

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

LEGISLATIVE ASSEMBLY

FIFTY-FOURTH PARLIAMENT

FIRST SESSION

17 August 2000

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¹ Resigned 3 November 1999

² Elected 11 December 1999

³ Resigned 12 April 2000

⁴ Elected 13 May 2000

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Thursday, 17 August 2000

The SPEAKER (Hon. Alex Andrianopoulos) took the chair at 9.40 a.m. and read the prayer.

Mr Leigh — On a point of order, Mr Speaker, last night during the adjournment debate I raised a point of order about the Minister for Police and Emergency Services quoting from *Hansard*. You, Mr Speaker, ruled my point of order out of order based on the fact that the quotation was not from this session of Parliament. I seek clarification of what the session is. My understanding is that a session of the house runs from when Parliament commences after an election until it is prorogued for an election. I found the exact quote referred to by the minister on page 1947 of *Hansard* of 30 May 2000. I invite you, Sir, to re-examine your ruling of last night.

A Government Member — Put it on the notice paper!

The SPEAKER — Order! I uphold the point of order raised by the honourable member for Mordialloc. Standing order no. 93 states:

No member shall allude to any debate of the same session upon a question or bill not being then under discussion except, by the indulgence of the house, for personal explanations.

Last evening in his contribution to the debate the Minister for Police and Emergency Services indicated he was quoting from *Hansard* of 30 May this year. Therefore, he was clearly out of order in quoting from *Hansard* of the current session. The definition of a session is from the commencement of the Parliament until the Parliament is prorogued. It was an error by the Chair, and I apologise to the house for it.

PERSONAL EXPLANATION

Ms DAVIES (Gippsland West) — In Wednesday morning's grievance debate the Leader of the National Party misrepresented my position by asserting — and I am paraphrasing — that the government traded off the Seal Rocks development for the vote of the member for Gippsland West. I state — —

Mr Savage interjected.

The SPEAKER — Order! The honourable member for Mildura!

Mr Leigh interjected.

The SPEAKER — Order! The honourable member for Mordialloc shall cease interjecting.

Ms DAVIES — I state categorically that the Seal Rocks development and its future played no part in my original negotiations with the current government after the state elections in 1999.

Mr Perton interjected.

The SPEAKER — Order! Personal explanations are very serious matters for the house. The honourable member for Doncaster is warned.

Ms DAVIES — There was and is no secret agreement between me and the government. I do not seek to damage any business, individual or group in my electorate, and it is factually incorrect to assert that I would do that or that I have been doing that in relation to the Seal Rocks development or any other business.

Mr Perton — On a point of order, Mr Speaker, in relation to the personal explanation it is the custom of the house and the rules of practice that a member must take his or her explanation to you, and it is for you to assist the member. It is the truth that this member of Parliament was in the Premier's office — —

Honourable members interjecting.

The SPEAKER — Order! I will not allow the honourable member for Doncaster to use a point of order to enter debate on this or any other issue. In raising his point of order the honourable member inquired whether the correct process had been followed. I assure him and the house that the statement read out by the honourable member for Gippsland West has been subjected to the normal procedures required for personal explanations.

MINISTERIAL STATEMENT

Juvenile justice reform strategy

Ms CAMPBELL (Minister for Community Services) — I wish to make a ministerial statement.

1. Introduction

As Minister for Community Services, I am honoured to present to members of the house, this government's reform strategy for the diversion from, and rehabilitation of, young people in custodial care. While it is pleasing that Victoria's juvenile justice system leads the nation in providing a wide range of highly effective rehabilitation strategies for young offenders,

juvenile crime continues to have a high public profile throughout Australia.

The profile of young offenders is changing and there are many challenges facing government and the community as we move into the future. The social context of juvenile crime is changing as is the nature of offences. Young offenders have more complex behaviours and issues to be addressed. I will outline how existing policies no longer keep pace and why I believe a new and comprehensive strategy of reform is required.

The SPEAKER — Order! I ask the Minister for Community Services to wait while copies of her statement are distributed.

Ms Davies interjected.

Honourable members interjecting.

The SPEAKER — Order! I ask the house to come to order, and I ask the honourable member for Gippsland West to cease interjecting.

Ms CAMPBELL — To continue, Mr Speaker:

Government policy

The primary focus of the Bracks Labor government in the area of juvenile justice will be crime prevention. A whole-of-government approach will be taken to reduce the rates of crime in the community. The juvenile justice reform strategy is part of this approach. This strategy aims to prevent low risk young people from entering the juvenile justice system, to rehabilitate more serious young offenders, and to support young offenders after release from custodial care to establish a non-offending lifestyle.

Our commitment to young people and the community is to offer an effective juvenile justice system with the goal of ensuring community safety.

We recognise that the most socially responsible and cost-effective response to young offenders is to establish community-based services where most young offenders are dealt with in their own communities. Detention for young offenders should only occur as a last resort (community services policy 1999).

Victoria will only remain Australia's pacesetter in juvenile justice if it continues to develop innovative and progressive responses to juvenile crime. The previous government's response to the increase in numbers of young offenders sentenced to custody was to plan to build a new private juvenile justice facility.

Dr Napthine — On a point of order, Mr Speaker, reluctant as I am to interrupt the minister's statement on an important issue, the format of its presentation to the house is not the normal format of ministerial statements. The normal format is a typewritten document of the nature of a second-reading speech — not a glossy production. Not all the information contained in the document is being presented to the house — for example, the headings that appear in the margins. The document does not have the format of a ministerial statement. I suggest that it be withdrawn and that a properly formatted ministerial statement be presented to the house.

Ms CAMPBELL — On the point of order, Mr Speaker, every single word of the ministerial statement being made today is contained in the document that has been presented to the house.

The SPEAKER — Order! On the point of order raised by the Leader of the Opposition about the format of the ministerial statement, it is true to say that in the past ministerial statements have been presented in a format somewhat different from the format of the document before the house. However, the Minister for Community Services submitted the statement to the Chair and circulated it to the opposition parties in its present format — admittedly in a photocopied form — last night, and as the words are the important consideration for the house I deemed it appropriate to accept the statement in that format.

Ms CAMPBELL — Instead of going down the get-tough path of increased incarceration, we will be working to reform the system.

I believe the complex issues associated with the rapidly rising numbers of 17–21-year-old young people sentenced to custody require changes to current legislation, new policy and improved initiatives.

Legislative framework

The current legislative framework of the Children and Young Persons Act 1989 provides a range of options in the sentencing of young offenders. Sentencing young people to secure juvenile justice facilities has been accepted as a last resort for the most serious and persistent offenders. The vast majority of young offenders appearing in the Children's Court have committed low-level crimes and receive non-custodial sentences.

Victoria has a unique dual-track custodial sentencing option for young people aged 17 at the time of offending, but aged less than 21 at the time of sentencing. It provides an option for the adult courts to

sentence a young person to a juvenile justice centre rather than an adult prison. Courts can order 17–20-year-olds to serve their sentences in a youth training centre where ‘there are considered reasonable prospects for the rehabilitation of the young offender’ and ‘the young offender is particularly impressionable, immature or likely to be subjected to undesirable influences in an adult prison’ (Sentencing Act 1991).

The government clearly has a non-delegatable duty of care to young offenders in custody including responsibility for the operation of custodial services. This position has been strongly supported in all my discussions with the united coalition of churches, and legal, academic and interest groups. Government will continue to work with non-government services in the delivery of quality programs.

Mandatory sentencing, as practised in some parts of Australia, and the previous government’s attempt to privatise juvenile justice facilities are not in the interests of the community. These go against the very nature of a fair, effective and just criminal justice system.

Juvenile justice reform strategy

The Bracks Labor government’s juvenile justice reform strategy comprises a progressive and exemplary set of measures of legislative amendments, enhancement of the dual-track system, a three-pronged approach to the expansion of services and new funding and program initiatives. Most importantly, it builds on the features of the current system that contribute to crime prevention and rehabilitation of young offenders with complex behaviours. It tackles the challenge of growth in the number of young offenders by improving the continuum of services.

Juvenile crime is not just a legal problem, it is also a social problem with social causes and effects. Socioeconomic disadvantage, poor educational attainment, family breakdown, sexual abuse and violence, family drug abuse, unemployment and a history of failures — their own, their family’s and their support systems — all increase the likelihood of young people offending.

The government’s commitment is unequivocal — to adopt a balanced approach to juvenile justice which responds to the individual young person and that person’s needs and circumstances, the victims of crime and the interests of the community (community services policy 1999). To this end, I have sought advice from my department, interest groups, the judiciary and academics.

The government will initiate the juvenile justice reform strategy based on a three-pronged approach to tackle these challenges by:

- diverting young offenders from entering the juvenile justice system, or from progressing further into a life of crime;

- providing better rehabilitation of high risk young offenders; and

- expanding pre-release, transition and post-release support programs for custodial clients to reduce the likelihood of reoffending.

A major shift will be to strengthen community-based options to respond better to the many complex problems of young people in the juvenile justice system.

Initiatives will be implemented progressively over a two-year timeframe which commenced in July 2000.

2. Challenges for juvenile justice

We face significant challenges in the juvenile justice system as we do in the criminal justice system more broadly. The profile of young offenders indicates reform is needed to address:

- the growth in numbers of young offenders aged 17–21 years who are in custody;

- the increase in drug abuse and drug-related offences;

- the increase in young women offenders; and

- the over-representation of young Aboriginal and young Vietnamese people.

Profile of young offenders

The profile of young offenders has changed markedly over the past five years reflecting the social problems faced by all Victorians — including the very real drug problem.

A snapshot of young people in detention in a senior youth training centre shows:

- more than 65 per cent are serving their first custodial sentence;

- about 20 per cent were previously, or still are, under the responsibility of the child and adolescent protection services of the Department of Human Services due to abuse or neglect;

young people with intellectual and/or psychiatric disabilities are relatively common with nearly 10 per cent under close monitoring due to the risk of suicide or self-harm;

more than 20 per cent are from a non-English-speaking background and about 9 per cent are young Aboriginal people;

80 per cent have been sentenced for drug or alcohol-related offences;

many have been excluded from school at an early age or have a history of school or work failure; and

many have been victims of crime themselves.

As clearly stated by Justice Fogarty in opening the Round Table on Privatising Youth Detention last year: 'These statistics speak much about disadvantage, despair and desperation. These older teenagers, now in custody, are as much about the legacies of policy and resource choices made in the past as they are reflections of the present'.

Growth in numbers

A major challenge for the juvenile justice system is the growth in the number of 17–21-year-old young people in custody in a senior youth training centre. In the past four years, the number of 17–21-year-old males in custody has nearly doubled — from 69 in mid-1996 to a peak of 132 in 1999–2000. At the end of June 2000, this figure was 124.

Even more dramatic has been the rise in the number of young women in custody. Numbers at Parkville Youth Residential Centre rose from six in mid-1998 to a peak of 35 in May this year. At the end of June 2000, this figure was 24, almost all of whom were sentenced by an adult court.

There has been no such increase in the number of 10–16-year-old juvenile offenders sentenced by the Children's Court. This can be explained in part by the sentencing approach of the Children and Young Persons Act 1989 which establishes a sentencing hierarchy. This provides a wide range of sentencing options to the court.

Why is it that the number of young people in our senior youth training centres has increased so dramatically in the past few years? Does it mean that crime rates are spiralling out of control?

Thankfully, the answer is no.

In comparison with other states, Victoria has a low youth crime rate and lower number per capita of young offenders held in custody. It is, therefore, disturbing that there is this growth in the number of 17–21-year-old offenders undergoing custodial sentences.

This growth relates to the increased proportion of offending linked to substance abuse and drug-related crime, and an associated increase in the length of custodial sentences.

In its most recent annual report, the Youth Parole Board noted that: 'From 1996–97 to 1998–99 the number of drug offences resulting in a custodial order has increased by 79 per cent. This trend has been most pronounced for the 17–20-year-olds for drug use/possession and trafficking offences'.

Privatisation

The former government's response to the increased demand on custodial beds for young offenders was simply to expand secure facilities — a bricks-and-mortar approach — and they planned for the private sector to build, own and operate a new youth detention facility.

I am concerned that young people are still accommodated in substandard and totally unacceptable conditions in part of the old Turana complex due to this policy.

The juvenile justice reform strategy aims to limit the numbers in custody and finally allow the eventual closure of the old Turana facility.

Complex needs of young offenders

The juvenile justice system must provide an adequate response to young people's complex behaviours and needs. Many young offenders act impulsively, have chaotic, substance-abusing lifestyles and all too often their family relationships and community links have been fractured. The support of these young people by significant others, including extended family, mentors and community service networks is essential for their rehabilitation.

The most critical needs and issues to address are:

Substance abuse

Abstinence in the short term is difficult to achieve for many in the juvenile justice system. A harm-minimisation focus will be further adopted, encouraging these young people to seek counselling,

treatment or other assistance to reduce or manage their drug use safely.

Young people with substance abuse problems and complex behaviours are often excluded from accommodation services and can become, or remain, homeless. More appropriate accommodation options will be available in the community. Initiatives to support young offenders with substance abuse issues will be consistent with the directions of the Drug Policy Expert Committee.

Young offenders from Vietnamese and Cambodian backgrounds

Young people from Vietnamese and Cambodian backgrounds (particularly Vietnamese young people) have often progressed through the criminal justice system far more quickly and without the supports offered to other young offenders. Development of culturally appropriate programs and diversion strategies will occur.

Young Aboriginal offenders

Young Aboriginal people remain an unacceptable 15 times more likely to end up in custody.

This government has acknowledged that past policies of separating indigenous children from their families continue to have a profound and lasting effect on the economic, social and cultural outcomes of indigenous peoples in Victoria.

Considerable work has begun with local Aboriginal communities and cooperatives in trying to reduce the number of young Aboriginal people entering the juvenile justice system and other parts of the criminal justice system. This work will be further developed. The Victorian Aboriginal Justice Agreement will reinforce the government's commitment to the implementation of the recommendations of the Royal Commission into Aboriginal Deaths in Custody and comprises a range of initiatives. This agreement will provide a framework for government's further joint work with Aboriginal communities to assist young Aboriginal offenders and those at risk.

Similar to the Koori services improvement strategy within the Department of Human Services, the agreement emphasises the need for Koori community involvement in the development and delivery of policy and programs.

Young female offenders

Most young women aged 17–21 in Parkville Youth Residential Centre have been convicted for a drug-related offence or present with a significant heroin dependency. The transition from custody to community is also very difficult for most young women. Enhancement of accommodation and community transition supports and links to drug treatment services will occur to improve young women's self-esteem and life skills, minimise the likelihood of sexual exploitation by others and reduce the risk of reoffending.

3. The juvenile justice reform strategy

The juvenile justice reform strategy is a major government commitment of progressive measures that both builds on the unique features of the existing system and provides innovative initiatives in response to the challenges I have outlined.

Bipartisan issue

A robust system is essential to respond to the diverse needs of young offenders. The juvenile justice reform strategy will promote:

- services which are responsive to young people's family and culture and which are gender and age-appropriate;

- development of best practice in early intervention, diversion and community-based services;

- joint initiatives between the departments of Human Services and Justice, and other agencies; and

- strategies to support the victims of crime.

I wish to put on the record that juvenile justice in Victoria has benefited from successive Labor and coalition governments supporting the dual-track system for 17–21-year-olds which is unique to Victoria.

Whole-of-government approach

A whole-of-government approach for the juvenile justice reform strategy will mean responsibility will be shared across government. The coordination of policy, planning and new initiatives in the broader criminal justice system will be achieved by a special subcommittee of cabinet. The review of community correctional services, the review of post-compulsory education and the work of the Drug Policy Expert Committee will inform this subcommittee.

I will work with the Minister for Corrections and Police and Emergency Services, the Attorney-General, the Minister for Youth, the Minister for Aboriginal Affairs, the Minister for Health, the Minister for Aged Care and Housing, the Minister for Education and the Minister for Post-Compulsory Education, Training and Employment to achieve the government's commitments.

Legislative framework

The Children and Young Persons Act 1989 currently only applies to young offenders up to the age of 17 at the time of committing an offence. The Attorney-General and I are working to bring Victoria into line with most other states in recognising that the criminal jurisdiction of the Children's Court should be extended from 17 to 18 years of age. This will ensure a wider range of options for this group and will better complement the dual-track system.

The government's commitment to reform in this area was recently indicated by the decision to elevate the status of the Children's Court.

The act acknowledges the immaturity and vulnerability of young people and requires the Children's Court to sentence a young person to the least restrictive form of punishment. It is only as a last resort — when alternative community sentences have been fully considered, attempted and failed — that a sentence of detention is ordered. This has been effective in diverting many offenders away from the criminal justice system.

Dual-track system

As mentioned earlier, Victoria has a unique dual-track custodial sentencing option for young people aged 17 at the time of offending but less than 21 at the time of sentencing.

The juvenile justice senior youth training centre system operates within the broader justice system. Young people who offend over the age of 17 appear before adult courts. The primary provider of correctional services — both for custodial services and for the supervision of community-based orders — is the adult correctional system managed through the Department of Justice.

All young people aged greater than 17 at the time of offending and who are on community-based orders are supervised within the adult correctional system by the Department of Justice.

We recognise the benefits of a senior youth training centre sentence as a specialist service response by virtue of its vulnerability criteria, its developmental and rehabilitative focus, its emphasis on sound release planning, links to family and community, and a generally low security setting. Every effort is made to ensure that entry criteria, court advice and internal client management processes operate accordingly.

I wish to highlight the principles applied by the Court of Appeal case, *R v. Mills* 1998, which summarises how a young offender should be sentenced through three general principles:

- i. Youth of an offender, particularly a first offender, should be a primary consideration for a sentencing court where that matter properly arises.
- ii. In the case of a youthful offender, rehabilitation is usually far more important than general deterrence. This is because punishment may in fact lead to further offending. Thus, for example, individualised treatment focusing on rehabilitation is to be preferred. (Rehabilitation benefits the community as well as the offender).
- iii. A youthful offender is not to be sent to an adult prison if such a disposition can be avoided, especially if he is beginning to appreciate the effect of his past criminality. The benchmark of what is serious as justifying adult imprisonment may be quite high in the case of a youthful offender; and, where the offender has not previously been incarcerated, a shorter period of imprisonment may be justified.

Such propositions are useful guides to the government's directions for juvenile justice.

Sentencing

Unlike the federal government's totally unjustifiable response to the mandatory sentencing issue in the Northern Territory and Western Australia, the Victorian government takes a systemic approach to dealing with youth crime based on a whole-of-government and multi-agency partnership approach.

Government has a responsibility to provide the most protective and safe response for young people and the community. The legislative mandate establishes the onus of statutory responsibility for juvenile justice services with the Department of Human Services.

Mandatory sentencing can have a devastating effect on the lives of young people, their families and communities, particularly and disproportionately on young Aboriginal people. It is not a cheap and effective solution to dealing with crime but a mechanism resulting in the most marginalised young people becoming entrapped by this law. Mandatory sentencing is unjust, racist and immoral and an affront to judicial independence.

While custody is an appropriate option for a small group of serious and persistent young offenders, legislation in this state affirms the principle that custody should be the sentence of last resort for young people (as it does for adults). Magistrates and judges must be permitted to use their discretion and exercise their judicial independence so as to ensure all relevant factors are taken into consideration in sentencing.

Victims of crime

To date, the juvenile justice program has not paid sufficient attention to victim issues. As a first step, I have directed that victim issues are to be given prominence in the rehabilitative programs for young people and that training programs for staff should include an awareness of victim issues.

Group conferencing has been established on a limited basis in Victoria and is well placed as a pre-sentence, Children's Court-based option targeting young people found guilty of offences. This successful program brings together the victim, the young offender, their families and community supports to address the concerns and issues relevant to each.

Youth Parole Board

A crucial feature of the Victorian juvenile justice system is the Youth Parole Board, which is legislatively empowered to consider parole for all young people sentenced to a period of detention. Parole permits young offenders to serve part of their sentence in the community under the guidance and supervision of their parole officer. The board has to balance the rehabilitation needs of the young person with community safety.

Police cautioning

Very few young people become persistent offenders. The juvenile justice system must differentiate its responses between the more common but less serious offenders, and the serious and persistent offenders.

One of the reasons for the successful approach to juvenile justice is the work of the Victoria Police. The

Victoria Police cautioning system leads those of other states. Cautioning is an effective way of reducing the number of first-time offenders appearing before the courts and will be expanded.

Research and evaluation

The juvenile justice reform strategy will provide resources to address the recognised lack of local research data and analysis of the trends in recidivism of young offenders, the impact of programs on offending behaviours and examination of client service data of complex needs.

Earlier this year I released the findings of Victoria's first comprehensive research survey of 9000 students from Years 7, 9 and 11 titled 'Improving the Lives of Young Victorians in our Community'. It informs us about adverse social conditions that can lead to young people offending and strategies for the prevention of youth crime.

4. New initiatives

The next two years will be an exciting time for juvenile justice in achieving the ambitious goals I have outlined for meeting the government's commitment to young people, victims and community safety. The Bracks Labor government has provided \$34.2 million over four years (along with \$5.4 million reallocated from the previous government's privatisation bid) to implement the strategy of the three-pronged approach to juvenile justice. An additional \$2.2 million has been allocated for capital projects.

Diversion initiatives

The Department of Human Services specialist juvenile justice court advice program will be extended from the existing pilot service at Melbourne, Frankston, Dandenong and Sunshine Magistrates court, to cover other key courts in metropolitan Melbourne and rural centres. This program, a joint initiative with the Chief Magistrate, will provide magistrates and judges with specialised advice on sentencing options and supports for young people.

Bail and court support service for 17–20-year-olds will be trialled with workers employed to support the court advice program to reduce the number of young offenders remanded to prison.

Diversionary support programs providing culturally appropriate services will be enhanced and expanded for young Aboriginal people, young Vietnamese/Cambodian people and young women.

Projects are also being developed with the Department of Justice to pilot alternate approaches to working with young people on adult community correctional orders.

We will work with Victoria Police to examine ways to expand the extensive program of police cautioning of young people involved in less serious crimes.

Rehabilitation initiatives

Koori support workers, and Vietnamese/Cambodian program support and community liaison workers, will be employed at all three juvenile justice centres — Parkville Youth Residential Centre, Malmsbury Juvenile Justice Centre and Melbourne Juvenile Justice Centre.

Existing programs will be expanded to better address offending behaviour and substance abuse issues, and to enhance the prospects of young offenders' reintegration back into the community.

Rehabilitation programs in senior youth training centres will be strengthened to provide more effective life skills training, education and counselling programs.

Juvenile justice centre training programs, provided with TAFEs (technical and further education), will be extended to improve employment prospects of young offenders.

Health services including counselling, drug withdrawal services, dental services and family support work, will be further extended.

Innovative, residential drug treatment programs on site at juvenile justice centres, such as The Edge pilot program at Malmsbury Juvenile Justice Centre, will be expanded.

Transition and post-release initiatives

To ensure that wherever possible there is continuity of care for the young person on their return to the community:

The Department of Human Services community support and community house program that has been successfully trialled for the past two years for young women in custody will be extended to male young offenders prior to their release from custody.

A new mentoring program to ensure that young offenders are supported by a significant adult will offer guidance and assistance in their transition to living in the community.

Existing post-release agencies will be funded to work with additional young people leaving custody on remissions and also for a specialist drug and alcohol outreach support worker.

The range of post-release agencies will be expanded.

Specialist post-release support responses will be scoped and resourced for young Vietnamese/Cambodian offenders, young Aboriginal offenders and young women offenders.

Resources will be increased for parole supervision — including intensive supervision immediately post-release and access to brokerage funds to tailor services to the individual needs of young offenders. New departmental senior parole workers will be recruited in each region.

The pre-release program will be reshaped to enable juvenile justice centre staff and community-based staff to pursue more effectively all avenues of employment and training, and ensure suitable supported accommodation and other support services are available for young people.

Supported education and vocational training opportunities will be developed in conjunction with the Department of Education, Employment and Training.

Evaluation, training and support

To ensure the above initiatives are effectively implemented the following will occur:

an evaluation by external evaluators will be undertaken;

indicators for each initiative will be developed to measure achievement of the strategy;

a PhD student research fellowship in Juvenile Justice studies will be funded;

funds will be made available to assist Vietnamese and Aboriginal students undertake welfare/youth work studies;

an extensive staff training program will complement the initiatives;

a new recruitment strategy will be developed to encourage Aboriginal, Vietnamese and female employment in juvenile justice programs;

improved data systems will be developed within the juvenile justice program and across other justice agencies.

5. Partnerships

Commitment to partnerships

The juvenile justice reform strategy will build on the strong partnership and multi-agency approach that already exists between the government and the non-government sector in the delivery of juvenile justice services.

I will continue to meet with the judiciary and the Youth Parole Board, and I will continue to host round table forums with non-government agencies, academics and juvenile justice staff. These forums have assisted with setting the new initiatives for the strategy.

I would particularly like to acknowledge the contribution of key academics and stakeholders who attended the first juvenile justice round table, including the Criminal Bar Association, the Law Institute, the Defence for Children International, the Catholic Commission for Justice, Development and Peace, Jesuit Social Services, Catholic Social Services, Care and Communication Concern, Youth for Christ and the Youth Substance Abuse Service in developing this strategy.

6. Staff and young people

Finally, I wish to talk about our dedicated staff and the young people themselves.

Skilled personnel

Juvenile justice staff bring specialist skills to deal with these often difficult and troubled young people. They play an active and vital role in contributing to the rehabilitation of these young people and their reintegration into the community.

Training

Skilled staff are essential and I will do all I can to promote services which facilitate the continual upgrading of skills. Victoria is the only state requiring its juvenile justice workforce to have mandatory qualifications.

Young peoples' views

The views of young offenders themselves provide a perspective that cannot be gained from other sources. My own discussions with young people, the case studies provided by the Coalition Against Privatising

Juvenile Justice (1999), and the comments from young people to the Catholic Commission for Justice, Development and Peace (2000), keep me focused on why we need to change.

The pathways of youth offending must continue to be critically examined to ensure government resources are expended on initiatives that meet the age-appropriate and developmental needs of young offenders.

7. Reform outcomes

Implementation of these new initiatives, which underpin this government's policy commitment for juvenile justice, will contribute to:

- an increased diversion of 17–20-year-old young offenders away from the criminal justice system;

- an overall reduction in the number held in custody;

- a system which responds in a manner conducive to the rehabilitation of young offenders by providing youth-focused, gender and culturally specific case management of young offenders;

- a positive response to the drug issue affecting young offenders; and

- the decommissioning of substandard facilities used as interim accommodation at Melbourne Juvenile Justice Centre (Turana).

I will report back to this parliament and to the citizens of this state on the achievements in delivering this government's juvenile justice policy. This will include its impact on community safety and on the transition and integration of young offenders back in the community after custody.

The goals of the juvenile justice reform strategy are:

- diversion and early intervention — to prevent a career of offending; and

- timely rehabilitation efforts coupled with strengthened pre and post-release programs to ensure positive outcomes for young offenders.

This strategy gives all those interested in Victoria's commitment to these vulnerable and marginalised young people and to the safety of the community an assurance of a positive way ahead.

I move:

That this house takes note of the ministerial statement.

Mrs ELLIOTT (Mooroolbark) — In responding to the minister's statement, 'A balanced approach to juvenile justice in Victoria', I commend her on her obvious approval of the actions of the coalition government between 1992 and 1999. There is nothing in the statement that is not a distinct approval of the systems and strategies undertaken by former coalition ministers during that time.

The ministerial statement introduces nothing new and shows little evidence of independent thought. Indeed, many parts of it are drawn from a speech by Mr Justice Fogarty in March 1999. The ministerial statement is an extension of the outstanding reforms by the Kennett government ministers and I commend the Minister for Community Services on it.

I draw the attention of honourable members to what was achieved during that time when over \$40 million was spent on a complete overhaul of Victoria's juvenile justice system. In 1993 the Melbourne Juvenile Justice Centre was completed at a cost of \$13.5 million. In 1997 the Malmsbury Juvenile Justice Centre was completed at a cost of \$12.6 million, and in 1999 the Parkville Youth Residential Centre was completed at a cost of \$15.7 million.

I studied criminology at Melbourne University in the early 1960s and was an honorary probation officer for several years in the 1970s and early 1980s. During that time I visited the Winlaton Centre for Young Women and the Baltara Home for Young Boys. I also visited Turana, which still unfortunately exists. At that time there was a totally different approach to juvenile justice and the punishment of young offenders was seen as the main initiative.

