issues on behalf of their constituents. If people look back over some of the statements that I have made in this place, they will see that some of them have been cheerios, but most of them have been about genuine issues.

Adjournment debates are always about genuine issues. I do not normally speak on committee reports, but I think that change has also provided members with an important opportunity. The replies to the budget speech are some of the important things we do in this place. They give members of this Parliament an opportunity to scrutinise the budget legislation. They also give us the opportunity to make fairly broad statements about what is important to our constituents in terms of funding, asking, for example, why the government has not funded a particular proposal, and what is good about the budget.

What will be interesting in this place is seeing whether the opposition when in government retains this practice. I would suggest that, as I have commented before, there is a bit of an *Animal Farm* scenario in this place, where the pigs take over from the humans. Within a short time the pigs turn into the humans and there is no real difference between the two. It is very easy for the opposition benches to criticise something the government does but when in government do exactly the same thing. I think there is a bit of that in this debate. We only have to look at some of the previous speeches from the Leader of the House about the business program for the week. I think any member on this side of the chamber could get up and quote word for word one of the Leader of the House's speeches in opposition!

I acknowledge what the opposition members have said that this may be an opportunity for the Premier of the day to stand up and say 'This is fig jam' or other comments to the effect that the government is pretty

good. But it also gives other members of this place the opportunity to scrutinise what is coming up. I think too often we are ambushed in this place. I think there are a number of pieces of legislation which have been deliberately put on the business program for this week.

Dr Napthine interjected.

Mr INGRAM — We definitely would not have been told about them in the lead-up to a federal election. But then that gives members of this place the opportunity to ask, 'Why were we not informed about that?'.

I will make a couple of comments on the changes. I question why the first paragraph says that the Premier's statement will be immediately after the prayer and not after question time. I think that is a fair question. The other issue is that condolences are some of the more important things we do in this place, recognising those members who have passed away between the last sitting and the start of the new sitting. That needs to be dealt with, and I do not think it is being addressed.

There have been some interesting comments about the time limits. If members look at the standing orders, they will see that, on the appropriation bills, there is no time limit for the mover and the lead speaker in response. In response the lead speaker for another party has an hour, and I see that has been cut back in this proposal.

Two proposals have been put forward — and I thank the Leader of the House for consulting with me on this, as he has indicated he has consulted with members of the other parties. One of the ideas was to put it forward as a ministerial statement, but there is a problem with ministerial statements in that the debate is very limited and only a small number of people have an opportunity to speak. The debate is set and restricted to —

Honourable members interjecting.

Mr INGRAM — I know that one should not take up interjections but we have all been here long enough to know that with ministerial statements, backbenchers and others rarely have an opportunity to comment. This is one of those issues, like the address-in-reply and the budget, where all members of this house, if they choose to, should have the opportunity to make that comment. I know I will be using that opportunity, because there are a number of things I believe this government has not done well and should be doing and legislation it probably should be bringing in.

We do not often have the opportunity to call for legislation to be introduced in this place. That is something we should be doing. As I said before, this is

a motion that I think I can support. We could probably have worded it better and put it differently, but the intensity of the opposition to this motion is surprising. Maybe some of the other issues that are before this place should have the same level of intensity.

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

Mr DELAHUNTY (Lowan) — I plan to express in my address this time a strong intention — in other words, it will be a strong commitment — to vote against this motion.

An honourable member interjected.

Mr DELAHUNTY — The reality is that this motion says it is an annual statement of intentions by the government. It was last year, just over 12 months ago, that we went to an election when there were Labor policies out there which were its commitments, not its intentions, to what it would do for Victoria. What have we seen since that time? Within less than 12 months we have seen some of those core promises broken, such as the north-south pipeline. The government said it would not steal water from country Victoria. It has broken that promise.

There are other options, and the National Party has put forward some of them in the Parliament over the last couple of months. The government could have got water from within Melbourne, through stormwater catchment; it could have reused some water, as we do in country Victoria, where 95 per cent of our sewerage water is used in agriculture, for sporting grounds and for other purposes. The reality is that that was a core promise that this government took to the elections last year but has now broken. It also said it would never build a desalination plant — —

Honourable members interjecting.

Mr DELAHUNTY — What are we saying? That we do not trust you — —

The DEPUTY SPEAKER — Order! The member for Lowan, without assistance!

Mr DELAHUNTY — We cannot even trust your policies, let alone what will be included in your government intentions if the Premier is going to get up and talk about its intentions. The reality is that the government said it was not going to have a desalination plant. Again you broke another core promise — —

Honourable members interjecting.

Mr DELAHUNTY — We have plenty of Acting Speakers here in the chamber tonight! We had a commitment at budget time. It was back in the 2000 budget that the government promised to spend \$92 million on standardising rail lines. Since 2000–01 I do not believe it has put a steel peg in a sleeper in relation to standardising any of the rail lines in country Victoria. The government has done a little bit of work around Geelong, but there has been none of the standardisation that was promised in the budget. Those things were commitments, not intentions, and we have seen this government fail miserably. It will be interesting to see the score card at the end of the year — it looks as if this will get through with the government numbers in the house. The score card so far in relation to government promises, particularly for country Victorians, has an F for failure.

I have heard members speak about the fact that changes to standing orders normally go through the Standing Orders Committee. There has been no discussion with members of the committee, but there have been discussions with a few members. I was one of the members who were invited down to the office of the Leader of the House to speak about this matter on two occasions. We were asked to put forward our ideas. We had plenty of ideas which were put forward because we wanted to work in a cooperative way in relation to this. We knew the government was going to do it one way or another. We thought it would be good for the Parliament — not for the government — to agree to the suggested changes to the standing orders. By 'Parliament' I mean all the members of Parliament. Would it not have been great to get support from all the political parties in relation to this?

We put forward different ideas of when it could take place. One idea was that we start it on a Tuesday morning at 10 o'clock, before question time started. The debate could run until 1 o'clock, we could have lunch, come back and have question time straight after lunch. We discussed what we thought was the best way to go about this, and that was to have treated similarly to a ministerial statement. As you know — and I looked it up in standing orders under 'ministerial statement' — a minister can make a statement during government business without leave. It can be done at any time. The minister must, though, prior to or at the time of giving notice, provide a copy of the statement to the Speaker, the Leader of the Opposition, to a third party or its nominees and to any Independent members.

We thought this was a common sense way of doing it, and I heard the member for Kew speak about it here today. The reality is that we are going to hear in the house exactly what we are going to read in the media

on that Tuesday morning. Why is it that the Premier cannot give a copy of the statement, as he would with a ministerial statement, to the Leader of the Opposition, the Leader of The Nationals and to the Independent so we can respond to it in exactly the same way as we would to a ministerial statement? Would that not be an appropriate way to go about it? Under this scenario it is going to sit on the government business notice paper, as there is no guarantee that it will come back on again. It says it will be on the next sitting day, but the next sitting day could be months away. It is a nonsense.

The motion says there will be no time limit applied to the Premier's statement. With a ministerial statement there is a time limit, and it is 20 minutes. I think that would be sufficient. Members of the Legislative Council will be permitted to attend the Legislative Assembly. There has never been a sign out there on the door saying Council members are not permitted, so they can come over here at any time. The only major change we will see is that the lower public gallery on the opposition side of the house will be deemed to be part of the Legislative Assembly chamber.

I am sure that if government members from the Legislative Council do not come over here they will not get a free kick or anything like that. They will get it in the backside for not being here. But the reality is that the Legislative Council will be sitting at that time, so how will its members have the opportunity to get over here? I can see what is going to happen: they will not have a quorum. If I were over there I would call for a quorum. It is all up to the government to make a quorum. The motion also says:

- (6) At the conclusion of the statement the members of the Legislative Council will retire to their chamber.

We do not know if it will go 20 minutes, 2 hours, or what it will be, but the fact is that the Legislative Council will have to be suspended during that period of time. Further:

- (7) Responses to the statement to be listed under government business for the next sitting day.

That could be any time. There are many things that are of concern to us. It is a pity the hand of cooperation that was extended was cut off.

I heard the Leader of the House talk about the good things that have happened with the changes to the standing orders. I have been in this place eight years, and ministers used to come into the chamber to respond to adjournment issues. Today we see only one, maybe two, coming into the chamber. It is flouting what was the normal practice of ministers coming back to the

chamber, particularly when members of the opposition and The Nationals had briefed a minister about an issue they were going to raise. That can sometimes give a minister the opportunity to give a reasonable response. But ministers do not turn up even on those occasions when ministers have been briefed.

Letters that are sent to ministers by members are also not being responded to. Many of us have sent letters that have not been responded to. With all the resources of government ministers, we cannot get responses. There have been cabinet meetings around the state of Victoria, but I have spoken to many people who have made submissions to those meetings but who have not had a response. They got a nice thankyou, a smile and a pat on the back, but they did not receive a response.

Under this government we have seen the centralisation of services. Permits from VicRoads all have to be done through the central headquarters here in Melbourne. We have seen a centralisation in mental health, which affects people in country Victoria, particularly in my area. If you are in Kaniva, you have to ring Ballarat. If you want a mental health nurse to come to you, they are 3 hours away.

An honourable member — Shame!

Mr DELAHUNTY — It is an absolute crime for country Victorians who are in need.

I get back to what the Leader of the House said, that this is a procedure to make the government more accountable. Earlier I proved that it has not even been accountable for the policies it has taken to the elections. I have proved that it has not been accountable for the promises it has made at budget time, and I have shown where it has not been accountable during the adjournment debate, question time and those types of things.

The Leader of the House said that the statement will enhance parliamentary procedures. Unfortunately this is not about parliamentary procedures; this is theatre. This will be the playroom for the Premier for 20 minutes, an hour, or however long he wants. It is for no-one else, and I fear for anyone who gets in his way as he charges into the chamber at 2 o'clock on the first day of Parliament. He talked about it being about the themes, visions and tasks of the government. I do not think this is the right way to go about it. We always know what they are; we read it in the paper and we hear it at election time.

This is a failure by the government to really work in a tripartisan way to get what could have been a reasonable process to make the government more

accountable, open and transparent in the way it operates. For those reasons I give not an intention but a strong commitment that I will be voting against the motion.

Ms THOMSON (Footscray) — I support the annual statement of government intentions. The member for Lowan, by spending the first half of his contribution covering a variety of issues and then coming back to give a response to the proposed statement of government intentions, has just demonstrated why we should have one. The opposition doth protest too much, and the reason it does so is that it is frightened of the fact that the Premier might get up and actually demonstrate that there is a clear agenda for the year ahead and that the opposition is inadequate, as it is with budget responses. It is unable to address the future and the issues that pertain to Victorians. We have seen a situation where it has taken over a week to respond to a budget that was given in this house. Are we going to see the same thing with the government's statement of intentions? Maybe we are.

If you look at the motion for the introduction of the statement of government intentions, you can see that it allows the opposition leader a time for a response equal to the time taken by the Premier. This should be seen as an opportunity by the opposition, but it does not see it as an opportunity, because it does not know how to use it. That is its reason for opposing this — it will not be able to put together a response. The next day? We might have to wait a week before the opposition can respond, because it is not capable of giving a proper response and certainly not capable of taking the full time the Premier might take in showing the full agenda that has been prepared for the year ahead.

It will be a real opportunity for all members to get up and talk about the agenda for the year ahead. It does not have to be in support of the government's agenda. I would expect that members opposite might not like some aspects of the government's agenda. But we on this side are proud to be part of a government that is prepared to state its agenda for the year up front — and deliver on it. We are pleased to be part of a government that wants to give the community an opportunity to participate in that agenda. I have heard a suggestion from members opposite that there would be no chance for the community to be involved. On the contrary; this government has been very committed to opening up government to the people.

I will talk about one aspect of the many changes we have made. Many members have talked about the various changes we have made to the roles of the Ombudsman and the Auditor-General. I want to talk

about the community cabinet, because the community cabinet is an initiative of this government that has taken cabinet out to the people. It is an opportunity to see how the executive of government works, an opportunity for people to meet with cabinet ministers in a way they have never been able to before. Over the last eight years we have taken the community cabinet out to all parts of Victoria, including the most isolated regions, and have given ordinary Victorians an opportunity to talk to a cabinet minister about issues they are concerned about.

This would mean they had an opportunity to talk about the intentions of the year, the actual agenda of what is going to occur over the year, to give their views to cabinet ministers about what they might like to see happen in relation to some of the issues that the government has clearly put on the agenda for the year. This would really give ordinary Australians, those who do not aspire to political office, an opportunity to participate in the government's agenda. I think that is a great opportunity that the Victorian people will welcome, and I cannot understand why the opposition would be opposed to that opportunity for Victorian people to participate in the agenda for their futures. I think they would welcome it.

We have done more as a government on this side of the house than any other government to involve the Victorian people in the decision-making process by giving them an opportunity to talk to people who make decisions on their behalf and to engage. Whether it is through community cabinet or taking Parliament to regional Victoria, we are giving the Victorian community an opportunity to truly engage, and I commend this sessional order change to the house.

An honourable member interjected.

Mr WAKELING (Ferntree Gully) — Yes, I am back. The government will not hold me down. I am back in this house ensuring that the people of my electorate are well represented and have a representative that is prepared to stand up to this government, this out-of-touch, arrogant government, that is led by an out-of-touch, arrogant leader in John Brumby. I have been wondering why the Premier is so angry. I was racking my brain, and then I realised that there is one person who needs to be blamed, and that is a gentleman by the name of Bruce Reid.

Members might be saying to themselves, 'Who is Bruce Reid?'. He is the slayer that came along and destroyed the Premier's political career in federal Parliament. In 1990 Bruce Reid came along and swept the Premier out of office. He had to pack up his office in Bendigo, and he has never gotten over the fact that

he is a failed member of Parliament. He was parachuted into Parliament by the Labor Party and came into this place with a chip on his shoulder that has not gone away. He hid it as Treasurer, but we are seeing it now. We see the arrogance every time he is asked a question in this house, when we see the smirk on his face.

If the chip on his shoulder is due to his failure to retain his seat in federal Parliament, we should look at the person who sits beside him, the deputy leader. I was wondering why he has a chip on his shoulder, but of course the person responsible for that is Bob Katter. These two failures in federal Parliament were parachuted into this Parliament with chips on their shoulders.

If we want an example of an arrogant, out-of-touch government, we have it here in writing in this motion. This is a government more interested in spin, more interested in the 6 o'clock news grab, more interested in pictures on the front page of the *Age* and the *Herald Sun*. This motion is not about outlining government agendas, it is not about governing for all and it is not about government programs for the year; it is all about making sure that the Premier is seen as the new Caesar. He will be carried in by those on the back benches who support him — but as we know, there are rats in the ranks. There are those on the back benches and on the front bench who do not support him. Some of them publicly state it. The member for GM-brook expressed it. There are some who are not prepared to say it, obviously fearful for their preselection. I wonder whether the member for Bundoora, who is in the house, said:

Brumby is like a breakthrough kind of character. He's like a bull in a china shop. He just won't listen ...

If I ask the member whether he made that comment or whether the member sitting in front of him made the comment or whether other members sitting opposite made the comments, everyone is stony faced. Everybody looks in other directions, because they are not prepared to stand up and say with any conviction that this is the way in which the Premier operates — because they know that if they put their hand up it will be stomped on. No-one on the other side is prepared to stand up to the way in which this Premier operates for fear of retribution from the Premier and his cohort of supporters.

I listened with interest to the contribution of the Leader of the House, who indicated what he thought of this motion because he spent most of his time laughing. That is the way this government treats Victorians, that is the way this government treats this house and that is the contempt we are going to be dealing with on issues

such as this new annual statement of government intentions. If we had had the annual statement in January of this year, would we have had the government stand up and talk about the desalination plant? Would we have had the government talk about the north–south pipeline? Of course we would not, because they were corrections along the way. I am assuming that the Leader of the House will need to introduce an amendment to have supplementary statements throughout the year so that the Premier can make revisions on a quarterly basis: 'In January or February I said we were going to do these 10 wonderful things, but three months later we are going to delete four and we have another four to put in. In fact here is a fifth one, and along the way we are going to change the sixth and seventh in the next quarter'. It is a sham, it is a crock, and the people of Victoria will see through this hollow approach taken by the government.

I listened with interest to the member for Footscray talking about the community cabinet. I am looking forward to the ministry coming out to my electorate of Knox to tell the people of Rowville why they have been waiting eight years for the government to deliver on its promise on the Rowville feasibility study, why they are still waiting for the tramline to Knox City and why we still cannot get upgrades to public transport facilities such as those at Ferntree Gully railway station.

Mr Wells — What about the police station?

Mr WAKELING — As the member for Scoresby rightly points out, we were promised a 24-hour police station. I am looking forward to the community cabinet being held at the Rowville community centre. We will do you a favour, Deputy Speaker. The member for Scoresby and I will organise the venue. We will get in touch with the City of Knox and organise the Rowville community centre so we can hold the cabinet meeting there, and we will organise the visitations.

An honourable member interjected.

Mr WAKELING — We will make sure they pay the bill. This is just a sham. We are looking at a situation where we are going to have unlimited time for the Premier to drone on about his plans, obviously plans that will be locked in for January of each year. They will be changed by February or March, because as we know from desalination, the north–south pipeline and other projects, this government will change its approach along the way. Standing order 43 allows the Premier to make a ministerial statement. That is already provided for. We will not stand for this.

I will just make one final comment. Members on this side of the house will stand up for their electorates with respect to members statements, but one needs to look at the contributions of the member for Burwood, who I am sure is the first person in 150 years who has put on record in this place a recipe for a Christmas cake. That is probably a first not only for Victoria but for Australia, and if we did a Google search, we would probably find it was a first for the world. If he is going to be remembered for anything, he will be remembered for a fruitcake recipe. That shows the contempt in which this government is going to be held.

Mr BROOKS (Bundoora) — I move:

That the question be now put.

The DEPUTY SPEAKER — Order! The member for Bundoora has moved that the question be now put. I note that there have been six speakers in favour of the motion and seven against and that the debate has been going on for 2³/₄ hours. I therefore accept that the question be now put.

