

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

**LEGISLATIVE ASSEMBLY
FIFTY-FOURTH PARLIAMENT
FIRST SESSION**

**6 April 2000
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By authority of the Victorian Government Printer

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FIFTY-FOURTH PARLIAMENT — FIRST SESSION

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Leigh, Mr Geoffrey Graeme	Mordialloc	LP	Wynne, Mr Richard William	Richmond	ALP
Leighton, Mr Michael Andrew	Preston	ALP			

¹ Resigned 3 November 1999

² Elected 11 December 1999

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Thursday, 6 April 2000

The SPEAKER (Hon. Alex Andrianopoulos) took the chair at 9.35 a.m. and read the prayer.

PAPER

Laid on table by Clerk:

Gascor (TH) Pty Ltd — Financial Statements for the period 1 July 1998 to 2 June 1999.

MEMBERS STATEMENTS

Italian community projects

Mrs SHARDEY (Caulfield) — The Italian community has made a significant contribution to the social, economic and cultural fabric of Australia. In the postwar period, more than 250 000 people have migrated from Italy to Australia, so strengthening the already well-established prewar Italian community and bringing the total Italian-born population in Victoria to some 106 000, which is the largest Italian community in Australia.

The former government announced in 1998 that the Melbourne City Council had committed to renaming a section of Argyle Square, Carlton as Piazza Italia. Further, following the MCC strategic review of Lygon Street, the Italian community has suggested the concept of a Little Italy — similar to Melbourne's Chinatown — that would be heritage approved.

The Leader of the Opposition, Denis Napthine, and a member for Templestowe Province in the other place, the Honourable Carlo Furletti, have offered continued public support for both those worthy projects, but sadly, they appear not to have progressed.

As the shadow Minister for Multicultural Affairs I call upon the government to show some interest by joining with the opposition in supporting those projects to ensure the story of Italian migration is celebrated in a worthy and appropriate manner.

Macleod College

Ms GARBUTT (Minister for Environment and Conservation) — I place on record the significant achievement of Macleod College in my electorate. It is a large P-12 school formed by the amalgamation of Macleod High School and Macleod Primary School, both of which had a long history in Macleod and served the community well. In recent years the schools have had difficulty in beating off the former government's

plans to close the Macleod Primary School. The community rallied strongly against that plan and the former government backed down.

Following the amalgamation, last week I opened the new primary school at Macleod College. The decision by the school was courageous and bold, and in making it the principal, parents and teachers placed the children's future at the forefront. Parents and supporters were out in force at the opening ceremony. Many former students returned to celebrate the significant achievement of bringing those two long traditions together.

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

Bellarine Peninsula: public transport

Mr SPRY (Bellarine) — I draw to the attention of the house public transport on the Bellarine Peninsula, and in particular a pilot bus project for a cross-peninsula service on Saturday mornings between Drysdale-Clifton Springs and Ocean Grove-Collendina.

The current peninsula bus services are designed to run to and from Geelong Central as a focal point. However, that system ignores the needs of both young people from Drysdale-Clifton Springs who wish to surf at Ocean Grove and older public transport users who wish to visit friends and relatives in either locality.

Currently the only option for people wanting to cross the peninsula is to go via the city of Geelong, which is a total additional trip of about 45 kilometres and at least an extra 30 or 40 minutes.

The former government announced that a cross-peninsula service would be introduced. It was to have commenced on 1 November 1999 — that is, in time for the summer season. Much to the disappointment and disgust of patrons, the service has not eventuated.

The Labor government previously assured the electorate that it will honour existing commitments. Through the Minister for Transport it needs to address the issue if it is to keep faith with the people of the Bellarine Peninsula. I therefore challenge the Minister for Transport to provide an explanation for the failure of the Labor government to deliver on this particular commitment.

Longbeach Youth Week

Ms LINDELL (Carrum) — I offer my congratulations to the organising committee and all the participants of the Longbeach Youth Week that ran throughout my local area during the week 19 to 26 March.

I ask the house to applaud the commitment of Mrs Joyce Davis, MBE, the current patron and past secretary of the Chelsea Youth Week, which has provided a showcase for local youth activity for the past 42 years.

I acknowledge the support offered to the youth week by the Chelsea Returned and Services League Committee, who act as the organising committee. Gordon Wells, the president, John Morris, the secretary; and Michael Weissenseld, the treasurer, particularly deserve a mention for their fine efforts in this first year of organising the week-long event.

The week involves a diverse range of sporting and other activities that involve the broader community. The junior fire brigade competition is hosted by the Edithvale Country Fire Authority unit. The junior football lightning premierships are run by the Chelsea YCW Junior Football Club. The Chelsea Netball Association puts on a competition for local primary schools. The Chelsea Girls Club has a very successful callisthenics competition.

A public speaking forum involves all the primary schools and they elect a junior mayor. I congratulate Zane Bakker from the Edithvale Primary School, who is this year's junior mayor.

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

Stacey Collier

Mr KILGOUR (Shepparton) — I pay tribute to a young lady from my electorate who has taken the world of lawn bowls by storm. At 18 years of age, Stacey Collier of Mooroopna is becoming a fantastic bowler and she has a great future.

Last year she won the Victorian Junior Singles bowls title. This year she won the Australian Junior Singles bowls title, and only last week was successful in winning the Victorian Senior Singles bowls title. She is now the best lady bowler in Victoria and will compete in the national senior titles later in the year.

Stacey Collier has also represented Victoria at indoor bowls. She has been a member of the Victorian state

fours championship team, and has won her own bowling club championship at Mooroopna and is the 100-up champion.

She is dedicated to her sport and is a terrific example to others. She is at the Mooroopna Bowls Club on many occasions, being brilliantly coached by Ian Russel. We are looking forward to bigger and better things from Stacey Collier and I believe that we can look forward to her representing Australia at the Commonwealth Games. I am pleased to pay tribute to a wonderful young lady who is really making a name for herself and I wish her all the best for the future.

Emeu Inn, Heathcote

Mr HARDMAN (Seymour) — I congratulate Leslye and Fred Theis from the Emeu Inn Restaurant and Bed and Breakfast in Heathcote, who on Monday evening won the goldfields tourism award for hosted accommodation.

Heathcote has an active tourism body led by Leslye, who is the president. The town, which is on the way to Bendigo and Echuca, is finding its niche in the tourism market and is fast becoming successful as a tourism destination. Many people visit the area and enjoy a range of leisure activities, including visiting the wineries and sampling and buying high quality wines. There are also yabby farms and visitors can participate in bushwalking and golf and pursue a variety of water activities and sports on Lake Eppalock. I encourage everyone to visit the area to see what it has to offer — and be pleasantly surprised.

I also wish the Emeu Inn the best of luck in the Victorian tourism awards because the business is an example of enterprise at its best. It gives people confidence to invest money in smaller country towns and be successful.

I also congratulate Faye Maude from Faye's Fawltly Towers in Heathcote who received a certificate of merit in the hosted accommodation category.

Ambulance services: Timboon

Mr VOGELS (Warrnambool) — I raise an issue with the Minister for Health in the hope of getting a better ambulance service in Timboon, which is a major black spot area in south-west Victoria.

There is a major gap in the emergency ambulance service between Apollo Bay and Warrnambool. The remote area attracts more than a million tourists a year and is situated in terrain that can be hazardous. It is also the heart of the dairy industry and services a resident

population of 10 000 people. Recently a new major gas storage facility was built there to supply gas to Melbourne and another gas storage facility to pipe gas to Geelong is currently on the drawing board.

Over the years the volunteer ambulance service operating out of Timboon has done a magnificent job. However, the task is now much greater and has gone beyond their capabilities. A wait of more than an hour for an ambulance to get to an emergency is no longer acceptable for the community or its visitors. A new \$3 million health care service providing acute services and emergency facilities on a 24-hour basis is to be opened in the next few months, hopefully by the Minister for Health. It is fully staffed by excellent doctors and nurses and is situated right in the heart of the region.

A fully manned ambulance service in that remote and isolated region will not only save lives but also, and just as importantly, provide a greater level of security for the community.

I therefore urge the minister to increase the permanent ambulance coverage in that region along the Great Ocean Road so that local communities and the many tourists visiting the Shipwreck Coast will no longer have to wait up to and in many cases more than an hour for this vital emergency service.

Wyndham: council elections

Ms GILLETT (Werribee) — Following my recent contribution in the chamber celebrating the outstanding and historic Wyndham council election outcome, I was saddened that the honourable member for Prahran managed to find her way into one of my local papers and be critical of that historic outcome. It saddens me because the honourable member for Prahran is well known for her consistent and enthusiastic belief in good local council.

I invite the honourable member for Prahran to come over the West Gate Bridge — it is not a traumatic experience; it is a wonderful experience! We can give her a map or I could even come to Prahran and take her across, so that the honourable member can meet the new council. She will be bowled over by their enthusiasm and competence and by the plans they have in place to take the City of Wyndham into this century with a balance of good, sound economic judgment and fine social principles, which is something new for the City of Wyndham after the past two decades.

If the honourable member for Prahran would like to visit the City of Wyndham to meet our new council, we would be delighted to welcome her.

Bayside Trains: industrial dispute

Mr LEIGH (Mordialloc) — This morning Bayside residents woke to be told that 12 trains were cancelled because of the interference of Senator Kim Carr. He rang the Minister for Transport's office in relation to Mr Paul Carr's headbutting of Inspector Purkis of Hillside Trains.

Subsequently, the tape of the incident has disappeared, which will be no surprise to anybody. I understand that Bayside Trains received a phone call from the minister's office and as a result nothing happened. This morning's industrial dispute is the result of a Labor member of the federal Parliament interfering in Victoria's public transport system. I remind the house that no action can be taken about trains without the approval of the minister.

The minister has blackmailed Bayside Trains into taking no further action. The industrial action will continue. It is an outrage that Labor Senator Kim Carr could go back to using the same tricks that were used under the Cain and Kirner governments in Victoria. Nothing has changed since 1985 regarding ministers' integrity. It is a scandal. Nothing surprises me about the actions of the minister and some officers of his department.

Friends of the Grange

Mr LIM (Clayton) — Today I pay special tribute to a local conservation group in my electorate, the Friends of the Grange, which has done tremendous work to look after the patch of bushland of the same name, the Grange Reserve in Clayton.

The Grange Reserve is unique in that although it provides the usual amenity of any reserve such as a children's playground, a barbecue facility and even a soccer ground, it has a large fenced-off area which is completely covered by native Australian bush — and that is right in the middle of suburbia, in Clayton!

The feeling of serene tranquillity and being at ease with the natural bush environment of the reserve always overwhelms every visitor who visits that part of the Grange Reserve. It is an understatement to suggest that members of the Friends of the Grange have contributed greatly to the preservation and development of that priceless heritage so that the people of Clayton can enjoy and share a peaceful experience when they visit it.

The work of the Friends of the Grange would not have been possible without the commitment, tenacity and leadership of three gutsy ladies — Thelma Spice,

president; Penny McGuire-White, secretary; and Gloria Fleming, treasurer. Regardless of whether it is raining, hailing or scorching hot, they are there with other members of the Friends of the Grange every other Saturday morning — planting, weeding, clearing and showing off the reserve to visitors.

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

CHINESE MEDICINE REGISTRATION BILL

Second reading

Mr THWAITES (Minister for Health) — I move:

That this bill be now read a second time.

The Chinese Medicine Registration Bill establishes a comprehensive system of regulation of the practice of Chinese medicine and the dispensing of Chinese herbs.

The purposes of the Chinese Medicine Registration Bill are to minimise the community's exposure to the health risks associated with the practice of this form of complementary medicine and to promote consumer choice in access to health care options.

The review of the practice of Chinese medicine was commenced in 1995, resulting in the publication of the report *Towards a Safer Choice — the Practice of Traditional Chinese Medicine in Australia*. Since then, a ministerial advisory committee has advised on required changes to legislation. The final report of the committee was published in July 1998 and recommended that Chinese medicine should be regulated in the same way as other registered health care professions.

The prime concern of the government is to ensure that the practice of Chinese medicine is safe to the public. This requires that:

the training of primary care practitioners be of a high standard;

there be mechanisms for establishing and enforcing clinical standards of practice;

the public and other health care practitioners are easily able to identify those who are well qualified; and

consumers have access to effective mechanisms for dealing with any complaints that may arise in relation to their Chinese medicine treatment.

The commonwealth and state health ministers agreed that Victoria should take the lead in establishing a model of regulation. An extensive consultation process since 1995 has demonstrated considerable support for this initiative, and a recognition that the time has come to regulate in the public interest this growing area of complementary medicines. This legislation will provide a model for other jurisdictions around the world to follow; Victoria should be proud that this act establishes world best practice.

The practice of Chinese medicine includes a range of modalities, including Chinese herbal medicine, acupuncture and Chinese herbal dispensing. There is no intention to regulate every aspect of the practice, such as Chinese therapeutic massage, food therapy or exercise therapy, but simply to ensure that those aspects of the practice which present significant risks to the public are regulated and that those who provide such services are properly qualified.

The provisions of this bill establish a Chinese Medicine Registration Board with the power to register suitably qualified practitioners in one or more of the three divisions of registration:

Chinese herbal medicine;

acupuncture;

Chinese herbal dispensing.

The bill also includes amendments to the Drugs, Poisons and Controlled Substances Act to establish a new schedule of Chinese herbs. The provisions will allow access by qualified endorsed Chinese medicine practitioners and Chinese herbal dispensers to herbs that have therapeutic properties but are considered potentially toxic and dangerous unless prepared, prescribed and supplied correctly. Medical practitioners and pharmacists will also be able to have access to these herbs if their own registration board is satisfied that they have satisfactorily completed a course of study or training which qualifies them to do so.

There are professional level courses in Chinese medicine provided by several Victorian universities and by accredited private providers. In preparing this legislative proposal to enable the establishment of minimum qualifications and practice standards, the Department of Human Services has worked closely with the department of education, which has responsibility for accrediting higher education courses offered by private providers. The Chinese Medicine

Registration Board will have a role in approving such courses for the purposes of registration of their graduates.

There are other traditions of acupuncture which have derived from the Chinese tradition, such as Japanese acupuncture. It is intended that the board will have responsibility for registering practitioners from any of these traditions who are not registered under another health practitioner registration act. In such instances, the prime concern of the board should be to ensure that these practitioners are safe and competent to practise within their own tradition of acupuncture, without requiring an understanding of the full body of Chinese medicine knowledge.

It is not, however, intended that the board will regulate the practice of veterinary acupuncturists. This role should continue to reside with the Veterinary Practitioners Registration Board. Registered veterinary practitioners should not be considered to be in breach of the Chinese Medicine Registration Act for using the title veterinary acupuncturist on condition that they treat only animals and operate within the requirements of the Veterinary Practice Act 1997.

There are also unregistered practitioners who practise other types of herbal medicine. These provisions are not intended to prevent, for example, Western herbalists from practising within their tradition and using the term 'herbalism' or 'herbalist' to describe their practice. They should not be required to register with the new board unless they wish to adopt the protected titles or hold themselves out as being qualified to practise Chinese medicine.

There are many registered health practitioners such as medical practitioners, nurses, chiropractors and physiotherapists who are adopting Chinese medicine modalities, particularly acupuncture. The bill provides for amendments to the relevant registration acts to exempt these practitioners from the requirement to register with the Chinese Medicine Registration Board in order to use protected titles, if they have satisfactorily completed a course of study or training which, in the opinion of their own board, qualifies them to practise Chinese medicine.

The legislation is also not intended to regulate unregistered practitioners of other forms of complementary medicine, except where they make claims to be qualified to practise Chinese medicine, or where they wish to prescribe and dispense Chinese herbs which have been included in schedule 1 of the poisons list under the Drugs, Poisons and Controlled Substances Act.

The new Chinese Medicine Registration Board is to have nine members — six Chinese medicine practitioners, a lawyer and two persons who are not Chinese medicine practitioners.

The board will be an incorporated body and independent of government. It will be responsible for assessing and approving appropriate qualifications which lead to registration. The board will be responsible for the registration of Chinese medicine practitioners and Chinese herbal dispensers, and for investigations into the professional conduct of practitioners who have been registered by it.

The bill includes a comprehensive outline of what constitutes unprofessional conduct and contains wide-ranging disciplinary powers for the protection of the public. It enshrines the board's ability to promulgate codes of practice to enhance the best quality provision of Chinese medicine.

There are herbal dispensers who may choose not to register with the board if they do not wish to use the protected title 'Chinese herbal dispenser' or dispense Chinese herbs that have been included in schedule 1 of the poisons list in the Drugs, Poisons and Controlled Substances Act. Such practitioners are free to carry on their business without seeking registration.

The amendments to the Drugs, Poisons and Controlled Substances Act are intended to provide controls at the point where Chinese herbal medicines containing scheduled herbs are supplied to patients or supplied by one registered practitioner to another registered practitioner. It does not regulate the activities of importers and wholesalers of scheduled Chinese herbs. The board will have the power to issue codes of practice in relation to the preparation, storage, labelling, prescribing and issuing to patients of Chinese herbal substances, including scheduled herbs.

The bill makes it an offence for anyone who is not a registered Chinese medicine practitioner or Chinese herbal dispenser to use titles which suggest that they are registered in any of the divisions of the register when they are not. Such title protection is the established method by which the government can protect the public from unregistered people practising Chinese medicine.

A further measure to enhance public safety is the board's ability to issue and publish codes of practice. These codes may outline what is acceptable Chinese herbal medicine, acupuncture and Chinese herbal dispensing practice. Codes of practice are intended to provide guidance to practitioners about the standards recommended by the board relating to the practice of

Chinese medicine. They will be developed in consultation with registered practitioners and may be considered by the board in investigating possible misconduct.

Where an unregistered person breaches the scheduling requirements of the Drugs, Poisons and Controlled Substances Act, investigation and, if necessary, prosecution of such breaches will rest with the Drugs and Poisons Unit of the Department of Human Services. Where a registered practitioner breaches such requirements, the board and the department will determine their respective responsibilities.

Stringent advertising provisions are included in the bill to further facilitate protection of the public. The bill also creates a power for the board to prepare guidelines for minimum acceptable standards for advertising Chinese medicine services.

The bill observes Victoria's obligations under the national agreements on mutual recognition and competition policy.

Development of this bill has involved an extensive process of consultation and discussion. The Chinese medicine profession, consumer groups, the various health practitioner registration boards, and other professional associations have been most helpful and constructive in the shaping of this comprehensive model of Chinese medicine regulation. We are also grateful to the Australian Chinese community and the state administration of traditional Chinese medicine of the People's Republic of China for their assistance and support in formulating the legislative proposals.

I commend the bill to the house.

Debate adjourned on motion of Mr DOYLE (Malvern).

Debate adjourned until Thursday, 20 April.

ELECTRONIC TRANSACTIONS (VICTORIA) BILL

Second reading

Mr BRUMBY (Minister for State and Regional Development) — I move:

That this bill be now read a second time.

The growth of the Internet and other electronic communications technologies is providing an array of opportunities and benefits for Victorians. Especially in the business sector, electronic commerce — or e-commerce — is enabling Victorian firms to harness

information and communications technology to overcome the tyranny of distance. Experience is demonstrating that firms can use e-commerce to increase process efficiency, access new markets and respond creatively and effectively to business opportunities and customer needs.

Industry data indicate that e-commerce is being rapidly adopted worldwide. The current estimates are for e-commerce to reach around US\$300 billion in the next year or so and, according to Forrester Research, eclipse the trillion dollar mark by 2003. It is truly extraordinary growth.

Available data points to rapid growth in Australia:

the number of business web sites doubled between 1996 and 1998; and

Internet-based commerce has grown from \$61 million in 1997 and is expected to reach \$1.3 billion in 2001 [Source — NOIE, 2000] and many would predict \$10 billion by 2003.

The government is committed to boosting e-commerce in Victoria. A key component of the government's policy is to ensure that the legal and regulatory environment facilitates uptake of e-commerce across the state. This is critical to the future global competitiveness of Victoria.

Much of the research conducted across business and consumer markets has shown that a major impediment to the uptake of e-commerce arises from concerns about security of information. This includes the capacity for parties to identify each other, to protect the confidentiality of their communications and to maintain informational integrity — that is, its accuracy and completeness. A further information security objective is non-repudiation, or preventing parties from denying that they sent or received particular information. The government will address information security issues in the creation of a stable legal environment for the conduct of e-commerce.

Regional areas will also reap the benefits of e-commerce. Web portals and secure links can assist efficient transfers of valuable information within regional communities and between rural areas and the city. Other advantages will be realised by supply chain initiatives and connecting communities with common interests.

Because e-commerce has a global dimension, it is vital for regulatory initiatives to be consonant with national and international best practice. The Electronic Transactions (Victoria) Bill has been developed

through a national scheme to promote consistent and comprehensive legislation. The bill is modelled on the Commonwealth Electronic Transactions Act 1999, which in turn adopts most provisions of the United Nations Model Law on Electronic Commerce 1996. The model law has been endorsed by a number of international jurisdictions. The commonwealth law was enacted in December 1999, and it is expected that the state and territory jurisdictions will soon follow suit.

In the Victorian context, the bill's objectives are to facilitate and promote business and community confidence in the use of electronic transactions. It will enable business, the community and government to deal with each other via electronic means, with the clear support of the law. It will enable contractual dealings, such as offers, acceptances and invitations to be conducted electronically. The bill is a cornerstone of a sound legal and regulatory environment to support the uptake of e-commerce in Victoria.

The bill will also enable business and the community to deal electronically with government. The government is working to deliver its services online, to improve efficiency and service to all Victorians. The legislation will allow complex administrative transactions to be delivered online.

The bill will remove existing legal obstacles to conducting electronic transactions, and put in place default rules for the time and place of sending and receipt of electronic communications.

Two principles inform this legislation. The first of these is the principle of functional equivalence, meaning that a transaction should not be discriminated against or held invalid simply because it was made using electronic media, a most important principle. The second principle, again extremely important, is technology neutrality, meaning that the law should not provide advantages to or favour any particular kind of technology.

The bill adopts a minimalist approach to the regulation of electronic transactions. It establishes the basic rule that a transaction is not invalid just because it took place by means of one or more electronic communications. It contains specific provisions stating that a requirement or permission under a law of Victoria for a person to provide information in writing, to sign a document, to produce a document, to record information or to retain a document can be satisfied by electronic communication, subject to minimum criteria being satisfied. Those criteria establish objective tests that are based on criteria of reliability and reasonableness. The bill also makes clear that conduct

of electronic transactions will require the prior consent of parties. That consent may be inferred from conduct or given subject to certain conditions.

The bill also gives legal effect to electronic signatures. A person may use an electronic signature to satisfy a legal requirement to provide a signature. This comprises an electronic method that identifies the person and shows their approval of the contents of the document to a reliable level in the circumstances. There are a number of technologies currently available that may be capable of performing these functions. They have differing levels of reliability — a few examples are passwords and PIN numbers, fingerprints and thermograms, and public key cryptography — commonly known as digital signatures.

The bill seeks to encourage industry to develop reliable solutions to e-commerce security issues. It also provides guidance to users as to which information security functions are required for certain purposes. As such, the bill also aims to raise awareness about the salient electronic transactions issues to be addressed by the parties. This is reflected particularly in the default rules for time and place of sending and receipt of electronic communications. The default rules aim to take a commonsense approach to determining where and when an electronic communication was sent and received. Also, consumer protection rules continue to apply to the same extent in the electronic environment.

Consultation was conducted by the commonwealth and within Victoria to evaluate the likelihood of unintended consequences arising from the operation of the law. The bill has been designed with the flexibility to address issues that may arise given the fast pace of change in this environment. A regulation-making power has been included to enable the government to respond to any issues that may arise in future.

As a key component of the government's legal and regulatory approach to e-commerce, the bill will provide the basis for an environment that boosts the growth of e-commerce in this state. As a key component of the government's legal and regulatory strategy, the Electronic Transactions (Victoria) Bill will set the cornerstone for a truly world-class environment for e-commerce.

I commend the bill to the house.

Debate adjourned on motion of Mr PERTON (Doncaster).

Debate adjourned until Thursday, 20 April.

**EQUAL OPPORTUNITY
(BREASTFEEDING) BILL**

Second reading

Ms CAMPBELL (Minister for Community Services) — I move:

That this bill be now read a second time.

This bill amends the Equal Opportunity Act 1995 to make discrimination against breastfeeding mothers unlawful. Breastfeeding is an important and basic act of nurture that should be encouraged in the interests of maternal and child health.

Laws that protect and encourage breastfeeding should be supported by the Victorian Parliament. There are well-documented health advantages to breastfeeding. Society needs to move towards ensuring a mother has a right to breastfeed her baby any place she has the right to be.

The World Health Organisation and UNICEF have established as one of their major goals the encouragement of breastfeeding. They seek to increase the incidence and duration of breastfeeding globally, as set forth in the Innocenti declaration on the protection, promotion and support of breastfeeding, adopted in 1990 by 32 governments and 10 United Nations agencies. The Innocenti declaration states:

As a global goal for optimal maternal and child health and nutrition, all women should be enabled to practise exclusive breastfeeding and all infants should be fed exclusively on breast milk from birth to four to six months of age. Thereafter, children should continue to be breastfed, while receiving appropriate and adequate complementary foods, for up to two years of age or beyond. This child feeding ideal is to be achieved by creating an appropriate environment of awareness and support so that women can breastfeed in this manner.

As legislators we can clearly indicate through this legislation that Victorian policy-makers, program funders and maternal and child health supporters have our endorsement for measures that support breastfeeding. In this legislature we unequivocally state that discrimination against breastfeeding mothers is illegal.