Victoria has moved on since then and the creation of the new buildings — many of which were initiated by the former minister, who is now Leader of the Opposition — also meant a change in the culture of the delivery of juvenile justice. The buildings themselves speak of this. They are non-institutional in appearance, focus on the person rather than the crime and offer a holistic approach to juvenile offenders.

But buildings of themselves are not sufficient. The initiatives, mainly introduced by the former coalition government, gave shape, flexibility and humaneness to the delivery of juvenile justice.

I will briefly run through some of the programs. Many young offenders have distinct sexual problems and are sexual offenders. The Male Adolescent Program for Positive Sexuality helps young offenders to face up to the motivation for their attitudes to sexuality; to

understand the results of their actions on their victims; to take control and ownership of their own urges and help them deal positively with the fantasies that often impel them towards inappropriate sexuality and behaviour with their victims. The program is available at the senior youth training centre and at the Parkville Juvenile Justice Centre.

A large part of the money allocated to the Turning the Tide strategy was dedicated to treating and helping young offenders overcome their addictions to illicit drugs. As the minister has correctly noted, illicit drug taking is one of the primary causes of the commission of crime among juvenile offenders. I will speak more on that matter later.

Another successful program introduced by the former government was a peer education program, where young people of similar age to offenders worked with them on issues relating to the transmission of HIV and AIDS. The commonwealth–state young offenders program, which targeted young offenders with Koori and Asian backgrounds, including Cambodian and Vietnamese and which was piloted in the Dandenong area, was also successfully introduced by the former government.

The culture in the juvenile justice facilities, particularly at Malmsbury and Parkville, was an enormous advance on what had gone before, and it is not necessary to look too far for approbation of what was done.

I refer to a copy of a letter of 16 April 1999 from Jan Wilson, the then honourable member for Dandenong North, to the Honourable Denis Napthine, the then Minister for Youth and Community Services. It says:

Dear Minister,

I am writing to you regarding the options for an additional youth training centre which are presently being considered by your department.

Last month the Drugs and Crime Prevention Committee visited the Malmsbury Youth Training Centre. I cannot recall ever having been so impressed with an area of government administration as I was on that occasion; and I believe my colleagues from the Liberal and National parties shared my views.

The atmosphere at Malmsbury was a totally positive one. The relationship between staff and the young offenders was friendly and productive. Staff and offenders treated each other with dignity and respect; and the young people were forthcoming in discussing their rehabilitation and education programs.

I thought Malmsbury was an ideal model on which we as a community should be building.

One could not wish for a better endorsement than that and one from a former colleague of the now minister.

I wish to refer to what the minister herself said when speaking on the Appropriation Bill. Mr Acting Speaker, I seek your guidance. May I quote from *Hansard* of 12 May?

The ACTING SPEAKER (Mr Lupton) — Order! No, you cannot quote, but you may paraphrase.

Mrs ELLIOTT — If I may paraphrase the minister, she praised Victoria's juvenile justice system as a leading example for the rest of Australia to emulate. The Department of Human Services web site says that Victoria leads Australia and uses world best practice in delivering juvenile justice. Even the most severe critics of the former coalition government, including Justice Fogarty, have always prefaced any derogatory remarks by saying that Victoria has one of the best juvenile justice systems in the world.

I move now to the ministerial statement. I note that it has some positive aspects. I also say that the delivery of juvenile justice initiatives and the problem of dealing with juvenile crime are always vexed and difficult to address. Even at Malmsbury, which was so highly praised by Jan Wilson, a former member of this place, some young people have recently absconded and other disturbing issues have arisen. I noted at the time that the minister said she would investigate those issues.

Delivering juvenile justice, indeed delivering justice throughout the system generally, is never simple. However, there is bipartisan agreement that young offenders should so far as possible be treated in a humane and considered way and not be sentenced to periods of detention. The dual-track system that has been in place in Victoria since 1989 allows magistrates in the adult court to sentence young people between the ages of 17 and 20 who have committed crimes to a senior youth training centre rather than to an adult prison. The minister has mentioned that rates of crime for younger people are not rising and the crimes of most young people between the ages of 10 and 14 are not sufficiently serious for them to be sentenced to a period of detention in a secure facility. Those who are sentenced to detention have committed crimes the Children's Court considers sufficiently serious that the offenders should spend time away from the community.

Facilities at the Parkville Youth Residential Centre, which takes young women up to the age of 20 — they are in a different category — and boys between the ages of 10 and 14, are not unduly stretched. However, as the minister has noted, we do have a problem in

Victoria with young offenders between the ages of 17 and 20 and with increasing rates of serious crime among young women. Those are nearly all related to an increase in drug-related crime.

The initiatives the minister announced today are not new. They are all an extension of what the previous government did. However, some aspects puzzle me. The minister has said there will be a range of legislative amendments to address the problem of the rising rate of serious crime among young offenders, particularly 17 to 20-year-olds, yet the only legislative reform mentioned later in the ministerial statement is an increase in the maximum age — from 17 to 18 — at which young offenders can appear before the Children's Court rather than having to go before an adult court. The opposition fully endorses that approach, which brings Victoria into line with most other states. However, there is no mention of other legislative reforms so I do not think it can be described as a range of legislative amendments. Nevertheless, the opposition supports that initiative.

The diversion of young offenders from the juvenile justice system is fine, and is supported by the opposition. It is an approach the previous government was totally in favour of, and programs are already in place to look after young people during periods of detention and in the post-release phase, and to try to divert them from a life of crime. For instance, the Handbrake Turn program allowed young people who had committed car thefts to undertake a period of time renovating cars, learning panel beating and engine maintenance, and getting TAFE accreditation for it. Other programs in the community are designed to address drug addiction. However, at the end of the day some young people commit crimes of such seriousness that magistrates and judges have no option but to sentence them to a period of secure detention.

In her statement the minister referred to the fact that many young offenders come from fractured backgrounds or have drug addiction problems — that is, they do not have reliable, loving backgrounds to their lives. In some cases the community may feel the background of a young person may suggest that he or she would be better treated within a juvenile justice system that can adopt an integrated and holistic approach to their problems.

The community sometimes demands that young people who have offended against the community should spend some time inside a juvenile justice centre. Members of the community have a right to expect that they will be safe. Despite the philosophical belief of many people that young offenders should not be

incarcerated, at times there is no alternative but for judges to sentence them to a period of detention.

In the final part of the statement the minister notes that the programs she has announced will be evaluated externally. The opposition supports that aim, but it would like to know what the framework will be for those evaluations? What indicators will be developed? What funds will be made available to assist Vietnamese and Aboriginal students to undertake welfare work? What extensive training programs will be developed to complement those initiatives? The minister has announced a commitment of \$40 million over four years to the programs, but that is only \$10 million a year to implement a wide range of programs.

The Department of Human Services specialist juvenile justice court advice program will be extended from the existing pilot services to the Melbourne, Frankston, Dandenong and Sunshine Magistrates Courts to cover other key courts in metropolitan Melbourne and rural centres. That is fine, but how far will that \$40 million extend? The minister says the Bail and Court Support Service which provides advice for 17 to 20-year-olds, and which has already been trialled by the former government, will be extended, but how far will \$10 million a year go to support that?

The minister has made enormous promises about the outcomes of the initiatives she has announced. She says there will be a reduction in the number of young offenders between 17 and 20 years of age sentenced to juvenile justice detention centres. That is a laudable objective, and the community will be waiting to see whether that will happen. At the end of the day, if there is no reduction in the number of young offenders in detention centres, if the Turana youth training centre remains commissioned and if the Melbourne and Malmsbury senior youth training centres are full or overflowing their capacity, will the government remain determined not to build a new juvenile justice facility? Will the community tolerate young people being detained in Turana, which is definitely substandard and dates back to the early 1970s?

Dr Napthine — It is a disgrace.

Mrs ELLIOTT — It is an absolute disgrace. The last time I looked at the figures, up to 40 young men were being kept there in conditions that are not conducive to rehabilitation.

Dr Napthine — Something's got to be done.

Mrs ELLIOTT — Something has to be done about it. I question the government's initiatives, because it has

turned its face against any consideration of a privatised juvenile justice centre.

Honourable members interjecting.

The ACTING SPEAKER (Mr Lupton) — Order! The Minister for Community Services was heard in silence, and I expect the honourable member for Mooroolbark to have the same privilege afforded to her by both sides of the house.

Mrs ELLIOTT — The former coalition government believed it had a responsibility to explore all the options. The 'Projections for the Future' report, which was considered by the former minister, indicated that the number of juvenile offenders in detention would rise for the reasons I referred to earlier. The former minister clearly stated that the coalition government had to consider all the options to build a new juvenile justice centre.

I question the government's motives. It has turned its face on philosophical grounds, which the opposition accepts, against any consideration of involving the private sector. Does the ministerial statement made today mean that it will refuse to commit government funds to build a new juvenile justice facility? Is it putting its faith in diversionary tactics in the hope that it will keep young people in the community? Is it directing judges not to sentence young people to a period of detention regardless of the severity of the crime?

The minister has set down no time frame for the evaluation to take place and for her to report back to the citizens of Victoria. Will it be 2, 3, 4 or 5 years? If there is no reduction in the number of young people being sentenced to periods of detention by the Children's Court and the senior justice system, what will the government do? Will it reconsider its options? Will it admit that despite the best will in the world, the objective has failed?

The opposition supports the most humane options, including the diversion strategies and other support the minister can provide for young people, the training of professionals in the field, all the strategies for young Koori people — which the opposition fully supports — and the involvement of volunteers with goodwill such as honorary probation officers and the people involved in the mentoring program. I note the proportion of Aboriginal young offenders in the juvenile justice system dropped during the entire time the coalition was in government, but it is still too high.

If young Cambodian and Vietnamese people and other people of Asian background are still offending despite

all the worthy initiatives to train youth workers with the same cultural background to help those people, what will the minister do? If there is a whole-of-government and a whole-of-community approach towards diverting young people from detention into the community and all the supports are in place, such as transitional housing, assistance in finding jobs, reskilling, training in the technical and further education sector and the objective set by the minister to reduce the number of 17 to 20-year-olds, particularly 17 to 20-year-old women, in juvenile justice centres, what will the government do if the minister has to report back to the citizens of Victoria that the program has failed? Will the government readdress the question of the need for another juvenile justice centre or will it hope that the issue will just go away?

The backgrounds of young offenders are becoming increasingly complex.

Dr Dean interjected.

Mrs ELLIOTT — As the shadow Attorney-General asks, will the government put its money where its mouth is?

I have long had an interest in juvenile justice. In the past two days I have spoken with a barrister who defends the most difficult cases — those on legal aid — many of whom are juvenile offenders.

Honourable members interjecting.

The DEPUTY SPEAKER — Order! The Leader of the Opposition is interrupting his own shadow minister!

Mrs ELLIOTT — The barrister in question, who has spent his entire working life in the courts, was of the view that sometimes judges and magistrates have no alternative but to sentence young offenders to a shorter or longer period of detention because of the severity of the crimes committed.

There is no disagreement between the government and the opposition. What the government has stated, as I have said many times in this speech, is just an extension of all the wonderful initiatives and the philosophical commitment to the rehabilitation of young offenders undertaken by the previous coalition government.

But there will always be a proportion of offenders who cannot be diverted from the system. Even people who have been the severest critics of the former government have made glowing comments about Victoria's juvenile justice system, particularly the dual-track system for 17 to 20-year-olds. The government may extend all the initiatives there and may put more money into it, but

that is just a reinforcement of what was happening under the previous government. The experience of people working in the system is that there will be a proportion of young people who need to be sentenced to a period of detention.

Members from both sides of the house have spent much time addressing the problem of the rise in drug taking in the general community. The issue has been approached from various directions. If the community at large is taking drugs at a greater rate — we know that people who are on hard drugs will do anything to get those drugs, including committing crimes — we can expect an increase in the number of young people who commit crimes to get money to buy drugs. Until we address the entire drug problem in this community, and we are at the early stages of taking a holistic approach to that, it is unlikely that the number of young offenders who are committing serious crimes because they are taking illicit drugs will decrease.

None of this should be taken to mean that the opposition does not support initiatives that will keep young people out of the system. However, some young people's lives are so chaotic that to support them in the community is at times more difficult than to support them in a juvenile justice centre. During a period of detention they are in one place and the experience and professional expertise of people who have worked in the system, taking a holistic approach, will have better outcomes than trying in some cases to support them in the community.

It is desirable that as many young people as possible be kept in the community. However, for the proportion I am referring to, who are kept out of adult prisons and in juvenile justice centres, there is an entirely different philosophical approach. It may actually be a beneficial period for such young offenders — that is, time out.

Professionals involved in the care of young offenders can set in place transitional arrangements that send them back into the community strengthened within themselves and with a support system that will help in ensuring that they do not return to the dangers and attractions of their former lifestyles.

There is a great deal of goodwill on the part of the minister and the government, just as there is a great deal of goodwill on our side of the house, towards these most unfortunate young people. However, nothing in the ministerial statement is new, different or a radical departure from what was happening when the former coalition government was in office.

The opposition welcomes the commitment of \$40 million over four years. That will strengthen initiatives that were previously started in its term of office. I am equally sure that were the coalition still in government it would also strengthen those initiatives — perhaps strengthen them even more than the government is proposing at the moment.

The government cannot turn its face against projections in the report that in future the young offender population in detention will increase and that that increase will continue unless the whole community is successful in reducing drug taking in the community.

I turn to a statement made by Mr Yehudi Blacher at the Ignatius Centre in March 1999 about juvenile justice and the whole issue of detention centres.

Yehudi Blacher is still working for the government, and is now in the Department of Premier and Cabinet. He said:

In my view, put simply, there has been a significant hardening in community attitudes to serious young offenders.

He was talking about what had happened in the couple of years prior to his making this speech. He continued:

This in turn is resulting in increased custodial sentencing by the justice system. Whether we like it or not, such sentencing practice reflects a strong undercurrent in community attitudes, as any cursory glance at opinion polling on the issue would indicate.

Honourable members would realise that in the past couple of days in the case of Peter Dupas there has been another re-examination of what makes serious offenders become serious offenders.

I return to Mr Blacher's comments:

Now, I am aware that many juvenile justice stakeholders involved in service provision are aghast at this apparent hardening in attitude.

Their views ultimately represent a value position on the virtues or otherwise of incarcerating young adult offenders.

However, the reality is that such views are not necessarily shared by the community in general, which holds equally valid value positions, nor by the judiciary, which is responsible for imposing these sentences.

... Whilst the overall number of young people 17–20 years appearing before the courts has not increased, the number being convicted for serious offences, particularly relating to the use and trafficking of illicit drugs, has increased considerably.

He makes the point that we are coming off an historically low custodial base.

Mr Langdon — On a point of order, Madam Deputy Speaker, the honourable member for Mooroolbark is quoting from a document. I wonder whether she would be prepared to make it available.

Mrs ELLIOTT — Absolutely. It is a public document.

The DEPUTY SPEAKER — Order! The honourable member for Mooroolbark has agreed to make the document available.

Mrs ELLIOTT — Mr Blacher is putting some balance into the argument. He is saying that if we, as law-makers, are going to reflect community opinions in our views, particularly in this complex area of juvenile justice, we will need to consider the way the community feels. Not only do members of the community need to know that we are thinking about the way they feel, they must also not only be safe but must feel safe. Perceptions are sometimes different from the actual situation.

Mr Blacher is saying that the judiciary also tends to reflect community attitudes. But sentencing law fixes periods of time and magistrates, judges and the Children's Court must apply sentences according to the law.

The minister has referred to professionals being available in courts to give advice to judges and magistrates about the disposition of young offenders — again, that system was started under the former coalition government. That is a very worthwhile initiative, but at the end of the day the judges are the ones who bring down the sentences.

I return to the fact that some crimes, no matter the age of the young people who commit them, are of such severity that a period away from the community is necessary. The dual-track system allows the more vulnerable and at-risk of those young people to go to a senior youth training centre — where the philosophy, orientation and emphasis are on rehabilitation and a holistic approach, which is quite different from the senior penal system — rather than an adult prison.

The ministerial statement is full of praiseworthy attitudes. It is long on rhetoric but fairly short on detail. However, in the final pages of her ministerial statement the minister commits herself to coming back to the community and giving a report card on how successful the initiatives have been. That is a brave move. The opposition would like to know after what period that report card will be presented. Will it be in the life of this government? Will it be before the next election? The opposition would also like to know how much money

will be put towards the long list of initiatives the minister has announced — the strengthening of the programs the former coalition government put in place — over what period they will be undertaken and how much time will elapse before the evaluation of those programs takes place.

In reporting to the citizens of this state, will the minister make her report in Parliament? Will the opposition be able to judge the success of the reforms? Will the minister continue to consult with the key stakeholders in the area? Will she, in her own mind and her own practice, balance the needs of the community and the needs of young offenders? Will she undertake to take advice from a range of people?

I note that the Victims of Crime Assistance League has today become very outspoken about the Peter Dupas case. I note also that the minister has said the Family Court conferencing initiative, brought about by the former Minister for Community Services, will be expanded and continued so that young offenders will come face to face with their victims and be able to assess the impact on their victims of what they have done. I was interested to note that the shadow Minister for Health said a juvenile justice facility in Minnesota has a sign over every door that asks, 'Do you know what your victim is doing today?'

I return to my original proposition: the whole area of dealing with young offenders is problematic. It is unacceptable that young people are left in substandard conditions at the Melbourne Juvenile Justice Centre, which was formerly known as Turana. If the minister's range of options does not work, how long will she leave those young men languishing there in those dreadful conditions, which I remember from so long ago when I was a probation officer? Will they have to wait until she gives her report to the citizens of Victoria?

Will the government undertake to build at taxpayers' expense a new juvenile justice facility if the range of options the minister has canvassed in her ministerial statement does not result in a reduction of the number of young offenders, particularly those between the ages of 17 and 20 years, being sentenced to detention? Will the minister tell us in her report what is happening to women who are sentenced for serious crimes, mainly drug related? That is an area in which I am particularly interested, because I know women respond very badly to any form of incarceration. I would be interested to hear what the minister's plans are for transitional arrangements and increased housing, education and drug support programs and what impact they have in those areas.

But this ministerial statement is not historic. It is not new; it is not revolutionary. It is merely a continuation of what has been done before. That in itself is commendable, but it is not a whole new approach. It is merely a continuation of what was done under the previous government, and because of that it is an endorsement of what was done previously. It is an endorsement of what the former Minister for Community Services, the former Attorney-General, and the former Minister for Housing and Minister for Aboriginal Affairs — with her outstanding work in the area of Koori, or Aboriginal, justice — did. It is in fact a compliment to the former coalition government that the current Minister for Community Services should wish to extend its initiatives in her approach to juvenile justice. To that extent the opposition must commend her. But there is one point on which I wish to conclude.

The minister mentions mandatory sentencing in her statement. Nobody on the opposition side of the house has ever spoken in favour of mandatory sentencing. Nobody has even thought that mandatory sentencing should be introduced in Victoria, and I regard it as a slight that the minister should imply in any way in her ministerial statement that mandatory sentencing might become part of the range of options in juvenile justice, or indeed in the judicial system, in Victoria. The opposition is not in favour of mandatory sentencing.

The minister has set the bar for herself and her government fairly high with this statement, not because what she proposes is revolutionary or a radical departure from what has gone before, but because she has undertaken to reduce the number of young offenders in detention in the juvenile justice system and because she has said she will report back to the community — presumably through Parliament — although she has not given a time frame. We will be looking to see whether she and her government are able to reach the benchmark she has set. If not, we will be looking for the government to rethink its strategy, particularly in relation to a new juvenile justice facility in Victoria.

Other than that, the opposition commends the government and the minister because the minister's statement commends members on this side of the chamber for the great work that was undertaken by the former coalition government between 1992 and 1999.

Mr MAUGHAN (Rodney) — Like the honourable member for Mooroolbark I commend the Minister for Community Services and the government for making the ministerial statement on a very important part of government activity. I can only support the comments made by the honourable member for Mooroolbark

when she said the statement is a ringing endorsement of the policies that were pursued by the former government. I believe the former Minister for Community Services can take a great deal of credit for the system Victoria now has. However, I do not want to detract from this ministerial statement. I commend the minister and the government for continuing those initiatives, albeit with some change in direction.

I am pleased the matter is before the house today for a couple of reasons. Like other members of this house I am alarmed at the increase in the number of young people, particularly those between the ages of 17 and 20 years, incarcerated in the juvenile justice system.

That population nearly doubled between 1996–97 and 1998–99. Honourable members would be concerned that 80 per cent of those in the system — and it reflects what is happening in the prison system generally — are there for drug-related crimes. That is a problem we are grappling with and is another problem that, generally speaking, should receive bipartisan support. A great deal of effort needs to be put into resolving the causes of the problems the community is dealing with today.

Most young women aged between 17 and 21 who are in the system are there because of heroin dependency, which reinforces the need to address the drug problem. Drugs are a complex social issue because they are simply a symptom of deeper social problems, including housing shortages, unemployment and the break-up of the traditional family. Those sorts of issues lead people to experience a lack of self-esteem, which in turn leads to the abuse of alcohol and drugs, and crime, and they end up in the detention system — in this case, the juvenile justice system.

The same percentage increase is not apparent in the younger age group of 10 to 16-year-old offenders, who are sentenced by the Children's Court. That is partly because of the operation of the Children and Young Persons Act.

I am pleased to comment on the statement made today by the Minister for Community Services. When I first became a member of Parliament in 1989 one of the first matters I dealt with — at that stage I was also the National Party spokesman on community services — was the Children and Young Persons Bill. The legislation had bipartisan support, and I cut my teeth on it. Much is said in this house and outside about conflict in Parliament. I do not think enough is heard about legislation that receives bipartisan support, such as the Children and Young Persons Act. As a relatively new member I enjoyed the bipartisan approach that was taken to that act, and there are several other examples.

The minister's statement indicated that that is partly why there has not been the same increase in the incarceration of 10 to 16-year-olds as there has been in the older population.

Victoria is regarded internationally as having excellence in its juvenile justice system. While the Minister for Community Services rightly takes some pride in that, it was the work done by the former government that brought the state to that position. However, I do not wish to be partisan. I support and welcome the government's continuation of those policies, albeit with some change in direction.

Victoria may take great pride at having the lowest incarceration rate in Australia. It has programs that work, which I hope can be expanded and properly funded. Much more could be done if more resources were put into prevention rather than into dealing with the problems when they get to the courts and the sentencing option arises. As I said, the causes of the juvenile justice problem are many and varied and more effort needs to be put into addressing those social problems.

There are four main strands to juvenile justice. The first is prevention, which I believe does not receive nearly enough resources. Although I know of many examples of lack of resources, I will refer only to the lack of early intervention services in my local area, which include those delivered by speech pathologists, occupational therapists and a range of child psychologists. The lack of resources means that disadvantaged children, from infants to those in the early school years, are unable to receive the support they need to overcome those disadvantages. I believe far more resources should be put into that area to help prevent the problems arising.

When kids suffering from a disability that could have been overcome with early intervention start school they fall behind the eight ball. As all honourable members would know, when kids do not achieve at school or do not find school a pleasant experience, they get into antisocial activities. Ultimately that leads to alcohol and drug abuse and crime, and they end up in the juvenile justice system. I argue passionately for more resources for the early intervention area.

I am aware following the health briefing honourable members were given only yesterday morning that it is difficult to get sufficient resources diverted from the acute area into the prevention area — that is, to do something about preventing the problem rather than taking the fire brigade approach of dealing with a problem only when it becomes apparent. Dealing with problems at that late stage is more expensive and more

destructive not only to the individuals concerned but also to the community. A consequence of a lack of government resources in that area — again I am not being partisan because both Liberal and Labor governments are guilty — is that less than 2 per cent of the health budget is spent on prevention.

Another part of the approach is diversion. I have already referred to the Children and Young Persons Act, the so-called dual-track system, in which the court has the option of diverting young people who would normally be given a custodial sentence into more constructive options. I strongly support that part of the government's approach to juvenile justice.

The next strand is rehabilitation. If young people have gone down the track into the court system, resources are needed for rehabilitation to help them become useful and productive members of the community. That involves a post-release support program, and that requires resources. The opposition supports the notion of custody as a last option. No matter what is done there will be repeat offenders and the last option is necessary.

In the bad old days I visited various juvenile justice centres, including Turana and Baltara. While the Minister for Community Services rightly acknowledges in the foreword to her statement that successive governments have made important contributions to the development of juvenile justice in Victoria — I also acknowledge that — it is not something that either side of politics has a mortgage on, because governments from both sides have worked hard towards solving the problem with a bipartisan approach. However, I would be remiss if I did not say I was shocked when I visited some of those centres in the early 1990s following 10 years of Cain–Kirner government to see how outdated and terrible they were. They were a disgrace. They were Dickensian, depressing, demoralising, decrepit and the culture that went with them concerned me. My daughter worked in a centre during her training, so I have some knowledge of the culture.

The former government spent a massive amount of money — \$40 million over its term — to rebuild those juvenile justice centres. However, important though the facilities were, the change in culture was more important. I welcome that change. The former government spent \$40 million on the Parkville Youth Residential Centre, the Melbourne Juvenile Justice Centre and the centre at Malmsbury.

The honourable member for Mooroolbark quoted from a letter from the former honourable member for Dandenong North and quite rightly said how good the Malmsbury Juvenile Justice Centre is. The same

comments can be made about the Parkville centre and the Melbourne Juvenile Justice Centre. A change in culture is taking place, which is important.

The previous government also put money into the system through the important Turning the Tide program and the post-release programs. I shall provide the house with a snapshot of the people in the Melbourne Juvenile Justice Centre: some 80 per cent are in the centre for drug-related offences; one-third are there because of abuse and neglect — many are still under the department's child protection services; one-third have some sort of intellectual or psychiatric disability; 10 per cent are suicide risks or at risk of harming themselves; 70 per cent are serving their first sentences; and almost one-quarter are from non-English-speaking backgrounds. As the honourable member for Mooroolbark said, the centre's population is comprised of a disproportionate number of Koori people.

On the issue of preventive services I highlight once again a project that I have spoken about previously — the Paddock project in Echuca. It is designed for kids who have gone through or are in the school system, kids who have not had successful home lives and the unemployed. The project provides kids with practical things to do, and it has been a great success. Some 92 young people have gone through the project. They were not achieving and were having problems in the school system. Some 74 of the 92 children are either still at school or are employed. One-third of those in the project have been Kooris.

That innovative project has been operating on a shoestring budget because of insufficient funding. It is operating on half a salary. The program could easily be repeated in communities across country Victoria.

The former Minister for Youth and Community Services visited the project and I invite the current minister to do so because judging by the results it has been a great success. A small amount of money has produced significant results.

The Positive Parenting program is another project the government can do something about. I have written to the minister arguing for more resources to be put into that area. Again, a relatively small amount of money is achieving outstanding results by helping families deal with young people who are having difficulties and diverting them from the juvenile justice system.

The Shire of Campaspe in my electorate has hosted a pilot rehabilitation project. I have therefore had involvement in the Young Offenders program and have seen the great work being done. Again, insufficient

funding is going into rehabilitation to assist people who have had some contact with the juvenile justice system and need help to get back into the community.

Although I welcome the initiatives in the minister's statement, I appeal to the minister for more resources, particularly in the early intervention and rehabilitation areas. I also note the services available in the Children's Court in Melbourne, Dandenong, Frankston and Sunshine. I welcome that initiative. However, I argue that those resources should be available to people in country areas such as Shepparton, Warrnambool and Sale. It is important to extend those resources and advice to the country court system. Children's Court outreach teams — mobile justice squads — should go out to courts in country areas to ensure young offenders in regional Victoria receive services equal to those received by young offenders in Dandenong, Sunshine, Frankston and other metropolitan areas.

I welcome the minister's statement and support many of the initiatives contained in it. I shall wait for the evaluation of some of those initiatives, and I look forward to the minister's report back to Parliament.

Some risks are taken in that program. The minister has taken a different direction on facilities and has criticised the former government for wanting to build another detention centre. The minister is well aware that a report to her department shows that on present trends by 2007 more accommodation will be needed. I hope that will not be necessary and I hope prevention and rehabilitation programs will work. If they do not, the minister will have to deal with the issue.

I conclude by reiterating that I welcome the report. I look forward to the minister's report to the Parliament and I reiterate that more resources are needed in the early intervention area to concentrate on prevention and positive parenting to enable people to be diverted from custodial sentencing. More resources must be put into rehabilitation and post-release support.

Juvenile justice is an important issue. The initiative has bipartisan support, and I am pleased the government has produced this report for discussion. We can now get on with providing the resources to make sure these things happen.

Debate adjourned on motion of Mr LANGDON (Ivanhoe).

