

**PARLIAMENT OF VICTORIA**

**PARLIAMENTARY DEBATES  
(HANSARD)**

**LEGISLATIVE ASSEMBLY**

**FIFTY-SEVENTH PARLIAMENT**

**FIRST SESSION**

**Thursday, 16 August 2012**

**(Extract from book 10)**

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## **The Lieutenant-Governor**

The Honourable Justice MARILYN WARREN, AC

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### Legislative Assembly committees

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**Standing Orders Committee** — The Speaker, Ms Barker, Mr Brooks, Mrs Fyffe, Ms Green, Mr Hodgett, Mr McIntosh and Mrs Powell.

### Joint committees

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**Drugs and Crime Prevention Committee** — (*Assembly*): Mr Battin and Mr McCurdy. (*Council*): Mr Leane, Mr Ramsay and Mr Scheffer.

**Economic Development and Infrastructure Committee** — (*Assembly*): Mr Burgess, Mr Carroll, Mr Foley and Mr Shaw. (*Council*): Mrs Peulich.

**Education and Training Committee** — (*Assembly*): Mr Crisp, Ms Miller and Mr Southwick. (*Council*): Mr Elasmarr and Ms Tierney.

**Electoral Matters Committee** — (*Assembly*): Ms Ryall and Mrs Victoria. (*Council*): Mr Finn, Mr Somyurek and Mr Tarlamis.

**Environment and Natural Resources Committee** — (*Assembly*): Mr Bull, Ms Duncan, Mr Pandazopoulos and Ms Wreford. (*Council*): Mr Koch.

**Family and Community Development Committee** — (*Assembly*): Mrs Bauer, Ms Halfpenny, Mr McGuire and Mr Wakeling. (*Council*): Mrs Coote and Ms Crozier.

**House Committee** — (*Assembly*): The Speaker (*ex officio*), Ms Beattie, Ms Campbell, Mrs Fyffe, Ms Graley, Mr Wakeling and Mr Weller. (*Council*): The President (*ex officio*), Mr Drum, Mr Eideh, Mr Finn, Ms Hartland, and Mr P. Davis.

**Law Reform Committee** — (*Assembly*): Mr Carbines, Ms Garrett, Mr Newton-Brown and Mr Northe. (*Council*): Mrs Petrovich.

**Outer Suburban/Interface Services and Development Committee** — (*Assembly*): Ms Graley, Ms Hutchins and Ms McLeish. (*Council*): Mrs Kronberg and Mr Ondarchie.

**Public Accounts and Estimates Committee** — (*Assembly*): Mr Angus, Ms Hennessey, Mr Morris and Mr Scott. (*Council*): Mr P. Davis, Mr O'Brien and Mr Pakula.

**Road Safety Committee** — (*Assembly*): Mr Languiller, Mr Perera, Mr Tilley and Mr Thompson. (*Council*): Mr Elsbury.

**Rural and Regional Committee** — (*Assembly*): Mr Howard, Mr Katos, Mr Trezise and Mr Weller. (*Council*): Mr Drum.

**Scrutiny of Acts and Regulations Committee** — (*Assembly*): Mr Brooks, Ms Campbell, Mr Gidley, Mr Nardella and Mr Watt. (*Council*): Mr O'Brien and Mr O'Donohue.

### Heads of parliamentary departments

*Assembly* — Clerk of the Parliaments and Clerk of the Legislative Assembly: Mr R. W. Purdey

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

*Parliamentary Services* — Secretary: Mr P. Lochert

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**FIFTY-SEVENTH PARLIAMENT — FIRST SESSION**

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**Deputy Leader of The Nationals:**

The Hon. P. L. WALSH

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The Hon. D. M. ANDREWS

**Deputy Leader of the Parliamentary Labor Party and Deputy Leader of the Opposition:**

The Hon. J. A. MERLINO

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Beattie, Ms Elizabeth Jean	Yuroke	ALP	Miller, Ms Elizabeth Eileen	Bentleigh	LP
Blackwood, Mr Gary John	Narracan	LP	Morris, Mr David Charles	Mornington	LP
Brooks, Mr Colin William	Bundoora	ALP	Mulder, Mr Terence Wynn	Polwarth	LP
Brumby, Mr John Mansfield <sup>1</sup>	Broadmeadows	ALP	Napthine, Dr Denis Vincent	South-West Coast	LP
Bull, Mr Timothy Owen	Gippsland East	Nats	Nardella, Mr Donato Antonio	Melton	ALP
Burgess, Mr Neale Ronald	Hastings	LP	Neville, Ms Lisa Mary	Bellarine	ALP
Campbell, Ms Christine Mary	Pascoe Vale	ALP	Newton-Brown, Mr Clement Arundel	Prahran	LP
Carbines, Mr Anthony Richard	Ivanhoe	ALP	Noonan, Mr Wade Mathew	Williamstown	ALP
Carroll, Mr Benjamin Alan <sup>2</sup>	Niddrie	ALP	Northe, Mr Russell John	Morwell	Nats
Clark, Mr Robert William	Box Hill	LP	O'Brien, Mr Michael Anthony	Malvern	LP
Crisp, Mr Peter Laurence	Mildura	Nats	Pallas, Mr Timothy Hugh	Tarneit	ALP
D'Ambrosio, Ms Liliana	Mill Park	ALP	Pandazopoulos, Mr John	Dandenong	ALP
Delahunty, Mr Hugh Francis	Lowan	Nats	Perera, Mr Jude	Cranbourne	ALP
Dixon, Mr Martin Francis	Nepean	LP	Pike, Ms Bronwyn Jane <sup>6</sup>	Melbourne	ALP
Donnellan, Mr Luke Anthony	Narre Warren North	ALP	Powell, Mrs Elizabeth Jeanette	Shepparton	Nats
Duncan, Ms Joanne Therese	Macedon	ALP	Richardson, Ms Fiona Catherine Alison	Northcote	ALP
Edwards, Ms Janice Maree	Bendigo West	ALP	Ryall, Ms Deanne Sharon	Mitcham	LP
Eren, Mr John Hamdi	Lara	ALP	Ryan, Mr Peter Julian	Gippsland South	Nats
Foley, Mr Martin Peter	Albert Park	ALP	Scott, Mr Robin David	Preston	ALP
Fyffe, Mrs Christine Ann	Evelyn	LP	Shaw, Mr Geoffrey Page	Frankston	LP
Garrett, Ms Jane Furneaux	Brunswick	ALP	Smith, Mr Kenneth Maurice	Bass	LP
Gidley, Mr Michael Xavier Charles	Mount Waverley	LP	Smith, Mr Ryan	Warrandyte	LP
Graley, Ms Judith Ann	Narre Warren South	ALP	Southwick, Mr David James	Caulfield	LP
Green, Ms Danielle Louise	Yan Yean	ALP	Sykes, Dr William Everett	Benalla	Nats
Halfpenny, Ms Bronwyn	Thomastown	ALP	Thompson, Mr Murray Hamilton Ross	Sandringham	LP
Helper, Mr Jochen	Ripon	ALP	Thomson, Ms Marsha Rose	Footscray	ALP
Hennessy, Ms Jill	Altona	ALP	Tilley, Mr William John	Benambra	LP
Herbert, Mr Steven Ralph	Eltham	ALP	Trezise, Mr Ian Douglas	Geelong	ALP
Hodgett, Mr David John	Kilsyth	LP	Victoria, Mrs Heidi	Bayswater	LP
Holding, Mr Timothy James	Lyndhurst	ALP	Wakeling, Mr Nicholas	Ferntree Gully	LP
Howard, Mr Geoffrey Kemp	Ballarat East	ALP	Walsh, Mr Peter Lindsay	Swan Hill	Nats
Hulls, Mr Rob Justin <sup>3</sup>	Niddrie	ALP	Watt, Mr Graham Travis	Burwood	LP
Hutchins, Ms Natalie Maree Sykes	Keilor	ALP	Weller, Mr Paul	Rodney	Nats
Kairouz, Ms Marlene	Kororoit	ALP	Wells, Mr Kimberley Arthur	Scoresby	LP
Kanis, Ms Jennifer <sup>4</sup>	Melbourne	ALP	Wooldridge, Ms Mary Louise Newling	Doncaster	LP
Katos, Mr Andrew	South Barwon	LP	Wreford, Ms Lorraine Joan	Mordialloc	LP
Knight, Ms Sharon Patricia	Ballarat West	ALP	Wynne, Mr Richard William	Richmond	ALP
Kotsiras, Mr Nicholas	Bulleen	LP			
Languiller, Mr Telmo Ramon	Derrimut	ALP			

<sup>1</sup> Resigned 21 December 2010

<sup>2</sup> Elected 24 March 2012

<sup>3</sup> Resigned 27 January 2012

<sup>4</sup> Elected 21 July 2012

<sup>5</sup> Elected 19 February 2011

<sup>6</sup> Resigned 7 May 2012



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## Thursday, 16 August 2012

**The SPEAKER (Hon. Ken Smith) took the chair at 9.33 a.m. and read the prayer.**

**The SPEAKER** — Order! Members should be aware that the Minister for Public Transport is celebrating a significant milestone birthday, and we congratulate him on that. We never thought you would make it, Minister!

Members will notice on their seats one of our posters regarding the regional sitting that will be held in Ballarat on 6 September. If members would like some additional copies of the poster to send out to some of their constituents or to put on their desks at their offices or something like that, please get in contact with the office of the Serjeant-at-Arms and further posters will be sent out.

## BUSINESS OF THE HOUSE

### Notices of motion: removal

**The SPEAKER** — Order! I advise the house that under standing order 144 notices of motion 11 to 20 will be removed from the notice paper unless members wishing their notice to remain advise the Clerk in writing before 2.00 p.m. today.

## PETITIONS

### Following petitions presented to house:

#### Schools: Albert Park electorate

To the Legislative Assembly of Victoria:

This petition of local parents and community members, residents of the city of Port Phillip and the city of Melbourne draws to the house's attention the crisis posed to the inner city south by overcrowding of Port Phillip's existing state schools and lack of new schools in the areas of greatest population growth.

During the last decade, there has been a rapid increase in new residences approved and built in the inner city. A sharp increase in birth rate and a cultural change which encourages young families to choose medium to high-density housing has led to dramatically increased enrolments in Port Melbourne primary, Albert Park primary, Middle Park and St Kilda Park primary, as well as the newly rebuilt Albert Park Secondary College. The Department of Education and Early Childhood Development (DEECD) has approved tighter catchment zones to help these schools manage the pressure on their limited resources, leaving Docklands, Southbank and South Melbourne with no government schools. This has consequently forced families to travel long distances to find a place for their children.

The petitioners therefore request as a matter of urgency that the Legislative Assembly of Victoria instructs DEECD in 2012 to develop a local infrastructure plan to properly address this issue and concurrently make provisions in the 2013–14 Victorian state budget to fund the projects to be implemented

**By Mr FOLEY (Albert Park) (946 signatures).**

#### Water: Bright off-stream storage

The petition of the undersigned residents of the Bright district and the towns of Bright, Porepunkah, Wandiligong, Freeburgh/Smoko and Harrierville:

Draws attention to the serious community misgivings towards the decision of North East Water, and the approval of the Minister for Water, to construct an off-stream water storage for the district on a site near Freeburgh.

Your petitioners point out that North East Water's own community advisory committee, comprising local residents with many years of experience and qualifications in relevant matters, has consistently opposed the selection of the Freeburgh site in favour of a site near Harrierville. The Harrierville site has the advantage of allowing a full gravity-feed system to service the needs of the area, while the Freeburgh site requires a number of pumping stations that will be unavailable on days of extreme fire danger, when the need for a reliable water supply is most necessary. Bright and Porepunkah, especially, are considered to be extremely vulnerable to bushfire, and a system that is reliant on pumping when there is a better option is a false economy that places our towns at risk.

The petitioners therefore request that an independent committee be appointed to examine the process and decision of North East Water to ignore the views of its own appointed advisory committee and to adopt a plan that ignores the social and bushfire protection of our communities. The petitioners further request that the charter of North East Water and other water authorities be amended to ensure that bushfire security is a major assessment component in any future water supply project.

**By Dr SYKES (Benalla) (1410 signatures).**

#### Buses: route 509

To the Legislative Assembly of Victoria:

This petition of the people of Victoria draws to the attention of the house the deep concern in the local Brunswick-West Brunswick community at news of the possible removal of bus route 509 — the Hope Street bus.

The petitioners note that this bus route:

has been in place for many years, and

is utilised by the community, particularly senior citizens and those with limited mobility, for access to:

essential activities such as shopping;

services and appointments;

community and social organisations; and

Sydney and Melville roads for transport to adjacent areas.

Significantly, bus route 509 is the primary avenue of public transport for many residents, and its removal will cause distress amongst and have a negative impact on those in the community that rely on this service.

The petitioners therefore request that the Legislative Assembly of Victoria urge the Baillieu government to reverse any plans for the removal of bus route 509 and take appropriate action for its continued service.

**By Ms GARRETT (Brunswick) (396 signatures).**

### **Eritrea: tax collection**

To the Legislative Assembly of Victoria:

The petitioners request that the Legislative Assembly of Victoria stop the intimidations exercised by the Eritrean consulate in Melbourne. Australians of Eritrean origin are coerced to pay double taxes (2 per cent of their income) to the Eritrean government. If they fail to do so, their families in Eritrea bear the consequences, such as denial of movement and renewing or issuing business licences. Also, the petitioners request your consideration of the United Nations Security Council resolution 2023 for 2011 against the Eritrean government that calls to cease any illicit means to collect taxes.