Breastfeeding provides significant health benefits to both the mother and child. Breastfeeding provides maternal protection from osteoporosis, urinary tract infections and breast and other cancers.

The social pressures of modern society weigh against the choice of breastfeeding and lead new mothers with demanding time schedules to opt for formula feeding to

avoid embarrassment and social ostracism. Many women can no longer stay at home after giving birth. They continue to play an active role in community life. That lifestyle does not allow for nursing mothers to always feed in private — indeed neither should we expect them to do so.

Any genuine promotion of family values should encourage public acceptance of this most basic act of nurture between a mother and her child, and no mother should be made to feel incriminated or socially ostracised for breastfeeding her child. Breastfeeding is not a dirty act that should be hidden. Nor is it just a lifestyle choice. It is a significant health choice.

This bill will protect nursing mothers. It can help increase the incidence and duration of breastfeeding by improving its positive public perception and acceptance.

As a result of this amendment Victoria will join Tasmania, Queensland and the Northern Territory in specifically prohibiting discrimination on the ground of breastfeeding.

From time to time there has been public debate about whether the Equal Opportunity Act 1995 sufficiently protects breastfeeding mothers from discrimination. Prior to the last election the Labor Party promised that if elected it would amend the Equal Opportunity Act to ensure that it did. This bill does this by including breastfeeding as a protected attribute under the Equal Opportunity Act. The amendment is intended to apply to both acts of discrimination on the basis that a woman is a breastfeeding mother although not breastfeeding at the time the act of discrimination occurs and acts of discrimination that occur because a mother is breastfeeding at that particular time. The amendment is not intended to limit any attributes already existing in the Equal Opportunity Act, but rather to ensure that breastfeeding mothers are fully protected from discrimination.

The Nursing Mothers Association of Australia has received complaints from breastfeeding mothers who have been discriminated against in hotels, public transport, cinemas and restaurants. Discrimination against breastfeeding women in such venues will be outlawed by this legislation. They support this legislation.

The Australian Medical Association (AMA) recognises that breastfeeding is a natural act that is beneficial to the health of the child and mother. The AMA supports this amendment.

One can only hope that those that find breastfeeding offensive will now realise that they have to acknowledge the advantages of breastfeeding and thus support nursing mothers. However, if they are so offended by breastfeeding, they have the simple choice of averting their eyes or absenting themselves.

One objective of the Equal Opportunity Act 1995 is to promote equality of opportunity by eliminating, as far as is possible, discrimination against people. Breastfeeding mothers will be supported by this legislation.

The Equal Opportunity Act needs strengthening by specifically adding the attribute of breastfeeding in section 6.

This simple change will give breastfeeding mothers clear and unequivocal protection from discrimination.

I commend the bill to the house.

Debate adjourned on motion of Mrs ELLIOTT (Mooroolbark).

Ms CAMPBELL (Minister for Community Services) — I move:

That the debate be adjourned for two weeks.

Mrs Elliott — On a point of order, could the minister provide clarification of the text in the fourth paragraph of the second page of the second-reading speech — is it ‘incriminated’ or should it be ‘discriminated’?

The DEPUTY SPEAKER — Order! The text appears on the third line, Minister; it states:

... no mother should be made to feel incriminated ...

Perhaps that should be ‘discriminated against’? Or is it supposed to be ‘incriminated’?

Ms CAMPBELL — I highlighted the word ‘discriminated’ earlier. The word is ‘incriminated’.

Motion agreed to and debate adjourned until Thursday, 20 April.

TRADE MEASUREMENT (AMENDMENT) BILL

Second reading

Debate resumed from 16 March; motion of Mr HAERMEYER (Minister for Police and Emergency Services).

Mr JASPER (Murray Valley) — The Trade Measurement (Amendment) Bill seeks to make minor and technical amendments to the Trade Measurement Act to adopt nationally agreed reforms. The amendments arise from the 1998 decision of the ministerial council on consumer affairs and are designed purely to address shortcomings in the practical application of the uniform trade measurement legislation. The Liberal and National parties support the legislation.

In the 1980s Victoria had its own trade measurement legislation, which was different from that of other states. In 1987–88 the states got together to discuss the severe handicap on them because of measurement issues, particularly because of differences on measurements between the states that had become evident along Victoria’s borders. It was difficult for businesses, particularly those operating in Victoria and New South Wales.

I refer to the Border Anomalies Committee that was set up in 1979 by a former Premier of Victoria, Sir Rupert Hamer. I have referred to that committee in previous debates because it had a great effect during the 1980s in examining, addressing and eventually eliminating a large range of border anomalies. The committee was aware of the difficulties in trade measurement in instruments and the differences across the border between, say, Victoria and New South Wales.

The trade measurement legislation in Victoria, unlike the other states, was administered by municipalities. That caused enormous difficulties because of the variations: some municipalities administered their trade measurement legislation well, others operated badly, and some saw it as a revenue-raising exercise — municipalities interpreted trade measurements differently. Those variations and lack of uniformity proved costly to industry and consumers. For example, oil companies found it difficult to deal with the lack of uniformity between Victorian municipalities over their interpretation of the trade measurement legislation.

Following meetings during 1987 and 1988 it was recognised that legislative support was needed for a uniform operation of trade measurement legislation throughout Australia. An agreement was reached to adopt uniform legislation across the states, which would not be amended unless prior agreement was reached by the states, with the exception of Western Australia, which is still not part of the agreement on trade measurement legislation. However, I understand the West Australian Parliament is currently examining the issue. I hope Western Australia will come on board

and adopt the uniform legislation that already operates in all other states.

The passage of the Trade Measurement Act and the Trade Measurement (Administration) Act was debated in 1995. The legislation took effect from 1 January 1996. As a result, the government set up its own organisation to administer the uniform management of trade measurements. It is responsible for monitoring measurement machines used by businesses and industries throughout Victoria. There is no doubt that the organisation has been effective in ensuring that businesses maintain proper weights and measurement standards in their operations. When it was controlled by Victorian municipalities, the system caused confusion for businesses and industry; it was said to have been discriminatory and unworkable. The system now operates far more efficiently. Under the bill the onus will be on operators to ensure the equipment in their businesses measures correctly.

So the responsibility of the owners is to maintain those instruments and ensure that they measure correctly. It is estimated that the cost of administering trade measurement throughout Victoria was then in the range of \$3.5 million to \$4 million. It is now costing about \$2 million, so there has been a saving in administration. The new system is working well. I am informed that the staff includes 14 inspectors, plus 7 who operate out of head office, and their objective is to check approximately 25 per cent of the measuring equipment each year. Some of the staff are located in country Victoria, which makes the system more effective in regional areas.

As I said at the commencement of my contribution to the debate, the bill makes minor and technical amendments to streamline the Trade Measurement Act and the Trade Measurement Administration Act and adopt nationally agreed reforms. I will refer to the changes being implemented. The bill seeks to ensure the accurate measurement of physical quantities in trading transactions and to achieve uniform measurement legislation across Australia, with the exception of Western Australia. It is hoped Western Australia will come on board. The bill embodies the first batch of nationally agreed amendments to trade measurement legislation. I express the opposition's support for uniform trade measurement legislation and the bill before the house.

The bill provides for flexibility. It empowers inspectors to grant instrument owners or users up to 28 days to correct particular instruments that do not conform with the requirements of the act. The system will be flexible enough to ensure that the user of a trade measurement

instrument is not discriminated against. There is no discretion under the principal act, but the bill provides that non-conforming measuring instruments will be withdrawn only if their accuracy is affected in the short term and introduces the 28-day period.

To reduce business costs a provision in the bill allows business partners to be jointly licensed under one servicing or weighbridge licence. That will also provide greater flexibility. Another clause I support deals with what are called class 4 measuring instruments, which are not required to be as accurate as instruments used in retail outlets. The bill specifies purposes for which they may be used, such as the weighing of garbage or timber logs, which will ensure that they are not used for purposes for which they are not intended. That will be of benefit to the timber industry across the state, including the Otways. This provision also improves flexibility.

The amendments made by the bill will be of benefit to country Victorians, particularly the introduction of the 28-day period for corrections to instruments and the class 4 measuring instruments. Under the bill some licensees will be able to check their own instruments. For instance, Gilbarco Aust. Ltd will install measuring equipment for petrol pumps and other instruments and inspectors will check the equipment to ensure it is accurate. Licensing various organisations will also allow greater flexibility. Vicgrain Ltd also has a servicing licence. It has operated its own weighbridges since 1 January 1996 and undertakes contract work using measuring equipment. Although some organisations are licensed to implement their own measuring equipment, the bill provides for inspectors to check that that equipment is operating effectively and in accordance with the act.

The National and Liberal parties in opposition support the bill. There is a huge range of measuring instruments, including jewellery balances, scales for packaging and weighing in supermarkets and other, larger, weighing equipment, such as weighbridges. It is important that consumers should be confident that goods that are being transferred or purchased have been weighed correctly.

The improved efficiency will be excellent for Victoria. The bill is another step in the direction of improving the uniformity and efficiency of Australian trade measurement. This is the first batch of legislative amendments. The next batch will further improve efficiency. It is hoped Western Australia will come on board in the near future to achieve complete uniformity throughout Australia.

Mr LENDERS (Dandenong North) — I support the Trade Measurement (Amendment) Bill. It is always a pleasure to follow the honourable member for Murray Valley in debate.

The government welcomes the opposition's support of the bill. Both the second-reading speech of the minister two weeks ago and the contribution of the honourable member for Murray Valley accurately outline the history of the bill. As the honourable member for Murray Valley said, it is legislation that makes minor technical amendments, but it follows an important series of principles that ensures sensible trade measurement legislation is in place.

I know what I am about to say will be of great interest to honourable members, particularly the honourable members for Tullamarine and Burwood, who are students of history. As a former librarian, Madam Deputy Speaker, I am sure you would be interested in historical matters and people putting the community first.

We should cast our minds back some 4200 years to the fertile crescent of the valley of the Tigris and Euphrates rivers. Honourable members may ask how that ties in with the bill before the house. That would not be an unreasonable question, but I will show how it is particularly relevant. The honourable member for Murray Valley talked about borders and how the society on one side of a border can have one system of measurement while the people on the other side have a different system. It does not matter whether the society in question is a municipality or a nation state or is administered by some other form of government, society has faced those issues since before recorded history. Many honourable members have probably never heard of Sargon of Agade, who in conjunction with King Hammurabi developed the first code of trade measurements. That was important. Honourable members of this chamber cannot afford to forget the rich history of which we are custodians.

Measurement has been important throughout the history of civilised society. In Babylonian days it made the difference between a good and a poor society. Organisation is important to all of us. The cities of Nineveh, Babylon and Ur of Chaldea are all now in ruins, but they are the places from which we inherited part of our vital system of measurement.

Mr Baillieu interjected.

Mr LENDERS — The honourable member for Hawthorn seems a little bemused about the relevance today of events in Babylon. Perhaps it is the teacher in

me coming out, but I have an urge to challenge him and other honourable members to a quiz about trade measurement and its importance. The watch on my wrist, for example, is divided into 60-second portions. The unit of 60 was the standard unit of measurement of the Babylonians.

The unit of 60 may seem a bit alien to us today, living as we do in a country that has a metric system, but it is nevertheless true that 60, the number given us by the Babylonians, was the first unit of trade measurement known to humanity and is still in common use today. Not many honourable members reflect, when they glance at their watches, that they are looking at the lineal descendant of the sun dial, the original source of the measurements used by the Babylonians — King Hammurabi lives on in this chamber today. He died in the year 1752 BC, so perhaps it is time we moved forward a little.

The standard pattern of measurement used in days gone by continues in the Trade Measurement (Amendment) Bill. A society needs to regulate itself by means of common standards and measurements, and that fact is as relevant today as it was then.

I now move forward to more relevant and modern times, the Roman era — far more current — since it is from the Romans that we inherited the decimal system. The decimal system is a far more useable and user-friendly system of weights and measures and trade measurements than the Babylonian unit of 60. The very issues raised by the honourable member for Murray Valley, the certainty of trade for example, are relevant here. The honourable member for Murray Valley has a background in the motor trade industry of the 1960s and 1970s in Rutherglen, and he referred to some of the issues addressed by the Border Anomalies Committee set up by former Premier Hamer. The issues it dealt with in the 1970s are the same as the issues dealt with by the Romans 2000 years ago.

We often marvel at the strength of ancient Rome and wonder whether that strength was based on its army, its language or something else. Clearly it was based on language and measurement; those factors made the Roman system work, and we have inherited part of its system of trade and other measurements. Now we have a blend. Our time measurement system comes from the Babylonians and our use of the unit of 10 was originally established by the Romans.

I will confine my historical comments to Europe, although the Islamic world was also important and flourished during the European Dark Ages, and East Asia had a rich Chinese culture. I leave them aside only

because, being of European descent, I am Western-centric.

During the Dark Ages, Europe as we know it collapsed and England, from where so much Australian heritage comes, went with it for a while. During the Napoleonic era European society moved forward because it regulated itself and became a good trading environment. Measurement practices were an important part of that progress. The Code Napoléon, a uniform system of trade measurement, was adopted. My Dutch ancestors, for example, did not have family names until there was a Napoleonic edict that every Dutch family was required to adopt a family name. That may be a small digression from the subject of trade measurement, but it is an example of the systematic way rules and regulations were brought in so that people knew where they stood. You could identify a person. Previously it had got a bit boring and confusing when one John was called Son of John and the next John was also called Son of John. Things got easier when family names were introduced.

I digress a little from the technical amendments in the bill, but it is important to understand the context. Some of my constituents may not see the importance of the Trade Measurement (Amendment) Bill until they see the context and the way the proposed amendments will affect their daily lives.

Beyond the Napoleonic era Australian governments finally began putting legislation in place to deal with measurement that replaced the common-law approach. On 14 February 1966, as every child of the 60s will know, Australia adopted a decimal currency system. That was the start of systematic changes to trade measurement designed to be more consumer-friendly. Learning decimal tables is a lot easier than learning the tables we were required to learn at school when we were children, including the use of measures like furlongs, chains, links, yards and inches. The metric system of trade measurement started with decimal currency and moved into a series of other metric measures. The result has been a movement from confusion and irrationality — in weights and measures, for example — to neat and symbolic links. As every child these days knows, a cubic decimetre is a litre is a kilogram — weights and measures brought to perfection.

That is the big picture. We have followed the evolution of weights and measures through human history and seen how they have played an important part in making us a civilised society. We have looked at their application in Australia and Victoria, where a metric system is now in place. It is simple, it makes trade

easier, it allows us to communicate with the rest of the world and is a fundamental move towards good government and good trade.

The Trade Measurement (Amendment) Bill makes trade fairer. It provides, for example, for penalties of \$5000 for people who do not conform to the terms of the legislation. It is good for trade, good for governance and good for consumer affairs and consumer rights because it helps us all to know we are using the same measurements. We will know a measure of petrol at a certain price is a standard measure no matter on which side of a state or municipal border it is purchased.

It is sad that the state of Western Australia has not joined in. As the honourable member for Murray Valley pointed out, uniform trade measurement legislation requires all jurisdictions to bring in the one system, removing differences between state and state or municipality and municipality. It is unfortunate that Western Australia has been a touch recalcitrant and has remained out of the loop. I hope the West Australians will see the error of their ways. Trade across the Nullarbor goes in both directions, and Victorians trade with the West.

The bill is a series of minor codifications that will assist with both measurement and fairness. They are a logical extension of historical events, some of which I have mentioned, over the past 3800 years. I welcome the bill and urge that it should have a speedy passage through this chamber.

Mr MULDER (Polwarth) — The issue I wish to highlight is that under the Trade Measurement (Amendment) Bill instruments that weigh inaccurately or calculate prices incorrectly will still be withdrawn from use, but inspectors will be given more flexibility in handling other non-conformities, such as instruments that show one digit incorrectly but are in fact accurate.

The issue of inspection, measuring and test equipment has significant status in the way businesses are conducted today. The Australian standard AS/NZS ISO 9002:1994 dedicates an entire section to the handling and use of inspection, measuring and test equipment.

The bill will enable the inspector to decide whether equipment that is malfunctioning is doing so to either a major or a minor level of non-conformance. If it is a major non-conformance the equipment is to be withdrawn from use, because a purchaser could be dealt with in an unjust manner as a result of an inaccurate measurement. However, the amendment made by the bill will allow the inspector to determine whether, despite the fault, the purchaser will get fair and just

measurement. If that is the case the equipment can remain in use. The operator has 28 days in which to correct a non-conformance and to ensure that the repair is carried out in such a manner as to return the equipment to a conforming status.

The importance of the amendment can be seen in rural and regional Victoria. Many butcher shops or other small businesses have only one piece of measuring equipment on the premises. In the past when a piece of equipment was malfunctioning to the point of perhaps one digit not working correctly but the customer was still getting fair and just measurement, and that was confirmed by both parties, the equipment could still have been removed by the inspector. However, the amendment will give the operator 28 days in which to return the equipment back to order while still conducting business in a fair and just manner.

If the equipment were to be withdrawn the impact on that operator would be significant and could greatly affect his or her trade. In small towns where there is perhaps only one service station, a butcher or one trader who relies on inspection, measuring and test equipment, such withdrawal could have a negative impact on the township and the overall ability of both the service operator and the customer to trade normally.

Inspection, measuring and test equipment will also impact on my electorate over the next few months with the introduction of the regional forest agreement and the reduction in our timber allocation from 44 000 cubic metres back to 27 000 cubic metres. The regional adjustment package — —

The DEPUTY SPEAKER — Order! The honourable member should return to the bill.

Mr MULDER — The issue is relevant to inspection, measuring and test equipment because of the amount of sawlogs that will now not be removed from that part of the Otways and the resulting adjustment package that will come forward.

The other related issue that will be looked at closely is the \$170 million package for rural and regional Victoria and the upgrade of the Princes Highway at a cost of \$175 million. It was a commitment from the previous government — —

The DEPUTY SPEAKER — Order! The honourable member for Polwarth will return to the bill.

Mr MULDER — The bill is technical in nature and has implications for rural and regional Victoria. The minor modifications that allow trade to continue providing the equipment is returned to a conforming

standard are appropriate. I commend the bill to the house.

Ms BEATTIE (Tullamarine) — I intend to contribute to the debate on the Trade Measurement (Amendment) Bill because there is no greater expert in the house on measurement than me. It has been pointed out to me by the honourable member for Mordialloc that my height is less than average, and that is a cruel revelation.

The bill is technical and it corrects an anomaly by introducing nationally agreed reforms that address the difficulties in administering weights and measures.

Measurement is an important issue in the electorate of Tullamarine, as I am sure it is in the electorate of Essendon, because if it were not for accurate measurement we could have aeroplanes bumping — —

The DEPUTY SPEAKER — Order! If the measurement is related to the bill, it is important to the honourable member for Essendon.

Ms BEATTIE — The bill seeks to ensure the accurate measurement of physical quantities in trading transactions. I had intended to reveal some historical facts to the house, but the honourable member for Dandenong has already revealed them. The bill brings into operation a cooperative national system that was agreed to in July 1990. It is part of uniform trade measurement legislation that goes across all jurisdictions except Western Australia. Trade Measurement Victoria will be responsible for enforcing the legislation in Victoria.

The nationally agreed reforms arose from a review of the operation of the uniform trade measurement legislation by the Trade Measurement Advisory Committee. The review found shortcomings in the practical application of that legislation and in August 1998 the Ministerial Council on Consumer Affairs agreed to the amendments, which are to be implemented in two batches.

The bill contains the first batch of the nationally agreed amendments, which deal with the day-to-day operation of the uniform legislation. In turning to the practicalities of the bill I point out that it is important that we have a yardstick by which to measure things. There must be some flexibility in the enforcement of the legislation, but given the machinery nature of the first batch of amendments it has been agreed that public consultation will not be necessary. However, industry and consumer groups will be consulted on the second batch of legislative amendments.

One amendment inserts a definition providing that 'measurement' means the measurement of an article excluding all packaging. All honourable members would have had the experience of going into a store to purchase a big package of soap powder or a big box of a particular item only to find on opening it that there is only a tiny quantity of the product inside the packaging. It is important that all packaging is excluded when determining the physical quantity of the item.

The bill also seeks to amend the Trade Measurement Act and the Trade Measurement (Administration) Act to rectify an inconsequential amendment that has the effect of rendering Victoria's legislation inconsistent with the uniform trade measurement legislation.

The previous government sought to introduce legislation to establish the Victorian Civil and Administrative Tribunal as a super forum of review, including appeals against decisions by the Director of Trade Measurement.

We all know what it is like to be short-changed; it is important when one goes into a hotel and orders a drink that the glass be full. There are regulations to cover that case and to cover cases such as that of a weighbridge that does not comply with stated requirements, which is most important to organisations that need to weigh and measure trucks.

I will outline the key nationally agreed reforms to the bill and what the bill seeks to implement. The reforms will provide an inspector with the discretionary power to grant an instrument owner or user up to 28 days to correct an instrument that does not conform to the requirements of the act. It is a good thing to give people the opportunity to measure up within 28 days if they have not already done so.

A new offence will be created in relation to the misuse of class 4 measuring instruments, which are of lower accuracy than those used for normal retail and wholesale purposes.

As has been pointed out, I am less than average height, so measurement is a subject near and dear to my heart. I could go on about it for hours but time restricts me. I will leave it to other members to add to the debate. I wish the bill a speedy passage.

Mr STENSHOLT (Burwood) — As others have said, although it may at first sight seem trivial, accurate measurements and their consistent implementation and enforcement are the foundations of smooth functioning of commerce in Victoria, Australia and countries throughout the world.

The honourable member for Dandenong North has mentioned some of the historical background to this legislation. I used to teach history as well, and it is full of stories. I was going to talk about Archimedes, not jumping out of his bath and running around, but making major discoveries in this field.

I refer to some historical issues. The code of Hammurabi has been covered, as have issues on longitude and latitude — an excellent book was published two Christmases ago on that subject — the development of standard rules, whether the metre, feet or yards, and indeed time itself. During the past 100 years enormous technical advances have been made in the art of mensuration, particularly with the application of nuclear science.

It is important to ensure that machinery is exact and that the measurement standards supplied are universal because of the need for stability and certainty in basic commerce. We all like to know simple things such as that the trains run on time, that the beer is the full bottle, that we get the full value when we fill up our cars with petrol at garages, or that a kilo of grapes at the greengrocers really weighs a kilo.

The bill addresses many such issues because the modern state is required to set up an extensive and appropriate apparatus for monitoring and enforcing measurement standards. I am sure that many members have experience of implementation of standards, either as consumers or as traders and users. I remember my own experience. At one stage as a barman-cellarman I was made well and truly aware of the need for accuracy in the types of glasses to use in the club where I worked. I was also instructed to ensure there was not too much froth on the beer because it would have offended the inspector.

I applaud the changes the bill makes to certain technical aspects. For example, the class 4 measuring instruments offer a less accurate form of measurement which can be used in certain circumstances outlined in the bill. That allows greater flexibility. The simplification of the definition of measurement will also help.

Clause 11 deals with packaging. Like the honourable member for Tullamarine, I am pleased that packaging is to be disregarded when measuring quantity. Many people have no doubt looked at the cornflakes package in the supermarket and given it a bit of a shake and wondered whether the package held more than it did, or opened a packet of soap powder to find it held a quantity that was less than half the size of the packet.

Clause 5 provides inspectors with more flexibility. They may give notice of a requirement to remedy problems with minor instruments of measurement within 28 days. Clause 17 allows inspectors to take evidence by way of filming or photographing.

There are many other aspects of the bill, including some tidying up of the process by which appeals can be made to the VCAT, which clarifies the legal processes surrounding the implementation of measurement standards.

As a student and advocate of good governance, which Victoria is now getting in spades, I commend the bill for its covering of key agreed national reforms. It is very important for Australia to have national standards for such important areas as mensuration and measurement instruments, and I am pleased to see a bill that contains the first batch of nationally agreed amendments that fit in with the uniform trade measurement legislation which is being sought to operate throughout Australia. I commend the bill to the house.

Mr HAMILTON (Minister for Agriculture) — I thank all honourable members for their contributions and I thank the opposition for its support. I wish the bill a speedy passage.

Motion agreed to.

Read second time.

Remaining stages

Passed remaining stages.

EDUCATION ACTS (AMENDMENT) BILL

Government amendments circulated by Ms DELAHUNTY (Minister for Education) pursuant to sessional orders.

Opposition amendments circulated by Mr HONEYWOOD (Warrandyte) pursuant to sessional orders.

Second reading

Debate resumed from 16 March; motion of Ms DELAHUNTY (Minister for Education).

Mr HONEYWOOD (Warrandyte) — The Education Acts (Amendment) Bill has nothing to do with ensuring good policy in the state of Victoria. Instead of diversity and choice and the right of a school community to determine its future, it reflects a one-model-fits-all approach that our socialist colleagues

on the other side of the house are all too comfortable with.

At one level, this legislation is all about philosophy and in this instance it is about whether parents and school communities should be masters of their own destiny within the framework of world-class curriculum standards.

The opposition appreciates that the Minister for Education has adopted in full the new curriculum standards framework process that was entered into by the previous government. I am pleased to note that she has chosen to make no change to those world-class curriculum standards.

Now that the union movement is back in town, so to speak, it will be put in charge of education. Everyone knows that two Marys are running the education system in Victoria but we are not sure at this stage which one will be on top. Mary Bluett, the president of the Australian Education Union, and the current Minister for Education are working in tandem, and at different times the minister takes her riding instructions from Mary Bluett.

The philosophy, or what might be referred to as the light on the hill, is one thing. However, some 51 school communities entered into agreements in good faith.

Ms Davies — It's about giving special money to certain schools.