Debate adjourned until later this day.

PETITION

The Clerk — I have received the following petition for presentation to Parliament:

Princes Highway: Bruthen Road intersection

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

The humble petition of citizens of Nowa Nowa sheweth concerns over the proposed intersection of the Princes Highway and Bruthen road within the confines of the township thus raising serious concern with regard to road safety and future social and economic survival. Your petitioners therefore pray that the proposed intersection between these two roads be situated out of the town proper to the west.

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

Mr INGRAM (Gippsland East) (98 signatures)

Laid on table.

BUSINESS OF THE HOUSE

Adjournment

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

That the house, at its rising, adjourn until Tuesday, 29 August.

Motion agreed to.

MEMBERS STATEMENTS

Member for Jika Jika: car park incident

Ms McCALL (Frankston) — For all parliamentarians who own, drive and park cars there is an expectation that the rest of the community will treat those cars with a degree of respect and concern. I am therefore very concerned about an incident that occurred while my car was parked in the parliamentary car park on Tuesday afternoon.

I was informed by the staff at the back door and protective services personnel that somebody driving a dark blue Falcon had reversed into my car. The person did not stop and did not get out of the car and put a business card or a love note on the back window of my car saying, 'Terribly sorry. I've damaged your car'. The person hit and ran. I was appalled and absolutely horrified. I treat the Little Red Rocket with a great deal of respect.

I was disappointed when, after making inquiries and asking a whole series of questions of the attendants at the back door, the protective services personnel and members of Parliament, I discovered that my car was hit by one of our parliamentary colleagues — a person who should be aware of the provisions of the Road Safety Act — a member for Jika Jika Province in the other place, the Honourable Theo Theophanous.

Electricity: Basslink

Mr RYAN (Leader of the National Party) — Again I raise the difficulties being faced by Gippslanders in the face of the proposed Basslink development. The people of Gippsland have been subject to the proposal in the formal sense for the past 12 months since the announcement in August last year that the project would proceed.

Since then a process has been followed and one of the two corridors under consideration has been dropped. The remaining corridor travels right through my electorate, running basically across to McGauran's Beach and Reeves Beach, or as will ultimately be decided by the process in train. There is now the additional issue of dealing with yet another route proposed by Basslink at the consultative committee meeting last week. That means another group of people in Gippsland will find themselves under the gun concerning the Basslink route. Again Gippslanders will be facing months of uncertainty.

I ask honourable members to reflect on the fact that people who have lived in the area — for generations in some instances — and who have coped with the ravages of ovine Johne's disease and drought now find themselves facing many more months of uncertainty as the Basslink proponents decide on the appropriate course, at least in their minds, that the project should follow. Unfortunately, they are persisting with the use of pylons. If they would put the development underground, we would all get where we want to go much faster.

Bendigo: cabinet visit

Ms ALLAN (Bendigo East) — I refer the house to the community cabinet visit to Bendigo by the Premier and all the ministers on 17 July this year. I congratulate the Premier and ministers for the highly successful visit to Bendigo, which was part of the community cabinet visitation program.

The Bendigo community responded with great enthusiasm to the day and many hundreds came out for the lunch that was hosted by the City of Greater

Bendigo. I take this opportunity of thanking the Greater Bendigo City Council for assisting with the organisation of the day; council officers did a fantastic job. About 400 members of the Bendigo community attended the community lunch, many of whom stayed on to take up the invitation to meet individually with the Premier and ministers.

That is what the Bracks government is about — taking government decision making to country Victoria. Labor has opened the processes of government so that all Victorians can participate in and raise issues with ministers. The ministers sat in a room and talked to people from the Bendigo community about any issue, big or small. The feedback I have had from my constituents is that they welcomed the opportunity, thought it was fantastic and unprecedented. They said it was something the former government never did. That is exactly what this government is about — governing for all Victorians.

Workcover: premiums

Mr CLARK (Box Hill) — Daily I receive further examples from within and near my electorate of the devastating effect on employers caused by the massive increases in Workcover premiums.

A staircase company which employs seven people and which has never had an employee suffer a serious accident in 20 years in business has had its premium increased by \$3500, or 34 per cent, excluding the goods and services tax (GST). An automotive manufacturing company has seen its premium increase from \$29 600 to \$37 300, excluding GST. It is working hard to try to reduce its costs to remain globally competitive, and says the increase could not have come at a worse time.

A printing company that has had its premium increase by 40 per cent to \$8100 has had to drop its plans to employ an extra person. A sports goods company, which has not had a claim in 20 years, has been hit with a 99 per cent premium increase. A group of three companies has seen its premiums increase by 59 per cent, 31 per cent and 84 per cent. As a result of the increases the potential employee management was planning to place with the group will now not be employed.

A flour miller has seen his premium rise from \$6400 to \$9200, an increase of 43 per cent. He says he is tempted to go on compo himself and win a decent payout rather than continue to struggle with bureaucracy and rising costs. These examples show the effect the Minister for Workcover's bungled premium increase model is having on real people. The minister must come out of

his ivory tower and do something to provide genuine relief to businesses that are suffering due to his incompetent conduct.

Melton Secondary College

Mr NARDELLA (Melton) — I wish to congratulate the Melton Secondary College on finishing fifth in the Victorian premier division grand final of the 2000 Rock Eisteddfod Challenge. The school also won an award for excellence for the video director's assistant. To get to the grand final the school first had to win the regional heat.

The main teachers organising the eisteddfod were Mick Pollard, the liaison teacher; Mark Baddeley, the assistant liaison teacher; and Janice Kot, the head choreographer. Planning began in October last year and auditions were held late last year. Rehearsals began in February and took place every Tuesday night for about 1½ hours, and additional rehearsals were held on some Sundays and at lunchtimes.

There were 92 student performers and 17 backstage people involved. In addition to the students and teachers there was a support team of 15 to 20 helpers, mainly parents, who assisted in a number of ways, including producing the sets and costumes. The Melton Secondary College first participated in the rock eisteddfod in 1990.

I also congratulate all the other fantastic schools from Geelong and other regions all over Victoria that participated. It was a wonderful night; all the young people performed exceptionally well. It was just fantastic. Congratulations, Melton Secondary College.

Princes Highway: Bruthen Road intersection

Mr INGRAM (Gippsland East) — Today I presented a petition to the house on behalf of the residents of Nowa Nowa. Their petition is in response to a Vicroads proposal to realign the Princes Highway at Nowa Nowa. The Nowa Nowa community has made its concern about the proposal well known to Vicroads, but they are dissatisfied with the level of understanding of their concerns.

The community agrees with the need to upgrade the road and to improve the intersection of Princes Highway and Bruthen Road. But the township is disappointed that Vicroads has not adequately taken the community's preferred option into consideration. The people of Nowa Nowa feel they have not been heard. The community is concerned that the preferred option of Vicroads is not the safest option available. It will mean that all the local traffic, including local school

and preschool traffic, will be crossing a major highway intersection that is directly opposite the local community health centre. To make matters worse, the Vicroads option means that two houses will need to be removed from the township of Nowa Nowa. The community's preferred option is to take the major intersection out of the centre of town.

Nowa Nowa is a thriving vibrant community with great spirit. It is disappointed that Vicroads has put forward options and undertaken consultation but is not prepared to listen to what the people desire. The petition I have presented voices the concerns of the Nowa Nowa community.

Workcover: premiums

Mr McARTHUR (Monbulk) — I also want to put on the table a case which clearly shows the falseness of the Minister for Workcover's statements in this place and to the people of Victoria.

An export meatworks in country Victoria has had its premium increase by 40 per cent, excluding the goods and services tax — that is \$280 000, which is seven meatworkers' jobs, at an average of \$40 000 a year — in a small country Victorian town. This year the premium went from around \$700 000 to almost \$1.1 million — despite the fact that its claims experience rating went down by 83 per cent last year.

The increase has been made despite the fact that the company's payroll changed by only 5 per cent, which is a small pay rise and a small increase in superannuation. There have been no major increases in the number of workers and no major increase in claims cost, but there has been an astronomical blow-out in Workcover premiums — at the cost of country workers' jobs! Get out there and do something about it, Minister!

Olympic Games: torchbearers

Mr HARDMAN (Seymour) — I congratulate the communities in my electorate who showed great pride and community spirit as the Olympic torch visited their communities last week. In particular, I congratulate the local organising committees whose members put in so much effort over the past 18 months to ensure the visits were a great success.

What struck me most was how each community chose to celebrate the arrival of the torch. They chose their activities to reflect the individual characteristics of their communities. In Healesville, in the Shire of Yarra Ranges, where the torch stayed overnight on 10 August, the activities reflected the diversity of the community, multicultural and social groups, but focused on the

strong local Aboriginal community. Everyone was welcomed by elder Jim Wandin and songs and dances were performed by local groups.

In Yea, through which the torch passed on Friday, 11 August, a luncheon was attended by 180 guests, including a famous Olympian, Bill Roycroft, who came from the area of Flowerdale. Other guests included former and current Olympians from the district.

In Seymour the celebration started on Thursday, 10 August, with a cocktail party which was jointly celebrated with Neil Beer, who has been the Holden dealer in Seymour for 20 years. On Friday, 11 August, a celebration attended by 11 000 people showcased the talents of the many local schools within the Shire of Mitchell. The torch left town on 12 August, flanked by the Seymour Railway Heritage Centre's restored J-class steam locomotive.

It then went on to Bright, in the Labor electorate of Benalla, where the honourable member for Murray Valley carried an Olympic torch for a second time. I have seen very few events that have attracted such positive community sentiment.

Workcover: premiums

Mr PLOWMAN (Benambra) — I refer the house to the importance of small business to country and regional Victoria, which is something the government often talks about but certainly is not looking after.

A classic example of a small country business is Butko Engineering, a family company that was started 24 years ago and is based in Wodonga. It now employs 58 people and last year its salary growth was a mere 9 per cent, but Butko's Workcover premium increased by 60 per cent.

In a letter from Butko Engineering, its financial controller states:

... we have always met our commitments regarding Workcover, payroll tax, insurances and all other taxes and it has become a great concern to us how a company can keep trading and employing 58 people if they continually keep hitting us with hidden costs.

...

How do you survive?

...

Mr Bracks obviously wants to see more and more people on benefits as more companies have to close down because they can no longer absorb these costs.

The letter then highlights the movement of the industry rate, which peaked at 6.3 per cent under the Labor

government between 1989 and 1991. Under the Liberal government between 1993 and 1997, it dropped to 2.7 per cent. It has now gone up to 4.78 per cent. It is obviously a foretaste of what is to come.

Trudy McIntosh

Mr LONEY (Geelong North) — This morning I congratulate a member of my constituency, 16-year-old Trudy McIntosh from Lara, who was yesterday selected in the gymnastics team for the Olympic Games in Sydney.

Trudy is a terrific competitor and world-class gymnast who for some years now has been competing at world championships and has had the honour of having a gymnastic routine named after her, which is a significant honour in the gymnastics world. Trudy is a genuine medal chance at the Olympics. On behalf of the people of my Geelong North constituency, I wish her well at the Olympic Games and I am sure she will do us proud.

STATUTE LAW REVISION BILL

Introduction and first reading

Mr BRACKS (Premier) — I move:

That I have leave to bring in a bill to revise the statute law of Victoria.

Ms ASHER (Brighton) — I ask for a brief explanation of the particular aspects the bill covers.

Mr BRACKS (Premier) (*By leave*) — This is a regular update of statute law in this state; the last one was done in 1998. It refers to redundant legislation that should be taken off the books and to grammatical and other errors in acts that should be removed. It also updates the names of departments, agencies and statutory authorities that have changed. That will be done as part of this legislation.

Motion agreed to.

Read first time.

PROJECT DEVELOPMENT AND CONSTRUCTION MANAGEMENT (AMENDMENT) BILL

Introduction and first reading

Mr THWAITES (Minister for Planning) introduced a bill to amend the Project Development and Construction

Management Act 1994 to establish the Secretary to the Department of State and Regional Development as a body corporate, to provide for its powers and functions and the transfer of certain matters to it and for other purposes.

Read first time.

TERTIARY EDUCATION (AMENDMENT) BILL

Introduction and first reading

Ms KOSKY (Minister for Post Compulsory Education, Training and Employment) — I move:

That I have leave to bring in a bill to amend the Tertiary Education Act 1993 to repeal the voluntary student unionism provisions, to make further provision about non-academic fees, subscriptions and charges and for other purposes.

Mr BAILLIEU (Hawthorn) — I ask, similar to the honourable member for Brighton, for an explanation of the bill. I note in particular that in the past few days the government has posted changes to the regulations dealing with these very matters. Either the left hand or the right hand does not know what — —

Mr Bracks — On a point of order, the honourable member for Hawthorn can ask for an explanation of the bill but not debate matters pertaining to the bill. I ask you, Madam Deputy Speaker, to bring him back to observe the courtesy of the house by asking for an explanation.

The DEPUTY SPEAKER — Order! I uphold the point of order raised by the Premier. In so doing, I remind the house that the explanation should be asked for when I ask whether the minister has leave to bring in the bill. Technically it is incorrect to do it now. However, I will allow the honourable member for Hawthorn to ask for an explanation from the minister.

Ms KOSKY (Minister for Post Compulsory Education, Training and Employment) (*By leave*) — The honourable member for Hawthorn actually asked the honourable member for Brighton for an explanation of this bill, but I am happy to respond. It is self-explanatory. The bill is about repealing voluntary student unionism provisions and the consequential amendments. That is what it is about.

Motion agreed to.

Read first time.

INTERPRETATION OF LEGISLATION (AMENDMENT) BILL

Introduction and first reading

Mr HULLS (Attorney-General) — I move:

That I have leave to bring in a bill to amend the Interpretation of Legislation Act 1984 and for other purposes.

Dr DEAN (Berwick) — I ask for a brief explanation of the bill from the Attorney-General.

Mr HULLS (Attorney-General) (*By leave*) — I am happy to give the house an explanation. It is a technical bill that allows bills to be divided up into chapters if they are lengthy. It also fixes a few typographical errors. It is a regular review of the interpretation of legislation.

Motion agreed to.

Read first time.

ANGLICAN TRUSTS CORPORATIONS (AMENDMENT) BILL

Introduction and first reading

Mr HULLS (Attorney-General) — I move:

That I have leave to bring in a bill to amend act no. 797 of the Parliament of Victoria and for other purposes.

Dr DEAN (Berwick) — I request an explanation of act no. 797 from the Attorney-General. I would like to know what that number stands for.

Mr HULLS (Attorney-General) (*By leave*) — I am happy to assist. Act no. 797 comes after act no. 796. This is a private act; that is why it has this number. It relates to the Anglican Church and the Anglican Trust. The Anglican Church is very keen to increase the number of trustees it has and to share its premises with other denominations. We are quite happy to facilitate its request. I am sure the opposition will not be opposing the Anglicans.

Motion agreed to.

Read first time.

CHILDREN AND YOUNG PERSONS (RECIPROCAL ARRANGEMENTS) BILL

Introduction and first reading

Ms CAMPBELL (Minister for Community Services) introduced a bill to amend the Children and Young Persons Act 1989 so as to provide for the transfer of child protection orders and proceedings between Victoria and another state or a territory of Australia or between Victoria and New Zealand and for other purposes.

Read first time.

PLANT HEALTH AND PLANT PRODUCTS (AMENDMENT) BILL

Introduction and first reading

Mr HAMILTON (Minister for Agriculture) — I move:

That I have leave to bring in a bill to make miscellaneous amendments to the Plant Health and Plant Products Act 1995 and for other purposes.

Mr McARTHUR (Monbulk) — I ask the minister to provide the house with a brief explanation of the bill and also advise if he intends to divide it into chapters, as it is making miscellaneous amendments.

Mr HAMILTON (Minister for Agriculture) (*By leave*) — I shall ignore the latter part and respond to the first part of the honourable member's request. The purpose of the bill is to ensure safety in the transport of food and horticultural products, both within the state and across the state borders, and to make some adjustment to ensure the cleanliness of the packaging of such products.

Motion agreed to.

Read first time.

The SPEAKER — Order! Before asking the Clerk to call the first order of the day, the Leader of the National Party, on a point of order.

Mr Ryan — On a point of order, Mr Speaker, I seek your guidance as to the conduct of debate, bearing in mind that the first order of the day is the Constitution (Proportional Representation) Bill which will be called in circumstances where the house is in the course of debating the Constitution (Amendment) Bill. I am particularly concerned to have your guidance, Mr Speaker, on the inevitability that the debate will cross between the two bills, as occurred in the debate on the amendment bill yesterday. I envisage this will

only be aggravated further by the proportional representation bill now being called.

On their faces both bills are described as being part of a package. There is a necessary interdependence between them. Of course, they were originally one bill before the government withdrew that bill in June and split it into the two bills now before the house. We now have the ridiculous position where the proportional representation bill is intended in part to repeal a component of the amendment bill in circumstances where debate on that bill has not concluded and the bill has not been passed by the two houses and proclaimed.

Without reciting them in their totality, I point out that there are various other instances where inevitably there will be gross confusion in the minds of speakers and in the general conduct of debates, because under the normal rules and their application speakers are constrained in talking to the bill before the house as opposed to the total package.

It is in that respect that I seek your guidance, Mr Speaker. If the bills are to be called in the manner proposed by the government there will be great difficulties in dealing with them in a sensible fashion.

Mr Batchelor — On the point of order, Mr Speaker, a request has been directed to the way the house should deal with the two separate bills on the notice paper. They are two separate bills, although there is an interrelation between them. The Constitution (Amendment) Bill deals with a four-year-term proposal for the upper house and can stand alone. It can travel through and be dealt with independently of what happens with the other bill, the Constitution (Proportional Representation) Bill, which by the very nature of its title deals with the method of election to the upper house.

It is true that both bills deal with the system of electing members to the upper house, but they are two discrete and different matters and can and should properly be dealt with separately by this chamber. However, having said that, it is probably likely, as was evidenced in some, but not all, of the contributions yesterday, that there will be a bit of drifting in supportive arguments where perhaps reference will be made to proportional representation when the major thrust of the contribution, indeed the bill that is being spoken about, is the four-year term. The government proposes to put the bills forward to be debated and subsequently voted on separately.

I suggest that some guidance and latitude should be shown from the Chair during the debate on both bills so

that some passing reference may be made to the other bill, as it was yesterday, but it should not form the core of an honourable member's contribution.

Mr McArthur — The point of order raised by the Leader of the National Party is important. He has clearly outlined the difficulty that honourable members and the Chair will have in managing debate when there is legislation in the house concurrently or simultaneously that amends the same principal act, and where the amendments have an interdependency. That will not be easy for honourable members to deal with under the various rules of anticipation and relevance.

However, it will be even more difficult for the Chair because it will require of the Chair an intimate knowledge of each and every one of the bills before the house at the time. Although I am sure most honourable members who occupy the chair from time to time take their roles seriously and do their best to understand the details of the legislation, honourable members who sit in the chair have greater and lesser degrees of experience, just as honourable members have greater and lesser experience in the procedures for debate.

Honourable members have just heard the Attorney-General state that the government is bringing in further legislation which will allow, from my recollection of his brief explanation, the division of bills or acts into chapters. The Attorney-General did not make it clear whether he expected those to be debated separately or concurrently. It may well be that the situation we are facing today and will face in coming days is simply the precursor to what will become the norm under the government's legislative program in this and future sittings.

In the light of that possibility and the difficulty of the debates the house is now about to begin, those things should be taken into account. The difficulty in which it places the Chair is an important matter, as is the difficulty that each individual honourable member will face. To constantly interrupt debates on important legislation with points of order on relevance or anticipation will not smooth the proceedings of the house and will make life difficult for the Chair.

Dr Dean — On the point of order, as I understand it, the proposer of this proposition is not suggesting that the acts in any way be merged, but that they will always be individual acts. All that is being asked is that they be debated concurrently for the convenience of the chamber.

It is difficult to understand why the government would oppose such a request. The government has admitted

that there will be some difficulties and slippage, if you like, in debating the Constitution (Proportional Representation) Bill. It asked the Chair not to go along with the normal procedures of the house regarding reference to other bills during debate on a particular bill. That is totally inappropriate.

There has been no explanation of why the Constitution (Reform) Bill was split in the first place. That bill was introduced as a single bill but later withdrawn. It is part of the chaos of the whole procedure. Obviously the government originally did not consider it necessary to split the proposed legislation. The house should always have the opportunity to settle how debates should best be run. Honourable members should not be put into difficult situations during the course of their speeches because of points of order being raised. I urge the Chair to rule that debate on the constitution bills be concurrent.

The SPEAKER — Order! I have heard sufficient on the point of order. The Leader of the National Party sought guidance from the Chair as to how best to handle debate on the Constitution (Proportional Representation) Bill. The point made by the honourable member for Berwick about concurrent debate was canvassed by the Leader of the National Party. The Chair has difficulty with that proposal because debate on the Constitution (Amendment) Bill has commenced and a number of members have already spoken on it.

The Chair has a problem with the proposition that debate on the constitution bills be concurrent because of the need to protect the rights of members who have already spoken on the Constitution (Amendment) Bill. However, the house having decided to alternate debate between the two bills — it debated the Constitution (Amendment) Bill yesterday and is beginning the debate on the Constitution (Proportional Representation) Bill today and will subsequently revert to debate on the Constitution (Amendment) Bill — the Chair is in some difficulties in separating some of the issues contained in the two bills.

Having had the chance to examine the bills I am of the opinion there will be occasions during debate on one bill when honourable members may refer to matters contained in the other bill. That places the Chair in a difficult situation when enforcing the rule of anticipation. Yesterday the honourable member for Dandenong North took a point of order on that very matter. Being in the Chair at the time, I ruled him out of order and allowed the honourable member for Berwick to make passing reference to the other bill.

It seems to me the best way of resolving the issue is for the Chair to interpret the rule of anticipation very liberally on this occasion, only in view of the need for honourable members to canvass issues covered in the other bill. I will instruct all Acting Speakers to treat the matter in the way I have just outlined.

CONSTITUTION (PROPORTIONAL REPRESENTATION) BILL

Independent amendments circulated by Mr INGRAM (Gippsland East) pursuant to sessional orders.

Second reading

Debate resumed from 1 June; motion of Mr BRACKS (Premier).

The SPEAKER — Order! I am of the opinion that the second and third readings of this bill require to be passed by an absolute majority.

Dr DEAN (Berwick) — The point of order raised about concurrent debate on the constitution bills is evidence of a more deep-seated problem regarding the Constitution (Proportional Representation) Bill and the Constitution (Amendment) Bill. These incredibly important pieces of legislation have been introduced in a chaotic way, and the history of their introduction leaves me breathless at the recklessness and arrogance of the government in attempting to make such major changes to the constitution of the state.

The house is about to enter detailed argument about the upper house and who does or does not have the majority in that chamber. If the government had control of the upper house presumably the first bill it introduced — which it realises now is inappropriate — would have amendments to the constitution affecting the upper house that would be totally inappropriate even on the government's own yardstick.

This procedure has set a new level of incompetence. The government introduced a constitution bill, allowed it to lie over and then withdrew it. The government is incompetent. It is extraordinary. I cannot remember an incident like that under the former Kennett government, and I cannot remember another incident where shortly after being elected a government has introduced a bill that makes major changes to the Parliament of Victoria that it subsequently had to withdraw because of its own admitted incompetence.

For some reason not explained by the government when the Constitution (Reform) Bill was withdrawn the new proposed legislation was split into two bills. I

suppose there was some idea that if the drafting is incompetent perhaps only one bill would be chucked out. It is insurance. If the government is operating on that basis it should have introduced 10 bills, but they would all have been thrown out.

At the heart of the problem the government faces is the fact that everybody, including the Independents, said the Constitution (Reform) Bill was no good, but the difficulties have been reintroduced in the Constitution (Proportional Representation) Bill.

The problem with the previous bill was that it proposed that there be only two regional provinces in the upper house. In other words, the government wanted to draw a line down the centre of a map of Victoria and say, 'That will be one province for regional Victoria and that will be another. Every other province will be a metropolitan province'. That would have meant that the representatives of each of those provinces would have to look after an area of 100 000 square kilometres.

Not surprisingly, country Victoria was not at all happy about that. So the government said, 'All right, we will fix it. We will withdraw that bill and replace it with another that provides for three country provinces'. Under that bill the size of the provinces will be only 50 000 square kilometres. One province will have a metropolitan base — it has to if you work out the sums — and will probably include Werribee. That is where every single person who is elected into that province will come from. Woe betide the residents of Mildura or the Victorians who live near the border of South Australia — they will have no representation whatsoever.

Mr Smith — And Berwick on the other side!

Dr DEAN — We will probably have our own personal province because we live in the metropolitan area.

The government has made an art form of pretending that it has the interests of country Victoria at heart. The philosophical contradiction of the Labor Party, which does not believe in or promote private enterprise, saying that it is the champion of farmers who run private enterprises has always interested me. The Labor Party said it would look after country Victoria, and yet the very first major bill it introduced rips country Victoria's representation out of the upper house and reduces the number of country provinces from eight to three.

The issue has been surrounded by chaos. First, a bill was introduced and then it was taken out; then a new

bill was put in and then another; then suddenly the government realised that even with the two new bills the Independents still did not agree; the Independents then introduced major amendments to those bills, including one relating to the blocking of supply; and then the government decided it would probably agree to that amendment and said, 'Whoops, we won't block supply after all'. One has to ask why the government did not talk to the Independents first.

Then the Premier came out and said, 'Now we will have a legal commission to look at the whole issue', and again one asks why the government did not do that first. Then the Premier says, 'After the commission we will have a plebiscite', and one wonders why he would announce a plebiscite when the commission might not want one. It is a complete and utter mess!

The government has had no desire whatsoever to even discuss the issue with the public. Has anyone seen a campaign by the government to ensure that the population knows what is meant by proportional representation? Has anyone heard Mr Bracks or the Attorney-General on talkback radio raising the issues publicly and inviting some response? We have heard a lot about mandatory sentencing and smoking tobacco, but when it comes to changing representation in the upper house, the seat of democracy in Victoria and the absolute bastion — —

Mr Lenders interjected.

Dr DEAN — We will get to the argument as to whether a Senate-based process is democracy. However, country Victorians cannot see where democracy is when the government is taking away their right to representation.

It is an extraordinary move by the government to introduce a bill — which in anybody's language, including the government's, is an essential bill — and not even discuss it with the population of Victoria. One has to ask why the government will not discuss the issue when it is interested in discussing everything else. The government is happy to talk about in-vitro fertilisation, the federal transgender bill, mandatory sentencing, tobacco and all those issues that jump into the newspapers and give them great headlines, but when it comes to an issue that lies at the heart of democracy we hear not a word.

Do honourable members know why the government did not discuss that issue? It was because it is not serious about it. If I were the Attorney-General and had reached the stage where I had had to withdraw my own bill from Parliament because I had realised it was

incompetent, and if I had then introduced another two bills without any proper discussion with the Independents, and if I had then said, 'I will have a commission after the event instead of before to find out what I should have done', I would resign.

The manner in which the Attorney-General has gone about the issue demonstrates the most unbelievable lack of professionalism. How must the government feel now about the no-confidence proposal that was talked about when the first bill was introduced? The no-confidence motion related to the other bill, but if you take that as an example, the government has just found out — because the opposition told it — that by closing off all the avenues to dissolve the houses except for a no-confidence motion, if the upper house plays up and refuses to pass a bill, the only way the government can get out of the situation is to move a motion of no confidence in itself!

For an Attorney-General to allow his government to get to the point of having a red face because it knows that the only way it can get out of the situation is to introduce a motion of no confidence in itself is extraordinary. If it were me I would say, 'I will pack my bags and go. I am really sorry. Get someone else to handle it all'.

This important bill has been the subject of constant chaos and a complete lack of professionalism because when the government came to office it was influenced by a person who had a political agenda to reform the upper house — and that person's name is John Cain. Labor had a crack at the proposal in 1987, 1988 and 1990, and it is having another crack at it now.

When the government came to office it had no idea what it should be doing because it had no idea it was going to be in government. The government members looked around to see who was there to advise them and they saw the one person who had always wanted to reform the upper house and could not do it — Mr Cain. He tapped them on the shoulder and said, 'Your first order of priority is to do something I have been wanting to do for years and could not do'. They said 'Fine' and dived into a sludge. It is a complete mess.

The reason I am standing here ridiculing the process is that they got themselves into that position. The first thing someone who was not merely politically motivated but who believed there was a need for a change in this chamber would do — —

Mr Cameron interjected.