**By Ms GARRETT (Brunswick) (175 signatures).**

### **Stony Point Road–Disney Street, Crib Point: pedestrian crossing**

To the Legislative Assembly of Victoria:

We the undersigned citizens of Victoria draw to the attention of the house, community safety concerns with the lack of a pedestrian crossing in Crib Point, adjacent to the Crib Point shops.

We, the undersigned concerned citizens of Victoria, therefore ask the Legislative Assembly of Victoria to: instruct VicRoads to urgently install a pedestrian crossing at the intersection of Stony Point Road and Disney Street, Crib Point, adjacent to the Crib Point shops.

**By Mr BURGESS (Hastings) (135 signatures).**

### **Planning: Paine Street, Newport**

To the Legislative Assembly of Victoria:

The petition of certain citizens of the state of Victoria draws to the attention of the house the need for the Baillieu government to support the Hobsons Bay City Council's decision to reject a new multistorey, high-density development at Paine Street, Newport.

In particular, we note:

1. the Baillieu government's statement that local councils should have more power to exercise control over planning;

2. 360 local residents have objected to the developer's proposal to build 42 new apartments at the Paine Street site in Newport;
3. Hobsons Bay council planners assessed the proposal and refused it in 2010 (upheld by VCAT) and refused it again in 2011.

The petitioners therefore request that the Legislative Assembly urge the Baillieu government to support the Hobsons Bay City Council's decision to reject a proposal to build more than 40 new multistorey apartments on the old Newport timberyard site.

**By Mr NOONAN (Williamstown) (79 signatures).**

**Tabled.**

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

**Ordered that petitions presented by honourable member for Brunswick be considered next day on motion of Ms GARRETT (Brunswick).**

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

## **DOCUMENTS**

**Tabled by Clerk:**

*Parliamentary Committees Act 2003* — Government response to the Public Accounts and Estimates Committee's Report on the Review of the 2009–10 and 2010–11 Annual Reports.

## **BUSINESS OF THE HOUSE**

### **Adjournment**

**Mr McINTOSH** (Minister for Corrections) — I move:

That the house, at its rising, adjourn until Tuesday, 28 August 2012.

**Motion agreed to.**

## **MEMBERS STATEMENTS**

### **Patrick Vaccari**

**Mr MERLINO** (Monbulk) — Last night we honoured former Premier John Brumby with the unveiling of his portrait. It is equally important to acknowledge and thank the non-elected people who make this place tick — parliamentary staff without whom Parliament would cease to operate. I want to

thank Patrick Vaccari, the chef who for 17 years has worked here with passion and dedication. My family and I got to know Patrick over the years, as we had a regular evening meal on a Wednesday night upstairs. He was always great with my kids, and we often talked about our shared passion for movies. It concerns me that there seem to be a lot of long-serving people leaving this Parliament. I am sure I speak on behalf of every member here in thanking Patrick on his last day here and wishing him all the best for the future.

### **Victorian Volleyball Schools Cup**

**Mr MERLINO** — Two schools in my electorate, Monbulk College and Upwey High School, and Billanook College just outside my electorate, have longstanding and highly successful volleyball programs. All three schools competed in the recent Victorian Volleyball Schools Cup, with 160 teams competing at the State Volleyball Centre.

Congratulations to Monbulk College on its gold medal in the open girls honours and to the under-14 division 1 boys for securing silver in their first competition. Special congratulations to Alison Youlten on winning the most valuable player (MVP) award in the open girls division. Upwey High School had its biggest contingent ever, with 120 students and 15 teams, and it gained silver in the open boys division 1 and under-15 division 1 and bronze for the under-17 girls and under-16 girls. Billanook College finished second overall in the championships, with gold in the under-16 girls and silver in the under-16 boys, under-14 girls, under-15 girls and under-17 girls. An impressive five Billanook players were awarded MVP. Well done!

### **Blackburn Football Club: MP Shield**

**Ms RYALL** (Mitcham) — Congratulations to the Blackburn Football Club, which with a convincing win over the member for Forest Hill's East Burwood Football Club took out the inaugural MP Shield clash on Saturday, 7 July. After being down by a point at quarter time, home side Blackburn led at every change, in a close fought battle that saw Blackburn come out on top — 12.15.87 to East Burwood's 11.8.74. I look forward to next year's great clash.

### **Schools Tree Day**

**Ms RYALL** — Thank you to all the schools, teachers, parents and most importantly students who took part in planting hundreds of trees, shrubs and grasses indigenous to the Whitehorse municipality for this year's Schools National Tree Day. A big thanks,

also, to Liz Henry and Margaret Witherspoon from Bungalook Nursery for helping me supply the plants.

### **Burke and Beyond: Next Step program**

**Ms RYALL** — On Tuesday, 17 July, I had the privilege of officially opening the new offices of local disability support service Burke and Beyond's Next Step program in Blackburn. The Next Step program is specifically designed for young people to gain practical experience to enable them to take part in programs or studies later on in life. Over three years Burke and Beyond's community support team has assisted participants to take that next step through training in communication skills and telephone skills, supporting the elderly or service clubs and practising being active members of the local Blackburn community. I wish them every success.

### **Hawk Measurement: funding**

**Ms RYALL** — Congratulations to Nunawading-based company Hawk Measurement, which received \$1.5 million funding as part of the smart small and medium enterprises market validation program for an innovative solution to the problem of detecting faults in high-pressure water pipes before they become critical.

### **Eltham North Primary School: disability access**

**Mr HERBERT** (Eltham) — I again raise the issue of the lack of disability access in the new grades 5 and 6 building at Eltham North Primary School, but this time common sense has prevailed and I have good news to report. On 5 June this year I called on the Minister for Education to immediately ensure that funding was made available to fix disability access by installing a lift in the new building. Members may recall that even though there is a shaft for a lift the department would not install a lift and the wheelchair ramp to the building was to remain unfinished and virtually unusable. I was delighted to be notified by the school council president, Ms Leann Page, last Friday that Eltham North has received verbal approval that a lift will be installed.

This action could not happen too soon, as a student who is in a wheelchair has returned to the school and Eltham North has had to hire a portable loo for her as she simply cannot access any other toilet. I congratulate the school principal, David Foley, school council president Leann Page and all those involved in pursuing this issue.

Uncommonly, I also congratulate the Minister for Education for finally coming to the party and ensuring that his department saw sense and made the necessary arrangements to have the lift installed. I hope that these new procedures that are now in place will make sure that these sorts of terrible issues are resolved in a much more timely manner in the future.

### **Sport and recreation: government initiatives**

**Mr BATTIN** (Gembrook) — The Victorian coalition government wants to see more people more active more often. It was pleasing to see the member for Lara supporting this in his members statement on Tuesday. To achieve this goal the coalition government is focused on delivering programs and investment into sport and recreation, and it is delivering on the active and healthy communities initiative through the funding of sporting uniforms, the Women in Sport and Recreation program and VICSWIM. It is also delivering on the facilities for active communities initiative through the community facilities funding program to alleviate the backlog of Labor neglect.

Just imagine the sport and community facilities we could have delivered if Labor — with the member for Lara — had not mismanaged more than \$1 billion in cost blow-outs on bungled IT and myki projects. We could have had major sporting infrastructure, delivering funding for the mighty Cats down at the Simonds Stadium redevelopment in Geelong and for the black hole left by the Labor government to complete the State Athletics Centre. We could have been supporting sporting events in Victoria in metropolitan and regional areas and providing the opportunity for Victorians to reach their potential with elite travel grants.

I have noticed that in his current role the opposition member for Lara is proving that he is not a good sport. Regarding the code of conduct, in the 2013–14 community facilities funding program guidelines released in July it is clearly identified that the code of conduct is firmly in place, and one can only wonder if the member for Lara had bothered to read this document before coming in here to make his members statement. He would only have needed to read the document, which would not have been too hard to do.

Recently Melbourne claimed the Global Livability Survey title of the best city in the world to live in for the second year running. Our sporting events calendar is a major contributor to Melbourne being the best livable city.

### **Libraries: Leopold**

**Ms NEVILLE** (Bellarine) — The news that the City of Greater Geelong's application for funding for the Leopold library has been unsuccessful is extremely disappointing. Once again the current government has ignored the needs of Victoria's largest regional city and the fast-growing community of Leopold on the Bellarine Peninsula. Leopold has a broad demographic, with increasing numbers of young families moving into the area. Both the Greater Geelong council and the former Labor government supported plans for a much-needed community hub in Leopold, the first stage of which would have been a children's centre and library. Labor made a commitment at the last election to contribute \$2 million.

The Minister for Children and Early Childhood Development's recent announcement of funding for the children's centre was welcome news. The Greater Geelong council and the community had been looking forward to the Minister for Local Government's announcement regarding the library. The indications were positive and expectations were high that the funding would be provided to add to the council's commitment, enabling the library to be built and the Leopold project to get under way. The minister's subsequent announcement about the funding for libraries, notably in mainly government-held electorates, has been a shock to the local community.

The uncertainty of funding in the future undermines plans for the whole Leopold library project. The facility would have provided a focal point for families and young children in Leopold. It also means that hundreds of local residents will miss out on access to a library within their community. This is particularly hard for families with young children and for older residents who have to rely on libraries in other areas. The minister has acknowledged the benefits of libraries for regional communities and has promised 40 new libraries. As part of that promise the government should fund the Leopold library as soon as possible to meet the very real needs of the Leopold community.

### **Hellenic Museum: assisted migration exhibition**

**Mr KOTSIRAS** (Minister for Multicultural Affairs and Citizenship) — This year marks the 60th anniversary of the agreement between the Greek government and the Australian government to assist migrants from Greece to come to Australia. By 1968 more than 50 000 Greeks had arrived in Australia, helping build this nation. As a result of this anniversary I recently approved \$300 000 in funding for the Hellenic Museum to open an exhibition which will run

for six months, working closely with the Immigration Museum. It will showcase Greek migration. There will be a number of events as well as two singers from Greece, Maria Farantouri and Yiannis Kotsiras. It will be an enormous event. I believe there will be about 15 000 people down at the former Royal Mint building, and I invite all members to turn up to celebrate Greek migration to Australia.

### **Unity through Partnerships: grants**

**Mr KOTSIRAS** — I recently announced grants for the first round of the Unity through Partnerships program. These grants included \$40 000 to the Ballarat African Association, \$15 000 to the Ballarat Regional Multicultural Council, \$50 000 to Celebrate India, \$25 000 to the Hepburn Springs Swiss and Italian Festa, \$70 000 to Diversitat, \$15 000 to the Jewish Community Council of Victoria and \$100 000 to Multicultural Arts Victoria.

### **Della Scholes**

**Mr TREZISE** (Geelong) — I take this opportunity to mark the life and passing of Dell Scholes on 29 July 2012. Dell was the wife of the Honourable Gordon Scholes, AO, a former member for the federal seat of Corio, Speaker of the House of Representatives and minister in the Whitlam and Hawke governments.

As members would be well aware, the life of parliamentarians, especially federal parliamentarians, takes them away from their families for long periods. Dell not only raised two children in Gordon's absence but also attended many functions with and for him. She did the hard and dedicated slog over three decades through some very turbulent and close election campaigns. Who would ever forget the 1972 and 1975 elections in which Gordon, as Speaker, played a very prominent and no doubt pressured role. The Trezises and the Scholeses lived only 100 metres apart in East Geelong, and as kids we grew up together. The families formed a close alliance through the turbulent life of Labor Party politics.

Dell was born on 11 June 1927 in Warwick, England, and emigrated to Australia in 1954, taking up employment as a clerk at Avalon airfield. She and Gordon met on a Tasmanian bus trip in 1957 and married in 1959. Dell and Gordon had two daughters, Kerry and Anne, and subsequently two much-loved grandchildren, Monica and Jed. In her later years Dell devoted much of her time to her family but also loved her garden, her dachshunds and her voluntary work with the Royal Society for the Prevention of Cruelty to

Animals. Vale, Dell Scholes. This world will be the poorer for her passing.

### **Echuca: crime forum**

**Mr WELLER** (Rodney) — Violence on our streets has been making headlines in my electorate recently, and I would like to take this opportunity to talk about a planned forum on crime in Echuca and also what the coalition government is doing about this important social and community safety issue. I am currently in discussions with Echuca police, local nightclubs, hotel licence-holders and members of the community about a forum on violence in the town. The forum will be chaired by Echuca police, and I have been meeting regularly with the local police inspector to discuss what issues need to be tabled. The forum will be held in October, and it is integral to tackling the issue of crime in our towns. It will allow all relevant parties the opportunity to work together.

The coalition government is committed to tackling the issue of violence on our streets. Prior to coming to power the coalition committed to 1700 extra police members on our streets over the term of government, and we are well on the way to delivering this. This target was met in 2010–11 with new sworn members placed across the state, including at the Echuca police station. A commitment was also made to continue to support all one-member police stations in the Rodney electorate. In addition, the government has introduced new legislation into Parliament to further reduce court delays, including simplifying sentencing laws and reducing sentencing appeals. This common-sense reform will free up police time to help keep the community safe from violence on the streets, instead of being tied up in needless red tape.

### **Kensington and North Melbourne primary schools: fundraisers**

**Ms KANIS** (Melbourne) — Last month I attended two trivia night fundraisers for local primary schools — Kensington Primary School and North Melbourne Primary School. The nights were both terrific successes. They were well attended, and a great time was had by all. I congratulate the organisers, parents and teachers for holding events that bring the community together as well as raising funds.