Mr HONEYWOOD — The honourable member for Gippsland West interjects that it is about giving special money to certain schools. One of those special schools is in her electorate. Will she say, 'I don't want that school to succeed; I don't want the money for the school'? What sort of local member is she? I am certain that the school in her electorate would be pleased to know that she says in this place that it is all about elitism and throwing money at one school in preference over another — —

Ms Delahunty — On a point of order, Mr Acting Speaker, the forms of this place require that the honourable member refers to another honourable member by his or her title, not as 'she' or 'he'.

The ACTING SPEAKER (Mr Kilgour) — Order! I ask the honourable member for Warrandyte to note that.

Mr HONEYWOOD — A local member is willing to wash her hands of claiming any entitlements for a school in her electorate.

Mr Mildenhall — So that everybody gets a fair go.

Mr HONEYWOOD — What is wrong with Broadmeadows Primary School being able to excel in specialised programs? What is wrong with Corio South Primary School being entitled to specialise in certain education programs? What is wrong with five schools in the Bendigo electorate becoming Schools of the Future and masters of their own destinies? What is wrong with three government schools in Mildura electing to be masters of their own destiny and saying to the school community, ‘We want to go forward, not backwards; we don’t want to have to accept teachers from the central casting pool; we don’t want to accept the fish that John West rejects; we want to have teachers we select on the basis that they will meet world-class education standards’?

The situation at Blackburn High School was all about demographics. The age of the local population meant that the school could potentially close within a couple of years — that is, because its catchment area did not have sufficient young people coming forward to retain the school. That government school marketed a world-class music program, saying, ‘We are going to get out there and show that we can do it. We will emphasise that in our school we will have not only a world-class education system in maths, science and English but also value-added education, with special concentration on music’. What is wrong with that? It is all about diversity and choice.

The government claims to have a mortgage on diversity but during the Pauline Hanson debate was silent until the former Premier took the lead on that issue. The party that preaches diversity is now all about sameness, with one model that fits all, and with bureaucratic and union control that ensures that no school can choose its own teachers. It seeks to ensure that teachers come from a central casting pool. It maintains that every teacher should fit into the culture of every school because all cultures will be the same. That one-model-fits-all approach represents a return to the socialist ideology that was discredited in the 1970s.

Self-governing schools are an evolutionary not a revolutionary process, based on what is happening in Tony Blair’s Britain with charter schools and what has been happening in Canada and in the United States for many years. Who predicted that would happen in Victoria? Ian Cathie, a former Labor education minister! He wrote a paper predicting this outcome as an evolutionary process, where school communities would sit with their local communities; the Berlin Wall, referred to by the minister yesterday, would not divide the wider community from the school community at the

school gate; and communities could interact proudly with the local school through sponsorship agreements, through joint community endeavours and, importantly, through being able to select their own teaching staff.

Trite nonsense is being thrown up from the other side that the previous policy was about elitism. The former government had over 100 schools choosing to elect to come into the program after the election.

Ms Delahunty — Try 51!

Mr HONEYWOOD — Every school could have become self-governing. By her interjections the minister shows she did not want those five schools in Bendigo to get additional money; she did not want those —

Ms Delahunty interjected.

Mr HONEYWOOD — After a protracted consultation process the five schools in Bendigo put their hands up to become self-governing schools.

The ACTING SPEAKER (Mr Kilgour) — Order! The Minister for Education should note that interjections across the table are disorderly.

Mr HONEYWOOD — After wide consultation schools elected to go into the program. It is an indictment of the current minister to claim that the Corio South Primary School, the Broadmeadows Primary School and the Mildura Senior Secondary College were bribed to go into the program. Parents of those schools will enjoy reading the interjection in *Hansard*, that they were bribed and open to corruption. In slanderous reflections on school communities, the minister claims they had no choice. How then did other schools elect not to go into the program?

Choice and diversity go out the door with the government: sameness, centralised control, and handing everything over to Mary Bluett is the name of the game. The schools signed three-year and five-year agreements — the minister, her chief-of-staff and the department were not aware that one school has a five-year agreement until the opposition pointed it out. There are three-year and five-year educational services agreements that are valid under contract law and signed by the school communities. The proposed legislation seeks to throw away rights under those agreements.

It will be interesting to see whether the minister will abide by her promises to buy the silence of the 51 schools. If she does not the battle will become a war.

The bill is also about the rights of 400 affected individuals who in good faith, independent of the 51 school communities, signed employment contracts. What is wrong with an employment contract that provides an entitlement for an employer to negotiate terms and conditions with an employee? Many teachers at self-governing schools chose not to have employment agreements, but 400 did. The minister will say to them, 'Unless you take up my offer, unless you all jump at my beck and call and come back into the department — 'come back into the fold' is the term the minister uses when not talking about largesse — you have no rights, you are cast adrift'.

The minister says employees have the right to decide not to come back into the department's central casting pool and the right to see out the terms and conditions of a contract. But the 400 teachers are afraid because if they decide to abide by the conditions of their employment contract, entered into in good faith between the employer — the school council — and themselves, what does the minister have at her disposal? She tried to pull the wool over the eyes of the opposition with the 400 teachers and got caught out in the process.

Proposed section 15ZK details the rights of staff who do not transfer — in other words, those who stay on contracts. That is good as the minister is respecting choice and the right to see out the contract. Then, magically, proposed section 15ZL, which appears on the next page of the bill, gives the minister the right to continue to make orders under section 15T(5) of the Education Act in relation to any school council employee whose employment continues under the act.

The minister is giving something with the one hand and, with the other, is potentially taking it away. She will say, 'The previous minister had the power under the Education Act'. However, that provision related to contracts about to be entered into or that had not been entered into and, in the interests of the taxpayer, ensured proper contractual procedures. By inserting proposed section 15ZL into the bill, the minister has sought to ensure that she can unilaterally change the prospective entitlements of existing contracts. In other words, at some point in the future when the minister thinks she has won the battle, she can deign to tell the 400 teachers, 'Bad luck! All bets are off because I have the power in the legislation to unilaterally interfere with the contract you have entered into in good faith'.

As a responsible opposition, we do not want to leave 400 people at the mercy of the minister and Mary Bluett, her philosophical fellow traveller. The opposition intended to move an amendment to remove

the minister's power to unilaterally interfere with existing contracts. Although still retaining power under section 15T(5)(b) of the principal act where there is sexual misconduct by a school council employee, the minister will not have the power to unilaterally intervene on employment terms.

After three days of negotiations, today the minister has circulated the same amendment in her name. She realised she had been caught out and that without the amendment she would have legal claims against her and her department if the future of 400 teachers were put at risk at the whim of a minister who could change at any moment — the minister might not be here for long!

During the debate the opposition will highlight the macro issues of evolution and philosophy including the rights of school communities to be masters of their own destinies. Equally, it will refer to the rights of the 400 individuals and the rights of the 51 school communities that will be sorely affected by this punitive legislation.

During his contribution the honourable member for Dromana will talk about a government which does not trust schools and which prefers to defer to the trade union movement. The honourable member for Bentleigh will ask the minister about the future direction for schools under the government. Where is the government's vision for schools now that we are furiously peddling backwards to the discredited socialist ideology of the 1970s?

The honourable member for Bennettswood, who is a specialist on industrial relations matters, will highlight the fact that the legislation goes against the broader trend in the Australian community for employees to sign employment contracts with their employers in good faith. Only the Minister for Education seems to be reinventing the idea of the central employment pool that prevailed among her socialist fellow-travellers in the 1970s.

Mr Acting Speaker, as the member for Shepparton I am sure you will support what the honourable member for Warrnambool will say about rural isolation. The Minister for Education is running around saying that Victoria has a shortage of teachers, but what is she going to do about it? She has no vision. She is just highlighting the problem and blaming it on everybody else. The most crucial teacher shortage is in isolated rural schools that cannot offer incentives to attract specialist teachers. They can pay only the award rate, for which teachers are not willing to move to such areas. The minister is not willing to acknowledge that

isolated schools should be able to provide such incentives to attract specialist teachers in subjects such as foreign languages and information technology (IT).

Self-governing schools, such as the 5 in Bendigo, the 3 in Mildura and the 2 in Warrnambool have the ability to pay above-award rates and offer flexible employment arrangements, yet that is not allowed under the central casting pool system. Because the union movement does not believe in flexibility and feels threatened by it, schools cannot offer female teachers the flexibility in their contracts that would enable them to, for example, pick up their children after school. Teachers have to conform to the one-model-fits-all approach of the minister.

If the legislation passes in both houses how will the minister offer incentives to specialist teachers to move to isolated rural schools? How will she accommodate the needs for the teaching of foreign languages or IT, or attract excellent science teachers, to such schools? The self-governing school program offered school communities the right to advertise in the marketplace for world-class teachers and provide incentives for them to relocate. That program was working well before schools were kneecapped by a minister who is subservient to the union movement.

I could go on, but a number of other honourable members want to make significant contributions to the debate. One can understand the passion many honourable members will bring to the debate. Those members were privy to much of the consultation and discussion that took place between teachers, parents and the wider community about whether the move to self-governing schools was the right way to go for respective communities.

If it passes the bill what will Parliament be saying to a school such as Blackburn High School, which is in an area that has an ageing population, about its losing the right to choose its own teachers? When the minister says to a school, 'I know you want a percussion teacher and a conductor teacher, but bad luck, the central casting pool only has a woodwind teacher for you', she will be saying to that school, 'Bad luck. There goes your world-class program. There goes your right to go out and advertise for students from the wider community so that you are not just relying on your ageing population area'. That might mean the school will have to close. Imagine the hypocrisy of that!

For seven years all anyone heard from the Labor Party was that school closures do not equate to good education outcomes, yet as a result of this legislation schools may be forced to close because they can't offer

anything different or special from other schools because they will all be part of the one-model-fits-all approach. The opposition does not support that proposition.

I am proud to say the opposition is all about ensuring there is diversity and real choice in education. The opposition wants to ensure it will be possible to benchmark one school against another in all sorts of ways, whether it be through the learning assessment project test, programs implemented by particular schools or other performance measures, to attract good teachers to schools. The overwhelming majority of teachers are hard working. From my personal experience of recently being married to a teacher I know the incredible time teachers put into their work.

As in any profession there are good teachers and bad teachers, but the minister will not acknowledge that fact because union members, whether they are good, bad or indifferent, have to be protected at all costs and seniority has to be based on years of service instead of quality of outcomes or professional expertise.

The bill is about ensuring sameness so that school communities cannot be compared and parents offered the right to choose a school. The government is afraid of choice because it does not want the deficiencies of some union members highlighted. It wants to ensure that the Berlin Wall the minister referred to yesterday in her answer to a dorothy dixer stays rock solid and shuts out members of the wider community who want to get in behind that wall, interact with their local schools, learn what goes on in the classrooms and find out how the community can help schools. Instead the strengthening of the Berlin Wall by the minister will prevent the system from moving forward.

The opposition will watch the Minister for Education and her education philosophy closely. The former government was proud to have the highest computer-to-student ratio of any state. It was also proud to allow school communities to choose their own staff. It was proud that school communities could go forward, not backwards. The minister does not have an answer on this debating point, other than to assure the house that she is kowtowing to the other Mary that runs education in the state — Mary Bluett.

Mr MILDENHALL (Footscray) — It is with a great deal of satisfaction and pride that I stand as part of a government that has introduced a bill that will revoke the special powers and functions of school councils, provide for the transfer of staff back into the education system and make transitional arrangements for agreements and other arrangements entered into under the failed self-governing schools experiment. It is

effectively the end of that grubby, sordid, divisive and distracting privatisation experiment.

Government members believe in state education. It was not members on this side of the house who closed 400 schools, ripped 8000 teachers out of the system and reduced expenditure on Victorian schools to the lowest level in the country. We are committed to the government education system, while members on the other side of the house were committed to selling the government school system, privatising it, and generally ripping it apart.

Honourable members should make no mistake: those changes were part of a privatisation experiment. While the silver-tongued Howard Kelly was slipping and sliding around the state saying that changes were part of a commitment by the former Kennett government to a government school system, he was writing up for the previous government option papers to outline the opportunities for the private sector to build, own and operate schools and possibly transfer them back to the government system.

Just before the state election last year, as a result of freedom of information applications being made by the then state opposition, documents came to light revealing that in 1997 Mr Kelly had written to the then Secretary of the Department of Education, Mr Geoff Spring, outlining options for a build, own and operate model for future government schools.

As part of the Schools of the Third Millennium program under which self-governing schools legislation was introduced, options were outlined regarding to what extent industry might wish to build, own and operate government schools. It was an extraordinary act of the previous state government to seek to put in place a framework by which the state school system was to be totally disassembled and sold off to the private sector.

The first response by the government was to deny it was considering such options. The former Premier, Mr Kennett, denied that but, following inquiries made by Stephen Murphy from the *Age*, the Premier's spokesperson confirmed that the Department of Treasury and Finance had commissioned a consultancy firm in 1999 to examine such options. On 8 September 1999, the next day, the *Age* ran a story that revealed the Department of Treasury and Finance had commissioned a report by Frontier Economics, canvassing a radical restructuring of the way schools are funded. The option to include a radical restructuring of the way schools are funded had been slightly watered down, but the proposal included radical new powers for

school councils, student vouchers and the contracting out of major features.

Honourable members should make no mistake. While the silver-tongued Howard Kelly, the government spokesman, was trying to calm down schools and assure the Victorian community there was still a strong commitment — or at least some sort of commitment — to a government school system, that duck was frantically paddling away underneath the water, working on secret proposals to contract out at least the operation of government schools if not to move to a fully build-own-operate system. Clearly that was on the agenda.

The main reason for the then opposition viewing that failed privatisation experiment with extraordinary scepticism and absolute opposition was its commitment to a government system. The opposition did not want to support a proposal that would actively and consciously increase inequality within the government school system. Despite the clever selection of some schools in poorer areas, the proposal was about giving successful schools greater advantage and access to resources.

The Kennett government was about picking winners and losers; it was about creating winners and losers. One of the most insidious and extraordinary measures it set about implementing was in the industrial arena. I will be interested to hear the comments of the honourable member for Bennettswood. I know he was involved in this matter, so I would like to have him confirm that the Kennett government attempted to replicate the health network industrial agenda.

The government is no longer responsible for employment conditions and pay rates. If any group of employees or community members wants to see a fairer wage system for employees working in the government health system it has to see its health network, as the government is no longer responsible. The former government wanted to disaggregate the industrial relations system and the government school system of employment.

While that strategy was employed in the health system, it was obviously totally inappropriate for the government school system. School councils should not be loaded down with extraordinary industrial relations responsibilities that the government previously accepted. A group of volunteers, no doubt motivated by a sense of wanting to assist their children achieve a quality education, would have had to take on an enormous legal and administrative load in executing complex industrial relations responsibilities.

The privatisation experiment has a sordid history. There was no demand for privatisation. The leading schools in the state were not interested. Melbourne High School was not interested. Blackburn High School was not interested. The government had to provide junkets to England for principals to try to get them interested in the proposal. It had to provide lavish financial incentives to inveigle schools into the scheme, allocating regional resources at a time when schools were chronically under-resourced.

The former government took the view that it had \$13 million to splash around, not only on the scheme but also on overseas trips and other personal incentives. It displayed an extraordinary act of misplaced priorities.

The shadow Minister for Education suggested that the legislation will destroy choice and diversity in the school system. Blackburn High School has an exemplary reputation for its music program that dates back a decade or more. It has always been an excellent school for music. Will it not be next year or in five years? Bendigo Senior Secondary College has a great reputation in information technology and an extraordinary leading-edge capacity.

Mrs Peulich interjected.

Mr MILDENHALL — Will it not continue to have that? Will the roof fall in? Will the school be forced to close down? The shadow minister certainly suggested that could occur. To that I say the school has been excellent, is excellent, and will be excellent in the future. Berwick Secondary College has a great reputation in the arts, with assistance from its local municipality. It will no doubt continue in that capacity. A representative of a leading school said to me when I was in opposition, ‘There is nothing in the legislation that we need. There are no powers to enter into partnerships, sponsorships or arrangements that we do not have but would have as a result of the self-governing schools legislation’.

The self-governing schools legislation was unnecessary, ideological, and part of the privatisation and disaggregation of the government school system. It was a shame and a disgrace. It was about picking winners and losers and creating greater inequality. It was not about a fair go for all; it was about trying to advantage already advantaged schools.

Schools were intimidated. They came to me and said, ‘The school system is so under-resourced that if we do not try to get the grants we might miss out’. Although former Premier Kennett and a former Minister for Education, Don Hayward, had said the Schools of the

Future program was an optional system, within a couple of years it was compulsory and schools who were not in it missed out. Schools were fearful that the infamous baseball bat wielded by the Kennett government to close down 400 schools would be applied to them.

The self-governing schools experiment was a distraction from the main game. The expenditure of \$13 million was an absolute waste of money and has resulted in this government having to put in at least another \$10 million to ensure the contracts and transitional arrangements are fully resourced. Imagine what \$20 million to \$25 million could do if it were put into the core of the system. It would go towards further realising the spectacular gains this government has already realised in reducing class sizes. That is what the game is about and what a government should be doing — improving conditions in the classroom.

The overwhelming evidence in all that is that a government can fool around as much as it likes with governance models, but it is what happens in classrooms — resulting from teachers’ skills, class sizes and resources — with the teachers and kids that matters. While the Kennett government embarked on a reckless escapade of putting in place governance structures, trying to turn schools into small businesses and distracting schools from their main game of quality education, the quality education was put at risk.

Schools, school councils and school principals had to devote much of their time to turning their education enterprises into business enterprises. They asked questions such as, ‘How will we attract the sponsorships?’ and ‘How will we raise the money to keep the small business operation afloat?’. Their expectation was the receipt from the government of an adequate level of resources to keep quality education programs going in their classrooms, not a system which saw them having to look at the bottom lines of inputs and outputs, income and expenditure — which they had to do because the Kennett government chronically under-resourced schools.

The Kennett government secretly acknowledged the risks. While it was wasting money on its reckless experiment it let out a consultancy to Neil Brown, the former head of the Office of Schools Review. It said, ‘Have another \$20 000, Neil; go out and evaluate the schools and report back on the risks’. Neil Brown reported that extra work was needed because of the risks associated with the ventures and partnerships and with needing more comprehensive audits, financial reporting, codes of practice, financial administration,

and an increased requirement for a focus on cash control, investments and fraud prevention.

The government should have been focusing on education outcomes with the school system. But instead its focus was on cash control, investment risks and fraud prevention. What sort of system was the Kennett government going to turn Victoria's classrooms into? Fraud prevention, investment risks and fraud control — what an extraordinary distortion that principals had to focus on financial trend information. What about student outcome trends? What about looking after kids who were falling by the wayside? The retention rates in government schools fell by 10 per cent. What an absolute disgrace. Surely the money should have been spent on that and on bringing class sizes back to what they were before the Kennett government started to rip the standards apart.

But no — the Kennett government focussed on minutia and turned government schools into business enterprises which had to look at fraud control, investment trend information, and so on. It was a major distraction from what a government school system should be about — a fair go for all kids. All students should be guaranteed a quality education, no matter what schools they attend around the state, not just students who were lucky enough to get into a school the previous government had decided would be a successful business enterprise award winner. What about the education outcomes for the kids? The system was a major distraction, a failed enterprise and an absolute disgrace.

It gives me a great deal of pride to be part of a government that puts a focus back onto kids and education outcomes and not one that undertakes extraordinary, ideological privatisation experiments. I am proud to have been part of the legislative move that will bring the school system back to the main game and away from the ideological fixation of the failed Premier and his failed experiment.

Mr DIXON (Dromana) — The honourable member for Footscray will be delighted to know that this is the worst day I have endured in politics. I had the pleasure of being the lead speaker for the then government in the second-reading debate on the Education (Self-Governing Schools) Bill, but now the legislation is being repealed and the self-governing schools program is being abandoned. The 51 schools that joined the program have been hounded and bribed by the government. That is a shame for the future of education in this state.

The honourable member for Footscray referred to a \$10 million buy-off program. The former coalition government was accused of buying off schools when it offered \$50 000 a year to schools that joined the program. That money was merely a drop in the bucket when compared with the education budget. The government is spending \$10 million to bribe schools to abandon the program. That money would be better used for other education purposes. There is no way the proposed \$50 million — and probably \$60 million — budget cuts will not affect education programs. The government can say the budget cuts will not affect school budgets, but schools rely on works and services and other moneys provided by the department. The \$50 million in budget cuts will go a long way to cutting services and will be a further burden on Victorian schools.

The shadow Minister for Education said the bill is about centralised control by the government, and he is right. Members of school councils have told me about the different ways the minister is exercising more centralised control. The professional development programs of school councils will now be centralised and run by the department. The government does not want any diversity, choice or differential funding so that school councils, school communities, parents and teachers can together explore different options. The bill is not about diversity, it is about sameness and the philosophy of one size fits all. It is a farce and the house should not even be debating it.

I would like to know how much of the \$10 million that is being used to buy off schools has been allocated to schools. I suspect many schools have not received a cent, while some have received about 10 per cent of their allocation. The opposition will be watching that closely. Budget arrangements and the allocation of money resulting from this measure are already being implemented even though the bill has not been passed by this house or the other place, let alone given royal assent. The government's actions are making a farce of the parliamentary process.

I am concerned about the loss of choice and diversity for school communities. The Catholic education system, of which I was part, hired and fired its own teachers within a framework and in that way achieved great education outcomes from small budget allocations. The issue is not about money but about the quality of teachers, and about choice and diversity in schools. Schools — parents, teachers and school communities — had a choice about whether to be involved in the self-governing schools program. No bribes were involved; the \$50 000 could not be seen as a bribe, given an education budget of many millions of

dollars. School communities thought long and hard about the program and some decided not to be part of it. Some jumped in straightaway while others decided to wait. Numerous meetings occurred in school communities. Teachers, parents and school councils were involved and joint decisions were made.

The government is damned by the lies it has put about regarding the privatisation of the state school system. In opposition Labor said that the self-governing schools program was about privatising part of the school system. How could schools be privatised under the system when they had to take children from their local catchment areas? They were part of the system and were using many of the services provided by the Department of Education. They were accountable to the government. In fact, self-governing schools were even more accountable to the government, and there was nothing wrong with that. Self-governing schools were funded overwhelmingly by the state and the money they gained through fundraising activities was only a small part of their budgets. There is no way that adds up to the privatisation of the school system.

Those involved in former self-governing schools feel the government no longer trusts the good sense of those school communities. They will no longer have the ability to offer above-award conditions to their staff or have the flexibility to organise their schools in the way they want. The government does not trust schools that want to excel at what they are really good at, yet that is in the interests of not just students but the whole system. The honourable member for Footscray referred to Blackburn High School having a good music program and said it will continue to have a good music program. That is true, but as a self-governing school it had the chance to enhance that program. Because the school will be deprived of its previous flexibility the program will not be as good as it could have been.

The honourable member for Footscray made a Freudian slip when he said that the government is offering world-class mediocrity. That is what the government is proud of. Schools are not being trusted to dispose of their assets, to invest in property or to achieve the best outcomes for their children. Schools made informed choices about joining the self-governing schools program, and they did it for education reasons, not for honour and glory. Educators, teachers and school councils made no personal gain. Certainly there was no financial gain from the government. Schools joined the program because they wanted the best education for their school communities. They are now being condemned for the unselfish way in which they were prepared to work for their communities.

I wanted to discuss many other aspects of the bill. I will not do so because many honourable members on this side of the house want to participate in the debate. The bill does not improve education outcomes, the conditions in schools or the organisation of schools. One of the most disappointing aspects of the bill is that it is not about educating children or providing a better curriculum, which should be the primary focus of schools. Education as such does not interest the government. It is interested only in conditions, which are contributing factors to schools but which are not everything. It is fiddling around the edges. The opposition is interested in what is best for children. Education is being sold out under the devolution of this program.

The coalition government was a consultative government. It consulted with school communities. This government relies on flying visits by hit squads and calls it consultation. The former government consulted with school communities and helped them make judgments about whether they wanted to be part of the program. It is a pity all the work will go to waste as a result of this legislation.

Ms DAVIES (Gippsland West) — I spoke in the debate on the Education (Self-Governing Schools) Bill in April 1998. I said, in part:

Nobody can doubt that the bill will continue the process of widening the gap between our citizens — between the financially well-off and the financially poor, the information-rich and the information-poor, and the skilled and socially advantaged and the less skilled and, I emphasise, between city and country.

Mrs Peulich interjected.

Ms DAVIES — In response to that interjection, in the same speech I wondered if the former government was rushing through yet another revolutionary change because it was afraid it did not have much time left. I was right; it didn't!

Honourable members interjecting.

Ms DAVIES — They should listen to me. The Education Acts (Amendment) Bill will abolish the former government's divisive and inequitable self-governing schools system, and I say good riddance! Sensibly, the bill does not break contracts. The government has reached agreement with the principals and school councils of the former self-governing schools to the extent of transitionally continuing some of the additional funding used to entice those schools into the program.

The bill contains sensible transitional provisions that enable school employees to rejoin the teaching service if they wish. However, teachers who wish to remain on contracts may do so until those contracts expire. Partnerships, joint ventures and associations will be maintained until their terms expire. Schools are empowered to fulfil obligations and retain assets acquired during their time of self-governance.

Kevin Donnelly, a great fan of the former government's education policy, often wrote articles for the *Herald Sun*. I endured article after article written by that prat! Guess what? During the recent Liberal Party state council elections I found that Mr Donnelly is not only a peculiar educational journalist, not just a fan, but a member of the Liberal Party. He is not only a member of the Liberal Party — —

Honourable members interjecting.

