

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

LEGISLATIVE ASSEMBLY

FIFTY-FIFTH PARLIAMENT

FIRST SESSION

9 October 2003

(extract from Book 3)

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By authority of the Victorian Government Printer

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FIFTY-FIFTH PARLIAMENT — FIRST SESSION

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Thursday, 9 October 2003

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

PETITION

Weapons: control

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

The humble petition of we the undersigned sheweth that we disagree with the intended change to legislation of swords, crossbows and deactivated explosive devices.

Your petitioners therefore pray that the act remains as it is now.

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

By **Ms DUNCAN (Macedon) (207 signatures)**

Laid on table.

PAPERS

Laid on table by Clerk:

Albury-Wodonga Agreement (Repeal) Act 2003 — Determination under s 13(1)

Subordinate Legislation Act 1994 — Minister's exception certificate in relation to Statutory Rule No 111.

MEMBERS STATEMENTS

Diamond Valley Little Athletics Centre

Ms GARBUTT (Minister for Community Services) — I would like to congratulate the Diamond Valley Little Athletics Centre on the opening of another season at Willinda Park in Greensborough last Saturday.

It is always a great day, but last Saturday I think a record number of children registered — over 700. They were all there, and their parents were there, so there was a big crowd, and they are very enthusiastically looking forward to a great season.

It is a terrific demonstration of the success that comes when an active community and active volunteers are all working hard together for the sake of their children. It was a great thing to see the families there all very happy and involved.

Nine clubs are involved at the centre, and they all have their own committees, but they are also run by a committee of volunteers at the centre. I would like to recognise the work of the committee, whose members are of course all volunteers. They include Andrew Stirling, who does a great job as president; Andrew Edney, the very hardworking secretary who has been there for many years; and Karen Norden, the treasurer. In fact, around 30 parents are actively involved on the committee. They run the whole day, they run the centre, and they also contribute to the Victorian Little Athletics Association. It was my great pleasure to present certificates.

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

Vicroads: asbestos removal

Mr HONEYWOOD (Warrandyte) — On 18 July this year I wrote to both the Minister for Workcover and the Minister for Transport to alert them to an urgent issue related to the unsafe removal of asbestos from a large number of Vicroads-owned homes that were then being demolished, allegedly as part of the Mitcham–Frankston tollway project.

One and a half months later, when the local newspaper, the *Maroondah Leader*, raised this issue, the following confirmation was provided by the trade union movement:

Construction, Forestry, Mining and Energy Union occupation health and safety representative Les Smith confirmed that the asbestos removal at [the Ringwood sites] was unsafe after he inspected the site on 5 June.

The procedures were not properly carried out in the asbestos removal ...

The asbestos was not immediately sealed. There was potential for the residents to be exposed to asbestos.

Mr Smith confirmed that the residents 'were not protected in any way' before he inspected the site.

'It was a dangerous site', he said.

Asbestos was present in the roofs, the eaves and the walls of the houses.

One and a half months later when the local newspaper, the *Maroondah Leader*, raised this issue the following confirmation was provided by the minister's representative, Joel Deane. The article noted that I, as the local MP, had written to the two ministers and that Mr Deane had said Vicroads and Workcover were dealing with the matter. Mr Deane said the issue was being taken seriously and that 'Mr Honeywood would soon receive a reply'. We are now almost three months

down the track and still I have had no reply on this urgent asbestos issue in my electorate. Residents' health has been put at risk, with young children playing in dumps with no cover on the asbestos material, and here I have another letter from me to the ministers asking for a response.

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

Country Fire Authority: Modewarre brigade

Mr CRUTCHFIELD (South Barwon) — I draw the attention of members to the growing, active and generous community of Moriac. On Saturday, 13 September, I had the pleasure of attending a fancy dress ball for Moriac preschool, which was held at the Modewarre Football Club.

An honourable member interjected.

Mr CRUTCHFIELD — It was a 70s night, so I did not have to go out and borrow any gear!

It was a lively night of entertainment, with a great band and great company. I congratulate Sally and Tim Head for the organisation, and thank Brian and Sharon Pegg and Brett and Helen Cunningham for their invitations. I also congratulate Brian Pegg Real Estate on the generous donation to the raffle.

On Monday last I met with the Modewarre fire brigade, which is also based, confusingly, in Moriac township. I was shown the station and appliances and met with the truck replacement committee, headed by Michael Meeson. It is a particularly active and professional brigade, which services not only the growing township but also the busy Princes Highway. The brigade has a healthy and growing membership which reliably services day and night turnouts; and it has recently established a junior brigade, which augurs well for their future.

The brigade has applied on four occasions to the Country Fire Authority to be listed as a regional priority for funding for a replacement tanker, as its second one is over 20 years old. I urge the region CFA to urgently consider listing the Modewarre tanker as a priority for replacement.

Echuca: speech pathology services

Mr MAUGHAN (Rodney) — I wish to bring to the attention of the house the very serious problem of the lack of adequate speech pathology services for children attending primary schools in the Echuca area. As members will appreciate, it is of the utmost importance

that children who have speech problems are able to obtain ongoing professional assistance at the earliest possible opportunity. Without that those children progressively slip behind their peers, their ability to learn is affected, their self-esteem takes a battering, they are often bullied by fellow students and their chances of success in life are very much compromised.

It is therefore totally unacceptable that once these children enter primary school many are unable to secure speech pathology services that are anywhere near adequate to satisfy their needs. I am aware of two children, and there are undoubtedly more, one of whom attends Echuca East Primary School and the other Ballendella Primary School, who have not had a single school-based speech pathology service for the whole of this school year. This is particularly frustrating for families who, because of their circumstances, are unable to afford private practitioners to help their children.

The government stands condemned for not making a greater effort to resolve this longstanding problem, and I call on the government to take immediate action to rectify this totally unacceptable situation.

Community Safety Month

Ms BUCHANAN (Hastings) — I rise to commend the many organisations that have initiated activities and awareness campaigns to highlight Community Safety Month. The week's themes are crime prevention, emergency services, injury prevention and Worksafe Week. These four themes are of great import to all people in our communities; and through October I will be actively working, along with the organisations that actively enhancing community safety, to promote them.

I therefore want to highlight the great work that is undertaken by the local police at Hastings and Cranbourne stations, the Hastings State Emergency Service unit and the numerous Country Fire Authority units across the Hastings electorate. They contribute so much to enhancing community safety by risking life and limb, and then doing even more community safety work on a voluntary basis.

I want also to highlight the work in many areas of community safety of the staff of Peninsula Community Health Service, along with the Western Port Boat Safety Council and Marine Safety Victoria, which do so much work all year round to educate Victorians in safe boating practices.

I pay special attention to the residents of the Langwarrin area, who are looking at the formation of a

neighbourhood watch group, and reiterate my intent to support them as much as possible to get this excellent program off the ground.

I will also be using a lot of promotional information based on community safety themes, which has been supplied by the helpful staff of Information Victoria, in my forthcoming market stalls in Tooradin and Bittern.

I encourage all my fellow parliamentarians to get behind this great work — this very real proactive approach by all involved in Community Safety Month.

Water: conservation rebate

Mr BAILLIEU (Hawthorn) — The government's water conservation rebate scheme is proving less friendly than intended. It is already clear that the scheme has failed to attract government members, but perhaps it is understandable. Correspondence from a constituent in Camberwell reveals how exasperated he is with the experience. In good faith my constituent accepted the government's encouragement to install a rainwater tank as a water-saving device for garden watering purposes and receive a government rebate.

Pakenham Tanks and Irrigation of Princes Highway, Officer, was engaged, and for a total of around \$1100 a 952-litre tank was installed. I understand Pakenham Tanks runs a specialist business, supplying and installing tanks as its daily fare. However, when my constituent applied with all the appropriate invoices and receipts to Yarra Valley Water for the available rebate — that is, \$150 for the tank — it was denied. Yarra Valley's rebate consultant said on 16 September:

I am unable to process your application for the rebate as you have not provided us with a certificate of compliance as proof a licensed plumber installed your rainwater tank.

My constituent asks in frustration:

Why exclude from this scheme reputable, experienced businesses dedicated to water conservation — particularly when the installation occurs outside the closed plumbing system?

Why indeed?

Springvale Toy Library: multicultural show day

Mr ANDREWS (Mulgrave) — Recently I had the very great pleasure of representing the Minister assisting the Premier on Multicultural Affairs at a very important event in my local community. The Springvale Toy Library recently hosted a multicultural show day during the Royal Melbourne Show week. This important day was designed to provide an event

for families in my local community who either through geographical or financial pressures could not attend the Royal Melbourne Show. Not only were those services provided at a local level, but they were provided in a culturally appropriate way. That is very important for me as a member representing an electorate where some 48 per cent of constituents were not born here, they were born overseas.

The multicultural toy library show day featured a number of important events. There was a national costume competition, face painting for children, a very broad selection of baby animals in a farm animal nursery, a sausage sizzle, various rides and other tremendous entertainment, especially for children.

Several hundred local residents attended this very successful day, which was made possible by an \$800 grant from the Victorian Multicultural Commission. I want to congratulate the committee of management, whose members have done a great job at the Springvale Toy Library since its creation in 1980, in particular Marina Alessio, the secretary. Well done to them.

Multicultural affairs: Australian Football League

Mr THOMPSON (Sandringham) — Following the recent Australian Football League Grand Final I encourage all Australians and football supporters to give a moment's reflection to the breadth of our cultural heritage and diversity, which is reflected in the backgrounds of AFL players.

The grand final teams were represented by players whose forebears migrated from many different countries. Collingwood had strong representation from Holland and Scotland in addition to players from Aboriginal, Irish, English, Italian, Dutch and Croatian backgrounds. The Brisbane team has players from the additional ethnic backgrounds of the Baltic states, Germany and Papua New Guinea.

Two and a half weeks ago the Brownlow Medal night saw the great blend of indigenous, Irish and Italian influences in Australian Rules. I particularly congratulate Adam Goodes for his great personal achievement, and his win represents an outstanding tribute to the prowess of indigenous Australians in sport.

The Victorian Football League, and more recently the AFL teams, are filled with players from England, Ireland, Scotland, South Africa, Ukraine, Chile, Korea, Serbia, Croatia, Italy, Greece, Germany, Poland and the

Pacific Islands, as well as people of Jewish and Creole heritage and from other countries as well.

Perhaps in the next 50 years we might even see a number of players from the United States of America taking a dominant role in the AFL, which I am sure would be supported by a number of people in the chamber today.

In future years I call upon the AFL to showcase the great multicultural participation in the sport of football with a 1000-didgeridoo salute and a brilliant array of multicultural presentations, which may also include Irish tap dancers from Victoria Park and other cultural displays reflecting the diversity of countries of origin.

Latrobe Valley: education facilities

Mr MAXFIELD (Narracan) — The other day, with some disappointment, I heard some rather funny claims being made in the this house suggesting that the Bracks government was being city centric, when in fact there has never been a government in this state that has shown more support for or consideration to rural and regional Victoria. In education, for example, we have a government that has been very supportive. Not so long ago the Premier visited my old school, Drouin Secondary College, to open a major redevelopment. Subsequently he was in my electorate opening a major redevelopment of the Warragul Regional College — again, a magnificent redevelopment. The support of the Premier in visiting these schools is much appreciated.

Tomorrow the Minister for Education and Training will again be in my electorate, as she was not so long ago, visiting Albert Street Primary School, a great primary school in Moe. The member for Morwell's children go to that wonderful school. Following that visit the minister will attend the Yallourn campus of TAFE to open a redevelopment. At a cost of almost \$5 million, the redevelopment will expand the campus in a magnificent way.

The minister will also visit the Morwell electorate. It has an education precinct, which was part of the government's broad election commitment for the Latrobe region. The turning of that first sod will be eagerly awaited.

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

***Securing Our Water Future* green paper**

Dr SYKES (Benalla) — I congratulate Campbell Fitzpatrick and his fellow authors on their excellent discussion paper, *Securing Our Water Future*. It

provides a good oversight of the complex issues that we need to address to effectively manage and equitably use water in the future.

I thank the Minister for Water for extending the time for public submissions in response to requests from me and many other people. I ask that the minister also agree to my request to have an additional public meeting at Eildon to hear the view of Lake Eildon tourist business operators on issues such as the management of Lake Eildon.

Minister Thwaites's approach to managing his portfolio is in stark contrast to that of the Minister for Police and Emergency Services.

Minister for Police and Emergency Services: statement

Yesterday Minister Haermeyer made the outrageous claim that house and property losses and general economic losses of tens of millions of dollars in this year's fires were the result of the federal government's failure to supply sufficient planes and helicopters. This claim is an insult to the people of north-east Victoria and Gippsland and completely ignores the importance of fuel reduction burning, the better use of local knowledge and the earlier use of back-burning in achieving the early containment of fires.

I call upon Minister Haermeyer to retract his statement and apologise to the people of north-east Victoria and Gippsland, who suffered serious economic loss and weeks of emotional stress during and after the fires.

Chelsea Primary School: *Hey, Hey, It's Chelsea!*

Ms LINDELL (Carrum) — I would like to express my gratitude this morning to the staff and students of Chelsea Primary School, who had me as their guest at their annual concert on 18 September when they presented *Hey, Hey, It's Chelsea!*. It was indeed a fabulous night, and I would like to inform the house of some of the great items that were on display.

The grade 6s had the roles of the main players: Stove Live was the master of ceremonies; we were entertained by Joan 'The Verse' Farnham and Steve 'Clock Dial Hunter' Derwin; and we heard that wonderful pop star Curly Invogue. The night was terrific. The script was written by a parent at the school, a very talented man called Mr Phil Wall. The choreography, which was absolutely fabulous, was done by Elizabeth Garnsworthy.

This concert involved every student at the school. The prep grades sang *Raindrops Keep Falling On My Head* and *You Are My Sunshine*; grades 1 and 2 did the Macarena, shook their tail feathers and sang themes from *Happy Days*; and the grades 3 and 4 sang *Don't Call Me Baby*, *Disco Inferno* and *Surfin' USA*.

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

Ministers: conduct

Mr SMITH (Bass) — I want to speak about the arrogance of the Bracks government and its ministers and the arrogant way they treat the Parliament and the people of Victoria.

Yesterday we saw the arrogant Attorney-General come into this house and expect the Parliament to bow to his arrogant wishes to change the constitution of the state because he had stuffed up.

The arrogant minister responsible for roads suggested that speed cameras are for safety and not for fundraising. He also arrogantly suggested that the fast regional rail services will one day be completed. I wonder whether they will ever be commenced! I also wonder how the member for Mildura is going about getting his train back.

Of course I refer also to the arrogant Treasurer, who has been sat down in this house for the arrogant way he has treated the house and the Speaker. He arrogantly suggests the finances of the state are in order when we know they are not. The Treasurer cannot control the unions, the nurses, the teachers, the police or his own ministers, who just want to spend, spend and spend.

I refer also to the arrogant Minister for Health, who says everything is right in the health area when we know that up to 42 per cent of nurses are absent, waiting lists are getting longer, ambulance bypasses are more regular and hospitals are going broke. The arrogant minister says it is only winter colds and flu that are causing the problem.

I refer also to the arrogant budgie, who failed in health and planning and is now going to have his arrogant way failing with the environment because he is beholden to the Greens.

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

Textile, clothing, footwear and leather industry: Geelong

Mr TREZISE (Geelong) — On Tuesday I was very pleased to be a member of a Geelong delegation of community and business leaders who visited Canberra to lobby federal politicians to support and protect the textile, clothing, footwear and leather (TCFL) industry. As the house is aware, Geelong has a proud history linked to the TCFL industry, and it is the clear intention of the Geelong community to ensure that the industry continues to prosper well into the 21st century.

For the information of the house, the Geelong region currently has 60 TCFL companies employing approximately 2100 people. The federal Productivity Commission, which has recently reported to the federal government, has a preferred option to cut tariffs to 5 per cent by 2015. This course of action would threaten not only Geelong's TCFL companies but companies across the state and the nation.

Geelong's delegation clearly put to federal MPs its concerns and alternatives, such as the extension of the strategic investment program, known as SIP, a freeze on tariffs beyond 2005 and the introduction of an effective labour adjustment program.

I commend all members of our delegation, including Mayor Barbara Abley, TCFL union representative Beth McPherson, John Kranz from the Geelong Trades Hall Council, Laurie Miller from the chamber of commerce, Peter Howard from Australian Bluey Co. Pty Ltd, Darren Gray from the City of Greater Geelong, and the member for Lara. I thank federal members Gavan O'Connor and Stewart McArthur and their staff for their assistance.

I assure the house and the federal government that the community of Geelong will fight for the future prosperity of the TCFL industry.

Planning: Bayside amendment

Ms ASHER (Brighton) — I call on the Minister for Planning to meet with Bayside City Council, as requested by the council, to discuss gazettal of part 2 of the council's C2 amendment and indeed to gazette it. The minister has gazetted part 1 of the C2 amendment. I remind the minister that C2 has been produced after a long period of consultation supported by people of different political persuasions. It may not be perfect, but it is better than the 16 000 additional households in Bayside which the minister's 2030 policy provides for.

I also take the opportunity to again put on record my personal opposition to high rise in the Brighton electorate.

I further refer the minister to the council's letter to her of 15 August 2003, in which the chief executive wrote:

A particular concern of council is that you have been unable to provide meaningful support for council and the community's objectives of maintaining the character and amenity of the City of Bayside.

I further draw the minister's support to Bayside council's complaint that she has given no indication of a time frame or process for a decision on this aspect of part 2 of C2. The council is also concerned that:

... council has not been informed of the specifics of concerns which led you to separate out a substantial part of the amendment.

The council believes it is high time this issue was resolved. I do likewise, and I call on the minister to do so expeditiously.

Jason McCartney

Mr LANGDON (Ivanhoe) — Today I pay tribute to the Australian spirit. I know later today the house will debate the Bali motion of remembrance, but I want to comment particularly on Jason McCartney. We have all read a lot about Jason McCartney, his speeches and the work he has done for the victims of Bali, being a victim himself.

In his last football match in May this year when the Kangaroos played the Richmond Football Club my son had the great pleasure of playing Little League for the Kangaroos. They were all taken back into the rooms after the game so they could mingle with the players. Jason McCartney was one of those players. It was his last game; it was an emotional time for him. He had been through a heck of a lot; he had been to hell and back, yet he had time to speak to the young boys and never once put them off.

He was slow in getting dressed — for Jason McCartney getting dressed is no mean feat these days — but he promised he would be photographed with them. After everyone had left he was still getting dressed; the officials were trying to hurry him up so he could attend the official functions and he wanted to see a mate in hospital who had been injured, but he still spent time with these young boys, and I know they will never forget it.

Aaron, Alexander, my son, Nick, and Ryan managed to get a photograph with Jason. He spent that time with them, which was truly in the spirit of an Australian

sportsman and shows the worth of people like Jason McCartney. I pay tribute to him and the other victims.

Folkloric Group Young Croatsians

Mr LANGUILLER (Derrimut) — Speaker, dobro jutro to you and to all my parliamentary colleagues. It was my pleasure to attend the 25th anniversary of the Folkloric Group Young Croatsians on Saturday, 20 September, at the Croatian Catholic centre in Ardeer in the electorate of Derrimut. I place on the record my congratulations to Mr Peter Gelo and the members of the Folkloric Group Young Croatsians of Clifton Hill. It was a pleasure to attend their celebration of the 25th anniversary of the formation of the group. On behalf of Minister Pandazopoulos and the Victorian government I extended best wishes to the Croatian community during this important anniversary.

Today there are more than 51 000 Croatian-born migrants living in Australia, 19 000 in Victoria. Additionally more than double that number, 38 000, are second-generation Croatsians. The Croatian presence in Victoria dates back to the 1900s. Like many other early settlers, Croatsians came to Victoria in search of gold. Most of these pioneers toiled in the goldmines of central Victoria in the hope of securing their future. They were also among the earliest immigrants to become naturalised Australians.

Croatsians have long been part of Victoria's history. After the Second World War many Croatian refugees arrived in Australia. Further waves of Croatian immigrants arrived during the 1960s and 1970s, and the folkloric group was formed in 1978.

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

Gateway Support Services: Autism Help web site

Ms NEVILLE (Bellarine) — On Monday I was pleased to be able to launch the Autism Help web site developed by Gateway Support Services. Gateway Support Services plays a major regional role in the assessment and support of people with autism spectrum disorder, and this new web site will aid that role enormously. The web site fills a gap in services that was identified in a review funded by the government. The review recommended the need for development of training and in-service modules for use by agencies, professionals and families. As a result the government funded the development of the web site, so today we are the beneficiaries of a lot of hard work.

The web site is incredibly user friendly and is a comprehensive source of information and tools that will be used by families, teachers, doctors and professionals who work with both children and adults with autism. It will make a big difference to their lives by making valuable information more readily available.

Thanks must go to Debbie Scanlon, who undertook the research and writing and who combined her experience in health education and as a parent of a child with high-functioning autism to bring the function together. Thanks also to Gateway Support Services for its initiative and work in the region, especially Rosemary Malone and Dr Bernie Jenner. Thanks also to the professional staff involved in the development of the web site. Their efforts are most appreciated by the whole community.

Gippsland: asbestos-related diseases

Mr JENKINS (Morwell) — Members of the house may recall that during my inaugural speech I highlighted the deleterious effects of asbestos on the Latrobe Valley community and also the need for further research, medical and palliative care, and radiotherapy and cancer care treatment services for the people of Gippsland and the Latrobe Valley.

A recent report sponsored by this state government confirmed the degree of the problems that will be faced in the future by the Latrobe Valley community. Last week, importantly, the Minister for Health announced the commencement of a \$21 million radiotherapy unit for the Latrobe Regional Hospital. Locally I was joined by the member for Narracan and the federal member for Gippsland, Peter McGauran; the Latrobe mayor, Cr Graham Middlemiss; Cr Bruce Lougheed; the president of the Gippsland Trades and Labor Council, Peter Mooney; and Felix Pintado, the chief executive officer of the Latrobe Regional Hospital, in announcing that much-needed cancer service.

I wish to thank the Gippsland asbestos related diseases network, the Gippsland Trades and Labor Council, Latrobe City Council, the federal government, importantly, and its contribution of 10 million, respiratory physicians and medical providers in Gippsland, the Latrobe Regional Hospital and Latrobe Community Health Services, and of course the Latrobe community for supporting this cancer treatment service, which will be applied not just to those suffering respiratory illnesses but to those suffering from cancer right across Gippsland and the Latrobe Valley.

Craigieburn bypass: open day

Ms D'AMBROSIO (Mill Park) — Last Sunday I had the pleasure of attending an open day organised by Vicroads which provided an opportunity for the local community to tour the constructions works of the Craigieburn bypass. The bypass is well under way and will be delivered on time and on budget in the middle of 2005. The bypass will be a 17-kilometre stretch of road linking Craigieburn to the northern section of the ring-road.

The open day was highly successful. Vicroads put on a barbecue for the locals and provided numerous bus tours up the road under construction to its northern end. The construction of the bypass also includes various underpasses for the passage of fauna in the locality, which is a unique and highly environmentally sensitive approach to road construction. The bypass has been constructed with community consultation to allow for economic benefits to flow to the community over the next few years.

Seymour: Living Country Racing program

Mr HARDMAN (Seymour) — I rise to congratulate the successful racing clubs in the Seymour electorate and the racing industry in general, which is a very important part of the economy of the electorate. It is growing in each of the towns around Seymour, and they are all benefiting from increased visitors. Significant employment is being created in the horse training and breeding industries, and it is growing all the time.