House divided on Mr Brooks's motion:

Ayes, 48

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

Noes, 31

Asher, Ms	Naphine, Dr
Baillieu, Mr	Northe, Mr
Blackwood, Mr	O'Brien, Mr
Burgess, Mr	Powell, Mrs
Clark, Mr	Ryan, Mr
Crisp, Mr	Shardey, Mrs
Delahunty, Mr	Smith, Mr K.
Dixon, Mr	Smith, Mr R.
Fyffe, Mrs	Sykes, Dr

Hodgett, Mr
Ingram, Mr
Jasper, Mr
Kotsiras, Mr
McIntosh, Mr
Morris, Mr
Mulder, Mr

Tilley, Mr
Victoria, Mrs
Wakeling, Mr
Weller, Mr
Wells, Mr
Wooldridge, Ms

Mr Brooks's motion agreed to.

House divided on motion:

Ayes, 49

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

Noes, 30

Asher, Ms	Naphine, Dr
Baillieu, Mr	Northe, Mr
Blackwood, Mr	O'Brien, Mr
Burgess, Mr	Powell, Mrs
Clark, Mr	Ryan, Mr
Crisp, Mr	Shardey, Mrs
Delahunty, Mr	Smith, Mr K.
Dixon, Mr	Smith, Mr R.
Fyffe, Mrs	Sykes, Dr
Hodgett, Mr	Tilley, Mr
Jasper, Mr	Victoria, Mrs
Kotsiras, Mr	Wakeling, Mr
McIntosh, Mr	Weller, Mr
Morris, Mr	Wells, Mr
Mulder, Mr	Wooldridge, Ms

Motion agreed to.

FAIR TRADING AND CONSUMER ACTS FURTHER AMENDMENT BILL

Second reading

Debate resumed from 4 December; motion of Mr ROBINSON (Minister for Consumer Affairs).

Mr JASPER (Murray Valley) — I am pleased to continue my contribution to the debate on the Fair Trading and Consumer Acts Further Amendment Bill. When I made my short contribution last night prior to the adjournment debate I indicated my strong support for Consumer Affairs Victoria and the Fair Trading Act which operates in the state of Victoria. I also indicated that there needs to be a balance between consumers and retailers. Over the years amendments have been made to the Fair Trading Act to make it reasonable and fair for those who are operating as businesspeople and for consumers.

This is really an omnibus bill, as I see it, and I want to refer to some of its provisions. Again I thank the minister for making officers from the department available to meet with me on two occasions to discuss issues relating to the range of provisions contained in the bill.

The bill provides a strengthening process by clarifying the uniform 10-point font size in consumer documents. It removes an impediment to the director of Consumer Affairs Victoria commencing proceedings in the Federal Court of Australia. It amends the Trade Measurement Act 1995 and the Trade Measurement (Administration) Act 1995 to implement in Victoria a range of reforms to the model uniform trade measurement legislation agreed by the Ministerial Council on Consumer Affairs.

The bill also repeals the Hire-Purchase Act 1959 because of declining claims over the past 10 years. Its operations will be streamlined and re-enacted within the Fair Trading Act 1989. The Frustrated Contracts Act 1959 will also be repealed.

The bill removes the requirement for a poll relating to Sunday trading that has been triggered by a petition to a local council. I will refer again to that provision and to a number of other provisions during my contribution to the debate. The bill amends the Partnership Act 1958 to allow the incorporation in Victoria of a new venture capital investment vehicle recognised under commonwealth law. It also makes a number of consequential amendments to a range of Victorian acts of Parliament.

It is safe to say that the area within the bill that gets the most attention relates to trade measurement. There should be some comment on that, particularly from The Nationals, especially as it relates to weighbridges. That is very important to those of us who live in country Victoria and to the farming community.

Pages 23 to 36 of the bill are concerned with a national scheme. The first batch of amendments were presented in 2000. This is the second batch of amendments, which are designed to produce uniformity across Australia. They have been approved by parliamentary counsel. Victoria adopted the national trade measurement scheme back in 1996, and the agreement for a national scheme was signed in 1999. It has been indicated to me that Tasmania agreed to the legislation in 2000, and it has gone through the Queensland and New South Wales parliaments. Western Australia has unfortunately abstained to this stage, but I assume that is because it wants to make further investigations. Through the Council of Australian Governments (COAG) it was decided that all of this legislation should be agreed to and become operative by 2010. I believe I have interpreted those provisions fairly accurately based on the consultation and information provided to me.

It is important to understand that the changes which are being implemented in relation to trade measurement will have a big effect on people who are involved with weighbridges across country Victoria. These changes have been introduced to ensure that weighbridges are accurate and produce the right measurements when weighing a range of vehicles, particularly larger trucks and their loads. A person will be able to have only one weighbridge. A licence may be held by partnerships or other groups, but as I understand it they will be able to have only one weighbridge in their names.

It is worth mentioning that one of the clauses in the bill that relates to trade measurements talks about leniency. As I understand it, there will be some leniency shown in the operation of a weighbridge when trucks and other vehicles are being weighed. This is an important move as far as legislation on weights and measurements is concerned in the state of Victoria.

The other area in the bill that needs to be mentioned relates to firewood. A lot of comment has been made about the definitions in the bill, so it is worthwhile reading into *Hansard* the changes which have been implemented. The note on clause 41 in the explanatory memorandum reads:

Clause 41 inserts a new section 25A into the Trade Measurement Act 1995 to address the sale of firewood by volume. Until now, the provisions have been silent on a

method of calculating the quantity of firewood when sold by volume. Referencing 'stacked' wood rather than 'thrown' wood, which is an unreliable method of measurement, provides for consistently accurate measurements and a 'level playing field' for suppliers. The new provision does not restrict firewood being sold by mass or per load.

As a person living in country Victoria I have had contact with people involved in the timber industry and with timber mill operators. It always amazed me how they could estimate the volume of timber on a truck that came in and how they arrived at the measurement. I think there was a lot of guesswork, but I guess they got pretty good at being able to determine the type and volume of timber being delivered and whether it was worthwhile as far as sawlogs were concerned. The provisions in the bill will assist in clarifying that issue, which has been of great concern over a period of time. Time prevents me from being able to talk about all the provisions in this legislation. I have mentioned the trade measurement provisions because they take up a large portion of the bill.

I want to talk briefly about the trading hours provisions. We have seen changes in the implementation of trading hours in the state of Victoria. I have to say that throughout the 1980s The Nationals were strongly opposed to an extension of trading hours. We believed that people in businesses, particularly small businesses, should be protected from having to operate on Saturdays and Sundays. I recall that Peter Ross-Edwards was the Leader of The Nationals in the 1980s when there was an extension to Saturday trading hours. The comment he made was, 'Let's hang on to being closed generally on Sundays and approve trading on Saturday', so there was an extension to Saturday trading.

Members would be aware that the act was a dog's breakfast in many respects because there were changes to it including extensions to who was able to trade, what size of business could trade at various hours and the hours of trading in tourist areas, and eventually we had extensions to Sunday trading. A group of us within the coalition in the 1990s were very strongly opposed to the general extension of trading hours. The liquor industry was affected in particular, but shop trading hours generally were affected, and we believed there should be protection for small businesses. But inevitably the changes have come about.

I recall a former Premier of Victoria in the coalition government who strongly supported seven-day-a-week trading at any hour, but we were able to hold the line for a long time and tried to make sure we protected business generally. We have come to the stage now where trading is generally open and there are only four

days when it is restricted, and that is on Good Friday, Easter Sunday, Christmas Day and Anzac Day until 1.00 p.m.

Going back a couple of years I recall amendments that were introduced by this government. I talked in the house about Good Friday trading when we discussed that legislation because the government was restricting trade on Good Friday to small businesses and those who employed less than 20 people. We had a situation at the service centre on both sides of the road at Glenrowan which was operated by one person who employed more than 20 people. What I said in the house was that I would love everyone to go up to north-eastern Victoria over Easter. I said, 'Come to north-eastern Victoria and come to Glenrowan. You can go into the service centre and fill up with petrol, but make sure you bring your cut lunch' because you were not able to get food. In fact what the guy there did was to separate the businesses, meaning he employed less than 20 people, and he was able to open.

This legislation also relates to polls on trading hours. If people believed there should be changes to the trading conditions for businesses, and if they could gather 10 per cent of the voter population in a local municipality, they could call for a poll in relation to Sunday trading. This legislation removes that clause. The last poll was held in Bendigo in 1998 and the outcome was overwhelmingly in favour of Sunday trading. As I indicated a short time ago, that is what we have now; these are the trading hours in Victoria. I think that is the reality of the situation. We could argue that it is often extremely hard for small businesses to compete with the larger chain stores that operate throughout the state of Victoria, but the line has been held for a long time in relation to trading hours, and the reality is that we need to go with the times and go with what people require. Most people now accept the fact that trading takes place 24 hours a day, seven days a week, except on the four days I mentioned, but that traders can operate on hours to suit particular businesses.

There are situations such as those in Rutherglen in north-eastern Victoria, which is a great wine-growing area. In the liquor industry trading hours were extended and wineries were able to open on Sundays. The wineries in Rutherglen decided that they would not open on Sundays, but one of the wineries, which will remain nameless for the time being, decided that it would open. It believed it was in a tourist area and that people were coming up to north-eastern Victoria — and it is a great tourism area and a great place for people to visit. We encourage people to come up to visit us at any time and to take in the wines at Rutherglen. One winery

decided to open on Sunday and then, of course, the other wineries had to follow suit. The reality was, and is, that tourists come into the area and want to find the businesses open to provide them with wine.

I also want to mention clause 9, which relates to vexatious litigants. This has been a very difficult area. I had a case some years ago where a person — without going into all the details — was defending a particular situation. It was originally undertaken by the Shire of Rutherglen and then followed up by the new Shire of Indigo. This person was charged and in fact convicted in relation to a drainage issue on his property. He took up the case himself and defended it right through the courts, and the judges were helping him. He turned up if he wanted to, and if he did not want to turn up, he did not turn up. He would say that his car had broken down or he could not get there. It went on and on and we had a long battle. I took it up on behalf of the shire and individuals in Rutherglen, and eventually he was declared a vexatious litigant. We need strict laws in order to deal with people who become vexatious litigants, and that is covered in clause 9 of the legislation. I am not sure how far it goes, but certainly it indicates that action can be taken against a person or persons who become vexatious litigants in particular circumstances whether they be a retailer or a consumer.

The other issue I want to mention in the short time I have left is the Charter of Human Rights and Responsibilities. The Nationals opposed that legislation when it went through the Parliament. We said it would add another layer of government and another layer of bureaucrats who would have to look at its implications. We are seeing bills coming into the house which have 6, 8 or 10 pages of information at the commencement of the bill which refers to whether or not the legislation meets the requirements of the charter. First of all the departmental people have to get involved in looking at the charter as it relates to the legislation before the house. I am on the Scrutiny of Acts and Regulations Committee, so we get the bills coming through for assessment on a Monday before they come into the Parliament, and a lot of time is now being spent on assessing the information.

I chair the regulation review subcommittee, where we are seeing the same thing. We are getting huge volumes of information put before us. We used to complete our meetings in 1 hour or 1½ hours. Now it is taking 2½ or 3 hours to complete the work of the subcommittee. I think we will find that more and more it is going to be a major issue of concern for this Parliament. Interestingly at present apparently the charter does not relate to bills that come before the Parliament in relation to court operations. I think we will find that courts will be

bound by it before long, and we are seeking information from the Attorney-General on that particular issue.

I have sought to cover the main areas of concern about this legislation. The Nationals will not be opposing this legislation on its way through the Parliament.

Ms GREEN (Yan Yean) — It is with great pleasure that I rise in this place for the second time this week to join the debate on some progressive legislation in relation to consumers. In this instance the Fair Trading and Consumer Acts Further Amendment Bill will ensure that consumers' rights are better protected. It will also deliver on the government's commitment to ensure that markets work better — and of course they work better when all consumers, particularly the disadvantaged and vulnerable, are better protected. Good consumer affairs legislation adds proper balance in those markets.

The bill also amends a few other pieces of legislation including the Frustrated Contracts Act, which I thought was quite interesting because I had not heard of that act before, despite having worked in consumer affairs in the 1990s. I have often spoken in this place when we are making changes to legislation and simplifying legislation, and I think that making amendments to acts like that one which are no longer in regular use is good. The bill will also repeal some unused provisions of the Shop Trading Reform Act which provide for local area polls to restrict Sunday trading, which is obviously a recognition of the times and of the fact that this section has not been used.

Around the time when the huge changes were made to shop trading legislation in the 1990s, I was concerned, along with a lot of people in the community, about the impact particularly on small business but also on families because of the number of women who work in retail and small businesses. At the time I stood for election to the Labor Party's economic development policy committee I had an objective in mind because of my concerns about those changes. However, time has moved on and the community has embraced trading at all sorts of times of the day because of changed work patterns. That is why it is important to make this change.

Other changes in the bill will ensure that consumer documents are clear, by requiring that they be in a font size equivalent to Times New Roman 10 point. We are ensuring that the fine print is not too fine so that consumers can access all the information at their disposal.

I will just make a short contribution to this bill. It is another good, progressive piece of legislation by a government that is committed to supporting consumers and traders and having a level playing field. I commend the bill to the house.

Ms ASHER (Brighton) — I cannot tell the house how much pleasure speaking on this bill is going to give me. I was a member of the Kennett government administration; indeed I was Minister for Small Business.

Ms Green interjected.

Ms ASHER — It was a long time ago. Whilst the opposition supports the bill before the house, I want to confine my comments to part 5 of the bill, clauses 27 through to 31. As the house is aware, the Kennett government introduced 24-hour, 7-day trading with a couple of exceptions, but included a local poll option. As the second-reading speech on this bill correctly said, one poll has been held. That was in Bendigo in 1998 and there was an overwhelming vote in favour of 24-hour trading in Bendigo. Part 5 of this bill removes the poll provisions from the Kennett government's Shop Trading Reform Act, brought in by the then Minister for Industry, Science and Technology, the Honourable Mark Birrell.

I would like to take this opportunity to remind the ALP of its opposition — not its concerns but its strident opposition — to 24-hour trading, and how at the time the original bill was debated it wanted to strengthen the poll clauses. Of all the cabinet meetings, I would love to have been a fly on the wall when the now Minister for Consumer Affairs brought this bill to cabinet. I would have particularly loved to have heard the contributions of the Premier, the Deputy Premier and the Minister for Industry and Trade in another place, because this was not always their view.

I refer first of all to the now Premier's comments on 15 October 1996 as we debated the Shop Trading Reform Bill. He is reported as saying:

By way of introduction I point out that the opposition will strongly oppose this legislation.

He went on in his speech to forecast dire consequences from 24-hour trading, shocking consequences. I quote:

Make no mistake about the proposal; it is divisive! It will have a devastating impact on retail workers and their families, small business, country towns, strip shopping centres and shops in Melbourne's central business district.

Mr Jasper — Who said that?

Ms ASHER — The then Leader of the Opposition, the now Premier. He went on to say, and I quote:

The big losers will be the little country towns which cannot compete with the regional centres. Opportunities and jobs will be siphoned away from country towns that have already been decimated —

he claimed —

by the policies of the government.

The problem now is the Premier comes into this place on a regular basis and talks about the increase in employment in regional Victoria. Only today the Premier was boasting about, and taking credit for, increases in employment in regional Victoria. Here is a man who predicted dire consequences from 24-hour trading when he was Leader of the Opposition.

I refer to a press release he issued on 28 October 1996 on that same theme. This was not just a sudden rush of blood to the head in the house. I quote from his press release:

The Kennett government's proposed deregulation of shop trading hours will devastate many small and medium-sized suburban retailers and their families, the state opposition leader, Mr John Brumby, said today.

He went on to say:

Traders in inner and outer suburban Melbourne, in regional centres like Bendigo and Ballarat and in country Victoria —

read everyone —

are all worried about these proposals.

The Premier has changed his tune. I would have loved to have heard whether he had any comments about removing the Kennett government's poll provision or whether he just suddenly hoped that most of the members of his cabinet had forgotten his speech.

I remind the house that the Deputy Premier also strongly opposed this legislation. He made a speech primarily about the then government's shareholdings that was in strong opposition to this particular reform measure by the Kennett government.

However, the one that gives me the most pleasure of all, mainly because he used to always have a crack at me when I was a member of the other house, is the now Minister for Industry and Trade in the other place, the Honourable Theo Theophanous. When he was debating the Shop Trading Reform Bill on 29 October 1996 he is reported as saying:

I make it clear that the opposition does not believe that even large businesses will necessarily be better off as a result of the

proposed legislation. Indeed many of the large businesses, particularly those situated in the CBD, will be worse off.

‘Worse off’, he claimed, and now he is party to a decision removing the democratic local government poll provision, the safety net, that the Kennett government put in the legislation. But the now Minister for Industry and Trade went further. In debate in the upper house on 29 October 1996 he referred specifically to this referendum clause and is reported as saying:

Local government should apply to extend shop trading beyond the 14 or 15-day formula only by conducting referendums. The opposition is happy to have referendums in local government, but the onus ought to be reversed ...

Members should listen to this. This is what the current Minister for Industry and Trade, who presumably has agreed to this proposal, is reported as saying in 1996:

... it should be a referendum to extend shop trading hours, not to limit shop trading hours, which is what the government is putting in place.

He wanted a referendum to hold the hours. And he went further. He moved an amendment, as an amendment had been moved in the Legislative Assembly by a now retired member of Parliament. He moved an amendment to strengthen the referendum clause. In talking to the amendment he said:

The amendment provides that, where a municipality actually votes to have no trading or to change the hours of trading, that would stay in force for up to 10 years.

The Kennett government’s proposal was up to three years, but the current Minister for Industry and Trade moved an amendment in the Council to strengthen the proposal and to hold the referendum result in place for 10 years. Presumably now he is completely relaxed about removing the referendum clause.

I draw the attention of the house to the now Minister for Consumer Affairs, who glibly said in the second-reading speech on this bill:

The repeal responds to stakeholder feedback that with Sunday trading having been in place for over 10 years, the potential for community polls has become increasingly remote.

So I am pleased that this bill, if you like, moves the Labor Party forward to officially endorse Kennett government policy, for which at the time we were pilloried all over the state by the very people who now have the gall to remove the community poll provisions in this legislation. Not only did they oppose 24-hour shop trading, not only did they hold meetings all over Victoria and metropolitan Melbourne, not only did the

now Premier say employment in the state would be devastated by 24-hour trading, but the then Labor Party moved that amendment to strengthen the referendum provisions in both houses. I think it is very important that there are still people in this chamber — and I am sure the member for Murray Valley agrees — with just a little bit of perspective — —

Ms Allan interjected.