In previous years fundraising has been used to provide extra resources such as kitchen gardens and musical instruments. These resources are for all students to use and enjoy, and they contribute to programs that will benefit the whole school community. One school has already indicated that this year, unlike previous years,

some of the money raised will be put aside to provide essential resources for underprivileged students affected by the education maintenance allowance (EMA) cuts. Books, stationery and excursions are all essential resources for students that the fundraising efforts will be used to pay for. It is a tragedy that schools are forced to use fundraising efforts to provide basic resources for underprivileged students in their school communities — resources that were provided through the EMA. The cuts the Baillieu government has made to the education maintenance allowance are short-sighted and are impacting upon the most needy students.

### **Timber industry: protests**

**Mrs FYFFE** (Evelyn) — I have spoken on many occasions of my support for the timber industry, which has adapted to meet the changing demands of government following strict controls of where and when timber can be harvested and to comply with strict environmental codes when clear felling is involved. Rules on revegetation and the reinstatement of soils are some of the strictest in the world, and selective logging is closely supervised. The industry operates under strict occupational health and safety rules. Timber workers have to comply with rules which will not let them camp on a coupe; they must camp in a designated area and have organised toilets.

It is beyond belief that such a strictly controlled local industry is not supported by the Yarra Ranges Shire Council, which has given protesters a permit to camp on Crown land, with some councillors openly and actively encouraging illegal protests. Yesterday at 5.45 a.m. five masked men wearing dark clothing stormed onto an official workplace threatening the safety of timber workers, stopping work and putting themselves and the workers at great risk of injury. Again police had to be called. The Department of Sustainability and Environment, whose job it is to act as a shield and protect workers, seems hell bent instead on assisting the protesters who illegally enter workplaces and prevent these decent men from carrying out their day's work. DSE is slow to respond to calls for it to do its job. I am told it has excuses such as, 'We are at a conference' or 'We don't have time'.

If we do not harvest our local timber, we will have to import it from countries that have little or no controls or regard for the environment. We must stand up for a legal timber industry; we must stand up for workers' rights; we must stand up for small family-run businesses whose owners put their homes on the line; but most importantly we must stand against these

bullying protesters who have no regard for the rights or safety of others.

### **Hunting Grounds: *In Hindsight***

**Ms KNIGHT** (Ballarat West) — I love listening to music, and I particularly love listening to new and emerging artists. One of the best CDs that I listened to over the winter break was *In Hindsight* by Hunting Grounds. Hunting Grounds, formerly Howl, is a group of Ballarat High School students who won Triple J's Unearthed High competition in 2009 when the group's winning song *Blackout* was on high rotation. It was once again on high rotation on Triple J recently as the featured artist of the week. Hunting Grounds is a terrific bunch of young men who are obviously incredibly talented and passionate about their music and admired by a large base of loyal fans, of which I count myself one. The group is a wonderful ambassador for Ballarat, and I am very excited to see that it will play at the Big Day Out next year.

I want to mention in particular the artwork on the CD sleeve. Each song is represented by a piece of art that is just incredible and really reflective of the music. Kat Hucker, Dion Robertson, Scott and Sean Leonard, and Callum Noonan are all very talented young Ballarat artists who have interpreted their individual songs respectfully and creatively. I am extremely proud that I represent Ballarat West electorate, which produces musicians and artists of this calibre.

Congratulations go to Lachy, Tim, Michael, John, Daniel and Galen for their fantastic music, their extremely professional and entertaining CD and their role in influencing other young musicians who will come through over the coming years. I also acknowledge their families and Ballarat High School for their roles in the group's success. I look forward to the next CD. Speaker, do yourself a favour and get a copy.

**The SPEAKER** — Order! I was going to say, 'Do you have any copies for sale?'. It sounds really good.

### **Olympic Games: Australian athletes**

**Mr McCURDY** (Murray Valley) — I would like to congratulate all the Australian athletes who competed in the London Olympics but most particularly Wangaratta's Belinda Hocking, who commenced swimming aged four because of bad asthma, and Yarrowonga-Mulwala's Tom Swann, who always wanted to be an elite sportsman and began rowing at 15 when he realised AFL was not his thing. Belinda, Australia's 200-metre backstroke champion, missed the

final of this event but came seventh in the 100-metre event. Tom was part of the team which finished less than a second behind third-placed Great Britain in the men's eight final.

### **Girl Guides Victoria: Yarrawonga branch**

**Mr McCURDY** — Congratulations to Yarrawonga girl guides branch, which will celebrate 80 years of guiding in the district with an afternoon tea at the guide hall on 26 August. The first guide units in Yarrawonga were registered in June 1932, and there are now four guide units for girls aged 6 to 17 years, who are currently busy working towards their Queen's diamond jubilee badge. One of the largest organisations in Australia for girls and young women, Girl Guides Australia provides a dynamic, flexible, non-formal education program and values-based training in life skills, decision making and leadership.

### **Labuan–Katamatite–Nathalia roads, Numurkah: funding**

**Mr McCURDY** — Full credit to the Minister for Roads, who announced funding of \$770 000 through the Transport Accident Commission Safer Roads Infrastructure program for safety improvements to the notorious Labuan–Katamatite–Nathalia roads intersections near Numurkah. It has been the scene of four fatalities and seven serious injuries as a result of 12 accidents since June 2006. Local communities organised public meetings to express concerns about the safety of this intersection.

### **Numurkah Flood Action Group**

**Mr McCURDY** — The Numurkah Flood Action Group continues to strive to ensure that the floods of March 2012 never again wreak the same havoc on the community. This group is comprised of mostly small business people, who continue to keep their community in the loop — —

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

### **Nicole Bieske**

**Mr NARDELLA (Melton)** — I congratulate Ms Nicole Bieske on her election to the international executive council of Amnesty International (AI). She was elected to the council in August 2011 and has completed almost one year in the position. Ms Bieske is a lawyer and is passionate about human rights both in Australia and internationally. She has completed a PhD in international human rights law and now works as an

academic and human rights consultant and teaches at the faculty of law at Monash University.

Ms Bieske has been an active AI member for 13 years and has been a member of the Australian board, including a period as national chair. She has worked on setting strategic priorities, monitoring the organisation's performance and ensuring continuous engagement with AI's 120 000 Australian supporters and partners. Ms Bieske has significant experience in governance standards and practices, developing human rights campaigns, engaging with governments at all levels, fundraising, communication and capacity building, and she has worked in Victoria with the Parliament's AI group. Ms Bieske has completed the company directors course and was previously chair of the governance task force, an AI international subcommittee. Her international appointment is for a four-year period; the executive council meets at least twice a year. I wish her well with this important appointment.

### **George Crawford and Burwyn Davidson**

**Mr NARDELLA** — I want to recognise the late George Crawford and the late Burwyn Davidson, who were parliamentary and party colleagues and friends. They served their unions, members and residents with great distinction and honour. I will miss them both.

### **Ferntree Gully electorate: Victoria Day Awards**

**Mr WAKELING (Ferntree Gully)** — On 1 July I was pleased to host the annual Ferntree Gully electorate Victoria Day Awards. With the assistance of the Minister for Sport and Recreation, the work of 31 inspirational and worthy volunteers in our community was recognised. I would like to congratulate each of them on their invaluable community service.

### **Fairhills High School: rock eisteddfod**

**Mr WAKELING** — I congratulate the students, staff and parents of the Fairhills High School Rock Eisteddfod Challenge team, which was a joint winner of the premier division last Friday night. The team's sensational 'Robbing Hoodz' performance was the outstanding result of many hours of hard work and dedication.

### **David Devine**

**Mr WAKELING** — I would like to pay tribute to Mr David Devine, Senior Pastor at Rowville Baptist Church, who is stepping down from his role after 15 years of dedicated service to the Rowville community. David will leave behind an incredible

legacy for his congregation and our local community, having established a range of significant community programs. I thank David for all he has done and wish him well in his new role.

### **Country Fire Authority: Ferntree Gully brigade**

**Mr WAKELING** — I congratulate the Country Fire Authority's Ferntree Gully fire brigade on all it does for our community. It was an honour recently to attend its annual dinner, this year celebrating the brigade's 70th anniversary. The brigade has made an enormous contribution to the Ferntree Gully community, and I applaud its members on their work and commitment.

### **Friends of Blind Creek and Friends of Koolunga: funding**

**Mr WAKELING** — I recently had the opportunity to meet with Fay Rimmer from the Friends of Blind Creek and Kathleen Loxton from the Friends of Koolunga to discuss improvements to important local environmental assets. The coalition government has committed \$50 000 to each community group, which will fund significant improvements to these community facilities.

### **Fairhills High School and Fairhills Primary School: chaplaincy programs**

**Mr WAKELING** — A wonderful, fun-filled night was had by all who attended the annual fundraiser for the Fairhills High School and Fairhills Primary School chaplaincy programs. The event was an opportunity to raise funds for these important and much-needed programs, which are strongly supported by the school communities.

### **Rowville Lions Club: 20th anniversary**

**Mr WAKELING** — I recently had the honour of attending the Rowville Lions Club 20th anniversary celebrations — —

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

### **Rail: Sydenham line**

**Ms HUTCHINS (Keilor)** — I rise to address the planned disruptions to the Sydenham line service in my electorate. In a press release issued by Public Transport Victoria (PTV) on its website on 7 August the director of network operations stated that disruptions to the line would occur from 27 July to 6 August, with services

between Watergardens and St Albans stations being affected on weekends. It was expected that these would be the last major disruptions on the line as part of the electrification of the Sunbury line. However, the services were disrupted between Watergardens and Footscray, affecting seven stations. Not only have disruptions been occurring on the dates that were originally identified, but as has now been flagged, disruptions will occur from 10 to 12 August and there will be six more shutdowns over weekends between August and November.

While perhaps PTV and the Minister for Public Transport do not consider these disruptions to be major, they are major for the people of my electorate, who are already suffering an inadequate and unreliable public transport service in the western suburbs. One of my constituents recently wrote to me stating that the transport options are so poor that she felt effectively trapped within her suburb. While works do and always will need to occur across our rail system, these disruptions are occurring with greater frequency on the Sydenham line and compounding the existing frustrations of my constituents, who feel they are not prioritised.

**The ACTING SPEAKER (Mr Weller)** — The member's time has expired.

### **Olympic Games: Australian athletes**

**Mr NORTHE (Morwell)** — With the 2012 London Olympic Games now concluded it is worthwhile reflecting on the amazing efforts of a number of Gippsland athletes who participated in the games across a range of sports. To compete at an Olympic Games is a wonderful achievement in itself. Highlights include the performances of Drew Ginn from Leongatha, who participated in the men's coxless four rowing and secured a silver medal that complements three previous Olympic gold medals, and Opals basketballer Belinda Snell from Mirboo North, who now has a bronze medal to showcase with her silver Olympic medal from the Beijing games.

There were many other Gippsland sportsmen and women who competed at the London games. Jenna O'Hea from Traralgon was also part of the Opals basketball squad, Dale Stevenson from Wonthaggi competed in shot-put, Pauline Frasca from Sale was a member of the women's quad sculls rowing team, Keith Ferguson from Sale competed in the skeet shooting, Kaila McKnight from Leongatha made it to the 1500-metre semifinal in athletics, and Daniel McConnell from Bruthen came 21st in the mountain

bike riding. All these athletes represented the Gippsland region with pride.

### **Tim Matthews and Stuart Tripp**

**Mr NORTHE** — With the Paralympics now imminent we should also recognise Tim Matthews from Bairnsdale, who will be in London as an athletics coach, and Stuart Tripp, a former Traralgon resident, who will compete at the Paralympics in cycling. Gippsland has a strong history of sporting excellence, and the region is blessed with many fine athletes who are supported by wonderful coaches, clubs and sporting organisations. It takes an incredible amount of effort to represent your country at the games, and I congratulate all Gippsland athletes.

### **Returned and Services League: Northcote sub-branch**

**Ms RICHARDSON** (Northcote) — Sadly, the Northcote RSL club closed its doors for the last time on Saturday, 11 August. It has been a tough road for this 90-year-old club since a decision was made to close, made even harder in the knowledge that in recent times it has traded in the black, well and truly undermining the rationale for the club's demise. Despite this the president, Bill Mountford, and secretary, Ken Coughlan, have worked assiduously alongside other club members to ensure that the club's proud history and community activity are preserved into the future.

The dawn service on Anzac Day will continue at All Nations Park, where every year hundreds of people from our community gather to remember the fallen. At the shrine each year the club commemorates the first Australian casualties of the First World War: Able Seaman Williams and Captain Pockley died on 11 September 1914 at Bitia Paka in German New Guinea. Their capture of the radio station, a victory over the Germans that day, has always been overshadowed by the Gallipoli campaign in April 1915. Nonetheless Northcote RSL will remember these first casualties of the war, in particular Able Seaman Williams, who was born and lived in Northcote.

The club's school scholarship, benefitting two students from eight local primary and two local secondary schools, will continue. Importantly, too, the building's facade, its cannons and this little piece of history will remain for future generations.

Over 90 years ago the local council granted the land to the RSL, and the building officially opened in May 1922. Along with acknowledging Bill and Ken, our community would like to acknowledge and thank

John Farrell, the club's longest serving president; Bob Hayes, who held every office imaginable in his service to the RSL; and Ron Austin and Barney Allen, who similarly dedicated countless hours to the club. The Legacy ladies, war widows and ladies auxiliary have also played an important part in the club's long and proud history.

**The ACTING SPEAKER (Mr Weller)** — The member's time has expired.

### **Rotary Club of Dingley Village**

**Ms WREFORD** (Mordialloc) — During the parliamentary recess I visited the Rotary Club of Dingley Village twice. The first visit was on the occasion of its changeover dinner and on the second visit I was asked to be guest speaker. On both occasions I had a great night with good, community-minded people. I congratulate the president, Sue Hilton, and her team on their fabulous work.