Ms DAVIES — It was news to me. I was not aware of the connection. Mr Donnelly is a wannabe failed member of the Liberal Party executive. I recommend that in future — —

Mr Honeywood — On a point of order, Mr Acting Speaker, the Education Acts (Amendment) Bill is restricted and pertains to self-governance. The member from the Labor Party's Emily's List should confine her remarks to the bill.

The ACTING SPEAKER (Mr Lupton) — Order! There is no point of order.

Ms DAVIES — One wonders what that particular member would have said had I supported his government at the time.

The ACTING SPEAKER (Mr Lupton) — Order! On the bill, please.

Ms Allan interjected.

The ACTING SPEAKER (Mr Lupton) — Order! The honourable member for Bendigo East is both out of her place and disorderly.

Ms DAVIES — During the years the former government was in power I pointed out that it was inappropriate for state schools, particularly those in rural areas, to be competing with each other. The former government's self-governing schools program enshrined that competition. It is better for schools in a district to cooperate, share resources and expertise and work together to enhance the educational offering for kids in a particular area.

Formerly different rural schools could specialise in different areas of education. That specialisation can only happen in an atmosphere of cooperation which the former government sought effectively to destroy for a time. The goal of education should be to provide the best possible education for all students and should not offer extra resources to just a few.

I direct the attention of the Minister for Education to a particular problem that was exacerbated to the nth degree when those semi-private schools came into existence. The problem was evident in rural schools and happened as a consequence of the former government's obsession with individual contracts and separation and competition, of which the self-governing schools were the most extreme example.

Formerly teachers could transfer between schools for reasons such as a desire for new challenges and programs if they had taught at the same school for some time or their families had relocated. Other schools could be approached and transfers and swaps easily arranged. Under the previous government's policies those transfers and swaps, which were frequent in rural schools, almost stopped. It was a lost opportunity for useful and humane transfers which worked well for both schools, teachers and students, who got fresh blood and the excitement of new faces. I hope those opportunities will be restored.

A private school system has existed in Victoria for a long time. Victorians do not and never will need pseudo-private schools created from a state education system with a long and noble history.

The former government's self-governing schools gave extra resources to very few, often already advantaged, schools. That practice is not acceptable and I am pleased that it has been abolished. Rather than focusing on business issues which should not take up their valuable time and attention, principals and school councils should now turn their attention back to education, concentrating on the kids to whom they have a duty to provide the best possible education.

Mrs PEULICH (Bentleigh) — The Education Acts (Amendment) Bill is interesting. Rather than describe it as a bill, I would call it a confession of hypocrisy and failure. It is an honour to follow the honourable member for Gippsland West who has increasingly become an apologist for the Labor Party. The honourable member is a fake who has cheated her electorate out of genuine representation. Honourable members saw that yesterday where she was asking the dorothy dixers — —

The ACTING SPEAKER (Mr Lupton) — Order! The honourable member for Bentleigh will speak on the bill, which relates to education!

Mrs PEULICH — My remarks are relevant, Mr Acting Speaker, because while elective surgery in her local hospitals is cancelled she is out doing the spade work for the ALP.

Mr Cameron — On a point of order, Mr Acting Speaker, I ask that you direct that the honourable member for Bentleigh return to the bill.

The ACTING SPEAKER (Mr Lupton) — Order! As the Minister for Local Government will remember, I attempted to do just that.

Ms Davies — On a point of order, Mr Acting Speaker, I believe the honourable member for Bentleigh is well aware of the acceptable use of the word 'she'. I am the member for Gippsland West and would prefer to be addressed as such.

Mrs PEULICH — On the point of order, Mr Acting Speaker, does that mean that pronouns have now been eliminated from the Parliament of Victoria?

The ACTING SPEAKER (Mr Lupton) — Order! Is this a point of order?

Mrs PEULICH — On the same point of order.

The ACTING SPEAKER (Mr Lupton) — Order! Which one? I will rule on the Minister for Local Government's point of order. He is correct: I did ask the honourable member for Bentleigh to return to the bill.

Mrs PEULICH — On the spurious point of order raised by the honourable member for Gippsland West, who has had her opportunity to contribute, I am unaware of any standing order that states that pronouns should no longer be used in the Parliament of Victoria.

The ACTING SPEAKER (Mr Lupton) — Order! I do not uphold the point of order, but the honourable member has made her point.

Mrs PEULICH — The honourable member does not need to try — —

The ACTING SPEAKER (Mr Lupton) — Order! On the bill, please!

Mrs PEULICH — The bill is a confession of hypocrisy and a failure of three key tests. They are not my tests — if they were they would be very harshly judged — but those of the Minister for Education and

the same tests and criteria she applied when the Liberal government was in office.

Mr Cameron — There's that word 'she' again.

Mrs PEULICH — I plead guilty. Perhaps she is a he — I don't know!

These days the Minister for Education is becoming known more commonly in schools and school communities not as Queen Mary, as alluded to on radio 3AW, but as Red Mary. My contribution will help honourable members to understand why red is the appropriate colour for the minister.

In the past, Red Mary would have insisted that certain criteria be applied to the actions of the former government. Now Red Mary dismally fails the very same three key tests that she would have applied to the former government both in Parliament and as a — perhaps very partisan — journalist. One of her former journalist colleagues referred to her as a fake journalist. The three key tests are, first, honesty and transparency in dealing with the various stakeholders affected by or who have an interest in the bill. The second test is consultation with all the stakeholders; and the third test is whether it is based on good public policy.

On all three counts, the minister is to be found to be wanting — and very close to failing the semester! In the short time that I have available I will give the Minister for Education a report card.

Ms Allan — A lesson?

Mrs PEULICH — And a lesson, absolutely. First is honesty and transparency in dealing with the various stakeholders. The Labor Party campaigned on a pledge to uphold all school contracts, but what was the very first thing it did when it came to office? It abolished the 51 contracts that were entered into with 51 school communities. That was the first backflip. What absolute hypocrisy!

Ms Beattie — It was forced into it!

Mrs PEULICH — The honourable member for Tullamarine says that it was forced into it.

The ACTING SPEAKER (Mr Lupton) — Order! The honourable member will ignore interjections.

Mrs PEULICH — Decisions were made voluntarily by school communities and the Labor government held a gun to their heads and said, 'Come back into the fold'. On behalf of the Labor Party, in a debate on 3AW with Dr David Kemp, the federal

Minister for Education and Youth Affairs, the Premier said a Labor government would not break contracts that had been entered into. Mr Acting Speaker, lies have been told.

The bill is a confession to having lied and misled. The self-governing schools entered into agreements voluntarily, based on the support of local communities and parents. The bill is retribution against those communities. It reflects a union-driven policy designed by the two Marys, as I have mentioned. Red Mary is running the union agenda and taking away all the flexibility for control of staffing from schools and moving instead to centralisation. From now on, the central politburo will be running the schools and employing teachers, expecting teachers and school communities to deliver a high-quality education with one hand tied behind their backs and standing on one leg, as it were. It is disgraceful.

The bill is not just about staffing. It is also about the reinstatement of unions into powerbroking positions in schools. Changes have already been made to the composition of school councils. The honourable member for Dromana said that professional development will now be delivered internally to schools by regions. They will be sessions of indoctrination and spreading propaganda rather than training school communities, including teachers and school councillors, to be open to the real world of diversity and choice.

The Labor government talks about excellence for all, particularly in its latest document which was circulated to teachers one month in advance of the closing date for submissions. Parents have not yet received the document entitled 'Your invitation to a conversation about public education — the next generation'. School communities will have a month or six weeks to prepare a submission, but parents will probably be given only three days to do so.

On page 4 of the document, under the heading 'Government, school and community: a shared responsibility for education', school flexibility is lauded. It refers to the government's:

... recognition that decisions should be made as close to the people they affect as possible.

The abolition of self-governing schools is absolute hypocrisy and a contradiction of the thrust of the document.

The document does not refer to government schools but to public schools. It is really just a ruse or ploy — the use of the word 'public' suggests that people have control. But the Minister for Education is

disempowering local school communities, including parents, and ceding all the power to the education department and those who write her policies — that is, Mary Bluett and the Australian Education Union.

The house had heard a lot from the Labor Party about consultation and partnership. It is Labor rhetoric. I remind members that consultation means 'taking advice or seeking counsel from'. But self-governing schools are being dismantled without any consultation whatsoever. The minister has failed the second test!

Honourable members have heard a lot about partnership which implies a mutual interest in goals with interlinked roles and responsibilities. The Labor Party's notion of partnership is 'We will speak and you will listen'.

Mr Cameron — No wonder you only got 30 per cent in the polls.

The ACTING SPEAKER (Mr Lupton) — Order! The minister should try to contain his exuberance.

Mrs PEULICH — Partnership in education should be between kids, their schools and school communities and parents. Parents have a vested interest in the outcomes of their children's educational opportunities. It is a lifelong interest, not a transient interest from one year to the next. The Minister for Education is happy to exercise total personal autonomy — she sends her children to Wesley College. But parents in government school communities cannot have the sort of quality and control that parents exercise in independent schools. The minister has shown herself to be an absolute hypocrite.

The government is not proposing a partnership. The government wants an audience captive to Red Mary and the AEU. Is it good public policy? The shadow Minister for Education has said that the policy is part of an evolutionary movement towards the provision of higher quality education. It should be independent of political ideology because local school communities should in partnership with the government be deciding on their local priorities in the framework of state and commonwealth imperatives. They should control what occurs.

A quality education is determined by how the curriculum is defined, planned, implemented and evaluated to ensure an ongoing system of improvements. The former Liberal government delivered that quality through the schools charters. Never before in Victoria's history including many years of Labor governments, had there been a coherent curriculum from prep to year 10. The former Liberal

government did that by introducing school reviews, standardised testing and giving better information to parents. It believed in empowering parents so that they could take a lifelong and active involvement. It created a real partnership which the Labor government is hell-bent on wrecking.

The opposition believes local schools should be involved in setting local priorities; my view is that all schools should be self-governing. Honourable members have heard that that view somehow amounts to privatisation, but that is a lie perpetuated by the Labor Party. Privatisation means selling schools for profit for private benefit, but never has that been considered, irrespective of how many options the department may have inquired into. The Labor Party believes giving school communities greater control and power is privatisation: the opposition does not, because it believes parents and school communities should have greater power over education. The government confuses privatisation and contracting out. Even contracting out is not relevant because the opposition believes schools ought to contract for the services and resources they need.

Mr Cameron interjected.

Mrs PEULICH — Yes, it's their choice. What do research and international experience show about school effectiveness? Providing flexibility and decentralisation is the only way to go, thereby allowing schools to respond to localised problems, be they truancy, the low participation rate of girls in sport or whatever. It allows them to respond promptly and with maximum flexibility. A genuinely decentralised system has a much greater capacity to respond and adapt to changes, be they personal changes of the students, a year level, or setting and resetting goals — even during the course of a year, semester or term — to make schools effective. Excellence and equity in education can be achieved only when a particular mix of resources is available when needed at the appropriate level. Reverting to a central control of teachers will make that ideal impossible.

Education is a benefit, not a commodity. I have already exposed the lie and the myth, and now I should like to read to the house Mary's settling-in report card. It would read, 'Mary presents creatively and dramatically, though she is somewhat reliant on scripts prepared by Mary of the Australian Education Union, cue cards and cheat sheets. She has good dress sense and a nice brother. However, Mary's insight into her portfolio is shallow and skewed. She desperately needs to lift her performance and would benefit greatly from the real

experience of self-governance. Her result is a D-minus, and she is in danger of failing the semester'.

Ms ALLAN (Bendigo East) — I am pleased to be able to contribute to debate on the Education Acts (Amendment) Bill and perhaps to inject some rational and reasonable sense into the debate about self-governing schools. As has already been mentioned on a number of occasions in this house and in the media, my electorate of Bendigo East has five of the former self-governing schools — Bendigo Senior Secondary College, Flora Hill Secondary College, Comet Hill Primary School, Spring Gully Primary School and Kennington Primary School. They are all very good schools. I note the presence of the honourable member for Bendigo West in the chamber: some of those schools are on the border of his electorate and draw on students and families from his electorate. He and I have been working closely with the school community.

Since I was elected last year to represent the Bendigo East electorate I have visited all the former self-governing schools — some on more than one occasion. I have spoken with their principals, teachers and staff. I have also visited many of the 17 other schools in my electorate that chose not to become self-governing. The important point that needs to be made is that of 22 schools in my electorate, only 5 chose to become self-governing. All the schools in the electorate have responded by welcoming the new government and its initiatives.

As a local member who believes in consultation and goes out to talk to people in the schools in my electorate, perhaps I should refer to the report card I received from Spring Gully Primary School in its newsletter. An article in it about self-governing schools published before Christmas states:

We are working hard to establish a positive relationship with our local member Jacinta Allan who has been very willing to discuss our concerns.

As I said earlier, I have been talking to people in the schools in my electorate.

Mr Honeywood interjected.

Ms ALLAN — I appreciate the vote of confidence from the honourable member for Warrandyte, who is telling me how good I am. If you'd like to continue I'm happy to listen!

Mr Honeywood — The trouble is that I don't think so.

The ACTING SPEAKER (Mr Lupton) — Order! If the honourable member for Bendigo East expects the protection of the Chair, she should remember an earlier warning.

Ms ALLAN — I am trying to highlight the difference between the Minister for Education and the shadow minister. Before Christmas the shadow minister visited Bendigo. I even have the newspaper clipping to prove it, with a photograph of the shadow minister standing out the front of one of the former self-governing schools. You would have thought that during his visit to Bendigo the honourable member may have made some constructive contribution to the debate about self-governing schools, that he may have actually talked to some parents and students. But, no, he had nothing constructive to contribute. All he did was fly in and fly out of Bendigo; he talked to a handful of people, but contributed nothing to the self-governing schools debate.

The shadow minister bleated about the Minister for Education abolishing the self-governing schools system, but had nothing constructive to contribute. He was — I hate to use the word but I must in this context — scaremongering in my electorate on this issue and desperately trying to beat up a non-existent battle in Bendigo on the issue of self-governing schools.

I have been working closely with the Minister for Education on the issue of self-governing schools. Victoria now has a minister who has been implementing government policy and who has gone through a process of negotiation and consultation — something that the former minister and government never did. In addition to repealing the legislation that established self-governing schools — or actually privatised the school system — the minister has injected \$30 million into schools to reduce class sizes, including grades prep, 1 and 2, to 21 or fewer. I am sure the house welcomed the announcement yesterday. I know the honourable member for Bendigo West and I did, when we were able to tell the schools in our electorates that class sizes for grades prep, 1 and 2 have fallen by 1.1 in Bendigo East and 1.3 in Bendigo West. Those initiatives are welcomed by the schools in my electorate.

This year the minister has provided or will provide an extra \$10 million to the neediest non-government schools; a \$12.2 million boost for student welfare in secondary schools; an extra \$10 million for students with special learning needs; and, importantly — this initiative has been welcomed by teachers in my

electorate — the government has lifted the former Kennett government's gag on teachers and principals.

The number of short-term contracts has been reduced. A number of young people now studying in our universities to become teachers have told me they now see a career path in the teaching profession. Also, an extra \$150 000 has been allocated for government, independent and Catholic schools to support an anti-bullying strategy.

I place on record something that illustrates what the people in schools in my electorate are telling me — that is, how good a job the minister and the government are doing in education. Over the past few months I have visited a large number of schools in my electorate.

Mr Honeywood — On a point of order, Mr Acting Speaker, although the house appreciates the cheerio to every school in her electorate, the honourable member is not speaking to the bill. This bill is narrowly confined to 51 self-governing schools. It has nothing to do with how much the honourable member loves the minister and how much money has been going into other programs. I ask you to ask her to come back to the point of the bill, which relates only to the five self-governing schools in her electorate.

Mr Cameron — On the point of order, Mr Acting Speaker, when one examines the education system one has to be able to make comparisons. If one cannot compare self-governing schools with anything else, it does not make any sense in context. It is therefore normal to compare self-governing schools with non-self-governing schools.

The ACTING SPEAKER (Mr Lupton) — Order! There is no point of order. However, I remind the honourable member for Bendigo East to remain on the bill and not to digress to the extent that she has been.

Ms ALLAN — As I was saying, the schools in my electorate, particularly those that chose to remain outside the self-governing system, tell me how happy they are that the Labor government is repealing the legislation of the former government.

The bill repeals the provisions of the Education Act that specifically relate to self-governing schools. It enables teachers and principals employed by school councils to transfer to the teaching service, and it enables other people employed by school councils to transfer to employment by the Secretary of the Department of Education, Employment and Training.

The bill terminates the educational services agreement and deals with a number of transitional issues that arise

from the repealing of the sections of the act relating to self-governing schools. Most importantly, apart from making mechanical changes, the bill is based on a set of principles and values that government members believe in.

The first principle is the need for equity. Only 5 of the 22 schools in my electorate chose to become self-governing schools, placing the 17 other schools that were not able to participate in the program at a disadvantage. That is unfair and something that government members do not believe in.

The second principle involves the employment of school staff. I have heard a number of country members in particular talk about the employment of teachers in country areas and the difficulty of attracting teachers there. It was unfair that one school was able to hold out a carrot and offer a big incentive to teachers to attract them to the region while other schools in the area operating within the public education system were not. Those schools could not compete with a school that chose to become self-governing, took the big bickies the former government was offering and ran with the self-governing schools program.

The third and most important principle on which the bill is based is that government members believe that the push for the privatisation of Victoria's public education system should be halted, and the bill achieves that.

The final principle is important for country Victoria. Under the former government's privatisation program some schools would have got a better deal than others, which would have been placed at a great disadvantage because they believed in the principles of public education and wanted to remain in the public education system. The bill provides an equitable and fair system for all students across Victoria, and that is particularly important for those in country Victoria.

I commend the minister for her fine work on abolishing self-governing schools and ending the privatisation of Victoria's public schools. I commend the bill to the house.

Mr WILSON (Bennettswood) — The bill continues the sorry record of the Bracks Labor government in education in this state. It substitutes the previous coalition government's policy of encouraging excellence in education with unfettered union dominance. The bill is a return to the bad old Cain-Kirner days of union control of a most important portfolio and there is little reference to the best interests

of Victorian children and the aspirations of their parents and teachers.

Since coming to office last October the Labor government has announced a number of reviews of the state education system. Just this week I received, as did the honourable member for Bentleigh, the latest propaganda from the Minister for Education entitled 'Your invitation to a conversation about public education — the next generation'. That glossy, expensive publication — obviously produced at huge expense to the taxpayer — is a further example of how the government is captured by its own rhetoric and its unquestionable venom for all the achievements and initiatives of the previous government.

The minister's statement in that glossy brochure that the government 'has begun to restore public confidence in our schools' is typical of the Labor government's puerile approach to public policy. Is the minister suggesting that prior to the September 1999 state election there was a lack of confidence in Victoria's government schools? If so, what an insult that is to the thousands of wonderful teachers, principals, school councils, parents and students in the government system. Tell that to the students from Mount Waverley Secondary College in my electorate of Bennettswood, Hawkesdale College in the electorate of Portland, or Kew High School in the electorate of my colleague the honourable member for Kew, to name just a few who achieved outstanding results in the 1999 Victorian certificate of education examinations.

That statement made by the minister and the bill before the house demonstrate that Labor is a policy-free zone — that is, apart from its policy of ending self-governing schools and playing down the successful Schools of the Future program.

A disturbing advertisement appeared in the employment section of the *Age* of 18 March. The Labor government was advertising for a liaison person to work with unions and the government in implementing industrial relations policy. Nowhere in the advertisement was there a mention of liaising with employers. That lopsided arrangement is typical of Labor in government, and is symbolic of what Victoria is about to experience in education.

Victorian taxpayers will invest about \$5.2 billion in education this year. The government has a responsibility to spend that money wisely for the good of all Victorians and not just for sectional interests.

The proportion of unionised Victorian education sector employees fell from 56.3 per cent in August 1993 to

just 45 per cent in August 1999. During that six-year period the union's Mary Bluett was continually telling the community that there was fire in the belly of her union members. The union's mantra was that education suffered under the coalition government — a false assertion if ever there was one. The decline in union membership over that period suggests that the majority of teachers in the government school system did not share her concerns.

The self-governing schools program the bill seeks to abolish was set up as an extension of the then coalition government's Schools of the Future program. The former education minister, Don Hayward, set up the program at a time when enrolments, standards, quality and confidence in government schools were at an all-time low. Giving schools autonomy and allowing them to be somewhat independent of a centralised system had many benefits. The most important of those was to wrest power from the radical union leadership and the bureaucracy and place it firmly in the hands of parents, school councils and principals. The stifling of creativity by ideologues in the union and by the centralists in the bureaucracy is the last thing one would wish to impose on Victoria's schools if one's goal is the pursuit of excellence.

The previous government's goals for schools were autonomy, independence and the resultant excellence. That is in complete contrast to the intent behind the bill. It fails to acknowledge that not all schools are the same and that different governance models suit different schools. The bill is a return to a centralised bureaucratic system, with all schools being forced into the same mould. The coalition's self-governing schools model saw the bureaucracy instituting a service culture rather than seeking to control every outcome. Accountability and standards were not compromised. Indeed, because parents, school councils and teachers had more say in the process, the quality of education in the state of Victoria was guaranteed.

Giving school councils control over 97 per cent of their budgets was an important outcome of self-governing schools. It meant that if schools wanted they could employ specialist teachers and introduce specialist subjects and programs. In time that would have led to more students enjoying more satisfying careers that would set them up for life.

The bill signals a return to the discredited Cain–Kirner philosophy of sameness and a belief that everyone should be restrained by the lowest common denominator. The bill effectively ends the self-governing program. Labor members opposite must understand that they will be judged by their actions.

Even their heroes in Great Britain have their version of a self-governing schools program. All honourable members are well aware that Premier Bracks, who joined the house for a short time earlier, is a devotee of the Blair government and the policies of New Labour in Britain. Tragically the philosophical purity and the bitterness of his education minister have seduced the Premier and he has allowed the pursuit of excellence to be replaced by Labor's acceptance of mediocrity.

As an aside, I recently obtained under freedom of information papers regarding the planned relocation of the Distance Education Centre Victoria and the Victorian School of Languages from Albert Park to Blackburn South, in my electorate.

I understand the plan has been torpedoed by the Australian Education Union which wants an inner city site rather than the proposed Blackburn South site. The AEU would probably choose a site in the northern suburbs, perhaps in the electorate of Northcote.

The Department of Education, Employment and Training has refused to release certain ministerial briefing papers on the subject. I have received some documents under freedom of information that indicate the advisory board of the Distance Education Centre Victoria recommended on 13 September last year that DECV apply for self-governing status. Why did the Distant Education Centre want to become a self-governing school? It knew that self-governing schools enjoyed flexible staffing arrangements; it knew that the former coalition government program would make it easier for it to pursue joint ventures with industry, thus ensuring that online distance education courses for its students were more quickly developed.

Teachers in the government sector have suggested to me that the Australian Education Union is pushing for either Brunswick Secondary College or the former Fitzroy Secondary College site because some union members would have to drive a longer distance to Blackburn South. The minister should stand up and declare that she will not be ruled by the selfish will of a few union members.

The bill erodes the power of school principals and parents on school councils. It will make it more difficult for school councils and principals to decide who will teach at their schools. The bill will ensure that the Australian Education Union will have a dominant role to play in the selection of teachers and principals, and in the overall policies being pursued by government schools.

The bill is a return to all the bad industrial relations practices of the old Labor Party and, unfortunately, the contemporary Labor Party. The bill severely compromises and in most cases removes the ability to attract specialist staff in specific areas; the freedom to employ new staff directly; and the flexibility and benefits of being able to hire and fire staff. The bill is unquestionably a return to staffing inflexibility and will come at a severe price for our education system.

The minister needs to clarify the employment conditions for the 400 teaching and ancillary staff affected by the bill. On the one hand, if the staff were employed by a school council for a set period — let's say for three to six months — will the Victorian taxpayer have to pay for the ongoing permanent employment with the department? On the other hand, why should staff who signed an employment contract in good faith now suffer the possibility under proposed section 15ZL that the minister can make an order that will affect their contract conditions? If the Minister for Education is to keep the government's promise and honour all contracts — as she has mentioned on many occasions — there is a technical obligation to honour the educational services agreements and the employment flexibility inherent in ESAs.

In 1989, after seven years of Labor government, figures provided by the then Department of Education indicate that 532 707 Victorian students attended government schools and 258 067 attended non-government schools. By 1999, 529 072 attended government schools and 270 612 attended non-government schools. The slight shift away from government schools is not worthy of the sensational headlines encouraged by the Australian Education Union. We would all do better to have greater faith in our public schools.

If the bill is passed dedicated educators and parents, and anyone who shares my commitment and the commitment of members on this side of the house to excellence in education, will regard its passage as a sad day for public policy. Indeed, the culture of union control that we all so vividly remember from 10 years ago will again be in vogue with disastrous implications for Victorian students.

Mr HARDMAN (Seymour) — I am pleased to speak on the Education Acts (Amendment) Bill. Its purpose is the abolition of the self-governing schools experiment. It is interesting to listen to opposition members speaking about self-governing schools and their belief that the system worked. The opposition's ideology and rhetoric shows a lack of understanding of the real effects of schools becoming self-governing or going through those processes.

I will outline from my own experiences what I saw of the self-governing schools experiment and the privatisation experiment. Under the previous government, self-governing schools were favoured over all other schools. They also had more money for student services and for resourcing through special centres, and other deals were done to entice schools into the scheme, particularly if a school had a young or inexperienced staffing profile. Non-self-governing schools were charged an actual cost of the employment of teachers rather than an average cost. Many schools who wished to take advantage of the elite status of self-governing schools were unable to consider the option because the financial benefits were not as great for schools that had more experienced staff.