Ms ASHER — A little bit of recollection, a little bit of perspective, a little bit of history. It is very important to remind some of these members of what they said in previous times. As I said, I am more than happy to congratulate the Labor Party for adopting Kennett government policies. Indeed the member for Scoresby made a contribution earlier today in which he outlined the consistent behaviour of the Labor Party in adopting policies of the Liberal Party, their so-called political opponents. But rarely in politics are you handed such rolled gold in terms of backflips. This could appear at Beijing.

This is a massive backflip — from whom? This is not some little tiddler of a backbencher, this is the Premier, the Deputy Premier and the Minister for Industry and Trade, who pilloried this proposal in the Parliament, out in the community and across the state, who claimed that jobs would be lost and who now of course boast about the increases — for example, in regional employment — and in my opinion claim federally generated jobs growth as their own personal political achievement. It is very important to draw to the attention of the house all these comments, and if the minister at the table would like to describe the debate in cabinet, I would welcome it.

Mr SCOTT (Preston) — It is a great pleasure to rise to support the Fair Trading and Consumer Acts Further Amendment Bill 2007. I think this is another excellent piece of consumer legislation designed to protect consumers and also provide for a more effectively functioning market. There are a couple of clauses in the bill that refer to amendments to the Fair Trading Act 1999 that I would like to highlight in particular. I know there are a number of members who wish to contribute to the debate on the bill, so I will keep my contribution brief.

In particular I would like to pay attention to clause 8 of the bill, which amends section 163(3)(b) of the Fair Trading Act 1999 to provide that a reference to ‘10 point font’ is a reference to ‘10 point Times New Roman font or a minimum font of an equivalent size’. This is really the ‘fine print clause’ of the bill, as it has been referred to. You have to acknowledge that it is a

pretty inventive mind which is seeking to find fonts smaller than Times New Roman in order to have contracts and other documents with smaller fonts than that, and you really have to ponder what the purpose of having a smaller font than Times New Roman 10 would be. I suspect all members present would understand what that purpose would be — it would be to obscure the details of any contract from the potential buyer. This is obviously a practice that we should not encourage.

A key aspect of any market is information. If a market is to function effectively it is key that consumers — both sellers and buyers — have access to information in order to make decisions about the purchases and sales that they make. Any provision that leads to clearer access to information for both buyers and sellers is something that I personally welcome, and I think it is a positive aspect of the bill which should be supported.

Another aspect of the bill that is close to my heart is clause 9, which inserts new section 163A in the Fair Trading Act 1999. In essence it is protecting persons who provide information to Consumer Affairs about potential breaches of the Fair Trading Act 1999. This is an important provision, because currently there is no legal protection for people who in good faith, and that is an important caveat to put on this aspect of the bill, provide information about a potential breach of consumer affairs legislation — that is, the Fair Trading Act. This will allow people who have concerns to come forward, and to come forward feeling safe, as long as they are acting in good faith and are not malicious in their actions, knowing that they will receive some legal protection for that highlighting of potential breaches of the Fair Trading Act 1999.

I know others wish to speak on the bill, so I will keep my contribution brief and confine it to those two clauses. I think this is an excellent bill that further advances consumer affairs law and is a continuation of this government's deep commitment to protecting consumers and ensuring that consumers and sellers are able to act in the marketplace in good faith in a safe and effective manner. I commend the bill to the house.

Mr MORRIS (Mornington) — I am pleased to have the opportunity to rise and make a contribution to the debate on the Fair Trading and Consumer Acts Further Amendment Bill 2007 and indeed to speak in support of the bill. Its purpose is actually quite wide ranging. As the explanatory memorandum sets out, it is to amend the Fair Trading Act 1999, to repeal the Frustrated Contracts Act and put the relevant provisions into the Fair Trading Act, to repeal the Hire-Purchase Act, amend the Owners Corporations Act, the Subdivision

Act, the Partnership Act, the Trade Measurement Act and the Trade Measurement (Administration) Act and to repeal provisions of the Shop Trading Reform Act as well.

It is indeed an omnibus bill. In addition to the amendments to those principal acts — some substantial and some not — which I have mentioned, there are myriad changes to other acts through the implementation of the schedule. Acts as diverse as the Motor Car Traders Act, the Real Estate Agents Act, the Prostitution Control Act and many others are affected.

We are talking this afternoon about consumer protection, we are talking about the retail trade, we are talking about weights and measures, we are talking about the Owners Corporations Act, which is not as yet operational, we are talking about partnerships — all of those things that fit together to create a framework that is fair to consumers and fair to business. Of course we need to bear in mind that many of the businesses we are talking about in this legislation are small businesses, so they are in fact consumers to a large extent themselves.

It is complex legislation and it is a complex subject. I am not arguing that it is unnecessarily complex, but in my view it is getting very close to that mark. Complexity in legislation is something that we should avoid; it needs to be as accessible as possible. Nevertheless this bill improves consumer protection and should be supported, because ultimately we are all consumers and it is in everyone's interest to have a system that works simply and works well.

I turn to some of the specifics of the bill. Part 2 makes a number of changes to the Fair Trading Act. The Hire-Purchase Act and the Frustrated Contracts Act are to be repealed, which I alluded to, and all the necessary provisions are retained by their incorporation into the Fair Trading Act.

Hire-purchase was in the past a common way of bringing forward household purchases of major items that might otherwise not have been able to be accommodated, such as fridges and lounge suites. Now we have a totally different system in the market. We have two or three or four or perhaps even five years interest free, and we have credit cards and redraws on mortgages. It is a totally different way of doing business. But in the interim, before hire-purchase goes the way of the dinosaurs, these changes will at least continue to protect consumers' interests in this regard.

Perhaps more importantly the bill enables the director of Consumer Affairs Victoria to institute and to defend proceedings in the Federal Court. Negotiation should

always be the first method of seeking to resolve any problem. Often it is as simple as informing people of their obligations and making sure that they comply. To make that sort of system work, the legislation must be capable of enforcement. We certainly do not want a toothless tiger. These changes provide that capacity.

New section 152A is being inserted in the bill in a similar vein. It enables the director of consumer affairs or inspectors to certify to the court the failure of an individual to fulfil their obligations, whether it be to make available information, to make available documents, to provide evidence or to assist the inspectors. Again, discussion and negotiation should always come first, but I certainly do not underestimate the value of a threat of a court order to shake loose information when it is becoming difficult to prise it out in other ways. We need the ability to enforce those measures, and I think that is provided.

The member for Malvern referred to differences between the commonwealth Trade Practices Act and the provisions in this bill. There may be some slight difficulties — I am certainly not an expert on the commonwealth Trade Practices Act — but I do not believe they are significant enough not to support the current legislation.

There are provisions to ensure that complainants enjoy qualified privilege. For any system to work it is important that complainants know that breaches can be reported without inhibition. It is also important that any such reports or complaints be made in good faith. Complainants who act in good faith should not be able to be intimidated into withdrawing their complaints by threat of legal action, so I support those provisions. There are amendments that set in place a minimum font size of 10 point Times New Roman. As someone whose eyes are not quite as sharp as they used to be, I think that is a valuable initiative.

The member for Brighton spoke extensively on the shop trading hours provisions. As she indicated, it was for many years a subject of divisive debate. I speak with some experience on the subject, having commenced Sunday trading — entirely legally I hasten to add — in Mornington back in 1980. In those days a certain hardware proprietor located in Caulfield was frequently fined heavily, threatened with jail and otherwise pursued because of his consistent efforts to flout the shop trading laws.

What is now the electorate of Mornington had two totally different regimes. The town of Mornington and points south was a designated tourist area, so we could open virtually every day of the year except Anzac Day,

Good Friday and Christmas Day; but Mount Eliza, not very far to the north in the same municipality, was not allowed to open. Not long before there had also been a major debate about whether fresh bread could be baked on Sundays. I know that was the subject of a substantial petition delivered to this place by the then member for Burwood, Mr Kennett, in 1977 or 1978.

There was legitimate concern that seven-day trading could drive many people out of retailing. As one who worked seven days a week for many years, I can assure the chamber that there was very little work-life balance. The changes in the industry probably show that a lot of people thought the same way. Has it been a change for the better? Absolutely it has. However, it is not a lifestyle I aspire to anymore. Although we all often work seven days a week, we now get variety. One has only to look at the crowded streets, the crowded shopping centres and the crowded supermarkets on Saturday or Sunday afternoons to realise that the community has voted with its feet and seven-day trading is an important part of modern life.

Part 3 of the bill amends the as yet not operational Owners Corporations Act. It makes 10 changes to the act itself, 3 further changes to the Subdivision Act through that act, and various other changes to the Business Licensing Act and the Transfer of Land Act. I make the observation that in terms of, for example, the changes to the Transfer of Land Act, we are putting through a bill to change an act that is not yet operational in order to change another act. It seems to me to be bordering on unnecessary complexity. There are also extensive amendments being made to the weights and measures legislation as part of the national framework. Unfortunately time will not permit me to speak on that.

Essentially this is good legislation, although it is probably more complex than is desirable. There are some anomalies in terms of the federal legislation, but on this side of the house we have to deal with what the government serves up to us, and it is not in anyone's interests to speak or vote against legislation simply because of minor deficiencies. This bill improves protection for Victorian consumers and citizens, and it is worthy of all our support.

Mr DONNELLAN (Narre Warren North) — I look forward to making a short contribution to the debate on the Fair Trading and Consumer Acts Further Amendment Bill 2007. I will refer to only a couple of clauses. Specifically in relation to dodgy traders and things like that, there is a new provision in the act which allows the director of Consumer Affairs Victoria to institute proceedings in the Federal Court where the director is seeking a nationally effective order because

the trader operates in more than one jurisdiction. That is going to make it a lot easier to put a halt to people who try to rip off consumers and so forth. Currently, I believe, the director has to register a judgement in every state, which is incredibly time consuming, and by that stage often the trader may already have ripped off a lot more consumers interstate, even though we might have dealt with the issue in Victoria. That is the real benefit of this bill.

The bill protects consumers from defamation action to a limited extent. As long as they are making complaints to Consumer Affairs Victoria in good faith and they do not talk about them publicly, they are able to make the complaints. If their name is put out through the normal course of action through Consumer Affairs Victoria, they will have protection. It is important that people feel comfortable about ringing Consumer Affairs Victoria to raise their retail issue, or whatever it may be, without the fear of being sued. More than any other way it is how Consumer Affairs Victoria finds out about unfair and inappropriate practices.

The bill provides coercive powers for the director to obtain information and documents to ensure compliance with acts and regulations. I believe currently the penalty is 60 penalty units, so that is hardly going to encourage people to provide documentation to prove to the director of Consumer Affairs Victoria that they are behaving in an appropriate way. Sixty penalty units would not be seen as a punishment at all. To address this the Fair Trading Act will be amended to allow the director to apply directly to the courts for an order for compliance. Failure to comply places the person at risk of being found to be in contempt of court, which will obviously encourage people to move along the path of providing the documents and proving to the director of Consumer Affairs Victoria that they are acting in an appropriate way.

I also wish to briefly mention the changes to the Owners Corporations Act 2006 and the insertion of part 5 of the Subdivision Act, which will enable lot owners to increase the area of their lot by adding land from outside the plan equivalent to 10 per cent of the total area within the lot plan of a subdivision. That is a benefit for those particular individual owners in the lot plan of a subdivision; they can add on without having any adverse impact on others and without having that challenged.

Further, the bill takes deregulation of shop trading hours a little bit further to remove the clause which allows residents in a particular municipality to petition their council to stop Sunday trading or have a poll on

Sunday trading. There has only been one of those to date, and it was in Bendigo. The public overwhelmingly supported Sunday trading. The bill takes it a little bit further than what was introduced by the Kennett government. The minister has provided a good bill. It has been supported by the Liberal Party and The Nationals, and I commend it to the house.

Mr THOMPSON (Sandringham) — The Fair Trading and Consumer Acts Further Amendment Bill's purpose is to achieve a number of reforms, including an amendment to the Fair Trading Act 1999 to expand the powers of the director of Consumer Affairs Victoria to provide qualified privilege for complainants under the act and ensure consumer documents are clear. It also repeals a number of provisions of consumer acts such as the Hire Purchase Act 1959, and it alters trade measurement provisions.

I wish to comment on two particular aspects of the bill. First, I refer to the Owners Corporations Act amendments. These amendments are very late. I have had one body corporate manager contact my office to express his concern and frustration at this particular late reform and the access to answers to a number of questions that he has put to the department that he needs a response to in order to effectively conduct his business. The reforms under way took a long time to develop and come forward, and even at this very late stage there is some uncertainty as to whether the legislation will have made its way through both houses in time for the implementation of the principal act. The government has little understanding of life in the real world where people need to set up their business processes and business decisions. They need access to not only the principal legislation but also relevant regulations that might govern operations.

The second matter I wish to comment on briefly are the Sunday trading provisions. These matters have been subject to controversial community debate over many years. I have just flown in from Swan Hill today. Country communities are cohesive communities. I know that back in the late 1970s Sunday trading was a big issue in country Victoria as country Victorians were keen to regulate their lives in local communities. After shops closed on a Saturday afternoon, the local community was then engaged in community sport and a range of other activities, and Sundays were a day of rest, a day of time off.

There are divided views in the community as to the merit of having a day of rest. For some it is seen as being important for recreation, a time to be still and a time for reflection, and for others who have commercial horizons in tourist precincts it is an opportunity for

them to trade with people who may have different Sunday observances which they wish to respect.

There is also the issue in today's community of an increasing number of single-parent families, the issue of an increasing dependence upon alcohol and a range of other social and community problems. Sometimes the opportunity to be still can make an important contribution to community life. In relation to some policing programs that are being developed in the Melton area, it was suggested that many of the problems of the young children who had interactions with the police related to their coming from single-parent families where there is not the same wide range of recreational options available to them. I just make that as an observation in passing.

Returning to the key purposes of the bill, I reiterate the concerns of body corporate managers in my electorate. The amendments are coming too late to enable them to effectively administer their operations. Body corporate law in Victoria has frustrated many people, owing to the cost of dispute resolution and dealing with a range of other matters. It might concern the maintenance of the common property, it might concern an understanding of units of entitlement and liability, it might deal with a range of parking matters where there are disputes arising in bodies corporate, and there could be difficulties with non-occupying owners who are not always on hand to observe what takes place and the difficulties that arise in that circumstance.

In the Sandringham electorate there have also been issues in relation to spot purchase by the ministry of housing in bodies corporate where there might be retirees in some units and the more transient users of the other units may not necessarily encourage or cooperate in the quiet enjoyment of those units by the residents concerned.

Then there is the issue of management overall. Over the last decade or so I have had a number of matters drawn to my attention by people who are concerned about the calibre of body corporate management. A desire to change a manager has led to a disputation or frustration that should not be necessary. It is apparent from my observation that there has not been an effective low-cost mechanism and procedure to protect the consumer — in this case body corporate members — who may not be satisfied with the services of a manager. Obviously if disputes can be mediated effectively in a cost-effective manner, then that is in the interest of all parties, but it would be the experience of numbers of people in my electorate that that has not been the case.

Mr STENSCHOLT (Burwood) — I rise to support the Fair Trading and Consumer Acts Further Amendment Bill, which is another bill that seeks to balance the rights of consumers and to ensure they are well informed and protected, as well as making sure that the economy works well in terms of retailers and general business — for example, reducing the impact of regulation or ensuring that consumer rights are enhanced in a fair and reasonable way.

I notice other people have suggested that documents be printed in a size equivalent to Times New Roman 10. I remember an older gentleman who came to me with a mobile phone contract with all the details written on the back in a tear-out sheet. You almost had to get a microscope out to try to work out exactly what were the details in regard to that particular contract. I see this bill as being quite advantageous to the general community.

I am also pleased that this is a good example of the trade management legislation we are implementing Australia wide and the amendments to bring the various pieces of legislation in various states into line following the Ministerial Council on Consumer Affairs. I am a great supporter of any action that does that, because that harmonisation certainly assists businesses in a multitude of ways. I note also that there is modernisation of the statute book by repealing a number of redundant acts, including, as has already been mentioned, the provisions for local area polls, which have not been used in nearly 10 years.

I must admit polls are a democratic way of going about things. Where they are used, I am more than happy to support them. We have had a number of polls in my area in regard to liquor licensing and the dry area. I am more than happy where this is being exercised in a reasonable manner by the local people, and I am happy to support that sort of thing. But I understand that this has only ever been used once, some 10 years ago. That is why this bill is intending to remove those particular provisions.

This bill also does a range of other things, including part of the implementation of reform of bodies corporate. We have had other legislation before the house in that regard. Of course with regard to the new forms of arrangements, this bill also allows for that in terms of meeting the Partnership Act for early stage venture capital limited partnership arrangements. It gives effect to the federal legislation in practical terms. We have to pass complementary legislation because the federal government cannot legislate for the incorporation of limited liability partnerships, but we can do that here. This bill allows for that.

There is quite a range of provisions here which are necessary and which we have to do from time to time. These amendments provide reform, which is continuing both in favour of the consumer and in favour of the retailer. To that extent I commend the bill to the house.

Mr ROBINSON (Minister for Consumer Affairs) — I thank the members for Malvern, Murray Valley, Yan Yean, Brighton, Preston, Mornington, Narre Warren North, Sandringham and Burwood for their contributions to the debate on the Fair Trading and Consumer Acts Further Amendment Bill. I appreciate the support that has been provided by the opposition parties for this legislation. It will strengthen consumer protection in a number of ways that have been canvassed quite fully in what has been a very productive debate, as will other measures under way in the credit legislation and the motor car traders legislation, which are either approaching or before the Parliament at the moment.

Members would be aware that the work of Consumer Affairs Victoria never stops. It is constantly engaged in advancing the interests of consumers in this state. It has been so for many years and will continue —

Mr Andrews interjected.

Mr ROBINSON — It is very important work, as the former minister reminds me. This bill is very much in that vein. It affords Victorians additional protections to what is already a fairly robust consumer protection framework. We look forward to the legislation coming into effect at an early stage next year.

Motion agreed to.

Read second time.

Third reading

Motion agreed to.

Read third time.

LEGISLATION REFORM (REPEALS No. 1) BILL

Second reading

Debate resumed from 22 August; motion of Ms PIKE (Minister for Education).