I thank the Minister for Racing for the Living Country Racing program. I had the opportunity of visiting two of the clubs that were successful in the last funding round to have a look at and promote the grants. I congratulate Pat McEvoy and the committee of the Seymour Racing Club, who were successful in gaining a \$19 500 grant to build a permanent playground at the course to make race days and days when other people attend functions and use the racecourse a better place for the whole family, for visitors and locals alike.

The Seymour Cup is run on Sunday, 19 October, so if members are available I ask them to please attend. It is a fantastic day out.

The Healesville Picnic Racing Club received a grant of \$16 456 through the Living Country Racing program, and it has done a fantastic amount of work with that amount of money and a lot of voluntary hours. I congratulate Pat Lalor and John Duffy — —

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

DISTINGUISHED VISITORS

The SPEAKER — Order! I acknowledge the presence in the gallery of the Consul-General of the United States of America, Mr Hopper, and his wife, Mrs Hopper.

I also acknowledge the presence of the Vice-Consul of Indonesia, Mr Kama.

Welcome to the Legislative Assembly.

BALI BOMBINGS: ANNIVERSARY

Mr BRACKS (Premier) — I move:

That as the first anniversary of the Bali bombings approaches, the Legislative Assembly of Victoria —

- (a) pauses and reflects on the loss of 202 innocent lives — including 88 Australians — and the suffering of survivors, families and friends as a consequence of the bombings;
- (b) applauds the efforts of thousands of people in Australia and Bali who gave selfless assistance in the aftermath of the bombings to heal the wounded, comfort the bereaved and bring the perpetrators to justice;
- (c) extends its thoughts and prayers at this sad time to the peace-loving Balinese, who suffered greatly as a result of this outrage; and
- (d) remembers the lives lost, reaffirms its commitment to political and religious freedom, tolerance and compassion, confirms its resolution to oppose terrorism, prejudice and extremism, and renews its hope for a more peaceful world.

As we approach the first anniversary of the Bali bombings, all Victorians will join together to remember the loss of 202 innocent lives, including 88 Australians. It is a time to remember loved ones and all those personally affected by the tragedy. It is a time to reflect on the senseless carnage of that night, and it is a time to honour the many selfless acts of bravery displayed at Kuta Beach and the aftermath of the explosions.

The Bali bombings caused the greatest peacetime loss of Australian life on a single day since World War II. They remain the deadliest terrorist attack since 11 September 2001. Few of us will ever forget the images from that terrible day when terrorism came to the holiday island of Bali.

One of the most shocking aspects of terrorism is that the perpetrators target defenceless locations with attacks designed to do maximum damage. As with 11 September, the victims of the Bali bombings were innocent. They were everyday people celebrating life — young people on their first overseas adventures, end-of-season football trips, families holidaying together, loved ones celebrating weddings, babies and birthdays. Lifelong friends and new friends were all caught up in the devastation. Their stories will be etched on our minds forever.

On this day, before the anniversary of the Bali bombings, I ask all Victorians to pause and reflect on the many precious lives lost and the suffering of survivors, families and friends. We know that a profound sense of loss still exists and that there are wounds which are still healing. Our thoughts and prayers are with them all at this sad time.

The terrorist attacks in Bali were a defining moment in Australian history. Not only did they bring terrorism to our doorstep but they have left an indelible mark on our national psyche. Australia is a country that quite rightly prides itself on having an easygoing nature. The Bali blast ushered in a new sense of vulnerability. Some commentators have recently likened its influence on Australia's character to that of Gallipoli. Like Gallipoli, it is my hope that the lasting legacy of Bali will be a peaceful and unifying one.

I think we can ensure that by honouring in three important ways the memories of those 202 lives lost. Firstly, we must never forget. We must always remember the families and friends of victims — and the survivors themselves. I ask all Victorians to mark the anniversary of Bali in their own way. This may be by attending a church service, several of which are planned for this weekend, or by wearing an orange ribbon. I congratulate all members of this house for ensuring that we are wearing those ribbons today. Orange is the Balinese symbol for peace.

We should never forget the people who volunteered their time and expertise to give support to the wounded, comfort the bereaved and bring the perpetrators to justice. I would personally like to thank the teams of police and forensic and coronial staff who assisted in the immediate aftermath in Bali. The investigative, forensic and coronial work continued back in Australia. We are most grateful for the work done by emergency services personnel across the nation and in Bali.

I would also like to thank all those who assisted in the repatriation of victims and tended to the injured. The health care teams in Victorian hospitals which provided

ongoing personal support to victims and their families have been outstanding. I pay tribute to the Victorian hospitals which effectively treated the injured in the aftermath of the Bali bombings. They deserve the congratulations of all Victorians and this house.

Secondly, we must honour the memory of the lives lost by ensuring we do everything possible to protect our citizens from terrorist attack. No-one is immune from terrorism. That was the horrific reminder of the attacks in New York and Bali. However, we will not allow Victoria to be an easy target. The Victorian government has strongly supported moves to strengthen our national counter-terrorism capabilities. The full resources of the commonwealth and all the states can now be quickly mobilised, and we have improved our ability to evacuate victims of terrorist attacks overseas.

The Victorian government has strengthened the state's capability to detect and prevent terrorist activity and given the emergency services the tools they need to respond quickly and effectively to a terrorist attack. We have introduced counter-terrorism legislation in this house to create new offences relating to sabotage and provided new powers to Victoria Police to counter terrorism if it occurs in Victoria. The Victorian government has also taken several measures to protect critical infrastructure and iconic buildings in the event — which we hope never happens — of an attack in Victoria.

Thirdly, a fitting tribute to honour the memory of those who died is for Victorians to reaffirm their commitment to a free, tolerant and compassionate world. We must oppose terrorism, prejudice and extremism wherever we find them. However, we must also be careful not to fall into the trap of stereotyping religious faiths or nationalities.

One of the wonderful and great things about Victoria and Australia is our diverse culture and harmonious society. It is a real test of any democracy to balance the need to remain vigilant against terrorist attacks without diminishing the very things that make us a free, tolerant and relaxed nation, and a relaxed state. It is a test we must pass in honour of all those lives that were so tragically shortened by the attacks in Bali.

I commend the motion to the Parliament here today. Today the Parliament comes together as one to grieve, to find courage from each other and to renew our hope for a more peaceful world.

Mr DOYLE (Leader of the Opposition) — One year ago, on 12 October 2002, terrorism struck at us all, not because of anything that we had done but because

of who and what we are. It took 202 lives, 88 of them Australian, in a deliberate and evil act that shattered our innocence and wrote itself into infamy in our history. It proved that terrorism can happen anywhere, at any time and against anyone. But Bali also showed us how tough the Australian spirit is; how determined we are in the face of adversity. For instance, in the face of chaotic conditions, inadequate equipment and poor communications the Royal Australian Air Force evacuated 66 patients — the largest peacetime evacuation in our history. Many other stories emerged of courage, personal sacrifice and selflessness, and they are now part of our shared history. They are inspiring and moving.

In my time in Parliament the most inspiring, moving and powerful experience I can remember was the outpouring of love and grief that left the steps of our Parliament covered in flowers and tributes following the Bali tragedy. I wish to pay great tribute to former Speaker Andrianopoulos and the staff of our Parliament for what they did to make that memorial so moving. As many of us did, I laid a very simple floral tribute.

During the time that the flowers and tributes lay on the steps, I went back six or seven times to stand; to talk to people; to be united with Victorians, Australians and people from overseas who did not know each other but who were united and brought together in grief and pain by what had happened in Bali. On one of my visits an elderly woman brought a plastic singlet bag. She tipped out onto the steps that quintessential Australian tribute: sprigs of gum leaves. I found that a most eloquent tribute. Equally eloquent were the notes, the Sherrin footballs, the flowers and the photos.

I encourage anyone who has not paused beside the glass cabinet, now on permanent display in what used to be called the Premier's corridor, to do so, and to read the messages that are preserved there: the anger, the grief and the pain are palpable, but so is the hope, the love and the determination.

I spoke yesterday to two of our Bali heroes. I spoke to Jason McCartney, who was on his way to Bali for Sunday's service. How humble and inspiring Jason McCartney is. One year on he emphasised that he felt how lucky he is: how lucky to have his health back; how lucky to have, in his words, a second chance at life. Personally he has been through heartfelt pain and anger, and yet his feelings are for the Balinese people, whom he loves. His feelings are for others, particularly those who have lost loved ones. Despite a miraculous recovery from horrific burns and injuries, and his heroic efforts on that awful night, his view was, again in his words, that he did not do anything special.

I asked Jason what message he would send us today. Jason McCartney's message is typically positive: use your strength to overcome obstacles. He has used his strength. He used it to face his anger, and to testify in the trial of the Bali bombers. Jason told me of the need to tell it how it was at that trial, even though it meant he had to go through it all again to make sure those judges understood the story of those people whose pain we recognise today. He was not testifying for himself; he was testifying on behalf of all those who died or were injured in Bali. Jason is determined not to allow terrorism to get the better of him. He faced the perpetrators of his personal atrocity head on, and he has kept his personal vow to live his life on his own terms. He has proved that in his achievements in AFL football, in his marriage to Nerissa and as the very public face of a survivor of terror who refuses to let terrorists dictate his life.

I also want to mention someone I have spoken to a couple of times over the past year, David 'Spike' Stewart. If Jason McCartney is the iconic survivor, Spike Stewart is the icon of bereaved parents. With his trademark battered Akubra, who could forget Spike's refusal to leave Bali until his son Anthony was identified as one of the dead. His determination to bring Anthony home touched us all.

I spoke to another of our heroes yesterday. I am proud to know and call Dr David Marsh a friend. David and his wife, Clair, were named Victorians of the Year for the work they did. I think David did not sleep for three days while working in the main Bali hospital in desperate conditions. He told me of the work he did. In particular, for those who do not know the story, he did not even have a handle for his scalpel; he just had a scalpel blade. All the operating theatres were full, so the work he had to do was actually done at the bedside. He had to slice through skin to relieve pressure on nerves and arteries; had he not done so those limbs would have been lost. Who knows how many lives David saved, how many lives he preserved? He is in Bali now, and what he feels about going back is an interesting mixture. It is part tension and anxiety, but he also feels pride and admiration, particularly for the victims and the helpers.

I asked David what message he would send us today. His message was to say to Australians, Remember never to lose the Australian spirit. We are a unique people. We are indefatigable'. More than that, he said we must say that those 88 Australian lives mean something to all of us. I asked him what he wanted to come home with after Sunday. He said he wanted to come home with a big and open heart and to assure us that those 88 people did not die in vain.

Talking to David and Jason yesterday I was struck by a remarkable coincidence: quite separately, each had echoed the other's words and phrases. Both said Bali was about overcoming obstacles. Both said Bali was about pride, encouragement and faith in our spirit. Both said Bali should bring us together and not diminish us. But the one thing they impressed on me over and over again was the importance of hope. In fact both of them used the word 'hope' in the very last sentence of each of those conversations, and both talked about hope being about optimism for the future. David Marsh said to me that when he arrived at that hospital, somehow chaos was conquered by order, that out of that chaos came order.

As we search to find order and meaning in an atrocity like Bali, sometimes the only order we can find is that we remember. In the glass cabinet holding the Bali tributes, one on display from the Kimmitt family says simply, 'We will never forget'. The Premier in his contribution mentioned Gallipoli, that powerful evocation of the Australian spirit. We say on 11 November, as we do on the 25 April each year, 'Lest we forget'. On 12 October we should also think, 'Lest we forget'.

Mr RYAN (Leader of the National Party) — I rise to support the Premier and the Leader of the Opposition on the motion which is before the house. On the weekend the *Age* published an article entitled 'The Bali legacy', and I commend it for doing so. In a very informed and respectful way it published the stories of the 88 Australians among the 202 people who died in the appalling tragedy that occurred almost a year ago.

I must say from a personal perspective that it partially resolved an issue of concern for me. In a sense I feel I am imposing upon the sanctity of all of this in speaking to the motion which is before the house today, not because I am other than genuine about my concern for those who died and those left behind but because I did not know any of them — though I have met in passing some of those who were injured and have survived, and I have met their families.

But I have never had that closeness of contact which properly gives licence to understand and to speak the sorts of sentiments which are encapsulated in the motion before the house. I commend the *Age* for providing that important insight.

The stories are remarkable. They are the stories of a cohort of primarily young people, and not so young people, who unfortunately and tragically were in the proverbial wrong place at the wrong time. As we know, 202 people died — 88 of them Australian. The scale of

it is something difficult to grasp, I think. I suppose you can equate it in this way — it represents one person for each of us who are in this chamber as elected representatives of the people of the state of Victoria.

The injuries of those who have survived are not only physical but mental, and the stories that were told through the *Age* article highlight that fact. There is a tendency, understandably, to concentrate on the terrible tragedy associated with the 88 Australians who died amongst the 202, but there is also the legacy that runs with this of the people who suffered injuries — many of them appalling, some of them obvious, many of them not so obvious — a legacy they will have to bear throughout the rest of their lives.

The thing is that it happened in the blink of an eye. These are people who went there for the reasons both the Premier and the Leader of the Opposition have referred to. They went there in complete and utter innocence and became victims of a battle that many of us — probably all of us — still struggle to understand. In literally a flash those lives were lost and this terrible damage was wrought. It just goes to highlight that we are fortunate to be here, that every day is a gem and that we should live life for what it is worth on a daily basis, because it has been taken from those many people who died that night.

The motion refers to the assistance that has been provided by so many and reflects upon the way those many people have helped. I too pay tribute to those involved: our health professionals of all kinds and those of whom the Leader of the Opposition has spoken so eloquently; the medical institutions in Bali and in Australia; the many volunteers of all kinds — who will ever know how many people have contributed to help those who have suffered as a result of this awful tragedy; and our law enforcement agencies in the investigative work they have undertaken.

I agree with the Leader of the Opposition that there is a special place reserved somewhere for Jason McCartney. This guy was not only a window on his own suffering and what happened to him, but he also became in a sense a prism through which we were able to connect with so many other people who were the victims of this terrible tragedy. As to the man himself, what a remarkable guy he is. I have not met him, but I watched him on that night in that last game against the hapless Tigers at the Telstra Dome. I was one of those willing him to kick a goal — I did not kick many when I was playing footy, quite frankly — and none of them will ever be remembered like the last goal that Jason McCartney kicked. In the game and in the sequel to it, in all of it, he has been so completely self-assuming.

The way the man conducts and carries himself is just astounding. Not only in his own right has he contributed so much, but also he has enabled us all to develop links with the people to whom he became so important because of what he contributed directly to them both at the scene and in the months afterwards. There is a special place reserved for him.

The motion speaks of the Balinese people, and they are lovely people. I was in that country with my wife some years ago. They are just delightful people — innocent in the true meaning of the word. They, of course, are appalled by what happened. It would be terrible if in any way, shape or form they were to be stained as a nation as a result of what has occurred. They share the horror of this, just as we do.

Of course this extends back home to us, to areas such as Shepparton, represented by the honourable member for Shepparton here, and the Iraqi people who live in the Shepparton community. That is but one example of the many communities around Victoria who are now understandably restless and concerned about attitudes that may unfairly be imposed upon them. It is important that we keep those things in mind when reflecting upon the events of that day.

Finally, the motion speaks of remembering the lives lost, remembering those left behind and recognising the threat that realistically this represents to us and to this institution — this very chamber and to all the things it represents. That is a very important element of this motion. No-one need have any doubt that when that bomb went off that night, with all the sentiments that it conveyed — yes, it was an attack upon the innocents who happened to be gathered there but — it was an attack on all of us and what we represent collectively, both in our own right and as representatives in this Parliament.

I think of that fellow Amrozi shown on the television screens, who became known in some circles as the Smiling Assassin. He seemed to me to convey all the characteristics of the proverbial village idiot. Yet this is the style of individual who brought home that dreadful threat that night. But as the motion quite rightly reflects, we must never ever allow the dreadful events of that night to impinge upon the sorts of things that have made this nation great and that continue to do so.

I commend the motion to the house, and I commend the government for bringing it on. I am sure that the day of 12 October will always rest very firmly in the memories of all Victorians and all Australians.

Mr BATCHELOR (Minister for Transport) — I join with the Premier and other leaders of this Parliament in remembering those who died and those who were injured in the Bali bombings. There are some things that we do know about 12 October 2002. We know that the bombs that went off in Paddy's Bar and the Sari Club in Bali killed 202 people, 88 of whom were Australian, and of those 21 were Victorians. Regardless of wherever they came from, the loss of 202 people will continue to affect the lives of their loved ones and those of us who bore witness to these terrible events. But many more people were injured and will have to deal with the emotional and physical scars in the best way that they can for the rest of their lives.

Actions have consequences, and those who have been tried and convicted of this terrible act now realise that. The undertaking of such a heinous crime and such terrible acts in the name of religion is not a reflection on that religion or those who follow it, but rather on the perpetrators of the act.

However, there is one fundamental thing that we do not know about 12 October 2002 — that is, what motivated the perpetrators involved in these bombings to take all those innocent lives, and in at least one case one of their own. Until we can understand that motivation and understand the causes rather than just being overwhelmed by the result, we can truly not honour the memories of those who died in Bali on that occasion or other people who have died in the United States and in Jakarta or those who continue to die every day in Palestine and in Israel.

As difficult as it is to overcome hatred and retribution, it is worth reflecting upon the words of Nobel Peace Prize winner Archbishop Desmond Tutu, who said:

In forgiving people are not asked to forget. On the contrary, it is important to remember, so that we should not let such atrocities happen again. Forgiveness does not mean condoning what has been done. It means taking what happened seriously and not minimising it; drawing out the sting in the memory that threatens to poison our entire existence.

The abuse and perversion of religion to justify fanaticism must be exposed and resisted wherever it occurs. Whether it be the Ku Klux Klan's abuse of Christianity in the United States or Jemaah Islamiah's abuse of Islam in Indonesia, it must be resisted wherever it occurs.

In seeking to find the truth and the real cause of this human tragedy let us honour those who have died and those whose lives have been touched by it. We must find the way; we must find the will. We must do this

because those who have died or are injured deserve that much.

Mr HONEYWOOD (Warrantdyte) — I see Bali through the eyes of my children. Only a few months before the tragic events of a year ago they travelled to Bali on a holiday organised by their grandparents. My then 14-year-old daughter and 12-year-old son had all the nervous excitement you would expect with their first trip overseas. Of course, you cannot help thinking as a parent: what if it had been three months later?

What impressed me most on their return was how much they had enjoyed immersing themselves in Balinese culture and community life. I thought they would be spending most of their time by a pool, but their grandparents made sure they got out and explored the villages and got to know the Balinese people. They told me that they discovered the Balinese people to be the most friendly, laughing and gentle of people. It struck me as ironic that after seven years of dragging them off, kicking and screaming, to many multicultural functions when I had that portfolio, it took Bali to open their eyes to how truly wonderful multiculturalism can be.

It was the Balinese people who suffered with us, and Bali's entire population will suffer the long-term consequences of this act of terrorism and violation against their peace-loving religion and culture.

In the immediate aftermath of the bombing of the Sari nightclub my children, and indeed all Australian children, had a terrible reminder that we might be the lucky country but we can no longer be the country that thinks that down under we are protected from acts of terrorism — acts of violence.

What also struck me was what happened to one of my children at their school. The school in question had lowered the flag to half-mast after the events of 11 September but had overlooked, or for whatever reason, had not lowered the flag to half-mast to commemorate the events of 12 October. That child had some very strong questions about why, using the school as an example, on the one hand we as Australians had turned to the tragic events of 11 September and yet in that particular sense had not done the same for 12 October. As a parent you have to explain those issues away.

What all children have gained from this tragedy are some wonderful examples to follow in their lives ahead. One example already mentioned is that of Jason McCartney. I am sure Jason would not want us in this place to make too much of his particular situation, but my son is an avid Kangaroos supporter. While I was an

Essendon supporter for many years — the member for Brighton will never forgive me — I found myself being dragged off to more Kangaroos games to accompany my son. Having confessed that, the interesting thing there was that, as the Leader of the Opposition and the Leader of the National Party so rightly put it, Jason's overcoming of that incredible personal setback has made him a fantastic role model for all children. Just going to that football oval and hearing Jason explain what it took to get back on to the field — how literally, as he said it, his skin was breaking with every kick he had, but he had to do it — was the most incredible example for all Australians.

Equally the example of mateship overcoming adversity is so properly put forward when we hear about Mick Martyn caring for his mate, putting him on the bike, taking him straight to hospital and staying put until he knew for sure that everything was going to be okay.

The other example for our children is support for multiculturalism, which was demonstrated by the whole emphasis the federal government, the state government and indeed the entire Australian community has placed on the plight of the Balinese. By putting something back into the Balinese community — providing something permanent by way of health care, ensuring that the Balinese community can recover — shows again Australia's great leadership when it comes to extending a hand to those in need.

With 21 Victorians killed and many more injured in the events of a year ago each of our electorates and the communities we represent has been affected by this tragedy, but again the friendships formed and the shared understanding will prevail. I point to one item that appeared in my local paper this week that refers to some local Bali bombing survivors, Dale Atkin and Travis Barton. They will spend the first anniversary of the tragedy with the Perth couple who nursed them in a Bali hospital. The men were on the Yarra Junction Football Club's trip away when the bomb ripped through the Sari Club. Mr Atkin suffered extensive burns to his arms, legs and back. Mr Barton suffered two perforated eardrums, cuts and bruises.

Mr Barton, 25, and Mr Atkin, 28 — again, so many young people were involved in this tragedy — went to Perth for their trip this year after their team won the Yarra Valley District Football League division 2 reserves grand final. They left for Perth and ended up paying this tribute to those from Western Australia who helped. I quote:

They ended up helping Travey and I out at the Bali hospital, checking our drips, keeping our fluids up, that type of thing ...

Travey and I came up here in January this year and met them for the first time since the hospital.

Then they came down and met our families.

Mr and Mrs Wood were in Bali celebrating Mr Wood's 49th birthday when the bomb went off. The men have helped to organise a surprise party [in Perth] for his 50th this month.

Those friendships, which have extended beyond our national borders, again contribute to Australians' spirit of hope and ability to overcome.

Equally we should look beyond our shores to the losses of other nations. We should respect the fact that representatives of the American and Indonesian governments are present, and it is appropriate to mention the loss of lives by citizens of those two nations. In total 22 nations lost citizens in the Bali tragedy: this was not just our tragedy alone.

Mr PANDAZOPOULOS (Minister for Gaming) — As we all know, Bali was a human tragedy of enormous proportions for us, our friends in Indonesia and the rest of the world.

We have heard that the Kuta bombs took not only the lives of 202 people, including 88 Australians, but of course injured many hundreds more. At this time, as we commemorate the first year following this tragedy, hundreds of families across the world are now dealing every day with the loss and tragedy caused by these devastating bombings.

I guess many Australians feel so strongly about it because they have a great affinity with and respect for the people of Bali; and we also know it could have been any of us. We are a nation that has a song produced by Redgum entitled *I've Been to Bali Too*, and yes, I have — I have been there on a few occasions. I guess that is one of the reasons that people feel so strongly about this. It is not only because of the tragedy but because it is such a peaceful and serene place and because of the fantastic Balinese people, who are so friendly and welcoming to visitors, who are so friendly to families and who are lovers of kids. It is a great family holiday environment.