Dr DEAN — The minister is absolutely right. The first thing that person would do would be to say, 'We

will have a commission, the purpose of which is to look at all the complicated issues'. Both sides of the house agree that they are incredibly complicated issues. No two upper houses in the whole of Australia are the same, and they all use different processes. The government should have a commission to look at the whole matter; then if it wants a plebiscite it should sit down and draft a bill in conjunction with the Independents, taking into account what the commissioner said, and then introduce the bill, but it should not be in a hurry to do it.

Why would the government quickly introduce a bill to change the upper house within a month of being in office as a minority government? It is because it is politically motivated. It would not do it if it was sensible or responsible, or if it had received decent advice about how to go about it. When the house of cards fell down the government said, 'Shock! Horror!', but it knew all along that its incompetence in relation to the upper house reforms would lead to that very result.

Mr Richardson — And who devised the existing arrangements — the Cain government!

Dr DEAN — Absolutely. If you read the speeches that Mr Cain made in this house about his proposals for reform, you would discover that they are a mirror image. The government is trying to distance itself from the Cain and Kirner period, yet its first act is to follow the same pattern that led to a disaster at that time.

The government says this is the model 'because we could do it quickly and because this is the obvious way to do it'. If one looks around Australia one sees that not one upper house in the whole of the country has such a model. Every upper house has a different model. The Senate system is entirely different, the New South Wales system is entirely different, and Victoria has a different system — and I shall come to the so-called lack of democracy that it is said to cause, which is totally untrue. Western Australia has proportional representation, single transferable vote and ticket voting and a fixed four-year term. South Australia has six provinces. How many are you are having, Mr Lenders?

Mr Lenders — Having eight.

Dr DEAN — It's different, then! South Australia has the Hare-Clark system, Tasmania does not have proportional representation but a partial preferential system, and the Northern Territory and Queensland do not have an upper house.

There is no perfect model for an upper house. One must be careful about that. The government says about the

upper house, 'As part of this model for proportional representation, we will make it four-year terms'. So far as I can see Western Australia is the only place that has a fixed four-year term for the upper house, the same as for the lower house. Every other state that has an upper house has longer terms. For example, New South Wales, which apparently is not a good model to follow because the Labor government here has not followed the model, has eight-year terms, the same as Victoria has. Is this a Labor philosophy, that we should not have eight-year terms when New South Wales has? In New South Wales they know why upper houses in general, like the Senate, have longer terms: so that only half the members go out each time, the reason being that the upper house has greater stability.

Mr Cameron interjected.

Dr DEAN — Half the members move every time there is an election because there is a need for stability in the Westminster system. If the government wants a situation where every time the upper house follows exactly what happens in the lower house, effectively there will be no brake on the system. That is why the longer terms were invented — so the house of review was a house of review and had the capacity to take a longer term view and allow for sudden change. It works well because if the lower house has a great victory and has a large majority it will also in effect win all the upper house seats because they are a reflection of the lower house seats and therefore it will have a good opportunity of controlling the upper house.

Certainly if the Labor Party wins the provinces at the next election it will control the upper house. As a consequence of the ridiculous nonsense that is put out time and again that somehow there is a magic formula whereby the National Party and the Liberal Party have the capacity to get more members in the other house than the Labor Party, the poor old Labor Party says, 'Gee, there must be something in the water that means we cannot get hold of the upper house'.

That is part of the explanation that ought to have been given to the people of Victoria because then they would have been able to debate this question. The provinces exactly follow the boundaries of the lower house electorates. For each province there are four electorates. Who determines the boundaries of the electorates? They are determined by an independent commission which the government believes and has said is totally independent and in no way political. There is not a shred of truth in the statement that those boundaries could be political.

The government says, 'Yes, but we haven't had a fair crack at the upper house'. The reason it has not had as long in the upper house as the Liberal Party is that at different times between 1955 and 2000 the Liberals were in power for 35 years and the Labor Party was in power for only 10. The government says, 'How is it possible? We had 10 years; we should have had the upper house all that time'. It did not have control of the upper house, because the tail that follows the lower house due to the delay certainly followed each Liberal victory in the lower house for 35 years, given the grip that the Liberal Party and the National Party had on this state. The people of Victoria were voting Liberal Party and National Party time and again.

I apologise for the fact that we were so successful during that period, and I wish the government luck in the future. It should not come into this place and cry crocodile tears if it wants to win the upper house. There is little slippage between the lower house and the upper house. Where there is slippage it is on the part of the candidate. The government must go out and win the electorates and then it will win control of the upper house. It is simple.

The government says, 'Yes, but this model is not appropriate; we should go down the proportional representation path. It is undemocratic'. That matter has already been covered. The proposal is far less democratic. The chance of having the upper house run by a Colston or a Harradine is hanging around in the wind, and if one calls that democratic, I do not. The government says, 'Yes, but the upper house has been obstructionist'. It has never been obstructionist.

When the Labor Party was in power and Kennett was in opposition and the opposition had control of the upper house, 97 per cent of the bills introduced by Labor were passed. How pleased we are that on a couple of bills we were able to put up our hands and say, 'No go', because one of them was identical to the first bill that has just been introduced by the government which the government has pulled out. Thank goodness there was a mechanism whereby one could say, 'No, let's not go down that path'.

When the conservative parties, as people call them — I certainly do not regard myself as a conservative — had control of the upper house they were not in coalition. During the Bolte period when the Liberal Party was in power it never had control of the upper house, but Sir Henry managed well to do incredible things to bring this state on which even the other side recognised.

Then the government says, 'The house has no reputation for substance or dignity'. Look at the people

who started out in that house and came through to lead the entire state as premiers or leaders of the opposition. I shall go through some who came into this place from the other place, which government members say has no real significance, and ended up running the state: Menzies, Kirner, Thompson, Hamer, Brumby and Kennan.

Will they say that this is a terrible house when in fact they started in that house? The Acting Speaker in this place, the honourable member for Melton — a wonderful man! — also came from the other place. It is extraordinary with such a record that the government would cast aspersions on the upper house. One of the great things about the upper house is that it is less political.

In the upper house at question time there is not the same degree of aggression and politics as in this place. It is true that the press does not turn up during question time in the upper house. It is also true that there is more cooperation there. That is because it is a house of review. That is why it was set up. That is what it does. That is why its members are elected for eight-year terms. That is also why it works on a system of provinces, and why it works so well.

Another fallacy put around by the government is that the upper house does not do any work. However, honourable members should look at facts. History is a great reality check. From 1994 until 2000, during most of which time the Liberals had control of both houses, the upper house that is said to do no work sent back 40 bills to this house with instructions to either amend or change them.

Government members interjecting.

Dr DEAN — It was because debate in the upper house is more wide ranging.

Ms Lindell interjected.

Dr DEAN — Can I get some protection, Mr Acting Speaker?

The ACTING SPEAKER (Mr Nardella) — Order! There is a bit too much audible conversation. I ask honourable members to hear the shadow Attorney-General in silence.

Dr DEAN — The upper house is less political, but if the system were changed to provide four-year terms, according to the proportional representation system that is being proposed, it would become a very political house. The people of Victoria are fed up with politics, yet they will get a double dose of politics under this

proposal. The upper house will become full of political intrigue, just as the Senate is, and will often be unable to do the job of a house of review.

The Liberal Party put to the government a proposal that would allow the upper house to take on an expanded review role. It suggested that the government attach strong committees to that house so it could investigate issues of its own accord, as the Senate does through its committee system. The government said, 'Get lost!'. The opposition wanted committees that could look at issues with ease.

Ms Kosky interjected.

Dr DEAN — Unfortunately the Minister for Post Compulsory Education, Training and Employment, who has just arrived in the house, is getting into the same difficulty that was experienced by the honourable member for Dandenong North. She is defining democracy as a ripping out from country electorates of the representation they now enjoy. Her view of democracy is to say to regional Victoria, 'You now have eight provinces but we will give you three'. That is the minister's definition of democracy. You go out into the country, Minister — —

Ms Kosky — We did.

Dr DEAN — No you did not. You have not mentioned this bill to anyone. Do not get into the democracy argument. The minister's vision of democracy is a Senator Harradine or a Senator Colston holding the balance of power in the upper house. There's democracy for you!

Government members interjecting.

Dr DEAN — Dear God!

The ACTING SPEAKER (Mr Nardella) — Order! The honourable member should ignore interjections.

Government members interjecting.

Dr DEAN — This is democracy! One of the problems with the government is that it runs such arguments because it does not understand democracy.

Ms Lindell interjected.

Dr DEAN — I cannot help but respond. When I mentioned Senator Harradine the response came back, 'Because that is the way the people wanted it, that is what the people voted for'. I can tell honourable members how many people voted for Senator

Harradine when he was running the house. Was it 10 000, or 50, or was it a couple of Tasmanians? For the honourable member to say that the people of Australia voted to give Senator Harradine that power is stupid. It shows a complete failure to understand democracy.

I could understand an argument coming from the other side that said, 'Let us broaden democracy so that one vote does not have one value'. Opposition members would understand that, because it would give other parties more participation. It is a real argument, and I would be happy to argue it out because it is a positive argument. However, to say that it would increase democracy is, by any possible definition of the word democracy, garbage.

The result of the process of proportional representation in the Senate was described by one of the icons of the Labor Party, Mr Keating, as 'unrepresentative swill'. That was his view of an upper house that could frustrate the seat of government as a consequence of a small minority running the government's agenda. He thought it was totally inappropriate. My view is that even if proportional representation is appropriate in the commonwealth Parliament because of the nature of the commonwealth, in state Parliaments — —

Ms Lindell interjected.

Dr DEAN — Mr Acting Speaker, may I have some sort of — —

The ACTING SPEAKER (Mr Nardella) — Order! I ask honourable members on my right to be quiet.

Dr DEAN — It is a shame that on a bill of this importance, and without going out to speak to the public, the government now wants to nobble speakers on this side of the house and prevent them from having a say. By constant interjection government members are attempting to prevent debate on one of the most important bills to come before this house. That is part of their whole attitude to the bill.

The government's proposition is that the upper house as it is now constituted is more expensive than an upper house would be if it had proportional representation. That is garbage and can easily be shown to be incorrect. In the first place the voting system would be far more expensive. If the government accedes to the proposal by an Independent that nomination by party in by-elections be done away with — —

Ms Lindell interjected.

Dr DEAN — You see, Mr Acting Speaker, they do not want us to have our say on the matter either. They did not want the people to hear about it or talk about it, and now, when I am trying to have my say on the issue, they are doing whatever they can to stop me; yet it is a proposal to change Parliament. What an extraordinary attitude to take!

An election by proportional representation would be far more expensive. In addition, the electoral commission has made it clear that if party nomination were done away with for by-elections and a selection were made by count back, that would be an enormous task. A count back is a very difficult process, and all the votes would have to be kept for eight years. A count back is a necessary option, but it is not the best one. The government knew that to be true when it incorporated political nomination by political party in its legislation. The logic of that is that when a member who belongs to a political party leaves a seat early the party should nominate the replacement so that the new member can be expected to have the same philosophy and hold similar views to those of the retiring member. A count back is the only option if no party is involved, because a full state election would be too expensive.

However, a count back is a very bad alternative. If there were a two-horse race and one candidate was, say, a Greens candidate, the other candidate would probably be in favour of chopping down trees. Therefore the candidate most likely to come second on a count back would probably be a person who was of the absolute opposite persuasion to the one who got in in the first place, because that was the fight. With a count back the chance of a person of a completely opposite persuasion replacing a retiring candidate is quite real. That would totally frustrate the voters, yet I understand the government is going to give in to the proposal and withdraw its own party nomination proposal. In the same way the government is apparently also going to withdraw the proposal for the abolition of the blocking of supply.

The important question about this whole process is: why was it done in such a hurry? That is what led to such a mess. This is the first time I can ever recall members of a government actually saying that they are withdrawing a bill because they realise it is incompetent. It will be interesting to see if that happens on a regular basis.

The government then said to the Victorian people, ‘Shock, horror! The opposition says this whole process has been screwed up completely’. But the government has not established a commission; it has not considered the issues; and it has not consulted the people. The

government has not got its act together but has introduced a second bill that has the same problem as the first of lack of representation in the country. The government has not discussed proportional representation with the people.

Proportional representation has good and bad points. I am happy to argue both the good and bad points because they need to be argued. That it is not an open and shut case can be seen from the fact that the upper houses in each of the states are entirely different in the chosen form of proportional representation. One can argue that proportional representation nearly always has to be used in elections throughout the whole state or country, because the quotas allow Independents to be elected — if that is what you want.

The worst thing that one can do is try to effect a compromise between the geographical size of provinces. That system involves trying to hang on to some sort of representation and at the same time opening up proportional representation in those provinces — that is, mixing proportional representation and democratic representation in trying to get a merger. The result is a complete disaster, because the result is a quota system. The government is proposing to change its original model of five provinces with eight members each to eight provinces with five members each.

The current quota is 15 per cent of the vote, so that is what an Independent or member of a small party has to reach before that person can get a berth. The history of Independents in this state shows that they have never reached 15 per cent of the vote. The only party that could have met that criteria at the height of its power in a particular country area was Pauline Hanson’s One Nation party.

A difficult problem arises. If the quota is high there is a possibility that Independents can get in, but only if they are members of an extremist group that has suddenly captured the imagination of the public for a short time. It is possible for members of such parties to meet the 15 per cent quota but the other parties that slog away — for example, the Democrats, the Greens, and individual Independents — have absolutely no hope of doing so.

The other day when I asked someone — I will not say who it was, but it was a person on the other side of politics who is intimately involved in the matter — ‘Won’t the result be that there will still be just members of the Liberal Party, Labor Party and National Party in the upper house?’, that person said, ‘Yes’.

An honourable member interjected.

Dr DEAN — I am not saying who I spoke to. I spoke to a person who is intimately involved in the issue and the response was, ‘Yes, that is going to be the situation’. So I asked, ‘Well, why are you doing it?’ and the answer was, ‘Because it’s a different voting system’. For some reason it is considered that there is some beauty in a different voting system. In other words, it is a good thing so long as election to the houses is by a different voting system, because it will cause difficulties between the houses.

At the constitutional convention in New South Wales that I attended on behalf of the Premier there was a debate about the process of election to the Senate. I will not name the person of high standing who was running one of our biggest companies who said, ‘I don’t understand proportional representation and I don’t understand the arguments, but I am really pleased that there is this break, or something that stops the lower house’.

I spoke immediately after him and said, ‘I can’t believe someone with that sort of understanding of the processes would make such a ridiculous comment’. It was like saying, ‘We are in a yacht race but I think we’re going a bit too fast, so I’ll throw out an anchor — for no apparent reason other than just to slow us down and make us feel safer. We like a bit of obstructionism’.

It is a ridiculous notion that an upper house exists purely for the purpose of obstructing the lower house and the government. It is not a bad system if the upper house, which is a house of review with the capacity to investigate things further, follows the lower house in political representation if the government in the lower house has a large majority and continually wins at the polls.

My point is that those issues can be argued. There are arguments for and against proportional representation. My argument for it is that it allows minority groups to be members of Parliament and take part in the arguments. The argument against proportional representation is that if minority groups are very small they can actually frustrate the government in the democratically elected lower house.

At the very heart of the argument is that minority parties should be given a go, but that will not happen in the upper house under the model proposed by the government. It is very hard to understand how the government got itself into this position. I believe it had political pressure applied from all sides. Somehow it was sucked in by a catchword.

It may sound like a cliché and cute statement, but the Parliament is the absolutely last bastion and representation of the right of the people. If the government considers Parliament to be part of the democratic process and it seeks to alter election of membership to it, it must put a lot of work and effort into any proposed change. Certainly it cannot be rushed and silly errors cannot be made so that the result is that each member must reach a 15 per cent quota and the same Liberal and Labor Party people are elected but in different proportions.

Everyone accepts that the voting system is confusing. An amendment is proposed by the Independents who want to change the voting system to apply the above-the-line system used for voting for members of the Senate, which is very confusing. The Independents’ proposed amendment will make it more confusing. I suppose the government will agree to it because it wants to get the bill through the lower house and go to the public and jump up and down and say, ‘Oh, the Liberals are being obstructionist. This is terrible’. It is all political because the issues have never been discussed and members of the government know they are masters at smoke-and-mirrors tricks.

An example of that was the ministerial statement that was rolled out today about the change in juvenile justice. The minister’s speech went on for 25 minutes, but she did not refer to one change to the previous government’s proposal. Her speech was just about a continuation of what exists. No doubt the statement will go out to the newspapers.

Although the Labor Party supports unions and is not a great supporter of private enterprise, the government is very good at convincing parts of the country that every farmer is running a private enterprise that is better supported by the government’s philosophy than any another. Members of the government are incredibly good at that game, but in the end when they are proposing something as important as the bill, their actions come down to tricks with mirrors. The subject matter of the bill is far too important to use confusing dogma and to try to get a political win out of it.

Another difficulty the government is facing, which will be an enormous problem, is that if consent is given to the proposal about blocking supply and the upper house is controlled by parties that are not representative of the community, supply can be blocked. Unless the government amends the legislation it has introduced, which provides that a dissolution of the house can be effected only by a motion of no confidence, it is setting up a situation where the upper house could block supply with no mechanism for going to the people.

If the upper house decided to block every piece of proposed legislation until kingdom come, the government would collapse. Even if the government introduced an amendment to try to overcome the problem of supply being blocked, it would still not be able to call an election because the provision covering bills of special importance that have been rejected twice would have been removed.

What an absolutely crazy thing to do and it happened in the first blush of getting caught up in arguments about the Senate and how systems should work and how it would look good if it were only a motion of no confidence and so on.

If you wanted to be hard — I am not saying this government has got caught up in it — you would say that members of the previous Labor government put pressure on the Bracks government to do this. I believe they had it in mind, but I do not know whether this government did or did not. Members of the previous Labor government believed the upper house should be nobbled as much as it could be and eventually abolished.

If one makes an allegation like that one ought to put up some evidence, so I will. The evidence is that when the previous constitution bill was put before Parliament, the government said it would empower the upper house and make it a more appropriate body and so on. The government introduced a motion to say that the main money bill — the budget bill — passed in the lower house would not even go to the upper house. The upper house would not be able to debate it. It would be debated in the lower house and go straight for royal assent.

The government did not say that the bill could not be blocked or amended: it said it could not even be debated by the upper house! If ever that was a motive for nobbling the upper house, that is it. The government has only two alternatives — it either admits to a motive or it admits to incompetence, because when it rushed in the next constitution bill the provisions were changed so that budget bills could be debated by the upper house.

As I said, the government is either incompetent or it has an improper motive, and I know which one I am voting for, particularly if the previous Premier, Mr John Cain, had the influence that I suspect he did. Within two months of its election as a minority government, he called on the young and new Labor government to introduce a bill entirely reflecting his previous constitution bill. I believe that if there had been no pressure, the government would have had a chance to

settle down and get on with the job that everyone agrees needed to be done. After all, the government itself has said it did not expect to be in office.

I do not know who said the government should do something like this. I would have thought that in the initial period it would have wanted to consolidate, sort things out and then slowly move into something as big as this. But that did not happen and there has to be a reason for that.

I emphasise that the government will never get the agreement of the opposition if it tries to change the upper house so that the representation of people in regional and country Victoria is in some way reduced. I know the government thinks the opposition is saying those things because of the election result. You bet! The thing about democracy is that if an election result tells you something, you act on it. If you do not you are silly because that is what democracy is about. The government should not get stuck into the opposition when it says it is going to defend regional and country Victoria and ensure that their representation is not withdrawn or reduced in any way.

The opposition has every reason to ensure that it regains the confidence of the country areas that it undoubtedly had for the 35 years I talked about previously. The government should not get stuck into the opposition when it tells the government it is not going to let it make the changes. With that in mind, unless the government does something to completely change the process, this bill will not pass.

Debate interrupted pursuant to sessional orders.

Sitting suspended 1.00 p.m. until 2.03 p.m.

QUESTIONS WITHOUT NOTICE

National Gallery: industrial dispute

Dr NAPHTHINE (Leader of the Opposition) — I note that during the occupation of the National Gallery of Victoria last week by the Construction, Forestry, Mining and Energy Union, fire hoses were slashed, windows were broken, fire hydrants were emptied, bobcats were commandeered and driven around the foyer of the building, diesel fuel was poured on the floor, and some unionists even threatened to light the fuel. Will the Premier press for criminal charges to be laid against those found responsible for the blatant criminal damage to that heritage building?

Mr BRACKS (Premier) — The government does not condone illegal actions. Any action that is proved to

be illegal will be reported to the responsible authorities. If the Leader of the Opposition has privileged information, I urge him to make it available to the authorities.

Multicultural employment program

Mr LIM (Clayton) — I refer the Premier, in his capacity as Minister for Multicultural Affairs, to the difficulties faced by immigrants in obtaining skilled employment, and I ask him to inform the house of the latest action by the government to provide specialist training and other assistance to prepare those Victorians for suitable employment.

Mr BRACKS (Minister for Multicultural Affairs) — I thank the honourable member for Clayton for his question and for his interest and background in encouraging skilled migration into Australia. I know he has an abiding interest in that matter.

The government is committed to increasing the skills in the Victorian work force and maximising economic growth and job output. Equally, it is committed to ensuring that the benefits of that growth and new skills are spread across all groups in our community, regardless of their background or origin. The government has already given a commitment to some projects through the portfolio of the Minister for Post Compulsory Education, Training and Employment. Those programs are targeted at young people, older workers and disabled workers, and the government will continue to work with those groups to ensure that they have the best skills possible to take advantage of the new jobs that are emerging in the Victorian economy. Some 75 000 new jobs have been created since the government came to office.

The government also acknowledges that although significant amounts of extra funding and resources have been made available for skill development in Victoria there are still gaps in the system, including a need for more training and other problems. In particular, I refer to the need to encourage more skilled migration into Australia. To help address the problem, today I am announcing a new \$4.5 million multicultural employment program that will complement the government's Skilling Victoria program to ensure that people from culturally and linguistically diverse backgrounds have access to skill development resources and support to enable them to get into the work force. I know the honourable member for Warrandyte supports the government on that.

An opposition member interjected.

Mr BRACKS — Absolute support! The program has three main elements. The first involves refocusing the government's skilled migration unit to increase Victoria's share of skilled migration. Victoria can do much better in the area of skilled migration; its effort in attracting skilled migration is well below the other states — for example, Victoria receives only 18 per cent of skilled migrants who come to Australia. That figure is well below that of New South Wales, which receives 43 per cent of skilled migrants, and Western Australia, which receives 20 per cent. Much more skilled migration can come to Victoria. The skilled migration unit will also implement strategies to attract skilled migration into regional Victoria.

The second element of the multicultural employment program will enhance the assessment and utilisation of qualifications gained overseas, which is a continuing problem, as the honourable member for Warrandyte would know. The program aims at recognising overseas qualifications, supporting those people in getting that recognition accredited in Victoria and ensuring their skills are used for the benefit of the state.

The third element of the program will include the development of a range of resources in different community languages about employment and training opportunities.

I am pleased to introduce this new package. Victoria is experiencing growth and is encouraging new skill development, and this program will do much to help those people who are missing out on that growth because of their recent entry into Victoria. The government wants to support those people in their choice to migrate to Victoria.

Dairy industry: deregulation

Mr STEGGALL (Swan Hill) — Will the Minister for Agriculture take steps to exempt dairy farmers from paying Victorian government stamp duty on up-front payments under the dairy deregulation agreement?

Mr HAMILTON (Minister for Agriculture) — I thank the Deputy Leader of the National Party for his question and the bipartisan support the government has received for dairy deregulation, which is an important issue in this state.

Honourable members interjecting.

Mr HAMILTON — The Leader of the Opposition doesn't support the dairy deregulation program?

An Honourable Member — Absolutely not.

Mr HAMILTON — It is well known that Victoria was the most important state in determining the outcome of the wishes of the dairy industry. Without doubt deregulation will be of great benefit to Victorian dairy farmers, manufacturers and processors. We are already seeing the rewards of the program. The drop in milk prices in supermarkets benefits all Victorians, and that should promote and develop the use of milk.

The Deputy Leader of the Opposition is some two to three weeks late in asking his question, but I will forgive him for that.

Mr Perton interjected.

The SPEAKER — Order! The honourable member for Doncaster will desist!

Mr HAMILTON — The federal government's dairy adjustment program will see some \$740 million returned to Victorian dairy farmers. At the moment dairy farmers are carefully considering their position on how they will accept and make use of that significant amount of money that is coming into the dairy industry and into dairying communities.

On the matter of stamp duty, that depends on when a dairy farmer decides to take the adjustment package. For example, if the package is taken over an eight-year period, as has been suggested in the program, no stamp duty is applicable. I have formally written to the Treasurer asking him to examine Victoria's obligations in respect of farmers who decide to take a lump sum option. The Treasurer is the minister responsible for stamp duty in this state, and he is giving the matter careful consideration. The Treasurer has a responsibility to all the citizens and taxpayers of Victoria to see that revenue is dealt with in a responsible manner.

Opposition members interjecting.

Mr HAMILTON — Mr Speaker, the opposition is not interested in the answer to this question.

The SPEAKER — Order! I ask opposition members to cease interjecting and to allow the Minister for Agriculture to conclude his answer. As the minister has been speaking for approximately 5 minutes, I ask him to conclude his answer.

Mr HAMILTON — I will advise the house of the Treasurer's response when it is forthcoming.

Victorian Casino and Gaming Authority: appointments

Ms BEATTIE (Tullamarine) — I refer the Minister for Gaming to the government's commitment to pursue a new direction for regulation of the gaming industry. Will the minister inform the house of the new appointments to the Victorian Casino and Gaming Authority to implement the government's new responsible gaming policy?

Mr PANDAZOPOULOS (Minister for Gaming) — I thank the honourable member for her support for responsible gaming and gambling, unlike members on the other side of the house. I am pleased to be able to announce to the house a new direction in the administration of gambling in this state. It builds on and is another part of the government's responsible gaming approach and new legislation the government brought to Parliament. I thank both houses of Parliament for supporting the legislation. It is a shame that members of the former coalition government had to be in opposition before they would support what is a good move.

I thank the outgoing members of the Victorian Casino and Gaming Authority, who were very much committed to taking a good approach to gambling. However, the government wanted to make some changes to the way the industry is administered. The previous membership was unfairly hamstrung by the style of the former government and the legislation it had to cope with. When the Labor government changed the legislation it gave effect to the responsible gambling policy and set a new role for the Victorian Casino and Gaming Authority — that is, to be more open and transparent — and it requires new people with the skills to do that.

The government undertook a community consultation process. There has been whingeing and whining —

Honourable members interjecting.

Mr PANDAZOPOULOS — And here they go again! We hear whingeing and whining from opposition members over all the consultation processes the government goes through, but when they were in government they never consulted with the community or the stakeholders about the direction of gambling in this state. This government has consulted, and one clear message came from those consultations.

The community told us loudly and clearly that it overwhelmingly wanted an authority that is open and accessible with processes that are clear for everyone to see. This government supports the Victorian Casino and

Gaming Authority in pursuing those objectives. It is removing the straitjacket from the authority so it can properly administer the system without fear or favour. The previous government never did that. It wanted the authority to take the rap for the lousy policies and legislation it had in place.

The appointments I announce today reflect the community's expectations on the regulation of gaming. It is my pleasure to announce the appointees to the house. There is a new police representative, Assistant Commissioner of Police Graham McDonald. The government has decided to reappoint Des Hore, who has given distinguished service in the Victorian public service and who is a former director of arts, sport, tourism and gaming. It has also appointed Una Gold, a former director of the gaming policy unit of the Department of Treasury and Finance, who recently retired from that position; and a former Deputy Lord Mayor of Melbourne, who has extensive legal experience, having served on tribunals as well as having a long history of community work, Peter McMullin. Honourable members opposite are laughing. The former Premier supported Mr McMullin's Melbourne City Council campaign.

It is my great pleasure to announce that the new chairperson of the Victorian Casino and Gaming Authority is the deputy president of the Commonwealth Administrative Appeals Tribunal, Mr Brian Forrest. All of these new appointees bring considerable experience and expertise to the administration of legal matters in the community's interests and in understanding a responsible approach to gambling.

The community has also told us that it wants public hearings. I will be working to ensure that that happens. The revamped authority will have a lot more work to do. It will be meeting much more often, and the community will have more access to it. That fits very well with the approach the government has been taking in developing an open style and making information available to the public. That is why a number of months ago it released the gaming turnover figures across local government areas, and updated figures will be released in the next few weeks.

Everywhere I go stakeholders are telling me they welcome the government's open-door attitude. Everyone, including those in industry, local government and the community, welcomes the open-door approach that allows people to talk to the experts and get decisions. I wish both the existing and new board members well. The government's decisions have strengthened the independence of the authority. I

look forward to working with the new board in the interests of creating a responsible gambling industry.