Mr McINTOSH (Kew) — This bill is one which the opposition is quite happy to support, because it repeals some 15 pieces of legislation that are redundant. But the interesting thing about this bill is that it has had

a chequered history in this place. It was second-read by the then Premier early this year, but following the Premier's second reading the usual practice that is adopted by this chamber — that it be referred to the Scrutiny of Acts and Regulations Committee for it to inquire into, consider and finally report on to Parliament as to its actually repealing totally redundant pieces of legislation — was not adopted. In failing to do so, the Premier effectively hamstrung the Parliament in its proper consideration of this bill. Obviously parliamentary counsel is relied upon by the Scrutiny of Acts and Regulations Committee.

It clearly is testimony to the fact that the opposition does have a role to play in a parliamentary democracy, and in this case it has certainly discharged it very well. It was drawn to my attention by a number of members of the Scrutiny of Acts and Regulations Committee that proper form had not been followed in relation to this bill. I also express my gratitude to the Clerk of the Assembly, who was very helpful in identifying the flaw in the original second-reading speech and the failure to provide that reference; to Andrew Homer, the executive officer of the Scrutiny of Acts and Regulations Committee; and for my discussions with Mrs Varley at the Office of the Parliamentary Counsel.

Having been fortified by those conversations as to the proper form, I spoke to the Leader of the House. He recognised the difficulty that the house would experience in considering this bill and immediately sought to rectify it by providing that reference to the Scrutiny of Acts and Regulations Committee.

As I said, it was originally drawn to my attention by opposition members of the Parliament. As I said, the executive officer of the Scrutiny of Acts and Regulations Committee (SARC) spoke to me, and I again express my gratitude to the Clerk for his consideration in this regard. In any event the Scrutiny of Acts and Regulations Committee reported to Parliament on the bill in the *Alert Digest* that was tabled in late October. Annexed to that was a letter from parliamentary counsel to the Scrutiny of Acts and Regulations Committee which indicates that the bill is capable of being passed by the Parliament as it repeals only redundant legislation. That is also picked up in the report.

SARC has given a considerable amount of detail on each of the bills as they have progressed through this place, including their historical background and what they do. I have had the opportunity of reading the Scrutiny of Acts and Regulations Committee report and do not propose to keep the house any longer.

Accordingly, I indicate that the opposition will be supporting this bill.

Mr RYAN (Leader of The Nationals) — The Nationals support this bill, which repeals 15 acts that are spent and redundant. It is the result of a program instigated by the government that requires departments to review the legislation for which they have responsibility and to identify legislation which can be removed. This is the first bill which gives effect to that position.

As I say, 15 acts are the subject of consideration in this bill. Looking at the list of 15 is akin to going to a function and having your biographical details read out, in that it is a bit like seeing your life pass in front of your eyes. In particular I am looking at the Victorian Relief Committee Act. As it happens on this very day in the International Year of the Volunteer I was one of those parliamentarians who gathered in the gardens of this place to pay homage to those who were volunteers and who did the wonderful work they did on behalf of Victorian communities.

The celebration today was led by the Minister for Agriculture, and the Leader of the House, the member for Thomastown, also spoke in his role as a senior member of the government and as the Minister for Energy and Resources. Others of us were there to pay homage to the people who contribute so much to our community. One of the groups there included those who are involved in the work of relief committees around the state. Later I had a conversation with them about the drought and its impact on people and about the families in drought-affected areas right across country Victoria who are the beneficiaries of the wonderful work being done by the relief committees and their remarkable group of volunteers.

I also see reference in the bill to the Hairdressers Registration (Repeal) Act. That reminds me not that I need a haircut but of the day that I put a question to the then minister about the fact that students who were working in hairdressers' shops were not able to use scissors and how ridiculous it was that such a situation should apply. There have been some modifications in that regard with some constructive outcomes not only in hairdressing but also in other professions. The veterinary profession is another where practical guidelines have been developed to give students exposure to their chosen careers.

There is also the Food (Amendment) Act, which made a couple of amendments to the Food Act. Food has been the subject of an enormous legislative program by governments of all persuasions over the course of the

last 15 or 20 years. That has happened as people have come to better understand the importance of food-handling requirements and the necessity of ensuring that, if they are working in the food industry, they maintain standards which are appropriate to the health and safety and wellbeing of those to whom they are providing the service. It is one of those classic instances where the community at large has adjusted to the reality of reasonable expectations. There have been amendments accordingly to reflect those expectations.

There is also the Health and Community Services (Further Amendment) Act 1993. There again, a breadth of services was provided under the umbrella of that legislation and under its various subsequent equivalents. I suppose one of the true benchmarks of any society is the manner in which we look after those who are disadvantaged. That legislation has had a big role to play in ensuring that those things happen. The same is true of the Children and Young Persons Act.

As for the Local Government Act, there have been many discussions, heated and otherwise, about the important part that local government plays in the state of Victoria. There is also a reference to the Health Acts (Amendment) Act 1995; obviously that relates to the provision of services that are essential to the way that our communities, particularly in country Victoria, function. The Housing (Amendment) Act again touches on the issue of the capacity of governments of all persuasions to provide accommodation for those who are less fortunate than others for any one of 1001 reasons. There is an overriding necessity to make certain that we provide for people who are in need.

Finally I see the Local Government (Darebin City Council) Act and the Local Government (Nillumbik Shire Council) Act. Now they give rise to stories which would entail a lot of telling if we had the time, but we do not. Mind you, they are stories that have been told colourfully in a variety of forums over the years.

Taken in totality, they are the 15 acts in the legislation now before the house that are now to be repealed. The principle of examining our legislative register in this way is very sensible. When I had the honour to chair the Scrutiny of Acts and Regulations Committee it was something to which we aspired, and I am very pleased to see that the work that has been undertaken has resulted in a trimming of the pieces of legislation with which we as a Parliament otherwise have to contend.

Mr LUPTON (Pahran) — The Legislation Reform (Repeals No. 1) Bill is not a controversial piece of legislation, and I am pleased that the Liberal opposition and The Nationals are supporting its passage. Without

being controversial, it is an important piece of regulatory reform here in Victoria, reducing the number of acts of Parliament currently on the statute book which no longer have any practical effect because they have become redundant due to the passage of time, subsequent legislation or because they involve certain transitional provisions which have now been incorporated in other legislation. Reform bills such as this perform an important function in clearing up the statute book and removing from Victoria's legislation pieces of statute law which are no longer relevant, in that way making the law easier to understand and more accessible and explicable to people, so in that sense they are an important part of regulatory reform in this state.

Our government has given an undertaking to the people of Victoria that we will continue to reduce the number of acts of Parliament that are in effect here in Victoria, and this is another example of that process in operation. We have had a subsequent piece of legislation, the Legislation Reform (Repeals No. 2) Bill, introduced into the Parliament this week. I will not get into the detail of it now, but it continues the process, as does this bill, of repealing even more redundant legislation and clearing up the statute book in Victoria.

Often the purpose for which an act of Parliament is passed is to provide for the establishment of a particular set of arrangements, and once they are established the act that set them up is no longer necessary. Sometimes acts of Parliament provide for transitional processes to take place such as changing a method of operation or an organisation from one form to another, and once that is carried out the act of Parliament is no longer necessary. In Victoria we now have a system used in the drafting of legislation which effectively automatically repeals certain amending legislation 12 months after it is enacted, so for a lot of legislation in the future these types of repeal bills will not be necessary. But in the past legislation passed by this Parliament did not contain that type of automatic repeal provision, so over a period of years numerous acts of Parliament that no longer have any particular currency, efficacy or effect have built up on the statute book, and it has been necessary from time to time to bring in these sorts of bills in order to clear up the statute book in that regard.

There are 15 pieces of redundant legislation that are being repealed by the bill before the house. One of them is the Victorian Relief Committee Act 1958, which established the Victorian Relief Committee, which had power to collect and distribute goods to benevolent societies and people in need. The functions of that committee are no longer required because they are now performed by another organisation called

VicRelief + Foodbank, a non-profit company set up subsequently, so there is no need for the Victorian Relief Committee Act any longer, and it is sensible to have that repealed.

Interesting pieces of legislation sometimes come to light in this process. One is the Hairdressers Registration (Repeal) Act 1985. We are not in fact repealing hairdressers by repealing this legislation. The Hairdressers Registration Act, previously passed by this Parliament, provided for the safeguarding of certain funds of hairdressers, particularly superannuation funds, which had to be invested in certain ways. Those funds have now been taken over by subsequent superannuation schemes, and the provisions of the Hairdressers Registration Act are no longer required.

I will mention in passing the Food (Amendment) Act. That act did not amend food, but it did establish food standards which were published in the *Commonwealth Gazette* back in the early 1990s by a newly established body called the National Food Authority, and through that legislation gazetted food standards published by the National Food Authority had automatic effect in Victoria. Subsequently those standards and regulations have been overtaken by other bodies, and that legislation is no longer required.

These 15 pieces of legislation have been found to be redundant, and accordingly it is a very sensible process that they be removed from the statute book so that anyone interested in investigating and researching what the law of Victoria is on a particular subject matter will not have their research in any way undermined or made more difficult because of the existence of legislation that is no longer required in this state.

Another provision in this legislation is worth mentioning. Previously when a repeal bill came into this Parliament to repeal redundant legislation, that repeal bill remained on the statute book, so while we repealed certain legislation we also added to the amount of legislation. The new provisions that this government has sensibly brought into the drafting process also include in this bill an automatic repeal clause, which will mean that this repeal legislation does not itself add to the amount of legislation in the state.

Mr Robinson — Smart legislation.

Mr LUPTON — As the Minister for Consumer Affairs rightly says, that is smart legislation, which shows that this is a government that looks to making improvements in the legislative program. It looks to make sure that we are doing the right thing about reducing regulation, reducing red tape, simplifying the

law and making it more understandable and accessible to the people of Victoria. For those reasons I commend the bill to the chamber.

Ms ASHER (Brighton) — As has already been indicated, the opposition supports the Legislation Reform (Repeals No. 1) Bill 2007. I want to say at the outset that the usual procedure for a bill of this nature is for it to be referred to the Scrutiny of Acts and Regulations Committee (SARC). In one of the Premier's first acts as Premier he read the second-reading speech attached to the bill and did not refer the bill to the Scrutiny of Acts and Regulations Committee. I find that symptomatic of the approach of this Premier. I note that, as always, the Leader of the House had to come to the rescue and indicate to the Premier that he should not to be so arrogant and should use the parliamentary committee system, and that actually happened. It is interesting to contrast the speeches of the Premier with those he made when he was Leader of the Opposition. He previously allowed a strong role for parliamentary committees, but the minute he became Premier he did not refer this bill to the Scrutiny of Acts and Regulations Committee.

Mr Andrews — They're big on this in Brighton. They're affronted down there in Brighton.

Ms ASHER — However, on the substance of the bill — —

Mr Andrews — They would be beating your electorate office door down on this, wouldn't they, the snub to SARC?

Ms ASHER — They will love this in Brighton.

The ACTING SPEAKER (Mrs Fyffe) — Order! Through the Chair.

Ms ASHER — I would not be contemptuous of the citizens of Brighton. I have heard on many occasions the Labor Party's views on taxation, land tax and stamp duty, and I am more than happy to send out that speech to my constituents as well. In relation to the Scrutiny of Acts and Regulations Committee, its role is usually twofold in terms of redundant legislation. One is to repeal bills and the other is to correct spelling, drafting and grammatical errors and the like. The bill before the house simply has 15 repeal bills as part of the schedule, and the bills range from the Ballarat Free Library (Borrowing) Act 1938 through to the Children and Young Persons (Miscellaneous Amendments) Act 1996 and the Housing (Amendment) Act 1996. It raises the question of why, given that there has been one of these repeal bills before the chamber before now, the Ballarat Free Library (Borrowing) Act 1938 was not

singled out for repeal in the earlier bill rather than in this bill.

I make reference also to the fact that parliamentary counsel has approved these pieces of legislation for repeal. That approval appears as appendix 1 in the Scrutiny of Acts and Regulations Committee's *Report on the Legislation Reform (Repeals No. 1) Bill 2007*, which was presented in this house.

I want to move on to the more substantive point of regulation. This government makes much of its so-called track record on regulation. Indeed, it is part of the national reform agenda to look at the volume of regulation and its impact on businesses and the economy. In the second-reading speech the Premier said:

Clearing the statute book of redundant acts on a programmed basis in this way will help to achieve the government's goal of reducing the regulatory burden on the Victorian community, because it will help make the task of consulting our legislation cleaner and less confusing.

That is a very big call for the repeal of 15 acts, some of which date back to 1938, 1944 and 1958.

I refer to the *Sensis Business Index — Small and Medium Enterprises* survey, dated November 2007.

Mr Andrews interjected.

Ms ASHER — No, you would not want to repeal it; we would like it on the record. It reports that finding and keeping staff is the most significant issue for SMEs (small and medium enterprises). As always in any survey on issues of concern to SMEs, be it the Sensis survey or the Victorian Employers Chamber of Commerce and Industry survey, as appears on page 10 of the Sensis survey, paperwork and bureaucracy still rate as one of the most significant issues for SMEs. As I said, it does not matter which survey, it will always rate as significant for SMEs. It always rates for bigger business, but I guess the level of sympathy for smaller enterprises is probably more acute.

I refer also to the fact that the Victorian government gave to the Victorian Competition and Efficiency Commission (VCEC) a reference on the Victorian regulatory system. A report was issued on 19 April, and I refer to a fact sheet that emanated from that document. If this government thinks that repealing 15 acts is a substantial contribution to the reduction of red tape, it is dreaming. I refer to the fact sheet headed '10 things you didn't know about regulation in Victoria'. The house will be relieved to hear that I want to refer simply to points 1, 2 and 3, rather than all 10. Point 1 is:

Victoria's 72 business regulators administer over 32 000 pages of acts and regulations, up 4.5 per cent since January 2006 and 4.8 per cent in 2005.

That is, on this government's watch there have been substantial increases in regulation. Point 2 on the fact sheet is:

New regulations in 2005–06 are expected to cost \$280 million over their 10-year lives, while amended and remade regulations will cost more than \$1.7 billion.

The Premier should not have crowed so much in his second-reading speech about how fantastic the repeal of these 15 bills is. Point 3 on the fact sheet is:

Victoria's 72 business regulators administer nearly 1.9 million licences.

Again, let us put this in perspective. This government established the VCEC, which it gave a reference on the Victorian regulatory system, and this government got back from the VCEC a few facts it does not like. I make the very significant point on behalf of those who run SMEs, who are constantly complaining about the level of paperwork and bureaucracy that they have to contend with, that whilst it is beneficial to have 15 spent acts declared redundant, the bill is just a little pimple on the overall regulatory regime that the government needs to do a lot more to address.

In conclusion, the government should take note of the fact sheet headed '10 things you didn't know about regulation in Victoria'. The government should take note of the Victorian Competition and Efficiency Commission report of April, headed 'Victorian Regulatory System 2007', and get very, very serious about regulatory reform in the state of Victoria and not just settle for the simple repeal of 15 acts of Parliament that are spent.

Mr HERBERT (Eltham) — It is a pleasure to speak on the Legislation Reform (Repeals No. 1) Bill 2007, and I will be brief. The bill repeals a range of redundant legislation and in itself is important in cleaning up our legislative books, which is always necessary. I am not going to speak on each of the 15 acts that the bill repeals.

I refer to act no. 15 which is being repealed, the Local Government (Nillumbik Shire Council) Act (No. 95 of 1998). I want to speak on this bill because it represents a symbolic act of nailing the coffin shut on the era of commissioners that were a blight on the Nillumbik political landscape under the previous Kennett government.

Nillumbik has a proud history of democratic rule, of people who take their politics seriously and of

councillors who are there to uphold the democratic process, to keep the environment strong and to look after the community they seek to represent. All that was shunted out when this bill was put in place. It was a sad and shocking era. It was an era of the reign of commissioners who did some of the most horrendous things to what was a very gentle and caring community. It is one that is long remembered by councillors from all sides of politics as a shameful part of the area's political history.

Mr Robinson — Ushered in a dark age!

Mr HERBERT — As the Minister for Gaming says, it did usher in a dark age.

Honourable members interjecting.

The ACTING SPEAKER (Mrs Fyffe) — Order! The level of interjection is too loud. Members should quieten down, as I cannot hear the member for Eltham.

Mr HERBERT — The decisions made by the commissioners — the black hand of government, as I am reminded — were essentially undemocratic and immensely unpopular, unproductive and, as I said, a blight on the political landscape of Nillumbik. One of the great decisions that the community has regretted ever since that era was when the council chambers in Nillumbik were bulldozed and a Taj Mahal was built out in a more rural setting, which set the whole tenor of service delivery in Nillumbik, isolating the council from the major rate base of the shire. That era is coming to an end as the council looks to relocating the shire offices back to Eltham, the heartland of Nillumbik.

Whilst that is a symbolic thing for the council to do, the repeal of the act by this bill is also a symbolic thing for this government to do. As I said, it is the final nail in the coffin of that dark age of undemocratic processes in Nillumbik. I absolutely support this bill and I am sure every person in Nillumbik who had to suffer under those undemocratic processes will applaud this house for repealing this act.

Mr THOMPSON (Sandringham) — In speaking to the Legislation Reform (Repeals No. 1) Bill, at the outset I make the comment that this bill had not initially been referred to the Scrutiny of Acts and Regulations Committee to fulfil its statute law review role from yesteryear. I am pleased to note that ultimately the government in its wisdom accepted sound advice and elected to subject this bill to review by the Scrutiny of Acts and Regulations Committee.

The first act that is being repealed is the Ballarat Free Library (Borrowing) Act 1938. One of the early arenas

of reading in Victoria was the mechanics institutes, which provided reading opportunities and learning centres for Victorians across the state.

The Melbourne Athenaeum has a very extensive library that is available to people. The library invited members of Parliament to donate books, and members on both sides of the chamber each contributed a book for that purpose. A constituent of mine who had been a senior physics teacher and an amateur umpire unfortunately had an aneurysm that left him an epileptic. Regrettably on one occasion he had an epileptic fit while he was under the shower. The whole contents of the hot water tank ran onto his body. He had his arm amputated and as a consequence he was left in poor physical condition. Fortunately the principal of Mentone Grammar allowed him to return to teaching — he had been a senior physics master — and he wrote a book that described his life journey to date. That book forms part of the Athenaeum library, along with a range of other publications that were donated by members of this chamber.