### **4th Mordialloc Sea Scouts: awards**

**Ms WREFORD** — On 30 June I had the pleasure of attending the 4th Mordialloc Sea Scouts hall to see Emma Brown, Loki Whyte and Alice McMillan receive their Queen's Scout award. It is rare to see one, unusual to see two, but a triple occurs only once every 20 or 30 years. I congratulate all three of them on their achievement. Alice was one of the region's youngest recipients ever.

### **Manufacturing: Mordialloc**

**Ms WREFORD** — The Minister for Manufacturing, Exports and Trade has recently made two visits to my electorate and met with four world class local businesses. Flavour Makers produces prepackaged foods and sauces, Fabtronics manufactures innovative electronics, Concept Amenities makes soaps and shampoos for hotels and Hella Australia manufactures lighting equipment. All have great stories as successful Victorian manufacturing and export businesses. Despite what members on the other side might say, we have some very good export businesses that have a great future here in Victoria.

### **Quantum Reading Learning Vision: expansion**

**Ms WREFORD** — On 24 July I participated in local company Quantum Reading Learning Vision's Low Vision launch. The business is expanding in Cheltenham. It is an innovative company that provides aids for vision-impaired people.

### **Greek Ministerial Consultative Committee: membership**

**Mr PANDAZOPOULOS** (Dandenong) — I rise to congratulate federal ministers Chris Bowen and Kate Lundy on announcing the Greek Ministerial Consultative Committee, which will be one of many ethnic community consultation groups. I welcome and congratulate the very well respected Victorian members of the Greek community who have been appointed to that committee. They are Roula Tsiolas, who is on the board of the Hellenic Australian Chamber of Commerce and Industry; Mike Zafiroopoulos, who is a former manager of SBS radio and the president of the Fronditha Care, a Greek elderly and aged care group; Leo Vlahakis, who is the co-chair of the biggest Greek community festival in Victoria, the Antipodes Festival, and a member of the board of the Greek Orthodox Community of Melbourne and Victoria; and Helen Conostas from the Frankston Greek community.

### **Greece: working holiday visas**

**Mr PANDAZOPOULOS** — On a separate matter, I would like to congratulate the federal government on announcing this week that it will commence discussions with the government of Greece on working holiday visa arrangements. Greece is one of the very few countries in the European Union that does not have an agreement with Australia on working holiday visas. Many young Australians visit Greece, and while Greece does have major economic issues, the reality is that during the peak tourist season and the picking season businesses find it hard to get a workforce. Young Australians have enjoyed great opportunities due to the existing working holiday agreements with many countries around Europe and other parts of the world, particularly Asia and the Americas. It will be great for young Australians to also have the opportunity to have a working holiday visa when travelling to Greece. I commend the federal minister, Chris Evans, for announcing the government's keen desire to be involved in these discussions.

### **Brian Venables**

**Mr McINTOSH** (Minister for Corrections) — It is with deep regret that I note the passing of Brian Venables. Brian and his late wife, Olga, were long-term residents of Kew, where they raised their family and Brian worked as an owner-driver. His daughter Sally Ann recalls that after her mother and father heard Gough Whitlam speak in the early 1970s they decided he was not for them. They joined the Liberal Party and became part of that great generation of Liberals who helped turn on the lights.

Brian was an on-the-ground Liberal, standing on countless booths in various locations with his wife, Olga. You certainly could not miss Brian and Olga at any polling booth. They helped to spread the Liberal message at that time. Brian was also a key offsider when Olga ran as a candidate for the Liberal Party in a number of seats, including Frankston North in 1988; Bundoora in 1992, where she secured a swing of some 9 per cent; and standing against a sitting prime minister in the seat of Wills in 1987. I should also say that their home in Kew at the time of either state or federal elections was the most recognisable in the district, their front yard being adorned with Liberal paraphernalia. Most importantly, their passion for the Liberal Party was unbounded, and they will be sorely missed. I extend my deepest sympathies to Brian's daughter, Sally Ann, and the wider Venables family.

## **CRIMINAL PROCEDURE AND SENTENCING ACTS AMENDMENT (VICTIMS OF CRIME) BILL 2012**

*Second reading*

### **Debate resumed from 15 August; motion of Mr CLARK (Attorney-General).**

**Mr WAKELING** (Ferntree Gully) — It gives me great pleasure to rise to contribute to this very important debate on the Criminal Procedure and Sentencing Acts Amendment (Victims of Crime) Bill 2012. No other issue could better epitomise the difference between those on this side of politics and those opposite. You could not pick a stronger issue than the way in which a government treats victims of crime. I have risen in this house on many occasions to speak about the plight of victims of crime in the state of Victoria.

Yesterday I managed to listen to some of the contributions of those opposite. I assume they do not understand the nuances of exactly what went on with victims groups, because what I heard was nothing short of appalling. Those opposite painted a picture in which the former government was working hand in glove with victims of crime in this state and doing what it could as a government to assist victims of crime. Well, Acting Speaker, I can tell you that that was —

**Ms D'Ambrosio** — Acting Speaker, I draw your attention to the state of the house — there is no-one sitting at the government table.

**Mr O'Brien** — I am talking to one of your colleagues, trying to sort out one of her issues!

**The ACTING SPEAKER (Mr Weller)** — Order!  
The member for Ferntree Gully has the call.

**Mr WAKELING** — Thank you very much, Acting Speaker. Clearly those opposite do not want to hear about the plight of victims of crime in this state and how they were treated by the former government.

We had a situation under the former government in which victims of crime were unable to have a meeting with the then Attorney-General. The then Attorney-General, the former member for Niddrie, was unwilling and unable to meet with senior members of victims of crime organisations in this state. Victims of crime wished to push their point, stand up for the communities they represented and stand up for people who had not only suffered the loss of a family member but, more importantly, had suffered the indignity of dealing with a government that was unwilling and unable to actually do something on their behalf.

I can tell you now, Acting Speaker, that the situation is vastly different under this government. During the 2010 state election campaign, when we were in opposition, we made a commitment that we would require prosecutors to consult with victims on sentence indications and make compensation orders an automatic part of sentencing — something those opposite failed to do when they had the opportunity and something we said in opposition that we would do and we are now delivering in government.

I am reminded of one of my own constituents, Mr Noel McNamara, who represents victims of crime in this state. Every week on a Saturday morning he stands out there selling sausages to raise money for victims of crime, and he would tell me that when dealing with the former government his group could not get through the front door of the Attorney-General's office. We now have a situation where we have an Attorney-General who is willing and able to meet with victims and listen to their plight — and not just listen but actually put in place the legislative changes that are required to provide the assistance victims need.

You can see that across the whole raft of legislation this government is putting in place, whether it is in regard to suspended sentences, to the broader policy of improving the number of police on the ground — 850 have already been delivered — or to protective services officers. There is a whole suite of legislative changes which we not only said we would make in opposition but which we are delivering in government. And this bill, while it is not a significant bill in terms of the overall operation of the criminal justice system in this state, is just another indication that this government is

listening to victims and, more importantly, that this government is willing to act for victims and ensure that their concerns and their needs are not only listened to but are delivered upon.

The bill will amend the Criminal Procedure Act 2009 and the Sentencing Act 1991, and it will clarify that the court may refuse to give a sentence indication if there is insufficient information before it about the impact of an offence upon the victim. It behoves us to acknowledge that we had a criminal justice system that did not provide for information about the impact of the offence on victims to be taken into consideration.

The bill will require magistrates and judges to ask whether a compensation order relating to property damage, loss or destruction under the Sentencing Act 1991 will be sought once a person is found guilty or convicted of the offence. It will also allow victims to provide a broader range of material to the court as evidence of the quantum or particulars of loss, damage or destruction of property. These are, again, small but important changes in the operation of our criminal justice system.

I have met with many victims of crime. I have heard their stories; I have heard of their plight. One parent told me they had to deal not only with the loss of one of their children in tragic circumstances but also had to go through a criminal justice system that paid scant regard to the needs of such parents. They felt that they were victimised a second time in many respects. It was appalling that those opposite refused to meet with victims to hear their concerns. This side of politics said, 'We will stand our ground. We will listen to the concerns of this important part of our community. They have suffered enough at the hands of perpetrators of heinous crimes. We will create a system that will ensure that parents, siblings and other family members of victims have the opportunity to have their views and concerns heard as part of the criminal justice system'.

When we were in opposition we would raise these issues in this house, and I remember being berated by those opposite for yet again raising the concerns of victims of crimes. I remember raising this issue in this house and hearing someone in the then government yell out, 'Here they go again, rabbiting on about victims'. I will proudly stand in this place and rabbit on about victims, in the words of those opposite, and I will continue to rabbit on about and stand up for victims of crime until we have a system in place that ensures that the concerns of victims are addressed and their needs are adequately protected.

This is a government that said it would get tough on crime. This is a government that said it would not stand for our railway stations, by way of example, being places of fear. Those opposite berated us for putting protective services officers on railway stations, called them 'plastic police' and made other such commentary. The point is we are doing it for the community, to protect the needs of the community. Dandenong station was once a place of fear, a place where you would not get off a train; now it is a place of greater safety. I remember when I regularly used to catch the train to Dandenong station — —

**Ms Duncan** interjected.

**Mr WAKELING** — I appreciate that the member is wandering through the house. I would be more than happy to highlight again the concerns of victims of crime and the way they were treated by those opposite, and I think we just saw a reflection of that.

We are changing Victoria from a place of fear to a place of safety. As part of that I will not treat victims of crime with contempt, as did the member for Macedon and her colleagues whilst in government. That is exactly what they did, and we have seen it again just now. They treated victims of crime with contempt, and they are now trying to rewrite history. I, for one, will not stand for it, and I support this bill.

**Ms HALFPENNY** (Thomastown) — First of all I would like to reiterate what the previous speaker, the member for Ferntree Gully, said — that this bill is not significant, and in the scheme of things it does not do much to really further support for victims of crime. Despite that, the Labor opposition is not opposing the Criminal Procedure and Sentencing Acts Amendment (Victims of Crime) Bill 2012, and I will speak in support of it. Over the past year I have spoken a number of times on bills that have done similar things — that is, make amendments to the justice system and tinker around the edges of proceedings. In this case the bill provides some minor further recognition for victims of crime.

With the justice system, as with any part of society, we need to look at what is going on. We need to analyse and amend our laws to adapt to a changing society to ensure that they protect us and are accessible, clear and just. The member for Ferntree Gully talked about how the current government is doing much more to support a reduction in crime levels, which is the best way we can serve victims of crime — that is, by preventing crime happening at all. But recent Victorian crime statistics show that crime in this state is increasing under the current government's watch, not decreasing,

despite the ranting and raving we hear about all the things the government is doing, how tough it is on crime and how it is making Victorians safer.

To a limited extent this bill will enhance an important part of the justice system by, as I said, further recognising the rights of victims of crime, but it does not do anything groundbreaking. The essence of this bill is to amend the wording of acts that translate into procedures which judicial professionals already commonly exercise during court proceedings. Labor understands that legal professionals in their practise of the law already make the greatest possible effort to accommodate victims of crime.

In the past policies have been focused on trying to provide higher levels of support for victims of crime after court proceedings. For example, in 2004 under the previous Labor government victims of crime were expressly recognised and \$12.8 million was allocated to counselling and support services for pain and suffering compensation, an allocation which we reintroduced after it was heartlessly abolished by the Kennett Liberal government. It was testimony to the fact that Labor genuinely supports people who have been subject to the most hideous and awful crimes.

Turning to the amendments in the bill, I will begin with the amendments to the Criminal Procedure Act 2009, which provide that during a court proceeding a sentence indication cannot be given without first taking into account the impact of the crime on the victim. As has been previously stated in this debate, a sentence indication is an indication of the punishment that is likely to be imposed on the defendant should a guilty plea be entered at any stage of court proceedings. The entering of a guilty plea ultimately means there is an admission of guilt, an admission that emotional or physical harm was inflicted upon the victim. It is only right and just that we make every effort to ensure a punishment is imposed that is in line with the crime.

I point out that the information sheet regarding victim impact statements found on the Department of Justice website clearly states:

A judge or magistrate must always consider the impact of a crime on its victims when sentencing someone ...

Of course no punishment imposed on a defendant would ever undo the harm, pain and suffering and the terrible things inflicted on victims and the families of victims, who will potentially live the rest of their lives with the emotional and physical scarring of the crime that was perpetrated against them. However, a victim impact statement provides a firsthand indication of how their lives have been affected, and it is commendable

that this bill reinforces the importance of such statements. I would also like to note that it was a previous Labor government that introduced the Victims' Charter Act 2006, which clearly sets out the rights of victims of crime, and the existence of that charter is the catalyst for this amendment.

Moving on to amendments to the Sentencing Act 1991, the bill provides that extra evidence may be heard in the event of a judge or magistrate handing down a compensation order or quantity of compensation, provides that a judge or magistrate must ask whether an application for a compensation order will be made and allows the court to decide to make a compensation order if the victim does not oppose the application. Strictly speaking, at this time we are talking about supporting victims of crime, recognising that the onus is not on them to ask for compensation in legal proceedings but that it is an automatic right and ensuring that the rights of victims are considered as part of the overall case rather than something that may be initiated only by victims of crime.

As I stated at the start of my contribution, the opposition does not oppose this bill. As part of this proposed legislation there is some limited further recognition of victims of crime. However, as previous speakers have stressed, all aspects of crime need to be addressed. We know it is much better to prevent crime than to address it after it has happened, so it is important for governments to have strategies that look at crime prevention. As other speakers have said, crime statistics in this state are on the increase. Crime is not decreasing, and we have to wonder when crime statistics are going up, job losses are becoming part of the daily news and education funding has been slashed by the Baillieu government whether these things also contribute to higher crime levels. Those issues should also be addressed to ensure that we have a fairer and more just society going into the future.