Member for Jika Jika: car park incident

Ms McCALL (Frankston) — I refer the Premier to a specific incident that took place in the parliamentary car park on Tuesday last. A car driven by a government parliamentary secretary damaged another vehicle and was driven off without a name or address being left, which is in breach of section 61 of the Road Safety Act. What action will the Premier take to deal with that senior government member over the incident?

Mr BRACKS (Premier) — I do not think the honourable member for Frankston's question is a question to be answered by me today. However, I understand the appropriate procedures are being followed. The honourable member's office has been contacted and the appropriate incident forms are being filled out. The government will ensure that the right steps are taken.

Mr Cooper — On a point of order, Mr Speaker, as I recall the question directed itself to the specific issue of damage caused to a car in the parliamentary car park. The Premier was asked what he proposed to do about a government parliamentary secretary who caused the damage. The Premier has not addressed the issue. I ask you to bring him to the question.

Mr Thwaites interjected.

The SPEAKER — Order! The Minister for Health!

I do not uphold the point of order raised by the honourable member for Mornington. The Premier was relevant in his answer. I will continue to hear him.

Mr Hulls interjected.

The SPEAKER — Order! I warn the Attorney-General.

Mr BRACKS — I understand the proper procedures are being followed. The situation will be monitored to ensure that that happens.

Gaming: under-age access

Mr MILDENHALL (Footscray) — I refer the Minister for Gaming to the government's commitment to civilise Victoria's gaming industry. Will the minister inform the house of details of a new ban on placing poker machines in areas accessible to minors in hotels and clubs?

Mr PANDAZOPOULOS (Minister for Gaming) — From today the new members of the Victorian Casino and Gaming Authority will be required to administer a new direction that has emanated from the community consultation process undertaken by the government. During that process I attended nine forums across 15 municipalities, listening to what local councils and industry were telling the government about the future directions of gambling.

I have received more than 200 written submissions and there have been more than 1000 hits on the Internet site from people making contributions.

The consultation process was interesting because it showed that local government, the community and the gaming industry were unanimous in wanting to see a range of additional restrictions. A majority of venue and gaming operators joined with community associations, local councils and individuals to support a ban on gaming machines in areas of hotels and clubs that are accessible to minors.

Honourable members may be aware that a previous ministerial direction allowed unrestricted areas in hotels and clubs to have up to five gaming machines accessible to minors, but the remainder of the gaming machines were to be located in restricted areas and therefore not accessible to minors. The consultation process clearly showed that the preference of communities and the industry is to ensure that minors do not have access to gaming machines.

Today I issued a new directive to ensure that there are no more unrestricted areas. Any venue that breaches the new regulation may lose its licence. The machines must be relocated to other parts of the venue — that is how serious the government is about this issue. The government does not believe children and poker machines go together.

The government is committed to ensuring a balanced industry that is governed by a range of responsible gambling measures. The responsible gambling measure announced today will complement a range of other initiatives the government has already undertaken, with more to come to reduce the level of problem gambling. The government is focused on this issue. The previous government never took a responsible approach to gambling.

Today I issued a new ministerial directive stating that there are to be no more unrestricted areas, no more gaming machines accessible to minors and that poker machines require responsible use and management to protect those at risk. The directive will affect 41 pubs

and clubs in Victoria that will have to relocate their gaming machines. It is a new direction and a new initiative supported by the industry and the community.

Workcover: premiums

Mr CLARK (Box Hill) — I refer the Minister for Workcover to the case of the Blackburn aged care facility, which employs up to 50 people. The facility is now considering cutting back staffing levels to deal with Workcover premium increases of approximately 40 per cent. What action will the minister take to provide a solution to the Workcover premium issue he has created and to save those jobs and ensure current standards of patient care can be maintained?

Mr CAMERON (Minister for Workcover) — The previous coalition government deregulated many of the arrangements in nursing homes. Ultimately industries of that sort need better occupational health and safety performances.

I will recap on the previous system for the benefit of members opposite. Victoria has had a claims-experience rating system in place for six years which means that every year industry rates go up and down. The government wants to see good occupational health and safety practices in the aged care sector — it wants to see good occupational health and safety in every sector. If the number of accidents can be reduced obviously that will have significant benefits for premiums.

As honourable members would be aware there was an average increase, and that had to occur to make sure the cost of the scheme was covered. It also enabled the government to address the enormous financial mess the previous government left behind. I appreciate that in the last two financial years of the previous government the losses were \$300 million. The opposition wants those losses to continue; but that is unsustainable. The government has to fix the mess and I can assure the house that that is what it will do.

Mr Clark — On a point of order, Mr Speaker, the question related to a specific issue concerning the Blackburn aged care facility, and the minister is now debating the question.

The SPEAKER — Order! I do not uphold the point of order. The honourable member's question referred to the way the minister would address the Workcover premium issue. The minister was being relevant in his answer and I will continue to hear him. I note the minister has completed his answer.

CFA: funding

Ms DUNCAN (Gisborne) — I refer the Minister for Police and Emergency Services to a potentially dangerous fire season this summer and I ask: will the minister inform the house of how the boost in funding to the Country Fire Authority (CFA) will help to reduce that risk to the Victorian community?

Mr Mulder interjected.

The SPEAKER — Order! I ask the honourable member for Polwarth to cease interjecting forthwith.

Mr HAERMEYER (Minister for Police and Emergency Services) — The Minister for Finance has suggested that perhaps I hose down the honourable member for Polwarth.

Honourable members interjecting.

The SPEAKER — Order! The minister will address the Chair.

Mr HAERMEYER — I congratulate the honourable member for Gisborne on her question because her electorate was severely affected by the Ash Wednesday fires in 1983, when the township of Macedon in particular and the whole of the Macedon Ranges region was severely affected. This summer we have descending upon us probably the most dangerous fire season since that time, and I commend the honourable member on her interest in the issue and support for the CFA.

The government recognises that the Country Fire Authority in many parts of Victoria is facing some significant challenges. It has suffered under seven years of neglect by the previous Kennett government, which failed to recognise the population growth that was occurring in many of the areas serviced by the CFA, the industrial development that was occurring in those areas, and the frequency and complexity of the incidents affecting CFA areas. An issue of concern to the government is the challenge that is posed to brigades, particularly in areas in regional and rural Victoria that have experienced declining population growth, infrastructure support and services under the Kennett government — with no help from the National Party.

In the May budget the government provided an \$11.8 million boost to the Country Fire Authority. The CFA is one of the jewels in Victoria's crown, and we aim to keep it that way. In addition, taking special cognisance of the challenges facing the CFA and the impending fire season, we have provided an additional

reform package of some \$27.5 million. That will enable the Country Fire Authority to build on its successful mix of volunteer and career firefighters and ensure that the volunteer brigades have the support they need and deserve.

Victorians across the state will benefit from having more firefighters, better fire stations, better equipment and better recruiting. The government needs to provide additional assistance with recruiting — because it was neglected under the previous government, when the CFA volunteer base was allowed to be eroded; to provide training in occupational health and safety to the volunteers — again, something that was neglected by the previous government; and to assist the volunteers by expanding the administrative support available to them from 50 to around 150. It is also providing for enhanced community safety programs, including dedicated community education officers.

I am referring here to an additional \$6.7 million in appliances, capital and fire stations; an additional 133 firefighters at a cost of \$6.9 million; brigade administration and recruiting assistance of \$2.5 million; and, importantly, local volunteer brigade support of \$4.9 million.

Mr McArthur — On a point of order, Mr Speaker, the minister appears to be reading. I wonder if he would make his document available.

The SPEAKER — Order! Is the minister quoting from a document?

Mr HAERMEYER — They are handwritten notes, but I am quite happy to make them available if the honourable member can decipher my handwriting.

Honourable members interjecting.

The SPEAKER — Order! Will the house come to order. The minister has indicated he will make the document available.

Mr HAERMEYER — In conclusion, this is the biggest one-off injection of support to the Country Fire Authority. It recognises the role played by the CFA, particularly the wonderful role played by the magnificent volunteers who provide Victoria with a \$500 million asset off their own bat.

Honourable Members — Hear, hear!

Mr HAERMEYER — It was rather sad that last night the honourable member for Wantirna happened to call into question the government's and my support for the Country Fire Authority.

Honourable members interjecting.

Mr HAERMEYER — Having noticed his sudden interest in the CFA, I checked the *Hansard* record — —

Opposition members interjecting.

The SPEAKER — Order! The Minister for Police and Emergency Services has got the Chair into trouble once over this issue. I ask him to cease debating the question and come back to answer it.

Mr HAERMEYER — Absolutely, Mr Speaker. What I found was that in eight years, his contribution was zip!

Honourable members interjecting.

Dr Napthine — On a point of order, Mr Speaker, the minister is immediately defying your ruling. He was in mid-sentence when you sat him down and directed his attention to the fact that he was debating the question. He has immediately resumed the same issue in exactly the same manner, in defiance of your ruling, and I ask you to bring him back to order.

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

Honourable members interjecting.

Mr HAERMEYER — Mr Speaker, I could not resist having a second bite at the cherry, but that is all I have to say.

Workcover: premiums

Mrs SHARDEY (Caulfield) — Will the Minister for Aged Care support aged care organisations in their requests for additional funding to offset savage increases in Workcover premiums so that aged care services for elderly Victorians are not adversely affected?

Ms PIKE (Minister for Aged Care) — I am astounded that not only is the honourable member for Caulfield again reminding the house of the previous government's incompetence in handling Workcover, but she is now drawing the house's attention to the lack of attention that the previous government paid to aged care during its administration.

It is absolutely no secret that injury rates in the aged care sector are lamentably high. Nurses and staff working in aged care are lifting and cleaning; they are involved in patient care; and their stress levels are high.

Why are their stress levels high? Why are their Workcover premiums so high?

Honourable members interjecting.

Ms PIKE — The reason is that aged care in Victoria has been forced to do more with less; and that our bed numbers, particularly in high care, are decreasing. We now have numbers below the national average — in fact 10 per 1000 of population below the national average for every person 70 years and over. We also have increasing frailty. In the whole time the previous government was in power it did nothing to lobby the federal government to ensure that Victoria's bed levels were increasing in line with the national average.

Mr Ryan — On a point of order, the question as I heard it related to Workcover premiums. Mr Speaker, I ask you to bring the minister back to the point of the question rather than having her read out this diatribe which has obviously been prepared in anticipation of another question altogether.

The SPEAKER — Order! I do not uphold the point of order. The minister was being relevant, and I will continue to hear her.

Ms PIKE — I am outlining to the house why we have significant difficulties with occupational health and safety issues in aged care and why we are faced with the enormous challenge of working with our agencies to ensure they bring their Workcover premiums down. Not only did the previous government not do anything to address the falling number of beds but in 1995 it gave away the role of the state in regulating the nurse-to-patient ratios, which made it much more difficult for nursing homes to have the appropriate number of qualified staff.

Mrs Shardey — On a point of order, Mr Speaker, the minister — —

Mr Batchelor interjected.

Mrs Shardey — I do not need your help, pal.

The SPEAKER — Order! I want to hear the honourable member for Caulfield on a point of order. I ask her to cease interjecting across the table.

Mrs Shardey — On a point of order, the minister was clearly debating the issue. She was not addressing the question of Workcover and I ask you, Mr Speaker, to bring her back to the question of Workcover.

The SPEAKER — Order! As the Chair heard the original question from the honourable member for

Caulfield it requested additional funding for agencies to assist them as a result of higher Workcover premiums. Before being interrupted, the minister was explaining the circumstances that have resulted in agencies finding themselves in this difficulty. I find that relevant and will continue to hear her. However, I ask her to desist from providing the house with a complete history of how this has come about.

Ms PIKE — This government is absolutely committed to a fully funded Workcover scheme. We are focusing on issues of safety because the previous government slashed and burned the aged care system. Members opposite contributed to the poor safety record of the very sector they now claim to be concerned about. It is hypocritical.

Honourable members interjecting.

The SPEAKER — Order! The honourable member for Monbulk.

Ms PIKE — When in government the opposition ripped the guts out of the community sector.

The SPEAKER — Order! I am now of the opinion that the minister is debating the question. I ask her to come back to answering it.

Honourable members interjecting.

The SPEAKER — Order! The honourable member for Monbulk will desist from interjecting in that manner.

Ms PIKE — The government is working with providers of aged care services — which are funded, I remind the house, by the commonwealth government — to reduce work-related injuries. The government has already established a working party with representatives from the peak agencies and the whole sector to improve occupational health and safety practices.

Agriculture: government policies

Mr HARDMAN (Seymour) — I refer the Minister for Agriculture to the government's work with country Victorians — —

Honourable members interjecting.

The SPEAKER — Order! The house will come to order. The Chair is having difficulty hearing the honourable member.

Mr HARDMAN — I refer the Minister for Agriculture to the government's work with country Victorians to promote the agriculture industry. Will the minister inform the house of details of the latest action taken to foster research and technology in this vital sector?

Mr HAMILTON (Minister for Agriculture) — I thank the honourable member for his question and for his interest in agriculture and what goes on in country Victoria. During the parliamentary recess I have been out in country Victoria talking with and listening to the people there to ensure that the government is in a position to implement policies that respond to their needs. I am pleased to inform the house that all my cabinet colleagues have been doing exactly the same thing. What is more, we are able to sit down with one another and share information. It is through that shared information that we are able to introduce policies that have been identified by the people in country Victoria as those that should be implemented.

In the important area of research and development, some \$42 million has been allotted in two programs that will address those needs that have been identified. An allocation of \$7 million was made out of the Naturally Victorian initiative and \$35 million from the Science, Technology and Innovation Fund. Those initiatives have been divided into two programs: one addresses the need for the powerful new technologies to be applied for the benefit of agriculture and agribusiness and the other will be used to realise the great potential that exists in both domestic and export markets.

Indeed, the government's agriculture policy is not only to ensure that we can grow great products, but also to follow that up, value add, and sell them. It is no good at all for the farming industry and the producers to grow product if they cannot sell it. That therefore puts the responsibility on government to respond to those important needs.

I refer to some brief examples of research that has been and will continue to be undertaken within the department. I refer to the research at a number of stations to ensure we can get the full potential from our crops and pastures. The government has allocated \$8.2 million to dramatically increase the efficient use of water, the most valuable and scarcest resource in agriculture. The department will continue research into that important area. Furthermore, some \$900 000 has been allocated to develop scientific innovation. This will help to build on and work with important research going on overseas.

In relation to marketing, we want to ensure that our reputation as clean and green producers is maintained, so research that will help reduce the incidence of chemical residue in our agricultural and horticultural products will continue. Significant research is being undertaken in organics, where there is great demand, and in developing and encouraging export markets, which is the way to go.

The department is allocating \$3.5 million to make sure we have excellent risk management of pests and diseases in our animals, pastures and crops. Furthermore, \$2.8 million has been allocated to a range of new possibilities in agriculture to ensure opportunities for diversification and growth continue and the best results are obtained. That is being done in conjunction with all the people of country Victoria.

CONSTITUTION (PROPORTIONAL REPRESENTATION) BILL

Second reading

Debate resumed.

Mr RYAN (Leader of the National Party) — It is my turn to join in the next stage of the circus of this ill-disguised attack on country Victorians. I say ‘circus’ advisedly. I will reflect on the stage we have reached in debating the two constitution bills so far. On 24 November last year the government introduced the Constitution (Reform) Bill in this place. On 1 June this year that bill was withdrawn and the second-reading speeches on the Constitution (Amendment) Bill and the Constitution (Proportional Representation) Bill were delivered. Those two bills contain the constitutional amendments that were originally proposed by the Constitution (Reform) Bill. It is ridiculous.

I want to clarify a point made by the honourable member for Berwick when he posed the rhetorical question of why it was that in November last year a newly appointed government would introduce legislation to amend the constitution. The honourable member said he could not understand why the government would do that and that it would have been better to introduce the legislation later in its term. The reason the government introduced the proposed legislation is that it was part of the deal done with the Independents, as set out in their charter. The government was obligated to do exactly what it had undertaken to do as part of the trade to get the votes of the three Independents.

Although I agree with much of what the honourable member for Berwick said and I enjoyed his contribution

very much, on that point the answer to his rhetorical question is clear. The government had to introduce the Constitution (Reform) Bill in November last year because it was part of the package deal done with the three Independents.

The government certainly blundered in introducing the bill — and I use that term advisedly. One need only look at what the government had to do with its proposed legislation some months later to discover why. It withdrew its own bill and started again because it had mucked it up in the first instance. Why? Because the government was intent on satisfying one of the obligations to which it had committed itself for the purpose of winning the support of the three Independents.

We have reached the ridiculous position where the second-reading debate of the Constitution (Amendment) Bill has been adjourned and now the Constitution (Proportional Representation) Bill is before the house. Under the strict rules of the Parliament the first bill cannot be passed because the house has to also deal with this bill. The second-reading speech for each bill refers to the reforms as being a package, and the height of nonsense is reached when one examines the provision contained in clause 18 of this bill, which repeals provisions in the act that will be replaced by clause 16 of the Constitution (Amendment) Bill. Honourable members are taking part in a debate on the Constitution (Proportional Representation) Bill which contains a clause that will repeal a provision in the act. However, that provision will then be replaced by a clause in the Constitution (Amendment) Bill, which is also still before the house and may or may not be passed.

I have been a member of the house for about eight years and have never experienced anything like this. Honourable members to whom I have spoken who have been here longer cannot remember having been involved in such an absolutely nonsensical situation as the house now finds itself in. The house is debating a bill that will repeal legislation which has not yet been passed in the Legislative Assembly, let alone in the Legislative Council. That exemplifies the stupid situation in which the government finds itself.

I raise another point that emphasises the stupidity of the government. It was interesting to hear the Minister for Gaming during question time refer to the government’s extensive consultation process on gaming and gambling issues in Victoria leading to the initiatives that he announced today. He cited details in chapter and verse in response to two questions asked of him today. One of the themes of his answers was the extensive

consultation process undertaken by government. It is interesting that it is a theme often referred to by the government. Labor consistently talks about an open, honest, transparent system that has lots to do with consultation.

We have heard more today about other committees being established — they are like confetti around the place. There are about 140 talkfests going on at the present time. Yet when it comes to amending the constitution of the state and considering a foundation stone of society in Victoria, where is all the consultation about which we have heard so much? It comes to nought.

To emphasise again how stupid the situation is, I point out that one of the options the government is considering is that if it does not get its way with the legislation — and I do not expect it will — it wants to have a plebiscite. We will then see another illustration of the petulance that has been floating around this place on the government's part. About 140 committees throughout Victoria are talking about all manner of wonderful things, yet here we have the most fundamental piece of legislation that the Parliament would want to have before it and there has been no consultation.

What makes it more ridiculous is that, recognising the folly of its ways, the government says, 'If this fails' — presuming it does — 'we will consult'. It is another illustration of the government getting itself into a hole over something it did not think its way through. It blundered in here and in the first blush of having sat on the Treasury benches got itself into deep difficulty and cannot get out of it. Not only is the government bereft of ideas on how to handle and get out of the situation, but the best it can do is to get the Independents to propose amendments on which, I suspect, it will rely. It will try to hand the matter of constitutional reform over to the Independents because it cannot even introduce the package here and debate it. How pathetic, and what a commentary on it!

What we are talking about is the Labor Party trying to get control of the Legislative Council. It is one of its lifelong frustrations in politics. It has happened for years. It is a longstanding issue with the Labor Party. I take off my hat to the Labor Party to this extent: the conservative side of politics fails badly in its approach to the notion of politics. The Labor Party has a different philosophical approach to it. That is why, when one looks at the make-up of cabinet, one sees it contains four — maybe six — former electorate officers; four or six former advisers to Labor Party ministers at different levels of government; two former full-time employees

of the Australian Council of Trade Unions, and two former full-time employees of the union movement generally. There are another four, one of whom is a 6-foot 9-inch footballer who played for the wrong side!

The difference in philosophy is there to be seen in an issue such as this. I concede that Labor Party members have more of a lifelong philosophical bent towards issues of politics than people like me and others from conservative politics. I am one who came to politics simply because the former Labor government was heavily into the throes of destroying Victoria, particularly country Victoria, and I was asked to stand for Parliament, which I did.

The Labor Party is born to it. However, one of the things that has irritated Labor Party members historically and driven them to distraction over the years has been their inability to control the upper house, so they decided to introduce the current mess with a view to getting control of the upper house. Inherent in all that is the fact that Labor wants to destroy the representation of country Victorians and so have a better chance of dominating the upper house.

There is another reason why these bills are before us today, to be debated ad nauseam. Parliament will have to debate the two bills at length because the government does not have a business program. Only seven pieces of legislation have been introduced, which will take only the blink of an eye on to deal with. So the government needs the two bills running — otherwise we will all be sitting around with nothing to do for the next few weeks.

The National Party is completely opposed to both the amending bill and the proportional representation bill. National Party members believe the current system for electing members to the upper house is appropriate and works well, particularly in a country environment. The system enables true local representation. For example, Gippsland Province is represented by the Honourable Peter Hall and the Honourable Philip Davis. Peter Hall lives in Traralgon, and Phil Davis lives in Sale, a beautiful and great Gippsland and Victorian city. Both upper house members are able to fulfil their important roles in that chamber from a local perspective and can be easily accessed by their constituents. Access to local members is important for constituents.

The province covers four lower house seats and stretches over a substantial area. It covers the electorate of Gippsland East, which extends to Mallacoota; Gippsland South, my own seat, which runs south to the tip of Wilsons Promontory; Gippsland West, which stretches to the seat of Morwell occupied by the

Minister for Agriculture; and Narracan. Although the two upper house members have to cover a substantial geographic area, they have located themselves strategically so they can each deal with the issues of their four lower house electoral districts. As I said, the system works well in a country environment.

Upper house members are able to deal with issues that have a cross-border element — that is, issues that go across district boundaries. A province is a big area, but not too big to manage. Gippsland Province has local offices at Traralgon and Sale, so the members can truly look after the interests of the country people who live within its boundaries. They win votes because they can give people appropriate attention.

The whole notion of proportional representation is a furphy. It has been amply demonstrated that the Labor Party has been unable to win upper house seats. When it is prepared to do the work, make the case and persuade people, Victorians might vote for it. There is no problem with that. If the Labor Party is able to win sufficient votes in Gippsland Province, for example, it will win the seat. The debate about whether the system offers one value for one vote or whether it is democratic is rubbish. If the Labor Party is prepared to do the work and win the votes it will win the seats.

The Labor Party missed out on winning Gippsland Province by about 700 votes, and because of that the Parliament has been given the benefit of the contribution in another place of the Honourable Phil Davis. I hope and trust that when the next election comes around the Honourable Peter Hall will again put his name forward and be able to retain the seat, because he does a fantastic job on behalf of the constituency.

The system we have now works well. There is local representation on behalf of local people. People take their local issues to the upper house parliamentarians, who look after things from a local perspective.

What will happen if the proposals contained in the bill proceed? First and foremost, there will be a reduction by four in the number of the members of the Legislative Council. I ask, again in a rhetorical sense, for two guesses on where the members will come from. The honourable member for Footscray guessed once and said, 'From across the state'. He is wrong — one strike and you're out! The answer, of course, is that they will come from country regions. It is inevitable that there will be a reduction in the representation of country Victoria in this Parliament. The National Party will vote against the bill.

It is as plain as a pikestaff that that is what will happen. If the government has its way 8 provinces will be created across Victoria to replace the existing 22 provinces, with 5 members in each of the 8 provinces to replace the existing arrangement of 2 members in each of the 22 provinces. We will end up with 40 parliamentarians instead of the current 44 members.

Of equal importance is that it is inevitable that the area to be represented by each of those five upper house provinces will be absolutely huge. For example, Gippsland — —

Mr Mildenhall interjected.

Mr RYAN — I am asked, by interjection, what if I were a senator? Firstly, I am not — and I am pleased that I am not. Secondly, I do not like the system of voting for members of the Senate. The system of voting for the upper house in Victoria is far and away superior. I do not want the system of voting for members of the Senate to be used for voting for representatives of country Victoria. I do not want Victorian senators to be located at Melbourne addresses; I would love it if there were more out in country regions. Indeed, that is about to happen in one respect at least when Senator Julian McGauran opens his office in Benalla on 1 September. I am really looking forward to being there for that terrific occasion.

As a matter of principle, senators maintain offices in the metropolitan area. If one looks interstate at the New South Wales example, one finds that all the offices of upper house members in New South Wales are in the city. Inevitably, the same thing will happen in country Victoria as has happened in other states around Australia and in other jurisdictions.

I ask, as I did during the debate yesterday: if the proposed change can be achieved without destroying in part the representation of country Victorians, why does the government not produce some maps? One of the problems is that there must be 11 contiguous Legislative Assembly seats in each of the eight provinces. I defy the government to produce maps that demonstrate that can be done without making inroads into the metropolitan area. It is inevitable.

Mr Nardella interjected.

Mr RYAN — The honourable member for Melton interjects, saying, 'It's not our job. We are the government; it's not our task'.

Mr Nardella — It's inappropriate.

Mr RYAN — I beg your pardon. The honourable member for Melton says, ‘It’s inappropriate’. If one were to take him literally, in the sense of the government assuming the responsibility for drawing the maps upon which the legislation is to be based, I agree with him entirely. However, my point is about what the government will do in its endeavours to encourage people to agree to what is being proposed to be included in the legislation. One might expect members of the government to be prepared to argue their case, saying to the people of Victoria, ‘Look, we are not putting to you the official document because it is not our task as the government to do so — that is the job of the Victorian Electoral Commission — but what we can do, particularly for country Victorians, is tell you what it could look like. Here is a map of what it could look like that would satisfy your concerns and those of the parliamentarians who represent your interests. Look at this. This will make you feel more comfortable about it’.

Where is it, if it is a simple task? The debate has been going on for months. This circus started as soon as the government took over on the Treasury benches but Victorians have not yet seen the results of a simple task. The government cannot do that task. I say with confidence that it cannot be done because we have tried to do it and we know the government cannot do it.

Mr Nardella interjected.

Mr RYAN — The honourable member for Melton is honest and genuine enough to say he was just trying to work out why we had not done it. The answer is because it cannot be done. I keep inviting the government, if it thinks it will work, to draw it up in a way that will resolve the fears of country Victorians. When the honourable member for Wimmera speaks and makes the invaluable contribution he always does to debates in this house —

Ms Delahunty — Hear, hear!

Mr RYAN — I hear the acclamation of the Minister for Education for the honourable member for Wimmera!

I confidently predict the honourable member for Wimmera will read into *Hansard* some correspondence representing the views of local government around country Victoria. Local government is concerned because it understands that the Bracks government is talking about amalgamating huge areas of the state into a single province. It simply will not work, particularly when the system in place at the moment functions so well. There is no demonstrable problem with it. I am

confident the honourable member for Wimmera will be able to make that point well — as he always does in his contributions.

Using the example of Gippsland, Victoria is faced with the prospect of having a single province that runs somewhere from Dandenong–Frankston through to Mallacoota. That one area will be represented by five people, but at the moment people living in those areas enjoy good local representation from their members. A massive area of eastern Victoria will be accommodated in one province and it will not work.

Clause 22 refers to the creation of three provinces and uses the expression ‘primarily outside the metropolitan area’. There will also be five areas inside the metropolitan area. It cannot be done in a way that does not significantly detract from the representation of country Victorians.

At the moment there are 24 non-metropolitan Assembly seats, incorporating the seats of Evelyn and Pakenham. To make three provinces that are primarily — according to the wording in clause 22 — outside the metropolitan area, there will have to be 33 Assembly seats. However, allowing for the inclusion of Pakenham and Evelyn there are only 24 seats anyhow. Simply as a mathematical calculation it is inevitable that the provinces will be drawn in such a fashion as to contain a substantial slice of the Melbourne metropolitan area.

What does the word ‘primarily’ mean? Does it mean by way of population distribution, or is it supposed to mean by way of geography or square kilometres? Does it refer to Assembly seats? Is it good enough if the split becomes 6 to 5 or does it have to be 7 to 4? It will inevitably mean that country Victoria will lose out. That is the absolutely inevitable conclusion if the legislation is allowed to pass. That is one of the reasons the National Party will oppose the legislation.

The other devil in this is that if the proposal is taken in concert with proportional representation, it is a double whammy. The vote will be concentrated in that it will be easier to win a seat if the candidate occupies a province with a metropolitan base. In other words there will be a far greater capacity for a member to win the votes for the whole of the province if he or she has a Melbourne metropolitan base. Gippsland, for example, will be represented by someone from way down the western end of the new province.