It is through this tragedy that we see courage and bravery shine. We see strangers become rescue workers, paramedics and nurses — the immediate human response that reflects that great human characteristic of coming out to support people in need. People put their own lives under threat to go and help others. That is an automatic instinct and something that we need to also celebrate and recognise.

The intensity of the fire was such that many people perished without trace. Those who have at least received the remains of family members might have a bit more peace of mind, but many people are still struggling, knowing that loved ones went on a holiday and that is all they have.

We are also reminded of the burns victims. Experiencing burns is one of the most major traumas anyone can ever face. It is a very difficult process to go through, and there was a great article in the papers just recently that explained the whole story, including the trauma that burns victims go through.

We must not forget, as we continue to mourn our own dead, that Bali lost many of its citizens too. Nearly 40 Balinese were counted among the dead and many more were injured. Maybe there are even more dead than we are aware of. Those who have been to Bali will realise that going to the Sari Club is an Australian Mecca-like experience. You cannot have a holiday in Bali without popping into the Sari Club at least once. There are many Balinese people out the front and in all the shops nearby, including those down the side lane, Poppys Lane. There are great restaurants in that area. The locals service the tourism industry, which many visitors have wonderfully enjoyed and continue to enjoy. Many of those people perished as well.

Bali not only lost some of its own people, it also lost other things. It lost its major source of income from the thousands of visitors who choose to holiday in this very special place. Tourism is vitally important to us here, but it is also vitally important to the people of Bali. Thousands of holiday-makers from around the world visit Bali, not only Australians. The Deputy Leader of the Opposition commented on the different countries that were affected by this tragedy. Bali is regularly visited by Germans and people from the United Kingdom, the Netherlands and the United States of America. It is a popular destination for all of us.

Last year's tragedy brought an immediate halt to their trade and livelihood. Whilst it is a very popular tourist destination, people in Bali are not necessarily well off. We should remember that Indonesia is a developing nation and its people are not necessarily all well off, so it is an additional tragedy for them. Certainly it has been a much greater tragedy than first anticipated. We focus on the loss of our citizens and the effects on the survivors. The Indonesians still have a very big rebuilding process to go through.

For many Australians a trip to Bali is an affordable holiday. For many Australian young people that first holiday with their mates from the footy club has

become a rite of passage as part of their first travel opportunity. For many working families it is an affordable overseas holiday; and for many people it is their first overseas travel experience. They are some of the other reasons we cherish this place so much.

There is no doubt that the Sari Club and Paddy's Bar across the road will become new shrines to Australia's identity, somewhat different to Gallipoli but still shrines in their own right as Australia enters a new world of insecurity.

I guess we take things for granted, and we have all had to focus on improving our levels of security and awareness. But one thing we want to do is still continue to travel and to experience other cultures. It is pleasing to see that there is something of a recovery going on. Whilst there are still concerns about travel, an early indicator is the many people who are continuing to travel to Bali. For example, there have been extended and improved airline services between Australia and Bali since the tragedy. Garuda, Air Pacific and Australian Airlines are all flying there, and there are many people who still want to go there.

Last week I had the pleasure of meeting Saptar Nirwandar, the Indonesian Vice-Minister of Culture and Tourism. His government is dealing with this whole thing of rebuilding the economy and rebuilding the country. What we really need to understand as part of this is that we are really interdependent with Indonesia and with our Asian neighbours.

It is really through crises like Bali and the severe acute respiratory syndrome, which have affected tourism, that we realise we have to work really hard with our nearest neighbours to make sure they are our best friends as well. Indonesia is our largest neighbour by population. The success of Indonesia and the Asian region is very much important to our success as a nation.

Obviously security in Indonesia is very much important to security in Australia. These relationships are stepping stones to different cultures, and another stepping stone to understanding each other is the travel experience. We often say that travel broadens the mind. It does, and it is through travel and our relationship with Bali that so many people come to love the Balinese experience and the Balinese people.

Security issues affect the way we are seen around the world. If we have security problems with our neighbours, then we are affected in terms of people's reasons to visit us. We need to work doubly hard. It is a personal disappointment that it has only been in recent times that as a nation we have started thinking again

about our relationship with Asia and the rest of the world. If nothing else, given the experiences since 11 September 2001, we have to be more outward looking. There is a greater need to develop ongoing relationships and to share information and resources, because all of us — the Indonesian people and the Australian people — have the same interest in security.

One of the other things that we need to think about is that times of challenge like this put stresses on our own people. There is a natural instinct to ask, 'Whom do we blame?'. It is very easy to blame the wrong people, and it is very easy to blame particular religious groups or other people. But it is pleasing that in Victoria, because of our bipartisan focus on tolerance and harmony, Victorians and also Australians have been able to deal with this crisis a lot better. We are respectful of different cultures, and I commend the Victorian community on behalf of the government for showing an example and showing the rest of the world that so many cultures and religions can live peacefully together in harmony and pursue their own interests, all at the same time.

It is important that on this first anniversary of the Bali bombings we stop to reflect on those who have gone, remember those who have suffered and continue to suffer, and remember the need to build ongoing relationships with our near neighbours. It is through remembering that we can start to rebuild not only economies but bridges to harmony. We can rebuild hope and reaffirm our great Australian values of mateship and camaraderie, especially in times of adversity.

I certainly want to pay my respects to the families of all those loved ones — Australians and other nationalities — and also to the Balinese people, who have also suffered additional tragedies. It is time to remember and reflect on all these issues.

Mr PERTON (Doncaster) — I am honoured to represent my community in this most solemn parliamentary commemoration honouring the victims and heroes of the Bali bombings. Eighty-eight Australians died, along with 114 others. Hundreds were seriously injured, and tens of thousands lost friends or family members. All Australians shared the pain.

Days later in Bali Prime Minister John Howard said:

It will take a long time for these foul deeds to be seen in any kind of context. They can never be understood. They can never be excused. Australia has been affected very deeply, but the Australian spirit has not been broken. The Australian spirit will remain strong and free and open and tolerant. I know that is what all of those who lost their lives would have

wanted, and I know it is what all of those who grieve for them would want.

Australians have a proud history, in adversity and in peace. For over 200 years Australia has been a refuge for victims of terror. They have come here from the former Soviet Union, Nazi Germany, Somalia, Burma, Tibet, Cambodia, Timor, Kosovo and other places. My family came to this country as refugees, and we remain ever grateful to those who accepted us. Like the others, our commitment is to work and build an ever-better Australia.

After the Bali atrocity our extraordinarily cosmopolitan people used this Parliament as their place of commemoration. Parliamentary commemorations constitute important symbols to our community. Earlier in this commemoration the Leader of the Opposition delivered to this Parliament the personal messages of the injured victims and their families, and our deputy leader has spoken for the Balinese victims.

To say of the living and the dead, 'I honour you', is not enough; action is required. The community places great reliance on us as parliamentarians. We must rededicate our Parliament to the service of our nation, our state and our community. The government and opposition have a responsibility to ensure our hospitals, emergency services, police and antiterrorist forces remain among the world's best.

Personally I rededicate myself to work with the ministers for education to ensure that the education system we build for Victoria's children is a beacon to the world. We must work together — Labor, Liberal, Nationals and Independents — to build an education system in which every Australian child is lifted to their maximum potential to contribute to peace and understanding in their community, their nation and the world.

Working with the federal government, the United Nations and non-government organisations we must help deliver education inculcated with our liberal democratic values to children in other countries who might otherwise be trapped by evildoers who support terrorism.

I conclude my contribution with the words of the late Indian Prime Minister Nehru delivered after the terrorist assassination of Mahatma Gandhi:

... we should in strength and in unity face all the troubles that are in front of us. We must hold together, and all our petty troubles and difficulties and conflicts must be ended in the face of this great disaster. A great disaster is a symbol to us to remember all the big things of life and forget the small things, of which we have thought too much.

Mr SAVAGE (Mildura) — I rise to support this motion. The events in Bali on 12 October 2002 have left an indelible impression on this nation and no doubt on this house.

Along with other members in this place, who could forget the outpouring of grief and the community reflection that resulted in flowers being left on the steps of Parliament last year? The 88 Australians who were murdered on this date — the number of members in this house — was, as the Premier said, the greatest peacetime slaughter of Australians since World War II.

Last year I visited the Western Front in France. Walking through those war cemeteries I was struck by the young ages of the fallen and the poignant reflections on their gravestones, such as 'He did his duty'. The huge impact on these soldiers' relatives is impossible to calculate; however, there is a distinction about the death of a soldier, albeit just as difficult to comprehend and accept.

As we have seen in newspapers day after day the impact on families due to the loss of loved ones — daughters, sons, parents, friends and mates — has been significant. The slaughter of 88 Australians in Bali has affected and impacted this nation, and more so the thousands of Australians with relationships to these victims.

The peace-loving Balinese people are also significant victims of the Bali bombings, as is Indonesia. Bali has been a holiday retreat for Australians for decades, but no longer will we be innocents abroad after this event.

At the same time the events in East Timor should have been a wake-up call to this country and should have made us more aware that there were dangers off our northern shores. The role of the Indonesian military in Timor — where murder, rape and torture were a daily event for years — is something that we shall never forget. Members in this house should be reminded that across the world Christians are being killed in the greatest numbers in Indonesia and Nigeria. I reflect on the words that many members have spoken in this house — that we should work towards harmony and acceptance.

We acknowledge the brave efforts of the Australians and Balinese who worked selflessly after the bombings to give aid and assistance to the injured and dying. As a Parliament we have our own perpetual memorial and daily reminder. Today we accept that the world has changed for Australians abroad, we remember all the Bali victims and we extend our heartfelt sympathy to their relatives and friends.

Mr DIXON (Nepean) — Here we are a year down the track, so to speak. It has been a year of first birthdays, of a Christmas, of anniversaries and of football finals without loved family members, friends and team-mates. It is a time to reflect on the 12 months that have passed since the tragedy. Some of my personal reflections include, as many members have said, the flowers on the steps of Parliament — that impromptu memorial that just occurred out there and grew.

I also remember very vividly the emotions and tension that developed in the identification process and the speed with which the families wanted that to happen. They wanted to bring their loved ones home but tension developed with the authorities, who had to make sure that bodies were correctly identified. It must have been an awful thing for the families and an awful thing for the authorities.

I also remember the painstakingly effective forensic work done by the Indonesian and Australian authorities, and particularly by the Australians who went over to help identify the bodies of those who had been killed and took part in the follow-up work to trace the perpetrators. How quickly and effectively they did that!

I also reflect on the tourists, and those who have gone back to Bali. I have come across many people who love Bali and have gone back there. I think one of the reasons they have gone back, to put it in the Australian vernacular, is just to stick it up 'em. They want to go back and show that we are not cowed by this, that we are going to go on, that we are going to continue our relationship with the Balinese people and that we are going to have a good time and not be cowed by the tragedy.

Another thing that struck me was the relationship that grew between the Australian and Indonesian police. The ongoing legacy that that leaves is something that we should be all very grateful for.

I take my hat off to the victims and the families who returned to the trials and lived through watching the perpetrators gloat over their deeds and all the awful details of the events. To sit through that process took incredible courage; it is something that I perhaps could not ever do.

One of the things that rests in my mind in a negative sense is those who were guilty rejoicing in their deed, rejoicing in their trials and rejoicing in their sentences. Yet it was incredible that when they received the death penalties they wanted they then appealed against those sentences. It just shows what lack of human character

these people must have. Perhaps it showed that they were human after all, or that they just wanted to drag out the agony for the families of the victims even longer as they appealed their sentences.

But in the end the terrorists have failed because people have become closer: whether it be the Balinese and Australian people, the Indonesian and Australian authorities or football teams and families becoming closer through their shared grief. It even extends to our political leaders, who have shared with the community in participating in and attending at various memorial services. I know both the Prime Minister and the federal Leader of the Opposition have kept in contact with many of the families of the victims. The bonds of society that the terrorists wished to blow up have, at great cost, actually been strengthened. Terrorism has failed, but the human spirit has won.

Mr CRUTCHFIELD (South Barwon) — I join the house in supporting this motion, and in pausing, reflecting on and praying for all the 202 victims and their families and friends, who had their lives irrevocably changed nearly 12 months ago in Bali. On 12 October 2002 Australia had 88 young lives taken, Victoria had 21 people killed and Geelong had 4 of those. This is a time in which it is always difficult to find the right words to give solace and comfort. So many people have been affected in so many different ways.

Like Australia, Indonesia and other overseas countries, Geelong has been deeply affected. We lost Aaron Lee, his brother Justin and Justin's pregnant wife Stacey Lee, nee Thornburg, and Bronwyn Cartwright. I did not have the pleasure of knowing Bronwyn Cartwright, but I do have the pleasure of knowing the Lee and Thornburg families through working with Ray at the Country Fire Authority and at South Barwon Football Club where almost all of them contributed by either playing, officiating or just supporting.

The service those two families conducted last year at Deakin University demonstrated to everyone in how high a regard their families were held in Geelong and mirrored many of the services across the nation. At that moving service Randall Lee sang a song which he had written, poignantly, three weeks prior to his two brothers and his sister-in-law going to Bali. Please indulge me in allowing me to read Randall's song; it can apply to any of us. It is entitled *Welcome Home*:

One of the certainties in this life is a tragedy,
But when it touches within our lives, we cry so much we
cannot see ...
Through all the tears and the pain that we feel, we question
what we believe.

We long to hold the ones we've lost, but it just cannot be ...
It's times like these that we turn to each other,
Strengthening our bonds, turning stranger into brother,
Forgetting all our past mistakes, learn to forgive, learn to
forgive.

No longer part of our daily lives, they've been taken away.
We wonder how we sustain ourselves, and make it through
the day ...

Though our loved ones may be gone, and you feel so alone,
When the end is finally near, they'll be there

To welcome you home ...

There will be a time during every one's life, when for loved
ones you will grieve.

The only thing that will help you through it all will be the
love and support you receive.

So take a deep breath and dry your eyes, rest your head on a
friend's shoulder,

Because we will all share this common bond with every
moment that we grow older.

One of the other families that had their lives changed forever was the Fox family. Therese Fox's friend, Bronwyn Cartwright, was killed, and Therese received burns to 85 per cent of her body and no-one, not even her family, expected her to survive. Members in this place may have seen her brave story on television, read her story in papers or read the sensitively written story in the *Geelong Advertiser*. Importantly, on Sunday she returned home to her children, after nearly 12 months of medical treatment in Melbourne — the last survivor. A truly courageous and remarkable woman and a ray of hope and optimism amongst the sadness.

Randall Lee and his father Graham, mother Raye, Bronwyn Cartwright's mother, Jenny Hobbs, and her siblings, are all going to Bali for the anniversary. In fact they are in Bali now. Importantly, they will be joined by other families of victims from across Australia and many Geelong people, who will support each other in their grieving. Our thoughts are with all of them.

Our thoughts also go out to the families who are not there. The Thornburgh family this week in Geelong and the courageous survivor, Therese Fox and her family.

Finally, Geelong and the Australian people demonstrated their sense of community and connectedness at last year's services. I am certain they will again pay their respects this weekend. Geelong's memorial service is at St Mary's Catholic Church, this Sunday, at 7.00 p.m.

May all 202 victims of the Bali bombings rest in peace, wherever they may be. We should never forget.

Mr WALSH (Swan Hill) — The bombings in Bali that killed 202 innocent people, including 88 Australians, and injured many more brought home to all Australians the devastation of terrorist activities

that we had previously thought did not directly affect us. On that night the television news became real for all Australians. It is still very hard, standing in the safety of Parliament House, to fully comprehend the pain and suffering of the individuals and the families of those who were killed or injured by the events of 12 October last year.

We all know someone whose life has been shattered by these events. We have seen the devastation and the pain as they go about rebuilding their lives. I think we constantly ask why us, why Bali, why Australia. The challenge I think we have as leaders of community opinion is not to let those who would damage our society by their actions win by our withdrawing into isolation or a culture of blame of Indonesians, of Muslims or of those in Bali. Those who have returned to Bali for the memorial service this Sunday have accepted that challenge, as has the Prime Minister, John Howard, who along with all those others is showing leadership by not wavering from their commitment to attend Sunday's service.

There are zealots and extremists in all societies. They find fertile ground for dissent and dissatisfaction where there is a lack of understanding, a lack of knowledge and a lack of tolerance of other cultures. We have a responsibility to ensure that tolerance for other cultures is not only taught in our schools but is practised in our everyday lives. We need to continue to encourage overseas students to study in Australia. The greatest tool against fear and mistrust of others is knowledge. It is the individual relationships between members of our societies that will build bridges and assist in disarming those who would promote violence and mayhem in Australia.

We must continue to work with our Asian neighbours, not just with education and understanding but also with trade and developing business relationships. Tourism and travel are not only about holidays, they are about developing cultural links with societies. They are about developing understanding and tolerance.

We all share the sorrow for the events in Bali and our sympathy is extended to the victims and their families.

Mr LUPTON (Pahran) — It is a privilege to speak in support of this motion moved by the Premier. The 202 people killed in Bali, including 88 Australians, were innocent of any wrongdoing, as were the survivors. Their families and friends and the wider Australian and Balinese communities are also innocent victims of this terrorist outrage.

In this motion we are reflecting on the death and suffering of all those involved. We are applauding those who gave assistance in the aftermath, reaffirming our commitment to political and religious freedom, tolerance and compassion, confirming our resolution to oppose terrorism, prejudice and extremism and renewing our hope for a more peaceful world.

I want to concentrate my remarks on those who helped the survivors, in particular the staff of the Alfred hospital in Prahran, our commitment to political and religious freedom and our opposition to terrorism, prejudice and extremism.

Following the bombings the Alfred hospital was notified that because of the extensive nature of their injuries six victims required transfer to the specialty burns and trauma unit. The Alfred assembled a special response team led by Professor Thomas Kossmann, director of trauma services, and Ms Heather Cleland, a plastic surgeon and director of the Victorian adult burns service. The response team met the Hercules aircraft carrying the victims at Essendon Airport. The four most seriously injured patients underwent surgery within an hour of their arrival. Another two critically injured patients were transferred to the Alfred during the same 24-hour period.

We should bear in mind that throughout this time the hospital still had to cope with the large number of local trauma incidents which resulted in patients arriving at the hospital. A crash, a house fire and a petrol incident brought the total number of trauma patients who presented to the Alfred in a three-day period to 15. An unprecedented 11 major burns patients were being cared for in the intensive care unit. Eight days later two of the most seriously injured patients from the shooting incident at Monash University were also airlifted to the hospital.

The Alfred hospital was able to cope with the enormous trauma load, with Ms Cleland and Professor Kossmann inspiring and leading the hospital staff. The staff played crucial roles in both caring for patients and operating for many days in a row. Surgical staff operated for up to 16 hours a day.

The response of the community was also magnificent. More than 500 people volunteered their assistance, and thousands of cards, faxes and messages of support were received. This gave great encouragement to the staff of the Alfred hospital, who were working so hard to care for the injured.

Of course the medical treatment of patients from Bali is still continuing a year after the event. Friendships have

been formed, and rehabilitation may have to continue for many years to come. Jason McCartney, one of the most well known of the victims, has become closely identified with the hospital as a result. During the pre-match entertainment at the grand final, when a large number of sporting people were presented to the crowd and did a lap of honour, Jason was the one person who received a standing ovation from the entire crowd at the Melbourne Cricket Ground. I think that indicates the feelings of the community better than words.

Recently I was privileged to be part of the Alfred's Fathers Day fundraising appeal. Jason McCartney was a celebrity chef on that day, along with the health minister and me at different times of the day. During the course of the day many people came up to us and wanted us to know how close they felt to the Alfred hospital and what the staff and all the people associated with caring for the victims meant to them as a community. It was a very moving thing in which to be involved.

All the staff at the Alfred should be recognised for the roles they played and continue to play. I have had the benefit of speaking with Professor Kossmann and visiting the trauma unit with him, and I thank him for the insights he was able to give me.

Our commitment to political and religious freedom must also be restated as a response to these tragic events. The circumstances that give rise to terrorist atrocities like those committed in Bali are not compatible with a society based on the rule of law, democratic institutions, a pluralist culture and religious tolerance. There is a saying that democracies do not go to war against each other. Neither are they likely to be the breeding grounds of this type of terror. That is not to say that democracies and our open society may not be used by terrorists as safe havens or in other ways to support their operations. But they will not be breeding grounds of widespread terrorist intolerance.

As Thomas Jefferson said, the price of freedom is eternal vigilance. We must carefully guard against terrorism in our region and our midst while preserving political and religious freedoms here and encouraging their development elsewhere.

In opposing terrorism we must understand these attacks by Islamist terrorists for what they are. These terrorists are not fighting for Third World liberation. Their acts are not the result of poverty, desperation or alleged American unilateralism. Earlier al-Qaeda attacks, such as the first World Trade Centre bombing and the attack on the USS *Cole*, occurred during the Clinton presidency, which was on any view a period of

significant US multilateral engagement. As we know from 11 September and from the repeated terrorist outrages in Israel, many terrorists are well educated and not poverty stricken, although they often use poorly educated and poverty stricken people as their pawns.

Al-Qaeda and Jemaah Islamiah recite their explicit goals regularly. They are Messianic organisations fighting to restore a pan-Islamic caliphate governed by Islamic law. They kill people throughout the world who are opposed to this aim. Their recruitment goes on.

As was reported in the *Australian* of 1 October, the headmaster of the Al-Islam school in Indonesia, which has been linked to Jemaah Islamiah, told the reporter that the Bali bombings were a good thing, that the convicted terrorist Amrozi was a hero and that the West was corrupt. These activities and the terrorist sources of funding must be addressed.

It is pleasing to see the cooperation that has occurred over the last year between the Australian and Indonesian authorities. Earlier this week I was privileged to be able to speak with the commissioner of the Australian Federal Police, Mick Keelty, and I was very impressed with his comments about the long-term cooperation and progress in relations between Australia and Indonesia as a result of the collaborative work that has gone on in the last 12 months. That sort of work must continue.

We must remember that terrorism is about the deliberate targeting of civilians to achieve a political goal. Whether terrorism occurs in Bali, Israel or anywhere else in the world, it is a threat to democracy and must be opposed and defeated. Strengthening democracy, tolerance and freedom is the way to ensure that these victims did not die in vain and that our hopes for a more peaceful world will be realised.

Motion agreed to, honourable members showing unanimous agreement by standing silent in their places for 88 seconds.

ADJOURNMENT

Mr BRACKS (Premier) — I move:

That as a further mark of respect to the memory of the victims of the Bali bombings, the house do now adjourn until 2.00 p.m. this day.

Motion agreed to.

House adjourned 11.21 a.m.

The SPEAKER took the chair at 2.03 p.m.

DISTINGUISHED VISITOR

The SPEAKER — Order! Before calling questions without notice I would like to welcome His Excellency the Consul-General of India to Victoria, who is in the gallery.

QUESTIONS WITHOUT NOTICE

City Link: concession deed

Mr MULDER (Polwarth) — My question is to the Minister for Transport. Can the minister advise the house when he received advice of a breach of clause 9.2 of the City Link concession deed and what immediate action he took to protect Victorian motorists?

Mr BATCHELOR (Minister for Transport) — The member asked a very detailed and precise question in relation to an act. I will check the records and advise him accordingly.

Prisons: escape review

Mr LIM (Clayton) — My question is to the Minister for Corrections. Will the minister advise the house of the results of the government's investigation into recent prison escapes in Victoria?