With respect to the Heatherton Sanatorium Act 1944, it is important to note that that act relates to land on which a former state health minister — not the minister at the table — indicated that a new hydrotherapy pool would be built following the closure of the Hampton Rehabilitation Hospital, where a hydrotherapy pool had been established. That promise goes back a number of years, and regrettably I have to inform the house that to date a new hydrotherapy pool has not been built on the Kingston site where the Heatherton sanatorium operated.

It was suggested by the department that if Bayside residents needed hydrotherapy services they could travel to Dandenong. This was about a community hydrotherapy pool for which local constituents have raised funds and which is still under way at the moment. There is a mission to place on the footpath outside the site a plaque commemorating the outstanding work undertaken by the doctor who to a large extent pioneered hydrotherapy services in the Bayside region. I look forward to the time when the health minister is able to fulfil the commitment given by his predecessor to have an operative hydrotherapy pool at the new Kingston site adjacent to the Heatherton Hospital.

The next act I wish to speak on is the Victorian Relief Committee Act 1958, which relates to the pioneering work of Dame Phyllis Frost, an outstanding Australian who was involved in multiple committees across the state. She grew her own vegetables, and she entertained not only her immediate neighbours but the friends of

her children on regular occasions. I recall one government minister in this chamber saying that, when Dame Phyllis said she was only just a housewife, you knew that a knockout blow was about to come on a very sensible piece of public policy reform that was required to make this community a better place. Dame Phyllis stands alongside another person who has been mentioned in this place, Kevin Sheedy. When he said 'I am only just a plumber', you knew he had a very sensible point to make. Both Dame Phyllis and Kevin Sheedy have made great contributions to this state in a range of areas.

I will leave the Hairdressers Registration (Repeal) Act 1985 for the member for Kilsyth to comment on in his contribution to the debate and move onto the State Relief Committee Act 1986, which succeeded the Victorian Relief Committee Act 1958. I note again for the record the outstanding work of Victorians such as Dame Phyllis Frost, who was farewelled at St Michael's church in Melbourne a few years ago.

The seventh act repealed by this bill is the Health and Community Services (Further Amendment Act 1993), which deals with mental health issues. Mental illness is a serious problem that affects communities across Victoria. One of the greatest speeches I have heard in this chamber was made by John McGrath, a former Deputy Speaker and member for Warrnambool, when he told the story of Dr Arieti, an American doctor with expertise in the field of mental health, who made comments to the effect that no war, no disease and no famine has exacted a greater toll on families and the health of a community than mental illness. I think he was alluding to schizophrenia, which has affected communities throughout the ages. It exacted a very heavy toll on the family of John McGrath.

Some excellent work has been undertaken in the southern region with the establishment of a centre in Stanley Street, Cheltenham, which has provided a focal point for service delivery. The initiative for it came from a number of parents who were working together to improve treatment outcomes, employment outcomes and housing outcomes for people in that particular field, and I pay tribute to their work.

A number of other acts are affected by this bill. They include the Local Government (Darebin City Council) Act 1998. That was a memorable debate. I remember the sacking of the Darebin council. The question was not whether the councillors were politically aligned, it was whether they were members of the Pledge faction or the Socialist Left faction of the Labor Party. The council became unworkable, and at that stage the only way it could be resolved was for it to be sacked and an

administrator appointed, which at that stage had the approval of a number of Labor identities.

There are a number of interesting acts before the chamber at the moment that reflect elements of Victorian history, the social problems we confront, the community problems we have and some of the political issues of the day. In the words of parliamentary counsel a number of years ago, bills such as this succinctly and evocatively recall elements of Victoria's past. I commend the bill to the chamber.

Mr ROBINSON (Minister for Gaming) — This bill is a very sound housekeeping measure which tidies up the statute book. It is not a function of the government or the Parliament that attracts much attention — it is not considered to be the sexiest thing that happens around this place — but legislative repeal is a very worthy task because ultimately it contributes to a more efficient legislative base.

The Office of Cabinet Secretary plays a very significant role in the repeal function, and I have a former Cabinet Secretary — —

Mr Wynne — Distinguished.

Mr ROBINSON — Yes, distinguished: he is now the Minister for Housing. We have both filled the role of Cabinet Secretary. That office plays a very significant role in legislative repeal.

Various measures have been implemented in recent times to accelerate the repeal function of government, and I know all members will be delighted to know that there is more on the way. This is no. 1 but I think we are already working on no. 2 and we have an eye on no. 3, so we will be back again and again.

The office is greatly assisted in the repeal function by the Office of the Chief Parliamentary Counsel, and no Cabinet Secretary would ever deny that their work is made infinitely easier by the work of that office. In Victoria for many years we have been the recipients of exemplary service from Eamonn Moran. On behalf of all members — some know of Eamonn Moran and his work better than others — I would like to commend his work. He is shortly to leave Victoria after something like 30 years in the state in various roles. He is heading to Hong Kong, I think to take up a position there early in the new year as its chief parliamentary counsel. Certainly our loss is its gain. He has been a magnificent public servant in this state over many years.

With that brief but deserved tribute, I commend the bill to the house.

Dr NAPHTHINE (South-West Coast) — I rise to speak on the Legislation Reform (Repeals No. 1) Bill. The purpose of the bill is to repeal certain spent or redundant acts in relation to local government, health, housing, community services and other matters. Members on both sides of the house support the need to regularly review and clean up legislation. There is a need to deal with redundant and spent legislation and clear it off the statute book, and I welcome the removal of these spent statutes.

At the same time I endorse the comments of the honourable member for Brighton: this is a very small step at a time when we have a government that seems hell-bent on massively increasing the red tape, regulations and legislation that get in the way of people doing business and running their lives in Victoria. In particular in regional and rural Victoria people who have country properties are sick and tired of the ever-increasing imposition of red tape, legislation and regulations by a city-centric Brumby Labor government that simply does not understand the practical management of farms and farming properties. It does not matter whether you are dealing with the control of feral animals or the control of weeds, or dealing with the management of native vegetation, burning off on roadsides, putting in a new fence or planning issues, there seem to be a lack of common sense and an ever-increasing number of regulations, rules and red tape imposed by Spring Street and a Labor government that simply does not understand about common sense and about how to manage in regional and rural Victoria.

I would like to acknowledge the important role that the Scrutiny of Acts and Regulations Committee plays in assessing and reviewing pieces of legislation which are deemed to be redundant and in making sure that they are genuinely spent legislation that can be deleted from the statute book. It is interesting to note that originally this legislation was not going to undergo the normal process but common sense finally prevailed, and I think the contribution of the all-party Scrutiny of Acts and Regulations Committee is all-important in making sure we do these things and do them right.

I wish to refer to two pieces of legislation that are being repealed by the bill, because they reflect the history of our state and some important components of that history in particular. Item no. 3 in the schedule to the bill is the Victorian Relief Committee Act 1958 and item no. 5 is a similar or related piece of legislation, being the State Relief Committee Act 1986. The Victorian Relief Committee Act established the Victorian Relief Committee, which had powers relating to the collection and distribution of money,

commodities and goods to benevolent societies and persons in distress.

The State Relief Committee was similarly linked to the Victorian Relief Committee, which committee is synonymous with the name of Dame Phyllis Frost, and I think it is important that we take a couple of minutes to reflect on the contribution that Dame Phyllis Frost made to the state of Victoria. Dame Phyllis is described as a community activist. She was born in September 1917 and died on 30 October 2004. She was an absolutely dynamic lady who was tireless in her work on behalf of the community.

On 1 November 2004 the *Herald Sun*, under the headline 'Lifetime devoted to less fortunate', said:

Dame Phyllis Frost did not believe in retirement. When the relentless campaigner for reform looked up the word in the dictionary, she found it meant 'to quit, to vanquish'.

'It's a terrible word, so defeatist,' Dame Phyllis said. The dedicated charity worker was true to her own word — only giving away her community work when poor health forced her hand.

The article describes how she was involved in almost 50 charitable committees. In 1964 one of the committees that Dame Phyllis Frost joined was the Victorian Relief Committee, which is now VicCare. She was its chairman for 25 years. Indeed the *Age* of 2 November 2004 says about her work with the Victorian Relief Committee:

Her tireless work with the Victorian Relief Committee, now VicCare, for 30 years saw her steer Victoria's needy through bushfires, floods and lean times. Her commitment after the 1983 bushfires —

that is the Ash Wednesday fires —

was legendary. She didn't leave the committee's city premises for a week, shifting countless truckloads of donated goods to fire victims.

An earlier article in the *Age* of 2 May 1994 said this about Dame Phyllis:

She is associated with 52 charitable organisations ...

At that stage she had been the chairwoman of the Victorian Relief Committee for 18 years. The article continues:

Asked to name her favourite charities, Dame Phyllis has no hesitation in promoting the Victorian Relief Committee ...

An article in the *Good Weekend* on 24 April 1993 describes some of the spirit that Dame Phyllis had. She used such phrases as 'Just do it, and do it properly. Organise yourself. Keep sincere and be an example in

yourself'. But above all Dame Phyllis believed she needed a sense of purpose.

Dame Phyllis certainly had a sense of purpose, and she certainly did an outstanding job in heading the Victorian Relief Committee for so long. She made an enormous number of other contributions to improve the lot of the community of Victoria, including work for women in prisons and a whole range of other areas. In passing this legislation, which repeals the Victorian Relief Committee Act and the State Relief Committee Act, it is important to acknowledge that work. I knew Dame Phyllis and was inspired by her work, her dedication, her commitment and the way she went about what she did.

It also leads on to what has happened now to fulfil that role, and I want to highlight an organisation in my own electorate that continues that sort of good work and the need for the state government to get on board to assist. It is the Loaves and Fishes emergency care centre in Portland. Loaves and Fishes is a fairly new body created by a progressive group of community leaders led by David Peddie. It has brought together a number of smaller, largely church-based agencies that provide emergency relief. The creation of a single professional body with a large volunteer base of 50-plus people has been a great step forward in providing consistent emergency relief to those in need in Portland and in the shire of Glenelg.

Currently Loaves and Fishes sees about 100 clients per month, providing people in need with emergency food supplies. Clients are referred from agencies such as Centrelink, neighbourhood houses, Emma House family violence service, Aspire, which provides services for families with a mental illness, the local court, the Portland housing service, Portland psychiatric services, the Salvation Army, churches and Quamby, which is a service for people with drug and alcohol problems.

Loaves and Fishes receives about \$27 000 per year from the commonwealth to assist with the purchase of food for clients. It also receives significant local donations from churches and individuals, as well as the local shire and service groups. But there is a real issue, and this issue applies to emergency relief centres not just in Portland but right across the state: they have a real problem with meeting the costs of rental of suitable premises and the costs of paying a part-time manager. It is not a lot of money — about \$50 000 a year for employment and rental. That is where I think the state government has a role to play. The federal government provides money for the emergency relief itself, but in

terms of providing ongoing management and premises, I think the state government has a role to play.

True to the inspiration of Dame Phyllis Frost, this is a situation where the state government cannot walk away from its responsibilities. There ought to be a partnership between the state government, the federal government and the community in providing these services. The community provides the volunteers and a lot of the day-to-day funding and support. The federal government provides money for emergency food hampers. The state government does nothing to assist these emergency care centres. I call on the state government to support the Loaves and Fishes emergency care centre of Portland by providing \$50 000 a year to pay the ongoing rental of its premises and to pay for a part-time manager.

However, I would say the government also ought to look at providing that sort of support for emergency care centres across the state. Many of these centres in regional and rural Victoria are dealing with families affected by the drought, by floods, by bushfires and other issues, and they need that support. The state government has been backward in coming forward on this issue. It is about time it took inspiration from Dame Phyllis Frost and met its responsibilities.

Mr STENSHOLT (Burwood) — I too would like to speak in support of this bill. I am reminded of the policy the Labor Party took to the 2006 Victorian election, which was to repeal all old and redundant legislation and reduce the number of laws by 20 per cent compared to 1999. We said:

Labor will continue the process of repealing redundant legislation which no longer meets the needs of Victorians.

This is the first bill in respect of the continued reform and modernisation of legislation. Obviously the idea of repealing redundant legislation is part of that, as is working hand in glove with the Scrutiny of Acts and Regulations Committee.

Like the member for South-West Coast, I was drawn to the fact that there is reference to a number of acts, including the Victorian Relief Committee Act and the State Relief Committee Act, which are being repealed. There are a lot of marvellous organisations. I know the State Relief Committee is now VicRelief + Foodbank Ltd. Locally in my area, at the Eastern Emergency Relief Network, Keith Rooney has done an absolutely magnificent job over the years, and continues to do so. Local neighbourhood houses and neighbourhood organisations like Camcare, which has an office in Camberwell as well as in Ashburton and Kew, the Alamein Community Centre, the Amaroo Community

Centre and the Power Neighbourhood House all provide support for people, whether it be in terms of food or other goods and commodities. I think a marvellous job is done throughout the whole of Victoria.

In my electorate we have the State Schools Relief Committee, which does a magnificent job. It is supported by the Department of Education and Early Childhood Development in terms of staff, but funds are raised at many schools throughout Victoria to support it. Recently I visited the committee to see what it was doing. I actually went there in early 2000 — not long after I was elected — because from the inventory in my office I discovered that my desk and chair and other furniture had been donated to the State Schools Relief Committee by the previous member for Burwood. I went down there and asked where my desk and chair and other furniture was to see if it was being put to good use. I have to admit that they had no memory of it actually arriving there so maybe it was the previous head of the organisation who received it. All these relief committees do a marvellous job. I commend their work. It is a suitable occasion, as we are repealing redundant legislation, to honour the work of relief committees right throughout Victoria.

Mr DELAHUNTY (Lowan) — I rise on behalf of the Lowan electorate to speak on this Legislation Reform (Repeals No. 1) Bill. I state from the start that, like the Leader of The Nationals, I will be supporting this bill. We know the bill is designed to revise the statute laws of Victoria by repealing a number of redundant or spent acts relating to local government, health, housing, community services and other matters. I think it is a good housekeeping process to regularly remove redundant legislation.

All of us, particularly in country Victoria, are concerned about the red tape that is stifling business, stifling communities and stifling community development. This bill will reduce some of the regulatory burden. Hopefully it will make it less confusing for people to operate in the state of Victoria. However, I have got to say that it is a real concern. Whether it be on farms, whether it be in the community, whether it be out in the environment, enormous red tape issues are causing concern to the electorate I represent.

I refer to roadside vegetation. We have a situation now where local government cannot work with the state government to make roads safer to travel along. Vegetation is growing closer and closer to roads and impeding visibility, making it difficult for people who travel along the roads to see wandering stock —

wildlife or other animals — and be safe. We are even going to the extreme these days of getting signs put on the road asking motorists to slow down to 80 kilometres an hour because the vegetation is too close to the road. Country communities should not have to put up with this. People in Melbourne would not tolerate this and I do not believe country communities should have to.

We have got problems on the farms. Through various departments the government brought in provisions that mean we are not allowed to have ladders attached to the sides of constructed field bins. How the heck do farmers and workers get up on top of these field bins to close or open them? They are stacking wooden ladders up against the side, which is more unsafe than it was before.

We had new saleyards built in Horsham on a greenfield site. They are only eight years old and WorkSafe has come and said that some parts of the saleyards are unsafe. To his credit the Minister for Finance, WorkCover and the Transport Accident Commission acted on this one and common sense has prevailed between WorkSafe and the Horsham Rural City Council to try to resolve this issue. But, as we know, red tape is an enormous burden for people operating here in Victoria. If this bill does anything to reduce that regulatory burden and make it less confusing to operate in Victoria, we would all be silly not to support it.

I will now talk about some of the acts that are being repealed. I know the bill repeals 15 acts, and I know this good program has started requiring departments to review the legislation they are responsible for and to identify those acts which could be removed — in other words, remove some red tape. This is the first bill under that new system and I am pleased to see that everyone will be supporting it. I just want to talk about some of the acts that are redundant. Before I do that, I want to make a quick comment. The member for Mitcham made a comment on appendix 1, which is attached to this report from the Scrutiny of Acts and Regulations Committee, a good committee which does excellent work. Appendix 1 is signed by Eamonn Moran, the chief parliamentary counsel. I will quote from that appendix. It states:

In accordance with the usual practice for this kind of bill, I certify that this bill contains only repeals appropriate for a redundant legislation repeals bill. The relevant departments have confirmed that the acts proposed to be repealed by the bill are now obsolete or spent in their operation and can be safely repealed.

That is the type of advice the Scrutiny of Acts and Regulations Committee received. The member for

Mitcham said, and I am sure others in this house would agree, that Hong Kong's gain will be our loss. I believe Eamonn Moran has been operating in this Parliament for about 30 years. He has provided free and fearless advice to all members of Parliament. I have not had a lot to do with Mr Moran but I believe from talking to my colleagues that he has been of great assistance to all of us in this house. We wish him the best in his future pursuits in Hong Kong.

I now come to some of the redundant acts that are being repealed by this legislation. The first one is the Ballarat Free Library (Borrowing) Act 1938. The Scrutiny of Acts and Regulations Committee's report states:

An order in council, dated 5 December 1881, permanently reserved parcels of land at Ballarat as a site for a library.

That was good forward thinking by the community around Ballarat. It goes on to say that:

This act authorised the trustees of the Ballarat Free Library and Reading Rooms to borrow funds to discharge an existing mortgage, pay off existing liabilities and promote the objects for which the land was granted.

I hope it has not taken since then to pay off the existing mortgage. I am sure it was paid off long ago. Libraries play an important role in our communities, particularly country communities, where we have mobile libraries, usually organised and operated by councils, but this is where the state government has withdrawn its support for libraries. I want to say that we need more support in relation to that.

Mr Wynne interjected.

Mr DELAHUNTY — That is not anywhere near enough, Minister. It is still well below the percentage it should be. But we welcome any dollar that comes into country Victoria.

The Victorian Relief Committee Act of 1958 is repealed. That act established the Victorian Relief Committee, which has powers relating to the collection and distribution of money, commodities and goods to benevolent societies and persons in distress. I heard the member for South-West Coast talk about the importance of emergency relief centres. I want to commend the Christian Emergency Food Centre in Horsham, in my area, which is doing a fantastic job of supporting those communities and families affected by the drought, and in the short time I have available I want to acknowledge that.

As The Nationals spokesman for children, I note that there are a couple of children and young persons bills

that have been made redundant, and I am sure they will have played an important role. The other point is in relation to the local government acts. I heard the member for Eltham talk about the sacking of the council in that area. He has to remember that the last government to sack a democratically elected council was this Victorian Labor government, when it sacked the Melbourne City Council.