What are the people in Mallacoota and East Gippsland generally supposed to do about issues that are important to them? What about the people in Bairnsdale?

Mr Mildenhall interjected.

Mr RYAN — It might be what? Was the interjection that they might have five officers each? The only people around here who have five officers are the Independents. I can tell honourable members that as a member of this Parliament you do not get properly resourced unless you are an Independent. Once they are in this role it is not going to happen, I can tell you that now.

I do not see how the Independents can be driving this proposal in the way they are, because they are all from rural constituencies. If it succeeds it will have the impact that I am describing, and it will be a great disappointment to constituents because the current degree of representation will inevitably be lost. Taken in concert with the proportional representation proposal in the bill, it will do enormous damage to the representation of country Victorians. The National Party opposes the bill and will vote against it.

I turn to reflect again on the plebiscite the government is offering as an option if the bill does not pass. I explored the proposal yesterday and caused a degree of consternation. I do not want that to happen again, but I want to make the point that the television advertisement talked about a plebiscite that offered the option of supporting the notion of changes to the upper house, particularly concentrating on the four-year term, or the alternative of supporting the abolition of the upper house altogether. I make the point again that if it is truly the intent of the government to abolish the upper house it ought to get on with it, put it up as a proposition and honourable members can vote on it. In the meantime, the government should withdraw the legislation, go about the consultation it is talking about and, if it sees fit, reintroduce it.

I return to the amendments circulated by the honourable member for Gippsland East, and the way that action reflects on the government. The government is advocating a huge constitutional change, as is reflected in the legislation, yet it is not driving it. It has so far made a couple of ham-fisted attempts, and this is another. The bill was initially introduced in November last year. It was withdrawn in June. The process has now started again with the introduction of two new bills. The government has split the bill in the hope that the notion of the four-year term will carry the day in the public arena and persuade people to the view that the other provisions do not matter — that the real issue is the four-year term.

That was apparent the other night from what was shown on television. The Premier was surrounded by

the true and faithful upper house members of the Labor Party, who were ready to take the jump by indicating their preparedness to participate in the process. The political stunt is about trying to win the day not by talking about the issues but by talking about the notion of the four-year term. While I am on that point, I do not believe anyone has served out a full four-year term. Members have served for a little over three years, but no-one has completed the full four-year term.

Certainly, no honourable member has stayed in office for eight years without re-election. I am reliably informed that it has never happened. Some honourable members have stayed in office for six or seven years, but none has stayed for eight years. Although it is possible for an honourable member to be elected for two terms, each of four years, none has ever stayed in office for a four-year term, let alone the totality of eight years. It is another one of the furrphies that is being tossed around by the government in an attempt to win votes on the issue. The main game is to try to persuade honourable members to vote in favour of the legislation without having to look at the whole package.

Earlier I referred to the consultation process. In the second-reading speeches on the bills it was said that plenty of consultation and discussion had taken place with the Independents. That is fine, I have no opposition to that, but the second-reading speech on the Constitution (Amendment) Bill referred to consultation taking place with the non-government parties — I believe that was the expression used. The minister states:

As a result of receiving that comment on the bill and following consultation with a number of persons, including the Independent members of this house and the non-government parties, the government has decided to alter some of the proposals in the reform bill ...

I wish to clarify for the house and for the public at large that the government never consulted with the National Party on the bill — not once! The National Party has never been involved in any discussions with the government. Government members may say, 'Why would we? We knew your attitude to it'. That is fine, too. But I do not think the government should claim in a second-reading speech that consultation occurred, because it did not.

A government member interjected.

Mr RYAN — The honourable member suggests that I should check with my organisation and my former leader. This bill was introduced into the house after the other bill was withdrawn on 1 June. I took over the running of my party in December last year, but

no-one has ever darkened my door to talk about the bills now before the house. That is a fact. So, when in a second-reading speech it is claimed that discussion took place with the non-government parties, I must say to the house that that has not occurred in the time I have been the Leader of the National Party. I would have thought, given all the changes to the legislation that have been swinging around, the government would have come to talk to me about the bills. It chose to talk to the Independents and bring the legislation before the house so it could be properly debated, but it did not talk to the parliamentarians who form the non-government parties.

A government member interjected.

Mr RYAN — The answer given by the government is, ‘You were in partnership’. It seems the government is trying to wriggle out of the statement made in the second-reading speech by claiming that talking to someone in the Liberal Party constituted discussions with the non-government parties. It has been a useful discussion. I am pleased we got to the bottom of that issue!

There is a raft of other issues, including casual vacancies, above-the-line voting, the registration of two how-to-vote cards and the obvious drive towards split tickets, votes being more easily regarded as informal and various other matters, but because I am conscious that other honourable members may wish to make a contribution to the debate — —

Mr Smith interjected.

Mr RYAN — Not today, says the honourable member for Glen Waverley. The National Party will vote against the bill. The basic import of the legislation is to reduce the representation of country Victorians on the floor of the house. The intention behind this political stunt is to strengthen the hand of the Labor Party in country Victoria. The government purports to better represent country Victoria, yet among the first things it tried to do when it took office in October last year was to introduce legislation that would diminish country representation. It subsequently withdrew that legislation because it botched it. The bill will destroy the representation of country Victorians. This is a remarkable state of affairs.

I hope the government keeps pressing the issue hard. In country Victoria, as will be made clear by the honourable member for Wimmera, my great friend and colleague the honourable member for Shepparton, and other members of the National Party who have tested the waters in relation to this, people are saying, ‘How

dare they!’ . How dare a government of any persuasion, let alone this so-called country-friendly Labor government, try to shore up its defences by destroying the representation of country Victorians on the parliamentary floor. It is a shabby, pathetic effort at politicking, and the government should be ashamed of itself. Country Victorians, in particular, will voice their opinions hot and strong about this for a long time to come.

Debate adjourned on motion of Mr MILDENHALL (Footscray).

Debate adjourned until later this day.

VICTIMS OF CRIME ASSISTANCE (AMENDMENT) BILL

Second reading

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

The ACTING SPEAKER (Mr Phillips) — 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 second and third readings of this bill require to be passed by an absolute majority.

Ms BARKER (Oakleigh) — I am pleased to have the opportunity to make some reasonably brief comments on this important bill, which implements the government’s commitment to reinstate compensation for pain and suffering for victims of violent crime.

I, along with all members on this side of the house, have the strong view that pain and suffering awards are a small but important sign that our community recognises and attempts to give some support for those who have suffered the harms caused by violent crime.

I will not go through the bill in detail, as that has been ably handled by the parliamentary secretary and the Attorney-General in his second-reading speech, but I will comment on its history, which has already been referred to by honourable members on the other side of the chamber.

I turn to the timing of the bill and its relevance to compensation. It is most regrettable that the government cannot turn back the clock. This crimes compensation scheme will be funded out of consolidated revenue. The Bracks government made an election commitment to reinstate compensation for pain and suffering through an allocation of \$45 million over

three years. It should be noted that the allocation in the 2000–01 budget is \$60 million over four financial years.

The government has taken a realistic approach to the return of pain and suffering awards on top of overall entitlements, within the parameters of financial responsibility, on which it was elected to government.

I acknowledge the concern that victims of crimes committed after July 1997 — when the pain and suffering award was abolished by the former government — and prior to 1 July 2000 will miss out on compensation for pain and suffering because the act of violence occurred during that period. I know other government members share the pain and anguish I feel in knowing that many victims of crime have missed out, not because we are now restoring the award but because it was taken away. Unfortunately, we need to emphasise that fact in this chamber.

In preparing my contribution to the debate on this important bill I did an extensive amount of reading and re-reading of the 1996 debate on the bill that abolished pain and suffering compensation. That debate reinforces the view of government members on the absolute need to restore to victims of crime awards for pain and suffering.

Many opposition members acknowledged in their contributions to the debate yesterday that history is important, and the honourable member for Berwick made some interesting comments. I congratulate the now shadow Attorney-General on contributing to the 1996 debate, unlike many other current members of the opposition who made no contribution to that debate, although they spoke yesterday.

In listening to the contribution to this debate of the honourable member for Berwick I noted a number of points. He made much of the levels of compensation the government is reinstating. In politics one has to develop a bit of a thick hide, but I was dismayed at the amount of laughter that occurred when the level of compensation for pain and suffering was discussed. I can accept that this is a chamber of debate and there are often attacks on the other side, but I do not find the amount of awards for pain and suffering of victims of crime to be a laughing matter. That is not funny. It is a very important issue and should be treated accordingly.

It was also interesting that in referring to the suite of services that were available — they will still be available — the shadow Attorney-General said something like ‘the government is right’ in putting back the pain and suffering awards for victims of crime. In

fact, I think he said, ‘Something extra is better than nothing’.

As I said, I have read and re-read the record of the debate that occurred in 1996. When I listened yesterday to the contribution of the Leader of the National Party I recalled vividly all that I read. He also referred extensively to history, including what happened in 1996 when the legislation to abolish this compensation was debated in this chamber. He was a member of the then Kennett government. He acknowledged yesterday that he was also a member of the Scrutiny of Acts and Regulations Committee at that time, which — quite rightly, I believe — found that the abolition of the right to apply for compensation for pain and suffering would be a serious consequence for victims of crime for whom there was no other appropriate remedy.

He went on to speak about the levels of the award payments put in place by the government. He said he was genuinely concerned because he felt they were inadequate. As I said, there are times in this chamber when members on both sides acknowledge a difference of opinion and throw issues backwards and forwards during the debate. However, in his comments yesterday the Leader of the National Party acknowledged his membership — he was not only a committee member but the chairman — of the committee that in 1996 found that the pain and suffering awards for victims of crime should not be removed.

Although the Leader of the National Party acknowledged his concern, an examination of the debate in *Hansard* on the 1996 legislation shows no mention of it — not one. In 1996 he did not have the courage to stand up and say, as was found by the committee of which he was the chairman, that the pain and suffering component of awards for victims of crime should not be removed and that because they were an essential right of victims, removing them was something society should not do.

I acknowledge that he said he was genuinely concerned the award levels were inadequate. However, I do not believe him. If in 1996 when the legislation was before the house he had had a genuine concern that victims of crime should receive financial compensation as a recognition of that crime, he should have stood up and said so.

As I said, I understand that the government is unable to accommodate retrospectivity. People have expressed their concerns to my colleagues and me that people who were victims of crime between 1997 and the present will miss out. That is unfortunate. However, I am not worried about saying I support the bill and

acknowledge the concerns that some people will miss out. I have told people that the government cannot go back and undo those three years. The government is restoring compensation for victims of crime but it should never have been taken away. If members who were in this chamber in 1996 did not disagree in their contributions yesterday that compensation should be paid and that the awards for victims of crime should be reinstated, I ask where they were when the awards were taken away.

Honourable members interjecting.

Ms BARKER — In 1996 the former government took away financial compensation for victims of crime and put in place a suite of services that are still there. The honourable member for Berwick said yesterday that the government was right and that something extra was better than nothing. If he felt it was right, why was it taken away? It is called memory loss! Some honourable members opposite have forgotten and now say, ‘This is okay’, but in 1996 it was not. Why? It is as relevant now as it was then. The former government should never have taken away the awards for victims of crime. Opposition members may say it is not enough. Many of them laughed yesterday at the levels of awards. However, it is not funny. It is an important issue. I find it unbelievable that the awards were taken away.

Mr Spry interjected.

Ms BARKER — The interjection from the other side is that they were unsustainable. The opposition criticises the levels of awards put in place by the government, yet even the shadow Attorney-General acknowledges that the compensation levels up to \$20 000 were rarely met under the previous scheme.

If the honourable member for Bellarine believed, as the government does, that victims of crime should be awarded financial compensation for crimes committed against them, he would not have abolished it, he would have amended it.

Mr Spry interjected.

Ms BARKER — Why do you now agree that the bill should go through? If you agree with it now you should not have abolished it in 1996. A great many people have experienced a great deal of pain.

It is important to return to the important issue of award levels. Criticism has been levelled that they are too low. It is true that the maximums are lower than has historically been available in Victoria; the sum was

\$20 000 under the previous legislation. That figure is lower than is currently available interstate, in particular in Queensland.

The Bracks government was elected on a number of policies, and one of them was fiscal responsibility. The award levels have been set to promote equity of access in line with that policy of fiscal responsibility. I acknowledge the level of assistance available is up to \$60 000 and up to \$50 000 for primary and secondary victims for counselling, repayment of wages and so on. All those issues are important, but the compensation payment should be on top of that assistance. I acknowledge that the levels are not as high as they once were in Victoria, but it is important to note that there is no threshold. The pre-1997 scheme had a \$200 threshold and that will not be reintroduced. That is an important element.

Under the bill a wider class of victims who have never been eligible will now be entitled to seek special financial assistance and the overall entitlements have increased. The honourable member for Berwick made that point yesterday. The government is not taking away the changes made by the former government. I am not saying they were wrong, but I am saying the former government should not have taken away the other payment.

As I said, the overall entitlement will be very high — up to \$60 000 and up to \$50 000, plus the special payment. The government has committed to review the award levels after a three-year period. That is important because the government is introducing a large number of changes. However, it is committed to ensuring that people receive the assistance to which they are entitled.

I conclude on that note. I feel very strongly about the issue because in 1996 when the payment was taken away I was working with an organisation called Court Network. It is an important organisation that works with people in the courts. On many occasions I watched trained volunteers work with victims of crime, assisting them to come to terms with the compensation issue. It is an important issue and I applaud the government. My opinion, and that of many people in the community, is that the payment should never have been taken away.

Mrs FYFFE (Evelyn) — I am pleased to speak on the bill, although I am disappointed that the government’s total mismanagement means my speech will be cut down to 10 minutes because debate will be guillotined at 4 o’clock. Other honourable members who wanted to speak on the bill will not be permitted to do so because the debate has been on and off and off and on.

I am proud to be a member of a party that had an Attorney-General who made good, positive changes to the treatment of victims of crime. The former Attorney-General did not do tricks with smoke and mirrors — she achieved. Mrs Wade worked on the conclusions of the Victorian Community Council Against Violence, the report by the Victorian Law Reform Committee, the report of the Auditor-General and the recommendations of the Attorney-General's working party on the crimes compensation tribunal. It was not a spur-of-the-moment or incidental decision.

The former Attorney-General worked hard and resolved the issues. She achieved a balance between the interests of victims and the state and the rights of offenders. She worked hard to compensate for the previous 10 years when nothing much was done for victims of crime. She worked on compensation for individuals and counselling and support services over protracted periods. At the same time she recognised how families were affected. The former Attorney-General introduced a bill that covered primary victims for amounts of up to \$60 000 and made available for secondary victims — for example, witnesses to acts of violence, parents, close family members or partners — amounts of up to \$50 000. But just handing over money does not fix the problem. It may help, but the responsibility of government is to restore normality.

The importance of the introduction of victim impact statements to the healing process cannot be underestimated. Victims suffer financial loss, property damage and injury. Less obvious but often just as devastating are the psychological wounds: even minor burglaries can cause shock, confusion, helplessness, anxiety, fear and depression.

I, like thousands of others, have been subjected to a minor burglary in my home. The shock and horror of finding that someone has invaded your premises and that all the kitchen things are spilt over the floor — —

Mr Nardella interjected.

Mrs FYFFE — The honourable member would not understand or appreciate what the average person feels because he is completely out of touch! The women in this country were very pleased with Jan Wade. There is also the fear of driving home wondering if someone is in your house again. They are fears that money cannot fix.

An honourable member interjected.

Mrs FYFFE — Absolutely. In fact, Jan Wade did some marvellous things.

I will come to how women suffered under the Labor government and how Jan Wade changed that. Firstly, I will refer to victim impact statements and why crime victims who received apologies and other compensation directly from their attackers were better able to cope with the offences than victims whose cases were prosecuted in court. A radical alternative to court, known as shaming conferences, was tested in 1999 by police in Canberra. A newspaper article of November 1999 said that in the previous year payments to victims increased by 429 per cent and averaged \$4702.

An honourable member interjected.

Mrs FYFFE — So what are you doing? What are you really achieving with this bill?

Mr Hulls — You abolished compensation.

Mrs FYFFE — No, we did a lot more.

A report in the *Age* of 15 October 1997 states:

This is the first time under the Victims of Crime Assistance Act, which amends a section of the Sentencing Act — —

An honourable member interjected.

Mrs FYFFE — The act is 1996, and the article is 1997. The report states:

This is the first time under the Victims of Crime Assistance Act, which amends a section of the Sentencing Act, that victims have been able to apply for compensation from the offender —

from the person who caused the pain and suffering —

without having to take civil action ...

Judge Nixon said the main purpose was to give the victims a summary remedy in lieu of expensive civil proceedings —

something that was very real and really repaired the damage that had been done by the perpetrator of a crime to a victim.

You all shout and carry on and think that offering a few thousand dollars will make a huge difference, but it does not. What you should be doing — and I am quite serious about this — —

The SPEAKER — Order! The honourable member should be debating in the third person through the Chair.

Mrs FYFFE — I am sorry; when I said, 'What you should be doing', I should have said, 'What the government should be doing'. I apologise, Mr Speaker.

The issue is far more important than money. The *Sunday Age* of 7 March 1999 contains a very thoughtful article by John Elder, under the heading 'Leaving the scene of a crime behind is difficult for some. But help is available'. This was 7 March 1999, when Victoria was supposed to have had a government that was so uncaring. In the article he says that a young man sitting alone in the evening brings goose bumps of sadness or worse, and that perhaps worst of all is the feeling of dread. He then refers to a chap who had the daylight beaten out of him as the daylight was dying in a familiar street where he had been walking. He said the young man could no longer walk alone, sit alone or be alone at dusk, and no longer knew what to do. He said it was not easy for a young man like that to ask for help and to ask someone to hold his hand at night. But there were a lot of evenings ahead and he felt he had to somehow get restoration, so he called the Department of Justice.

The article to which I am referring was written on 7 March 1999, when the government was supposedly uncaring. The article records that the Department of Justice sent someone along to sit with him through the sunsets. He did not want money; he wanted company and counselling. The article states:

There's a body within the department that does this sort of thing; the Victims Referral and Assistance Service ...

The article states:

The man frightened of the darkening sky is now in the files.

The author was shown a sample of cases, with names and identifying details omitted. It was a wad of pages with the histories of people who had been helped to overcome the disaster caused by the crimes perpetrated on them.

An honourable member interjected.

Mrs FYFFE — I am talking about compensation that heals and helps people to recover their lives so that they can go forward and do not have to go home in fear. The articles talks about the people at the Victims Referral and Assistance Service:

They came from everywhere; from the river towns and villages ...

Mr Hulls — How dare you oppose the bill!

Mrs FYFFE — I am not opposing the bill, but I am not supporting it.

Honourable members interjecting.

Mrs FYFFE — The article also states that between July 1997 and March 1999 more than 33 000 people had called the hotline for help for their friends, families, or children. All of them were running from the scene of a crime, calling, 'Help me, help me' — and they were helped by people, including the former Attorney-General, whom members of the government describe as uncaring because she banished cash payments for pain and suffering.

I refer to one more example — members of the government do not like this, do you? — of what was achieved in the years following 10 years of Labor governments not doing anything for victims of crime. The former Attorney-General did so much — —

Honourable members interjecting.

Mrs FYFFE — I had so much more to say, Mr Speaker, but I am running out of time. I wanted to say that the most important thing the former Attorney-General did was what she achieved for the victims of rape, who suffer so much. She changed the law so that they do not have to face the person who has offended against them and they do not have to submit to questioning.

Honourable members interjecting.

Mrs FYFFE — They do not have to justify — —

Honourable members interjecting.

Mrs FYFFE — Mr Speaker, I have much more to say, as I am passionate about the matter. I wish members of the government were as passionate as I am.

Mr SAVAGE (Mildura) — I give my wholehearted support to the Victims of Crime Assistance (Amendment) Bill in its intent to cover the needs of victims of crime. I was disappointed at the introduction of the principal legislation, which took away crimes compensation.

An honourable member interjected.

Mr SAVAGE — I acknowledge the work of the honourable member for Richmond, who chaired the committee that made the recommendations that preceded the bill. I also thank the Attorney-General for inviting me to take a position on that committee, which was filled by my adviser Rick Brown, who I understand made a significant contribution. I congratulate the members of that committee. The bill is a turning point in providing justice for victims of crime, who have been left out since the principal act took away financial recompense for victims of crime.

Honourable members interjecting.

Mr SAVAGE — The 1997 abolition of lump sums payments for victims of crime was pretty mean spirited. The previous government had spent several million dollars on consultants. Members of that government, now in opposition, viewed consultancies as more important than paying compensation to victims of crime.

Honourable members interjecting.

Mr SAVAGE — The previous government was more interested in paying consultants than it was in paying compensation to victims of crime. I have to say — —

Mrs Peulich — Yes, but they were not party members like them.

The SPEAKER — Order! The honourable member for Bentleigh!

Mr SAVAGE — I conclude my remarks by congratulating the government on this measure. I congratulate the Attorney-General and I congratulate the member for Richmond.

Mr STENSHOLT (Burwood) — I support the bill. Like other speakers I commend it to the house as an excellent piece of legislation that will restore democracy to Victoria and as another example of good governance.

Debate interrupted pursuant to sessional orders.

The SPEAKER — Order! The time ordered by the house for the completion of business has arrived.

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 second and third readings of this bill are required to be passed by an absolute majority. As there are not 45 members present in the chamber, I ask the Clerk to ring the bells.

Bells rung.

Members having assembled in chamber:

Motion agreed to by absolute majority.

Read second time; by leave, proceeded to third reading.

Third reading

Motion agreed to by absolute majority.

Read third time.

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.

National Gallery: industrial dispute

Mr COOPER (Mornington) — I call on the Premier to take some action to deal with a major problem he has created at the National Gallery of Victoria site in St Kilda Road. Despite a recommendation from the Office of Major Projects that a tender for work at the National Gallery be awarded to a company that employs a labour force represented by the Construction, Forestry, Mining and Energy Union, the Premier personally intervened and instructed that the tender be let to a company that has a labour force represented by his factional friends, the Australian Workers Union.

I understand the situation the Premier has created on the site has now heated up to the extent that a Supreme Court order has been taken out preventing unions from having access to their members, and that the government has instructed the Victoria Police to use its members to enforce that order and prevent union representatives from entering the site. I am told that police were at the site this morning doing just that, and they may well still be at the site doing it right now.

The intervention by the Premier that created this mess so outraged some of the workers on the site that they took action which, while in the circumstances understandable — yet it certainly should not be condoned — caused damage to a major state asset and a heritage-listed building.

I ask the Premier what he intends to do to fix the shambles he has personally created at the National Gallery through his intervention in the tendering process, which had the express purpose of helping his union factional mates. I also ask the Premier whether he proposes to have the police investigate the damage that has been done to this special Victorian asset.

Snowy River

Mr STEGGALL (Swan Hill) — I refer the Premier to the motion he moved at the Australian Labor Party conference in Hobart a couple of weeks ago. I ask him to explain to the house where the agreement is with New South Wales on the allocation of water to the Snowy River. The motion he moved, which was seconded by Mr Della Bosca, states:

Labor recognises that the Snowy River must return to a flow that is ecologically viable.

There is no mention of 28 per cent there. The motion continues:

Labor in government, following consultation with all affected states (including South Australia) —

I do not know why he put that in —

will work in cooperation with the Victorian and New South Wales governments, local governments, industry and communities to formalise funding arrangements to ensure the Snowy River's future and the commercial viability of the Snowy Mountains hydro-electric scheme.

The motion shows that the government is pulling back from its commitment to restoring a 28 per cent flow to the Snowy River because it cannot get New South Wales to agree and it does not know how to achieve that water volume. It has lifted expectations way beyond what was necessary for the motion that was moved and agreed to by the conference. The motion is in conflict with the position the government has put in this place. It does not give much hope to the honourable member for Gippsland East.

The Premier is saying in the motion that the Snowy River's future and its commercial viability do not depend on a 28 per cent flow, and neither does the Snowy Mountains hydro-electric scheme. The house, the Parliament and the Minister for Environment and Conservation have said that no water is to be taken from the environment to supply the Snowy River, no water is to be taken from irrigators or water users, no water will be purchased on the open market, and Victoria's share will be 25 per cent of the flow going to the Snowy River.

I ask the Premier to explain to the house his agreement with the New South Wales government and the motion he moved that was seconded by Minister Della Bosca of the New South Wales government.

Housing: youth homelessness

Mr MILDENHALL (Footscray) — I raise for the attention of the Minister for Housing the plight of

Melbourne's young homeless people and the insensitive remarks made by the federal Treasurer last Friday at the launch of Melbourne Citymission's winter sleep-out, which raises money for homeless people. That fine organisation has an office close to my electorate office and is headed by the exemplary Reverend Ray Cleary.

Youth homelessness is a serious issue, particularly in the western suburbs, which in part I represent. On any one night hundreds if not thousands of young people are sleeping out. Tragically, they are often the victims of violence and abuse. They are vulnerable to drug abuse and prostitution, and they have health and housing problems. Their situation is in stark contrast to the comforts I and other guests enjoyed at the launch of the winter sleep-out. We were served hot cooked breakfasts in the warm and comfortable functions area at the Whitten Oval.

With breathtaking insensitivity the federal Treasurer, who had been invited to launch the sleep-out, lectured people about the need for recipients of welfare to make a greater contribution to the community. Under the principle of reciprocal obligations he urged them to put more back into the community. It was, to say the least, insensitive of him to raise that issue on that occasion. He implied that young homeless kids should put more back into the community and that they were bludging on the system and getting it too easy. He was saying, in effect, that they should get off their backsides and return more to the community that does so much for them!

I thought it was extremely insensitive and inappropriate of the federal Treasurer to lecture the community on the occasion of a winter sleep-out about what young homeless people should do to benefit the community.

Given the federal Treasurer's lack of understanding of those issues and the fact that he controls the purse strings, I urge the Minister for Housing to brief the federal Treasurer on what homelessness is like for young people so that he can better come to grips with the issues.

Students: literacy and numeracy testing

Mr HONEYWOOD (Warrandyte) — I ask the Minister for Education to reverse her decision on the national literacy and numeracy tests for year 4 and year 7 students. At the meeting of Australian education ministers in April this year — the Ministerial Council on Education, Employment, Training and Youth Affairs, also known as MCEETYA — Victoria stood out as the only state or territory that will not introduce

full-population testing of all year 7 students for literacy and numeracy. All the Victorian Minister for Education has agreed to is that from next year the government will undertake sample testing of year 7 students, which has nothing to do with full-population testing.

We know that Mary Bluett, the president of the Australian Education Union, wants the minister to dump the learning assessment project tests, known as LAP tests, for students in years 3 and 5. However, when the Minister for Education some two months ago announced new homework guidelines she clearly stated that Victoria would not be moving to full-population testing for year 7 students.

The minister has left the chamber. She has gone to get her briefing from Mary Bluett — the other Mary who runs education in Victoria.

Parents of Victorian year 7 students will not know the true performance of their children as compared with students in other Australian states and territories. All they will have is the results of a mickey mouse attempt at sample testing of students from one school and comparing them with students at another school. They will have no way of ensuring that underperforming schools have their year 7 performance measured or that their students are compared one to one. The problem is that any attempt at national benchmarking will fail, given that the second-largest state in Australia — Victoria — will not comply with a nationally agreed formula.

Mr Hulls interjected.

The SPEAKER — Order! I remind the Attorney-General that he is on a warning today.

Mr HONEYWOOD — I call on the minister to explain why Victoria is lagging behind every other state and territory by not agreeing to full year 7 literacy and numeracy testing.

Bellarine Peninsula: tourism

Mr TREZISE (Geelong) — I raise an issue for action by the Minister for Major Projects and Tourism. Recently the minister visited the Bellarine Peninsula and I had the privilege of joining him for the afternoon. His visit was very well received, not only by the people and businesses on the Bellarine Peninsula but also by broader organisations — —

An honourable member interjected.

Mr TREZISE — Someone has to represent it. The visit was also well received by broader organisations

such as Geelong Otway Tourism and Bellarine Peninsula Tourism. The minister visited many tourist destinations and met with many local tourism operators and businesses in the area. The Bellarine Peninsula is a particularly beautiful part of Victoria and, thanks to the minister, its tourism is just beginning to flourish. However, it is vital that support be given to the Bellarine Peninsula to ensure that its potential as a tourism destination is maximised. What further action will the minister be taking to support and assist the tourism industry on the Bellarine Peninsula?