Mr Smith — You've only got half an hour!

Mr HAERMEYER (Minister for Corrections) — No, not anymore, with a Liberalised question time!

Honourable members interjecting.

The SPEAKER — Order! Will the minister answer the question!

Mr HAERMEYER — Last month we had three escapes from a number of our minimum security prisons. We also had one prisoner escape from the community custodial permit program, commonly known as day leave. Certainly that raised some concerns, particularly about the day leave program.

I stress to the house that the day leave program is something that has operated for quite some time under governments of both political persuasions, with support across the board. For quite some time a former Liberal minister, Walter Jona, chaired the committee that oversees this. It is about enabling prisoners who are approaching their release dates to go into the community, re-establish links with their families and re-establish networks in the hope that when they are released there is a lesser chance that they will reoffend.

Ultimately it is about community protection. Of course there have been a number of instances over the duration of the program where prisoners have walked from day leave.

As a result of the incident last month Corrections Victoria and its ethical standards unit have conducted a review of prison security, particularly of the day leave program. What we need to get through is the message that attempting to escape from prison is not worth it and that there will be tough new sanctions and tighter access to the day leave program, which will remove much of the temptation for prisoners who want to abscond. There is a price to pay for prison escapes, and prisoners have to recognise that if they attempt to escape they will severely set themselves back.

This was a thorough review, with proper processes gone through. The review found that while protocols and procedures had been followed in the escape cases, improvements could be made in the processes involved. We have identified some of the system issues, which of today have been fixed.

Escapes from prisons have dropped dramatically since this government came to office. Between 1992 and 1999 the escape rate was 4.9 per 100 prisoner calendar days, whereas under this government that has dropped to 3.9. However, the government is determined to improve that even further.

This morning the Honourable Richard Dalla-Riva, a member for East Yarra Province in the other place, criticised the time taken to do this review. He also made some comments about the prison system not having the resources to implement it. During the seven-year period of the coalition government there were 17 escapes but not one single review that I remember being announced or that the community was made aware of. Not one single outcome was announced — if there was any review! The government has significantly boosted resources in the present system.

In January Mr Dalla-Riva said the government was spending too much on the prison system, yet he is now saying it has not got enough resources. The member in the other place will say anything. What has been done in this review has been thoroughly researched and based on evidence. Unlike the other side, the government does not pick things out of thin air and say the first thing that comes to mind.

The reforms that are in effect as of today include tightening the day leave programs so prisoners will only be eligible for day leave one year out from release and not three years, as was previously the case. There

will also be tougher internal sanctions. They will be subject to longer periods in maximum security if they escape or attempt to escape. Corrections Victoria is also referring the issue of sentencing for escapes to the Sentencing Advisory Council, the appropriate body for it to go through. It is inappropriate, as Mr Dalla-Riva has done, for a member of Parliament — —

Mr Ryan — On a point of order, Speaker, the minister has been speaking for more than 5 minutes, and I ask you to have him conclude his answer.

The SPEAKER — Order! According to my watch the minister has spoken for just on 5 minutes. I uphold the point of order. I remind the minister of the necessity to be succinct, and I ask him to conclude his answer.

Mr HAERMEYER — The Leader of the National Party must have inherited Normie Gallagher's watch!

In addition, the government is investigating tamper-resistant steel, electronic monitoring and global positioning system tracking equipment, which we hope may provide technology that is capable of reducing the risk of prisoners being on day leave. We will also improve the structure of the overall program of activities to be implemented on day leave. We will need to be sure they have a direct rehabilitative benefit. It is not just about prisoners going out for a good time. We will be providing day leave refresher training — —

The SPEAKER — Order! I have already asked the minister once to conclude his answer. I must insist that he finish his answer now.

Mr HAERMEYER — I am happy to wrap up my answer. Given the interest the opposition showed in this previously, it now seems to have a lack of interest. The community custodial permits program has been successful, and the government is determined to ensure its continued success. Enhanced security will ensure this program continues to operate with a reduced risk of the sort of escapes that occurred last month.

Victoria: federal funding

Mr RYAN (Leader of the National Party) — My question is to the Premier. I refer to the very obvious and continuing tactic by the government of blaming the commonwealth government for everything and anything. I ask whether the Premier can confirm that state government research also shows that the federal government is responsible for the death of Cock Robin, the assassination of JFK, the disappearance of Harold Holt, the extinction of the dinosaur and the defeat of Collingwood!

The SPEAKER — Order! I remind the Leader of the National Party that this is not an occasion to make a statement. If the member has a question, I ask him to ask it.

Mr Ryan — That is the question.

Mr BRACKS (Premier) — I am not sure what the question was! I indicate that if there is a substantive point being made by the National Party, it could be this. The government is still waiting for the federal government to contribute to the Wimmera–Mallee pipeline, so that would be a great thing to do. The government is still waiting for the federal government to honour its commitment on exceptional circumstances assistance to fruit growers in northern Victoria. When it comes to country roads, and if you look at the Calder Freeway, the Geelong bypass and the Deer Park bypass, I have to say the member is absolutely right — Victoria is not getting its fair share from Canberra.

Melbourne International Arts Festival

Mr LONEY (Lara) — Will the Minister for the Arts advise the house of the economic impact of the Melbourne International Arts Festival, what some of the highlights of the festival are, and how we are sharing the benefits of the festival across the whole of Victoria?

Ms DELAHUNTY (Minister for the Arts) — I thank the member for his question and for his support of the arts over a long period. I hope the member has dusted off his dancing shoes. I hope that all members have dragged out their dancing shoes, because tonight the Melbourne International Arts Festival opens and the theme is dance and body. It seems that Victorians love the idea.

Mr Hulls interjected.

Ms DELAHUNTY — I can see the Attorney-General dusting off his shoes and warming up already!

The member for Lara asked about the economic benefits of the Melbourne International Arts Festival, and they are substantial. Not only do people have a good time at the festival, but it earns for Victoria around \$17 million per annum in activities generated by local, interstate and overseas visitors. International arts festivals like this being high on the arts calendar around Australia and the world enables Tourism Victoria to market Melbourne as a globally focused and sophisticated city. Thus we have visitors spending on hotels, hospitality, sightseeing and so on.

Last year Victorian arts industries added \$7.8 million worth of goods and services to the economy and employed over 110 000 Victorians. The creative industries are an important contributor to the Victorian economy. The Melbourne festival guarantees increased employment for Victorian artists and Victorian companies, particularly the smaller companies that rely on performing work commissioned through the Melbourne festival as new work.

The member for Lara was interested in some of the highlights of the festival. One of the highlights is a dance program called Bal Moderne that is starting not in Melbourne or the centre of the city but in regional Victoria. Anyone can come along and learn dances, led by three young Australian composers. It started in regional Victoria last weekend. It kicked off in Nagambie and was led by Victoria's own Fred Astaire, the member for Footscray. It will move to Wangaratta and then to Sale, so the Leader of the National Party might shake out his pumps. It will then move to Bendigo, and I know the two members from Bendigo are shining their pumps as well. It will close the festival with a special performance at the Royal Exhibition Building.

The festival is important because it starts in regional Victoria and ends in the city, but it is free. It is free for regional Victorians; it is free for visitors. In fact there are over 300 free performances this year, including Dancing in the Streets. Members could also see a fairly challenging work by a Belgian company called *I Am Blood*. That is not for the fainthearted, but I am told it is an outstanding work. There is also a group of octogenarians from Massachusetts who are singing and dancing their way through a wonderful performance, and I urge everyone of whatever age to have a go.

We invite all members of the house to look at the program. It is a fantastic program. If you do not like Dancing in the Streets there are plenty of other programs to enjoy. There is Singing in the Rain. Hail has been forecast for tonight, but the Melbourne Festival kicks off at Federation Square tonight.

State Emergency Service: vehicles

Mr WELLS (Scoresby) — My question is to the Minister for Police and Emergency Services. I refer the minister to his department's recent purchase from Argentina of 30 new vehicles for the State Emergency Service. Will the minister confirm that the wrong vehicles were purchased from overseas and that the vehicles had to be rebuilt from 3½ tonne to 4½ tonne, the gear boxes were broken, they cannot carry the

minimum accredited amount of safety gear, and there is not even enough room for a spare tyre?

Mr HAERMEYER (Minister for Police and Emergency Services) — It is fair to say there have been some inadequacies and design problems.

Mr Doyle interjected.

Mr HAERMEYER — I cannot give you a new dummy every day. Did you spit it?

The SPEAKER — Order! I ask the minister to address his comments through the Chair.

Mr HAERMEYER — As I said, certainly with some of the vehicles that have been issued to the State Emergency Service there have been some design and specification problems. They are now being rectified by the manufacturer at the manufacturer's expense. I can honestly say this would never have occurred under a Liberal government, because under a Liberal government the SES received not one new truck.

Otway National Park: establishment

Mr CRUTCHFIELD (South Barwon) — I direct my question to the Minister for Environment. Can the minister inform the house of the latest steps in the establishment of the Otway National Park and advise how the public can become involved in this important initiative?

Mr THWAITES (Minister for Environment) — I thank the member for his question. Last November the Premier announced that the government would protect the magnificent Otway region. We will be creating a single national park from Anglesea to Cape Otway, and this will preserve Victoria's most striking national assets. We moved quickly, and early this year the Bracks government instructed the Victorian Environment Assessment Council to make boundary recommendations for the new park. VEAC has already received 470 submissions following the release of the terms of reference for this investigation, and these submissions, I am sure the member will be pleased to know, represent a wide sector of the community and outstanding support for the new national park.

There will be community forums, and I am sure the member for Polwarth will want to take part in them. They will be at Lorne, Lavers Hill, Geelong, Anglesea, Colac and Apollo Bay. The final date for the submissions to be lodged with VEAC prior to the report is 5 December. I would urge members of the Liberal Party opposite to get their submissions in. In fact they should get both their submissions in: the submission we

will no doubt get from the member for Polwarth, who is quoted as being opposed to the national park and as saying that the Liberal Party in government could reverse the decision to have a national park, and the submission from a member for Monash Province in another place who is quoted as saying that she welcomes the park and welcomes the long-term cessation of logging in the Otways.

Clearly we have two camps in the Liberal Party. I ask the leader which camp he is in, or is this just another case of the Liberals standing for nothing!

Police: budget

Mr WELLS (Scoresby) — My question is to the Minister for Police and Emergency Services. I refer the minister to the overspending in the police budget of \$55 million. Which police programs or services will be slashed to pay for this budget blow-out?

Mr Smith — Come on Toy Boy, more speed cameras!

The SPEAKER — Order! The member for Bass will not behave in that manner. I ask him to be quiet.

Mr HAERMEYER (Minister for Police and Emergency Services) — He is a credit to the accomplishments of modern taxidermy!

The SPEAKER — Order! The minister, to address the question.

Mr HAERMEYER — As usual the — —

Mr Doyle interjected.

Mr HAERMEYER — Look, there's the cap that goes with the dummy — —

Honourable members interjecting.

The SPEAKER — Order! The minister's behaviour in the house this afternoon and yesterday afternoon is totally inappropriate. If the minister cannot conduct himself properly in the house, he will be sat down. I ask the minister to answer the question appropriately and to behave in an appropriate manner.

Mr HAERMEYER — The member for Scoresby as usual has got it absolutely wrong. There is no \$55 million blow-out in the police budget. I do not know where he has got this from. Again he has picked a figure out of thin air. Victoria Police — —

Mr Wells interjected.

The SPEAKER — Order! The member for Scoresby has asked the question, and I suggest he listen to the answer.

Mr HAERMEYER — Victoria Police from time to time reports deficits and reports surpluses. It is expected that this year it will report a deficit, but I can assure the house that that deficit will be substantially less than the \$39.6 million deficit that was reported in the 1995–96 year — substantially less. What this comes down to is that the police get receipts from various sources, including government, and they have expenditure. The receipts and the expenditure are not necessarily incurred in the same year. The member has some difficulty understanding that concept. They get money, but they do not necessarily expend it in the same year as they get it.

I can assure the honourable member and every member of this house that Victoria Police this year has the largest budget in history, it has the highest number of police it has ever had, and we are well on track to and will deliver the 600 extra police over this term of government. That will bring us to 1400 extra police since we came to office, and that is a darn sight better than sacking 800 of them!

Major events: government strategy

Mr LANGUILLER (Derrimut) — My question is to the Minister for Tourism. Will the minister advise the house of the upcoming major events in Victoria and outline the importance of the government's events strategy to the state?

Mr PANDAZOPOULOS (Minister for Tourism) — I thank the member for his question and note that he is a huge fan of major events, particularly when South American teams are playing, like Argentina doing the kick-off against the Wallabies tomorrow night in Sydney.

Victoria is definitely the place for major events. Certainly we have had great success in recent years because of this government's increased investment in major events, its having doubled its commitment compared to that of the previous government. We have seen the biggest events acquisition program and the biggest level of support to existing events. The most recent event that was announced was the world swimming championships to be held in 2007, but we have also acquired other events across regional Victoria, including the women's world road cycling championships to be held in Geelong; the world artistic gymnastic championships; the world lifesaving championships, which are also to be held in Geelong

and on the surf coast; and the 2004 Commonwealth Youth Games to be held in Bendigo, just to name a few.

The member asked about the importance of events to the state. I inform the house that a recent total economic impact assessment has highlighted that the return on our investment of \$40 million in major events is \$961.8 million to the Victorian economy. That is an increase of \$95 million on the previous year and close to a 10 per cent increase.

There is a phenomenal list of major events to be held in October and November. The Minister for the Arts talked about the Melbourne International Arts Festival, but there are a series of other events. One of Victoria's best-known major events started last Saturday with the Turnbull Stakes at Flemington, which of course is part of the Spring Racing Carnival. That is a great celebration for Victoria, which puts us on the map and highlights our reputation as the leading racing state in Australia, as well as in our region. That continues until the Ballarat Cup on 19 November.

It is important to understand the numbers who attend the Spring Racing Carnival. Last year there was a record number of attendees — 350 000 people. That makes it the event with the biggest economic impact in the state, its having contributed \$350 million in the last financial year. As we are now into the Spring Racing Carnival it is important to say that they are not just Melbourne events and that that is often misunderstood. One of the keys to the Spring Racing Carnival is that a whole lot of regional events are involved, whether it be the Taltarni Avoca Cup, the Manangatang Cup country music day or the Yarra Glen spring food and wine day. It is all about regional Victoria, as well as the three key clubs in Melbourne.

The Spring Racing Carnival is the first event, but tomorrow night is the kick-off of the Rugby World Cup. This Saturday night will be Melbourne's chance to be part of the biggest sporting event the world will see this year, and as a government we have been pleased to be able to support it. Italy will play New Zealand on Saturday night, and the last rugby game will be on 9 November. That event on its own will produce a \$100-million economic impact for Victoria. With the series of events that are on in Victoria between now and the end of this year we will achieve in the next three months half the normal economic impact of major events that we have a year.

It is also important to realise that we leverage business opportunities out of our major events. There has been a huge effort to encourage international business

representatives to attend the Rugby World Cup — and we are hosting so many here in Victoria. We are also doing something else: we are hosting two of the great teams that will be playing. One is the All Blacks, and when I was in New Zealand a year ago I had the pleasure of making a presentation to them. I met with them, and they have made Melbourne their home base, as has the Canadian team. That means there is great support from their member support base. All of the All Blacks supporters will be basing themselves in Melbourne to see the team training and will then follow it around, and that will be wonderful from a tourism point of view. Of course we want the Wallabies to win, but at the same time we are being raided by the Irish, not only for the racing but also for the great game on Derby Day.

Thirdly, we have a very important regional event, which is the 2003 Skyy Vodka Australian Motorcycle Grand Prix, which is to be held from 17 to 19 October. That is a growing event. We will have the same numbers attending that event as attended when Wayne Gardiner and Mick Doohan were motorcycle champions; and with the success of Troy Bayliss we are seeing huge attendances at Phillip Island, which is again an economic boost.

Why is the government into major events? We are into major events because of the economic contribution they make to the state. It is about jobs. Unlike opposition members, who just considered major events as a new place to show off their top hats, for us it is all about more money into the economy and more jobs. That is why I am pleased that today we have seen the lowest unemployment rate of 5.2 per cent for Victoria, against a national average of 5.8 per cent. The government has a clear economic strategy, and major events are part of that.

Police: vehicles

Mr WELLS (Scoresby) — My question is to the Minister for Police and Emergency Services. I refer the minister to his recent answer to a question on notice when he admitted that he did not know how many vehicles belong to Victoria Police, and I ask: given that the criminal investigation units at Rosebud, Frankston, Geelong and Bendigo, among others, now require car dealers to provide vehicles at no cost due to a shortage of police vehicles, can the minister advise the house how many vehicles are currently on loan to Victoria Police?

Mr Smith interjected.

Mr HAERMEYER (Minister for Police and Emergency Services) — You should be in a museum! He is an anthropologist's delight, that one!

The member made some accusations in relation to shortages of vehicles at a number of police stations. I have checked that allegation with Victoria Police. The police advise me that those police stations have the appropriate number of vehicles allocated to them.

Honourable members interjecting.

Mr HAERMEYER — Who would you believe, Victoria Police or the member for Scoresby? I know who I believe.

There is a longstanding practice within Victoria Police that vehicles are loaned to them from a number of sources, not to cover routine vehicles but to provide vehicles that are used for the purposes of undercover surveillance. That is what those vehicles are provided to Victoria Police for. I cannot tell the member how many of those vehicles are on loan to Victoria Police as of today, but if it is really important to him I will go and find out.

Geelong: regional economy

Mr TREZISE (Geelong) — My question is to the Treasurer. Will the Treasurer advise the house of the latest evidence demonstrating the strength of the Victorian economy, particularly in Geelong, and how this contrasts with other efforts to promote the region?

Mr BRUMBY (Treasurer) — I thank the member for Geelong for his question and for his strong, longstanding and strident commitment to the economic development of that area. It is significant to note, as the Minister for Tourism did, that the unemployment figure put out today for Victoria as a whole is 5.2 per cent — well below the national average of 5.8 per cent. That means that for 39 consecutive months Victoria has had an unemployment rate below the national average. That is a great achievement for our state.

An area which has shown extraordinarily strong growth is Geelong. Over the past three years the value of building approvals has risen something like 40 per cent; last year it was more than \$450 million. Unemployment in the Barwon West region is now at 5.2 per cent, down from a very high number just a few years ago. We have seen extraordinary population growth — something like 1.9 per cent over the last year. When you put all of that together, it is a great outcome for Geelong.

Why is that so? There are a lot of factors. One of them is that we have six outstanding Labor members of

Parliament in Geelong. They are around this chamber and in the other place, doing a fantastic job of representing that area.

The Bracks government is delivering in health, education and aged care. It is the only government — obviously the federal government has not — which has committed to the Geelong ring-road. It is a huge project, and the government has promised \$190 million for that important road. We have committed \$12 million to the Skilled Stadium upgrade.

Mr Hulls — Go Cats!

Mr BRUMBY — That is testing the loyalty!

We have made a number of other significant commitments. There is new investment in the manufacturing and jobs area: Telstra, with 150 jobs; Austrim Textiles; Melbatex; Ford, with 130 jobs; Bassell, opened by the Premier recently; and SNF Polymers. I want to inform the house that just last week Quay Development Corporation announced a \$100 million-plus development on the former Ford site in North Geelong. This is great news. It confirms the confidence investors have in Geelong. This will generate more than 1500 new jobs on the 15-hectare site — retail, health care, a hotel, offices, a call centre, a restaurant, a visitor information centre, the whole works.

I want to highlight that, because while Labor is doing a great job of building jobs and opportunities in Geelong unfortunately there has been some negative publicity. Here is a story from page 1 of the *Geelong Advertiser* of 11 April 2003, headed 'Missing'. The first paragraph states:

State opposition leader Robert Doyle could resort to running the Liberal Party office out of a car in a desperate bid to establish a presence in Geelong.

Mr Perton — On a point of order, Speaker, the Treasurer is debating the question.

Mr BRUMBY — On the point of order, Speaker, the question asked me to contrast the efforts of the Bracks government in developing jobs and opportunities in Geelong with other efforts in the region. I am answering the question. There have been some other efforts in the region. Unfortunately, they have not been too successful. I am answering the question I was asked.

The SPEAKER — Order! Regardless of how the question might have been phrased, the Treasurer is required to direct his answers to Victorian government business. Therefore I uphold the point of order and ask

the Treasurer to direct his answer to how these matters affect the Victorian government.

Mr BRUMBY — One of the programs we launched recently — it is a very successful program, and the Premier announced the first grant the other day — is the new community regional industry skills program. Through this program the government can match the need for skills with employers in the region. I think I can see an opportunity for this program coming up, because there is one job in Geelong at the moment which it appears cannot be filled — that is, the job of the non-elected Liberal Party representative.

Mr Perton — On a point of order, Speaker, last Thursday you were required to sit the Treasurer down for defying your rulings.

The SPEAKER — Order! Are you raising a point of order?

Mr Perton — Yes, I am.

The SPEAKER — Order! What are the grounds for the point of order?

Mr Perton — The Treasurer is defying your ruling — he is debating the question.

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

Mr Perton — You are joking!

Honourable members interjecting.

The SPEAKER — Order! The Speaker has been very tolerant of the member for Doncaster and the many reflections he makes on the Chair. When he raises his points of order the Speaker rules, and he is not required to make any further comment. I advise the member for Doncaster that that practice will get him into serious trouble in relation to his conduct in the house. The Treasurer, to continue.

Mr BRUMBY — As I said, the government has been performing well in Geelong. We are delighted with the recent announcement of 1500 new jobs. We are out there delivering. Unfortunately we may have to apply this new program in Geelong. A new position was promised some months ago, and I see that most recently in July a statement was made that while this non-elected job had not been filled — —

The SPEAKER — Order! I will not tolerate that rudeness from the member for Doncaster.

I am speaking, and I ask him to resume his seat. I will then call him.

The Treasurer has now been speaking for almost 10 minutes. I ask him to conclude his answer, relating it to government business.

Mr BRUMBY — We have been getting on with the job. We have been delivering in Geelong by delivering jobs and delivering investment. We have great members of Parliament there, and we have a booming economy there. I think members can see all the evidence. It is writ large in the *Geelong Advertiser*: Labor is there delivering, the Liberal Party is not.

CEMETERIES AND CREMATORIA BILL

Second reading

Debate resumed from 7 October; motion of Ms PIKE (Minister for Health); and Mrs SHARDEY's amendment:

That all the words after 'That' be omitted with the view of inserting in place thereof the words 'this house refuses to read this bill a second time until consultation has taken place with key stakeholders concerning heritage issues, industry structure and freedom of choice in the selection of headstones and grave monuments'.

Mr DOYLE (Leader of the Opposition) — I want to make a very brief contribution to the debate on this bill. A lot of the work done on this bill and a number of the changes in it are the result of a committee I chaired in 1996–97.

I am pleased to see this very difficult piece of legislation come before the Parliament. The bill makes some useful changes to the act, but I will highlight the three particular parts which have caused us to bring in this reasoned amendment. We do not do so in a confrontational or adversarial spirit but because we believe there are three things that need to be taken into consideration and fixed before this bill becomes law. We would certainly be prepared to cooperate while the bill is between houses if the government saw fit to strengthen this bill in the three ways which I will consider.