Mr Wynne — No, not this government.

Mr DELAHUNTY — A Labor government did it. I appreciate the advice from the new Minister for Local Government.

The ACTING SPEAKER (Mr Jasper) — Order! I do not think the honourable member for Lowan needs any advice.

Mr DELAHUNTY — I will take any good advice, Acting Speaker. Local government went through a major reform many years ago, and I think the majority — I would say all — those councils are now much stronger and are able to operate in the environment they operate in to make us a more competitive state within the Australian federation. I would have to say, though, that they have problems recruiting staff.

There are other members who want to speak on this bill, so with those few words I indicate my support for this legislation.

Mrs SHARDEY (Caulfield) — I rise to speak on the Legislation Reform (Repeals No. 1) Bill 2007. As has been previously stated, the Liberal Party supports this piece of legislation. I too appreciate that from time to time it is necessary for Parliament to repeal spent or redundant acts. This is done in the name of good housekeeping, in a sense to tidy up Victoria's statute book. The legislation that the second-reading speech refers to as 'having no ongoing function' will by this act be deleted. To this end the process which is being used will involve each department reviewing its legislation and reporting as to which acts are suitable to be removed from the statute book.

This bill, as we understand it, is the first of a series which will now focus on the portfolios of community services, health, housing and local government. But of course, as the member for Brighton has pointed out, there is a great deal more to be done. We are deleting some 15 acts, but this is a minuscule number in terms of the task at hand. I look forward to the future series of legislative reforms deleting spent legislation.

Given the acceptance of the need for this type of legislation, one does really wonder why the minister defied convention and did not initially refer this bill to the Scrutiny of Acts and Regulations Committee. I understand the bill had to be adjourned and that process was finally completed. I am glad to see the minister in the house to acknowledge that he made a slight error in that process.

The two acts for deletion that I wish to focus on, as others have before me, are the State Relief Committee Act 1986 and the Victorian Relief Committee Act 1958. I dealt with this legislation last year. The Victorian Relief Committee, as we know, was created by the Victorian government many years ago, going back to 1930, to assist people affected by economic hardship. Remember of course that in the 1930s this involved the Great Depression. The original organisation had as its major objective assisting people in distress through the establishment of an efficient and economic way of collecting and distributing clothing and other domestic commodities. From its somewhat simple and pragmatic beginnings as a central resource depot it went on to assist many thousands of Victorians over some five decades.

Dame Phyllis Frost, a name well known to all of us here and known to the entire Victorian community for her enormous contribution in the community sector, was president of this organisation for some 25 years, until the year 2000. She was a great stalwart and supporter of those in need in this state. As a very down-to-earth and pragmatic person she, like others I believe, would be quite horrified to learn that the organisation which she had tended for so many years would fade into obscurity through the actions of this current government in combining her beloved organisation with Foodbank Victoria last year.

Foodbank was established in 1996 and is a very different organisation, being part of a national network of independent organisations known as Foodbank Australia. It facilitates the distribution of food and grocery items to welfare agencies right across Australia. The great concern which was raised during the debate last year in relation to its subsuming the State Relief Committee is that there is now a fee charged for the distribution of food by agencies, which is a far cry from the principles supported by Dame Phyllis Frost's organisation.

The other issue at the time of the legislation last year was raised by the Uniting Church in relation to the continued funding of this combined organisation. Perhaps the Minister for Health, who is at the table, can ponder how he will provide some information on what

has occurred in relation to the funding of the combined Victorian Relief Committee and Foodbank Victoria organisation. I think it is important. We would like to understand what happened to that funding. There was talk of additional funding, and we are not sure whether that happened.

Mr Andrews interjected.

Mrs SHARDEY — Yes, it is your responsibility, as I understand it. Perhaps as we see the demise of the State Relief Committee Act the responsible minister may report to the house on the impact of the fees that are being charged through Foodbank and also this issue of funding.

May Dame Phyllis Frost be well remembered for her wonderful contribution to Victoria.

Mr BURGESS (Hastings) — I rise to speak on the Legislation Reform (Repeals No. 1) Bill 2007, the purpose of which is to repeal 15 spent and redundant acts. The bill in the main is pretty uncontroversial; however, at the time of the second reading it was not sent off to the Scrutiny of Acts and Regulations Committee and therefore it had to be adjourned and reintroduced.

The Scrutiny of Acts and Regulations Committee is a very important — in fact, a crucial — check and balance on the legislation that passes through this house. The functions of SARC are to report to Parliament on issues such as whether a bill trespasses unduly upon human rights or freedoms; whether it actually requires or authorises a practice that may have an adverse effect on personal privacy, particularly in relation to health information; whether it insufficiently subjects the exercise of legislative power to parliamentary scrutiny; or whether it is incompatible with the human rights set out in the Charter of Human Rights and Responsibilities. It has other powers of course, but they are the ones I have identified in this particular instance.

Speaking from a past life as a lawyer, I can say that once legislation is passed it then becomes the domain of the courts to interpret. Having practised law, I know that it is not unusual at all for acts that have been passed by the Parliament to have unintended consequences. A word of caution today is the fact that the more pieces of legislation affected, the broader the impact of an act — whether that be to remove redundant legislation or to introduce something else — the more chance there is for unintended circumstances and consequences to take place. The point I am making is that the reference to

SARC is absolutely imperative; it is crucial to the way we act with our legislation.

I strongly support efforts of the government, in fact of any government, to clean up redundant acts and legislation and to remove red tape wherever that is possible. However, I issue a word of caution that when we are passing legislation, particularly legislation that has a broad operation, we must take extra care. The community has a justifiable expectation that we will take great care. SARC is a very important part of the care that we take in this place.

Mr WAKELING (Ferntree Gully) — I want to briefly contribute to the debate on this bill, the Legislation Reform (Repeals No. 1) Bill of 2007. I would just like to specifically deal with the Local Government (Nillumbik Shire Council) Act 1998. As a former councillor with the City of Knox, I understand the significance of good governance. The council worked hand in glove with the senior management team and the CEO (chief executive officer), and we were able to achieve great outcomes for the community in the city of Knox. This was in stark contrast to what occurred at the Nillumbik Shire Council. I can talk from experience about the Nillumbik Shire Council, because I was employed by the council at the time when it was sacked. I saw firsthand how palpably bad the situation was in terms of staff morale and the working relationship between the senior management team and the council. I have a vivid memory of the then shire president and other members of the council storming into the CEO's office, advising him that they would be suing the council. One could see how unworkable the relationship was at that municipality.

As history has proven, the council was then sacked and an administrator was appointed. A new council was then elected. One can only see how Nillumbik Shire Council has thrived since then. One can only see the leadership of Warwick Leeson and what he has done for that community. Whilst I recognise that this act has seen its day and is no longer required, and I support its removal from the statute book, it certainly played a major role in ensuring good governance for the people in the communities of Eltham and Hurstbridge and ensuring that the Nillumbik Shire Council was able to achieve good governance in the long term.

Mr K. SMITH (Bass) — It is interesting to be able to get up and speak on the Legislation Reform (Repeals No. 1) Bill. I noticed during my research into this bill that there were three local government parts to this bill, one of them being the Local Government (Amendment) Act 1994. There are two other interesting acts — the Local Government (Darebin City Council) Act 1998

and the Local Government (Nillumbik Shire Council) Act 1998. The government would like to see both of those pieces of legislation wiped off the plate because they are a complete embarrassment to this government. Can I say quite honestly that I think the government is burying its head in the sand, because although there are some very great local government areas, there are also some that are not quite so great.

I raised with the Minister for Local Government at the last meeting that we had the need for a broadbased, independent anticorruption commission for local government. I can only say my fears have not been allayed at all. Each day I get letters from constituents laying very genuine complaints about councils across Victoria. Those councils include Brimbank, Geelong, Yarra, the people's republic of Moreland, Hume, Port Phillip, Darebin again, Dandenong, Ballarat and Bendigo.

Mr Herbert interjected.

Mr K. SMITH — Monash? No, I have not heard anything about Monash, but I am sure there will be some complaints that will come in if there is a need for it. I believe there is a very strong need for us as a Parliament to be setting up this independent anticorruption commission to look into local government. We have a very great level of local government. There are of course three levels in Victoria.

Mr Wynne interjected.

Mr K. SMITH — No, I am not bagging it. I am saying that some are very good councils that work extremely hard. There are others that work extremely hard for the councillors and council officers, and those councils have to be cleaned out of the wrong people and get some decent people who can run them for the good of the community. If there is corruption there, we have to be able to root it out. If there are councillors who are acting in the wrong way for their own financial benefit or for the benefit of some of their mates, we have to clean them out as well. I do not think anybody here would deny the need for us to make sure that local government is clean, because it is a very good level of government through which to deliver great services to the people Victoria.

I can only say to the minister, 'Please take heed of what I am saying. Read *Daily Hansard* tomorrow and have a look at some of those councils'. I have files of complaints on each of those councils. I cannot believe the complaints I have received. When I looked after gaming, I got a few complaints; as shadow Minister for

Local Government I have been inundated with complaints about local government. Let us ask to clean them out, let us get good councils back and let us deliver good services to the people of Victoria.

Mr WYNNE (Minister for Local Government) — I am pleased to close the debate on the Legislation Reform (Repeals No. 1) Bill, which I indicate has the support of both sides of the house. This repeal bill deals with a number of local government and housing amendments within my own portfolio areas. The contributions made across the chamber have, by and large, canvassed the issues well. I will choose not to respond to the member for Bass at this point in order not to give him any acknowledgement for his usual rabid performance. The only thing I would say to the member for Bass is that if he has any evidence of corruption or illegal activity, he knows where those complaints ought to be made.

In relation to my previous role as Cabinet Secretary I join with the Minister for Gaming in acknowledging the chief parliamentary counsel, Eamonn Moran, QC, who was recently given the honour of being awarded the public service medal. It is a well-deserved acknowledgement of Eamonn's work for the Victorian government as chief parliamentary counsel. He has had a very distinguished career here in Victoria. In a bipartisan way he has done a magnificent job in supporting the key functioning of this Parliament through the drafting of legislation. Having had the pleasure of working with him when I was Cabinet Secretary, I can assure the house that he is a thorough professional. Certainly his new appointment in Hong Kong will be a very exciting opportunity for him to extend his very broad legal knowledge into another precinct. I know I speak on behalf of both sides of the house when I say I wish him well in the future. I commend this bill to the house.

Motion agreed to.

Read second time.

Third reading

Motion agreed to.

Read third time.

**CHILDREN'S SERVICES AND
EDUCATION LEGISLATION
AMENDMENT (ANAPHYLAXIS
MANAGEMENT) BILL**

Second reading

**Debate resumed from 4 December; motion of
Ms MORAND (Minister for Children and Early
Childhood Development).**

Mr DIXON (Nepean) — It is an honour to speak on the Children's Services and Education Legislation Amendment (Anaphylaxis Management) Bill 2007. I, along with my Liberal Party colleagues, will be supporting this bill, which is enabling legislation. The proof of the pudding will be in the regulations that are enabled by this bill, which will govern the day-to-day management of our schools, child-care facilities and kindergartens. We have to have good legislation so that our regulations are thorough, given the important work they do.

I wish to make a few comments regarding funding. It has been pointed out that \$1.3 million in funding will be made available for this program of training teachers in our schools, child-care professionals and other people who work in those industries. There are about 2300 schools in Victoria. The statistics say that 35 per cent of them have a child who could require management for anaphylaxis. Looking at those figures, that works out to be \$1700 per affected school. I know from my discussions with the Catholic Education Office that it wants to train all the teachers in all its schools. When you divide that \$1.3 million by all 2300 schools, it works out to be only \$560 per school. I understand Ambulance Victoria First Aid, which is the primary body that conducts instructions on how to use the EpiPens and how to recognise the symptoms, is charging \$720 a session for a maximum of 20 people. It does not take long to do the mathematics and see that if every school actually undertakes it — putting aside kindergartens and child-care facilities — that \$1.3 million is not going to go far. In fact it is not going to cover the costs of the training.

The other thing that is not clear — and I would like the minister when she sums up to tell us about it — is whether that funding is ongoing and, if it is, for how long. If it is per annum funding, it is just an amount, and we do not know how it is being spread and how it is going to be spent. This is a good idea, but it needs to be funded adequately.

Some people say that only 35 per cent of schools have children who might be affected in this way, but I came

across a statistic that said 24 per cent of severe reactions actually occur in undiagnosed cases. That means that all of a sudden a child might present with those symptoms. It is probably prudent for all schools, teachers, child-care facilities and kinders to have their staff undergo this training. The \$1.3 million is not going to go far under those circumstances.

The bill says that the Victorian Registration and Qualification Authority (VRQA) will not register schools that do not have a management plan but have children who would be susceptible. That is good in theory. The reality of that is: how does the VRQA find that out? Is the onus on the school to report to the VRQA when a child comes into their school or is diagnosed? Or do we just wait around until a school is up for registration? A school is not registered every year but is registered for a period of some years. It is a redundant provision. I think schools are going to forget about it; and the VRQA is not going to follow it up. In fact the only way this can possibly work is if it is a requirement in the regulations that all schools report to the VRQA on whether they have children who require this treatment and whether they have a management plan. The registration will need to be visited at yearly intervals. The thought behind it is good, but the reality and the practicalities of it are somewhat lacking.

It is important that training is given to staff at schools and to child-care providers that have children who are susceptible. However, there is a lot of movement in and out of schools. Teachers change schools during the year, and not necessarily at the start of the year. There is a large changeover of staff in many schools each year. Training has to occur every year and schools have to be very aware of the fact that new teachers are coming into a school. It might even be a class teacher of a child who might be susceptible, so it is important for schools to be on top of this and to be in a position to provide training for new teachers. That might not happen on a school-by-school basis. It might be a job, for example, for the department's regions to set up training programs every term for new teachers.

It is also common for casual relief teachers (CRTs) to work in schools. Some casual relief teachers just work in one school, but some work in a number of schools. They never know when they are going into a school or a classroom where there is a child who is susceptible. Who has the onus of responsibility? Is it on the CRT or is it on the school to provide that training? If the school cannot do it, the CRT might take it on and pay for it themselves. This might be a reason for there to be regular training on a regional basis so that CRTs who are not attached to a particular school can undergo that training in case they go into a school where that would

be needed. Then there are other visiting professionals in schools, such as teacher aides and outside providers. It is very important that they are trained as well.

In addition, the regulations need to be careful to cover the transition times in education. When a child moves from child care to kindergarten, from kindergarten to primary school and from primary school to secondary school, it is important that their medical information and case notes move with them. It is the primary responsibility of the parents of the child, but it is something that should be part of the transition process, like other reports and all sorts of anecdotal information that are passed on from one level of education to another. This should be part and parcel of that process.

It is interesting that this will be enabled and made easier by the fact that we now have a department which combines child care, preschools and education. It is a more seamless sort of transfer. I remind the house that that is a longstanding Liberal Party policy, and we are glad the government has taken this up. This is one of the practical applications of that seamless transfer between those levels of education.

Finally, I wish to say something about ambulance calls. It is important that as part of a management plan an ambulance has to be called. It is not just the application of an EpiPen. The ambulance must be called immediately as a 'priority 0' for any child who has an attack. In that we are relying on an efficient ambulance service to deliver that aid. I have an ambulance black spot in my electorate. There is a preschool at Flinders and it takes a minimum of 30 minutes to get to that preschool — if there is an ambulance available in Rosebud. If it is in summer time, you can forget about it. It is incumbent upon governments to look at the provision of ambulance services for children — and there seems to be a growing number of children and even adults — who may endure an attack and whose lives may be in grave danger. With those words I look forward to seeing the regulations, and the practicalities of those regulations, and I support the bill.

Mr WYNNE (Minister for Housing) — It is with real pleasure that I rise tonight to support the Children's Services and Education Legislation Amendment (Anaphylaxis Management) Bill. In a previous life as Cabinet Secretary I had the opportunity to work on the development of this particular policy, which has now had its fruition here in the legislation before the house this evening. One of the reasons I was particularly interested in this question of anaphylaxis was the early exposure that my family had to this illness. My young son was a very good friend of a young boy who suffers from the life-threatening anaphylaxis, and I got to

understand in a very real way the pressures that are placed upon families who have to manage this particular illness.

In that context, the bill before the house today goes a long way to ease the minds of the families of children who are attending child care and school. They want an assurance that when their child goes to child care and school, and in a circumstance where the child may have an anaphylactic episode, the staff are properly trained to deal with those issues. This is a life-threatening illness, as we know. It is absolutely critical that all staff in both child-care centres and schools that have a child with an anaphylactic diagnosis are in a position to confidently deal with the child in the first instance while expert medical help is forthcoming.

Certainly in the representations that were made to him the Premier at the time, the Honourable Steve Bracks, instantly understood the importance of providing this basic and critical level of support to families in this situation. Tonight I want to acknowledge Kim McGrath, who played a pivotal role in shaping this legislation from within the Premier's office. I also acknowledge that there are a range of people in the chamber who have been listening to this debate who I know have put an enormous amount of time into assisting the government, through Anaphylaxis Australia, to ensure that the training programs that will be rolled out in 2008 will be very practical and will support both anaphylactic children and their families.

From my own point of view I have a child with a peanut allergy, but it is at the lower end of these allergies and is certainly nowhere near the anaphylactic end. My wife and I know that we have to be extremely careful, certainly about peanuts and peanut products. I would not seek to put myself forward in any other way than as someone who acknowledges that this is an issue across the broader community and certainly for families with children who have been diagnosed with anaphylaxis. I hope this bill is a comfort to those people.

When the bill was introduced I was delighted that Premier Brumby came into the house as an acknowledgement to those people and to say to them that this bill is fundamental to the government. It is essential that we put in place the proper mechanisms to ensure that these children have a safe environment in which to thrive, both in child care and in the broader education system.

The Baptist family was there that day, and I pay tribute to them. If this bill provides some level of comfort to the Baptist family, that is a good thing. I know this bill

is supported on both sides of the house, and I wish it a speedy passage. This is a good bill that will go a long way towards providing comfort to families by increasing the safety of children in child care and in school. I commend the bill to the house.

Mrs VICTORIA (Bayswater) — The purpose of the Children's Services and Education Legislation Amendment (Anaphylaxis Management) Bill is to require all children's services and schools with students diagnosed with anaphylaxis to have an anaphylaxis management program in place, beginning at the commencement of term 3 in 2008. The management program will establish mandatory minimum first-aid training for the teachers and staff in these facilities and establish storage guidelines for the EpiPen, which, certainly in Australia, is the most common form of administering adrenaline. It is also the most accurate and rapid method of helping people who are having an anaphylactic reaction.