Another major block to many schools — especially smaller primary schools of which I have had experience — was the administrative workload and the expertise required by the school versus the educational and teaching requirements of the students. I know many government members, including the honourable members for Bendigo East and Footscray, and the Independent member for Gippsland West noted that the important part of education leadership is the time spent on teaching the kids and providing good programs. Self-governing schools reduced that time because teachers had to spend time on administering schools and on such financial details as outlined by the honourable member for Footscray today.

The favouritism of self-governing schools led to divisions between schools. It is interesting to note that within my group of principals, which included Yea High School and Puckapunyal Primary School, there was a collegial tie between us, although it was becoming a little hard as time went by.

Honourable members interjecting.

Mr HARDMAN — Honourable members need to know about the effect on the school system. Schools were set up in regions and districts. In the Seymour district schools were creative in that some of the activities that have been talked about, such as schools hiring out services and contracting out to speech therapists and so on, were done in our schools even though we were not self-governing. It was not necessary to be self-governing to do that.

The self-governing schools in our district took their full allocation from the bucket of money. The district staff, such as the technology person or the early years person, were paid by all the other schools, resulting in a drastic reduction in the cash component received by our schools for speech therapy and occupational therapy. At

my own school — and I could not talk about this prior to the election because of teaching service order 140 — student services funding was reduced dramatically and I had to cut down on the amount of speech therapy I provided at the school. I was gagged by the former government under teaching service order 140.

Debate interrupted pursuant to sessional orders.

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

QUESTIONS WITHOUT NOTICE

BHP: investment

Dr NAPTHINE (Leader of the Opposition) — I refer the Premier to a \$120 million investment by BHP, the Big Australian, that Victoria has just lost to South Australia, as reported in the Adelaide *Advertiser*. Given that BHP's headquarters are in Melbourne, why did the Labor government fail to secure those 500 jobs for Victoria?

Honourable members interjecting.

The SPEAKER — Order! The Leader of the House shall cease interjecting!

Mr BRACKS (Premier) — I thank the Leader of the Opposition for his question. Paul Anderson, the new chief executive of BHP, has made it clear that Victoria remains the headquarters of BHP.

An opposition member interjected.

Mr BRACKS — It is a ridiculous question. You are hopeless.

BHP is seeking to do what it has always done — diversify its interests around Australia. As Paul Anderson and his representative at the summit have told me, BHP has had a continuing long-term interest in Victoria and that long-term interest remains. The Leader of the Opposition would know that if he had bothered to discuss the matter with one of the top executives of BHP, who was at the summit.

East Timor peacekeeping force

Mr HOWARD (Ballarat East) — I refer the Premier to the contribution of Victorian servicemen and women in the peacekeeping force in East Timor, and I ask him to advise the house what action the government is taking to celebrate the return of those people to Victoria.

Mr BRACKS (Premier) — I thank the honourable member for Ballarat East for his question. I think I speak for all members of this house in saying that we owe a great debt to the men and women who served with Interfet, the peacekeeping force in East Timor. The effort of those Victorians and other Australians who served their country in East Timor is matched only by the great achievements of the peacekeeping force in helping to restore order and peace across East Timor and rebuilding that ravaged nation, which is ongoing.

As an expression of our gratitude to the servicemen and women and their families and friends around Victoria, on Saturday the government will host a special family day in the Parliament House gardens to welcome home and thank the Victorians who served in the peacekeeping force in East Timor. I hope the family barbecue will allow Victorian servicemen and women who served with Interfet in East Timor to relax with their families and friends in an informal setting and happy atmosphere.

The government is extremely proud of all Victorian men and women who served with Interfet. It is also extremely proud of their families, who were separated from their loved ones over the Christmas period, which would have caused some trauma. The family day on Saturday is the government's way of saying thank you and allowing the work of the servicemen and women and their families to be recognised.

All three arms of the defence forces, including a large contingent from Puckapunyal, will be attending, together with members of the Victoria Police who played a role in establishing the police contingent in East Timor. Approximately 450 guests will be attending, including 130 returned service personnel, 160 accompanying adults and 70 children. HMAS *Melbourne* will be in port on Saturday, so about 40 navy personnel will also be attending. Guests will be entertained by the Royal Australian Navy jazz band, and in line with the family focus of the day there will be special events and activities for the children.

I am greatly looking forward to the event, as I am sure are other members of the house. There is a wide invitation list. We all want to recognise the great work the servicemen and women did for Australia in East Timor. We also want to recognise their families and friends, who were separated from them during the term of their service.

BHP: investment

Ms ASHER (Brighton) — Can the Premier at least confirm that the government made a bid to win the

BHP investment for Victoria, or was his government asleep at the wheel?

Opposition members interjecting.

The SPEAKER — Order! The honourable member for Doncaster!

Mr Hulls — The Little Australian!

Mr BRACKS (Premier) — I inform the house that I have regular discussions with BHP Australia.

Opposition members interjecting.

Mr BRACKS — Calm down. I have regular discussions with Paul Anderson of BHP. We have a very active minister and department, and they are part of these processes now.

Dr Napthine interjected.

The SPEAKER — Order! The Leader of the Opposition will cease interjecting.

Mr BRACKS — He should be careful. His probation is coming up in a few weeks.

The SPEAKER — Order! The Premier should ignore interjections.

Mr BRACKS — I have had regular communications with both BHP and the chief executive, as have my minister and the department, and that will continue to be the case in the future. BHP has its head office in Victoria, and that head office will remain here for many years to come.

Public transport: Anzac Day services

Mr ROBINSON (Mitcham) — With the approach of Anzac Day I ask the Minister for Transport to advise the house what action the government is taking to facilitate the celebration of that day by returned servicemen and women.

Mr BATCHELOR (Minister for Transport) — I am pleased to announce that the Bracks government has been working with the private bus companies to provide a significant improvement in services for returned service personnel so that they can attend the Anzac Day memorial dawn service at the Shrine of Remembrance on 25 April.

In past years returned service personnel have experienced difficulty getting to the dawn service at the shrine. They have had to leave home before the general start-up of public transport, amazing as that may seem.

Those who were unable to access private transport had difficulty making it to the dawn service.

This year the government has been working closely with the RSL and private transport providers to ensure that returned service personnel can travel by bus and arrive at the shrine prior to commencement of the dawn service. The initiative is a one-off trial. It is funded by the Bracks government and will be provided free to returned service personnel and their families. The government wants to see more people attending the dawn service.

I acknowledge the efforts of the honourable member for Mitcham, whose initiative it was. He has been not only thinking creatively but working hard, along with the department, the RSL and some members of the opposition, on the logistics.

The Bracks government will provide at least six free bus services across Melbourne to bring returned service personnel in. I am pleased to say that four members of the opposition have agreed to help coordinate services in their electorates.

In addition to the free bus services provided by the government, city-bound trams will operate earlier than normal so that service personnel can arrive at the shrine before the service starts.

The decision to provide those additional services is part of the Bracks government's commitment to honour the important role played by returned servicemen in Australia's history.

Hospitals: infection control

Mr DOYLE (Malvern) — I refer the Minister for Health to recent breaches of infection control procedures at Frankston, Rosebud, Box Hill and St Vincent's hospitals and further refer him to his comments in the house on 16 March in which he claimed that the breach of protocol at Frankston Hospital was an isolated case and that the government had distributed protocols to hospitals to guarantee infection control consistent with modern standards. How does the minister explain yet another breach of infection control protocol, this time at the Kilmore hospital?

Mr THWAITES (Minister for Health) — The incident highlighted by the honourable member for Malvern emphasises the importance of good infection control. It is an issue that members on both sides of the house should be concerned about. The government has been advised that the error at Kilmore hospital occurred when laparoscopic equipment went through a

flash-sterilising process at 114 degrees Centigrade for 5 minutes rather than the correct temperature of 134 degrees Centigrade. I have been advised that it was an operator error, but it is important to note from this and the other recent incident that sterilisation is not only about equipment but also about training, correct protocols and the right documentation.

It is important to note that the government inherited a system that had serious deficiencies that were not the fault of just the previous government. Infection control problems have arisen in hospitals over many years because of insufficient attention to the issue. I acknowledge that in the last years of the Kennett government some attempt was made to do something about the infection control situation, and for the first time funds were provided in an appropriate way for the purchase of equipment. With the increased attention of the government on infection control there will be more occasions when these instances are reported. It is certainly true that in the past there have been many instances where infection control breakdowns have gone unnoticed and unreported. In the future more incidents will be reported because the government is putting more focus on the issue.

The government has a comprehensive approach to infection control, and I am pleased today to announce a strategy the government is putting in place on this issue. The government is committed to spending \$24 million on infection control and cleaning over the next three years. That sum can be compared to just \$3 million the opposition had promised.

I turn to the specific measures the government is now implementing. First, the government is requiring all networks and hospitals to develop strategic plans for infection control and prevention. Second, in January this year the government commenced conducting seminars in country areas to assist country hospitals to develop infection control plans. Third, this year the government will conduct a full audit of all hospitals to ensure that they are complying with the infection control process and plans.

Fourth, in this year's hospital funding guidelines hospitals will be required to regularly report to their boards on the status of infection controls. Fifth, the government will provide additional resources for infection control teams and will employ an additional 30 infection control practitioners. Expressions of interest have already been called to provide fast-track training for the expert infection control practitioners.

Sixth, training of staff in proper infection control techniques is critical. Hospitals have pre-existing

training protocols, and I have asked the standing committee on infection control to review the training procedures to ensure they are appropriate.

Seventh, additional in-service training is already in place at Box Hill Hospital, to ensure that is properly done with the new equipment. Eighth, discussions are being conducted with the manufacturer of the new sterilising equipment to see if it is possible to modify it so that unsterilised items cannot be removed. Ninth, an individual tracking system is being trialled to link medical equipment to an individual piece of equipment, not to a batch. Tenth, last week I announced that \$1 million will be available immediately for hospitals to immunise staff and at-risk patients to stop cross-infection in hospitals.

Eleventh, last week I announced that \$1 million is available immediately for hospitals to enable them to better manage patients with vancomycin-resistant enterococci, also known as VRE, which is one of the most serious infection control issues we face. Twelfth, \$198 000 is provided this year to Victorian infectious diseases services to develop a computer-based system to reduce overuse of antibiotics. Finally, draft cleaning standards have been prepared and distributed to hospitals, and \$1 million has already been given to hospitals to help them in the implementation of those cleaning standards.

Honourable members interjecting.

Mr THWAITES — Honourable members on the other side can show mirth about it, but the government takes this issue very seriously. That is why it implemented a comprehensive plan. The more monitoring and focus there is, the fewer individual cases of human error will occur. We cannot eliminate human error; no system in the world can do that. We can, however, implement a comprehensive strategy and put in place the resources to ensure that so far as possible the system removes most of the risk of infection to individual patients.

City Link: air quality monitoring

Mr WYNNE (Richmond) — I refer the Minister for Conservation and Environment to the City Link project and the ventilation stacks designed to ventilate the new tunnel network. I ask the minister to inform the house of the government's latest actions to ensure adequate protection for the environment of inner city residents.

Mr Cooper — Has this anything to do with signing your correspondence?

Ms GARBUTT (Minister for Environment and Conservation) — Still irrelevant, aren't you?

I thank the honourable member for his question and commend him for his commitment to his constituents, particularly, and their concerns about this issue. Once again, this is a case of the government having to fix up the problems caused by the previous government, which absolutely refused to listen to people's concerns and ignored them comprehensively.

The Bracks government will, however, meet its commitment to ensure that emissions from the City Link tunnels do not pose a threat to public health or to the environment. I am pleased to announce today that I will appoint a review committee to examine whether suitable air cleansing technology is available to treat the tunnel emissions. The good news for the people of Burnley, Richmond and Southbank is that it will be an independent review which will be commissioned, importantly, within two months of the Environment Protection Authority (EPA) issuing any licence for either the Domain or Burnley tunnels.

I am pleased to advise the house that to head up the independent review I will appoint someone who is very independent and who has a long history of standing up to any bullying authorities. I have nominated Mr Bernard Bongiorno to head up a working group.

Honourable members interjecting.

Ms GARBUTT — In carrying out the review, Mr Bongiorno will be advised by a working group of both community representatives and technical experts. If the independent review finds there is various suitable and appropriate air cleaning technology here or overseas the Environment Protection Authority will require the installation of that technology. However, if he should conclude there is no such suitable or appropriate technology the review will continue at 12-monthly intervals to check whether the technology has become available.

It is a long-term commitment by the government to the community in addressing their concerns rather than ignoring them, as did the previous government. This government will not be walking away from the community but will find solutions to the problems caused by the previous government.

Bayside Trains: industrial dispute

Mr LEIGH (Mordialloc) — Given that the Minister for Transport tried to stop Bayside Trains sacking Labor Senator Kim Carr's brother after he head-butted

an inspector, will the minister use the same influence to stop tonight's peak hour strike?

Mr BATCHELOR (Minister for Transport) — It is clear that the honourable member for Mordialloc does not understand or have a clue about what is going on. He has been head-butted himself. He has just come back from lunch after listening to me addressing the Property Council of Australia. He had to do that to find out what is actually going on in transport! He had to join 400 important people from the City of Melbourne and the central business district to find out what is going on!

Mr Ryan interjected.

Mr BATCHELOR — He did not absorb anything, he did not understand it.

Mr Leigh interjected.

The SPEAKER — Order! The honourable member for Mordialloc will cease interjecting. The minister should ignore interjections and answer the question.

Mr BATCHELOR — Yesterday the honourable member for Mordialloc said that an employee of Bayside Trains, Mr Paul Carr, had been sacked. I do not know whether he has been sacked today but he was not sacked yesterday. What the honourable member for Mordialloc fails to understand is that the truth is important. He should be accurate but he is loose with the truth. He was asked to repeat outside the chamber today the allegations he made yesterday, but he was too gutless to do it because he was wrong. What he said yesterday and today was absolutely wrong. He was wrong, wrong, wrong.

Yesterday I indicated to the house that because of the privatisation process the responsibility for industrial relations under the public transport system now rests with the private operators. That is the system the Kennett government set up. The Leader of the Opposition supported that system when he was on the public transport subcommittee of cabinet and the current shadow Minister for Transport supported it when his party was in government.

Yesterday he attacked me under a false accusation of interfering in industrial relations. Today he wants me to interfere! No wonder he is known as Mr Flip-flop. One day he says one thing, the next day the opposite.

Unlike the Leader of the Opposition, I am concerned about any problems or disruption to service faced by commuters. The government wants the current industrial dispute settled within the forum of the

Australian Industrial Relations Commission — the proper place for its resolution. The dispute should not be subject to political interference such as the member for Mordialloc trying to trigger industrial action and cause inconvenience to the commuters of Melbourne. The government understands who has been briefing the member for Mordialloc and will deal with that issue at a later date.

The government wants the dispute settled and is calling on concerned parties — National Express and the union — to resolve the matter. The dispute has been put before the Australian Industrial Relations Commission, the forum for resolving disputes, and that is where resolution should take place.

Contempt of court proceedings

Mr VINEY (Frankston East) — Unlike the question from the honourable member for Malvern, my question is without notice and is to the Attorney-General. Will the Attorney-General inform the house of any further information supporting the government decision to reject the previous government changes in relation to the bringing of contempt of court proceedings?

Mr HULLS (Attorney-General) — The previous government changed the laws on bringing contempt proceedings in the state to protect the former Premier. As part of its commitment to restoring and revitalising democracy in Victoria one of the first acts of the Bracks government was to reverse the situation and abolish the changes made by the previous government.

An incident has just come to my attention confirming the correctness of the government decision. The incident involves a member of the former government who is a current senior member of the opposition and, I understand, a pretender to the leadership. The honourable member's actions raise questions about whether the person is fit to be a shadow minister.

The honourable member sought to intervene and directly influence a decision of the Victorian Civil and Administrative Tribunal. As a local member this person wrote to Judge Wood urging him to take a particular decision. The letter was not written on electorate letterhead, but on ministerial letterhead — no doubt borrowed by the local member in his former capacity as parliamentary secretary. The letter, stamped urgent, was hand-delivered to the building superintendent with a request that it be delivered immediately and urgently, during the hearing, to Judge Wood. It was a clear and blatant attempt by the honourable member to abuse his position and interfere with the course of justice.

In part, the letter said:

I urge VCAT to send this matter back to the relevant planning authority, the council, to resolve. I believe a proper result can be obtained if council is given the role of guiding a compromise which all parties must embrace in good faith.

Failing that I believe any determination of VCAT which overrode such strong community and council opposition would be misguided, and I would request that the council position be given due weight in any VCAT determination.

Thankfully, although the envelope was opened by Judge Wood the letter was not read by him, so the proceedings, which had already been going for five days, did not have to be aborted.

The president of the tribunal, Justice Kellam, was present when the letter was delivered. In a memorandum to the principal registrar, which is now on the public record, Justice Kellam said he read the letter and informed Judge Wood that he would retain the letter, because it was:

... an inappropriate communication which should not be read by him ...

Justice Kellam's memo further states:

I retained the letter in my possession because it appeared to me that private correspondence from an interested party delivered to the members of the tribunal hearing the case without the knowledge or consent of other parties had the potential to raise an apprehension of bias ... my concern was that the provision of such correspondence to the members hearing the case may have resulted in the hearing being aborted after a period of five days, with the heavy burden of consequent costs being borne by the parties and by the community.

When this matter was brought to my attention recently, I sought advice. I found that the matter had been dealt with secretly by the previous government. The advice received at the time from the Solicitor-General was that the honourable member's actions were foolish and misconceived rather than criminal. The result was that no action was taken at that stage. In different circumstances — if the Kennett–Craven–Wade amendments of 1994 had not been made — the outcome may well have been different because people independent of the government may well have formed a different view of the honourable member's actions and taken contempt proceedings.

Although the member in question may have escaped legal sanction this time he should not escape the sanction of his current leader. I challenge the Leader of the Opposition to set some standards, to show some spine and to take action against the honourable member for this blatant attempt to interfere with the course of justice. The details are on the public record, and it may do the Leader of the Opposition some good — it would

certainly shore up his leadership and get rid of one of the pretenders to his position.

As I said earlier, the Bracks government changed the law back to the situation that existed prior to 1994. The case involving the honourable member for Malvern indicates it has done the right thing.

Schools: funding

Mr HONEYWOOD (Warrandyte) — I refer the Minister for Education to the promise she made last year that 51 schools would retain their special funding arrangements. Will the minister stand by her promise for the full amount of special funding the schools would otherwise lose?

Ms DELAHUNTY (Minister for Education) — I thank the honourable member for Warrandyte for his question. I trust he is not anticipating the bill the house is debating at the moment.

The question relates to the flawed self-governing schools model that offered special incentives to certain schools to enter the self-governing schools process. It offered schools assistance in the areas of employment and in entering partnership sponsorship arrangements, and also allowed schools to buy and dispose of property.

One of the first promises the ALP made during the election campaign was to terminate that flawed self-governing schools process on the basis that every school in the state should have the right to be excellent; that a school system should not be allowed whereby some schools are funded to be excellent even though that would mean fewer funds in the pool for other schools. While some schools would prosper, other schools by definition would wither. I will give an example.

Mr McArthur — On a point of order regarding the rule of anticipation, Mr Speaker, when the minister got up to answer the question she said she hoped the question did not breach the rule of anticipation, but in her answer the minister has discussed legislation before the house. The minister is breaching the rule of anticipation in her answer. The question is perfectly reasonable, but the answer should not relate to the legislation before the house; it should relate to the promise she made to a number of school principals last year.

Mr Batchelor — On the point of order, Mr Speaker, the rule of anticipation goes to the question, not the answer. It is amazing that the Liberal Party would organise a question through its questions committee,

bring it before the house and, when the minister proceeds to answer that question, raise the rule of anticipation. It is the height of hypocrisy to reject the answer.

The difficulty for Mr Speaker is to satisfy himself that the question is appropriate. The question ought to be examined to see whether it anticipates debate. The question should be ruled out of order; it should not have been brought into the house by the opposition. The opposition should have had an understanding of the rules and not brought forward such a question. If the opposition has been allowed to ask such a question, it should have the decency to allow the government to answer.

Mr Honeywood — On the point of order, Mr Speaker, it was very much with that rule in mind that I sought the assistance of the Clerks on the wording of the question. The question does not refer to the wording of the legislation but to a verbal promise made last year by the minister to 51 government schools. That is why the question has been framed in the way it has — not referring to any clause or provision of the legislation but referring to a promise made that is in danger of not being delivered if the Education Acts (Amendment) Bill were to be passed.

The SPEAKER — Order! I uphold the point of order raised by the honourable member for Monbulk. The minister should respond to the question without anticipating debate on the legislation before the Parliament.

Ms DELAHUNTY — Thank you for your guidance, Mr Speaker. As members of the house would recall, when the Bracks government came to office it said that it would terminate the flawed self-governing schools model and that it would stop privatisation dead smack in its tracks. That is precisely what the government is in the process of doing. I will not refer to that because that would be anticipating the bill before the Parliament.

However, in terminating that flawed self-governing schools model the government entered into detailed consultations with the 51 schools that had signed contracts — I remind the house 51 out of a total of 1631 government schools. Most schools turned their backs on that pot of gold and said, ‘No, we don’t want a flawed system of winners and losers’.

Those consultations resulted in a detailed agreement being signed by every one of those 51 schools. In part that agreement was to honour all contracts that had been entered into by the self-governing schools. The

ALP said that before it went into government, it repeated that once it was in office, and it delivered on 16 December 1999. The government is honouring and will continue to honour those contracts.

Furthermore, the government will also honour other commitments that relate to the delivery of special services to students because, although it wanted to terminate the process as it was considered to be unfair and flawed, the government said it would not remove any service to any student. There would be absolutely no disadvantage to any student in any of those schools. That is precisely what the government has done.

I encourage the honourable member for Warrandyte to read the agreement. It is a sensational agreement. Despite the trouble making and the perfidy of the honourable member for Warrandyte, every single one of the school councils signed up to the transitional agreement.

Rural Victoria: superannuation investment

Mr STENSHOLT (Burwood) — I refer the Minister for State and Regional Development to the government's commitment to grow the whole of the state by boosting infrastructure provision in regional Victoria and to the enormous contribution of regional Victorians to superannuation funds in Australia. What action is the government taking to encourage financial institutions to allocate increased funds to investments in country Victoria?

Mr BRUMBY (Minister for State and Regional Development) — I thank the honourable member for Burwood for his question on the important issue of overall investment levels in regional Victoria. I am pleased to say that a significant increase in investment is already occurring in country Victoria. My department has advised me that since October 1999 the department and the government have facilitated \$196.4 million of new private sector investment in country Victoria, generating some 1500 jobs. That shows the extent of confidence that is being renewed in regional Victoria. It compares well with the mere 2 per cent of new full-time jobs that were generated in regional Victoria under the discredited Kennett government. The Bracks government wants to do more than simply renew a sense of investment and confidence; it wants to build on that and create a big increase in jobs in the future.

At the Growing Victoria Together summit a wide-ranging discussion took place about the role of superannuation funds and the quantum of superannuation funds invested in regional Victoria. The Leader of the National Party was present when the

working party on regional Victoria discussed the matter in detail. Some people put the view that governments should mandate superannuation funds to invest a certain proportion of their funds in regional and country areas. The communique issued by the Growing Victoria Together summit addressed the matter. It states:

... that continuing priority be given to increasing opportunities in regional Victoria and calls on superannuation and other investment funds to consider investing a larger share of their funding in regional and rural Victoria;

On Tuesday the Premier and I met with a group of nine regional mayors. It was the second meeting the Premier and I have had with those mayors, which shows the government's commitment to consultation. During the 1½ hour meeting presentations were made from the investment divisions of both the Commonwealth Bank and the Bendigo Bank on the issue of superannuation and investment levels. The mayors have had a policy of mandating superannuation funds to invest at least 10 per cent. That view is not shared by the Premier or the government.

The government believes it would be inappropriate to mandate funds to invest that amount because of issues of fiduciary responsibility, but it will encourage superannuation funds to make those investment decisions. The Premier will write to superannuation funds to communicate the conclusion of the Growing Victoria Together summit. In the months ahead meetings will be held with superannuation funds to encourage them to invest more of their savings base in regional Victoria.

The other announcement relevant to this issue is that superannuation funds have made it clear they need investment-ready deals in country Victoria. One of the ways more opportunities can be generated for funds is through joint public-private financing arrangements. In that respect the \$170 million that the government has allocated for the Regional Infrastructure Development Fund and the \$80 million it has allocated for the provincial city rail link will provide the base for some exciting public-private partnerships in country Victoria.

Today I issued the guidelines for the Regional Infrastructure Development Fund. As I said, it will provide \$170 million for regional Victoria. The closing date for applications is 31 May and programs can begin by 1 July. The work that the Bracks government is doing with the superannuation funds industry in partnership with local government — investing heavily in regional infrastructure development, provincial rail links and country black spot programs — is creating a new sense of confidence in country Victoria. It is like a breath of fresh air. The promising levels of investment,

renewed confidence and increased employment growth will be strengthened by further initiatives of the Bracks government.

The SPEAKER — Order! Before concluding question time, I direct to the attention of the house standing order 108, which states:

No member shall use offensive or unbecoming words in reference to any member of the house and all imputations of improper motives and all personal reflections on members shall be deemed disorderly.

In response to a question from the honourable member for Frankston East, the Attorney-General used the opportunity at the end of his response to reflect on the motives of the honourable member for Malvern. I deem that to be disorderly and advise the Attorney-General and the house of previous rulings by Speakers Edmunds, Coghill, McGrath and Plowman that imputations against members of either house may only be done by substantive motion.