That support will be of particular importance not only to the Bellarine area but also to the wider Geelong region. A healthy and vibrant local tourism industry will mean not only visitors and dollars, but also more jobs for the Bellarine Peninsula and the wider Geelong region. Through organisations like Geelong Otway Tourism and Bellarine Peninsula Tourism, initiatives such as the William Buckley Discovery Trail — which the minister took delight in opening during his visit — are coming to fruition.

Private hospitality businesses such as the Scotchmans Hill Vineyard are also thriving. I took particular delight in visiting that winery with the minister. Many honourable members will be aware that it produces quality wine.

I congratulate the minister on his recent visit to the Bellarine Peninsula. I assure him he will be welcomed back on any occasion he wishes. I look forward to his response.

Lakes Entrance Secondary College

Mr INGRAM (Gippsland East) — I ask the Minister for Education to investigate all possible measures to extend the education program of the Lakes Entrance Secondary College. The school's education program is currently limited to a year 7 to year 10 curriculum. The community has a growing desire for the school's program to be expanded to the full secondary curriculum, including the Victorian certificate of education (VCE).

Lakes Entrance has a population of 5500 and is one of East Gippsland's and Victoria's major tourist destinations. It is the largest commercial fishing port in Victoria, and it is the nearest town to the Forestech technical and further education centre. Forestech is a centre of excellence specialising in environmental studies, forestry and furniture design programs. There is also a proposal for another tertiary education facility in the Lakes Entrance area — that is, the Gondwana land centre.

It is difficult to get tertiary education facilities when there is no provision for full-time VCE study in the area. Currently the VCE students in the Lakes Entrance region have to travel by bus to Bairnsdale for their education. This includes students from Nowa Nowa and Lake Tyers. The bus trip takes approximately an hour and 15 minutes each morning and afternoon. It restricts the ability of students to complete their VCE studies and puts pressure on their education.

I ask the minister to investigate how a full VCE education program can be arranged at Lakes Entrance in the future and what benefits would accrue to the students by providing the program. Will the minister explain what benefits the community would receive? Students in Lakes Entrance want to be educated to VCE standard, and that is also the wish of their parents and the town. I ask the minister to examine the matter.

CFA: Torquay station

Mr PATERSON (South Barwon) — I raise a matter for the attention of the Minister for Police and Emergency Services, who has been excitedly talking about the \$27.5 million Country Fire Authority (CFA) budget. I should like him to spend it in Torquay, which needs a new fire station. The people of Torquay, Jan Juk and surrounding areas are being short-changed by the Labor government, which is sitting on its hands and doing nothing.

Safety and property damage are now becoming issues, with the current CFA building unable to house a fire truck of the size needed to serve the Torquay area. It seems everyone except the Labor government knows the population of the area is exploding. The land for the CFA fire station, which has already been purchased by the previous government, is situated at the entrance to the Surf Coast shire offices, but approximately \$500 000 is now required to build the new station.

The existing station is too small and has access and parking problems, particularly during the busy summer period. It also has a larger type 3 pumper unit, which should be stationed at Torquay but which cannot fit into the present building. Towns like Torquay are without adequate emergency services. I call on the minister to take urgent action.

Road safety: black spot program

Ms BEATTIE (Tullamarine) — I refer the Minister for Transport to the \$240 million black spot program for solving road problems across Victoria. I understand that Vicroads has received approximately 900 applications for funding, which indicates the level

to which road infrastructure dropped under the previous government — yet opposition members would have one believe everything was well funded. The little porkies flying around the chamber are not an accurate reflection on the state of things.

I urge the minister to consider three projects in my electorate put forward by the City of Hume and community groups — the intersections at the corners of Dalrymple and Riddell roads, Sunbury; Mickleham and Barrymore roads, Greenvale; and Vineyard Road and Mitchells Lane, Sunbury. The application for the Dalrymple and Riddell road intersection is important because it is the route used by motorists as a short cut to the Calder Highway.

The Calder Highway is not as popular as it could be and is not the dream run that motorists were expecting, because the Howard government has reneged on the funding for the roads of national importance program in Victoria.

Community groups and the City of Hume are happy about the consultative process that the minister and Vicroads have engaged in. For the first time in many years community groups feel they have a real input into a process that affects their daily lives. Under the previous government areas such as the outer suburbs were totally neglected. Everyone noticed that the previous government was city-centric and did not care two hoots about the outer suburbs. That government paid the price, and this government now has to catch up with infrastructure.

I ask the Minister for Transport to look at those three projects and report back. They are very important projects that others apart from me, particularly the community and the local council, have identified as special.

Yarra Valley: dental services

Mrs FYFFE (Evelyn) — I refer the Minister for Health to his announcement by press release on 18 July of a new public dental clinic in Orbost. I congratulate the minister and the honourable member for Gippsland East on that announcement.

If the government is really serious about its commitment to improving local health services throughout regional and rural Victoria I ask the minister to look at the Yarra Valley, a rural area with waiting lists of between 12 months and 2 years for access to either of the two nearest dental clinics. At the Maroondah clinic, which is a short hour and a half away for a large percentage of my constituents, there is

a waiting list of two years. At Ferntree Gully, which is an another hour away at least, the waiting time is a mere 12 months — but that is still far too long.

The Shire of Yarra Ranges has approximately 140 000 residents and boasts a higher percentage of people on incomes of \$300 or less a week than even Gippsland East. The upper reaches of the shire have 19 per cent unemployment according to the latest small area labour market figures. More than half of the households in the area have either no vehicle or only one vehicle, so access to facilities at either Maroondah or Ferntree Gully is extremely limited.

The honourable members for Seymour and Yan Yean have ignored the plight of the residents of Yarra Glen and Healesville, who have to wait great lengths of time to gain access to public dental services, even though people in other areas are well looked after by their Labor colleagues. That is disgraceful. The 140 000 residents of the Yarra Valley deserve better than that.

On behalf of those residents I ask the Minister for Health to look at the dental health situation in the Yarra Valley and to build a clinic in Lilydale that would make dental services accessible to the local residents. Otherwise the waiting lists will continue to grow as the local population increases.

Disability services: Loddon–Mallee region

Ms ALLAN (Bendigo East) — I ask the Minister for Community Services what action she is taking to enhance access to disability services for people in the Loddon–Mallee region, which includes my electorate of Bendigo East. The minister is well aware of the needs of people with disabilities in the region because she has already made a number of visits there during the short time she has held her portfolio. In her first month in office she made a day visit to Bendigo and met with a wide range of people across the disability services sector, including staff of the Department of Human Services and other service providers.

Members on both sides of the chamber will agree that people who work in disability services do an excellent job. In my electorate they work in facilities such as Peter Harcourt Services and Centacare. The minister has met with workers in those two centres and has had wide-ranging discussions with them. The minister also visited the Sandhurst Medical Centre in my electorate and had discussions with — —

Mr Lenders — I am reluctant to raise this point of order, Mr Speaker, but although I am sitting very close

to the honourable member for Bendigo East I am having a lot of difficulty hearing her.

Mrs Peulich — On the point of order, Mr Speaker, I am sitting some metres away from the honourable member for Bendigo East and I heard her perfectly well. If the honourable member for Dandenong North is having difficulty hearing, perhaps he should have his hearing checked.

The SPEAKER — Order! There is no point of order. I ask the house to keep conversations at a lower level.

Ms ALLAN — I appreciate the opportunity to be heard. I am glad the honourable member for Bentleigh is taking a particular interest.

As I was saying, the minister visited the Sandhurst Centre, a specific disability service provider, and had discussions with a number of people on a number of important issues. There is an acknowledged need to enhance services for people with disabilities in the Loddon–Mallee region, largely because of the cuts by the former government and because the number of people with disabilities is increasing by around 4 per cent per year. There is a large increase in the number of people with acquired brain injuries.

As I said, there are a number of excellent service providers that do a great job, including Peter Harcourt Services and Golden North Services in my electorate. Recently I spoke at the Spastic Society of Victoria annual general meeting and was very pleased to hear its members give great praise to the minister, who is doing an excellent job and who has had wide-ranging discussions and is consulting them on a number of issues.

People in the Loddon–Mallee region — and right across the state — would like to know what action the minister is taking. Having faced a difficult seven years under the former government they want to know what the government is going to do to enhance services for people with disabilities. We should also note the importance of families.

Caulfield Junior College

Mrs SHARDEY (Caulfield) — The issue I raise for the attention of the Minister for Education is that since February the school community of Caulfield Junior College has been sharply divided over the school's future. The college was formed in 1998 through joining Caulfield North Primary School in Balaclava Road and Caulfield Primary School in Glenhuntly Road into a multicampus school.

In February the school council announced plans to merge the two campuses at Balaclava Road. That initiated a vigorous campaign from parents to keep the Glenhuntly Road campus open, culminating in a 130-signature petition to the minister calling on her to ensure the survival of the campus.

Now there is a stand-off between the school council and parents at the Glenhuntly Road campus, and that situation has not been resolved by the regional director. I call upon the Minister for Education to take the appropriate action by considering and responding to the Caulfield Junior College's plan to merge the campuses on one site and particularly by responding in person to the parents who have contacted her about their concerns.

Workcover: premiums

Mrs PEULICH (Bentleigh) — I direct a matter to the attention of the Minister for Local Government in his dual capacity, as he is also the Minister for Workcover. In particular I refer to concerns raised with me by a number of people in my electorate about the effects of Workcover premium increases — which reflect a deliberate Labor government policy — especially on Glen Eira council rates.

The other night councillors passed a motion calling for a report on how they will meet the huge increase of tens of thousands of dollars in Workcover premiums. The motion was moved by new councillor Peter Goudge and Labor councillor Rachelle Sapir, because everyone — Labor, Liberal and swinging voter alike — is concerned about the effect of the policy. People in small business are concerned because they will be paying a double whammy — their council rates plus industry rates. Low-income people —

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

Responses

Mr PANDAZOPOULOS (Minister for Major Projects and Tourism) — The honourable member for Geelong raised with me issues about the importance of and the growing opportunities for tourism for the Bellarine Peninsula. He asked me to indicate to him any additional action that the government might be able to take to assist Bellarine Peninsula Tourism to ensure tourism continues to grow and economic development opportunities are available in that area.

On 20 July I spent the whole day on the Bellarine Peninsula with the honourable member and a member

from another place, the Honourable Elaine Carbines, and visited great places like Barwon Heads and Ocean Grove and a fantastic place called Spray Farm where I launched new sponsorship for Bellarine Peninsula Tourism and opened the new Spray Farm cafe and restaurant.

I advise the honourable member for Geelong that the government is looking at some initiatives. Geelong Otways Tourism asked the government for support and I launched the William Buckley Discovery Trail, which is a cultural heritage trail. It recognises the first white person in the state — prior to its being the colony of Victoria — to seek reconciliation with the indigenous community. William Buckley was an escaped convict who survived for many years living with the local Aboriginal community. He was buried in an old schoolyard in Hobart and the government has been seeking the return of his bones from the Tasmanian government. I have written to Premier Bacon and spoken to Tourism Tasmania seeking their assistance.

I advise the honourable member for Geelong that the government has almost completed its review of the events strategy for Tourism Victoria. It has already decided to double the funding for minor regional events to \$150 000, and that program will be administered by Country Victoria Tourism Council. Eligible groups in the Bellarine Peninsula can apply for funding from the program.

The government has an extra \$500 000 from the Living Regions Fund and, delivering on an election commitment to promote regional events, it has been decided to double the number of major events outside Melbourne. Some of the events, including those at Spray Farm, are being looked at to see whether the government can assist. The community on the Bellarine Peninsula has been enthusiastic about having a government that is prepared to listen and spend time with it. The Labor government does not simply go out, give speeches, issue press releases and leave; it spends time with communities that feel they have been ignored.

Recently I received a letter from the secretary of Bellarine Peninsula Tourism, Daryl Warren, who is also involved with the Scotchman's Hill group of companies. He thanked me for spending a whole day working with the community. An important sentence from his letter indicates the difference between this government and the previous one. He states:

As I probably indicated to you on the day this was the first time that a minister holding a tourism portfolio has been to the Bellarine Peninsula in over eight years, and to that end it

was no wonder that there was a great response from our membership.

The tourism community in Bellarine speaks for itself and the government is happy to continue to work with it. It will work not only with Bellarine but with all the regions. The government will not take part in media opportunities and then run away. It will spend time with communities talking about available government programs and helping them where it can.

Ms CAMPBELL (Minister for Community Services) — The issue of disability services in the Loddon–Mallee region, which was raised by the honourable member for Bendigo East, is important. As she said, I have had the good fortune of meeting with many people both directly through her office and through the Department of Human Services.

Before I answer her question directly, I pay tribute to the workers and volunteer teams at Peter Harcourt Services, the Sandhurst Centre, Centacare and the Spastic Society, particularly at Golden North.

A dedicated team of people deliver disability services in the Loddon–Mallee region where a grave need exists. The state budget will deliver improved services for the Loddon–Mallee region, and I can inform the honourable member for Bendigo East of the contribution that will be made to her region as a result.

The government is aware there is a high demand for disability services in the region, and the additional funds provided this financial year will cover a range of initiatives. They include \$219 000 to establish an additional seven supported accommodation placements that are sorely needed for people on the urgent needs register. The funding will be directed to those with the most urgent need.

The government is also instituting flexible accommodation models that will reflect different client needs. Not all people on the urgent needs register need a community residential unit model, and through being more innovative the government will also be more thorough in meeting personal needs. The government has allocated \$56 000 to establish two additional in-home accommodation support placements and will establish 17 home support packages at a cost of \$434 000 to assist people with cognitive disabilities to live independently.

In addition to the direct services to those in the Loddon–Mallee region, other regions in the state will now have full-time parent support workers. The support worker will assist parents to establish self-help and support groups for sharing ideas about how to be better

parents to their disabled children. The worker will also provide personal survival tips for continued happiness in the family, despite the many pressures that a person with a disability brings to a home.

In conclusion, the constituents in the electorate of Bendigo East are lucky to have a member who is a most prolific letter writer on community services matters. It is a pleasure to meet the needs of her constituents.

Ms PIKE (Minister for Housing) — I thank the honourable member for Footscray for his question and for his observations about the Melbourne Citymission's winter sleep-out breakfast. I have been attending the winter sleep-out breakfast for a number of years and was happy to do so again this year in my capacity as Minister for Housing. This year the sleep-out was attended by about 10 000 people and raised about \$200 000 for the Melbourne Citymission.

In his speech at the fundraising breakfast, the federal Treasurer, Mr Costello, claimed that his government would tackle homelessness and that the new welfare reforms would assist young people. The new welfare reforms have been widely reported in today's media. It is important to examine welfare policy in Australia on a regular basis. An enormous amount of money is spent on human services and it is important that money is well targeted to help people move beyond welfare and out of poverty traps. People from the human services sector have cautiously welcomed some aspects of the new welfare reform agenda, but at this stage they are looking for more detail.

I want to comment on the notion of mutual obligation which underpins a lot of federal social policy. All agree that all citizens in the community have responsibilities and obligations as members of society and that they need to exercise those responsibilities and obligations. However, citizens also have rights, and the most vulnerable members of the community — homeless young people fall into that category — are those least able to fulfil a lot of the arduous responsibilities that the federal Treasurer wants to place on their shoulders, because in many ways their inherent rights have been removed. It is the selective application of the notion of mutual obligation that most concerns me.

The most vulnerable members of our community are being told they have to put in, yet there are many other members of the community, some of them more powerful and wealthy, who do not have the same burden of obligation and responsibility put on them.

The government was elected with a strong commitment to addressing homelessness in Victoria. I have already given a commitment to provide an additional \$7 million for new outreach and support services to tackle homelessness where they are most needed. I will be happy to provide honourable members with an information kit on the Victorian homelessness strategy that shows how they can participate in the strategy.

I will be happy to share with the federal Treasurer all that the government learns from the Victorian homelessness strategy. I will also discuss with him the dimensions of the application of notions of mutual obligation, which are most unjust for some of the most vulnerable members of our community.

Mr CAMERON (Minister for Workcover) — The honourable member for Bentleigh raised a matter with me concerning Workcover premiums. As the house would be aware, municipal councils like any employers have to meet their superannuation, long service, salary and Workcover obligations. Workcover premiums were increased by 15 per cent, and the impact of the GST increased them by 10 per cent and an additional 2 per cent. That is the average increase across Victoria. As a result of the experience rating system, which was put in place by the previous government, some 30 per cent of employers are paying lower premiums this financial year than last year.

Mrs Peulich — On a point of order, Mr Speaker, I am finding it difficult to follow and understand the response of the minister because of the speed with which he is speaking. I am not sure whether the speed with which he is speaking is deliberate or inadvertent, but I do not believe he is providing the information I asked for, which was to provide advice to local councils, particularly Glen Eira City Council, about how they can absorb and cope with increased Workcover premiums without increasing rates, revenue or cutting services, and whether he would publish that information so it can be made available statewide.

The SPEAKER — Order! The latter part of the point of order raised by the honourable member for Bentleigh is out of order. She was using the opportunity to make a point in debate and to restate her case. In relation to the first part of her point of order, a contributing factor in her inability to hear the Minister for Workcover was the level of interjection. I do not uphold the point of order. I ask the house to quieten down and the minister to speak into the microphone so everyone can hear him.

Mr CAMERON — The government has to fix the financial crisis the previous government left the Workcover scheme in.

The easiest way for a council to be able to reduce its premium rate is to improve occupational health and safety measures. The Shire of Campaspe is paying a premium rate of less than 1 per cent this year, because it has worked concertedly to improve occupational health and safety in its workplace. That is the way the experience rating system, which the previous government introduced, works.

It seems honourable members opposite are suddenly not fussed about occupational health and safety, but if that lack of concern were turned into policy it would mean more accidents and higher premiums. Occupational health and safety must come first.

Ms DELAHUNTY (Minister for Education) — The honourable member for Gippsland East asked me about the request of the Lakes Entrance Secondary College community to extend the school program from a curriculum for year 7 to year 10 to a curriculum for year 7 to year 12. This gorgeous little school is in a gorgeous little village — I understand the population doubles over the summer season — and in the past 14 years enrolments have increased from 200 to 300, so there may be an entitlement to sustain a program for year 11 to year 12.

My department recommends that the Lakes Entrance Secondary College request the regional planning director to form a planning committee. If there are sufficient enrolments to sustain an extension of the curriculum we would need to ensure that the Bairnsdale Secondary College is happy about that. There also needs to be adequate consultation with the feeder primary schools. The proposal would be looked at with great interest by the department.

The honourable member for Warrandyte — well, here we go! He could not get a question up in question time so he had to raise his question in the adjournment debate. Even that terribly limp tilt by a backbencher at some little bingle in the car park got in front of the honourable member for Warrandyte — and he is supposed to be the shadow Minister for Education.

The honourable member for Warrandyte raised a serious issue about assessment and reporting. Honourable members would be aware that the government has introduced a new achievement improvement monitor, known as AIM. This is a way of assessing students, accurately reporting to their parents and doing something about any problems.

There has been testing in the past, but it has been test and forget: 'Yes we go out there and we test, but we do not do any analysis of what that testing shows us and nothing is done about the deficiencies that are uncovered'. Certainly that was so under the last government. The last test that was done revealed that 13.8 per cent of Victorian year 3 students are not reading at the national benchmark.

If it were not for that blessed event that changed the government, nothing would have been done to help those 13.8 per cent of students, because under the previous regime it was test and forget. There was a lot of noise up there — —

Mr Honeywood — On a point of order, Mr Speaker, my question to the minister was specific. It related only to year 7 full-population testing. It had nothing to do with what she is talking about. I ask her to stop debating and to come back to the point of the question.

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

Ms DELAHUNTY — That is right. Question time is over; that was at 2 o'clock.

The government is aiming for success. I recommend that you read the *Education Times* because you will understand the five-point plan that will ensure that not only will our students be tested but they will be assisted. Any deficiencies uncovered by that testing will be rectified. We have got \$15 million to invest in the learning improvement program to achieve that.

The honourable member for Caulfield raised — —

Mr Honeywood interjected.

Ms DELAHUNTY — This is not question time, I remind you, Phil.

The SPEAKER — Order! The minister, through the Chair!

Ms DELAHUNTY — The honourable member for Caulfield raised the matter of the Caulfield Junior College — she is not even listening — and the two campuses, one in Glenhantly Road and the other in Balaclava Road. I understand this has been a difficult and protracted matter for the local community. I should inform the local community and the honourable member — if she is listening now — that the working party set up to examine the issue will report back to me as minister next week, so it is hoped there will be some resolution.

Mr BATCHELOR (Minister for Transport) — The honourable member for Tullamarine raised with me the funding — —

Ms Asher — Three issues.

Mr BATCHELOR — No, one issue — accident black spot funding — although there were three components, all of which relate to nominations for black spot funding that were supported by her community and the local municipal council.

As the honourable member for Tullamarine would know, this black spot program is a one-off safety dividend of \$240 million to address safety and road accident sites all around Victoria. It is the biggest assault on accident black spots by a state government in Australia's history, and I look forward to being able to announce in the near future the first round of successful nominations.

I advise the honourable member for Tullamarine and all other honourable members that they should participate in the nomination process. If they, community groups or municipal bodies have ideas that they would like submitted, they may put in applications and their ideas will be considered. Those ideas will be tested against all other nominations, and all nominations will be determined on their merits.

I know the honourable member for Tullamarine has been very active on road safety issues. She has been in contact with her local community and has been encouraging consultation and participation. It is hoped that when the announcements are made the members of her constituency will be beneficiaries.

The honourable member for South Barwon raised for the attention of the Minister for Police and Emergency Services the matter of the Country Fire Authority fire station upgrade at Torquay. I shall pass that information on to the minister.

The honourable member for Evelyn raised for the attention of the Minister for Health the issue of dental services in the Yarra Valley, and I shall pass that matter on to the minister.

The Deputy Leader of the National Party raised for the attention of the Premier a matter about the Australian Labor Party conference in Hobart. I will ask the Premier to obtain a record of the decisions taken at the conference so that the honourable member can be satisfied.

The honourable member for Mornington raised for the attention of the Premier a matter concerning

renovations to the National Gallery of Victoria, which I shall pass on to the Premier.

Mr Cooper — I raise a point of order, Mr Speaker. I was the first person to speak in the adjournment debate and when I commenced my remarks — in fact, when I was well into my remarks — the Premier was in the chamber.

Mr Batchelor — That's not a point of order.

Mr Cooper — Mr Speaker, the Premier left the chamber while I was making a contribution and directing a matter to his attention. The matter I raise is not one of no consequence. It is a serious matter involving the intervention and interference by the Premier in a tendering process and the damage that has been done to a heritage-listed building. I am asking why the Premier ran out, scuttled out, of this chamber like a scared rabbit when a matter of that seriousness was directed to his attention.

I ask you, Mr Speaker, to require the Premier on the next day of sitting to respond on this issue and explain to the people of Victoria why he is prepared to interfere in the tendering process.

The SPEAKER — Order! I have heard sufficient on the point of order. I will not allow the honourable member for Mornington to continue to restate his case. Being a member of long standing, he well knows that the practice of the house is that the Chair calls the ministers who are in the house to respond at the conclusion of the adjournment debate. The Chair can do no more than that.

Motion agreed to.

House adjourned 5.00 p.m. until Tuesday, 29 August.

QUESTIONS ON NOTICE

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

15 August 2000

Sport and Recreation: sport and physical education

86. MR WILSON — To ask the Honourable the Minister for Gaming, Major Projects and Tourism, for the Honourable the Minister for Sport and Recreation —

1. What additional funding from 1999–2000 to 2002–2003 inclusive has been allocated for Victorian Government primary and secondary schools respectively, as a result of the Minister for Sport and Recreation’s announcement on 25 November 1999 that Victorian school children in Government schools are to be allocated more time for organised sporting and physical and health education.
2. In the Eastern Region, in relation to both sport and physical education instruction what proportion of this additional time in the 2000 school year, in primary and secondary schools respectively will see children receiving additional instruction from specialist physical education teachers in lieu of general class teachers.
3. What measures has or will the Government institute to ensure that children receive access to at least the same opportunities in — (a) Catholic; and (b) other independent primary and secondary schools.

ANSWER:

This Question is identical to Question No. 85 in the Legislative Assembly which the Member directed to my colleague, the Honourable the Minister for Education. I refer the Member to the reply provided by my colleague.

Premier: regional adviser

102. MR SPRY — To ask the Honourable the Premier — whether Ms Kerri Erler, the unsuccessful candidate in the seat of Bellarine, has taken up the post of regional adviser to the Premier for the Geelong region, as advised in the Geelong press on 8 February 2000; if so — (a) what will be the nature and extent of Ms Erler’s duties; (b) what salary and other expenses will be paid to Ms Erler; (c) what office, vehicle and other costs will be met by the Government; and (d) what is the estimated overall annual cost of the provision of the services of Ms Erler.

ANSWER:

- a) Ms Erler is employed as a Ministerial Adviser within the Office of the Premier and like all other Ministerial Advisers, her duties include:
- Provide expert and timely advice to the Minister and senior Ministerial staff on complex and sensitive policy issues.
 - Through the Senior Ministerial Adviser, maintain effective liaison with the Premier’s office on all complex and sensitive policy areas.
 - Ensure that the resources of the portfolio Department are effectively employed to provide high level and appropriate advice and support to the Minister.

- Assist in policy initiatives and research into the development of strategic policy responses.
 - Liaise with government departments, the private sector and the community as directed to identify key issues in relation to policy requirements.
 - Provide advice and support to the Minister and Senior Adviser in Parliamentary matters including Question time, legislative processes and parliamentary business.
 - Monitor and advise upon legislative and policy developments in Victoria, interstate and overseas.
 - Advise the Minister and Senior Policy Adviser on policy issues in a wide variety of negotiations, meetings and consultations.
 - Liaise with Departmental officers in relation to the preparation of policy and legislative documents.
 - As directed analyse and prepare reports, papers, policy statements, briefing notes and statistical information on policy and related matters and significant portfolio initiatives.
 - Assist the Senior Ministerial Adviser in the performance of their duties.
- b) Ms Erler's salary and expenses are commensurate with other Ministerial Advisers within the Office of the Premier.
- c) Ms Erler's terms and conditions are commensurate with other Ministerial advisers within the Office of the Premier.
- d) The overall annual cost of the provision of services for Ms Erler are commensurate with other Ministerial advisers within the Office of the Premier.

Ports: designated union contacts

112. MR WILSON — To ask the Honourable the Minister for Transport representing the Minister for Ports —

1. Does the Minister's Department employ either staff (whether casual, full or part time) or consultants whose duties or contracts have included, or currently include, acting as a designated contact point on policy matters with individual unions, the Victorian Trades Hall Council or the Australian Council of Trade Unions.
2. If so, provide the name of each such employee or consultant and at what annual salary or annual contracted rate each is employed.
3. Which union(s) does each such employee or contractor have responsibility for.
4. As at 31 December 1999, how many staff were employed in the above capacity by — (a) the Minister's Department; and (b) all statutory authorities or Government business enterprises responsible to the Minister's Department.
5. Of those employees, how many were members of each specified union.

ANSWER:

1. The Department employs an Industrial Liaison Officer to act as a designated contact point.
2. An Officer has been appointed as Industrial Liaison Officer at the VPS 5 level.
3. The duties of the Industrial Liaison Officer position include liaising and negotiating with unions, other employee representatives, staff and line managers on industrial relations issues.
4. The Department, (including portfolio areas), employs one Industrial Liaison Officer.

5. The Victorian Public Service is an Equal Employment Opportunity Employer and does not seek information about union membership from its employees.

Arts: designated union contacts

121. MR WILSON — To ask the Honourable the Minister for Arts —

1. Does the Minister's Department employ either staff (whether casual, full or part time) or consultants whose duties or contracts have included, or currently include, acting as a designated contact point on policy matters with individual unions, the Victorian Trades Hall Council or the Australian Council of Trade Unions.
2. If so, provide the name of each such employee or consultant and at what annual salary or annual contracted rate each is employed.
3. Which union(s) does each such employee or contractor have responsibility for.
4. As at 31 December 1999, how many staff were employed in the above capacity by — (a) the Minister's Department; and (b) all statutory authorities or Government business enterprises responsible to the Minister's Department.
5. Of those employees, how many were members of each specified union.

ANSWER:

I am informed that:

The Department of Premier and Cabinet currently does not have staff employed specifically to act as a designated contact point on policy matters with individual unions, the Victorian Trades Hall Council or the Australian Council of Trade Unions. However staff are required in the normal course of their duties to liaise and negotiate with a range of organisations, including unions, on routine employer/employee matters and in the development of policy. Furthermore the Department is in the process of recruiting an Industrial Liaison Officer.