The first is very sensitive. You need to take account of the cultural, ethnic and religious concerns of many of the communities in wider Victoria. There has been a failure by the government to properly reassure those communities that this legislation meets their specific needs. I know there are other communities as well, but consultation with the Jewish community is the case in point. I have talked with Chevra Kadisha, which was

also representing Adass Israel, and it told me it had had only one opportunity to raise its concerns with the government and still has very grave concerns about burial practices and the proposal for the creation of pioneer parks as contained in the bill.

Honourable members may recall that when the Queen Victoria Market was placed in its current position it was over a graveyard, and members of the Jewish community at that time exhumed the remains of about 40 of its people for reinterment because of the necessities of that culture and religion, which stipulate that a Jewish grave must always remain a Jewish grave. There are Jewish graves scattered throughout Victoria, so unless there were real guarantees given about the adequacy of notice for any proposed pioneer park, the Jewish community would be extremely concerned that it may well happen that one of their graves may be inadvertently but nevertheless grassed over. That would be grossly disrespectful in terms of the Jewish religion.

This can be fixed by proposing those regulations before the bill becomes law so that individual trusts know exactly what they are doing. We need to make proper provision in this bill for communities like the Jewish community to be properly notified. That is something that should not be underestimated by government, given the sensitivities of, for instance, the Jewish community. This is not an area where an assurance that the government is going to do the right thing will be enough. I do not mean that in a slighting sense, but the community requires greater protection and comfort than that. I invite the government to consider meeting with Chevra Kadisha and Adass Israel so that this can be worked out before the bill becomes law.

I was disappointed to hear — and I have now heard the anecdote a couple of times — that the former Minister for Health, when he was asked about the concerns of this group, commented that, unlike the Liberal Party, he would not be doing sweetheart deals with groups such as Chevra Kadisha. That is an unfortunate statement. Never in my dealings with the Jewish or any other community was there any attempt to make what were slightly called sweetheart deals. I hope the former minister was misquoted in that. However, there was a real attempt to try to meet the diverse and sometimes quite demanding needs and requirements of a number of our ethnic communities.

I urge that as clauses 25 and 28 are considered in the other place those regulatory regimes could be made more clear before the bill becomes law. That may offer some degree of comfort, but I would certainly ask the government to meet with ethnic groups which still have

concerns about this bill, particularly the Jewish groups, so that those can be addressed.

The second part about this bill that concerns me — and I intend to make only a very short contribution since I did not intend to make even this lengthy a contribution — is what may be monopoly rights of a small number of very large cemetery trusts. They should not be allowed to dominate the entirety of this sector, but I fear that some of the things that have been done mean that will happen. It would be a great shame if we were to lose the stonemasons in Victoria because of vertical integration in their industry, meaning they would be forced out.

I would like to see some protection in this bill for that very important part of Victorian industry. It would be a great pity to lose those skills and the many family businesses. The stonemasons are very concerned that the provisions of this bill will drive them out, and I think those concerns must be addressed. If we want to keep stonemasons and their businesses in Victoria they will need greater comfort than this bill presently offers them. I have to say also — and I know that there is a challenge to this bill under national competition policy — that it seems to me that some of its provisions may well contravene national competition policy. I do not think it addresses the competition issues raised by the stonemasons. That is my second concern.

The third concern is that I do not think the government has been brave enough. It is well known that monuments are owned by the families of the deceased. It has long been my belief that as monuments pass into disrepair it would be great if cemetery trusts could carry out preventive maintenance on them so that they do not get to the point at which they are dangerous and need to be pulled down. At the moment no trust can touch them. I urge that that right be given to cemetery trusts. They will not exercise it in a way that is disrespectful or against the wishes of families.

Consider, for instance, La Trobe's monument — I think it was his — in the Melbourne General Cemetery, which became so run down and so badly in need of repair that we had to dismantle it. I think it is still in storage. This is a very important national heritage monument but we apparently do not have the capacity to make the necessary repairs to monuments like that so that they do not reach the point where we have to dismantle them and then work out how we are going to put them up again. Forget the cost; their importance to our heritage and our history is absolutely crucial. That is so across all of Victoria.

If one thinks about the tourist visitations to Beechworth cemetery, which is a living part — pardon the pun — of our history, unless there is some power for the trust to do some preventive maintenance it will spiral downwards into a state of even greater disrepair, particularly when you consider some of the Chinese monuments in that cemetery. It would be a great pity to lose that heritage because we were not brave enough to allow trusts to carry out that maintenance. I argue strongly that that is something the government should look at when we are dealing with all heritage matters, not just the major monuments.

The National Trust of Australia is very concerned about this legislation. I remember that the trust raised concerns, along with the genealogical society and a range of other people and groups throughout the community. I wish I had time to thank them individually for all their work. I thank them collectively. These concerns were not special pleadings by the national trust but on behalf of all Victorians and future generations. They were asking for an assurance that our heritage would be protected. They remain concerned about the provisions of this bill.

As I say, the bill needed extensive rewriting. I know from working with our public servants when we were in government that the excellence and the quality of the work they do should not be underestimated when considering a bill of this complexity. Although the Cemeteries and Crematoria Bill may not seem to be a bill of huge import just looking at it, the complexity of the bill — and more than that, the passions and the feelings that the issues concerned with this bill evoke in our wider community — should never be underestimated.

This bill affects people's lives in a way that can sometimes be profoundly disturbing unless that degree of comfort and reassurance is given. There are three areas there where I believe that has not so far occurred. The opposition would pledge to work with the government while the bill is between houses, if it wished to take that up, particularly to offer those ethnic communities the degree of comfort they need. If amendments are required, or if reassurances are needed and can be provided while the bill is between houses and while it is in the other place, I think that would make this better legislation. That would serve the community we serve much better than the bill presently does.

Ms D'AMBROSIO (Mill Park) — I wish to speak in support of the Cemeteries and Crematoria Bill, and in particular to pick up on some points made by the Minister for Health in her second-reading speech with

respect to the needs and expectations of the broad community that we have, which I believe this bill goes quite adequately towards fulfilling.

As an example of the diverse attitudes and approaches to burials, I have been exposed to many conversations in my own electorate with constituents, particularly those of middle age, who quite often discuss the need to purchase portions of land at the nearby Fawkner cemetery as their final resting place and often probably decades in advance of their need to utilise such a facility. Pros and cons are discussed in terms of the benefits of in-ground burial as opposed to burial in a mausoleum. The process often takes many months of discussion involving families, friends and adult siblings, and it is not uncommon for adult siblings to undertake jointly the task of selecting final resting places, often located next to or very near each other.

I also recall a few months ago a general conversation with a particular constituent who was asked by his very elderly grandparents to take photos of them with the idea that they were in the process of wanting to select a particular photo to be affixed to their tombstone. They told me how they were never quite satisfied with any of the photos that were taken. It probably had a lot to do with not being very sure about what pose to take; whether to have an expression of happiness, sadness, tranquillity, peace or some type of acceptance. After all, the importance of this is that decisions such as these are quite final, and those types of photos are there as a final remembrance to people who are visiting the graves for decades to come.

I only give these two examples of what cemeteries and death can mean to people, not because the significance of death and burial is any more or less important across religions and cultures in our community, but because there are vastly different approaches and expectations related to burial and burial places. This has become more evident over the recent decades with our richly multicultural community.

I believe this bill gives recognition to the importance our community places on burial and burial places, and the different needs and expectations that are these days more highly expressed by different communities. It is therefore good to see in this bill that cemetery trusts will have a specific requirement to have regard to the cultural and religious values of the community in their administration of the cemeteries and crematoriums. It reflects the needs and expectations of our various communities.

The bill also confirms that cemeteries and crematoriums will remain in public hands and have a not-for-profit

status, which as far as I am concerned is a necessary safeguard which best ensures that the administration of those cemeteries and crematoriums adequately reflects the needs and expectations of the public.

I wish to concur with the member for Lowan, who on Tuesday in his contribution to the debate indicated approval for the bill, and in particular his recognition that the bill is sensitive to our religiously and culturally diverse communities regarding burial places. The bill also promotes our genealogical history by providing for better record keeping so that future generations will have better research access to genealogical information. Another aspect of the bill I would like to give due recognition to is the fact that all forms of burial will now be treated equally.

As we know, the perpetual tenure of burial sites is preserved and is now being offered as an option to those who have chosen to be cremated or to have their loved ones cremated. This change removes the confusion and misunderstandings which have sometimes surrounded the cremation of loved ones, causing distress for the family members who remain. The member for Mulgrave in his contribution the other day cited an example of a family in his electorate who had the same sense of distress over a misunderstanding regarding the circumstances of tenure and the cremation of a loved one. I also express that I have had a similar instance presented to me in my electorate.

Cemetery trusts will now be equipped with better planning opportunities regarding increases in fees, which will give them greater flexibility. Fees will now be automatically adjusted according to the consumer price index, removing the need for a request to be made to the department secretary. The community will be safeguarded against the potential for unjustifiable, or what may be seen as unjustifiable, increases by virtue of the fact that a trust cannot increase a fee above the CPI without the approval of the department secretary, to whom such fee increases would need to be justified.

I wish to address some of the concerns raised by members in this house and members of the broader community that the bill increases opportunities for the conversion of burial grounds to public parkland. The implication is that where burial places are full or inactive after a 25-year period the remains of loved ones and sites of historical significance could be disturbed or removed. This is a concern that has most recently been expressed by the Leader of the Opposition.

May I say, though, that such a prospect is anathema to the purposes of the bill and quite ill-founded. The

member for Mulgrave allayed those concerns in a most definitive fashion in his contribution the other day. The conversion of a burial place to public parkland would only occur in the most exceptional of circumstances and then only when it is deemed to be the most respectful option available. The objective is to preserve and maintain all burial places in a respectful and amenable manner, and conversion to public parkland can only possibly occur by ministerial decision after all the steps as laid out in the bill are exhausted. Those steps are quite specific and protective of the variety of expectations and needs within the community. So in effect the option could only occur with the blessing of the community and where it is the only practical and respectful option.

I understand that regulations and a code of conduct are to follow the approval of this bill, at which point I am sure the government will work keenly with the various stakeholders and groups to allay any concerns, whether they be to do with the competitiveness of the industries affected with respect to cemetery trusts or their ability to vertically integrate their activities.

This bill will not come into operation until the middle of 2005. That provides ample opportunity for comprehensive consultation with all stakeholders regarding the accompanying regulations and code of conduct. As a member of the Scrutiny of Acts and Regulations Committee, I look forward to reviewing the regulatory impact statement and the regulations when they are eventually presented to the committee. I am confident that all reasonable steps will be taken to cater to the industry's concerns and any remaining concerns in the broader community regarding the perpetuity of tenure of burial places. I commend the bill to the house.

Mr COOPER (Mornington) — This bill gives significant extra powers to cemetery trusts without, in my view, paying sufficient regard to the interests of a number of other stakeholders. Because of that, I strongly support the reasoned amendment that has been moved. I would have thought that, given the time lag between the debate and the implementation of the bill, there is no imperative for the government to push this legislation through in a great hurry and that it should now be going through the consultation process that it seemingly avoided in the run-up to this debate.

A number of concerns about the bill have been expressed by the general community — or at least those who know about it. There are many who do not, and that is because of the lack of a consultation process. Concern has also been expressed by the stonemason industry, which is expressing grave concerns, and by

the national trust, which is expressing concerns about heritage and historical matters. These are all issues which need to be pursued by this government. The fact that it has not done so shows that this government has failed in following a proper process, as we discussed yesterday with the amendments to the constitution, and failed in the way it has gone about bringing in this legislation. If the government insists on pushing this legislation through in its present form, in the coming months and years a lot of people in the community will be gravely upset — and I do not mean that as a pun — by a number of aspects.

Mr Andrews interjected.

Mr COOPER — The word came out before I realised; it could be interpreted as a pun. They will be upset about some of the aspects of the legislation. For example, as the Leader of the Opposition said, it would be a disgrace if the stonemason industry was significantly damaged by this legislation. The bill strengthens the position of large cemetery trusts by allowing them a free hand to vertically integrate their businesses and control every aspect of commercial activity in the areas under their control. For example, a trust could require that all headstones be purchased through it, and that would not only put people out of business but reduce competition, pushing up prices and eliminating consumer choice.

The question of consumer choice is particularly important for a number of cultural and ethnic groups, and this is something that the government needs to take into account. It cannot just dismiss it as being of no moment. We have a large number of ethnic and cultural groups within our multicultural society, and their concerns need to be taken into account, as do the very genuine concerns that have been advanced by the national trust about the importance of cemeteries from heritage and historical points of view.

Any member who goes out to the Springvale Necropolis, as I unfortunately had to do last week for the funeral of a family friend, will see there are orange stickers all over the place advising people that unless they pay up extra money those sites can be reused. Time limits on grave sites or on sites where ashes are buried is anathema to me. I think it is disgraceful. The fact that after a period of some 25 years or so a grave will be reused will not be greeted with great joy by many people in the community. The point also needs to be made that a lot of people cannot come up with the extra money. What happens when an historical grave is put in that kind of a situation and there is nobody around to pay for the additional time? These things all need to be sensitively explored with the general

community, and that point is made in the reasoned amendment.

The government has failed to consult widely with the community, and subsequently many people in the community have little idea of the problems that would occur with the implementation of this legislation. That is the point we are making today as strongly as we possibly can.

Finally, because I know there is an agreement between the parties that we restrict our contributions to 5 minutes, and I am trying valiantly to do that, I want to raise the question of the funeral industry generally and the licensing of funeral directors.

I understand that the Australian Workers Union is pushing for an inquiry into the funeral industry with a view to bringing about the licensing of funeral directors. Ours will be first state to do that if the bill goes ahead, and it will significantly raise costs. I understand also that the government will announce this within the next two weeks. Frankly, to impose additional costs on people who are burying their relatives and friends is a disgrace, and the government should think very carefully before it starts to unionise and license the funeral industry.

Ms MORAND (Mount Waverley) — I welcome the opportunity to speak on this bill, which has been under development for a long time. The previous Liberal government circulated a discussion paper and developed legislative proposals that did not quite make it to Parliament, because an election was called in September 1999. The Minister for Health in the new Bracks government released another discussion paper at the end of 2001. The proposals were about a review of the legislation, because it was an old 1958 act. Victoria was of course a very different place in 1958 from what it is today, and there was widespread agreement that a review of the act should be conducted.

I take this opportunity to thank everybody who participated in the review — the cemetery trusts, other stakeholders, the national trust and others. Having worked for the previous minister during the release of the discussion paper, I know the amount of time spent and the efforts made by so many people on the review. In particular I would like to mention the staff of the Department of Human Services who have worked on this over a number of years: Philip Eggleston, who brings with him a great knowledge of the industry; Mark McKew, from the cemeteries unit; Stephen Lodge; Jan Bowman and Jan Norton from public health; and legal officers Deborah Foy and Jennifer Giles. I also commend the work most recently done by

the Parliamentary Secretary for Health, the member for Mulgrave. As I said, consultation on this legislation has been going on for a number of years.

I would also like to take the opportunity to commend the work of an important group of people, and that is the volunteers who serve on the cemetery trusts — all 526 of them. These volunteers are committed to helping their communities. They volunteer year after year — they are often retired — and they serve their communities well, particularly in small country towns. Death, burial and cremation are important issues which will touch us all at some point in the future, and dignity and respect for the dead are important values to uphold.

I will comment briefly on a number of important features in the bill. First of all, cemeteries and crematoriums will remain in public hands. This is a very important feature of the bill, because there are those on the conservative side who would have liked to see privatisation in this sector. I refer to the terms of references of the previous government review of the Cemeteries Act, which was chaired by the previous parliamentary secretary for health and now opposition leader, the member for Malvern. In the previous discussion paper the terms of reference included evaluating ‘the best model for the ownership and management of cemeteries’ — and the policy directions indicated in the document related to options for privatisation.

It is clear that privatisation was on the agenda of the previous Liberal government. Fortunately we now have a bill which provides that cemeteries will remain in public ownership. This is important for many reasons, including the concern that companies operating for profit would at some point not be able to appropriately care for the private land which they own and in which remains are interred in perpetuity. Concern was expressed about the impact of the vertical integration of funeral directors and cemetery services. The current system has served us very well and will be continued.

Other features of this bill include the expectation that cemetery trusts will respond to the cultural and religious needs of the community and that perpetual tenure will remain. Limited tenure was an option put forward in the discussion paper released in 2001, but it has been rejected by government. Cemetery trusts must offer perpetual tenure for cremated remains, continue to offer limited tenure for cremated remains and continue to say that cremated remains do not have to remain in a cemetery, which I know is important for a number of people. The bill also provides for magistrates to order burial or cremation for those who have died with insufficient means.

I would like to acknowledge the efforts of a group of people, including the previous police commissioner, Mick Miller, and Ted Worthington of Bereavement Assistance Ltd, who brought to the attention of the previous minister and his office the unfortunate circumstances of some members of our community who pass away without having anybody who is able to make funeral arrangements for them. The cemetery trusts will also be able to provide a simple form of memorialisation for these people who are buried or cremated by such an order by a magistrate.

Cemeteries will be able to close for future burials under the order of the Governor in Council if there has been no interment for 25 years and if no new right of interment has been issued for 25 years. The bill retains a provision that allows a cemetery trust to convert a cemetery to parkland. This is not a new provision. The minister will have to approve any such proposal from a cemetery trust. Cemetery trust fees will have to be approved by the secretary and published on the Department of Human Services web site, and this is important to allow the public to compare fees between cemeteries. Trusts will be required to secure perpetual maintenance funds, which are so important in ensuring the appropriate upkeep of cemeteries.

Finally, I again congratulate all the participants in this review who have worked on this reform over many years, and I praise them and the Minister for Health for finally bringing this legislation into Parliament. I commend the bill to the house.

Mr MAUGHAN (Rodney) — I am pleased to make a contribution to the debate on the Cemeteries and Crematoria Bill. As other speakers have said, it is a very sensitive and emotional issue and needs to be handled accordingly. This legislation takes account of the wide diversity of religious and cultural backgrounds we now have in our community and handles these issues in a sensitive way.

As previous speakers have said, the 1958 legislation is no longer appropriate. The composition of the community has changed considerably since then. We have different mores and different standards, and it is appropriate and long overdue that we have a review of this legislation.

Just in passing, for the whole of the time that I have been a member of this Parliament — 14 years now — this issue of cemeteries has kept coming up. I have had a couple of secretaries of cemetery trusts constantly asking me when we are going to have new legislation. I am delighted that this is now going through, because it is one other job I will not have to do. This has been

going on now for 15 years, and the review has been under way for about 20 years in one way or another. I am delighted that it has come to a conclusion and that, generally speaking, the provisions in this legislation have bipartisan support.

The key features of the legislation are that cemeteries and crematoriums are to remain in public ownership — and we are all agreed on that; that perpetual tenure should remain; that there should be greater clarity with regard to cremated remains; and that there is a mechanism to close cemeteries and ultimately put them to public parks if there has not been a burial for the last 25 years and there has not been a plot sold for the last 25 years. Again, we need those mechanisms and to be able to use them where appropriate — and I stress ‘where appropriate’.

There is a section that provides for magistrates to order burial or cremation, and I will come back to that in a minute. Cemetery records are to be kept in the public domain, and there is provision for cemeteries to be managed by municipal councils, as well as a whole range of other provisions which have been dealt with by previous speakers.

I come back to the section dealing with the power of a magistrate to order that a person be buried or cremated, in clauses 143, 144 and 145. I would like to put the proposal that the government should pay for these costs. The information I have is that there are probably about 40 people in this category each year. One of the cemetery trusts in my electorate, a small cemetery trust, has approached me, and the member for Lowan, who spoke for the Nationals earlier in the debate, has had a couple of cemetery trusts approach him, on this issue. They have said, ‘If we have one or two within a short period of time, given that it is about \$500 to have a minimal burial or interment, it could create severe financial problems’. Given that there are only about 40 per year the government could and should pick up the tab for burials that are ordered by a magistrate.

I wish to make another couple of points. This bill removes the option for cemetery trusts to waive fees. Some trusts would object to that, and again the Patho Cemetery Trust, which is a small trust in the Gunbower–Echuca area, has for a long period of time been waiving fees for children who have special circumstances, and also for ex-servicemen buried in war service graves. It would like to retain that right to waive the fees if it considers that to be appropriate.

The other point I want to touch on — I realise that time is limited — is that I support the notion of records being readily available. However, in small country

cemetery trusts those records are frequently held in the home of the trust secretary, and rather than their having to be made available at the cemetery itself, which is in many cases impractical, there should be a provision to allow those records to be viewed in the home of the trust secretary.

With those remarks, I think this is good legislation, and the National Party certainly will not be opposing the bill.

Mr LEIGHTON (Preston) — The previous member for Preston, Carl Kirkwood, was of particular service to this Parliament as chair of the Mortuary Industries and Cemeteries Administration Committee; and he continues to serve on the Preston Cemetery Trust. I think Carl would be disappointed if I did not make a contribution, and there is a specific issue that I want to talk about — that is, clause 21, where cemetery trusts require the prior approval of the secretary of the department to construct and operate a crematorium.

In clause 22 they require the approval of the secretary of the department for the establishment of mausoleums, and that is of specific interest to the Preston Cemetery Trust. The trust currently operates a mausoleum, which has been very successful, and it is constructing a further mausoleum and crematorium. So far it has expended \$1 million on that project. I want to put on the record a letter the trust wrote on 21 November 2000 to the Department of Human Services. The letter states:

In reference to section 54 of the Cemeteries Act, please be advised that the Preston Public Cemetery intends to carry out the following items.

The cemetery intends to purchase from La Trobe University a strip of land between 10 and 15 metres wide along the north-east boundary of the cemetery for the full length of the boundary. It is our intention to purchase this land using cemetery funds and then hand it over to the Crown for gazetting as Crown land.

The cemetery also intends to expand the existing mausoleum building approximately 75 metres along that boundary on the land to be purchased.

The cemetery also intends to build a crematorium at the northern end of the proposed new mausoleum building on the land to be purchased.

All of the above works are to be funded by the cemetery from its reserve.

Could you please confirm the above items are acceptable to the department.

The letter is signed by Geoff Marchant, the cemetery manager. Mr Marchant received a letter dated 9 April from the Victorian Government Solicitor. The letter states:

I refer to earlier correspondence in this matter and advise that I have now been provided with a contract of sale by the La Trobe University, a copy of which is enclosed for your information.

I have forwarded the contract to the Minister for Health requesting it to be signed so I can attend to exchange of contracts.

To enable me to pay the deposit I would be grateful if you would forward me a cheque of \$33 000 at your earliest convenience.

The letter is signed by James Syme, the Victorian Government Solicitor.

The point I am making is that Preston advised the Department of Human Services that it was going to construct these works, and DHS then processed the purchase of the land which was necessary. In discussions I have had with DHS it has made it clear that it has no objection to the mausoleum. In respect of the crematorium, it is saying that it has a number of questions about the business plan. I welcome the fact there is going to be a further meeting between the Parliamentary Secretary for Health, me, officials of DHS and representatives of the Preston Cemetery Trust. I also note the advice from the DHS that these provisions are not about protecting Fawkner cemetery but, as a matter of public policy, are about protecting the smaller cemetery trusts from making bad business decisions. It is important that the policy be on this basis. If it were to protect larger organisations then it would be anticompetitive.

Members of the Scrutiny of Acts and Regulations Committee had some concerns about the operation date of July 2005. I understand that that is to allow the development of regulations and model rules, given that there are 526 trusts.