The Chair will enforce those precedents and that standing order. I ask all honourable members to refrain from infringing either standing order 108 or previous rulings.

EDUCATION ACTS (AMENDMENT) BILL

Second reading

Debate resumed.

Mr HARDMAN (Seymour) — The self-governing schools experiment was an attempt to privatise schools that today members of the former government attempted to deny. The former Liberal government considered the privatisation of schools to be an opportunity to wash its hands of responsibility for the many hundreds of schools it intended to privatise had it remained in office.

I have a document that shows privatisation was on the agenda after discussions at the highest levels of government. What was the former government discussing about self-governing schools? Both contracted-out and BOOT — build own and operate — schools. A confidential paper shows a range of models were being developed to suit the broad spectrum of Victorian schools. The former government was examining a model for a contracted-out school.

Issues listed for discussion were the consideration of strategies for industry involvement, the possibility of developing models directly involving private enterprise, and the extent to which industry might be interested in

BOOT schools. Those matters were discussed in no less than the offices of the former Premier and Treasurer.

Although the bill provides for the termination of educational services agreements, the government will honour current arrangements through the December 1999 agreement for the transition of the former self-governing schools. The agreed principles for the document arose from meetings between the Department of Education, Employment and Training and principals and school council representatives of self-governing schools.

All contracts — no matter how wrong the government believes they were — will be honoured. Additional payments to self-governing schools will be maintained as a separate line item in their budgets and will not be traded off against additional statewide funding initiatives in the year 2000 or beyond.

That contrasts dramatically with the policies of the former government that discriminated against teachers previously awarded ongoing senior responsibility positions. Those teachers were forced to watch their workmates receive productivity-based pay rises when they had additional work and responsibility but no salary increase. It is a disgrace!

I well remember my feelings as a principal on the day those salary increases came through. What should have been a happy day of goodwill towards the government — even one that inflicted so much pain on the education system — was a day of bitterness and deep resentment for some of my valued staff members who had given unconditional service to the school and its students.

The philosophy underlying the self-governing schools program was divide and conquer. The transitional arrangements are based on no reduction in services to schools or their students and are fair and reasonable. The bill repeals the provisions of the Education Act relating to self-governing schools. It will be a happy day when the bill is enacted.

The bill enables principals and teachers who wish to do so to transfer from school-based employment to the teaching service of the Department of Education, Employment and Training. The bill creates equity, choice and diversity in education, which were not offered by the self-governing schools program. Excellence exists not because of favouritism by governments but through quality educational leadership by school staff. Professionalism is an important aspect.

Many opposition speakers have argued for empowerment of parents and school committees. The

Bracks Labor government is undertaking a proper consultation process through the 'Your invitation to a conversation about public education — the next generation' program. A proper consultation process will be undertaken with the whole school community of the state system, and it will be based on equity for everyone and all schools.

I commend the bill to the house. It is a fantastic day that the self-governing schools are being brought back into the excellent state government system, which is improving every day. Now morale among those in the state education system is much higher than it has been for a long time because teachers feel that they have a right to speak out if they need to. Teachers see a government that is considering fair dinkum improvements for Victorian schools.

Mr SMITH (Glen Waverley) — This is a sad day for Victorian education, its parents and children. The clock is being turned back. The bill does nothing to help our children at school. Parents and children will rue this day when the independence of self-governing state schools was taken away.

For the past 15 years I have been a very proud member of a school council in Brentwood; the other night I was re-appointed for another 12-month term. I know how our education system has worked over the past few years. It is a backward step to remove the right of schools to select the very best teachers available, and that is what the bill will do. If for no other point, the bill is a retrograde step because it removes the right of a school council through the principal to choose the very best teachers it can find in the community to staff that particular school.

In the past seven years there has been one progression after another, and schools have felt that they are more relevant. By advertising in newspapers when a vacancy arose, principals have been able to select the best teacher available in a particular subject area. The new system will deny them that ability and schools will return to the old style of appointment, whereby the Department of Education will send and swap staff who have been failures.

I do not know how many inappropriate and bad teachers the education department was able to get rid of over the past few years, but the number was certainly much higher than the commonwealth average — and, when you add them up, probably higher than the numbers in the rest of the states put together.

In the school where I am a member of the council, we have taken two or three years to get rid of certain

teachers who were ineffective and not contributing as they should have been. You know they are not contributing when you get complaints from children and parents that certain teachers are not the right and proper people to be on the staff.

So far as I am concerned, the bill starts to give back to the central authorities the rights they have always had. The Victorian self-governing schools concept, which was put in place by the previous government, was embraced by schools. We have talked about 51 schools but I know that in my electorate half the schools that had not applied to become self-governing schools were trying to enter the system. They realised the benefits of being a self-governing school. The principals and the school council presidents asked me on numerous occasions how to get into the self-governing system. They wanted to be included in the program while the then Liberal government was in power.

The self-governing schools program does not restrict education; it does better things for education. The way that the Labor government state school system works worries me like nothing else has for a long time.

For example, the school that I send my little girl to was featured in a newspaper the other day. Fascinatingly, it turns out that the particular class that the government thought contained too many children — that is, 34 — is the class that my daughter is in. It is the one class in the school that has 34 children. If one bothered to look closely at that class, one would have a different perception of the situation. The class includes 3 or 4 deaf children. I am not exactly sure of the number as I was unable to confirm the number with my daughter last night. The deaf children have a teacher to themselves, who is in the classroom all the time together with the teacher responsible for the other 31 children.

In the same class a couple of children need help with integration. They too have their own integration teacher — not an aide, but a teacher. At any one time that classroom has three teachers who understand the curriculum for the whole class. As a parent I could not be happier with the way the system is working at the moment.

I am sure that if the principal had had more classrooms in the school he may have broken up the class into smaller numbers, as it would be his prerogative to do. I have not asked him because that would be getting too close to the bone! It is not the prerogative of the government to make mandatory decisions where professionals have already decided the best form of education for the children. I believe the 34 children in

my daughter's class are very happy, the education system is working extraordinarily well and even before I discovered there were three full-time teachers in the classroom no-one else in the community would have been able to point a finger at the school for the way it is being run.

What I find most worrying about the bill is that the Labor government is trying to protect the teachers who are unsuitable, who are not performing, who do not have the children's best interests at heart, and who take Mondays off for spurious reasons. During the period of the former Kennett government the union was irrelevant because decisions about the education of the children were passed from the department through to the parents and the schools, not via a union. Today the education system is run by the two Marys — Mary Delahunty and Mary Bluett. They will take Victoria back to an education system that is not progressive or reactive to a community that wants to have particular programs and standards reached.

When there are second-rate teachers in the schools we will start to see the flow-on effect on the kids of standards beginning to drop again. In the past few years the teachers and schools have been committed to providing the very best there is in education. If parents are not satisfied with the progress of schools, and if principals have the courage, warnings can be given to teachers and their services can be terminated. That applies particularly to teachers on contracts, although usually they are very good. At the moment the school council at Brentwood could not be happier with the staffing situation because under the current system it has the best teachers.

In conclusion, the people of Victoria will rue the day that this bill was introduced. It is disappointing that at the behest of the union the government is reintroducing measures that will affect the education system it inherited from the previous government.

Mr CARLI (Coburg) — I am proud to support the Education Acts (Amendment) Bill and the removal of the self-governing schools system. The honourable member for Glen Waverley went off on a tangent about bad teachers and bad unions, and about all the supposed practices the government is introducing into schools. He is clearly wrong and his assertions have nothing to do with the bill.

The bill allows school principals and school councils still to employ staff. However, it does not allow those staff to be part of an independent or separate school. It means that staff will be employed at the school level but will have centralised employment, conditions and

wages, which was not possible under the self-managed school system. The bill does not allow teachers to take packages from the state system and then join the staff of self-managed schools — that ploy was used during the establishment of self-governing schools.

The bill is not about teachers and the power of unions; it is about a defence of the state school system. The bill basically ensures that Victoria has a state education system — that the system is not broken up, that schools are not removed from the system or do not become self-managed, elite and private, leaving the state to manage only the residue — perhaps the schools that are most difficult to manage or that are in the poorer areas, as was the case under the previous government.

The honourable member for Glen Waverley said the opposition does not want to wind back the clock. We should look at our past and understand why Victoria has a state school system. When I was elected to Parliament almost six years ago I searched through the old statute books to find the 1872 Education Act, which is an important document because it is the basis of Victoria's education system. It consists of only four pages and basically states there should be a free, secular and universal education system for the colony of Victoria.

That original legislation had service implications for the state: it provided for a free, secular and universal education system, and it was a world leader. It certainly put the colony of Victoria on the map and was important in ensuring the establishment of an egalitarian or knowledge society. Today it is fashionable to talk about a knowledge society, but our forebears back in the 19th century sought to provide universal numeracy and literacy education. It is important to understand that even then detractors were saying, 'You do not need the working class to be able to read. That is something specialists can do'. But their views did not prevail.

The self-governing schools established by the former government were undermining the state school system that was established by our forebears — an egalitarian, democratic education system established with a vision for the future. It was really about forging a new society, a new Victoria. I suppose it was also a demonstration of a colony that had confidence in itself. It believed in its own directions, it was wealthy, and ultimately the service commitment to provide free, secular and universal education meant an enormous cost. Victoria's education system was unique in that world. Today mass literacy and universal education may be thought to be fine, but basically such a system was a rarity in the 19th century. We need to value that history.

Let us turn back the clock and examine why it was important for our forebears to have that vision, and why the Victorian colony saw itself as, and was, such a leader. It believed in its own prosperity and had a desire to maintain it; but it was equally about a spirit of wanting not to have the same class divisions, disorder and conflicts that had come from Europe — basically, it had a desire to start afresh. They were really important values, which I believe are still central to the state's education system.

I believe in the state education system. The Labor Party opposed the legislation of the former Kennett government to create self-governing schools, which is why it will pass legislation to cease the operation of self-governing schools. That is not to say that we do not believe in local autonomy; the bill is before the house not because the government does not believe school councils or local communities should be empowered.

The history of the Labor Party and its attitude to education in the 1980s show that it was very much about devolving authority and power to local communities and involving communities in the running of their schools. They are certainly values that the Labor Party continues to hold. The government believes that in very few cases could a school operate completely autonomously.

It is important for our communities that the school system be maintained as a total system. In the seven years of the previous government competition was created between schools, but not always to the benefit of their communities; often it was to their detriment. Therefore, rather than school communities working to increase and improve the education outcomes of their local communities, they were undermining and trying to destabilise one another. That certainly occurred in my electorate, where there was not only a fear of closures — because the then government came along and forced schools to close — but also a break down in the long tradition of cooperation in our schools.

Victoria's education history was of schools working together to provide a wide range of subjects, from language to very specialised fields. That cooperation broke down during the life of the Kennett government, which sought to foster intense competition but without providing educational resources on a regional basis.

The Labor Party believes in a system that is capable of providing good mass education for a knowledge society. The government is aware of the increasing importance of education for the future of not only the state's economy but also of our citizens. If our local communities and citizens are to be empowered, they

must be provided with the best possible education. That is what the government is seeking to do: it is trying to build cooperation in the school system — good education and a sharing and maximising of the resources available to communities. It does not want a situation, as occurred in the Kennett era, of schools trying to become essentially elite schools by forcing into other schools the students they did not want. The aim then was to maintain their own position by choosing the best pool of students and undermining the state education system.

There is no doubt that the self-governing school system sought to privatise schools. Self-governing schools were allowed to spread wherever they wanted and the state provided a level of subsidy and support to schools that were becoming autonomous, independent and private units. Such a development has a cost, particularly for communities like those in my electorate that are still very much working class, where a large proportion of people are migrants or children of migrants, where there are difficulties in settling and becoming established, and where English is often a second language for most students. Numerous refugees come to Victoria from war-torn parts of the world.

Schools should have a level of local autonomy and be responsive to local community needs, but equally the government must ensure that they are part of an education system and that they have loyalties and connections back to that system. The government believes in local autonomy and not in a highly centralised education system, but it does not believe the system should be broken up and privatised.

The government believes that fundamentally the 1872 act portrayed the values that should continue today. Despite all the changes that have occurred in education over the past 130 years the government believes fundamentally that the education system should continue to be universal. Given changes in technology it is now more important than ever for people not only to take up occupations but also to continue to learn throughout their lives. People have a basic need for and right to education.

I am pleased to support this small but important piece of legislation.

An opposition member interjected.

Mr CARLI — No, the government is not about protecting bad or incompetent teachers, or protecting trade unions. The government wants to work with trade unions to ensure that the best teachers are in the system. It knows what happened in the seven years of the

Kennett government and it knows how many good teachers were forced out of the system. If honourable members want evidence of the real haemorrhage that occurred they should consider how many of the 6000 teachers who were lost to the system — they were often the best — quickly found other occupations and were never replaced.

It is ironic that the honourable member for Glen Waverley talks about the government's supposed motives behind this piece of legislation — motives that would not be realised by the proposed amendments. I am pleased to hear that the honourable member for Glen Waverley likes the school to which he sends his child and the power that the school council and principal have, and that the school has been able to employ good teachers. The government would not want to change that, because that is not what the government is about. It is about removing self-governing schools, not about taking away the rights of principals to employ teachers. The importance of what the bill is about should not be underestimated, and the opposition should be clear that it is not about union demands at all.

It is also important to consider the government's attitude to the 51 schools that went off and got the extra resources from the former government — the pot of gold — for becoming independent schools. The Labor government has sought a process of consultation and negotiation with those schools, because it knows that they entered into negotiations with the former government in good faith. The system was flawed and the government wants to change it. The government has been honest with those schools and has maintained the resources they were receiving from the system. However, it is also conscious that while they are receiving extra resources other schools also need and are demanding more resources.

It was a characteristic of the previous government to constantly play one group and one community off against another. The government is conscious of all those issues and has worked hard to resolve them. Credit should be given to the Minister for Education for the work she has done with the former self-governing schools in negotiating and reaching agreement with them.

Victoria is now in the good position that its school communities feel relieved by what they perceive to be a breath of fresh air. I know from speaking with teachers at the schools in my electorate that they are relieved to be able to speak out and have their say. They are no longer fearful of the next round of forced closures and having to await a decision by the government and its bureaucrats to close down their schools without any

consideration being given to local needs and sentiments. It is important for honourable members to be aware how much better off Victorian school communities are under the new government.

I am also very pleased that primary schools in my local community have had a significant drop in class numbers in prep to year 2.

I am pleased to support this important bill. It demonstrates the government's commitment to the values of the 1872 act and its belief in a free, secular and universal education system in Victoria. The bill does not in any way seek to undermine the great educational system in this state.

Mr VOGELS (Warrnambool) — I enter the debate on the Education Acts (Amendment) Bill because three good schools in the Warrnambool electorate are directly affected by it: Warrnambool Secondary College, Brauer College and the Port Fairy Consolidated School. All three schools were disappointed with the government's decision to revoke the powers of self-governing schools.

The schools had taken up the challenge to become self-governing schools, and all were exceptionally pleased with their efforts in the first year. Although they remained state public schools and were subject to curriculums set by the state government they had direct control over 97 per cent of their school funding entitlements, and therefore had flexible budgets controlled at the local level by the parents, staff and community representatives on the school councils. They also had more control over their own staffing arrangements. The schools were allowed to develop their own priorities with the overriding objective of improving educational outcomes for the students. They could enter into partnerships with other schools, TAFEs, universities, community groups and businesses to further improve the opportunities available to the students, staff and community.

It is obvious that there has been a decline in public confidence in education and that more students are attending private schools — in fact, up to 30 per cent more. Parents want the best possible education for their children, but they should realise that the state funding pool can provide only a certain level of investment. Given that the progress of the whole convoy is limited to the speed of the slowest ship, if they want their schools to move ahead of the convoy they need to be innovative and to plan ahead.

One of the real disasters in the bill is that it robs the former self-governing schools of the ability to employ

staff on different terms. Isolated schools in rural communities have enormous difficulties in attracting specialist teachers in subjects such as foreign languages, new technology and science. The self-governing schools program, because it allowed schools to offer over-award payments and other incentives, was a great way for schools in my electorate to overcome the challenge of staffing shortfalls. The return to award-only provisions means the schools will again suffer from the tyranny of distance.

There is no doubt the bill is politically motivated. The government wants to appease the Australian Education Union (AEU), which fought a bitter campaign to get rid of self-governing schools. Throughout last year one of the self-governing schools in Warrnambool was targeted by the AEU and subjected to a number of trial-by-media beat-ups, all of which was initiated to discredit the self-governing philosophy. There was an absurd beat-up alleging that the school was underpaying teaching staff. When the education department released a correct account of the situation, it was conveniently ignored.

The next beat-up was about school fees, which was also untrue. However, if you throw enough mud some always sticks.

The self-governing school model does not fit all and possibly fits very few public schools. However, the bill fails to acknowledge that not all schools are the same, that different governance models suit different schools. The self-governing schools program was not about winners or losers, but about the right to choose to specialise in key curriculum. The model was taken up by only three schools in the Warrnambool electorate — two large secondary colleges and one primary school. Those three schools remain in the education system; they continue to be funded through the school global formula and continue to comply with the curriculum set down by the education department. The bill is all about keeping everybody in line: 'Do not think outside the square, we must all stay the same'.

In conclusion, the government does not understand the great management and education stimulus the self-governing program gave. The teacher unions have got their way, with their interests at the centre of the deliberations rather than the educational needs of students and their welfare. They fail to recognise that the long-term future of the public school system will be jeopardised as those parents with the funds take their children into the private sector to the disadvantage of the entire state education system.

Reform and change is always hard to embrace. I am sorry to say that the government is letting down our students, parents, teachers and communities in education.

Ms DUNCAN (Gisborne) — I have worked in the teaching profession all my life so I am pleased to speak on the Education Acts (Amendment) Bill. The bill puts in place an election promise of the Bracks Labor government, obviously made prior to the election, and seeks to undo some of the evil doings of the former government. Throughout the contributions of opposition speakers there is a recurring theme that most conservative parties continually espouse — that is, private is great, public is terrible and never the two shall meet.

Opposition members also seem to have a thing about unions standing out on their own and having no relationship to anything else. They like employees. Employees are good — that is, good faithful employees — but should those employees form a collective and call themselves a union, opposition members will have nothing to do with that. In their contributions to the bill opposition speakers continually referred to the bill reinstating the powers of the union. As the previous speaker said, it is giving the unions what they want. All the opposition speakers I have heard have referred to the bill as helping the unions.

Honourable members interjecting.

Ms DUNCAN — I am surprised that members opposite ask me to speak on the bill because I am referring to matters that were raised by previous speakers.

It is not difficult to understand part of the motivation behind the introduction of the bill when one listens to the previous speakers and their obsessions with teacher unions. It is not difficult to guess what their motives were for the introduction of the current act when they view the bill as being some great gain the government is giving back to the unions. It is easy to make the connection about their motives for introducing the legislation. This attitude is not greatly different from previous attempts by conservative governments to break the backs of unions.

I consider unions to be comprised of employees. Employees and unions are one and the same thing, not the two separate things conservatives seem to believe they are. The honourable member for Bentleigh was more content — —

Mr Robinson interjected.

Ms DUNCAN — Yes, her presentation was hysterical. The honourable member was more interested in attacking the Minister for Education — and a fine minister she is. Her comments seemed to be focused on making judgments on the minister's dress sense, as I recall. I can only say that that is serious sour grapes.

Part of the problem with the existing legislation is that it set up competition between public schools that had not been seen before. The honourable member for Seymour spoke about his experience as a principal of a public primary school. He noticed that where previously schools had worked cooperatively together, during the introduction of the current act and for a period afterwards he saw the level of competition that was being created between government schools. I suggest part of the intention of the legislation was to set up that competition.

Here was a system that handed out what I would call a poisoned chalice in the form of a chunk of money: 'If you do this, that and the other, you will access this fund of money. It is such a fantastic thing that you will want to jump in and access this fantastic program to get additional funds'. That was undertaken in the climate of a system that had been starved of funds and where most schools had seriously felt the tightening of their belts. Teacher numbers had been cut, class sizes were rising, schools were no longer able to provide any in-service training and were not able to meet the basic requirements of their special needs students. That was the climate in which schools were operating when this bucket of money was handed to them and they were told, 'If you take part in our program, we will give you money'.

If it was such a good system, one would have thought schools would have jumped at the opportunity. Schools lost substantial programs, suffered budget cuts and lost teachers. Their class sizes were rising and parents were voting with their feet and transferring their children from government schools to the private education system. One would think that was the perfect climate for every school in the state to put their hands up and say, 'Hey, count us into that little system, if that will get us more money. Allow us to reinstate programs we once had, allow us to employ more teachers and to have in-service training, and allow us to have some excursions within our schools again'.

If the system was able to reintroduce some of the things schools had always had, I cannot understand — and no-one has been able to explain it to me — why more schools did not apply. It was to be the education system of the future. The opposition would have us believe that

this is what all schools were killing themselves to access. They were clamouring. In question time we heard that schools were queuing up. I never saw any queues. Only 51 of 1631 schools applied for this system. That was in a climate where schools were starved of funds. It was like poverty politics, such as telling employees that if they really want a job they will work for anything. If schools were to keep running at a reasonable level of funding, they would accept the system and opt in. Very few opted in — only 51. That says more about the system than anything else we could say today.

Only 51 schools! Actually, 1580 schools said, 'Thanks, but no thanks'. That says more than anything else that could possibly be said. That would be another example of conservative politics throughout the world: anything that is public must be bad; anything that is systemic must be bad; and anything that is private is fantastic.

Shortly after the Kennett government was elected the funding of schools was changed. I was working in the private education system at the time. Funding to some of the most prestigious schools was increased while funds were taken from the poorer government schools whose pupils were among the most disadvantaged in Victoria. Schools with high fees were considered to be exclusive. Funding arrangements were concertinaed. Some honourable members opposite who may never have set foot inside schools other than to attend their children's parent-teacher interviews may find that hard to comprehend. They can shake their heads, laugh and guffaw, but the previous government well knew about the effect of its changes to the education system — the changes were well designed to have a certain effect.

The Kennett government's education system offered a poisoned chalice — a bucket of money — to a handful of schools who had put up their hands for it. Basically, the government offered bribes to a cash-strapped public education system. Most schools saw it for what it was. The new system was a move away from what had been the foundation of our public education system, for all of my living memory, anyway — that is, it provided a broad-based education that was funded according to need. The need factor has long been a cornerstone of education funding and one that the Victorian Independent Education Union, for example, has advocated for many years. Funding to schools should be based on need, not on where the schools happen to be located, although geographic considerations need to be taken into account in the allocation of needs-based funding.

For many years it had been accepted that for one reason or another the state gave more money to schools that

needed more and had greater needs and less to schools where either the parents had a greater capacity to raise their own funds or where the needs were, for various socioeconomic and educational reasons, less than at others. The Kennett government effected a complete shift.

During other debates I have said that many of the measures introduced by the former government represented fundamental wholesale changes that on the surface did not seem huge but whose significant impact was felt over time.

If the Kennett government had remained in office the changes would have happened more frequently. Schools that were able to get sponsors or that had land to sell would have done very well. Those that were able to hold fundraising functions and score a couple of thousand dollars each would have done well, thank you very much! The gaps would have widened, as happens with conservative governments, because that makes them feel warm and fuzzy. However, by contrast the Bracks Labor government is all about narrowing the gaps. It aims to close the divide and ensure that the state's education system is equitable and excellent. The bill will return the state to that system rather than, as the opposition is trying to suggest, bringing about some great win for the unions.

I recall that one of the first moves on education by the Kennett government when it came to office was to stop payroll deductions of subscriptions for union members. That cost the state about \$1 million, but the conservatives thought it well worthwhile because virtually overnight professional organisations that one minute had a certain number of members the next minute had their membership numbers considerably reduced — again, a deliberate act by the former government.

I return to the issue of why only 51 schools took up the offer to become self-governing schools during the life of the Kennett government. I contacted the school councils in my electorate, which are made up of parents whose children attend the schools. They were either full-time mums and dads or worked in other professions and volunteered their time to the councils to have hands-on contact with their children's education. Many people I know on school councils are also involved in other school activities such as reading recovery, working in the tuckshop or assisting in other ways. For many parents, being on the school councils was their way of being more involved in their children's education. They did not see themselves as business managers or employers but as ordinary people who

wanted to be involved in the running of their local schools.

For the most part I suggest the reason most schools did not take up the option of becoming self-governing was that their school councils did not want to change. If you were a member of a school council before the changes were introduced you were busy enough in that role. For example, you would do a full day's work and have a council meeting starting at 7.30 p.m. where you would discuss what was happening in the school programs for that term, what fundraising activities you would run and what programs you would instigate. But had the councils supported the move to self-governance, council members would have been involved in making decisions about hiring and firing staff and the payment of salaries — jobs that they felt not only extremely uncomfortable about but not qualified to do.

Many parents who had been on school councils told me they had no background in education, that they would not know a sound education program if they fell over it and they did not want the responsibility for having it implemented. They felt that was something properly done by principals and their teaching staff, as has been the case for many years. I suggest that thinking was part of the reason for the rejection of the self-governance option by many schools. Self-governing school councils found the additional tasks onerous; they did not feel either inclined or qualified to perform those tasks.

The honourable member for Bendigo West talked about the impact that the system had on small country schools where a parent may find himself or herself as the neighbour of a teacher; the parent knew that one day he or she may be called upon to determine whether that teacher's salary or hours would be cut and whether teachers would be paid over the school holidays — basically, almost to determine what a teacher's life was going to be. A number of those school councils would not take part in the self-governing system because of what could develop as almost a conflict of interest. They did not want to be so closely involved in the administration process. Individuals saw that system creating problems for them personally, which is why only a paltry 51 schools took up the option.