Anaphylaxis is a severe and life-threatening allergic reaction. A lot of people would not know what it is triggered by. It is triggered not only by food but also by insect bites and stings, medications and in some cases latex. People might ask, 'How does that relate to children?'. It is relevant to kids who have contact with rubber gloves if they are doing yard duty, as so many now do in primary schools, or even perhaps with balloons during birthday celebrations. As I said, most commonly it is triggered by food allergies, and most people know about peanuts being a real trigger.

I have a very dear friend by the name of Basil, who says he is a very bad peanut allergy sufferer and who has had anaphylactic reactions to peanuts. I asked him to describe to me what happens when he first knows he is in trouble. He said, 'I can actually smell peanuts a mile away, and if food has peanut in it, so it is not just peanut-based food' — so not satay or anything like that — 'I can actually feel it'. It starts with anxiety, then he has pain in the palate if a bit of peanut touches his tongue and then he becomes covered in a rash — and he said that that has become less prevalent as he has got older, but it was certainly there when he was a child. Breathing then becomes very difficult, and eventually he passes out. That happens all within quite a short amount of time. I asked him how he knew he suffered from a peanut allergy. He said that as a five-year-old he was at a friend's house and he had a peanut butter sandwich, and the next thing he knew he was waking up in hospital. As he said, it put a fear into him for the rest of his life. Once children suffer from this, unfortunately most of them will carry it through to adulthood.

Basil was very lucky. He got to hospital — and this was well before the invention of the EpiPen or adrenaline-directed delivery. We know there have been tragic cases of children dying in Victoria from anaphylaxis while they have been in the care of teachers or child-care workers and outside the home environment. Many of the primary schools in my electorate of Bayswater have a student who has been diagnosed with the condition. It is very striking to see, when you walk into a staff room, that each child who has an allergic reaction to something has a big picture up on the wall with all the labels of what they are allergic to and what you are supposed to do to them if they suffer some sort of reaction. All the teachers and staff are well aware of which children are affected. However, until now it has not been the law that they must do that. Statistics show that one child in approximately 200 has been diagnosed as being at risk of anaphylaxis, which means that approximately 5000 children here in Victoria are affected.

The provision of EpiPens under the federal government's pharmaceutical benefits scheme, I am delighted to say, means that they are available to sufferers and also to providers such as schools and the like at very reduced cost to parents and to individuals.

The bill amends two acts of Parliament: the Children's Services Act 1996 and the Education and Training Reform Act 2006. The detail of the implementation will be prescribed by the regulations and ministerial orders rather than being in the bill to be debated here. The Education and Training Reform Act amendments will require that schools must register their anaphylaxis management plans. If they have a diagnosed student, they need to be registered with the Victorian Registration and Qualification Authority.

There are a couple of concerns, although overall this is a very good bill and the plans are certainly needed. Some uncertainty still prevails as to what the rollout will be when the policy is brought in. Specifically who will be given training and when is not specified, and I have spoken to a couple of primary schools in my electorate about this. One of the schools has already received training for all the staff, including non-teaching staff, but is very concerned about who will foot the bill for refresher courses and the training of new staff. It is fine that the whole school has been trained now, but what happens as new teachers and support staff come in?

Schools are very worried that they may have to fundraise to ensure that training happens. As one of the principals said to me, this is an essential part of a school community, not an option, so unless it is funded, it is

something that they are going to have to fundraise for additionally, on top of all the fundraising for maintenance and that sort of thing that they have to do now, because obviously the backlog of maintenance in some of the schools is very severe. The training budget allocated by the department is \$1.3 million. Having come from a background that required some training, that seems particularly low, and I hope there is some sort of strategy in place to have that raised as needed.

I have a concern regarding the insertion of proposed subsection (c) after section 4.3.1(6)(b) of the Education and Training Reform Act 2006:

“(c) if the school has enrolled a student in circumstances where the school knows, or ought reasonably to know, that the student has been diagnosed as being at risk of anaphylaxis, the school has developed an anaphylaxis management policy containing matters required by a Ministerial Order to be included in the policy.”.

The words that concern me are ‘ought reasonably to know’. Are we now saying we need crystal balls? If a child who has never been exposed to peanut comes to school and ends up having a peanut allergy in prep or grade 1, how is it that the school ‘ought reasonably to know’? There is a bit of an anomaly here, and I wish it was a bit clearer. Will the diagnosis of this condition fall upon the school or will it come back to the child service provider at a kinder or crèche? Responsibility should initially be placed on parents or guardians to inform the school or child service provider of their child’s diagnosed condition.

We also need to stress that code 0 ambulance calls need to be made. Most people would know the term ‘code 1’. ‘Code 0’ means that a child needs to get to hospital urgently as a matter of life or death. I have concerns about that, because unfortunately this government has been failing to meet the 13-minute code 1 response times that it promised a while ago. It has now increased the time of targets for attendance of ambulances on code 1 from 13 minutes to 15 minutes, which is unacceptable for people in urgent need.

Unfortunately there will be children who have anaphylactic reactions, and there will be people who are trained to use the EpiPen. I hope that ambulances attend on time and that people get the extended care in hospitals they need after having adrenaline, because there are cardiology implications. I support the bill. In essence it is very good. There are a couple of things that need to be ironed out, but we certainly need this sort of plan in all our primary schools.

Ms NEVILLE (Minister for Mental Health) — I am very pleased to speak briefly in support of the

Children’s Services and Education Legislation Amendment (Anaphylaxis Management) Bill. This bill will require proprietors of children’s services to ensure that they have in place an anaphylaxis management policy and will impose similar requirements in our schools. We should be proud that we are the first Australian jurisdiction to introduce legislation for anaphylaxis management. This is not an insignificant problem, as research indicates that there are about 25 000 before-school-age children across Australia who will have at least one anaphylactic reaction. It is suggested that Australia has one of the highest rates, and there is evidence of a growth in the incidence of anaphylaxis in Australia and also in the United States of America, the UK and Canada.

As members of the house have spoken about already and would be aware, the former Premier made a commitment back in October last year that Victoria would become the first Australian state to mandate training for child-care workers, kindergarten teachers and schoolteachers to treat children with life-threatening allergies. This followed the tragic death of Alex Baptist, and unfortunately there have been other children and young people who have died as a result of anaphylactic reactions.

At the time of the commitment the government made it clear it would mandate minimum safety standards for children at risk of anaphylaxis while at school or in early childhood services. After the state election, as the then Minister for Children, I was pleased to be able to commence the process required to prepare the legislation and drive the training program. Immediate action commenced prior to the legislation to introduce a training program for our early childhood teachers and schoolteachers.

Around 2500 children’s services staff and over 8000 school staff have since undergone anaphylaxis management training, and the funding that has been provided by the government will ensure that over the next five years around 70 000 early childhood teachers and schoolteachers undertake their training. The training is focused on ways to minimise the risk of a child having an anaphylactic reaction, recognition of the signs and symptoms of allergic reactions, and very importantly, emergency treatment and practice with an EpiPen trainer, which gives an adrenaline injection. We know how crucial that is in saving a child’s life where it can be safely and quickly administered.

We are aware that it is not just a matter of the training, policies and plans that need to be in place in relation to children’s services and schools, it is also the important area of research that needs to be undertaken to better

understand this growing allergic reaction. As I indicated before, one of the big things about what makes this disorder a little different to others that children suffer from — epilepsy, asthma or diabetes — is not only that it can be fatal but also that it is very little understood by our community.

The process of training is about increasing understanding and awareness in our children's settings, but what is also important, as I said, is investing in research and a better understanding as a community of anaphylactic reactions. That obviously helps in understanding the warning signs and symptoms and also in terms of developing treatments as we move forward. The government has been involved in partnerships with, for example, the Ilhan Food Allergy Foundation and the Royal Children's Hospital, which are doing very important research work to better understand this issue that confronts so many children in Victoria and across Australia.

When I was Minister for Children the government established the allergy working party, comprising representatives from the Department of Human Services (DHS) and experts in allergic disorders. The working party has examined the issues around diagnosis, prevention and management of allergic reactions including anaphylaxis and continues to provide the Minister for Health with valuable advice in these areas.

As I said, we should be proud that we are the first state to introduce legislation for this compulsory training. A large number of our early childhood staff and teachers have already undertaken the training. Over the next four to five years about 70 000 early childhood and school staff will have participated in the training. Children at risk of severe allergic reaction do need to be safe when they are in kindergarten and child care and at school. Their parents and carers also need to have confidence in these services, that the people providing them are appropriately aware and trained in how to respond to the particular allergic reactions that a child might have.

I am pleased that the legislation is now before the house and that it appears to have the unanimous support of members of the house. One of the most important responsibilities we have as a government, Parliament and community is to look at how we can better support, work with and protect vulnerable children in our community. I am confident that the legal requirements that we are setting out in this legislation will increase the safety of children in our schools and our childhood settings. I commend the bill to the house.

Mr NORTHE (Morwell) — It gives me great pleasure to make a contribution to the debate on the Children's Services and Education Legislation Amendment (Anaphylaxis Management) Bill 2007 — a mouthful in itself. Amongst other things, the purpose of the bill is to amend the Children's Services Act 1996 to require a proprietor of a children's service to have in place an anaphylaxis management policy and to enable regulations to be made to prescribe the matters to be included in an anaphylaxis management policy and requirements for anaphylaxis management. It amends the Education and Training Reform Act 2006 to require certain schools to have an anaphylaxis management policy as a minimum standard for registration and to enable the minister to make orders setting out the matters required to be included in an anaphylaxis management policy. Now that I can pronounce that quite well, I will get on with it.

The Nationals will not oppose the bill, as the member for Lowan said. As has been mentioned earlier, the intent of the bill is no doubt quite noble, but we express some concerns about how its provisions will be applied, particularly the training aspect, which I will come to in a minute. I commend both the Minister for Children and Early Childhood Development and the member for Lowan on their thorough consultation with various groups. They include the Australian Medical Association — Victoria, Anaphylaxis Australia, the Ilhan Food Allergy Foundation, the Royal Children's Hospital's allergy department, the Asthma Foundation of Victoria, Ambulance Victoria First Aid — which has conducted some of the training sessions — Parents Victoria, the Association of Independent Schools of Victoria and the Catholic Education Commission of Victoria. The member for Lowan also undertook extensive consultation with a number of schools within his electorate and got quite a lot of feedback from them.

Anaphylaxis, or anaphylactic shock, is a severe allergic reaction most commonly caused by nuts — particularly peanuts — insect stings and some medicines. This is obviously a childhood disorder or illness which is different from epilepsy, asthma, diabetes and other conditions, because anaphylaxis is a sudden and severe — and potentially fatal, if not treated urgently — allergic reaction. The urgent treatment is one aspect I want to talk about. Current research indicates that approximately 1 in 200 children in Victoria have been diagnosed as at risk of anaphylaxis, and that equates to somewhere in the vicinity of 5000 children, so it is quite a high number.

Data collected by the Royal Children's Hospital over the past six years indicates that there has been a tripling of admissions of children with this particular disorder.

As members know from those who have spoken on this bill earlier, to prevent severe injury or death, a person experiencing an anaphylactic shock must be treated swiftly, normally with an injection of adrenaline. The adrenaline is generally administered through an auto-injecting device, commonly known as an EpiPen. As we know, most deaths occur away from home and that is why it is important that members are discussing this bill today. Ninety per cent of the fatalities among people with the disorder occur when the adrenaline is not administered within 15 minutes of a person having a reaction. The treatment must be given swiftly as it is urgent. As I said, the intent of the bill is noble in that respect.

Awareness of this particular disorder has grown over a period of time, including through the Ilhan Food Allergy Foundation. We have seen the unfortunate passing recently of John Ilhan, who made a great contribution to awareness of the disorder that one of his daughters suffers from. We have also had the case of Alex Baptist, to whom other members have made reference tonight. It is a terrible situation when a young boy can go off to kinder or a child-care centre and not return. I applaud the minister and the government for involving Alex's parents, Nigel and Martha, in contributing to the preparation of this bill. That is really important, and it is great to see. As a parent of young children I acknowledge that the thought of something like that happening to your children is terrible, so in this instance the contribution of parents is really important.

The members for Lowan and Caulfield mentioned the need for swift treatment for the disorder. Ambulance services in regional Victoria are one aspect of that treatment. Reference has been made to some concerns that Nationals members have. An ambulance is not always available immediately, so it is important that teachers and staff at child-care centres, kindergartens and the like are trained to provide the necessary treatment if it is required. Just today there is a report in the *Weekly Times* of an elderly lady in regional Victoria having waited 4 hours for an ambulance. We cannot rely on an ambulance in those instances and we need our teachers and other staff trained up to administer this type of medication.

One of the concerns The Nationals have is the onus that falls back on teachers and even principals of schools. They have a huge responsibility now, in having to administer this type of medicine. The recent teachers dispute reflected that. As it is, a number of responsibilities fall on teachers and this is another responsibility, which The Nationals express concern about. As I said, the recent teachers strike acknowledges that. Whilst I do not want to get into a

debate about the rate that teachers are paid, we are concerned about further requirements of teachers and staff.

Obviously the training of those who will ultimately be administering this type of medication is of some concern. Ambulance Victoria First Aid has already provided and will provide some training. My understanding is that a minimum of 2 hours of training will be given. The member for Lowan did not have the opportunity in his contribution to point out some of the facts. In a study conducted by the Royal Children's Hospital involving 100 doctors, only 2 followed all six administration steps correctly. A number of errors occurred and they included failing to hold a pen in place for more than the required 5 seconds, failing to apply pressure to activate the release of the adrenaline, and a self-injection into the thumb. Only 41 per cent of the doctors were able to demonstrate the remaining five steps correctly after reading the instructions.

We must ensure that when the training is conducted it is conducted properly. Follow-up training is imperative as part of that. We have probably all been through training courses such as those conducted by St John Ambulance and the like. We know what we are doing, but if you do not continue to have follow-up training, after a period of time you tend to forget. The follow-up training for administering medication in a life-or-death situation is important. I know that some government members have acknowledged that in their speeches, but it is important that it is followed up on a regular basis for all teachers.

Time does not permit me to go much further. As I said, the intent of this bill is very noble.

The ACTING SPEAKER (Mr Nardella) — Order! The time has come for me to interrupt the business of the house.

Business interrupted pursuant to standing orders.

ADJOURNMENT

The ACTING SPEAKER (Mr Nardella) — Order! The question is:

That the house do now adjourn.

Rail: Brighton level crossing

Ms ASHER (Brighton) — My adjournment issue is with the Minister for Public Transport. The action I seek from her is to ensure that the historic New Street railway gates remain open. The history of this issue is that Connex wishes to install boom gates at this

location. This is the worst possible option. The configuration of roads indicates that this is a very dangerous option.

I presented a petition with 4000 signatures to this Parliament. Since then another 1000 signatures have been collected. Two of the notable signatories on this petition to save the New Street gates are John Lenders, the Leader of the Government in the upper house, and the Honourable Simon Crean, the newly appointed federal Minister for Trade. I hope the Minister for Public Transport will take note of her own colleagues' support for the New Street railway gates remaining open.

I surveyed residents who live in the area surrounding these gates, and their preferences in order were: firstly, to keep the manually operated gates, and secondly, permanent closure. Their last preference was boom gates, which is the original position taken by Connex. There have been two train smashes at this crossing in the last 18 months, therefore safety is the key issue for my constituents. Connex has now applied for permanent closure of the gates, and they have been shut since the last train smash.

The minister would be aware that there has not been a full study of traffic flows in South Road, Were Street and Dendy Street. These are the points for right-hand turns now that Connex has made its independent decision to shut this major thoroughfare in my electorate. Connex seems to think that cars can easily turn right in this area. Again I hope the minister is aware that at South Road, turning off Beach Road, there is a 'No right-hand turn' sign. If you wish to turn right into South Road, Brighton, you have to turn right into Brighton Beach railway station car park, which is not desirable, as the minister would know.

I remind the minister that if Connex is to get its way and have the gates permanently closed, which will create significant traffic problems in Brighton, there will need to be substantial traffic studies and significant road upgrades, at a minimum. If these gates at New Street are to be shut, the best option would be a grade separation at South Road.

Again I urge the minister to take note of the petition that has been presented to this Parliament. This is a major traffic issue in my electorate. The minister needs to ensure that Connex is not dictating terms. I know that she does not like emails; I know that she does not like representations; but she needs to get right on top of this major issue in the electorate of Brighton.

Judge Book Retirement Village: sale

Mr HERBERT (Eltham) — The matter I wish to raise is for the attention of the Minister for Consumer Affairs. I ask that the minister use all the powers available to him to protect the rights of residents of the Judge Book Retirement Village in Eltham, which may be threatened by Melbourne Citymission's decision to sell the facility. I ask the minister to use his departmental resources to ensure that Judge Book is sold to a not-for-profit organisation with a vested interest in providing quality care for poorer Victorians rather than a profit-driven or foreign-owned entity. I also ask the minister to ensure that his department liaises with the relevant commonwealth department that is responsible for nursing homes so that the combined powers of both governments can look at ensuring that the tenure and other rights of the 240 residents of Judge Book Retirement Village are protected in both the short and long term.

After 50 years of providing quality care for older Victorians, Melbourne Citymission has decided to get out of aged-care and nursing home provision and sell its Eltham retirement centre, known as Judge Book. Whilst Melbourne Citymission has indicated to me that it wishes to protect residents' rights and sell to a not-for-profit provider that can achieve greater cost savings through greater efficiencies of scale — I have no reason to disbelieve the mission on this issue — the fact is it is selling through tender rather than through negotiation, and this is a cause of great angst to residents, who are petrified about the uncertainty of their tenure.

The residents of this community are often frail and vulnerable, many without family support. They generally come from low-income backgrounds, and they simply cannot afford to pay the rates that are asked in many of the private for-profit aged-care facilities. How they are treated by Melbourne Citymission will be crucial to the test of that organisation's ongoing integrity. We should be crystal clear on the fact that Melbourne Citymission's reputation, its honesty and its integrity are on the line here. There are many excellent not-for-profit aged-care providers that operate both locally and within Victoria. I urge Melbourne Citymission to negotiate with these providers to take over the operation of Judge Book Retirement Village, rather than seeking profit from a fire sale. I ask the minister to use all his powers to ensure that this happens.