The Leader of the Opposition raised issues concerning the Jewish community. As a member who has a parent's grave in the Jewish section at Springvale, I do not believe that there is any particular concern relating to the Jewish community. Jewish cemeteries have been consulted along with all other sections of the industry, and I do not believe that there is anything that can impact on either general cemeteries having Jewish sections or there being specifically Jewish cemeteries.

The member for Mornington raised the issue of limited tenure of graves. As fond as I am of the member for Mornington, I think he really did not understand how this operates, because while one of the discussion papers put forward the proposal for limited tenure, that was not proceeded with in the bill. In fact the bill provides for perpetual interment of cremated remains. If anything it is going in the other direction.

We have agreed to limit the time for debate, so my final point is to acknowledge the work done by Ted Worthington and his group, Bereavement Assistance Ltd. I have had a number of discussions with Ted over a number of years. His group conducts what we would understand to be pauper funerals or burials to allow those people some dignity. An enormous contribution is made by Ted and his fellow celebrants. While they have had some funding over the years, I believe more permanent arrangements and support need to be established for Ted and his group. With those comments I am pleased to support the bill.

Mr CLARK (Box Hill) — This bill deals with a very sensitive subject, and it is a bill that has raised a wide range of concerns, many of which have been dealt with by previous speakers.

I want to address one particular aspect — namely, the extent to which the families and friends of the deceased should be free to choose in respect of memorials, headstones or other memorials the design and the service provision, and the price that suits their objectives and is within their budget.

Families of deceased persons, of course, whenever possible want to mark and remember the deceased in the way that they consider to be the most fitting, having regard to a wide range of factors which can be cultural, religious or traditional, or reflecting the life of the deceased person. Conversely we want to avoid any risk of vulnerable relatives of a deceased person being in a position where they are confronted with high prices, limited products and a take-it-or-leave-it attitude when they try to obtain a fitting memorial for their loved one.

There has been concern raised about this and about whether or not some cemetery trusts may seek, under pressure, to raise revenue and exclude competition. As I say, that should be avoided, because it excludes the families of the deceased from choice. What we should aspire to is that our cemetery trusts continue to be focused, as I am sure the vast majority of them already are, on providing a service to the community and not revenue raising through exclusion of others who might provide alternative options of memorialisation to families.

Given that there are a variety of stonemasons and other service providers, it seems to me desirable that cemetery trusts should make known to families the widest possible range of options that are available. The Master Stonemasons Association of Victoria has taken up this concern and has produced and circulated to the government and the opposition a very thorough and detailed study by Marsden Jacob Associates reviewing

the relevant legislation. A lot of this discussion takes place in the language of national competition policy and competitive neutrality, which may well seem incongruous in the context of cemeteries, but what it ultimately gets down to is choice and options by which families can most fittingly mark and commemorate the life of their loved one.

The concerns boil down to two issues: first, that there is no distinction drawn in this legislation between the core functions of cemeteries and those on which it would be feasible to allow the widest possible range of choice; and second, that there is no adequate policing or redress for any abuse that may take place by some of the cemetery trusts of their monopoly position.

A very thorough review of the competitive neutrality issues was conducted by the Department of Treasury and Finance, and I commend the DTF officers who wrote the report on this review. They found that the provision of headstones and other memorials was a significant business and that the pricing of products and services by trusts was not transparent. They were concerned about the extent to which bereaved parties were being informed of the available options. They went on to say that they expected the new act and regulations would clarify the role of trusts and remove some ambiguity such as the application of competitive neutrality and the issue of regulation 11 relating to commercial activities. They also said that it was proposed that the revised legislation would include alternative appeal mechanisms in addition to complaints to the Department of Human Services, the Minister for Health or the state ombudsman.

In relation to this final issue, it seems to me that the legislation has not in fact done what the Department of Treasury and Finance expected would be done — that is, that the appeal rights to the Victorian Civil and Administrative Tribunal do not extend to service providers, only to families of deceased persons and other similar individuals.

So there are these serious concerns about national competition policy, choice, flexibility and exclusion of discrimination. The government's response does not appear to have been adequate. It appears that either the Treasurer did not take up his own department's concerns at cabinet or, if he did, he was overruled. These amongst others are the reasons the opposition believes the bill should be withdrawn until these issues have been properly addressed.

Ms BEATTIE (Yuroke) — I join the debate on the Cemeteries and Crematoria Bill 2003, which is a very serious bill because there can be no weightier act than

the burying of one's loved ones and nothing more sacred than commemorating and celebrating their lives. This is a brand new bill, and it will take us into the future. It is a great foundation to take cemeteries and crematoriums into the future, thereby ensuring that loved ones who pass on from this time onwards are looked after.

The Cemeteries Act 1958 required significant updating. It had been subject to numerous amendments since its inception and it also contained sections and language dating from much earlier legislation, and we all know times have changed. Much of the act was ambiguous, difficult to interpret and caused problems for both the industry and the community in general. The extent of the changes needed meant that it was more appropriate to introduce new legislation, hence here we have this bill today.

The recommendations of the review panel that were not accepted centred on the introduction of private operators into the sector. To be fair, at that time there was a lot of privatisation going on. In hindsight most people would realise that it is entirely inappropriate for cemeteries to be privatised. The Treasurer endorsed the Victorian government's response to that.

I want to thank the many people and organisations involved in the consultation process. I thank the Cemeteries and Crematoria Association of Victoria, the Australian Funeral Directors Association (Victorian Division), the Victorian Independent Funeral Directors Association, the Australian Institute of Embalmers, the Municipal Association of Victoria, the Master Stonemasons Association of Victoria, the Ethnic Communities Council, the Victorian Council of Churches and leaders of various non-Christian groups, including Islamic, Jewish and Buddhist communities and the Ethiopian Orthodox community. I also thank the Australian Medical Association, the Australian Workers Union, the National Trust of Australia and the Construction, Forestry, Mining and Energy Union. I congratulate Albert Littler of the CFMEU on his work on historic Labor graves. Albert and his team have raised funds to restore the graves of many of the early stonemasons. I commend a trip to the various Labor graves to members of this house.

The Sunbury cemetery was in my previous electorate of Tullamarine. Many of the children from the old industrial school at Sunbury were buried in unmarked graves. The Sunbury Historical Graves Association tended those graves, and if members go there they will understand the importance of the graves. They are a rear-vision mirror into the past, and they must be treated with great respect.

In this modern society we see many strange things happening. We see the advent of pet cemeteries, where people pay hundreds of thousands of dollars to bury their pets. They are the loved ones of some people, although I understand they are not covered by this bill. Recently we saw the sincere burial service of the last of the firefighters who was killed at the World Trade Centre and a vial of blood was buried as his last remains. This bill allows for that type of burial, the burial of body parts and various organs. Today we had the commemoration of the Bali bombings, and as those sorts of terrible acts occur this type of burial may become more common.

The bill will take us into the future. I commend the national trust for its work on various graves. My husband and I often visit a small country town, get out of the car and look at the local cemetery. It is a great window on what has happened in small country towns. I know members on the opposite side would agree that you can see the history of the town in the cemetery. You see many happy and tragic stories, but they are all there for people to see.

This bill will treat cemeteries and graves with the respect and solemnity they should be afforded. I commend the bill to the house.

Mr INGRAM (Gippsland East) — Like the member for Rodney, I have received representations over the past four years from secretaries of cemetery trusts. It is an important issue across our area. The Cemeteries and Crematoria Bill has been a long time coming. One of my predecessors, a previous member for Gippsland East, Bruce Evans, spent some time working for me and told me he was a member of the committee that looked into this issue. He said that when he was first appointed to the committee he had had some reservations about being on it, because our community does not like discussing these things openly, and he was reluctant to get involved. However, he realised that some of the issues the committee was investigating were extremely important. I understand the committee made some of the recommendations that led to the ongoing consultation and debate that in turn have led to the changes set out in the legislation.

Other members have raised issues during the debate, some of which have merit. It is difficult to get the right balance in legislation. The member for Rodney raised the issue of the deceased poor person provisions in part 10 of the bill. Like the member for Rodney, I think there is an issue with putting the expense of the burial of the deceased poor person on small rural cemetery trusts, because their capacity to earn income and maintain and manage their assets and grounds is

limited. They struggle to do that, and it is an issue that is constantly raised with me. It would be better if the cost were accepted by the state government.

Some issues were raised about transferring responsibilities to local government, particularly in rural areas. That may also be a financial burden on rural councils, and perhaps the cemeteries would be better off being maintained by the state government.

Important history is contained in cemeteries around Victoria. One of the most haunting images you could see is near the boundary between the member for Benambra's electorate and my electorate. When you drive along the Omeo Highway and come down through Sunnyside to Glenn Wills you see a cemetery beside the road that is part of the goldmining heritage of the area. There are a large number of crosses and gravestones in the middle of nowhere. The first time I went through that area I wanted to know the history of the place.

Unless you know the history of those areas it is difficult to understand why so many people are buried in a particular place. I know the goldmining areas of my electorate used to have large towns that no longer exist. The cemeteries are still there, but no-one is being interred in them. The maintenance of the cemeteries is extremely important for our cultural heritage, and they are a link to immigration to our country. A large number of Chinese diggers worked in these areas and sometimes they are the only link to families who came to our country — for instance, in areas such as Cassilis. The number of deaths of people who worked in the mines at Cassilis was extraordinary, not just through disease but because of the hard working conditions. The graves and cemeteries are in the middle of the bush, and we should keep that heritage and that link going. The cost of maintaining those cemeteries is extremely high.

I am not completely comfortable with a number of issues, in particular the cost being imposed on cemetery trusts where cemeteries are returned to parkland. That would be of great concern, particularly with rural cemeteries, although I know it is not as likely with rural cemeteries as it is with metropolitan cemeteries. I thank the house for the opportunity of contributing to the debate.

Mr HONEYWOOD (Warrandyte) — In joining the debate on the Cemeteries and Crematoria Bill I refer to a specific issue to do with my electorate of Warrandyte, which is on the urban fringe of Melbourne. The Warrandyte community regards itself as a country town, and the difficulty it has is that since the Templestowe cemetery has been closed Warrandyte

cemetery is the nearest open cemetery to the eastern suburbs of Melbourne, so we have many burials going on at the cemetery.

The concern of local residents is that there is no clause in the bill that gives the local cemetery trustees the ability to ensure that there is some area where local residents who pass away can have some guarantee of being interred. This is an ongoing issue. It means that unless someone has had the foresight to purchase a plot they will miss out, and there is no capacity for the trustees of the cemetery to ensure that local residents can be buried locally. That is a special thing for people who have lived and worked in a particular community all their lives and who have family members interred in the local cemetery but who may not be able to access the family plot.

This issue should be looked at seriously. We are not just talking about any suburban cemetery but about communities who regard themselves as living in a slice of the country, albeit officially in the metropolitan area of Melbourne. I know the volunteer trustees of the Warrandyte Cemetery Trust, people such as Rob White and John Chapman, have been lobbying for many years to ensure that local residents have if not preference then some right to be buried locally.

Mr PLOWMAN (Benambra) — The only issues I wish to touch on in the few minutes I have relate to the heritage and historical aspects of those graveyards and cemeteries located around country Victoria, but most importantly in those old mining areas. I was pleased to hear the member for Gippsland East talk about some of those, because clearly in many parts of country Victoria there is no other evidence of any settlement or any other human existence except the cemeteries that remain. It is most important that every effort is made to retain those cemeteries in areas like Beechworth, Chiltern and Cornishtown; in Glen Wills and Sunnyside in Gippsland East; and right through central Victoria into the goldmining area.

I talked to the secretary of the Chiltern Cemetery Trust, Mr Rex Fuge. His basic concern is that these records are in many cases the only records available of the families that lived there, and they include some of the history of those families in respect of children, descendants, wives and so on. Very many people come to him from overseas seeking records of their families and so on.

He is very concerned that under proposed section 8(1)(d) the trust can be abolished and that under proposed section 65 approval to convert an eligible cemetery to a historic cemetery park can mean that a

closed cemetery can be so converted. It would be a complete shame if responsibility for a cemetery trust, which has the interests of that cemetery at heart and the volunteers to do it, was transferred to, say, a local council that financially might not see the benefit and the need to maintain it. It might therefore close the cemetery and go through the process defined under proposed section 65.

Clearly what we should look at is the way cemeteries are retained and used to great advantage in the United Kingdom and in Europe, not just for their historical and heritage values but also for their tourist value.

The Bracks government only provides \$28 000 each year for the maintenance of country cemeteries. On that basis alone it is clear that their efforts should be supported rather than funded by a mere \$28 000, which is a pittance. I hope the minister is aware that this is a very small amount of money for all those people who rely on those voluntary contributions.

Cemeteries are a most important part of our heritage. In many cases they are the only record we have of the history of some places. I hope the minister will consider all this in the future administration of this legislation.

Ms PIKE (Minister for Health) — This has been a very long debate in which many members of the house have participated, which is indicative of the importance and significance of cemeteries and crematoriums in the life of our community. Even though they are resting places for the dead, they are places of history that bear witness to what has gone before. They are also places where people bury those they loved in life and where they want to remember them in a most appropriate way.

With those initial comments I thank the members for Caulfield, Lowan, Mulgrave, Malvern, Mill Park, Mornington, Mount Waverley, Rodney, Preston, Box Hill, Yuroke, Gippsland East, Warrandyte and Benambra for their thoughtful contributions.

Concerns were raised by a number of members, and I want to address those in my summarising comments. One issue of concern is the capacity within the legislation to designate a cemetery as a memorial park. I take this opportunity to clear up a large amount of misinformation in the community about this provision. In fact the capacity to designate a cemetery as a memorial park has been in the act since 1984.

Mr Honeywood interjected.

Ms PIKE — Some people have not understood this, so I am explaining it to them. Over that time only three places in Victoria have availed themselves of that

opportunity: Seymour, Oakleigh and Broadmeadows. So it is not something that people have actually chosen to do.

Under the old act the authority for approving a request was vested in the Secretary of the Department of Human Services. This legislation now vests that authority in the minister and also provides a greater level of detail about the processes and the steps that a community would have to undertake if it desired to move in that direction.

I believe this legislation strengthens that provision, and I am also confident that the regulatory impact statement process will give further detail to that and clarify it. Given the large and significant number of emails I have received about this matter, it is important to make it clear that the government has the profoundest respect for cemeteries and for the remains of people who have passed away; and it acknowledges and understands the important place that cemeteries have in the recording of our history. There is absolutely no intention to denigrate that, to diminish that source of information and record keeping or to be disrespectful in any way.

Concerns have been raised about the way we respect and uphold the multicultural character of our community. Trusts' obligations are strengthened and are certainly enshrined in the bill. The government notes that different communities have a range of traditions and heritages they wish to uphold. The burial of one's dead is often a significant time for the expression of multicultural differences. Therefore, it is important that the trusts comply with these significant obligations.

The member for Caulfield raised concerns that have been expressed by the Jewish community. I believe there has been substantial consultation. However, I am pleased to advise the house that the Parliamentary Secretary for Health, the member for Mulgrave, will be happy to meet with two particular groups in his electorate next week to address the concerns they have raised. He has given me an undertaking that he will meet with Chevra Kadisha and Adass Israel next week to address some of their concerns.

People have also raised concerns about how stonemasons will be dealt with under the bill. Stonemasons are concerned that the capacity of trusts to sell headstones will somehow diminish their capacity to do so. The stonemasons' concerns will be dealt with through a detailed regulatory impact statement process as part of the making of regulations, the forming of guidelines and the application of trust rules. The government has agreed with the stonemasons to

develop a code of practice, and the member for Mulgrave will be actively involved in that process. These subordinate instruments will be developed in consultation with the community and the sector. We have already had significant consultation with and given the stonemasons those assurances.

We acknowledge that there are other interested people in the broader community and that they also need to be consulted. The making of the regulations, the formation of the guidelines, the application of the trust rules and the development of a detailed code of practice will flesh that out and develop the subordinate instruments.

It is interesting that this bill has engendered a lot of debate and discussion within the broader community. That is because death is something that is inevitable, but it is also a very significant part of life and the life cycle. It is also something that always bring forth very strong views. Different cultures and different communities have unique ways of expressing themselves when it comes to the death of a person.

This bill acknowledges that over time communities and societies change and therefore practices change. The additional focus on cremation in this bill recognises that burial is not the only way people deal with their loved ones when they die. There is a greater interest in the use of crematoriums in our community. That is why this bill incorporates that and updates the relevant provisions. It provides a modern and efficient framework for the operation of this very important sector.

The process of consultation and the development of the changes incorporated in the bill have been respectful. They have allowed members of the community to express their concerns and their desires about the way they want to treat death in 2003. I am pleased to commend the bill to the house.

Business interrupted pursuant to sessional orders.

The ACTING SPEAKER (Mr Smith) — Order! The time has arrived for me to interrupt business pursuant to the resolution of the house and to conclude debate on the bills in the government business program.

House divided on omission (members in favour vote no):

Ayes, 58

Allan, Ms	Jenkins, Mr
Andrews, Mr	Kosky, Ms
Barker, Ms	Langdon, Mr
Batchelor, Mr	Languiller, Mr
Beard, Ms	Leighton, Mr
Beattie, Ms	Lim, Mr
Bracks, Mr	Lindell, Ms

Brumby, Mr
 Buchanan, Ms
 Cameron, Mr
 Campbell, Ms
 Carli, Mr
 Crutchfield, Mr
 D'Ambrosio, Ms
 Delahunty, Ms
 Donnellan, Mr
 Duncan, Ms
 Eckstein, Ms
 Garbutt, Ms
 Gillett, Ms
 Haermeyer, Mr
 Hardman, Mr
 Harkness, Mr
 Helper, Mr
 Herbert, Mr
 Holding, Mr
 Howard, Mr
 Hudson, Mr
 Hulls, Mr

Lobato, Ms
 Lockwood, Mr
 Lupton, Mr
 Marshall, Ms
 Maxfield, Mr
 Merlino, Mr
 Mildenhall, Mr
 Morand, Ms
 Munt, Ms
 Nardella, Mr
 Neville, Ms
 Overington, Ms
 Pandazopoulos, Mr
 Perera, Mr
 Pike, Ms
 Robinson, Mr
 Seitz, Mr
 Stensholt, Mr
 Thwaites, Mr
 Trezise, Mr
 Wilson, Mr
 Wynne, Mr

Noes, 26

Asher, Ms
 Baillieu, Mr
 Clark, Mr
 Cooper, Mr
 Delahunty, Mr
 Dixon, Mr
 Doyle, Mr
 Honeywood, Mr
 Ingram, Mr
 Jasper, Mr
 Kotsiras, Mr
 McIntosh, Mr
 Maughan, Mr

Mulder, Mr
 Napthine, Dr
 Perton, Mr
 Plowman, Mr
 Powell, Mrs
 Ryan, Mr
 Savage, Mr
 Shardey, Mrs
 Smith, Mr
 Sykes, Dr
 Thompson, Mr
 Walsh, Mr
 Wells, Mr

Amendment negatived.

Motion agreed to.

Read second time.

Remaining stages

Passed remaining stages.

INSTRUMENTS (ENDURING POWERS OF ATTORNEY) BILL

Second reading

Debate resumed from 7 October; motion of Mr HULLS (Attorney-General).

Motion agreed to.

Read second time.

Remaining stages

Passed remaining stages.

HEALTH LEGISLATION (AMENDMENT) BILL

Second reading

Debate resumed from 8 October; motion of Ms PIKE (Minister for Health).

Motion agreed to.

Read second time.

Remaining stages

Passed remaining stages.

MENTAL HEALTH (AMENDMENT) BILL

Second reading

Debate resumed from 8 October; motion of Ms PIKE (Minister for Health).

Motion agreed to.

Read second time.

Remaining stages

Passed remaining stages.

GRAIN HANDLING AND STORAGE (AMENDMENT) BILL

Second reading

Debate resumed from 7 October; motion of Mr CAMERON (Minister for Agriculture).

Motion agreed to.

Read second time.

Remaining stages

Passed remaining stages.

ROAD SAFETY (AMENDMENT) BILL

Second reading

Mr BATCHELOR (Minister for Transport) — I move:

That this bill be now read a second time.

The main purposes of the bill are to:

strengthen the operation of the written-off vehicles register, reduce fraudulent activity associated with written-off vehicles and address anomalies that have arisen since the Register's implementation;

make allowance for intended changes to the way in which breath analysing equipment measures the concentration of alcohol;

amend the provisions determining the circumstances in which the owner of a motor vehicle is liable for a traffic camera offence; and

discourage unsafe driving, and so continue the reduction in the Victorian road toll under Victoria's road safety strategy Arrive Alive! by introducing measures to allow the use of point-to-point camera technology which will detect drivers who persistently exceed speed limits over extended distances.

The bill also proposes some additional regulation-making powers to support the 'three strikes and you're out' policy, which provides for a graduated range of sanctions against the operator of a heavy vehicle that is detected travelling at speeds of more than 115 kilometres per hour.

The bill also makes a number of technical amendments to address some inconsistencies and anomalies that have been identified in the operation of the act.

Written-off vehicles register

The ongoing problem of rebirthing vehicles, a practice whereby criminals use the identity of a legitimate wreck to register and on-sell a stolen vehicle, is well known, with the cost to the community estimated to be up to \$75 million Australia wide.

Written-off vehicles registers that comply with a set of nationally agreed principles have been implemented in all states and territories except Western Australia, with that state expected to introduce a register later this year.

The national written-off vehicles register network has begun to achieve anticipated outcomes in inhibiting the trade in stolen rebirthed vehicles. However, as the volume of written-off vehicles processed nationally grows, consistency between all jurisdictions becomes critical.

While there is provision for some flexibility, differences in administrative arrangements diminish the full potential of the national network as a barrier to criminals.

The bill proposes the formal recognition of written-off categories used in other states, ensuring consistency in practice and strengthening the integrity of the register. This is necessary to reinforce the effectiveness of a national registration ban on statutory write-offs.

The bill proposes that Vicroads can enter a written-off vehicle on the register on the basis of a report from an insurer or self-insurer without making its own inquiries. This is consistent with the nationally agreed position that the task of assessing the status of written-off vehicles should not be performed by road authorities, and that insurers and self-insurers are best placed to undertake this task.

The bill restricts the range of persons who can appeal against the inclusion of a vehicle on the register. This will ensure that a person cannot purchase and repair a vehicle that is already on the register, and then seek to have its status changed so that it can be reregistered. This practice is inconsistent with the purpose of the register, namely, to prevent the rebirthing of stolen vehicles. The rights of appeal of the person who was the registered operator of the vehicle prior to it being written off, and the person who notified Vicroads of the write-off, will not be affected. The bill prevents appeals from persons who acquire vehicles after they have been written off. This change is consistent with the clear intent of the nationally agreed position.

The bill allows nominated police officers to direct that vehicles entered on the register as a repairable write-off be upgraded to a statutory write-off. This provides a mechanism for improving compliance with, and accuracy of, written-off assessments and again prevents these vehicles' identifiers from being used to rebirth stolen vehicles.

The bill proposes that insurers notify Vicroads about write-offs by them of vehicles owned by a third party and not insured by them, as well as of vehicles insured by them. This will increase the number of written-off vehicles on the register, and will therefore also assist in preventing the rebirth of stolen vehicles. It will also address an anomaly in the current operation of the register.

Written-off vehicles registers provide a 'last line' of defence against the reregistration of stolen vehicles. The proposed changes will ensure Victorian practice is in line with that of New South Wales and other jurisdictions and that a consolidated national position is presented to prevent identifiers from written-off vehicles being used to rebirth stolen vehicles.