The other issue then concerning people involved with schools was the employment of staff and their being on contracts with no security or protection of employment; in other words, a school had no ongoing obligation to its teachers. Perhaps, unlike the case with some other professions, a great deal of work is done by teachers between December and January — that is, during the school holidays. It would be difficult for teachers to

spend the hot summer months poring over work programs and doing a whole lot of stuff when, for example, they do not know whether they will have a teaching job at the end of January. That time would amount to unpaid work.

I repeat: the teaching profession, the students and the parents feel quite comfortable about the end of that program. We are not going back to what the opposition would paint as the good old days of union dominance, but rather we are returning to the previous system of schools working in cooperation with staff and parents to find the best way of dealing with school programs.

I refer to the risks associated with concentrating power within school councils. Many years ago I visited the United States of America. The opposition should visit a number of schools down south to see the small-mindedness going on there. The autonomy demanded by those school councils meant they could choose not to teach Darwin's theory. That is autonomy gone mad. I am very proud as part of this government to be implementing a strong election promise. Obviously the parents and students of Victoria feel comfortable with it.

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

Mr KOTSIRAS (Bulleen) — It is a pleasure to speak on the Education Acts (Amendment) Bill. We all agree that Victoria's education system is one of our greatest assets. It is important that we work towards having the best education system in the world.

Despite what the honourable member for Gisborne said, I am a former teacher. I worked in both the state and private systems, and I saw what happened during the 1980s under the Cain and Kirner governments. They destroyed the education system during that time. Regrettably this bill will mean a return to the 1980s.

The bill is about control. It is about the unions running the Department of Education, Employment and Training and the minister.

The ACTING SPEAKER (Mr Phillips) — Order! I ask the honourable member for Frankston to remove the sign from the wall. It contravenes standing orders. I remind the honourable member for Bulleen that under sessional orders the time for the completion of government business is 4.00 p.m.

Mr KOTSIRAS — In the government's taxpayer-funded propaganda entitled 'Your invitation to

a conversation about public education: the next generation', the minister states:

... parents in Victoria should be able to choose the school which best suits the needs of their children.

That will not be possible under the bill, because all schools will be brought down to the lowest common denominator.

The bill is a backward step from the system under the previous coalition government in which schools were able to grow and meet the needs of their students and the community. Under the Labor government there is no flexibility for schools and there is no choice or diversity for students. The teacher union will again decide what goes on — it is the pseudo-minister.

In the Northcote *Leader* of 29 March the minister is reported as saying:

We want all students and teachers to learn and teach in safe and productive environments.

Unfortunately, the bill signals a return to the discredited ALP philosophy. During the early 1980s I was teaching in a state school in the northern suburbs. I believe Mary Bluett was in charge of the union at that time, and it was decided to call a number of strikes. I was the year 8 coordinator, and I refused to go on one of the strikes. One of the Victorian Secondary Teachers Association representatives told me that unless I went on strike I would lose my position as coordinator. That sort of intimidation was appalling. I saw what happened to every new staff member who came to the school. They were approached and told that they must join the teacher union. I find that absolutely appalling.

The government is taking us back to that type of environment. Teacher unions will run the schools, standards will drop and teachers will be intimidated by Labor Party policy. The bill is a politically motivated vendetta by the teacher unions. It fails to recognise that all schools are not the same, and parents and school councils will be ignored by the government and the teacher unions.

The bill repeals most of the legislative provisions dealing with self-governing schools. The self-governing schools program was completely voluntary. Schools put a lot of time, consultation and effort into their decision to become self-governing. The self-governing schools program gave schools the right to choose their own teaching staff and the right to specialise in key curriculum areas. Above all, under the self-governing schools program schools remained in the state education system.

All schools continued to be funded through global budgets within the parameters of the department's budget and forward estimates, and they continued to comply with the curriculum and standards framework. The bill removes the ability of schools to attract specialist staff in specific areas and to develop programs that offer real benefits and excellent educational results for students. It removes their freedom to employ new staff and represents a return to staffing inflexibility.

The bill also removes the ability of schools to enter into partnerships with other schools, TAFEs, universities, businesses and other organisations, thereby denying students further educational opportunities. It also removes the ability of schools to choose how to spend funds to meet the particular needs of their students and staff.

The government needs to clarify the employment conditions for the 400 teachers and other staff affected by the bill. Will they be forced to sign ongoing permanent employment contracts, or will the minister make an order under clause 15ZL that will affect contract conditions?

The bill is evidence that the minister and the government are captives of the teacher unions. I listened to the previous speaker and noted that she seems to have a fear of the opposition saying anything about the unions. When I was a teacher I was confronted daily by teacher unions demanding that I do X, Y or Z and saying that if I did not do what I was told, I would not be able to hold a position of responsibility. It was appalling, but that is what we are going back to — the Cain–Kirner regime of the 1980s.

Under the bill students, teachers and the community will be worse off, but there will be winners — the unions. The unions will control what the minister and the teachers say. Teachers will not be permitted to go outside school grounds and make remarks about what they believe education should be all about.

It is easy for the government to make claims, but some government members have never been in a school. They may have walked past a school fence, but they have never walked inside. If they did they would realise that teachers are not permitted to speak out, because the minister has gagged them. The schools in my electorate are cautious about what they say. The minister has told them not to speak to their local member. That is appalling. It should be changed.

It is a disgrace, and it is a pity, because Victoria had the best education system in the world.

Mr Honeywood — On a point of order, Mr Speaker, the opposition was led to believe there would be a committee stage of the bill during which some undertakings could be given by the minister about some controversial clauses. That is why the opposition has circulated amendments. The undertakings the opposition requires concern whether the educational services agreements will be honoured by the minister and whether special funding will flow. The opposition requires undertakings about whether, for instance, a three-month contractor who may be employed just to do information technology work will become a permanent employee, thereby costing the taxpayers of Victoria a fortune.

On the question of time, Mr Speaker, my point of order is that many members on both sides of the house wish to speak on the bill and they are being denied a committee stage because of the guillotine.

The SPEAKER — Order! There is no point of order. The procedures of the house are governed by sessional orders.

Debate interrupted pursuant to sessional orders.

The SPEAKER — Order! Under the sessional orders, the time being 4.00 p.m. I am obliged to interrupt the business of the house and put the necessary questions.

Motion agreed to.

Read second time.

Circulated amendments

Circulated government amendments as follows agreed to:

1. In clause 4, page 8, line 6, after "(5)" insert "(b)".
2. In clause 4, page 8, line 9, after "(5)" insert "(b)".

Remaining stages

Passed remaining stages.

ADMINISTRATION AND PROBATE (DUST DISEASES) BILL

Second reading

Debate resumed from 16 March; motion of Mr HULLS (Attorney-General).

Motion agreed to.

Read second time.

Remaining stages

Passed remaining stages.

ROAD SAFETY (AMENDMENT) BILL*Circulated amendments*

Circulated government amendments as follows agreed to:

1. Clause 26, after line 11 insert —
“(1) In section 3(1) of the Principal Act, in the definition of “traffic infringement”, paragraph (f) is repealed.”.
2. Clause 26, line 12, before “In” insert “(2)”.
3. Clause 36, line 23, omit “4(1), 17” and insert “4(1)(a) and (c)”.

Third reading

The SPEAKER — Order! As the required statement of intention has been made pursuant to section 85(5)(c) of the Constitution Act 1975 I am of the opinion that the third reading of this bill requires to be passed by an absolute majority. As there are less than 45 members present I ask the Clerk to ring the bells.

Bells rung.

Motion agreed to by absolute majority.

Remaining stages

Passed remaining stages.

Remaining business postponed on motion of Mr BATCHELOR (Minister for Transport).

ADJOURNMENT

Mr BATCHELOR (Minister for Transport) — I move:

That the house do now adjourn.

Aged care: nurse training

Mr BAILLIEU (Hawthorn) — I refer the Minister for Post Compulsory Education, Training and Employment to the closure of Lavin Australia on 28 February. The Lavin institute was the largest private provider of training in the aged care nursing sector and was actively engaged in on-the-job training. It represented one of the top 10 per cent of registered training organisations (RTOs). Lavin ceased trading

because it did not have support from the government for revised funding.

I ask the minister to explain to the training and aged care nursing industries what she did to prevent this debacle. The closure of the institute devastated 250 trainees and dumbfounded 100 nursing homes. The government has done nothing since, other than send a letter to the students. It has placed very few of those students — and at great cost! However, it is not what the minister has done since, but what she did to prevent the situation that I want her to address. In August last year Lavin representatives raised some concerns. The institute was running a new course that no other organisation was providing in the same mode. A submission prepared in September sought full funding of all required course hours.

Ms Delahunty — On a point of order, Mr Speaker, I understood that the point of the adjournment was for honourable members to ask ministers to take some action relevant to their portfolios. The honourable member has asked the minister to address several matters but has not asked for specific action to be taken.

Mr BAILLIEU — On the point of order, Mr Speaker, I have asked the minister to explain to the training and aged care nursing industries what she did to prevent this debacle.

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

Mr BAILLIEU — The submission sought reimbursement of the required fee discounts for health card holders and some recognition of infrastructure funding. The election intervened and the submission did not go to the former Minister for Tertiary Education and Training, it went to the new minister.

What did she do? She told us she met with Lavin representatives and that they talked about issues. The minister told us that Lavin was provided with fast-track payments and free financial advice. However, she did not tell us that she imposed a freeze on new trainees — a financial squeeze. One letter of referral was provided to the nurses board. The minister did not tell us that she has never spoken to Lavin representatives, she has not visited Lavin’s two campuses and she has never met with Lavin representatives in her capacity as the minister. She has not addressed the issues of course hours, health card discounts or infrastructure funding as raised in the submission.

It is significant that, after Lavin ceased trading, additional funding was announced for RTOs. The other significant issue is that I believe the minister wrote the

submission advocating funding changes. I ask the minister to explain why she then rejected her own recommendations.

Rural Victoria: Internet

Mr HELPER (Ripon) — I ask the Minister for State and Regional Development to clarify for regional communities the benefits of the Internet. I direct the attention of the house to recent comments in the *Weekly Times* by National Party Senator David Brownhill. The comments suggested that the Internet and e-commerce would have a detrimental effect on regional communities. The comments could well be interpreted as hysterical and scaremongering. I will quote just some of them:

In the absence of major offsetting benefits, the effects on local businesses would be devastating.

That referred to the impact of e-commerce on the regional economies. Senator Brownhill said further:

While only 20 per cent of the business base may be lost, much more than 20 per cent of businesses will be affected.

Scaremongering to say the least! I ask the minister to make clear for regional communities whether Senator Brownhill's arguments can be described as those of a Luddite in opposition to the invention of the steam engine.

It could be uncharitably said that the Victorian National Party follows slavishly the attitude of its federal counterparts. I find it difficult to comprehend how the National Party does not see opportunities in an expanding technology that puts regional communities more closely in touch with regional, national and international markets but prefers to build a picture of gloom and doom. Again, I ask the minister to highlight for regional communities whether the Bracks government sees an advantage in regional businesses using technology for the future.

Cockatoos: habitat

Mr PERTON (Doncaster) — I direct to the attention of the house the unlawful destruction of one of Victoria's most important nesting sites for the endangered — —

The ACTING SPEAKER (Mr Lupton) — Order! To which minister are you directing your adjournment matter?

Mr PERTON — I refer the matter to the attention of the Minister for Environment and Conservation. This is the minister who as opposition spokesman made

many promises on the issue of flora and fauna and made it a centrepiece of her election policy. This is the minister who stated in her pre-election policy that the principal issue for many species is loss of habitat; who promised to ensure the survival of threatened species by adopting dual targeted programs to recover numbers and ensure protection of natural habitats and whose department has presided over the destruction of the most important nesting area for this rare creature in the Horsham area.

To top it off, although there is fault on the part of the West Wimmera shire and Timbercorp, the owner of the land, the reality is that the negligence was on the part of the minister's department. The inspection of the property was made with an officer from the Department of Natural Resources and the Environment (DNRE). On at least three occasions there were dealings between the company, its contractors and DNRE with DNRE failing to make Timbercorp aware that some of the dead trees had been labelled but not marked by Birds Australia for preservation.

Government members interjecting.

The ACTING SPEAKER (Mr Lupton) — Order! The government benches will please remain quiet!

Mr PERTON — It is clear that under the minister's administration there is no clear line of authority on the issue; no individual officer assigned responsibility. At least one officer involved in the matter had been previously suspended from duty — —

Mr Loney — On a point of order, Mr Acting Speaker, the honourable member is clearly reading his statement. Can he make it available to the house?

Mr PERTON — I would be delighted to do so. DNRE did not direct Timbercorp to preserve the trees, despite having several opportunities to do so. Indeed, DNRE was negligent in its duties in failing to do so. The minister, under any doctrine of ministerial responsibility, should take responsibility and at the very least apologise for her mismanagement of the portfolio.

The federal environment minister has made money available to deal with this issue and has written to the state minister on two occasions. Has the Minister for Environment and Conservation yet again lost an important piece of correspondence somewhere in the mess on her desk?

An honourable member interjected.

Mr PERTON — Environment Victoria! I have sought the minister's intervention to preserve the most

important feeding area for the birds — some 250 hectares of stringy-bark. Yet again this minister has stood on her hands. The government is guilty of hypocrisy in its administration of the Flora and Fauna Guarantee Act. Under federal–state law the species is classified as endangered. If the government had any — —

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

Mr PERTON — It would actually deal with — —

Government members interjecting.

The ACTING SPEAKER (Mr Lupton) — Order! I am getting a bit tired of the behaviour on the government benches. Either be quiet or we will see what we can do about it!

CFA: emergency response

Ms OVERINGTON (Ballarat West) — I raise an important matter for the attention of the Minister for Police and Emergency Services and ask him to take action to ensure Telstra service cuts in regional and rural Victoria do not have an adverse impact on Country Fire Authority (CFA) emergency response systems.

Telstra has already announced it will phase out its paging system by June this year, and has foreshadowed the phasing out of its emergency response service (ERS) over the next four years. Access to an adequate paging system is vital to the CFA because the service level required is greater than that needed by commercial operators. The CFA requires a priority paging service at all times.

The ERS, which works in a similar way to a telephone tree, will be phased out over the next few years. That service is used extensively by rural brigades and ensures a number of volunteers can be notified quickly in the event of an emergency.

In regional and rural Victoria the ability of the CFA and other volunteer emergency services to communicate effectively with members can be the difference between life and death. It is vital that action be taken to ensure our emergency services have access to the best possible communications system.

Telstra cannot go unchallenged and must be pressured into continuing vital services to regional and rural Victoria. I note the silence of the National Party that pretends to represent rural Victoria. It has not said one

word on this serious issue because its federal counterparts have sold out regional Victoria.

Rural Victoria: government departments

Mr INGRAM (Gippsland East) — I direct to the attention of the Minister for State and Regional Development the recommendation of the House of Representatives Standing Committee on Primary Industries and Regional Services that the departments of agriculture, fisheries and forestry and Environment Australia be moved out of Canberra.

I invite the minister to follow the lead of New South Wales and the recommendations of the House of Representatives committee by supporting the relocation of relevant government departments to regional Victoria.

The federal primary industries and regional services committee observed that there is a direct relationship between the extent of regional development and the business and community leadership associated with it, and concluded that moving departments out of capital cities into regional Australia would enhance a culture of learning, which is essential to generate the self-sustaining communities that are necessary to enable regional Australia to prosper.

The idea should not be limited to the federal government in Canberra. For example, the Victorian Department of Natural Resources and Environment could be based in Bendigo, Fisheries Victoria in Sale, Tourism Victoria in Ballarat, local government in Shepparton and Vicroads in Wodonga.

Recently the Hamilton regional manager of Pacific Forest Corporation Ltd stated that in the 1990s the population of Hamilton went from 10 200 to 9200. The veterinary laboratory closed, the former State Electricity Commission was reduced from 85 to 3 staff, and government employment departments were closed. In addition, the abattoirs closed and Frost Engineering was reduced from 235 to 80 employees.

The story of Hamilton is typical of all regional Victoria, including Gippsland. Not only have jobs been lost but the senior and middle management experience on which communities depend for their leaders have gone.

People will argue that it costs too much to move departments and that public servants will not move. However, the New South Wales government has moved its Department of Agriculture to Orange, and the Director of Technical Services for the Orange City Council, Michel Ryan, says the move has been positive

for Orange and that 75 per cent of those who had relocated said they would not move back to Sydney.

Furthermore, the mayor of Bendigo sees the benefits of moving government departments out of Melbourne in terms of infrastructure cost savings. He says that every house built in regional Victoria would save the Victorian community \$40 000.

I invite the minister to consider moving relevant government departments to regional Victoria, and I ask whether the Victorian government is willing to follow the lead of New South Wales and, if so, within what time frames.

Border anomalies: learner driver supervision

Mr JASPER (Murray Valley) — I raise with the Attorney-General yet another border anomaly between Victoria and New South Wales and ask him to conduct an investigation.

Recently a Magistrates Court in Albury convicted a Victorian who had been charged with being over .05 blood alcohol concentration while he was a passenger in a vehicle that was being driven by his daughter who was on L-plates. As the law stands in New South Wales, the passenger who is supervising the L-plate driver must be under .05. In the Albury Magistrates Court a Victorian was convicted, fined and lost his licence. In Victoria there is no such law for people who are in charge of drivers on L-plates.

I ask the minister to investigate an obvious border anomaly — and I suggest the New South Wales legislation is more appropriate. Victoria should consider action to overcome this anomaly. A learner-driver could be used to take a licensed driver to a place to consume alcohol and then be asked to drive him or her to another destination. I have sent information to the Attorney-General and ask him to investigate the matter and indicate whether Victoria should take action to correct and improve the position for Victorians.

Housing Week

Mr LONEY (Geelong North) — I am proud to be a member of a government that has a minister who is prepared to redress the negligence of the past seven years in public housing. Next week has been designated Housing Week in Victoria. It was set up to recognise the importance of the public housing sector and the contribution of tenants and tenant organisations to the fabric of the state.

Housing Week has been celebrated for a number of years through a number of functions. The Minister for Housing has a particular interest in this activity and some weeks ago invited me, as a member with a large public housing estate in my electorate, to participate in the judging of a poster competition for Housing Week. The posters that are now available were designed by a young girl — and it is a good design. The Office of Housing has contacted tenants throughout the state to advise them of Housing Week and has provided relevant community agencies with information about grants for activities during the week.

I ask the minister to advise the house what action the government has taken to recognise the importance of Housing Week; the contribution of the tenants; action taken in relation to grants; the agencies that have accessed the grants; and the activities funded. The activities will relate as much to my own area as to that of the honourable member for Richmond and others with significant public housing estates in their electorates.

Mount Eliza Primary School

Ms McCALL (Frankston) — I raise with the Minister for Education the funding for Mount Eliza Primary School. I am aware of the minister's claim about the budgetary restraints left by the previous government and the physical resources management system allocations to schools within my electorate in the past 12 months. I am also aware of letters written by the minister to schools, in particular Mount Eliza North Primary School and Overport Primary School.

I am not saying that I am ungrateful for the funding that has been allocated, but my concern is on behalf of the parents and the school council of Mount Eliza Primary School. Like many schools, Mount Eliza Primary School recognises there is a pecking order for the allocation of funds for major upgrades, or anything else for that matter. The school community has continued to be extremely active in maintaining standards by raising money for itself in the hope that at some stage it would be at the top of the queue.

The school's concern about the recent PRMS allocations is that in spite of requests to the Minister for Education it has received only \$23 000. I reassure the minister that the school is not knocking it back, but it is saying it would be extremely grateful for consideration and a little flexibility within the budget to perhaps allow the school a greater amount of money.

I particularly commend the school for raising \$300 000 to build a school hall, of which it is very proud. I am

delighted the previous government gave the school \$70 000 to complete the hall. The school's major concern is that it is the oldest primary school in the Frankston electorate and has never had a major upgrade. Like a number of major primary schools around Victoria, it is infested with white ants. I do not know whether they are members of the teacher union or they are in the woodwork — you never know!

The school has insufficient library space and, like most schools, is very keen to upgrade the information technology area. The buildings are in a little disrepair, but the school is using people on community-based orders to maintain the gardens and so on. I therefore ask the Minister for Education — humour and witticisms and cheap one-liners apart — whether she will consider allocating a little extra money this financial year to the Mount Eliza Primary School.

Gaming: ethnic communities

Mr LIM (Clayton) — I direct the attention of the Minister for Community Services to the paucity of ethno-specific resources and strategies to address the needs of problem gamblers in the ethnic community. The absence of culturally or linguistically appropriate resources in the ethnic community has been an ongoing problem. Honourable members will recall that in the past when I raised this gambling-related problem in the Asian community I was branded by the former Premier as un-Victorian and as casting a slur on my community — that is, the Asian community.

Many studies have confirmed that problem gamblers from non-English-speaking-backgrounds find it difficult to approach or use the mainstream services as they find it culturally inappropriate, let alone culturally sensitive. Because of that ongoing problem many of the agencies in my electorate, which are predominantly multicultural, have applied for funding to address the issue, but their applications have been rejected and funding has not been forthcoming. It appears that the attitude of the Kennett government to such problems was that if a problem is not acknowledged, it does not exist. Hence it chose not to fund the application.

In fairness to the former government, I must say it made the token gesture of heavily advertising in the press the idea that if gambling is no longer any fun, it is time to walk away. The Asian community makes up only 4 per cent of the Victorian population but up to 60 per cent of gamblers at the casino. Research conducted by the Victorian Casino and Gaming Authority has revealed that the Asian gambler is seven times more liable to become a problem gambler. That is shocking and a shame. It is an indictment of the

previous government. It failed the Victorian community miserably.

Mr Honeywood — On a point of order, Mr Acting Speaker, the same issue was raised by an opposition member with the same minister only two days ago. The honourable member is simply repeating what the opposition member has already raised with the same minister. On the point of repetition, as I understand it the same issue cannot be raised in the adjournment debate in the same period.

The ACTING SPEAKER (Mr Lupton) — Order! At this stage I cannot uphold the point of order because I was not in the chair on the first occasion the matter was raised. However, when the time comes to respond I ask the minister to clarify the situation. I also make a plea that the person who is playing with a pager either leave the chamber and read the instruction manual or turn it off.

Mr LIM — Thank you, Mr Acting Speaker.

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

Environment: waste reduction

Mr WILSON (Bennettswood) — I direct to the attention of the Minister for Environment and Conservation the matter of waste reduction targets. I ask the minister to instruct her department to give the Victorian community unambiguous guidelines and targets for waste reduction in Victoria. Before the September 1999 election the then opposition — now in government — trumpeted its environment policy. Labor claimed that it would do the following:

... require all government departments and agencies to set waste reduction targets that will be audited by the Commissioner for Ecologically Sustainable Development and reported in departmental annual reports.

Recently I received a written answer from the minister to my question on notice no. 20 on waste reduction strategies. The minister could say only that the strategies were being developed and would be established in consultation with industry and the community.

When my office contacted the Environment Protection Authority, it was told that nothing was known of the Labor policy, and an undertaking was given that the authority would get back to my office with further information. To date that further information has not been forthcoming.

What has the minister been doing for the past six months? Apart from issuing a number of media releases detailing some minor initiatives in waste reduction for smash repairers, a new facility to assist in dealing with greenhouse gas emissions — not a Labor initiative — and a campaign to encourage more Victorians to compost their household waste, the government has been silent on its overall waste reduction policy for either the public or the private sector.

I therefore call on the minister immediately to advise the community what waste reduction targets will apply to government departments and agencies and to key private sector areas, including agriculture, paper and pulp, heavy road and rail transport, coastal shipping, food processing, and motor vehicle and car component manufacturers.

In releasing a blueprint for action, it is imperative that the minister detail the government's timetable and provide a clear statement regarding whether requirements will be mandatory or voluntary for the public and private sectors.

The ACTING SPEAKER (Mr Lupton) — Order! The honourable member for Benambra has 1 minute.

Aurora Ski Club

Mr PLOWMAN (Benambra) — I raise for the attention of the Minister for Environment and Conservation the fact that the Aurora Ski Club at Falls Creek is seeking approval of a new lease. A letter I have received from the club states:

... I write to you in 'desperation' seeking your help applying pressure on Minister Sherryl Garbutt to finalise approval of a new lease for our club at Falls Creek.

...

The crux of the matter is that officer/s in the alpine unit of the Department of Natural Resources have been blocking — or at least stalling — the recommendation from FCMB to grant a new lease to Aurora Ski Club since August 1999.

I ask the minister to take action immediately so that the ownership of the Aurora Ski Club can change hands and the incoming owner of the club can advertise its seasonal program.

Responses

Ms KOSKY (Minister for Post Compulsory Education, Training and Employment) — It is pleasing to see that the giant has awoken from his slumber and taken the opportunity to raise an issue.

An honourable member interjected.

Ms KOSKY — I have worked on it for four weeks, because the honourable member for Hawthorn has not raised a matter in the house for at least that time. It is also good to see that, having finally sorted out his electorate office and moved in, the honourable member has turned his attention to a serious state matter — namely, a swimming race. Then, of course, you have to be able to win at something, don't you? He will not win at this, I have to say.

Mr Honeywood interjected.

Ms KOSKY — I leave my nightmares at home, so I will not — —

Honourable members interjecting.

The ACTING SPEAKER (Mr Lupton) — Order! I ask the minister to get on with her answer.

Ms KOSKY — The honourable member for Hawthorn — —

Mr Perton — On a point of order, Mr Acting Speaker, the minister appears to be reading from a joke book. Would she make it available?

The ACTING SPEAKER (Mr Lupton) — Order! I would like to borrow it!