Water: irrigators

Mr CRISP (Mildura) — The matter I wish to raise is with the Minister for Water. The action I seek is compensation for irrigators affected by delays in the approval of temporary water trades by Goulburn Murray Water and Lower Murray Water.

Temporary water trading in the Murray system is continuing to cause water supply and cash flow disincentives for participants in the market. In some cases purchasers of temporary water are having to wait in excess of eight weeks for their trades to be approved. This is a totally unacceptable time frame in today's business world. Sellers are often not receiving money from sales for in excess of eight weeks. Purchasers have generally paid their money into a trust account within three days of the trade being initiated. There are trust accounts in existence containing tens of millions of dollars, with very limited regulatory controls.

In a period of water and cash drought, irrigators are experiencing the worst of both worlds. Each trade involves a number of authorities and significant paperwork, which introduces opportunities for errors and lost paperwork. There is clearly a need to inject resources into addressing water trade issues and developing 21st century solutions. What we have now is the shuffling of papers between the buyer, the seller and the agencies involved. A 21st century solution should see a trading transaction concluded within 14 days. If the government agencies cannot do this, they should get help. If they cannot fix the problem themselves or get help, then compensation should be paid.

This issue is causing undue stress in difficult times for irrigators and destroying confidence in water trading. If the water authorities cannot perform to the accepted business practice of 14 days when transferring water, irrigators should be compensated.

Commonwealth-state relations: small business

Mr FOLEY (Albert Park) — The matter I raise is for the attention of the Minister for Small Business. The specific action I seek from the minister is that he take the initiative and begin the process of actively cooperating with the new federal minister responsible for small business and with ministers in all the other jurisdictions around Australia to promote the role of small business in our community.

I am delighted that there are Labor governments federally and in all the jurisdictions across Australia. It has created an exciting opportunity for businesses

across all those jurisdictions. There is now an opportunity to improve programs and services for businesses — and small businesses in particular — including those in my own electorate of Albert Park, which has just hosted the Telstra business awards for the year. The small businesswoman of the year actually comes from the Kikki.K business in my electorate.

I am pleased to say that the federal government has appointed a new Minister assisting the Finance Minister on Business Deregulation, and this might well provide an opportunity for the government to lead. I urge the minister to act quickly to take full advantage of the unique opportunity provided by wall-to-wall, I think the expression is, Labor governments.

I look forward to the introduction around Australia of policies to benefit small businesses that are already working here in Victoria. These might include making government agencies pay businesses promptly within 30 days and increasing small business's share of government contracts — —

Dr Napthine — Paying your hotel bills when you stay somewhere is the first thing you need to do.

Mr FOLEY — Thank you for that considered interjection. I also look forward to cooperation in, for instance, cutting the burden of unnecessary red tape; bringing uniformity to resolving business disputes; making available national high-speed broadband; increasing skills in our workforce; adding fairness and certainty in our workplaces; establishing a superannuation clearing house; and finally rationalising programs and outlets servicing small businesses in particular.

This combination of factors will ease the burden on small businesses trying to make an honest dollar across Australia. Now that there is the certainty of a regulatory regime in Victoria that might well be copied elsewhere in this country, I ask the minister to give this matter his urgent attention.

Vestas: Portland blade manufacturing plant

Dr NAPHTHINE (South-West Coast) — The issue I wish to raise is for the Minister for Regional and Rural Development. I seek immediate action from the minister to save 135 jobs at the Vestas wind blade manufacturing plant in Portland. During the state election in November 2006 the Labor Party promised people in south-west Victoria, and especially the people employed at Vestas, that their jobs would be secure for the long-term if a Bracks Labor government were re-elected. Therefore the 130 workers, their families

and the wider Portland community were shocked and devastated when Vestas said the plant would close completely in December. The plant is still open and urgent action is needed, including meeting with Vestas management, to keep the factory open and keep the jobs in Portland.

When Vestas said the plant would close the Victorian government said it was the fault of the federal government. Indeed the Minister for Industry and Trade in the other place, Mr Theophanous, said:

The reason why Vestas has been unable to continue its operations in Portland is very squarely and directly as a result of the federal government's refusal to extend its renewal energy scheme ...

The then federal shadow Minister for the Environment and Water Resources, Peter Garrett, said at the same time, as reported in the *Age*, that it was due to the federal government. Now we have an elected Rudd Labor government, and this is a unique opportunity for the state government to act to save these jobs. If Vestas still closes and these jobs are lost after the election of the Rudd Labor government, the people of Portland and those people who will lose their jobs will know that the Labor Party deliberately misled them in the state election last year and again deliberately misled them this year when it blamed federal government policies for this closure.

The federal government has changed. Now we need the Minister for Regional and Rural Development to go to Portland to meet with Vestas management and save these jobs. If it is truly the fault of the previous federal government that Vestas made the decision to close, there has now been a change of federal government, so the state government, which blamed the federal government for the closure, now needs to show its wares. It now needs to prove that what it said is true. It needs to go down there and convince Vestas to keep the factory open and keep the jobs of the 130 people making wind blades for wind energy. If it cannot achieve that, if it cannot save Vestas and if it cannot save those jobs, the people of south-west Victoria will know they have been conned, lied to and cheated by the Labor Party at both state and federal levels. The government said that if the federal Labor Party were in power those jobs would be saved. Now it is in power, the government should save those jobs and prove that what it said is true.

Darebin International Sports Centre: facilities

Ms RICHARDSON (Northcote) — The issue I raise is for the Minister for Sport, Recreation and Youth Affairs and concerns the Darebin International Sports

Centre, or DISC, in the electorate of Northcote. I ask the minister to visit the centre to explore firsthand what improvements could be made to ensure that DISC remains a premier sporting facility. DISC is located in the John Cain Memorial Park in Thornbury. It is home to the State Lawn Bowls Centre, State Cycling Centre and the State Football Centre. The centre was the host of the 2006 Commonwealth Games lawn bowls event, the Asia-Pacific games and the Australian open.

The facilities at DISC include four international standard lawn bowls greens, indoor synthetic greens, three synthetic soccer grounds and an indoor 250-metre velodrome, which is the only permanent velodrome in Melbourne. CycleSport Victoria, the Darebin City Bowls Club and Football Federation Victoria all call DISC home. I would like to emphasise that thanks to the Labor government's \$1 million commitment to the centre announced earlier this year and to the opportunities that that presents for DISC, Bowls Australia has also announced that it will be making DISC its headquarters. I was very pleased to join the minister on 16 February, just prior to the commencement of the Australian open, when he made this most significant and important announcement for DISC.

As we know, lawn bowls is experiencing a surge in popularity across all age groups, and in recognition of this the government has made this important investment in our premier bowls facility. The minister, who I am pleased to see is here in the house, no doubt recalls the day when the \$1 million investment was made at DISC and Australian and British players were there to join with us. As I said, it was just prior to the commencement of the Australian open. Members will recall that it was a stinking hot day, which was unfair on one particular British player, who actually keeled over midway through the event. The old saying about mad dogs and Englishmen sprang to mind at that moment, but fortunately all ended well.

I look forward to the minister taking this action to ensure that DISC remains a premier sporting facility and continues to go from strength to strength.

Motorcycles: licences

Mr MULDER (Polwarth) — The matter I wish to raise for immediate action is for the Minister for Roads and Ports. As a matter of urgency I call on the minister to immediately upgrade the VicRoads motorcycle learner permit accredited course and place greater emphasis on on-bike and on-road experience. The new course should cover aspects of defensive rider training, including on-road training for P-plate category riders and, if

possible, should extend on-road training to the pre-L-certificate category. The minister will also need to address the lack of TAC insurance for pre-learner-certificate riders involved in on-road training.

Motorcycle riders are among those described as vulnerable on our roads, along with pedestrians and cyclists, yet there appears to be no clear strategy or effort to support them. There is also a total lack of research into motorcycle accidents in Victoria. The five-year average of motorcycle deaths is 43, and to 3 December 38 people have been killed this year. Motorcycle riders have been stereotyped by the state Labor government, hit with an unfair \$50 levy and excluded from government programs provided for other vulnerable road users.

The government announced a \$72 million program for a cycling and walking strategy, yet motorcyclists were left out. There is no indication that this government takes its concerns seriously or in any way assists in the reduction of motorcycle deaths and serious injuries. Industry sources have advised me that the statistics surrounding motorcyclist deaths are inadequate and totally misleading, in that a large proportion of those killed are licensed motor car drivers who ride motorcycles illegally. Along with this, many are off-road incidents. Around one-third of all accidents involving motorcyclists are where a motorcyclist is hit from behind by a car.

Earlier this year I attended the HART (Honda Australia Rider Training) motorcycle training and licensing course at Tullamarine and obtained my motorcycle learners permit. The instructors were highly professional and the course was well supported. HART and other accredited motorcycle licensing testers provide VicRoads accredited courses. The problem is not with the providers of the course, it is with the minimum requirements for on-bike experience and no on-road experience for learners and probationary riders.

I had never ridden a two-wheel motorcycle until I arrived at HART and carried out a two-day course. During that time I would have had a maximum of 6 hours experience on a motorbike. I passed a riding test and was ready to be sent out on to the road to mix it with the traffic. Was I ready? No, I was not. Compare this to the provisions for learner drivers in relation to compulsory behind-the-wheel experience and you soon get an indication that there is a glaring anomaly with this system, and it needs to be changed.

I sat the test to gain some firsthand experience, and have not committed to buying a motorbike at this stage. If I did, I would be obliged by my duty of care to others

to spend one hell of a lot of time in a vacant car park or on an abandoned road honing my skills. I went through the course with approximately 10 people, a lot of them young people. To this day I am still concerned about their lack of experience. Now is the time to fix this up.

McIvor Reserve, Yarraville: synthetic playing surface

Mr NOONAN (Williamstown) — I wish to raise a matter for the attention of the Minister for Sport, Recreation and Youth Affairs, and it is pleasing to see him in the house tonight. The specific action I seek from the minister is that he considers favourably an application by the Maribyrnong synthetic turf sports centre to provide synthetic resurfacing for the sporting fields at McIvor Reserve in Yarraville.

McIvor Reserve is the leading centre for hockey in Melbourne's west, and very much plays a backstop role to the State Netball Hockey Centre. It is home to over 500 hockey players in 38 teams, ranging in age from youths to seniors and split equally between male and female players. On many occasions McIvor Reserve has played host to both state and national hockey finals, as well as international games. In addition to hockey, a number of other sports also utilise the sporting fields. At present the reserve is home to elite lacrosse activities in Victoria, is used by Gridiron Victoria and is increasingly being used by local soccer clubs. The fields are also subject to extensive use by local schools.

The synthetic turf fields at McIvor Reserve are in real need of replacement. One field already has limited use because of age and extensive use, whilst the other — a 'watered' synthetic pitch — will become unusable if water restrictions are tightened in the future.

In its application centre management proposes the replacement of these surfaces with a new, non-sand-based, non-watered synthetic surface. The advantages of replacing the fields with these new improved synthetic surfaces are fourfold: first, the new playing fields will be available for use at any time regardless of the drought's effect on water availability; second, the use of these new hybrid synthetic surfaces will cut water use by 75 per cent; third, they will alleviate pressure on the State Netball Hockey Centre by offering an alternative site for competitions in the western metropolitan region as well as state carnivals, state team trials and training; and fourth, they will allow centre management and the City of Maribyrnong to offer the facility for extensive soccer usage, an option previously unavailable given the nature of the existing, early-generation synthetic turf surfaces.

The resurfacing of these ageing synthetic turf fields is a major project and requires a considerable investment. The centre has already secured substantial financial support from the Maribyrnong City Council and from its anchor tenant, the Footscray Hockey Club. I should add that the application carries with it the support of Hockey Victoria, Gridiron Victoria and Lacrosse Victoria. The centre seeks to secure a significant contribution from the state government's recently announced synthetic surfaces program, which is part of the Drought Relief for Community Sport and Recreation program 2008.

In conclusion, I would urge the minister to consider favourably the application to resurface the synthetic turf fields at McIvor Reserve. I do so with the support of my neighbouring parliamentary colleague, the member for Footscray.

Rail: Frankston line

Mr MORRIS (Mornington) — The matter I raise this evening is for the Minister for Public Transport. I ask the minister take urgent action to ensure the safety and security of commuters, their cars and other personal effects at stations along the Frankston line and particularly at Seaford station.

I have received complaint after complaint about conditions along the Frankston line, especially in the Seaford area, and particularly relating to security in those locations. On Monday of this week I received a letter from a constituent who has suffered a lot more than the usual intimidation, threatening behaviour and incidents involving broken glass. I would like to read part of that letter:

For the last few months, the Seaford train station parking lot has suffered from extensive vandalism and theft. There is broken glass everywhere on a daily basis, throughout the parking lot. Several cars are broken into, stolen, and vandalised, on a daily basis. There seems to be no attempt being made to improve the situation. We do not understand why commuters cannot be protected from such crime. We want to do the 'right thing' and use public transport. However, we must be able to feel safe and to know that our property is protected.

On 23 October 2007, we left our car in the parking lot at 7.40 a.m., to catch the 7.50 a.m. train to the station. When we returned at 6.00 p.m., our car was gone. We went to the Frankston police station, where we were told that our car had been set on fire at the Seaford train station. Fire trucks and police had been called to the scene, and, after the fire was extinguished, our car was taken away. Our car ... was a total write-off. Surely this isn't good enough — our car should not be torched, especially in broad daylight, at a public train station!

I can only endorse those comments. The letter concludes:

In talking to other people who park at Seaford, many have been the victims of crime there. Why can't something be done?

That is precisely my question for the minister: why can something not be done? Something must be done. This sort of incident drives people away from trains in droves, and so it should. We all know people are crammed in like sardines in peak hour, but there is great scope to improve patronage off peak. If they have a choice, people on this line will not travel on trains. Those who must are at best uneasy and at worst they are scared. An investment in security would not only improve conditions for commuters but would pay dividends for the government in terms of improved off-peak patronage. Most importantly, travellers would have peace of mind, and that is something money cannot buy.

I urge the minister to act now to protect travellers and their property from a clear threat to their safety, and before the property damage escalates and someone gets seriously hurt.

Rail: Ascot Vale station

Mrs MADDIGAN (Essendon) — I also have a matter to raise with the Minister for Public Transport. It relates to parking, or the lack of parking, at the Ascot Vale station. I ask the minister and her department to assist by investigating an option that has been suggested by Moonee Valley City Council and to see if some adjacent land can be incorporated, which would increase the number of parking spots in that area quite substantially.

Ascot Vale station is a very old station, and stations such as this did not have parking as part of the plan when they were established. It means that at Ascot Vale station now there are probably about seven car parking spaces. Adjacent to the Ascot Vale railway station is some vacant land which is quite small but does not have any significant use for recreation or other purposes. Moonee Valley council has drawn up a plan and is of the view that it would be able to create approximately 40 parking spaces in this area by doing some levelling-off work and some other work in the area. The difficulty is that there are small parcels of land that are owned by about four different state government departments. I am seeking the assistance of the minister to see if we can work through her department to ensure that that land is released and Moonee Valley council can then use that space to provide more parking in the area.

Ascot Vale has a very high percentage of train travellers, and there are significant problems with people parking in residential streets around the Ascot Vale station. This is an ongoing problem, and a problem that Moonee Valley council has had some difficulty addressing because there is no vacant land in that area at all. This proposal seems to me to be a very useful one. It would increase parking to a level that would probably meet the demands of the local community.

Some of the stresses on parking in my electorate have been reduced by the new stations further up the line, which also have quite substantial parking. There are less cars driving through Essendon to park at our stations now that there is capacity further up the line. But there is still a substantial problem for people who live in Ascot Vale and who are not really close enough to walk to the station but still wish to catch the train to work.

I ask the minister if she could get her department, in cooperation with other departments who own land in that area, to investigate whether that land can be made available to Moonee Valley council to increase the parking capacity at Ascot Vale station.

Responses

Mr MERLINO (Minister for Sport, Recreation and Youth Affairs) — The member for Northcote asked that I visit the Darebin International Sports Centre, a centre that is yet another jewel in the crown of Melbourne's sporting facilities. As the member pointed out, the centre has enjoyed strong support from the Victorian Labor government. Including the funding that we announced together earlier in the year, some \$14.45 million has been invested in this facility, developing it into a world-class centre that is used by hundreds of lawn bowlers, cyclists and world game enthusiasts every week. Importantly, it caters for both community and elite-level sport.

As the member for Northcote pointed out, it was used for the bowls competition during the Commonwealth Games and for the Australian open bowls competition. It is the home of bowls in Victoria and also the home of Football Federation Victoria. I would be more than happy to visit the venue with the member for Northcote early in the new year and discuss future opportunities for the organisations and clubs that utilise this very important facility in Darebin.

The member for Williamstown raised a project in his electorate which aims to significantly improve the synthetic surfaces at McIvor Reserve in Yarraville. As

the member mentioned, we are certainly seeing a shifting landscape in how we play sport in the face of climate change. Drought-resistant turf and synthetic surfaces are becoming increasingly popular options for local clubs and councils. The Brumby government is acutely aware of this, and that is the reason that synthetic surfaces formed a key plank of our recently announced \$12.9 million Drought Relief for Community Sport and Recreation program. Of this program funding \$3.6 million has been put aside to lay synthetic surfaces at key locations across the state to ensure the viability of local leagues and competitions.

I can assure the member for Williamstown that I will sit down with my department and discuss this proposal for McIvor Reserve. We need to invest in synthetic services to meet the demand of participation, particularly in growing sports such as hockey and soccer, but also to meet the challenges of climate change.

In conclusion, as we head into what could prove to be another long, hot summer, I would like to pay tribute to the wonderful and dedicated work that local sporting clubs and councils are doing to keep grassroots sport alive during the drought. Through working together we really are achieving terrific outcomes for community sport, despite the very severe challenges that this drought is throwing up at local communities across the state.

The ACTING SPEAKER (Mr Nardella) — Order! The Minister for Sport, Recreation and Youth Affairs, to respond to the honourable members for Brighton, Eltham, Mildura, Albert Park, South-West Coast, Polwarth, Mornington and Essendon.

Mr MERLINO — Acting Speaker, I will raise those matters with the relevant ministers for their action.

The ACTING SPEAKER (Mr Nardella) — Order! The house is now adjourned.

House adjourned 10.32 p.m.