The Victorian Public Service is an Equal Opportunity Employer and does not seek information about union membership from its employees.

Environment and Conservation: designated union contacts

122. MR WILSON — To ask the Honourable the Minister for Environment and Conservation —

1. Does the Minister's Department employ either staff (whether casual, full or part time) or consultants whose duties or contracts have included, or currently include, acting as a designated contact point on policy matters with individual unions, the Victorian Trades Hall Council or the Australian Council of Trade Unions.
2. If so, provide the name of each such employee or consultant and at what annual salary or annual contracted rate each is employed.
3. Which union(s) does each such employee or contractor have responsibility for.
4. As at 31 December 1999, how many staff were employed in the above capacity by — (a) the Minister's Department; and (b) all statutory authorities or Government business enterprises responsible to the Minister's Department.
5. Of those employees, how many were members of each specified union.

ANSWER:

I am informed that:

1. and 2.

An Industrial Liaison Officer has been employed by the Department of Natural Resources and Environment within the VPS Band 4 salary range.

3. The duties of this position require the occupant to liaise and undertake negotiations with unions, other employee representatives, staff and line managers on industrial relations issues.

4. (a) See response to 1. and 2.

(b) The time and resources required to provide you with a response to this question for the statutory authorities within the Environment and Conservation portfolio would unreasonably divert the resources of the Department.

5. The Victorian Public Service is an Equal Employment Opportunity Employer and does not seek information about union membership from its employees.

Energy and Resources: designated union contacts

124. MR WILSON — To ask the Honourable the Minister representing the Minister for Energy and Resources —

1. Does the Minister's Department employ either staff (whether casual, full or part time) or consultants whose duties or contracts have included, or currently include, acting as a designated contact point on policy matters with individual unions, the Victorian Trades Hall Council or the Australian Council of Trade Unions.

2. If so, provide the name of each such employee or consultant and at what annual salary or annual contracted rate each is employed.

3. Which union(s) does each such employee or contractor have responsibility for.

4. As at 31 December 1999, how many staff were employed in the above capacity by — (a) the Minister's Department; and (b) all statutory authorities or Government business enterprises responsible to the Minister's Department.

5. Of those employees, how many were members of each specified union.

ANSWER:

I am informed that:

1. and 2.

An Industrial Liaison Officer has been employed by the Department of Natural Resources and Environment within the VPS Band 4 salary range.

3. The duties of this position require the occupant to liaise and undertake negotiations with unions, other employee representatives, staff and line managers on industrial relations issues.

4. (a) See response to 1. and 2.

(b) At 31 December 1999, no statutory authority within the Energy and Resources portfolio employed staff in the above capacity.

5. The Victorian Public Service is an Equal Employment Opportunity Employer and does not seek information about union membership from its employees.

Agriculture: designated union contacts

128. MR WILSON — To ask the Honourable the Minister for Agriculture —

1. Does the Minister's Department employ either staff (whether casual, full or part time) or consultants whose duties or contracts have included, or currently include, acting as a designated contact point on policy matters with individual unions, the Victorian Trades Hall Council or the Australian Council of Trade Unions.
2. If so, provide the name of each such employee or consultant and at what annual salary or annual contracted rate each is employed.
3. Which union(s) does each such employee or contractor have responsibility for.
4. As at 31 December 1999, how many staff were employed in the above capacity by — (a) the Minister's Department; and (b) all statutory authorities or Government business enterprises responsible to the Minister's Department.
5. Of those employees, how many were members of each specified union.

ANSWER:

I am informed that

1. and 2.

An Industrial Liaison Officer has been employed by the Department of Natural Resources and Environment within the VPS Band 4 salary range.

3. The duties of this position require the occupant to liaise and undertake negotiations with unions, other employee representatives, staff and line managers on industrial relations issues.
4. (a) See response to 1. and 2.
(b) The time and resources required to provide you with a response to this question for the statutory authorities within the Agriculture portfolio would unreasonably divert the resources of the Department.
5. The Victorian Public Service is an Equal Employment Opportunity Employer and does not seek information about union membership from its employees.

Manufacturing Industry: designated union contacts

131. MR WILSON — To ask the Honourable the Minister for Manufacturing Industry —

1. Does the Minister's Department employ either staff (whether casual, full or part time) or consultants whose duties or contracts have included, or currently include, acting as a designated contact point on policy matters with individual unions, the Victorian Trades Hall Council or the Australian Council of Trade Unions.
2. If so, provide the name of each such employee or consultant and at what annual salary or annual contracted rate each is employed.
3. Which union(s) does each such employee or contractor have responsibility for.

4. As at 31 December 1999, how many staff were employed in the above capacity by — (a) the Minister's Department; and (b) all statutory authorities or Government business enterprises responsible to the Minister's Department.
5. Of those employees, how many were members of each specified union.

ANSWER:

The Department of State and Regional Development has an Industrial Liaison Officer. The officer is paid within the salary range for the position.

The duties of this position require the occupant to develop and promote effective consultative industrial relations practices across the Department and its portfolio agencies. The occupant participates in discussions and negotiations between unions, staff and managers, consistent with Departmental policies and directions. The occupant also provides advice on emerging industrial relations issues within the Department and its portfolio agencies.

Racing: designated union contacts

132. MR WILSON — To ask the Honourable the Minister for Racing —

1. Does the Minister's Department employ either staff (whether casual, full or part time) or consultants whose duties or contracts have included, or currently include, acting as a designated contact point on policy matters with individual unions, the Victorian Trades Hall Council or the Australian Council of Trade Unions.
2. If so, provide the name of each such employee or consultant and at what annual salary or annual contracted rate each is employed.
3. Which union(s) does each such employee or contractor have responsibility for.
4. As at 31 December 1999, how many staff were employed in the above capacity by — (a) the Minister's Department; and (b) all statutory authorities or Government business enterprises responsible to the Minister's Department.
5. Of those employees, how many were members of each specified union.

ANSWER:

The Department of State and Regional Development has an Industrial Liaison Officer. The officer is paid within the salary range for the position.

The duties of this position require the occupant to develop and promote effective consultative industrial relations practices across the Department and its portfolio agencies. The occupant participates in discussions and negotiations between unions, staff and managers, consistent with Departmental policies and directions. The occupant also provides advice on emerging industrial relations issues within the Department and its portfolio agencies.

Transport: ministerial appointments

146. MR WILSON — To ask the Honourable the Minister for Transport —

1. What was the name of each Ministerial appointment made to Boards, Commissions, Committees of Government Business Enterprises, Statutory Authorities or the Department between 18 September 1999 and 29 February 2000.
2. What expressions of interest and selection processes were used in each such case.

3. What date was each such person appointed and on what date does his or her office expire.
4. What daily or half day sitting fees and other remuneration is expected to be paid in 1999–2000 to each such appointee.
5. Have any changes been made to remuneration arrangements for any such appointees since their appointment; if so what are the details.

ANSWER:

The time and resources required to provide you with a response to these questions would unreasonably divert the resources of the department.

Should you wish to ask a more specific question on this matter, I will endeavour to provide you with a response.

Ports: ministerial appointments

147. MR WILSON — To ask the Honourable the Minister for Transport representing the Minister for Ports —

1. What was the name of each Ministerial appointment made to Boards, Commissions, Committees of Government Business Enterprises, Statutory Authorities or the Department between 18 September 1999 and 29 February 2000.
2. What expressions of interest and selection processes were used in each such case.
3. What date was each such person appointed and on what date does his or her office expire.
4. What daily or half day sitting fees and other remuneration is expected to be paid in 1999–2000 to each such appointee.
5. Have any changes been made to remuneration arrangements for any such appointees since their appointment; if so what are the details.

ANSWER:

The time and resources required to provide you with a response to these questions would unreasonably divert the resources of the department.

Should you wish to ask a more specific question on this matter, I will endeavour to provide you with a response.

Arts: ministerial appointments

156. MR WILSON — To ask the Honourable the Minister for Arts —

1. What was the name of each Ministerial appointment made to Boards, Commissions, Committees of Government Business Enterprises, Statutory Authorities or the Department between 18 September 1999 and 29 February 2000.
2. What expressions of interest and selection processes were used in each such case.
3. What date was each such person appointed and on what date does his or her office expire.
4. What daily or half day sitting fees and other remuneration is expected to be paid in 1999–2000 to each such appointee.
5. Have any changes been made to remuneration arrangements for any such appointees since their appointment; if so what are the details.

ANSWER:

I am informed that:

The time and resources required to provide you with a response to this question would unreasonably divert the resources of the department.

Should you wish to ask a more specific question on this matter, I will endeavour to provide you with a response.

Manufacturing Industry: ministerial appointments

166. MR WILSON — To ask the Honourable the Minister for Manufacturing Industry —

1. What was the name of each Ministerial appointment made to Boards, Commissions, Committees of Government Business Enterprises, Statutory Authorities or the Department between 18 September 1999 and 29 February 2000.
2. What expressions of interest and selection processes were used in each such case.
3. What date was each such person appointed and on what date does his or her office expire.
4. What daily or half day sitting fees and other remuneration is expected to be paid in 1999–2000 to each such appointee.
5. Have any changes been made to remuneration arrangements for any such appointees since their appointment; if so what are the details.

ANSWER:

The time and resources required to provide the Honourable Member with a response to this question would unreasonably divert the resources of the department.

Should the Honourable Member wish to ask a more specific question on this matter, I will endeavour to provide him with a response.

Racing: ministerial appointments

167. MR WILSON — To ask the Honourable the Minister for Racing —

1. What was the name of each Ministerial appointment made to Boards, Commissions, Committees of Government Business Enterprises, Statutory Authorities or the Department between 18 September 1999 and 29 February 2000.
2. What expressions of interest and selection processes were used in each such case.
3. What date was each such person appointed and on what date does his or her office expire.
4. What daily or half day sitting fees and other remuneration is expected to be paid in 1999–2000 to each such appointee.
5. Have any changes been made to remuneration arrangements for any such appointees since their appointment; if so what are the details.

ANSWER:

The time and resources required to provide the Honourable Member with a response to this question would unreasonably divert the resources of the department.

Should the Honourable Member wish to ask a more specific question on this matter, I will endeavour to provide him with a response.

Arts: Christmas 1999–New Year 2000 holidays

178. MRS ELLIOTT — To ask the Honourable the Minister for Arts — what was the total cost to the Minister's departmental budget of the three additional public holidays gazetted during the Christmas Day, Boxing Day and the New Year's Day period in December 1999 and January 2000.

ANSWER:

I am informed that:

The Government gazetted two, not three, additional public holidays to allow Victorian families to celebrate the new millennium: Boxing Day, Sunday 26 December 1999 and New Years Day, Saturday 1 January 2000. No additional public holiday was gazetted for Christmas Day by this Government. The previous Government gazetted Tuesday 28 December 1999 as a substitute holiday for the Christmas Day Saturday.

The Government decided to declare the two public holidays in a special, one-off arrangement in recognition of the unique nature of the new millennium. This decision was consistent with the approach taken by every other state in Australia and allowed Victorian families to enjoy the new millennium celebrations in the same way as families in every other part of Australia.

Negotiations were commenced under the previous Government on special payments for employees required to work during the millennium celebrations prior to the declaration of the additional two public holidays.

Manufacturing Industry: exhibitions

190. MR WELLS — To ask the Honourable the Minister for Manufacturing Industry —

1. Will the Government continue to support and fund the — (a) Melbourne Marine Week; (b) Melbourne Furnishing Festival; (c) Victorian Wine Week; (d) Melbourne Manufacturing Expo; and (e) Australian Automotive Week.
2. What funding will be provided to each in 2000–2001.

ANSWER:

The Government supports a number of business events including the five events nominated by the Honourable Member.

In the Budget for 2000/01, a total of \$900,000 was allocated to fund business events (see Budget Paper No. 2, p. 286). Within this amount, allocations have been made for each of the five nominated events.

Environment and Conservation: flying foxes

194. MR THOMPSON — To ask the Honourable the Minister for Environment and Conservation with reference to the decision to kill grey-headed flying foxes in the Royal Botanic Gardens — whether the Minister sought or received Departmental advice; if so — (a) what was the Departmental advice which the Minister relied upon in relation to the culling; (b) what alternative approaches were considered; (c) were any non-lethal approaches examined; and (d) what were the cost estimates.

ANSWER:

I am informed that:

- (a) The management plan devised for the control of Grey-headed Flying-foxes in the Royal Botanic Gardens was derived after extensive consultation between officers from the Parks, Flora and Fauna Division of the Department of Natural Resources and Environment, and the Royal Botanic Gardens. Additional information was sought from academics at two universities who are currently involved in flying-fox research and management, and from officers of the Department of Health, the Victorian Institute of Animal Science, and the Australian Animal Health Laboratory.

In addition to the Royal Botanic Gardens' own assessment of the serious nature of the damage to the trees and other vegetation, an independent arboricultural assessment of the damage was also obtained. Costs of the damage to the Gardens' trees has not been estimated however the Flying foxes inhabit up to 30% of the area and estimates of the damage to vegetation are that 35% is severely damaged and 60% moderately damaged.

- (b) Alternative approaches included: erecting monofilament line to discourage roosting, the use of electronic, mechanical and manually-created noise, smoke and water sprinklers to disperse bats. These trials had limited success and numbers continued to increase over the period of the trials. Relocation was considered but rejected due to the flying-foxes' strong site fidelity and capacity for long-range flight, and possible liability that could arise from relocating flying-foxes with a known disease profile.

Some flying foxes found in the Gardens have recorded antibodies to a number of virus that are known to pose a serious health risk to humans.

- (c) All the approaches outlined above involved non-lethal techniques. The move to population reduction was taken as a last resort.
- (d) The expected cost of the program is \$75,000 in the first year, and \$33,000 in years two to five. The program has been suspended following consideration of the Grey-headed Flying-fox's conservation status by the Scientific Advisory Committee (SAC) established under the **Flora and Fauna Guarantee Act 1988**. The Committee has recommended that the Grey-headed Flying-fox be given Preliminary listing under the Act. This recommendation is now open to public comment.

Environment and Conservation: rail trails

- 195. MR DIXON** — To ask the Honourable the Minister for Environment and Conservation — (a) what will be the future budget allocations to each of the 17 'Rail Trails'; and (b) over what time frame will they each be completed.

ANSWER:

I am informed that:

- (a) The Government has allocated \$975,000 to the development of rail trails over the next three years. Allocations for capital development projects are as follows:

Murray to the Mountains Rail Trail

\$425,000 (to be funded through the Community Support Fund). This funding will enable completion of the full 93 kilometres of the Rail Trail between Bowser (near Wangaratta) to Beechworth and to Bright. When completed, this Rail Trail will be the premier rail trail in Australia. It is anticipated that it will play a significant regional tourism role as well as catering for local recreation needs.

East Gippsland Rail Trail

\$550,000 (to be funded over three years as part of the package associated with the recently concluded Regional Forest Agreements). This funding will enable extension of the Rail Trail a further 30 kilometres to Nowa Nowa and also linkage of the Trail with the Gippsland coast at Lakes Entrance via the Colquhoun Forest. It will provide for the reconstruction of several bridges as well as surfacing, signing and conservation works.

(c) Rail Trails are being progressively opened for public use.

Trails completed are:

O'Keefe, Mirboo North – Boolarra and Yea.

Trails nearing completion are:

Murray to the Mountains	30 kilometres between Myrtleford and Bright have been completed. Work is in progress on the remaining 63 kilometres. The trail is expected to be completed by December 2000.
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Warburton	37 kilometres between Lilydale and Warburton have been completed. 1 kilometre is still to be completed. The completion date is yet to be confirmed.
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Bellarine	28 kilometres between Moolap and Queenscliff have been completed. The remaining 4 kilometres are expected to be completed by December 2003.
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Work is in progress on the remaining rail trails. Development is mostly at an early stage and completion dates have not been set.

Environment and Conservation: Lake Colac

201. MR PERTON — To ask the Honourable the Minister for Environment and Conservation with reference to Lake Colac —

1. What are the most recent studies of — (a) water quality; and (b) the qualities of the sediment and silt, specifying in each case who conducted the study and what were the results.
2. What plans does the Government have for — (a) improving the water quality; (b) dealing with silting problems; (c) beautifying the banks; and (d) improving the facilities surrounding the lake.
3. What advice does the Government have in relation to water quality in the creeks and drains flowing into the lake.

ANSWER:

I am informed that:

1. (a) Water quality in Lake Colac was previously monitored quarterly as part of the Victorian Water Quality Monitoring Network Lakes Program (monitoring ceased in 1997). The last report summarising this data was prepared by Water Ecoscience in 1996 (published by NRE). It includes information about a range of parameters for Lake Colac.

The Lake is currently monitored monthly as part of the EPA's monitoring of 5 Western District Lakes. Parameters measured include: pH, EC, DO (dissolved oxygen), temperature, nutrients (phosphorus and nitrogen), chlorophyll-a, and a range of heavy metals.

There is a State Environment Protection Policy for the Waters of Lake Colac and Catchment, which specifies a range of (mostly) quantitative objectives to be met to protect a range of beneficial uses. Attainment against turbidity, metals, DO and pH is high. Attainment against nutrient guidelines is low (ie nutrient levels are high).

Macroinvertebrates were monitored under the Salinity Mandatory Environmental Monitoring Program for two years (1996 and 1997). Reports have been prepared by the Marine and Freshwater Research Institute (MAFRI) and indicate that the taxa richness (ie a measure of biodiversity) varied from low to medium.

(b) Government is not aware of any sediment and silt analysis which has been undertaken.

2. (a) The Corangamite CMA, in partnership with all stakeholders including Government, has developed a nutrient management plan. Lake Colac is a priority waterbody within the plan. Priority activities are aimed at minimising urban and agricultural inputs to the Lake.

(b) The Corangamite CMA has installed a gross pollutant trap at the Armstrong Street drain (this is the main stormwater input to Colac).

The Corangamite CMA and Colac Otway Shire, in conjunction with the local Scouts, has instigated a drain stencilling program to educate people about the impact of stormwater drains on the Lake. The Corangamite CMA and Barwon Water, supported by Natural Heritage Trust funds, have been involved for the past three years in erosion control works on the Eastern Shore of Lake Colac. Rock groynes have been installed to control erosion and silt inputs.

(c) The Corangamite CMA has undertaken (and will continue to undertake) restoration work which includes willow removal, extensive replanting with native vegetation and fencing to prevent stock access on the Lake Foreshore. This work is undertaken in conjunction with Colac Otway Shire and local landcare groups.

(d) The Corangamite CMA and Barwon Water have recently applied for a full-time WaterWatch coordinator for Colac and surrounds through the Living Cities Program.

Colac Otway Shire is currently developing tender documents for a management plan for Lake Colac in conjunction with Corangamite CMA and Friends of Lake Colac.

Barwon Water, working with EPA to meet current State Environmental Protection Policy guidelines, have called for tenders for a new tertiary treatment plant to reduce nitrogen and phosphorus inputs to the Lake. In the future, Barwon Water will be looking at reuse options.

3. There are two major tributaries - Deans Creek and Barongarook Creek. Deans Creek is currently monitored for salinity. Some monitoring has been done in the past under the WaterWatch program. Further monitoring will be undertaken if the application for funding for a WW coordinator is successful.

Water quality in the creeks is being tackled through the Corangamite Nutrient Management Plan, the Corangamite Salinity program and considerable revegetation works. Some additional on-ground catchment works will also soon commence in the Barongarook catchment through NRE investment.

Environment and Conservation: rainwater tanks

202. MR PERTON — To ask the Honourable the Minister for Environment and Conservation — what is the Government's policy on the installation and usage of rainwater tanks to collect water from the roofs of domestic premises across Victoria.

ANSWER:

I am informed that:

The Government's commitment in this area is to:

- Work closely with Victorian Industry, both large and small, and the community to ensure the principles of water conservation are applied through re-use, recycling or recovery of waste, and
- Ensure sustainable use of all water resources.

Harvesting of rainwater tanks is one area where households can contribute to water conservation. Landowners in most areas can install rainwater tanks on their properties if they so desire. Certain municipal conditions may apply and safeguards should be fitted to prevent back flow to any reticulated town water supplies or service pipes.

The use of water tanks for conservation reasons is supported. The relative costs and benefits of water tanks will vary for different customers, however the use of water tanks for gardens will provide savings in terms of water conservation.

Premier: office review

208. MR KOTSIRAS — To ask the Honourable the Premier whether a review of the Premier's Private Office has been instigated and if so — (a) what are the terms of reference; (b) who is undertaking the review; (c) what is the total cost of the review; (d) whether the review has been completed and if so what were the recommendations; and (e) whether the review is going to be made public.

ANSWER:

- (a) I informed the Public Accounts and Estimates Committee of the Victorian Parliament on 18 May 2000 that a review has been commissioned to examine the performance of the Office of the Premier, with particular focus on its relationship with the private offices of other Ministers and its relationship with the Department of Premier and Cabinet.
- (b) Mr Thomas Hogg of Thomas Hogg Consulting;
- (c) \$30 000, plus the reimbursement of out of pocket expenses necessarily incurred in the course of performing the contract;
- (d) the report has not yet been finalised; and
- (e) the review examines internal administrative procedures and is not intended to be released publicly.

Transport: park and ride project

209. MR KOTSIRAS — To ask the Honourable the Minister for Transport with reference to the Park and Ride project which has been proposed for the corner of Doncaster Road and Hender Street, Doncaster —

- 1. What is the timing for the development of the project.
- 2. How many car parking spaces does it intend to provide.
- 3. What is the catchment area that it will cater for.
- 4. What other facilities does it intend to provide on the site.

ANSWER:

- 1. Subject to obtaining the relevant planning approvals from the City of Manningham, it is expected the Park and Ride will be completed in mid-2001.
- 2. The proposed layout is still being developed in consultation with bus operators. Preliminary advice is that parking will initially be provided for approximately 420 vehicles with an additional 160 car parks provided as a future stage.
- 3. It is expected the main catchment area will be from in and around the City of Manningham, however, commuters from other outer eastern suburbs may choose to utilise the facility.

4. The proposal is still being developed, but I am advised that is likely to include bus bays, taxi bays, “kiss and ride” bays and weather shelters for commuters and possibly some complementary but small scale commercial services. Vehicle and passenger security matters are also being considered.

Environment and Conservation: beach renourishment

- 210. MR THOMPSON** — To ask the Honourable the Minister for Environment and Conservation, what has been the level of government expenditure or projected expenditure on beach renourishment in Victoria for the years 1996–1997 to 2000–2001 inclusive.

ANSWER:

I am informed that:

Government expenditure occurred through the Beach Protection Program and Capital Works Projects:

Beach Protection Program

The Beach Protection Program ran for a period of five years from 1994/95 to 1998/99 and provided \$1.2m per year for projects Victoria wide. The purpose of the program was to:

- Counter the adverse impacts of natural coastal processes on beaches and coastal cliffs.
- Enhance recreational beaches
- Fund studies to ensure that the impact of natural coastal processes were taken into account in the management of the coast.

Funding for the program was not renewed beyond the initial five years.

Capital Works Projects

Capital Works projects involving beach protection and beach renourishment undertaken in the period were:

- Hampton Beach Renourishment Project, \$3m from 1996/97 to 1997/98.
- Point Nepean Foreshore Protection Project, \$0.5m from 1996/97 to 1997/98
- Lonsdale Bight Foreshore Protection, \$3m from 1996/97 to 1999/00.
- Coastal Risk Mitigation Program, \$1.65m from 1996/97 to 1998/99.
- Sandridge Beach Renourishment Project, \$2.5m from 1997/98 to 1999/00.

Coastal Conservation and Management Program (CCMP)

The present government has announced a new Coastal Conservation and Management Program (CCMP). Work on the first priority for the program, the development of the strategic plan, is progressing. Other elements will follow once the direction is set by the strategic plan.

The five key elements of the program are: Strategic Direction, Improved Community Participation, Coastal Protection and Conservation, Coastal Planning and Coastal Rehabilitation.

Further funding to support the CCMP will receive consideration in next year’s budget. The Coastal Rehabilitation element of the program will deal specifically with a range of issues relating to risk and maintaining the infrastructure, including the beaches, along the Victorian coast. The priorities in the state budget for 2000/01 were closely aligned to the government’s announced election commitments.

QUESTIONS ON NOTICE

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

17 August 2000

State and Regional Development: designated union contacts

114. MR WILSON — To ask the Honourable the Minister for State and Regional Development —

1. Does the Minister's Department employ either staff (whether casual, full or part time) or consultants whose duties or contracts have included, or currently include, acting as a designated contact point on policy matters with individual unions, the Victorian Trades Hall Council or the Australian Council of Trade Unions.
2. If so, provide the name of each such employee or consultant and at what annual salary or annual contracted rate each is employed.
3. Which union(s) does each such employee or contractor have responsibility for.
4. As at 31 December 1999, how many staff were employed in the above capacity by — (a) the Minister's Department; and (b) all statutory authorities or Government business enterprises responsible to the Minister's Department.
5. Of those employees, how many were members of each specified union.

ANSWER:

The Department of State and Regional Development has an Industrial Liaison Officer. The officer is paid within the salary range for the position.

The duties of this position require the occupant to develop and promote effective consultative industrial relations practices across the Department and its portfolio agencies. The occupant participates in discussions and negotiations between unions, staff and managers, consistent with Departmental policies and directions. The occupant also provides advice on emerging industrial relations issues within the Department and its portfolio agencies.

Industrial Relations: designated union contacts

118. MR WILSON — To ask the Honourable the Minister representing the Minister for Industrial Relations —

1. Does the Minister's Department employ either staff (whether casual, full or part time) or consultants whose duties or contracts have included, or currently include, acting as a designated contact point on policy matters with individual unions, the Victorian Trades Hall Council or the Australian Council of Trade Unions.
2. If so, provide the name of each such employee or consultant and at what annual salary or annual contracted rate each is employed.
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ANSWER:

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State and Regional Development: ministerial appointments

149. MR WILSON — To ask the Honourable the Minister for State and Regional Development —

1. What was the name of each Ministerial appointment made to Boards, Commissions, Committees of Government Business Enterprises, Statutory Authorities or the Department between 18 September 1999 and 29 February 2000.
2. What expressions of interest and selection processes were used in each such case.
3. What date was each such person appointed and on what date does his or her office expire.
4. What daily or half day sitting fees and other remuneration is expected to be paid in 1999–2000 to each such appointee.
5. Have any changes been made to remuneration arrangements for any such appointees since their appointment; if so what are the details.

ANSWER:

The time and resources required to provide the Honourable Member with a response to this question would unreasonably divert the resources of the department.

Should the Honourable Member wish to ask a more specific question on this matter, I will endeavour to provide him with a response.

Industrial Relations: ministerial appointments

153. MR WILSON — To ask the Honourable the Minister representing the Minister for Industrial Relations —

1. What was the name of each Ministerial appointment made to Boards, Commissions, Committees of Government Business Enterprises, Statutory Authorities or the Department between 18 September 1999 and 29 February 2000.
2. What expressions of interest and selection processes were used in each such case.
3. What date was each such person appointed and on what date does his or her office expire.
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5. Have any changes been made to remuneration arrangements for any such appointees since their appointment; if so what are the details.

ANSWER:

The time and resources required to provide the Honourable Member with a response to this question would unreasonably divert the resources of the department.

Should the Honourable Member wish to ask a more specific question on this matter, I will endeavour to provide him with a response.

State and Regional Development: ICT skills task force

200. MR PERTON — To ask the Minister for State and Regional Development with reference to the Minister's announcement of the Information Communication Technology Skills Taskforce —

1. On what basis has the Minister stated that 'more than 40 000 jobs in information technology related industries will go begging in Australia over the next three years'.
2. What are the duties of the task force.
3. How often will the task force meet.
4. For how long has the task force been established.
5. What budget will be allocated to the running of the task force.
6. What fees will its members be paid.
7. On what basis will the task force's success be judged.
8. What instructions have been given to the task force in respect of — (a) development of strategies to address the skills shortage; and (b) the building of mechanisms — (i) for retraining people to use new technology; (ii) to accelerate training programs; and (iii) to deal with skill migration issues.
9. Will the Government put more funding into information and communication technology education and trainee schemes.

ANSWER:

The Government uses skill shortage statistics provided by industry sources.

The Information and Communications Skills Taskforce provides high level strategic advice to the Government on priorities for information and communications technologies (ICT) skill development. The work of the Taskforce will help ensure that Victoria has a sufficient and competitive ICT skills base. Success measures will be developed for initiatives that are implemented.

The Taskforce had its first meeting on 5 April 2000 and meets regularly. It is serviced from Multimedia Victoria's existing resources and members are not paid fees.