**Mr THOMPSON (Sandringham)** — I am pleased to contribute to the debate on the Criminal Procedure and Sentencing Acts Amendment (Victims of Crime) Bill 2012. The bill makes two amendments to existing acts. The first amendment relates to the Criminal Procedure Act 2009 and will provide that a court may refuse to give a sentence indication in relation to a person accused of an offence if the court considers there is insufficient information before it of the impact of the offence on any victim of the offence.

The role of sentence indications may have a contribution to make in terms of the expedition of cases in the criminal justice system and enabling accused persons to make determinations as to the nature of their

plea. However, as part of that process it is important that at the same time the rights of victims are not denied, and if there is insufficient evidence before the court of the impact of the offence on the victim, which may have been apparent in the past, then this reform is designed to redress that potential limitation of the information before the court. It will now be incumbent upon magistrates to make that determination as to whether there is sufficient information for them in relation to the impact of the offence on any victim; therefore, it will have some practical importance in determinations that will be made in the future, which may not have been present in the past.

The second amendment the Criminal Procedure and Sentencing Acts Amendment (Victims of Crime) Bill 2012 makes is to the Sentencing Act 1991, and it is an important reform that will be of practical significance. Each member of this chamber will have had an awareness of the impact of crimes on people in their electorate and the practical consequences in terms of damage to and destruction of property.

Along the railway corridor in my electorate of Sandringham there have been numerous examples of vandalism. A number of years ago, when the Mentone Hotel operated into the early hours, at 2 or 3 in the morning there would be several hundred young people making their way from the hotel towards the Mentone shopping centre. There was regularly a swathe of damage cut through the area, including to front fence pickets, street trees and letterboxes, as well as a range of other forms of property damage. In addition, in my electorate there have been multiple graffiti offences against both public and private property along the Frankston line corridor and the Sandringham line corridor. Clause 6 of the bill inserts new section 86AA, subsection (1) of which says:

If a court finds a person guilty of, or convicts a person of, an offence and evidence is presented in a proceeding for the offence that loss or destruction of, or damage to, property has occurred as a result of the offence, the court must ask the prosecution whether an application will be made for a compensation order under section 86 in respect of the loss, destruction or damage.

This important provision will streamline the process for restitution. It may be that not every victim of crime in relation to property damage would wish to have a form of redress. They might like to maintain a distance from the offender. They may have a wider view of a range of relevant factors which may mean that form of order will not be purposeful in their own circumstances. On the other hand, if people have had their motor vehicle scratched along the side or their tyres slashed, if their front fence has been damaged or graffitied or there has

been other property damage, the provision enables receipts to be presented to the court at the time of the prosecution of the offender and for an order to be made by the court that will redress that property damage.

Many people who suffer property damage may not be in the financial circumstances to meet the cost of appropriate recovery. There are two amendments being made to the criminal law in this state. One is in relation to the Criminal Procedure Act, and the other is in relation to the Sentencing Act. They are important reforms that may also lead to a better understanding of the overall criminal justice process, which is designed to address issues such as punishment and deterrence — and deterrence can be specific or general. In that field messages can be sent to the wider community that if people offend, there are consequences for their actions.

The reforms presented in this legislation will be welcomed by victims of crime because they expand their rights to have their voice heard at an appropriate time in the criminal justice process. The reforms will also enable restitution, which otherwise might have occurred months or years later, to form part of the determination at the time of the court hearing. A magistrate will have the power to impose a compensation order, having received the appropriate information before the making of the order. That will address certain circumstances in the future which were not able to be addressed before the introduction of this bill. I welcome these reforms.

**Ms DUNCAN** (Macedon) — The opposition supports the Criminal Procedure and Sentencing Acts Amendment (Victims of Crime) Bill 2012. Why would the opposition oppose it? We would not oppose it, because it barely changes anything. When I read through the changes of emphasis that these amendments will make to the current acts, it is really about splitting hairs, as far as I can see. I would ask the government to spend just a couple of hours in the Magistrates Court; then its members would see that almost all of this happens every minute of every day in magistrates courts right across this state. As an individual court can hear 30 or 40 cases in a day, they will see this occurring in almost every case and certainly in every case where there is a direct victim.

I suggest to government members who talk about victim impact statements from victims of crime that if they sat in a court, they would inevitably hear a magistrate ask the prosecutors, ‘Are there victim impact statements presented to this court?’. The answer is often, ‘No. They haven’t done it’. It is not that the courts are not providing victim impact statements; they are required to be provided by those speaking with the

victims at the time, immediately after the offence or in the preparation of the case. A magistrate can ask for a victim impact statement; it is not the magistrate who provides it. The statement must be provided to the court. Again I suggest to government members who make out that these are amazing, huge, fundamental, groundbreaking changes that they need to spend some time in court to see just how — I will not say insignificant — very mild these changes are.

If you had listened to the member for Ferntree Gully, my God, you would have thought the government had turned the Sentencing Act 1991 on its head. I do not know whether the member had actually read the bill, because what we heard was a whole lot of platitudes about going to railway stations and people feeling safe. There is absolutely no problem with any of that, but let us not con victims. Let us not pretend that these are some groundbreaking changes that only this government has implemented.

Let us look back at its history with its so-called overwhelming concern for victims. What did former Premier Kennett do when he was in office? He removed compensation for victims. That is a great way to support them, is it not, because many victims require compensation. It took our government to reinstate that. Who introduced the charter of victims rights in 2006? It was the Bracks and Brumby governments. Again, listening to the member for Ferntree Gully, you would think he had lived in another state for the last 12 years because he suggested that somehow when we were in government we completely abused victims — for goodness sake!

We also made changes to the Sentencing Act in 2010 to strengthen the role of victim impact statements, so to suggest that magistrates will not make a decision, as this bill suggests, or that they will not make any orders about compensation or give any sentencing indication until they have more information — hello, that is what magistrates do. They do not make a decision unless they have got all the information they need to satisfy themselves that they are in a position to make an order. I do not see any of this being changed.

I will go through what I would call slight changes in emphasis. Let us not overstate what it is. The member for Ferntree Gully said that if you are a victim in Victoria, you would be breathing a sigh of relief because you think all of a sudden the entire process has been changed around and as a victim there is going to be some amazing change that will compensate you for all of the trauma you have suffered. No-one would underestimate the trauma that victims go through in any criminal case. We need to keep in mind that a lot of the

stuff that happens in a Magistrates Court is not the sort of crime that is often talked about in this place when members of the government try to overstate, exaggerate and overemphasise the things that go on in our courts. Most of it involves property damage. I would again invite government members to come and spend some time in a court and hear what magistrates do to try to compensate victims and to try to get perpetrators and victims to sit together and talk about it. The previous government was truly groundbreaking in some of the changes that were made in that regard.

Currently a court can order compensation for a victim, thanks to the previous government. With these changes the court will have to ask the victim. That is okay. Currently courts take into account the impact of crime on victims. With these changes the impact of crime must be considered. Again I would say that most times magistrates ask for a victim impact statement. If it is not available, it is not the magistrate that has not made it available, and it is not the magistrate or the judge who is not wanting to take the statement into account. In this bill we see a lot of overstatement and a lot of exaggeration but very little actual change, so why would we oppose it? It is a slight refinement of what was there before, which is why we would support it.

We are not fooled by the government's overstated claims about being tough on crime. What are we seeing with crime rates across this state as we speak, and what is the government doing about it? It would suggest it is putting more police on the beat. The Victoria Police Academy has been pretty full for about the last 9 or 10 years, so we do not see any changes in the number of police coming out of the academy. The academy has been running flat stick for the last 9 or 10 years. We now have protective services officers (PSOs) on train stations. We have already seen some of the flaws in their capacity. They cannot leave the station; they cannot get on a train. There are a lot of areas that people would feel very concerned about that PSOs cannot cover anyway. I would not suggest that people are not supportive of this program of having PSOs, but let us not overstate the impact it will have, as this government would have us do.

The thing that would help victims more than anything else is to reduce their number. The best thing you can do to help victims is to stop these crimes from happening, and the way to do that is to take measures to see that you bring the crime rate down, and there is a whole range of things you do about that. The other thing you do is, when you have a perpetrator who appears in a court, to allow the court to structure sentences in a way that will reduce reoffending. What we do not want is to have perpetrators go on to create

even more victims, because as much as people say, 'Put them in jail and throw away the key', they will eventually get out. We want to make sure that the sentence is structured in such a way that there is maximum oversight of the offender when they get out or, if they do not actually go to jail for the crimes, while they are still out in the community.

We have a whole range of measures the court currently uses to try to do that, and all we are seeing from this government is a range of proposals that seek to reduce the court's capacity to structure sentences to best deal with that offender for that offence and for that victim. It is only the judges and the magistrates who are there in court who have all the information available to them who are able to make those decisions — not politicians sitting in this place. We give courts the tools they need to make us safer. We do not try to reduce those tools. We do not try to second-guess magistrates. We do not try to tie their hands when they are going about the important work they do.

I heard a member saying earlier — and some material has been published — about victims understanding the way a sentence has been structured. Many victims do not want to go to court; many victims are happy to let the courts run the process for them. Of course they want to be informed about outcomes. They want to know when a trial is being heard and to be informed about the process. We have no problems with any of that, but most of the time they do not want to sit in the court and be in the same room as the perpetrator.

Again I remind members of the media and all of us that rather than oversimplifying, overstating and overpromising, it is incumbent on all of us to make it easier for people to understand court processes when we have the opportunity. When a judge or a magistrate makes a sentence, the reasoning behind the sentence is as important as if not more important than the sentence itself, and I would urge people to pay more attention to the reasoning processes, whether they be part of the media or whether they be politicians who stand in this place and try to make black as white. We need to be truthful. We need to be honest. We need to be informative. I would ask all of us to be mindful of those things.

**Mr SOUTHWICK** (Caulfield) — I rise to speak on the Criminal Procedure and Sentencing Acts Amendment (Victims of Crime) Bill 2012. The purpose of this bill is to do two things, the most important of which is to strengthen victims' rights. It does this through the first reform, which confirms that information about the impact of crime on the victims should be sought before the sentence indication is given

to ensure that the court has all the information it needs before continuing. The second reform makes it clear that, whenever possible, sentencing courts should order offenders to compensate their victims for property damage or the loss of property caused as a result of their crimes. I am going to touch on both those aspects.

There is no question that what we have heard from the opposition today further reinforces the fact that when the opposition was in government it was — and even now in opposition continues to be — soft on crime. We have heard today the opposition claim that this bill does absolutely nothing to help the victims of crime, that it is a trivial piece of legislation we are introducing and that it does nothing to change the law. We have heard victims groups, many of which have said that this is a very important reform, welcome these changes. We have a comprehensive set of policies. They were certainly election commitments we went to the election and to the people with to say that we were going to be tough on law and order and that we were going to restore law and order back into Victoria. That is what we are delivering, and that is what this bill does.

Firstly, the bill amends the Criminal Procedure Act 2009 so that a court may refuse to give a sentence indication if the court considers that there is insufficient information before it on the impact of the offence on any victim of the offence. What this refers to is that currently victims are able and obliged to, at a point, give a victim impact statement in conjunction with the evidence. Rather than doing that, at the early stages when sentence indications are looked at before sentencing, this amendment allows the judge to have a verbal discussion with the victim to get information that is not initially cross-examined, allows the victim to give that information and then allows the sentence indication to take place before further evidence is given. At the point the actual sentencing is made and once the determination of the sentence is heard, that is when the victim impact statement is needed.

What we should be doing here in Victoria is protecting those victims and ensuring that those victims' rights are protected at every possible point. We should never forget the emotional stress that a victim carries with them once the offence has occurred and up until the trial. It is not just something that happens at the time of the offence and then is forgotten overnight; these things are carried for a long time. We heard in the debate on the previous bill that under the previous government in some cases it was taking up to 12 months before the trials were actually taking place. The victim in such cases would be carrying this information along with them for at least 12 months before they had the opportunity to have justice served. At that point in time

the stress that is quite often caused would be something the victim has to go through in a court case.

We need to ensure here in Victoria that we alleviate as much of that stress as possible and take it off the victim. If we can do that by having a verbal discussion between the victim and the judge prior to the sentence indication being given and before the trial, then that is what we should be doing. That will certainly make it a lot easier on the victim. That is what this is about; it is about protecting the victim and taking the pain and suffering off the victim. If the opposition thinks that this is trivial, it needs to go and talk to more victims and hear firsthand from them, because I am sure many victims are looking for the pain to go away first and foremost. We need to be doing as much as we can to ensure that we can make it easier for those victims of crime.

The second part of this legislation talks about compensation. The important part here is compensating the victim for property loss as part of the sentence for the offence that has been committed. Again, quite often there is not explicit information within a victim impact statement about property loss in terms of the quantity of property loss, and we often forget that there is not only emotional pain and suffering but also physical property that has been taken away or damage that has been caused as part of the crime. This legislation allows both parts to be delivered within the trial itself. It allows the court not to worry about coming back for a second trial, not to look at a later time and not to ask for another statement but to have it taken into consideration at one period of time. Again, this simplifies the process. This eases the process, and most importantly this eases the pain for the victim. This is very good, simple legislation. It is an important piece of legislation that we certainly should all be getting behind.

Again, I find it offensive that people could stand in this place and say that this is just a trivial legislative change. The member for Macedon said that this is an insignificant change of legislation and that we should be doing other things and not worrying about this. Rather than making interjections the opposition should be getting behind what we are doing here, supporting victims of crime and ensuring that victims of crime do not have to put up with what they have had to put up with until this time. I further add that when the opposition was in government victims of crime groups sought to meet with the former Attorney-General on many occasions and were refused meetings on many occasions. The former government did not care, it did not listen and it was not interested in what the victims of crime had to say.