Drink-driving provisions

The bill makes several changes to the drink-driving provisions of the Road Safety Act.

The bill makes it clear that the obligation of a driver to stop at a breath-testing station, or when signalled or directed to do so by a police officer, includes a requirement to remain stopped until the test can be conducted.

The bill provides for the service of certificates issued in relation to the alcohol and drug-driving provisions of the act to be issued in the same way as a summons. This will allow the certificates to be served in the same way as the charges to which the certificates relate.

The bill also provides for police to give evidence under oath of their authority to operate a breath analysing instrument in the same way as they can give evidence under oath of their authority to conduct a drug assessment.

Victoria has for many years enforced drink-driving laws and other alcohol-related offences in the Transport Act 1983 and the Marine Act 1988 by the use of breath alcohol analysis equipment. This equipment measures the amount of alcohol in a person's breath, and then expresses the result in terms of the concentration of alcohol in blood that corresponds to that measurement of alcohol in breath.

Due to the development by the National Standards Commission of a new Australian Standard for Evidential Breath Analysers, the police need to modify their existing breath analysing instruments that express the amount of alcohol measured in breath in terms of the equivalent concentration of alcohol in blood, so that they will directly express the concentration of alcohol in breath. This will ensure that the devices continue to comply with the requirements of the commonwealth's National Measurements Act 1960.

As a consequence of this new standard for measurement, it is necessary to make provision for drink-driving offences to be established by direct reference to the measurement of a prescribed concentration of alcohol in breath, as well as by measuring a prescribed concentration of alcohol in blood.

These amendments will not affect the concentration of alcohol under which a person can legally drive, or the provisions that allow for a sample of blood to be taken to establish the amount of alcohol that a person has consumed. They will allow the reporting of the concentration of alcohol in a sample of a driver's breath

in terms of that actually measured, instead of expressing the measurement as concentration of alcohol in blood.

Owner onus provisions

The bill extends the existing owner onus provisions for offences detected by photographic detection devices to include owner onus for trailers, as well as motor vehicles. The involvement of heavy vehicles in crashes, particularly on rural roads, is a major concern. However, currently no action can be taken if a safety camera takes a rear photo of a speeding semitrailer, because only the trailer's plate will be recorded. Under the amendments, owner onus enforcement can be initiated against the registered operator of that trailer.

The bill also amends the owner onus provisions to ensure that a person who is incorrectly nominated as the driver of a vehicle detected committing an offence by photographic detection devices, can, in turn, nominate the person who was actually driving. The amendments will remove any doubt that the actual driver, and not the owner or any other person who was incorrectly nominated as the driver is liable for the offence.

Point-to-point camera systems

Point-to-point speed enforcement involves the comparison of information collected by traffic cameras on a given stretch of road to calculate the average speed of vehicles between the cameras. If a vehicle travels from one camera to the other more quickly than the speed limit would allow, the vehicle must have exceeded the speed limit at some stage. To enable this process to be used for the enforcement of speed limits, this bill amends the Road Safety Act to enable offences detected by prescribed processes to be enforced through the owner onus provisions of the act, as well as offences detected by a prescribed device. This means that the vehicle's owner will be responsible for the offence unless the actual driver is nominated. This bill allows for average speeds to be calculated between two designated points and for the average speed to be used as evidence that an offence has been committed.

Point-to-point camera operations are not new. New South Wales is successfully operating a point-to-point camera system (Safe-T-Cam) in order to detect driving hours offences by heavy vehicles. The United Kingdom has successfully employed point-to-point cameras for speed enforcement for several years.

The point-to-point technology would be a particularly valuable enforcement tool in speed enforcement in the transport industry, where drivers often know the location of fixed site speed cameras and reduce their

speeds only at those points. The point-to-point system does not have this limitation, because it focuses on the average speed of the entire trip.

The point-to-point camera system records images of all vehicles using the roads under surveillance for subsequent examination to detect speeding offences, not only vehicles that have been actually detected speeding, as with existing speed cameras. However the system produces reports only where, after the system has compared data collected from two or more gantries, it appears that a speeding offence has occurred. The system is programmed to delete other information, including images of vehicles. Images relating to an offence will be destroyed after legal proceedings are completed.

In terms of statutory privacy safeguards, it is considered that the Information Privacy Act 2000 provides an adequate framework for protecting the privacy of motorists using the relevant roads. Under the information privacy principles the information collected may only be used and disclosed for the purposes for which the information is collected (that is, enforcement of the speeding laws) or for permitted secondary uses (such as criminal law enforcement) where the conditions set out in the legislation have been satisfied. The bill also makes it clear that neither the point-to-point camera system nor the tolling system used on the City Link are surveillance devices for the purposes of the Surveillance Devices Act 1999.

Speeding has always been a major contributor to road trauma in Victoria. The Bracks government has already introduced measures to deter drivers from endangering themselves and others on our roads by disregarding speed limits. The clear message is that there is no safe amount by which anyone can exceed the speed limit. The Bureau of Transport Economics in Canberra estimated the cost of road trauma to be \$1.65 million per fatality. Based on last year's road toll of 397, the cost to the Victorian community was about \$655 million for fatalities alone. Also, in the last financial year the Transport Accident Commission paid out \$534 million in benefits to more than 42 500 injured Victorians.

Victoria has a long history of developing and implementing research-based road safety initiatives. Research released in July 2003 by the Monash University Accident Research Centre confirmed what we have known for some time — that effective road law enforcement saves lives. This research showed that in areas where there were increased levels of speed camera enforcement, the risk of death from casualty crashes was reduced by 41 per cent in the following

month. The facts speak for themselves — since speed-related traffic enforcement was strengthened in Victoria in 2002, the road toll has come down. Road deaths in metropolitan Melbourne are now at historically low levels.

It is a strange thing that speeding still seems in the minds of some to be about money, as if they do not really understand or believe the risk of causing injury or death. Let me make it very clear — speed enforcement is about saving lives, speed enforcement is saving lives and speed enforcement will continue to save lives as long as Victoria continues to have a responsible government, willing to act to protect the safety of the Victorian public on Victorian roads.

The government recognises that whilst this system will be an extremely effective deterrent, it is a major change in the way speeding offences are detected. Consequently it is proposed to initially implement the system on the Hume Freeway, which has had 37 fatalities in the last five years, at high-risk times of the year, including some public holiday periods.

Rigorous enforcement of the speed limits in metropolitan Melbourne has been extremely effective in reducing fatalities. The country road toll has not shown the same improvement. Victoria Police has been committed to reducing trauma on Victoria's roads, but the police cannot be everywhere, and supporting their concerted efforts to reduce road trauma by detecting and deterring irresponsible drivers is a major priority. Irresponsible and dangerous drivers will no longer be able to evade detection merely by reducing their speed for the few seconds out of a journey which may take several hours that they are within range of a safety camera.

Drivers must be aware that if they flout the rules and put themselves, their passengers and other road users at risk, they can and will be detected and deservedly punished, anywhere, anytime.

Conclusion

Taken as a whole, the bill represents a significant package of measures to improve the operation of the register of written-off vehicles, the detection of speed and alcohol-related offences and road safety generally.

I commend the bill to the House.

Debate adjourned on motion of Mr MULDER (Polwarth).

Debate adjourned until Thursday, 23 October.

ELECTORAL (AMENDMENT) BILL*Second reading*

Mr HULLS (Attorney-General) — I move:

That this bill be now read a second time.

In May 2002, the Electoral Act 2002 (the act) was passed by Parliament. The act was the first major revision of Victoria's electoral legislation in a century, and it affected all election stakeholders and participants.

The act came into operation on 1 September, 2002 and was in place for the last Victorian state election. The election allowed the act to be thoroughly tested. The Victorian Electoral Commissioner has identified the need for a number of miscellaneous amendments to improve the operation of the act.

The Electoral (Amendment) Bill will amend:

section 19 of the act to provide that the Victorian Electoral Commission (VEC) can delegate the power to allow or disallow a ballot paper at a recount when the number of ballot papers reserved for the VEC's decision cannot affect whether a particular candidate is declared elected;

section 29 of the act to provide that the VEC must not include on the roll any elector whose enrolment claim has not been received by the close of the roll or change any particulars that have not been received by the close of the roll;

section 41 of the act to enable the VEC to make further inquiries following the receipt of an answer to an objection to the enrolment of a person and to determine the objection following such inquiries;

section 66 of the act to ensure that any school or other organisation that has been granted a limited liquor licence on election day cannot sell liquor during the hours of voting if the school or organisation has facilities that will be used as a voting centre;

section 95 of the act to allow the witness to a declaration under part 6 of the act to note on the form that the elector was unable to sign through physical incapacity, replacing the requirement for the elector to sign or make a mark in such cases;

section 109 of the act to apply the same procedures to absent voters as those that apply to early voting to avoid the need for a signed declaration where the election official has a copy of the electoral roll;

section 156 of the act to insert the words 'on election day' after 'during hours of voting' in section 156 to make it absolutely clear that the provision applies only on election day;

section 206 of the act to include a licence issued under the Gaming and Betting Act 1994 within the definition of a 'relevant licence' to ensure Tabcorp Holdings Ltd is covered by the cap on political donations. Only donations made by Tabcorp after the commencement of the bill will be taken into account for the purpose of calculating the total amount of the political donations in this financial year; and

section 216 of the act to delete the reference to 'a shareholder in the related body corporate' to ensure that the cap on political donations does not extend too broadly. Making this amendment will ensure that shareholders in a related body corporate are not covered by the cap. A related body corporate is a holding company of a relevant licence-holder, a subsidiary of a relevant licence-holder or a subsidiary of a holding company of a relevant licence-holder.

The Electoral Act 2002 was a significant step in Victoria's electoral history. The amendments contained in this bill demonstrate the government's commitment to the continuous improvement of Victoria's electoral system.

I commend the bill to the house.

Debate adjourned on motion of Mr McINTOSH (Kew).

Debate adjourned until Thursday, 23 October.

**RESIDENTIAL TENANCIES
(AMENDMENT) BILL***Second reading*

Ms PIKE (Minister for Health) — I move:

That this bill be now read a second time.

Introduction

On behalf of the government I am pleased to be able to present the Residential Tenancies (Amendment) Bill 2003 today.

This bill proposes changes that will improve the provision of private rental bond assistance to low-income Victorians by the director of housing. This bill will also improve the financial management of the

director of housing's payment of bonds on behalf of low-income tenants in Victoria who are eligible for bond assistance.

In particular, this bill addresses two main issues. It aims to allow the Residential Tenancies Bond Authority to collect information about tenancies from the bond lodgment form and to release this information to the director of housing. This is important information, which the director of housing uses to monitor changes in the private rental market.

Also, the bill aims to improve the payment, lodgment and recovery of bonds paid by the director of housing on behalf of a tenant. Where a landlord does not have a claim against the bond, the director of housing will be able to recoup the funds and use this money to assist other applicants.

Data collection

Under the current system, a landlord who receives a bond must jointly complete a bond lodgment form with the tenant and then lodge that form, together with the bond, with the Residential Tenancies Bond Authority.

The information on a bond lodgment form collected by the Residential Tenancies Bond Authority includes both prescribed information and other additional information. Of particular interest to the director of housing is the information relating to the amount of rent paid for properties. This is used as an important indicator of affordability in the rental housing market.

Since the establishment of the Residential Tenancies Bond Authority in 1998, there has been an arrangement whereby the director of housing receives data from the Residential Tenancies Bond Authority for the purpose of research, compiling statistics and monitoring the private residential rental market.

However, during the implementation of the Information Privacy Act 2000, the Residential Tenancies Bond Authority concluded it was necessary to expressly provide for the exchange of this important data within the act to the director of housing.

Consequently, data exchange has been suspended between the Residential Tenancies Bond Authority and the director of housing.

The data collected from bond lodgment forms enables the director of housing to monitor the private rental market for the purpose of the public interest in planning housing assistance under the Housing Act 1983, as well as informing the market of local conditions. Without access to this data, the director of housing has had

difficulty monitoring changes in the private rental market. The ability to plan and administer housing assistance has been diminished.

The issue of housing affordability has received increased prominence through the negotiations of the commonwealth-state housing agreement and the recently announced Productivity Commission inquiry into first home ownership, which will look at several aspects of housing availability and affordability.

The director of housing also uses the Residential Tenancies Bond Authority's data to provide information to the housing sector. An example of this is the quarterly *Rental Report*, published by the director of housing, which is the main source of market information on private rental in Victoria. This report is used widely within both the public and private sectors, and is considered to be a reliable source of rental market information in Victoria. Due to the necessary suspension of data exchange, this report has not been published since the June quarter 2002.

Both the tenants' representative body, the Tenants Union of Victoria, and the landlords' representative body, the Real Estate Institute of Victoria, support the data being made available to the director of housing. Furthermore, these bodies rely on the statistics in the rental report in representing their constituents.

The loss of the director of housing's access to the data has hindered the director of housing from monitoring the private rental market, adversely affecting its ability in efficiently planning and administering housing assistance.

Therefore, a new provision is proposed to give the Residential Tenancies Bond Authority the power to collect certain additional tenancy information on the bond lodgment form.

In addition, a new provision is proposed to give the Residential Tenancies Bond Authority the power to pass on all information collected via the bond lodgment form (with the exception of tenant names) to the director of housing for the purposes of compiling statistics, research and public education.

The privacy of tenants, landlords or agents will not be compromised as their names will not be disclosed to the director of housing. Further, published information will be in aggregate form and single tenancies will not be able to be identified.

This bill seeks to restore the public interest data exchange from the Residential Tenancies Bond

Authority to the director of housing, while at the same time, protecting citizens' privacy.

Director of housing bond loans

The director of housing operates a program to assist tenants who have difficulty paying bonds relating to private residential rentals. This essentially involves the director of housing paying the bond, whether in whole or in part, on behalf of a tenant who has secured private rental.

To be eligible for assistance, applicants must meet the income and asset limits of the program. They must also secure a property where their share of the rent does not exceed 55 per cent of their gross weekly income and all outstanding charges from previous or current public housing tenancies have been paid in full. Importantly, any previous bond loans must also have been repaid in full.

The director of housing's current program requires the tenant to enter into an agreement with the director of housing. A term of this agreement is that at the end of the tenancy the tenant must repay the amount of bond paid by the director of housing.

This program is a valuable mechanism in assisting low income Victorians into the private rental market.

At present, the director of housing approves approximately \$7.5 million to \$8 million of bond loans per annum. In the 2002–03 financial year, a total of 13 208 Victorian tenants were assisted with a bond loan of an average of \$600 per tenant.

Where the director of housing has paid an amount of bond on behalf of a tenant, the bond lodgment form must note this fact. Furthermore, a landlord is required to lodge the bond lodgment form, together with the cheque issued by the director of housing, with the Residential Tenancies Bond Authority. At the end of the tenancy, the landlord and the tenant must jointly apply to the Residential Tenancies Bond Authority for the return of the bond moneys to the director of housing by completing a bond claim form.

However, the director of housing is not always advised when a tenancy is terminated. This scenario often occurs as a result of genuine misunderstandings about the relationship between the director of housing and the Residential Tenancies Bond Authority. That is, often the client does not realise that there is a need to complete a bond claim form to facilitate the return of the bond loan money to the director of housing, as there is a general assumption that the Residential Tenancies Bond Authority and the director of housing, both being

government entities, will automatically coordinate a reconciliation of funds at the end of a tenancy.

Importantly, where the director of housing has not been notified of a termination of a tenancy, the bond assistance remains recorded as a debt against the client. This can potentially prevent director of housing clients from obtaining further housing assistance because, in general, applicants are required to repay all outstanding debts to the director of housing prior to being eligible for further assistance.

In addition, until the bond moneys are returned to the director of housing, those funds are unavailable for the provision of assistance to other clients.

Some problems with the current system relating to an amount of bond paid by the director of housing on behalf of a tenant are: the high transaction costs associated with issuing cheques; the backlog of bonds sitting with the Residential Tenancies Bond Authority (even though the tenancies relating to the bonds have terminated); and the difficulty of monitoring, registering and recovering such bonds. The risk therefore is that director of housing money is not recouped promptly or lost in the system.

An amendment is proposed to specifically recognise and permit the payment of such bonds with a voucher (instead of a cheque) issued by the director of housing. This amendment will: reduce administrative costs; ensure effective registration with the Residential Tenancies Bond Authority; avoid misappropriation of such bond moneys; and monitor director of housing moneys.

An amendment is also proposed to require the Residential Tenancies Bond Authority to notify the director of housing that a new bond has been received in relation to a tenancy agreement for the same premises for which the Residential Tenancies Bond Authority already holds an amount of bond paid by the director of housing on behalf of a tenant.

Where the director of housing receives information from the Residential Tenancies Bond Authority, the act will be amended to allow the director of housing, together with the landlord, to apply jointly to the Residential Tenancies Bond Authority for a refund to the director of housing of the amount of bond paid by the director of housing on behalf of a tenant.

Transitional provisions, however, are also proposed in order to deal with the backlog of the amounts of bond paid by the director of housing sitting with the Residential Tenancies Bond Authority, even though the tenancies relating to such bonds have terminated. It is

proposed that the director of housing be able to recover bonds, where a second bond has been lodged on or before the 30 June 2003.

The overall benefits of the proposed amendments relating to those amounts of bond paid by the director of housing on behalf of tenants are: more streamlined processes; improvements to the reconciliation of funds; better knowledge of the status of such bonds; a reduction in administrative costs and improved client service.

Concluding remarks

This bill improves the issue, registration and recoupment of bonds paid (whether in whole or in part) by the director of housing on behalf of a tenant. This will effectively improve the management of the director of housing bond program, as well as increase the director of housing's ability to redistribute money to assist more Victorians.

The amendments relating to data collection balance the privacy rights of tenants with the public interest of monitoring the Victorian residential rental market. This will therefore allow the director of housing to efficiently administer housing assistance to low-income Victorians.

The provisions in this bill meet the government's commitment to sound financial management and building cohesive communities, as outlined in *Growing Victoria Together*.

This bill aims to facilitate access to the private rental market for low-income Victorians. This will be achieved through moderate and responsible change, which will improve the provision of bond assistance to low-income Victorians.

Finally, much work has gone into the development of the legislative amendments proposed in this bill. I would like to acknowledge the good work of officers from both the Department of Human Services and the Residential Tenancies Bond Authority in developing these proposals.

I commend the bill to the house.

Debate adjourned on motion of Mrs SHARDEY (Caulfield).

Debate adjourned until Thursday, 23 October.

Remaining business postponed on motion of Ms PIKE (Minister for Health).

ADJOURNMENT

Ms PIKE (Minister for Health) — I move:

That the house do now adjourn.

Geelong: major events

Mr DOYLE (Leader of the Opposition) — I wish to raise a matter for the Premier. The action I wish him to take is to specifically financially support two events for Geelong. I want him to provide support, in the first instance to get the 2007 Australian Masters Games for Geelong, and in the second instance to protect the Pako Festa in Geelong.

In question time today the Minister for the Arts told us about the Melbourne International Arts Festival and in particular about the returns from that festival. I would submit to the Premier that all the arguments the minister made today in question time could apply equally to the Pako Festa.

At the same time the minister for major events told us of the returns from a number of other events. One which interested me was the Skyy Vodka Australian Motorcycle Grand Prix, which as I recall was actually secured by the opposition, not the other side of the house — but never mind! Again all the arguments the minister for major events applied to events around Victoria could equally apply to the Australian Masters Games.

In the same question time the Treasurer got up to tell us what a great job the Geelong members are doing and how well Geelong is doing. I often disagree with the Treasurer, and I certainly do in this instance. I think the Geelong members are a pack of fairly low-octane duds, and they have certainly not represented Geelong in trying to get important events and to protect the Pako Festa.

On a day when he was trying to tell us that Geelong was doing so well, unemployment figures showed that unemployment had gone up in Geelong, Geelong West, South Barwon, Bellarine and particularly, I regret to say, Corio, where the unemployment rate has hit nearly 10 per cent, one of the worst results in the state. When you combine that with the Geelong Wool Combing disaster you can see that Geelong is not doing particularly well. It needs events like the Pako Festa to be protected, and it needs help to get events like the Australian Masters Games.

I cannot understand it. I am baffled by why the same ministers who are making these arguments in question time will not support Geelong's bid for the

2007 Australian Masters Games, particularly when Newcastle got the event in 2001, one year after the Olympics, for an outlay of perhaps \$3 million. The Newcastle example shows that Geelong could reap maybe \$30 million from those games, and it could help 25 000 people.

The Pako Festa has been a great Geelong icon. I remember when it first started — a very modest event with a few thousand people. Last year it generated some \$4.4 million for the Geelong economy and involved about 40 000 participants. The Geelong Ethnic Communities Council has done a terrific job for 20 years, but it has just said that its time is up because it is not getting support from this government to continue this very important community festa.

As I said, I remember the early days when it began modestly. It has now become an absolute icon for Geelong, and I cannot understand why the government would stand by and allow it to fold — and I cannot understand why the six members in Geelong would allow that. I urge the Premier to back Geelong by securing the Australian Masters Games for Geelong and supporting the Pako Festa so that it can continue.

Police: Keilor

Mr SEITZ (Keilor) — The matter I raise is for the attention of the Minister for Police and Emergency Services. Since he has been the minister he has made great improvements in the police force, and there has been a reduction in the levels of crime. However, in the growth areas of my electorate there is a need for extra police to be on the streets as new communities settle in and new neighbourhoods develop.

I ask the minister to ask police command to organise extra patrols on Sydenham and Kings roads and in the newly developed parks and shopping centres in the region. Patrols are particularly sought for the evenings, because the lack of a visible police presence at that time of the day is raising concerns among some of my constituents.

I am sure that as the area settles down there will be an improvement within the community, but it is always important to get in first. If the police were seen there first, the area would not attract people from other regions who come and use it as a drag strip, saying, 'This is a new area that is relatively isolated, with not a lot of police around. We can get away with speeding here'.

Police from the Melton station patrol most parts of the Keilor electorate. However, the problem lies in the fact

that until the Caroline Springs station is up and running police vehicles will have a long way to travel to patrol the new area. The Keilor Downs station is a lot closer, and I wonder whether any change can be made in the servicing and patrolling situation between the two zones. In other ways the minister is doing a fantastic job, particularly in the western region, in developing the police force, bringing crime statistics down and shifting the drug dealing and other activities that take place.

As I pointed out, it is necessary to bring this matter to the attention of the minister given the new growth area in my electorate. The Sydenham railway station is well lit, but the car park and adjoining areas are not. That creates concern, particularly for people who are coming home on the train and going to the car park afterwards — or people walking to and from the station.

As the summer months and the warmer nights approach young people — and anybody else — will, as normally happens, be out meeting and gathering around in some of these community facilities. It would be quite helpful to have the patrols introduced now and to have them made part of the norm to discourage any further inconvenience for our residents.

Unfortunately we tried — —

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

Goulburn Valley Highway–Barmah–Shepparton Road, Shepparton: safety

Mrs POWELL (Shepparton) — The matter I raise is for the Minister for Transport, and the action I seek is that the minister investigate the safety of the intersection at the Goulburn Valley Highway and the Barmah–Shepparton Road, which is 2 kilometres north of Shepparton. This intersection is quite dangerous and has been the scene of a number of accidents, including at least two deaths that I know of.