Ms KOSKY — In fact I am, Mr Acting Speaker; it is called 'Victor'. The honourable member for Hawthorn has raised, yet again, an issue concerning the institute operated by Lavin Australia and the freeze. That is really all he tends to raise in the house, perhaps because he does not work particularly hard.

I have advised the house of the circumstances surrounding Lavin previously. It is interesting that the honourable member attempts to blame the current government for the problems Lavin experienced over a period of three to four years. The previous minister knows only too well the problems Lavin experienced, because he absolutely refused to do anything about them. Despite meeting with the institute three times he reduced the cost of training per student contact hour year after year. That is where the major problems for Lavin arose.

They also arose in the area of community service obligations, whereby Lavin accepted reductions in payments for students without the students being on concession cards. So a range of issues have led to the financial difficulties experienced by Lavin. I will outline to the house what the government has done, firstly, to assist Lavin, and secondly, to assist the students.

Mr Baillieu interjected.

Ms KOSKY — The honourable member for Hawthorn asks whether I have met with Lavin. He is the same member who several months ago raised the issue of the role of the State Training Board. The board is the regulator of organisations and delegates the authority to provide registration to training organisations. It is not the minister but the State Training Board that delegates the authority.

I have not interfered in the process. I have asked my department to ensure that where cash payments can be advanced, that they be advanced. I have asked that payments be fast-tracked to assist with cash flow, but I have not interfered with the investigation of whether the organisation was an appropriate training organisation. I have kept completely at arm's length to ensure the system is pure. I will continue to do that. I will not interfere. I hope the honourable member for Hawthorn was not expecting me to interfere.

The honourable member said that a freeze on funding has been put in place for private training organisations. The freeze was not in place until after Lavin had experienced its financial difficulties, so the freeze did not affect it at all. The advice I received was that it should not be registered after Christmas. That is when things moved. The honourable member also referred to additional funding being provided for private registered training organisations. That money was backdated to prior to the freeze being in place. The honourable member is wrong again. I know the issue is complex and that he has difficulty understanding it.

I am advised that the organisation would not pass over student records until the administrator was appointed. The administrator was appointed last week and my department obtained the records last Monday afternoon. The letters are now ready to be sent to all students. That will ensure that those who are close to completing their courses can be tested and that all students will gain recognition of their prior learning and be linked in to other courses.

The government's responsibility is to ensure that students are able to complete their course, that they gain recognition for prior learning and that they take on quality courses. It is pathetic of the honourable member for Hawthorn to raise this issue when he knows full well that the former minister did not assist Lavin. The government is responding to the problem. I do not run away from the fact that registration and training funds will be provided to organisations that provide proper training for students, but they must be viable. Unlike the previous government, the current government

recognises the independence of the State Training Board.

Ms GARBUTT (Minister for Environment and Conservation) — The honourable member for Doncaster yelled angrily, and of course was totally wrong about the clearing of 250 trees in West Wimmera shire. He also expressed concern about the state of the red-tailed black cockatoo, an endangered species. That was the one thing he got right.

The honourable member claimed that 250 hectares of brown stringy-bark trees were cleared. In fact, my department issued an agreed permit for the clearing of 250 trees. It was a poor-quality coppice of regrowth trees with no native understorey because of the grazing activity beneath them. The area had no conservation value but the trees were used as feed trees by the endangered red-tailed black cockatoo. The trees were cleared for a plantation of blue gum. The area is sand dune that is subject to salinity and the planting of blue gum will greatly improve the problem.

If the honourable member knew anything about the red-tailed black cockatoo he would know — you would think he would know — that although there is a plentiful supply of feed trees for it in the form of the brown stringy-bark, there is a problem because of a lack of the red and yellow gum trees it needs for nesting.

Mr Perton — On a point of order, Mr Acting Speaker, it is clear that the Minister for Environment and Conservation was engaging in an activity other than listening. My question referred to the destruction by Timbercorp of the nesting trees, to which the Department of Natural Resources and Environment was party by its failure to protect them. The honourable member for Geelong North kindly requested that I make the document available, which I did. Had the minister bothered to listen or ask the Attorney-General what the question was, she would know that I referred to the destroyed trees. The trees identified by Environment Victoria are the ones she should deal with.

Honourable members interjecting.

Mr Perton interjected.

The ACTING SPEAKER (Mr Lupton) — Order! I do not uphold the point of order. The Minister for Environment and Conservation's answer is relevant.

Ms GARBUTT — On a point of order, Mr Acting Speaker, I ask the honourable member for Doncaster to withdraw his nasty comment.

Mr Perton — I withdraw the unparliamentary language, Mr Acting Speaker.

The ACTING SPEAKER (Mr Lupton) — Order! Is the Minister for Environment and Conservation happy with that?

Ms GARBUTT — I am, Mr Acting Speaker.

I will explain to the honourable member for Doncaster what happened. In return, Timbercorp has agreed to fence off, end grazing on and covenant the 40 hectares of land that contain the hollow-bearing nesting trees that are the problem for the red-tailed black cockatoo, which needs the red and yellow gum trees for survival. I point out that Crown land containing brown stringy-bark forests, which are the feed trees of the red-tailed black cockatoo, abuts on two sides of the land.

The honourable member for Bennettswood referred to waste reduction targets. He apparently supports the Labor government's policy and is anxious for its implementation. I have already answered the honourable member's question. In response to a question on notice I indicated that waste reduction targets were being developed in consultation with the community. The opposition is hypocritical. When it was in power it quietly ditched and walked away from the waste-to-landfill reduction target of 50 per cent. The government is now developing the timetable for waste reduction targets.

The honourable member for Benambra referred to a new lease for the Aurora Ski Club. My department advises it has tried to contact the club to resolve the issue. The club should contact the department.

Ms PIKE (Minister for Housing) — I thank the honourable member for Geelong North for his question and for being a great supporter of public housing. Not many people are strong advocates for public housing and people who comprise some of the poorest and most socially disadvantaged members of the community. The honourable member has consistently sought to improve public housing in the Geelong electorate and continues to be a strong advocate for public and community housing throughout the state.

During Housing Week, Victorians celebrate not only the lives of people in public housing but their enormous contribution to the broader community. They often represent different cultural communities and they strengthen and enrich our society. The celebration of Housing Week, which this year has the theme Building Community, starts on 8 April and continues until 16 April.

I encourage those members of the house who have not seen the publicity — that is, the poster and the program of events that have been circulated — to look very closely at that poster. Jessica, the young girl who designed the poster, thought very carefully about community. For her it is an inclusive place, representing people of all ages and diverse groups living harmoniously together, having their contributions valued and respected, and being part of the broad tapestry of our society. That is what Housing Week is celebrating. I will be attending some of the 200 activities taking place right around the state.

Mr Honeywood interjected.

Ms PIKE — I will be launching Housing Week with the honourable member for Richmond and we will attend some of the celebrations, which will include the gardening activities that take place in the high-rise developments in Richmond. There will be multicultural festivals, cinema events and all sorts of helpful and happy functions right across Victoria's public housing estates.

I will also be announcing the winner of the annual Frances Pennington award, which celebrates the contribution of people to public housing. This year the judges of that award are the honourable member for Geelong; Miss Judith O'Neill, who is the chief executive officer of the Abbeyfield Society; and Ms Farah Farouque, who is a well-known *Age* journalist.

I encourage all members of Parliament to take part in Housing Week, to locate public housing in their electorates and make themselves known to public housing tenants and celebrate the fantastic contribution made by the tenants to the Victorian community.

Mr HULLS (Attorney-General) — I thank the honourable member for Murray Valley for raising an important issue about a border anomaly that exists between New South Wales and Victoria concerning drink-driving laws, particularly relating to L-plate drivers. He said that the law in Victoria still allows a person who is over the legal limit of .05 blood alcohol content to sit beside an L-plate driver, apparently teaching that person how to drive. That situation is not tolerated in New South Wales.

Section 49 of the Road Safety Act states:

- (1) A person is guilty of an offence if he or she —
 - (a) drives a motor vehicle or is in charge of a motor vehicle while under the influence of intoxicating liquor ...

I suppose the courts have said it is too long a bow to draw that a person who is sitting beside an L-plate driver can be deemed actually to be in charge of a motor vehicle.

There must be a whole-of-government approach. I will write to the Minister for Transport, who is responsible for the carriage of these matters, seeking that any anomalies that exist be addressed as a matter of urgency.

Mr HAERMEYER (Minister for Police and Emergency Services) — The honourable member for Ballarat West raised the decision by Telstra to cease providing pager services as of 30 June this year. Telstra has also advised the emergency services personnel that in future their responder service — which is a phone tree-type operation whereby one telephone call is made to alert a number of emergency service operatives to ring their home numbers at once — is also to be withdrawn. That would leave the Victorian emergency services with serious problems.

Firstly, Victoria has two significant volunteer emergency services — that is, the State Emergency Service (SES) and the Country Fire Authority (CFA) — with about 70 000 volunteer members who rely heavily on their pager and responder services for calling out their members in emergencies.

The cutting of those services would present a serious situation. In addition to the CFA and the SES, I am advised that the rural ambulance service would be affected, as would the Public Correctional Enterprise, which has a significant number of officers who carry pagers connected to the Telstra network. Some Salvation Army emergency services would also be affected.

The CFA has advised that the situation presents two significant concerns for its officers, the first of which is the financial cost. Telstra has offered to transfer the pager network to another provider, Link, and advised that Link would provide new pagers at \$99 each, which represents a 50 per cent discount. That may appear generous, but at the end of the day Telstra's policy decision will cost the CFA alone in the vicinity of \$2.5 million. So, Telstra's assertion that its decision would not impose any additional cost on emergency services is plainly incorrect.

The second concern of the emergency services personnel is that the Link network does not enjoy the same coverage as the Telstra network in rural Victoria. The areas that will miss out include Castlemaine, Mount Macedon, Maryborough, Camperdown,

Winchelsea, Tower Hill, Beaufort, Springhurst, Kyabram, Heywood and Buangor. They are just some of the areas not serviced by the Link network.

Mr Ingram — Orbost, too.

Mr HAERMEYER — Exactly. Significant parts of country Victoria that are serviced by the Telstra pager network are not serviced by the Link network.

A serious situation now exists in country Victoria because the response capacity of the state's emergency services — on which Victoria relies heavily because in winter the state is subject to flood and storm damage, and in summer it is one of the most fire-prone areas on earth — will be left high and dry. Unfortunately that is typical of what happens when a public instrumentality such as Telstra is privatised — that is, public service obligations go out the window. That will have some serious implications for country Victorians.

The previous government had known since 1998 what was in the pipeline and chose to do absolutely nothing about it. Victoria was faced with the prospect of the privatisation of Telstra by a federal conservative government, leaving emergency services high and dry, and a state conservative government choosing to do nothing about the ramifications of that decision. Country Victoria will pay severely for that.

I congratulate the honourable member for Ballarat West for taking up the issue because it is of significant concern to emergency service providers in country Victoria and to the residents of those areas whose service is being threatened.

I advise that I have today signed off on a letter to the federal minister for communications, Senator Alston, asking him to intervene in the matter with Telstra. I will be asking him, firstly, to extend the cut-off period for a further two years to enable emergency services to make the necessary adjustments, or to at least extend the cut-off period as it applies to emergency services; and secondly, to assist the states financially in meeting the cost of those adjustments.

I hope that the federal minister for communications will take those requests on board, because they arise as a consequence of the federal government's ideological tunnel-vision approach to privatisation. The proposals will have a significant impact on country Victoria and I will ask the federal government to take responsibility for the miserable harvest it is reaping with its privatisation policies.

Ms DELAHUNTY (Minister for Education) — The honourable member for Frankston referred to a matter

concerning an excellent school in her electorate, the Mount Eliza Primary School. It would have been more useful if the honourable member had been a little clearer about whether she was interested in a capital upgrade or only in the physical resources management system (PRMS) money. However, if clarification were to come from the honourable member in the form of a letter I would be happy to receive it.

The honourable member referred to the fact that Mount Eliza Primary School had received \$23 000 in the government's latest allocation of PRMS money. The house will be aware that the government announced last month \$19 million of PRMS money would be made available for schools across the state so that students can learn in a safe and positive environment that is conducive to learning. The honourable member was very grateful for the money on behalf of the school, but like Oliver Twist was asking for more. She also reminded the house that the schools in her electorate were grateful for the increases in PRMS money and capital works funding that they had received, in particular the Mount Eliza North and Overport primary schools.

Schools should not be grateful. The government has allocated money on a regional priorities basis to ensure they can provide a safe and positive learning environment. Under this government that is a transparent process that is at arm's length from the political process. All schools should feel confident they can make applications via their regions for capital upgrades or PRMS money, that those applications will be seriously considered, that the priorities will be determined by the regions, and that the schools can sign off on agreed priorities. To ensure that that occurs the government will this year reaudit the PRMS money of every school in the state. The audits will be conducted by an independent auditor so that — —

Mr Honeywood interjected.

Ms DELAHUNTY — The honourable member for Warrandyte says he will be watching. After what he did for schools for seven years — —

The ACTING SPEAKER (Mr Lupton) — Order! The minister will ignore interjections.

Ms DELAHUNTY — I am trying to, Mr Acting Speaker. The honourable member for Frankston raised the fact that parts of the Mount Eliza Primary School are infested with white ants, which is of concern to me. The honourable member for Warrandyte should not have interjected because it makes me very cross when I have to talk about the mess the government has to clean

up after seven years of the Kennett government's underfunding of our schools. Victoria's population is the second largest in the nation, yet the Commonwealth Grants Commission figures show that Victoria spends less per head on education than any other state or territory. We should hang our heads in shame at that sort of legacy.

The honourable member for Frankston raised a legacy of that neglect — an infestation of white ants. She generously likened the white ants to the teaching union, which I do not think is what she meant. It unfortunately suggests and illustrates a sad mind-set where the opposition sees teachers as somehow illegitimate and to be devalued. I will leave that aside.

Mount Eliza Primary School will endure the independent audit as will all schools across the state. The priorities will be agreed to by the region and the schools will sign off on priorities. The honourable member should be assured, as should all honourable members, that allocation for PRMS money or for capital upgrades will be determined according to agreed priorities.

Mr BRUMBY (Minister for State and Regional Development) — The honourable member for Gippsland East raised for my attention the House of Representatives standing committee report and recommendation about government departments being relocated to regional areas. He seeks a response from the government to the report.

I am pleased to see the report from the commonwealth joint parliamentary committee. It is a welcome initiative and it will be interesting to see what action, if any, the Howard government takes on the recommendations. Previous Victorian Labor governments have made a very real contribution to rural Victoria in this area in a way that would meet with the approval of the honourable member for Gippsland East. Examples include the then Australian Securities Commission documentation centre in the Latrobe Valley, which was a joint project involving the then federal and state Labor governments. Significant investment facilitation was made to ensure those departments, and the data processing work that went with them, were relocated to country Victoria.

At a state level the State Data Centre was relocated to Ballarat. It is unfortunate that the State Data Centre initiative was not fully continued and protected by the Kennett government. What is perhaps not widely recognised is that the Ballarat initiative of the former Labor government formed the basis of creating a sustainable information technology advantage to

Ballarat that subsequently paved the way for the establishment of the IBM data centre which was co-located with the University of Ballarat.

There is another example I recall of a commitment made by the previous Labor government to relocate the then Department of Agriculture to Bendigo. I remember that well because at that stage I was the federal member for Bendigo. The decision was made, cabinet approved it, funds were allocated, a number of staff shifted and unfortunately, shortly after the election of the former Kennett government, the plan was scrapped at great cost to Bendigo and to the people who moved to Bendigo believing it was a bipartisan government policy. The former Labor government has a commendable track record.

The government has an obligation in representing country people to produce policy that ensures there will be a share of public sector jobs in regional Victoria and that government offices are located where services can be efficiently delivered for all Victorians. I assure the honourable member that the Bracks government is working behind the scenes to examine possible functions within departments that could be sustainably located in the long term in a rural or regional setting.

An initiative in my portfolio is to establish in the first instance a trial program of four one-stop shops across regional Victoria to deliver the full range of government services by data over the Internet and in person. The program will be implemented over the next three years. I am happy to advise the honourable member that the process of relocating government functions regionally is ongoing and I am confident that it will bear fruit in the form of efficient government and more employment opportunities for country Victorians. I commend him for raising the matter.

The members of the government rural caucus committee, some of whom are in the house at the moment — the honourable members for Ballarat West, Ripon and Warragul — —

An honourable member interjected.

Mr BRUMBY — Sorry, the honourable member for Narracan. He is such a powerful advocate for Warragul that I often confuse the name of his electorate. I thank those members of the caucus committee, together with the honourable member for Gippsland East, who has been raising this matter in a constructive way in the press. Come on in, you'll learn something — —

The ACTING SPEAKER (Mr Lupton) — Order! The minister will direct his remarks through the Chair and not wave to people going past in the corridor!

Mr BRUMBY — Thank you, Mr Acting Speaker. It is unfortunate that the reaction from the National Party on this issue has amounted to a resounding silence. The Labor Party has been out front, the Independent member for Gippsland East has been raising the matter, but there is not a sound, not a whimper, not a policy, not a voice, not an expression of interest from the National Party.

I have some gratis advice for the National Party: it would do much better if it were out on its own. This business of being in partnership with the Liberal Party is nonsense. The National Party is being swallowed up; it is a toothless tiger, it stands for nothing and it is sinking to extraordinary lows in the opinion polls. The sooner it splits from the Liberal Party the better off the National Party will be.

One would think the National Party would be red hot on this issue. During seven years of the Kennett government not one government department was relocated. All the former government did was to close down the former State Data Centre in Ballarat. Even as this initiative is raised by the honourable member for Gippsland East, not one policy statement from the National Party has been seen or heard.

The other matter that was raised, and I am aware that the hour is getting late — —

Honourable members interjecting.

The ACTING SPEAKER (Mr Lupton) — Order! I agree.

An honourable member interjected.

Mr BRUMBY — These are important issues. One of the other — —

The ACTING SPEAKER (Mr Lupton) — Order! The minister will ignore interjections and will get on with responding to the matter raised by the honourable member for Ripon.

Mr BRUMBY — The Bracks government is taking government to the people. It has introduced the community cabinet. It has held meetings — —

Mr Honeywood interjected.

Mr BRUMBY — You must have been dressed up in disguise; no-one knew you were out there!

The ACTING SPEAKER (Mr Lupton) — Order! The minister will ignore interjections. I know it is very difficult, but I would be most appreciative if he answered the matter raised by the honourable member for Ripon.

Mr BRUMBY — The government has introduced the community cabinet, and meetings have already taken place. The last meeting held in Wangaratta was spectacularly successful. That initiative shows that this is a true government for all Victorians — the first we have seen in this state for a long time.

The honourable member for Ripon brought to my attention the idiotic comments of a National Party figure in another place that appeared in a newspaper article on 22 March. I would not say that about all National Party members. The National Party figure is reported as saying:

Growing use of the Internet in rural areas could destroy many local businesses and threaten entire communities, a leading National Party figure has warned. Senator David Brownhill, the party's deputy Senate leader, said 20 per cent of the rural business base could disappear over the next decade as consumers used e-commerce to shop outside their local area.

One area of bipartisan support in this place is that we have to embrace the challenge new technology brings with it. The shadow minister for multimedia who is sitting opposite would agree that if we embrace that challenge, far from destroying rural areas, e-commerce, Internet technology and telecommunications can strengthen the opportunities for rural areas. The honourable member for Rodney, who is also in the house, would support that view as well.

I will refer to a couple of examples. E-commerce is already extremely active in regional Victoria. For example, it has been used in duck breeding in Nhill. Luv-A-Duck, which I visited a few months ago and which is the biggest producer of duck product in Australia, uses e-commerce, as do building suppliers in Bendigo, steel manufacturers in Ararat and wine sellers in Avoca.

I often use the example of McMahon Global Food, which is located in Gordon near Ballarat. It has increased its revenues by about 30 per cent since adopting e-commerce a little over two years ago. It is a dairy distributor that exports its products to every continent except Antarctica. The company has contracts with companies in Algeria, Argentina, South Africa, Russia and Brazil, and it generates valuable export dollars for Victoria.

Another example is Livestock Exchange Online. The commonwealth government recently provided a grant

to Victorian Livestock Exchange Ltd in Pakenham to allow for the viewing and purchasing of livestock via Internet auctions. Call centres are another example of the value of e-commerce to rural areas. With the Premier, I recently announced that another 413 jobs would be created through the establishment of the AAPT call centre in Bendigo.

There are enormous opportunities for regional Victoria through new technology. The only way jobs will be lost is if we are too scared to embrace new technology and if appropriate policies are not in place to ensure that people in country Victoria are able to fully utilise the technology.

Communications infrastructure and communications skills are crucial. The National Institute of Economic Research suggests that e-commerce alone will drive 2.7 percentage points of growth in gross domestic product in the next decade. It is my contention that country Victorians and country Australians can help drive that growth. The barley producers in north-western Victoria want to deal directly with brewers in China. They are using technology in direct producer-to-purchaser sales in a way they could only have dreamed of 10 or 20 years ago.

Infrastructure is an issue, but it is essentially a federal issue. If infrastructure is provided through the mobile phone network we will see further growth and opportunities. We do not want the backward-looking talk of the federal Deputy Leader of the National Party saying that country Victoria will go backwards. New technology can empower country Victorians. It can provide the opportunities for growth, but only if we are riding at the front of the wave and not falling off the back.

I thank the honourable member for Ripon. He has been a powerful advocate for the use of new technology to empower country Victorians. Through his efforts on the caucus committee he has done some sensational work on pro-development policies for government. I thank him for raising the matter and dismiss the defeatist claptrap being talked up publicly by Senator Brownhill.

The ACTING SPEAKER (Mr Lupton) — Order! The honourable member for Clayton raised a matter for the attention of the Minister for Community Services on which a point of order was taken. The matter raised and the point of order were discussed during the gambling debate and have not been raised on the adjournment debate this week.

Ms CAMPBELL (Minister for Community Services) — I only wish the person who raised that

point of order would concentrate on the debate in the house so that he could get it right.

I thank the honourable member for Clayton for his important question on positive, ethno-specific advertising to attract people from non-English-speaking backgrounds to services for problem gamblers. The area is of great concern to me as Minister for Community Services, and it was raised many times by the honourable member when he was an opposition member. I am pleased to be able to say that the Bracks government has embarked on a positive advertising campaign that will attract people from non-English-speaking backgrounds to services for problem gamblers.

The Victorian government's gambling strategy has three components: research, community education and service provision. Unlike the previous government I seek to ensure that each component is strongly developed as part of an integrated whole rather than piecemeal. Recently I launched a series of brochures in seven community languages, the aim of which is to ensure that services are more accessible to culturally and linguistically diverse communities. The government has also commissioned announcements in seven community languages that will shortly be aired on ethnic radio. In addition I have approved the extension of a contract with Convenience Advertising, an advertising company previously engaged by the former government, to continue its advertising in the bathroom facilities of gaming venues. That program has proved to be extremely valuable as a source of referral to Breakeven and G-line services.

I have sought a strong and focused community education and media campaign that will target different segments of the Victorian community and will replace the generic and poorly targeted message of the past, which was, 'If it's no longer fun, walk away'. That message is totally discredited.

A recently launched report on the analysis of client services shows that fewer people are accessing services for problem gamblers in Victoria than ever before. That report, commissioned by the previous government, unfortunately states that fewer new clients have sought help from problem gambling services in the past financial year than ever before, which makes it clear that the previous campaign slogan was misguided and misdirected. Indeed, it was a subtle endorsement of the behaviour of problem gamblers: they were having fun and they did not walk away. The campaign brochures did not feature the phone numbers for G-line or the addresses of Breakeven to show clearly where people could find problem gambling services.

The problem has been addressed in the new brochures, which have been printed in the seven key ethnic languages of Arabic, Chinese, Greek, Italian, Spanish, Turkish and Vietnamese. The brochures will be distributed to gaming venues, community centres and counselling services. People whose first language is not English do not use problem gambling services as much as English-speaking people, and the brochures aim to redress that inappropriate imbalance.

I have referred to the report commissioned by the previous government, which clearly revealed that fewer new people are accessing problem gambling services than in the past, and my aim is to ensure that people who are problem gamblers know where to access services.

The honourable member for Clayton will be pleased to know that the ethnic media advertisements will be widely displayed in April. I admit that I have not seen a range of ethnic media in the past week so I am not sure which ethnic groups were covered this week, but throughout April there will be advertisements in the ethnic media giving the clear message that problem gambling services such as G-line are available. Venues and telephone numbers will be listed.

Motion agreed to.

House adjourned 5.26 p.m. until Tuesday, 11 April.

QUESTION 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.*

Wednesday, 5 April 2000**Industrial relations: permanent public sector employment**

- 14. MR WILSON** — To ask the Honourable the Minister for Workcover for the Honourable the Minister for Industrial Relations — (a) what funding will be made available in 1999–2000, 2000–2001, 2001–2002 and 2002–2003 to promote permanent employment instead of contract and casual employment in the Victorian public sector; (b) how many positions in each department will be altered to full time; and (c) what additional costs in respect of annual leave, long service leave, superannuation and other costs will be incurred by this change in each of these financial years.

ANSWER:

I am informed that:

At this time it is not possible to provide specific data on numbers of positions which will be altered to full time. This information will become apparent as departments and agencies progress through their workforce planning and budgetary processes. Similarly, the matter of specific budget allocations for the current and future financial years cannot be specified.

It is expected that for the current financial year, departments and agencies will be able to manage changes to their staffing profiles within their existing budget allocations. Any requests for additional funding would be dealt with as part of the normal budgetary processes in future financial years on a department by department basis.