We have taken it upon ourselves to deliver a comprehensive set of law and order policies. We have been doing that. It is a very intense set of policies. That is what we are here to do. We are going to ensure that people very explicitly know what the law and order policies and procedures are. We are going to ensure that we deliver our election commitments and will continue to do so, whether it be delivering protective services officers out on the beat and on every train station here in Victoria, whether it be looking at younger people and teenage drinking or whether it be looking at bullying, which is very important, and changing the laws relating to that. We need to ensure that Victorians feel safe and protected.

We saw only recently one of our Olympians come back from the games — one of the basketballers — talking about an incident that happened here in the city where she was bashed and did not feel safe returning to the city. This is absolutely unacceptable. This is not what our state is about. The first and foremost priority of any Victorian government is to make sure that it delivers policies and regulations to ensure that Victorians feel safe in this state. Feeling safe in this state leads to so many other things. Even economic prosperity cannot be fully achieved until we feel safe, and ensuring that is the first and foremost part of any good policy of any government.

We are not about being soft on crime. It is great to have fluffy stuff, but at the end of the day we need to ensure that people know what the laws are and that if they break the law, they will suffer the consequences. That is what this bill does. Most importantly the bill delivers for the victims of crime and makes sure they can be heard and that their emotional duress is minimised in the best way possible. We all feel for victims of crime, and we should all be doing whatever we can to protect them. I support the bill and commend it to the house.

**Mr BATTIN** (Gembrook) — It is a great pleasure to rise to support the Criminal Procedure and Sentencing Acts Amendment (Victims of Crime) Bill 2012. I will start by discussing the reasons for bringing this bill before the house and emphasising the fact that it is about time victims had a proper voice in this state. Victims of crime should not be ignored, but too often in the last decade we have seen the court system favouring the offender more than the victim. It is very important that we give victims the say they deserve when they go into court. I note there were comments from the other side that we are just tinkering around the edges or making minor amendments but not actually doing anything about the problem. However, for 11 years we had the situation go the opposite way and more say was given to the offender rather than the victim.

A victim of crime should be able to go into court and have the opportunity to have their say. I am aware of a constituent of my electorate who was slashed across the face with glass and injured severely. He also happens to be a war veteran. He served in Iraq, which is obviously a very dangerous place, yet he suffered no injuries or damage when he was there. However, when he returned to Melbourne, during a fight that he was not involved in — he was a passer-by — he had his face slashed with glass. Following the court process the only comment he made to me was that the most disappointing thing was that he did not get to have his say. He never got the opportunity to stand up and say how it had affected him. That is why we have introduced this bill.

Although we talk about this government being tough on crime and taking a stance against crime, the government is also serious about crime prevention. We are concerned to ensure that offenders do not reoffend. We are about working with young people who are charged to ensure that they have the opportunity to educate themselves and return to participate in society, in our communities, to not only their benefit but also the benefit of local communities. We have put many things in place to establish that. There are examples such as the Parkville Youth Residential Centre, where we are making improvements to give kids a better education standard, whereas under the previous government it was totally neglected and went down to below 1 hour of education per person per week in that system. We are increasing that to ensure that those kids can take advantage of opportunities when they leave. We are getting rid of suspended sentences for major crimes. That is one step forward in making sure that offenders understand that they cannot go into court and walk away without an appropriate sentence — they cannot go home after committing crimes that have resulted in suspended sentences in the past.

Protective services officers (PSOs) not only protect us in this building but they have also been doing an outstanding job on train stations. Again, it is not only about being tough on crime at train stations or getting out there in the face of offenders, but about having a presence and preventing crime. That is making people feel safer, and we all know that if you want to feel safe in any area you need to have more people on the ground there. The more people that are around, the less chance there is of a crime being committed. That is one of the things we are trying to do at train stations to make them community places rather than places of crime. I know that the Dandenong police have been very impressed with the PSOs at the Dandenong station helping to reduce crime in that area, and that is essential.

We have already put 850 extra police out on the beat, and we are going to deliver 1700 in this term of government. That is all part of the platform designed to reduce crime in Victoria and make sure that everybody can feel safer on the streets. We are changing hoon laws, and there are many more changes coming through. We already have many more police. Most importantly, it is fantastic that we now have a Minister for Crime Prevention, the first crime prevention minister of this state, who is working towards achieving crime prevention across the state with many different programs.

One of the objectives of this bill is to highlight the importance of consultation with victims before a sentence indication is given. It is essential, as I said, that those victims get the opportunity to have their say prior to a sentence indication being given so that judges can understand exactly where each victim is coming from, because each victim is affected differently. Many members, especially those who have worked in the court system or have observed the court system in operation, would understand that while there are some people who can go into the court system quite comfortably, stand up and speak for themselves as a victim, there are also others who have a genuine fear of even facing somebody in a court and who need extra support as they go through the procedure.

Despite the fact that a victim feels fear, it is important that they have the opportunity to be heard so that the judge can understand exactly where that victim comes from and exactly how the circumstances have affected them. It is different for each victim. For some victims, things go back to normal after a day or two and they are relaxed, whereas some victims of certain crimes can take a lifetime to recover. It is important that victims have a voice in our court system and the opportunity to say exactly how a crime has affected them, their family and their friends.

Another objective of the bill is to facilitate the making of compensation orders for property loss and damage. After seeing many court cases, particularly in Dandenong when I was working there, I know that a lot of cases include property damage where people have to walk away because their property is not covered by insurance. They suffer loss and could lose property which has been damaged or stolen without being compensated. There were a lot of instances of that in Dandenong, where family violence resulted in property damage and was often related to incidents between previous residents in a house and where that created a big issue when victims tried to seek compensation for that loss.

A major important aspect of the bill is that again this government is delivering on another of its commitments. We went to the 2010 election with a strong platform on how we intended to work not just with victims of crime but also the court system and judges. We had a platform of getting extra police out there to make Victoria a safer place, whether it be in the home, out on the streets or at a train station. We are working towards and achieving those goals.

The member for Bundoora came out and said that crime has gone up. I think he might want to change his words a little bit: crime reporting has gone up. We have got an extra 850 police officers out there to take the reports of crimes that are happening. We are not delusional; we understand that crime is never going to be zero, but it is important that everybody out there have access to police. We have put more police out there and provided more opportunities for victims of crime to go into their local police stations and report crimes, and those reports are recorded.

The other thing is that it is very difficult to work out what sort of base you are coming off when you are talking about the crime statistics. I am not quite sure how honest or true the previous crime statistics were under the former government. The former minister for police may have bodgied them up a little bit; they are a bit dodgy. That is something to be seen. It is very difficult to work out exactly what base we are coming from in relation to those figures. We have a fantastic Chief Commissioner of Police now, who is working very hard to ensure that he gets lots of programs out there and lots of police out on the street. He is working with local communities to reduce crime. Victims of crime have the opportunity to have a say but it would be even better if they did not have to worry about courts. We would like to have no victims at all. That would be fantastic, but as I said, it will not happen. However, by reducing crime in the state we will reduce the need for laws like these. It is essential that we get that done.

The bill amends the Sentencing Act 1991 to expand the definition of the available documents which can be considered by the court as evidence in relation to the particulars of property loss and damage. The amendment will enable victims to provide receipts or quotations to the court where that evidence is acceptable to the court. This goes down the path of giving the victim the opportunity to provide evidence, which they previously would not have been able to do, to make sure that they are compensated for what has happened to them.

I will finish my contribution by saying that this is a fantastic bill and a fantastic amendment that makes sure this government is standing up for victims. It is about time that we in Victoria stood up for the victims of crime. I note that while those opposite say the bill is trivial and that they are going to support and not oppose it, the benches opposite are very empty. It is disappointing that they cannot find speakers to stand up for victims of crime in their electorates. It is disappointing that they have not got anybody in this chamber at the moment to stand up for victims of crime.

**Mr Herbert** — Speaker, I draw your attention to the state of the house.

### **Quorum formed.**

**Mr SHAW** (Frankston) — It is a pleasure to talk about the Criminal Procedures and Sentencing Acts Amendment (Victims of Crime) Bill 2012. It is one of the government's long-range crime prevention bills that have been brought into the house. We have brought in hooning laws, ban the bong laws and laws covering protective services officers (PSOs). This is an election commitment that we made to Frankston specifically. One of the most important issues for people in Frankston is crime and law and order.

We have heard people from the other side shouting out that crime has gone up. Crime in Frankston actually went down 4.2 per cent from April 2011 to March 2012. It went down in the majority of categories compared to the rest of Victoria. Robberies were down 8 per cent, property damage was down 17.2 per cent, home burglary was down 7.5 per cent, other burglary was down 26.5 per cent and theft of motor vehicles was down 14.6 per cent. Overall crime is down 4.2 per cent in Frankston to March 2012. I thought that was a terrific effort. Frankston has been the place to receive the highest allocation of police; 75 police have been allocated to Frankston. It is a training ground for some of them. You see the foot patrols go through Frankston. That is exactly what the public was crying out for. Our government has managed to deliver that.

In a letter to the editor of the *Frankston Standard Leader* this week Lee Tarlamis, a member for South Eastern Metropolitan Region in the other place, asked where the PSOs that the Baillieu government promised for Frankston were. It is amazing that a member of the opposition could come out and ask that, given that members opposite have always called PSOs plastic police. The member needs to remember that PSOs need to be trained. You do not just click your fingers and have 940 protective services officers rock up fully

trained. The job must be advertised, there must be a description of what it entails and the right people must then come through and apply for the roles. Those people then need to be recruited, trained and placed. Different facilities need to be established as well. Protective services officers will be coming to Frankston, and the good news is that Frankston is not the worst place. Protective services officers are first being put in places where they are most required. Many would have thought, given the media hype, that Frankston would be a place where PSOs would be put first. That is not so, as far as Victoria Police is concerned. On the Victoria Police 'My place' website Inspector Jeff Millar said:

Frankston has been taking great advances in being one of the safer places to live and work over the past two years. We have seen great improvement in our crime figures and in the capacity of police in responding to public order issues.

I think it is fantastic that the head of police in Frankston, Jeff Millar, is able to say that on the 'My place' website under the section covering Frankston. We in government have made improvements to the central activities district in Frankston, and we are keeping our commitments. This criminal procedures and sentencing bill was an election commitment.

The reforms in this bill are aimed at strengthening victims' rights. In my inaugural speech I said that when the victims get a life sentence and the criminals get a light sentence, something must be done. This is exactly what we are seeing happen in the raft of reforms we are putting through. This government wants to be tough on crime and put out the message that crime will not be tolerated. It has put out that message, and continues to put it out in Frankston to make it a safer and better place, which Inspector Jeff Millar agrees it is.

The first reform confirms that in the normal course of events information about the impact of a crime on victims should be sought before a sentence indication is given to ensure that the court has all the information it needs. The court needs all possible information, and a victim impact statement is exceptionally important. It is tremendous that they are now around. So often we read about or hear about victims who seem to have justice denied to them, and that makes me feel quite indignant and upset. Of course we do not know the full story about certain cases we read about, but it is important to look at the rights of victims.

The second reform makes clear that where possible sentencing courts should order offenders to compensate their victims for property loss and damage caused. I think that the real winners in law courts are the lawyers; the victims do not always get justice and the

perpetrators do not always get the sentences they deserve. In relation to compensation orders that I have heard about or been involved with, I know that you never come out in front; you never even balance up. A number of cases have come through my office. For example, in regard to a car issue the lawyers got a stack of money and a guy was ordered to be paid costs, but he was still out of pocket by a whole lot of money. It is not just that, it is about the time involved as well. I do not think you are ever compensated for the time and effort you put in. You are taken away from your business or from your job, and you are never fully compensated. But it is important that the strategy is in place. If you do the crime, you need to pay up. If you do the crime, you need to pay both in time and cost, no matter how long it takes. It does not matter how much a person is or is not earning, they need to pay the compensation somehow. Sentencing is a very important aspect of the other legislation we have introduced.

I have seen the changes in Frankston even though, according to a recent fairly big survey, safety and crime is still the no. 1 issue. We are looking to change the image of Frankston. As Inspector Millar says, we aim to make it a safer place. Over the past two years he has seen advances in making it one of the safer places to live, work and play, and we want to continue that good work.

Let us face it, Frankston was badly neglected in the 10 years of the previous government. It was left to itself. Its central activities area was the least funded of the six central activities areas, receiving only \$12.5 million — and there was a splash of another \$12.5 million for an aquatic centre. Contrast that with Dandenong, which received \$290 million. The previous government drastically neglected Frankston. Developers and people there were looking for a change of government. They got the change of government, and the promises are being fulfilled. We have 75 additional police, which is more than anywhere else. We now have protective services officers in Frankston. The central activities area was the only such area that received \$5 million in the 2011–12 budget to improve it. The Ironman Asia-Pacific championship — an international event — is coming to Frankston, and the amenities are being improved. We are doing things in the Frankston area, which was neglected for so long under a poor Labor government.

**Ms RICHARDSON** (Northcote) — I am very pleased to add my voice to the debate on the Criminal Procedure and Sentencing Acts Amendment (Victims of Crime) Bill 2012. As has been stated by members on this side of the house, the opposition does support the bill, but opposition members have made the point — in

particular the member for Macedon highlighted it just moments ago — that these are minimal changes that are being proposed. It shows that the government is yet again prone to overstate its promise and in fact overstate the delivery of what it is doing through the Parliament.