The most recent tragic death was on Friday, 5 September. A young Melbourne medical student died when his car and a four-wheel-drive collided at this intersection. A passenger in his car, also a medical student, was critically injured and was flown to the Alfred hospital suffering head injuries. Thankfully the people in the four-wheel-drive suffered no major injuries, but they were taken to Goulburn Valley Hospital.

Both young students were completing part of their studies at the University of Melbourne's school of rural health in Shepparton. University of Melbourne medical

students are required to complete part of their six-year studies in country Victoria, and we are very fortunate to have the school of rural health in Shepparton in an effort to address the shortage of rural general practitioners and nurses.

I was told that the student who was killed, Mr Rinesh Bhullar, a Malaysian student studying in Melbourne and then Shepparton, would have had a very promising career in medicine. This of course is a great loss to his family, but just as importantly a great loss to the community.

I received a letter from Professor Dawn De Witt, head of the school of rural health, advising me of her concerns about this tragedy and the distress of the families of both students, as well as the staff and students of the school. Professor De Witt is concerned that there will be almost 300 students a year going through the school who will be driving substantial distances on country roads, including driving both ways from Melbourne to Shepparton.

Another issue Professor De Witt raised with me was the upgrade of the Goulburn Valley Highway to dual lanes from Nagambie to Shepparton. Students use this highway continually, and she is concerned for their safety. It is important that the state government keep the Goulburn Valley Highway upgrade as a high priority and continue to lobby the federal government for funding, as I have been doing by meeting the federal minister for transport, reiterating the importance of the Goulburn Valley Highway and its bypass of Shepparton.

The locals tell me that the intersection where the accident occurred is very dangerous. Drivers do not actually realise the speed that cars are travelling along the Goulburn Valley Highway, and they can misjudge how far away a vehicle is. There is currently a give-way sign at the intersection, and I urge the minister to see whether a stop sign would be a safer measure, with an early warning sign or rumble strips to alert drivers that there is a major highway ahead.

The locals believe a stop sign is urgently needed, and I ask the minister to do these works before any further accidents occur at this intersection.

Buses: South Morang service

Ms D'AMBROSIO (Mill Park) — I ask the Minister for Transport to direct the South Morang community loop bus service to take the route via Morang Drive and Centenary Drive, Mill Park, then via Plenty Road through to Gorge Road, South Morang.

My constituents are eagerly awaiting the commencement of the community loop bus service, which I understand will begin later this year.

The government has committed \$1.6 million over the next two years for this pilot project. Buses will meet every train from first thing in the morning to the last thing at night and will connect Epping railway station to the South Morang district centre with a high-frequency service. Arguably this will be Melbourne's best bus service.

I understand one proposal has been to run the service from Epping railway station straight down McDonalds Road to the district centre and then through to Gorge Road. The section of McDonalds Road between the district centre and Plenty Road is not that busy and would not receive the number of patrons normally expected.

Although the constituents of Mill Park currently have a bus service running along Centenary Drive, they do not have a bus service that connects them to the Epping railway station. Directing the bus route as I have suggested will serve a greater number of constituents and improve their access to this innovative community bus loop.

I take this opportunity to acknowledge the minister's commitment to the Mill Park electorate. The minister has extended bus services to the newer suburbs of the Mill Park electorate, including Botanica Park and Blossom Park in the last term of Parliament — a service welcomed by all my constituents. I look forward to the minister's response to the South Morang community bus service taking the route I have suggested.

Wongabeena Association: funding

Mr COOPER (Mornington) — The issue I raise is for the Minister for Community Services. I hope the minister recalls that in the adjournment debate on 18 March this year I raised the hopelessly inadequate funding being provided to the Wongabeena Association in Rosebud.

Wongabeena has valiantly endeavoured to commit itself to a key factor of the Victorian state disability plan by providing its clients with a 50-week-per-year employment service model. This commitment by Wongabeena has not been financially supported by the Bracks government. What is required is funding of \$90 000 a year, but that has not been forthcoming.

I seek action from the minister to honour the commitment she gave in the house last March, when

she said she was confident a resolution would be found and that there would be a successful outcome for the problem. Since that time there has been no successful outcome. Wongabeena has a financial deficit in excess of \$436 000, much of which can be directly attributed to the refusal of the Bracks government to back its rhetoric with money.

This financial outcome has forced Wongabeena to revert to a 46-week-per-year operation to the grave detriment of its clients and their families. Wongabeena remains committed to the 50-week model, and I join with the association in challenging this minister and the government to fully recognise that people with disabilities have realistic and achievable life choices and goals which should not be restricted by forcing them to comply with school terms. Wongabeena's clients are adults and should not be treated like schoolchildren.

The minister cannot duck this issue. She committed herself to a successful resolution of the problem, and that has not happened. In-principle support and other warm and fuzzy phrases are simply not enough, and neither is blaming the Kennett government. This is a problem for this minister, and she needs to resolve it. The minister has a responsibility to provide Wongabeena with the extra funds needed to support the government's disability plan. If she fails once again to provide the extra funding, the minister should have the courage to say in this house that the Victorian state disability plan is nothing more than empty words.

Somerton Road, Greenvale: speeding

Ms BEATTIE (Yuroke) — I wish to raise a matter for the Minister for Transport. The action I seek is for the minister to provide measures to stop motorists speeding in Somerton Road, Greenvale. The matter of speeding came to a head recently when a car crossed the grassy verge at the edge of Somerton Road, crossed the service road, continued down a driveway and completely destroyed the vehicle of John Plakias. It dented the garage of the Plakias's house but fortunately stopped a couple of metres away from the bedroom of John's parents, Mr Lambros Plakias and Mrs Vicki Plakias.

Although the members of the Plakias family were deeply shocked and distraught, they were also extremely relieved that it was in the early hours of the morning and their two beautiful grandchildren were not playing in the driveway, as they often do. The Plakias residence is quite close to the intersection of Somerton and Mickleham roads, although speeding is not confined to this section of the road and indeed takes

place from the intersection of Pascoe Vale Road to the key intersection of Wildwood Road.

Members of the Plakias family understand and support the Bracks government's efforts to stop speeding and save lives; they are very supportive of that. But they need the minister's support to prevent speeding in this particular area. The family has lived in the area for many years and has seen a number of minor and major accidents around the area, but members will understand that Greenvale and Roxburgh Park are growth areas and Somerton Road takes many people from the northern suburbs to the industrial areas along Pascoe Vale Road through to Campbellfield and the Ford factory, where Mr Plakias himself works.

Many cars travel up and down the area at significant speeds, and I call on the minister to help Mr and Mrs Plakias to make sure this sort of event does not happen in the future. As I said before, it is just as well that the Plakias grandchildren were not playing in the driveway when this unfortunate accident occurred.

Bellarine: early intervention services

Ms NEVILLE (Bellarine) — The matter I raise is for the attention of the Minister for Community Services. I ask the minister to take action to help families throughout the Greater Geelong and Bellarine areas who have children with additional needs to access better early intervention services. This is an important issue for the communities in my electorate and has a significant impact on ensuring that we provide every child with the best possible start in life.

The Bracks government has committed to delivering the best possible start in life to all Victorian children. It has rebuilt essential early years services for Victorian families and children and restored community confidence in these vital services after years of Kennett government neglect. In fact the government has boosted funding for child and family support services by over 40 per cent since coming to office, so it has a strong record.

However, there are children with special needs in our community, and it is an ongoing challenge for families, service providers and the government to ensure that children with special needs get the help they require. Early childhood intervention services for children with developmental delay or disability are critical for both the children and their families. In my electorate and the Greater Geelong area there is an increasing need for specialist early intervention services for children and their families who require additional assistance.

In fact I mentioned in this house earlier today an important community agency, Gateway Support Services, whose role is essential in providing early intervention for children with autism spectrum disorder. I was privileged this week to launch a new service that will further enhance the work of Gateway Support Services — the Autism Help web site, which was developed to fill a gap in services as a result of a review into the prevalence of autism that was initiated and funded by the government.

From that review it was clear that the prevalence of autism in Victorian children is higher than previously understood. The findings of the review also suggest there are increasing numbers of children currently supported in early childhood intervention services and demands continue to grow due to the early identification of disability or developmental delay and increased recognition of the prevalence of problems such as autism spectrum disorder.

It is clear that there is a growing need for support and services for children with additional needs, not only in my area but across the state more broadly. It is important that these sorts of specialist support services can be delivered to children with additional needs in mainstream settings, whether in preschools or at home, so that children have a chance of leading a normal life and being included in the community.

I again ask the minister to take action to build the capacity of our early intervention services in Geelong and Bellarine so that all Victorian children are offered the best start in life.

Disability services: preschools

Mr LANGUILLER (Derrimut) — I raise a matter for the attention of the Minister for Community Services. I am proud to represent an electorate that is rich in its diversity, and I ask the Minister for Community Services to take action to further ensure that diversity is supported by enabling our local preschools to be more inclusive of young children with additional needs and disabilities.

It has been pleasing to note that under the Bracks government the preschool participation rate for four-year-olds has reached a record high of 97 per cent. This is a stunning achievement, particularly when we remember preschool is still a voluntary program.

Preschools provide some tremendous opportunities for young children. Because of the Bracks government's policy of and commitment to developing children's services that are more integrated and easier for families

to get to and to use, young children who are attending preschools are now really getting the chance to have the best possible start in life. Education, socialisation, developmental support — all these things are so important to young children's lives and are now becoming just part of the normal process of growing up under the Bracks government.

Of particular interest to me and families in my electorate is how we can ensure these same opportunities are available to young children with additional needs. Children with disabilities need to grow, learn and play in an environment that is stimulating, fun and supportive. It is a need, and more importantly a right, that every child with a disability shares with every other child. It is therefore vital that children with disabilities have the opportunity to experience this alongside other children. Preschool is the perfect place for this to happen. It is the perfect place for us to foster a more inclusive community by teaching all children that disability is part of life and part of the everyday fabric of our community. It is a perfect place for a child with a disability to learn that they belong and they have a place alongside everyone else.

Of course children with additional needs will sometimes require extra support. Preschools sometimes need extra resources in order to deliver really effective inclusive programs to everyone.

Kew Residential Services: site development

Mr McINTOSH (Kew) — I raise with the Minister for Community Services the issue of Kew Residential Services. The specific matter I raise relates to questions on notice that I gave to this house on 4 June and a letter of 4 September in which I reiterated my request that I wished to have a number of matters answered.

I understand that under the forms of the house the minister does not necessarily have to respond, but the most important thing is that I have not yet even received an acknowledgment of the questions on notice, nor have I received an acknowledgment of my letter of 4 September reiterating my request. One would expect that the Minister for Community Services would at least respond by saying, 'I have no intention of responding to you', or, 'I cannot answer these questions; I do not know what the answers are'. But the most important thing is that it is a matter of extreme and profound concern to my local community to find out the details of what is occurring at Kew Residential Services.

The questions are based on requests from a number of people in the Kew Coalition, an organisation which has coalesced in the Kew community in relation to what is happening out at Kew Cottages and certainly the community's opposition to what is happening out there. The questions that have been put to the minister relate to the master plan — if there is a master plan — in relation to what is going to happen out at Kew Cottages. Details are sought about what is included in the master plan about the retention of specialist medical and dental facilities for the 100 remaining residents at Kew. What will happen to the sports and recreation centre for the use of intellectually disabled residents on the site? Does the master plan provide for the location of accommodation for the intellectually disabled residents and the support facilities they would have on the site as proposed by the government?

Included in the master plan questions is a request about the treatment of all heritage matters, including buildings, vegetation and cultural and historical sites. Also included in the master plan would be details relating to the marketing of the land, how that is proposed to come on to the market, when it is proposed to come onto the market, what tranches are coming onto the market, and most importantly for the local community, what would happen to external infrastructure. The external infrastructure has been a matter of some considerable concern and aggravation. What will happen to schools, roads, water and gas? I ask the minister to respond as soon as possible to my request.

Buses: Cranbourne service

Mr PERERA (Cranbourne) — I ask the Minister for Transport to ensure that the proposed new Cranbourne loop bus service includes a service along Central Parkway in Cranbourne West. I also ask the minister to inform me and my constituents about the date of the commencement of this service.

I congratulate the Minister for Transport on allocating \$1.6 million over two years to deliver a loop bus service connecting Cranbourne station, Cranbourne East and the Cranbourne shopping centre, meeting every train from the early hours of the morning until very late at night, 7 days a week, 365 days a year. This will be the best bus service the Cranbourne community has ever seen. As the local member for Cranbourne I am pleased to see the service being delivered sooner rather than later.

I also acknowledge and appreciate the Bracks government's initiative earlier this year to improve the irregular Cranbourne station to Cranbourne West bus

service to a regular 40-minute service and connect it to the Frankston service. However, the area along Central Parkway in Cranbourne West has been one of the fastest growing areas in Cranbourne and is in urgent need of a bus service.

This will be a very important bus network connecting every single train coming through the station with this fast-growing area — with Cranbourne East, Cranbourne West, the High Street shopping strip, Cranbourne shopping centre and the rest of Cranbourne. This will also ease some of the pressure of having to compete for limited car spots available at Cranbourne station. The demand for car spots at Cranbourne station has outgrown the supply of available spaces.

Cranbourne is one of the fastest growing areas in the region. It is part of the area covered by the Casey council, where 70 to 80 families choose to take up residence every week. This will also be a great boost to the proposed Streetlife program in the Cranbourne activity district. It will present the opportunity to my constituents in Cranbourne to not only get to the station using public transport but also to shop in the Cranbourne shopping centre and High Street using public transport which is environmentally friendly.

Responses

Ms GARBUTT (Minister for Community Services) — The member for Mornington raised with me an issue that he has raised in the house before concerning the Wongabeena Association in his electorate. He talked about its move to provide extra weeks of services. I have to point out that the move was made before discussions about the funding implications of the move. It is true it is in line with the state disability plan, and we are putting that into place and implementing it, but the move was made with no assurance of funding. At this time there is no extra funding, but the Department of Human Services is happy to keep talking with Wongabeena about the implementation of the principles of the state plan.

The member for Bellarine raised with me an issue relating to early intervention services. I would like to thank her for her interest and indeed her expertise in this area, and her strong local involvement no doubt helped get her into this place.

As a government we are very committed to giving the best possible start to all Victorian children, and we have a great record, including helping those with special needs. As part of our \$88 million Children First policy we will commit \$6 million over the next four years to

early intervention services to help give kids — particularly kids with autism and developmental delay and disabilities — the best possible start in life.

As part of the reforms to children's services the government has developed a new funding service model that reflects best practice in this area. It is a model that was developed with early childhood intervention services, with professional bodies and with stakeholders in the area. It will mean that an extra 300 kids a year will get services across the state. That is 300 children in addition to the ones who currently receive services through the early childhood intervention services. Our new service model has been endorsed by the Association for Children with a Disability and the Early Childhood Intervention Association, the professional association. They have indicated that that is best practice in the sector and is the way to go.

It is disappointing that despite the endorsements from the two peak organisations the government has been criticised by the president of Biala, an organisation out around Cranbourne headed up by a certain Mr Gary Rowe. Some of us who have been in this house for a while will recognise that name, because he was known for his underwhelming presence in this place for a number of years as the Liberal member for Cranbourne. He has been talking about funding cuts to Biala, even though it received an additional \$21 000 in recurrent funding from the Bracks government this year compared to previous years. However, I am pleased that the Barwon region will also receive extra funding of just over \$107 000 over the next 12 months for early intervention services to help families throughout that area get extra assistance for children with additional needs.

The member for Derrimut raised with me an issue about preschools, including children with disabilities and special needs in preschools. Many of us would remember that the previous government made cuts to preschools of \$11 million, which sent them backwards. We have been rebuilding preschools since we came to office, and we are now turning the situation around.

Part of that rejuvenation of preschools is an allocation of more than \$12 million over the next four years in recurrent funding — and a very important part of that is extra funding that is specifically targeted at supporting children who have additional needs. Our broader access support service is particularly targeted at young children, allowing them to attend their local preschool no matter what their ability or disability.

I am pleased to inform the member for Derrimut that under that initiative I have allocated just over \$123 000 to the City of Brimbank to enable it to provide support to over 200 local children with additional needs so that they can attend their local preschool with other children from their neighbourhood. That comes as part of an allocation of almost half a million dollars to similar programs throughout Melbourne's western metropolitan region.

The government is supporting preschools throughout Victoria. We are making them more viable, but in particular we are trying to broaden the access that they offer to all children. We are trying to further integrate them with other children's services such as child care, maternal and child health, and early intervention. We think it is very important to get that whole range of early childhood services right for the future of our children.

Over the last few weeks we have been receiving expressions of interest for the first round of an allocation of \$16 million in capital grants not only for new preschools but also for children's centres, and I will be able to announce those results later on in the year. In particular as a government we are very proud of our efforts in preschools, where we have lifted the participation rate among four-year-olds to a record high of 97 per cent. That really demonstrates that our program for broadening access for all children is working, because we now have the highest participation rate ever. That is important not only for the children involved but also for our community as a whole.

The member for Kew raised with me an issue about the redevelopment of Kew Residential Services and talked about his question on notice and various letters that he has written. I have to say that a lot of information has been put out about the government's plans. I have written twice now to the relatives of residents in Kew, and I know that the department has also letterboxed around the Kew area detailing information — —

Mr McIntosh interjected.

Ms GARBUTT — It was in response to your letter.

Unfortunately the member for Kew is putting out misinformation; he is distorting the whole situation and has moved into absolute scaremongering in a big way. It is a disgrace. He has been talking, as indeed have his colleagues on the other side of the house, about pushing people out of Kew with no help, no accommodation and no services. That is quite clearly not the case, even though we have been putting out as much information as possible to explain to the public that the people who

are relocated from Kew will have 24-hour care and will have new houses. They will have their own bedrooms, often for the first time, and they will have a car per household or per unit. We have offered choice.

Mr McIntosh interjected.

Ms GARBUTT — He is even now interjecting and misleading people.

The member for Kew also talked about selling off the land for a profit, even though when the project was announced the Premier promised that every cent would go into either building the housing — —

Mr McIntosh interjected.

The DEPUTY SPEAKER — Order! I ask the member for Kew to either contain his enthusiasm or leave the chamber.

Ms GARBUTT — Even now, interjecting across the table, he is distorting, misleading and scaremongering. He is talking about 11 storeys and high rises. We saw that in the debate in the other house yesterday. It is a total distortion of the government's plans.

The government will continue to put out information about what is really happening at Kew because it is something the government is committed to. It is being driven by the best needs of and outcomes for the current Kew residents, who are being given a raft of choices.

Ms PIKE (Minister for Health) — The Leader of the Opposition raised a matter for the Premier. I note that the Leader of the Opposition came into this place with much gusto and demanded the Premier's attention on two issues concerning major events in Geelong. I note that the Leader of the Opposition is now missing, so I am not entirely sure he is all that interested in the response — —

Mr Perton — On a point of order, Deputy Speaker, on this silly and churlish comment made by the minister: I note that the Premier is not in the house. As you know, Deputy Speaker, by way of point of order raised at the Standing Orders Committee meeting yesterday it was noted that ministers are not coming into the house to respond to these matters. For this minister to make such a churlish and stupid comment at 25 minutes past 5 on a Thursday shows the lack of application — —

The DEPUTY SPEAKER — Order! The member for Doncaster also understands from the discussion at

the Standing Orders Committee that there is no point of order in relation to ministers attending or not attending the adjournment debate. There is no point of order.

Ms PIKE — I am very happy to refer the matter to the Premier, who will outline the significant support that has been given to the Geelong community in its acquiring of a number of special events. In fact, the government has offered considerable support to the Pako Festa, but as yet the local community has not indicated its willingness to avail itself of that support. Concerning the Australian Masters Games, I note that this is an Australian event, not an international event. Many communities such as Shepparton, Ballarat, Bendigo and places right around Victoria would love to hold the Australian Masters Games in their communities, as would Geelong. They will compete for these Australian events. If and when they are successful, the government will be delighted to work closely with them.

Other matters were raised for the Minister for Police and Emergency Services and the Minister for Transport, and I will ensure that they are passed on to those ministers.

Motion agreed to.

House adjourned 5.26 p.m.

QUESTIONS ON NOTICE

*Answers to the following questions on notice were circulated on the date shown.
Questions have been incorporated from the notice paper of the Legislative Assembly.
Answers have been incorporated in the form supplied by the departments on behalf of the appropriate ministers.
The portfolio of the minister answering the question on notice starts each heading.*

Tuesday, 7 October 2003

Police and emergency services: arrests, charges and convictions on school grounds

172(c). Mr PERTON to ask the Honourable the Minister for Police and Emergency Services —

- (1) How many people were arrested on state, Catholic and independent school grounds, in each of 1999, 2000, 2001, 2002 and 2003 to date during —
 - (a) school terms; and
 - (b) school holidays.
- (2) What charges were made as a result of those arrests.
- (3) What convictions were obtained as a result of those arrests.
- (4) What charges and convictions were obtained for other offences committed on school grounds.
- (5) What arrangements are in place to ensure that there are adequate police patrols during —
 - (a) school terms; and
 - (b) school holidays.
- (6) What contracts have been made for private security services to patrol school grounds.

ANSWER:

I am advised as follows:

Victorian crime statistics are published annually by Victoria Police. The most recent annual statistics are available in the publication entitled 'Crime Statistics 2001/02' from the Statistical Services Division of Victoria Police, while some crime data are available by accessing the Victoria Police web site at www.police.vic.gov.au and clicking on Statistics.

I am further advised that to extract the data you seek in relation to convictions and arrests necessitates a manual search of several databases. I am not willing to request that Victoria Police commit valuable resources to such a time-consuming research task.

Police patrolling is an operational matter managed by local Police Commanders, whilst private security services are the responsibility of individual school principals or school councils.

Police and emergency services: teacher offences

173(d). Mr PERTON to ask the Honourable the Minister for Police and Emergency Services —

With reference to a recently reported case of a teacher being convicted for committing theft against her students —

- (1) For 1999, 2000, 2001, 2002 and 2003 to date, how many teachers were charged with offences against their students.
- (2) In every case above —
 - (a) what were the charges and the school involved;
 - (b) what convictions were obtained; and
 - (c) has the teacher been prevented from teaching in Victoria; if so, for what period.

ANSWER:

Victorian crime statistics are published annually by Victoria Police. The most recent annual statistics are available in the publication entitled 'Crime Statistics 2001/02' from the Statistical Services Division of Victoria Police, while some crime data are available by accessing the Victoria Police web site at www.police.vic.gov.au and clicking on Statistics.

I am further advised that to extract the data you seek in relation to charges and convictions necessitates a manual search of several databases. I am not willing to request that Victoria Police commit valuable resources to such a time-consuming research task.

The component of the question relating to whether any teacher has been prevented from teaching in Victoria following conviction is best addressed to the responsible Minister.

Treasurer: transfer of land stamp duty

251. Mr THOMPSON to ask the Honourable the Treasurer, with reference to stamp duty payable in relation to transfer of land in Victoria — how much stamp duty was paid, by suburb and postcode, for each of the financial years 1999–2000 to 2002–2003 inclusive for —

- (1) Hampton, 3188.
- (2) Sandringham, 3191.
- (3) Highett, 3190.
- (4) Cheltenham, 3192.
- (5) Black Rock, 3193.
- (6) Beaumaris, 3193.
- (7) Mentone, 3194.

ANSWER:

I am informed that:

The State Revenue Office does not keep data indicating the amounts of conveyancing stamp duty collected on this basis. It is therefore not possible to respond to the question.