The bill makes some changes, but when you drill down and have a closer look at what is being done it is very hard to conclude, as so many on the other side of the house have done, that this is groundbreaking legislation. It is a quite clever tactic by some governments to create a diversion while in fact the real issue of concern is ignored. The real issue of significant concern to the opposition — and it is something that members opposite have studiously ignored in their contributions so far — is that overall crime rates in the state are on the rise. What we are seeing here is the government's tough-on-crime, hairy-chested proclamations lying tattered on the ground.

What is the government's response to that? Its response is to come up with a bill like this. As many members on this side of the house have said, these changes are supported by Labor. But let us be clear: these are not groundbreaking changes. These amendments just codify what is already happening in the courts every day. They are a clarification of the powers that the courts have been exercising for many years. This is not the groundbreaking legislation that members opposite would have us believe it is.

Victims of crime are a significant concern to Labor members, and that is why when we were in government we made significant changes in support of victims of crime. Of course these concerns are paramount to each and every Labor member, but we will not stand by and let members opposite present this bill as some sort of groundbreaking legislation. We will call it what it is: it is an opportunity for the government to hide the fact that crime rates in the state are on the rise.

As part of this debate there has been some talk from government members about protective services officers (PSOs) and what they represent in terms of the tough-on-crime approach. We know that to date they are limited in their coverage across the public transport network. But even when they cover the entire network — across all of the metropolitan stations and the like, although obviously not across all country areas — we will see they are limited in their ability to respond to and fight crime, because they are limited in where they have jurisdiction and where they can move across the network. I suspect this will again be an opportunity for us to highlight the fact that the PSO initiative, just like this bill, is not indicative of a

government that is tough on crime and keen to bring down the crime statistics in this state; it is simply an opportunity for the government to hide its inability to tackle crime and to get on with the job of ensuring that there are not victims of crime in the first place. That is what we want to see through legislation that comes through the Parliament, not this legislation, supported as it is, which is just a codification of what is already happening in our courts.

With that brief contribution I alert you, Deputy Speaker, to the fact that there is not a minister at the front bench, and that is probably important for the Parliament to continue.

**The DEPUTY SPEAKER** — Order! The minister is actually in the chamber and in conversation, although he is not at the table.

**Mr BURGESS** (Hastings) — It is a great pleasure to rise to speak on the bill. Any bill that improves the outcomes for victims of crime is, of course, supported. The Criminal Procedure and Sentencing Acts Amendment (Victims of Crime) Bill 2012 has wonderful objectives. Its first objective is to highlight the importance of consulting with victims before providing a sentence indication, and the second is to facilitate the making of compensation orders for property loss and damage. These are two very worthwhile objectives which the bill facilitates. Importantly the government had made these commitments before the last state election and this bill delivers on those two commitments.

The bill amends the Criminal Procedure Act 2009 to clarify that the court may refuse to give a sentence indication if there is insufficient information before it about the impact of an offence on the victim. The bill also amends the Sentencing Act 1991 to require judges and magistrates to ask prosecutors whether an application for a compensation order for loss or destruction of, or damage to, property will be made under section 86 in cases where evidence of property damage has been presented during the proceedings.

The bill amends the Sentencing Act 1991 to provide that in clear and simple cases the court may make a compensation order on its own motion if there is sufficient evidence before the court. That is an important move. It establishes an excellent way for victims to obtain compensation in clear and simple cases where that information is available. However, importantly the bill also amends the Sentencing Act to expand the definition of ‘available documents’. A range of documents are provided to courts as evidence when they are looking at the quantum of damages. Clearly

there are two considerations: the first is whether damages are required to be paid, and the second, and most difficult task, is to identify the quantum of those damages. The bill expands the range of documents that a court can take into account when it is considering the quantum of damages. The court can look at receipts or quotations that it has knowledge of as long as the evidence that is being relied on is acceptable to the court.

As I said earlier, the commitments by the government prior to the 2010 election were twofold: one was to require prosecutors to consult with victims on sentence indications and the other was to make compensation orders an automatic part of sentencing. I think everyone is supportive of those worthwhile objectives and are therefore supportive of the bill, as it achieves those objectives.

On those matters, and on safety within the community more broadly, it is important to note the other measures that the government has implemented. They have been many and varied. Certainly in my area, and anecdotal evidence would suggest to me that it is true across the state, the very strong moves the government has taken against hoon driving have had a major impact on the incidence of hoon driving throughout the state. My community — —

**Mr Herbert** interjected.

**Mr BURGESS** — There is an interjection from the Labor side of the house to the effect that addressing hoon driving is a good Labor thing. We have done everything in our power to drive it out of the community. We have had a lot of success in that area and hoon driving, at least in my electorate, is now at a greatly lower level than it was under the previous government.

The government’s commitment to recruit 940 protective services officers (PSOs), and the rollout of quite a number of those already, has been welcomed by the community. It is interesting to see that the Labor Party is still flip-flopping on whether it actually supports the PSO initiative. The community loves it, but because it was not a Labor idea and we announced that we would be doing it, Labor opposed it when it was in government. A Labor member went so far as to call these people plastic police, which I thought was an extremely insulting approach. You would expect the Labor Party to flip-flop, and as the measure starts to be successful, it seems it starts more and more to become its idea.

It is interesting to watch Labor members as they do this, because they are extremely predictable; in fact they are predictable at all times. We have now rolled out more than 800 of the 1700 new police that we committed to putting in place. What is really interesting about that — the point has been made by several Labor members, and it is entertaining to listen to them — is that Labor members are picking up on areas where they believe there has been an increase in crime. The difference between this government and the previous government is that the coalition government is pushing to have accuracy in reporting. The previous government made it up. In fact investigations have shown, and it is in the public domain, that the previous government put political pressure on the police to make up the figures. That went across to the department — —

*Honourable members interjecting.*

**Mr BURGESS** — There are interjections from the Labor side to ‘be careful’. They do not like the truth — —

**The DEPUTY SPEAKER** — Order! Interjections are disorderly and the member for Hastings should not take them up.

**Mr BURGESS** — In fact it was not only in the police and emergency services area that the figures were shonky; we know that they were shonky in the health services area as well.

**Mr Herbert** — On a point of order, Deputy Speaker, as much as I like broad debate, the member is straying far, far from the bill. He is talking about health figures and dodgy accusations. It really has nothing to do with the bill. I ask you to bring him back to the bill.

**The DEPUTY SPEAKER** — Order! Unfortunately the background noise was such that I did not hear the member’s last few words. I ask the member to speak on the bill.

**Mr BURGESS** — It is interesting that the Labor Party should feel that crime rates in the community are nothing to do with the bill that is before us. It simply shows its lack of understanding of the bill and also a lack of understanding of community safety and the importance of that community safety to Victorians. It is something Labor ignored for 10 years and it is something that is being addressed by this government — and we are certainly happy to keep on with the job. After all, the safety of Victorians is the primary goal of any state government, certainly a state government that has an idea of the job that it is supposed to be performing for the community. That is

true of this government but clearly was not true for the previous government.

There have been many indications in the press about support for the bill. There was a very interesting editorial on page 32 of the *Herald Sun* of 20 June headed ‘Striking a balance between rights of victims and offenders’. It says:

New laws to be introduced in the Victorian Parliament today show the government’s determination to give victims a greater say in an often unfair judicial process.

*The Herald Sun* has long campaigned to correct an imbalance between the rights of victims and the rights of offenders.

A case in point was last week when the Court of Appeal cut almost a third from the minimum sentence of a young thug who viciously slashed and battered the faces of people he robbed.

This is the kind of decision that bewilders and infuriates victims of crime and their families.

Now Attorney-General Robert Clark has struck at the heart of the matter by strengthening legislation to make criminals pay for the damage they cause.

New laws will also give victims a bigger say in sentencing negotiations.

This goes a long way to restoring the community’s faith in our justice system

There was a further article in the *Herald Sun* on the same day by Geoff Wilkinson headed ‘Crime victims win a louder voice’. The article says:

More lawbreakers will be forced to pay for the damage they cause, and victims will get a bigger say in their punishment, under new laws.

...

Legislation being introduced today will give courts the power to order compensation without victims having to make a formal application.

Attorney-General Robert Clark said yesterday the changes would:

reverse the onus on victims to initiate claims and make it easier for orders to be made.

avoid the need for victims to chase offenders for compensation through civil action.

...

‘These reforms send the clear message that offenders should be required to pay for the losses they have caused’, Mr Clark said.

This is a seriously good change from the attitude of the previous government and is synonymous with this

government's approach to law and order. I commend the bill to the house.

**Mr HERBERT** (Eltham) — I am pleased to speak in the debate on the Criminal Procedure and Sentencing Acts Amendment (Victims of Crime) Bill 2012. I am moved to say just a few words on the bill following the absolutely shallow contribution we have just heard from across the chamber. We have heard from a number of members from over there that this bill is the be-all and end-all of the crime problem in Victoria. What they do is confuse rhetoric with reality and short-term measures with long-term solutions. Of course everybody is going to support stronger and proper compensation for victims and better court procedures in terms of getting evidence to evaluate what that compensation should be.

That is supported by everyone, but to say this is a solution — as with some of the other minor changes to legislation and the technical amendments the government has brought in — is simply not the fact. This state has an issue with rising crime, and whilst these measures are welcome, they are not addressing the core issues. Let us just have a quick look at some of those core issues. What did we see last year? We saw the police commissioner attacked; we have seen dissension in the ranks; we have seen political interference in the way the police force operates.

**Mr Burgess** — On a point of order, Deputy Speaker, we have had a wide-ranging debate, but clearly the member has strayed a long way from the bill. I ask you to bring him back to the bill.

**Mr Eren** interjected.

**The DEPUTY SPEAKER** — Order! The member for Lara is out of his place, and his interjection is disorderly. The member for Eltham, to continue on the bill.

**Mr HERBERT** — The bill is about the crime and the end result of crime, and those opposite have been spruiking it as a measure to stop crime in this state. What I say is that there are many underpinning causes of crime. One of them is rising unemployment. There is a direct correlation between victims of rising unemployment and less opportunity for people in this state. That is something the government ought to be looking at. It ought to be looking at — and the member for Frankston spoke about this before — the absolutely appalling rise in youth unemployment in Frankston and the lack of opportunity there for young people, which will lead to an increase in crime down the track, and everybody knows that.

The government ought to be looking at the cutbacks in education and training. The opportunity for people to get a job and a future for themselves is important in terms of stopping long-term increases in crime rates in this state. If you slash educational and training opportunities, then you will see an increase in crime as people look to other activities to get a better life for themselves.

I said I was not going to speak a lot about this, but I do say there are some major issues relating to crime in this state. There are some issues that this government is contributing to in terms of a lack of industry and jobs policies and cuts to education and training that will result in increased crime rates and other issues in this state in the long term. The government ought to be addressing these issues, not just making some minor changes to bills — as welcome as they are — in terms of fixing crime and the long-term structure in this state for the way we address criminal activity and cut back on the level of crime. It is complex and sophisticated, and to have the simple rhetoric that we have just heard today as a solution is a worry for any thinking person in this state.

**Debate adjourned on motion of Mr DELAHUNTY (Minister for Sport and Recreation).**

**Debate adjourned until later this day.**

## ROAD SAFETY AMENDMENT BILL 2012

### *Second reading*

**Debate resumed from 14 August; motion of Mr MULDER (Minister for Roads).**

**Ms MILLER** (Bentleigh) — As I mentioned previously in my contribution to this debate, if the opposition had been so committed to adopting a zero-tolerance approach to hoon driving, the statistics in Glen Eira and Kingston, in my electorate, would not have continued to fluctuate during the period it was in government.

Despite the introduction of the hoon legislation by the current opposition when it was in government, the community of Glen Eira still accounts for 0.8 per cent of vehicles impounded, and Kingston remains at 1.6 per cent. The constituents of Bentleigh electorate tell me that the safety of their families on the roads is a very important issue. The current rates of vehicle impoundment are just not good enough.

With the coalition's amendments to the legislation, which include providing increased driver education, it is addressing the serious issues on our roads, and we

will see a meaningful reduction in the statistics. In the 2011–12 year the incidence of impounding cars in the Kingston area has reduced from 71 to 47, with the number of impoundments in Glen Eira reduced from 36 to 5. As you can see, Deputy Speaker, the Baillieu coalition government is not only taking a zero-tolerance approach to road safety, but it considers the value and life of all Victorians, unlike the previous government, which over 11 years did absolutely nothing. I am pleased that in Glen Eira, where I am working hard to ensure the safety of all pedestrians and motorists — —

**Mr Eren** interjected.

**The DEPUTY SPEAKER** — Order! The Speaker has ruled that the use of the words ‘lie, ‘lying’ et cetera may not be used. I heard that, and I ask the member to withdraw it.

**Mr Eren** — I withdraw.

**The DEPUTY SPEAKER** — Order! Does the member wish to raise a point of order?

**Mr Eren** — Yes. On a point of order, Deputy Speaker, the member for Bentleigh just made an outrageous accusation that the previous Labor government was somehow involved — —

**Ms Ryall** interjected.

**Mr Eren** — Clearly the member for Bentleigh has accused the opposition of causing deaths on the roads and not doing enough. Deputy Speaker, I ask that she withdraw those comments that she made.

**The DEPUTY SPEAKER** — Order! The member for Lara may be offended by the remarks, but that is not a point of order. I cannot rule in favour of that point of order.

**Ms MILLER** — I am pleased that in the city of Glen Eira, where I am working hard to ensure — —

**Mr Eren** — Deputy Speaker, on a further point of order, the member for Bentleigh misled the house by making accusations that the opposition somehow contributed towards a lack of road safety. Especially as I was on the Road Safety Committee in the previous government and was chair of that committee, I ask the member to withdraw those comments and the accusation to the effect that the opposition has caused deaths on the roads.

**The DEPUTY SPEAKER** — Order! I do not believe a member can ask for a withdrawal of a broad

statement like that when it is not aimed at an individual. However, I will refer the matter to the Speaker and ask him to make a ruling on what the member has just said.

The member for Bentleigh has 14 seconds.

**Ms MILLER** — The government considers the safety of Victorians. Consequently it has just delivered a pedestrian crossing on Jasper Road to address speeding and hoon driving. This had been neglected by the previous government.

**Ms NEVILLE** (Bellarine) — I am pleased to have the opportunity this morning to speak on the Road Safety Amendment Bill 2012. In my contribution to the debate I will touch on a couple of comments made by the member for Bentleigh in her contribution. As a new member, the member for Bentleigh may not have been aware that the hoon legislation commenced under the former Labor government. We actually put it in place, and we led the way in this regard and in terms of road safety strategies. We saw significant declines in the number of road deaths and injuries over the period of time we were in government.

Road safety is an area which absolutely requires bipartisanship, and all of us need to work together to develop strategies to continue to bring down the number of not just deaths but also injuries that cause lifelong problems for many in our community. This bill before the house is not one that the opposition is opposing. It builds on the legislation and the programs that we put in place in government, and we will support those amendments.

We certainly support the amendments in the bill that have cleared up the statutory write-off process. We know the bill will achieve some consistency across the country in relation to that, which has certainly been welcomed by those in the industry, because they will have some clarity around those rules. The bill also deals with vehicle impoundment and immobilisation schemes, which will make it much easier for the police. It tries to speed up the process for getting rid of cars, but also for ensuring that there is clarity around the rules that apply.

Finally, the bill also provides for safe-driving courses for hoons. This will mean that people who have been found guilty of hoon offences and have had their cars impounded or immobilised will have to complete a safe-driving course at their cost. This is a worthy amendment and an appropriate requirement for those who have been found to be hoon drivers. What I think will be absolutely critical in the success of this program is the need to ensure, as the tender goes out — I

understand that will be soon — for providers of those courses, that we have a broad range of opportunities right across the state so that regional and rural Victorians are able to access these programs and that they are not just focused in Melbourne. As a member in a regional seat representing a regional community I know hoon driving occurs right across those areas as much as it does here in Melbourne.

As I mentioned before, we have heard some members on the government benches crowing about these amendments being tough on hoons. It is important to point out that there are a number of things that are missing in this scenario. The member for Bentleigh talked about how there continue to be large numbers of hoon drivers in her community. Unfortunately having legislation like this will not in itself deliver better outcomes in relation to hoon driving. It is critical to have good laws but also an adequate number of police to enforce those laws, which is what is actually going to make the difference. If the police numbers are not there, then the enforcement of laws, whether they are good or bad, will not be possible.

In my community of Bellarine we have had some very longstanding issues in particular communities in relation to hoons. St Albans Park has had major ongoing problems over the last decade. Prior to that Ocean Grove and Drysdale experienced this on a regular basis. Local residents contact us about this. When you talk to the police in those communities about hoon driving, they express concern about their inability to have enough police officers to enforce the law. The police are pleased about the law; they just question their capacity to enforce it.

There have been some recent decisions in Bellarine in relation to policing that have caused concern in the community and will make it very difficult for the police to have the opportunity and time to ensure the enforcement of these laws. For example, the police in Bellarine are now being rostered in the Corio and Geelong areas, so there are fewer police on the Bellarine Peninsula each and every day. There are fewer police overnight and on the weekends, when you often see increases in hoon driving complaints.

On the Bellarine the summer period is when there are higher crime rates and more issues around hoon driving — especially at night, with daylight saving time. Traditionally over that summer period the number of police has doubled to deal with what is often almost a doubling of population in the area. Unfortunately the decision has been made that police numbers will not double over that period this year. Bellarine residents are being faced with two issues: one is that there are

currently fewer police in the area because police officers are being rostered in Geelong and Corio, and the other is that during the area's peak period residents will suffer from not having the additional police that have traditionally been provided.

What is missing in this legislation is any placement of these amendments in the context of a broader road safety strategy. When Labor introduced the antihoon legislation it was in the context of a broader strategy. Tackling hoon driving was driven by the principles that sat underneath that road safety plan. As members would be aware, the road safety plan we had in place needed to be upgraded. Unfortunately it has taken this government many months of pressure to update its road safety plan. I would say it is a so-called plan, as the road safety action plan has received only \$2 million in this financial year. This suggests that the government is more interested in the headlines it can get by saying it is against hoon driving than in looking at the strategies we need to put in place to further reduce the incidence of death and injury on our roads.

One of the biggest concerns is that part of our road safety strategy was the announcement we made around the road safety experience centre, which was planned to give young people a real sense of risk and responsibility on the road. The centre was to be delivered by the TAC (Transport Accident Commission). Unfortunately this government has walked away from that project. I speak as a parent whose son turns 16 in the next couple of weeks, and we are about to face the drama of learning under the new rules and the hours we have to get up. It is not really when a young person is a learner driver that there is an issue, because learner drivers have very low rates of accidents, but post that stage. Young men particularly are more at risk of death and injury on the road, and it is not hard to work out why. There is that sense of: 'I am untouchable. It will be fine'. My son constantly tells me how good a driver he is going to be. However, he also points out that a lot of things come all at once to young people, which can seem a bit strange: they can start drinking, can start driving, are doing their VCE (Victorian certificate of education), are about to finish school and are about to go to work. All those things come together at 18, and there are certainly risk factors because of that. It is absolutely critical that we provide young people with as much real experience of risks on the road as we can.

It reminds me of a story about how invincible young people think they are. I remember being at Newcomb Secondary College with a year 10 class a few years ago, talking about mobile phone use while driving. We had had a death in Geelong around that time. We played some TAC ads made by young people about the risk of

mobile phone use while driving and the deaths and injuries it has caused. Despite that, after seeing those ads and having a discussion, when the students were asked how many of them when they started driving would use their mobile phone while driving, half the class put their hands up. It was extraordinary; they did not even attempt to hide it. Reaching in and showing young people that they are not invincible and they do need to take care requires not just our telling them but also our giving them those experiences.

I think these amendments are positive, but we need to put them in the broader context of a road safety plan. We are supporting this bill, and we are urging the government to have a much more comprehensive, funded road safety plan to protect more Victorians on our roads.

**Ms RYALL (Mitcham)** — I rise to speak on the Road Safety Amendment Bill 2012. In essence this bill relates to the compulsory safe-driving program for hoon drivers. It refines the existing vehicle impoundment scheme requirements to address operational issues and the cost of administering the scheme and it expands the definition of a statutory write-off in relation to damaged light motor vehicles so that they cannot be registered to be used on the road.

The member for Bellarine raised some concerns in relation to this bill. She talked of the need for further police to catch hoons. Yet I notice that under Labor Victoria had the lowest police numbers per capita of any state in Australia, so this government's election commitment to provide 1700 new police is vital in relation to the very concerns raised by the member for Bellarine. She also suggested that the government does not have a road safety strategy. Yet, from a road safety perspective, under Labor we saw the implementation of the hoon badge of honour of 48-hour vehicle impoundment. I think that when it comes to road safety strategy Labor was well and truly left wanting, and it is a wee bit hypocritical of opposition members to demand a strategy from this side of the house. Also, by June 2013 there will be 34 additional police for Geelong, so it is interesting that the member for Bellarine has made these points.

From a road safety perspective, there were just under 5000 hoon vehicle impoundments between 2011 and 2012. That is a significant —

**Mr Eren** interjected.

**The DEPUTY SPEAKER** — Order! The member for Lara will cease interjecting across the chamber. He will have his opportunity to take the call.

**Ms RYALL** — There were just under 5000 impoundments between 2011 and 2012. When I look at the offence types for impoundments I notice that the most significant number — 35.2 per cent — was related to tier 2 excessive speed of over 45 kilometres an hour above the limit. I notice that improper use of a motor vehicle is the next most significant offence type, at 32 per cent, and driving whilst disqualified or suspended is certainly up there as well, at 14.5 per cent. These seem to be the three highest hoon offence types.

Looking at age group — and this is a very important factor — 44.5 per cent of people who have had their vehicle impounded for a hoon-driving-related offence have been aged 20 to 25. From age 26 to 30 that figure drops off to 15.7 per cent; however, for those aged 31 and older it is up at around 19.4 per cent, so there are a number of key issues there. In the city of Whitehorse we account for 1.7 per cent of the state's total impoundments. That is 310 impoundments in total from 2006 to the current year. I note that in 2011 there were 63 impoundments, but that has dropped off to 12 so far this year. That is vitally important in terms of making sure that the system that is implemented, which is effective, is improved so that the costs of administering it are lowered. In terms of the number of hoon cars that have been crushed so far, at 29 February 2012, 247 hoon vehicles had been crushed, 18 forfeited and 229 abandoned.

The member for Bellarine talked about her child turning 16 shortly and having been on the road to make up the learner driver hours. My daughter recently turned 18 and got her drivers licence. When your children are out on the road, although you know that they have undertaken the training and that you have tried to instil good values and a sense of responsibility in them, one of the things you get concerned about as a parent is not just their driving but the driving of others. A lot of fears and anxieties are created when your children are out on the road while a lot of other cars are around and also at times — perhaps on a Friday or Saturday evening — when people are out having a good time, and you hope that your children are safe.

Hoon behaviour can be very intimidating. I have certainly had people come flying up behind me or flying past. When I was driving recently my husband calculated that the speed of a car that flew past us in a 110-kilometre-an-hour area was about 150 kilometres an hour — too quick to even see the numberplate. You are often left wondering whether you are going to see an accident or whether you are going to see the blue flashing lights up ahead. In fact you are hoping that you will see the lights and the hoon will get caught.

Hoon driving needs to be stamped out. We need to look at the underlying attitudes and beliefs that cause this behaviour. The Road Safety Amendment Bill looks at the impoundment process and compulsory safe-driving programs, and I think those measures will start to tackle the underlying beliefs that cause hoon driving behaviour and to deal with the attitudes of drivers.

We need to make sure that we do everything we can to stamp out this very dangerous behaviour, because ultimately when hooners drive, whilst they may not have an accident on one occasion, they may very well have one on another occasion. Lives are impacted as a result of that — and we have just been talking about victims of crime. We have heard and seen the horror stories of people who have lost loved ones to motor vehicle accidents, high-speed accidents, accidents involving drugs or alcohol and accidents involving hooning or drag-racing. It is a life sentence for those who are affected, whether through the death of a family member, a disability or a brain injury — all those things that can occur. These are major pieces of heavy machinery that people are getting behind. They have the ability to cause maximum damage to other people in the community.

I am absolutely delighted that the compulsory safe-driving program is becoming a part of the act. We have a right to feel safe on our roads, and this bill starts to build our confidence. There is a carrot-and-stick approach. Certainly the catching and charging of hoon drivers on such offences is about the stick approach, but at the same time the stick approach can lead to a fear of being apprehended, thereby creating a deterrent against hoon driving and a start to reducing the high number of hoon driving offences that occur. On that note, I commend the bill to the house — and I commend the minister for his great work on this bill.

**Mr EREN (Lara)** — I too am pleased to be speaking on the Road Safety Amendment Bill 2012.

**An honourable member** — Are you supporting it?

**Mr EREN** — We are not opposing it — of course not. This side of the house is very supportive of any initiatives to improve road safety. Members of the house would know I was a member of the Road Safety Committee from 2003 to 2006, and I chaired the committee from 2007 to 2010. Also on the committee was the minister responsible for the bill before the house today, the Minister for Roads, and the good member for Geelong, who has been on the Road Safety Committee for a while now.

**An honourable member** — He was chair.

**Mr EREN** — He was also chair of the Road Safety Committee, of course. The committee takes a bipartisan approach to road safety, and in the time that the member for Geelong and I served on that important committee we came up with lots of great suggestions for government. It is distressing to hear comments like those of the member for Bentleigh. She suggested that the former government had contributed to roads being less safe and that they are safer under this government. That is why I took objection to what she said.

When bills such as these come before the house it is important that all the issues are thoroughly aired. Having said that, the government has put a lot of bills before the house that are initiatives of the previous government. We do not mind that; it is fine. In some instances when the government brings a bill before the house we try to make amendments to it, and we are fine with that as well so long as the government takes up those initiatives to make the roads safer.

The Road Safety Committee undertook a number of trips across the globe to investigate various issues that were brought before it. Anywhere you go in Europe or around the world, the road safety credentials of Victoria are right up there. In particular, as we know, the reputation of the Transport Accident Commission precedes it. The wonderful work the TAC does is known across the globe. As the former government, we are proud of coming up with the idea of the TAC. Of course it was the previous government's initiative to move the TAC to Geelong. We are seeing wonderful work being done by the TAC yet again. We certainly hope it is not relocated from Geelong to another location and that its funding is not somehow reduced, because that would be an absolute disaster. I ask the government to come clean about whether it has decreased the funding for the TAC. If that is the case, the bill before the house would not be as effective as it could be. It is fine to come up with these sorts of bills.

The Labor government was very tough with its antihoon legislation. Although in the lead-up to the election the coalition promised all sorts of things to make it even tougher, what we saw was in some instances a — —

**An honourable member** — They were non-core promises.

**Mr EREN** — They were non-core promises, you are absolutely right about that. When you look at the overall road safety strategy of the government, you see that it is really concerning. There has been lots of talk about speed limits. The minister was going to conduct a review of them, which he has finally done, but what did

we see as a result of that? Funding was cut for the flashing 40-kilometre-an-hour signs around schools, and that is an absolute shame. The 40-kilometre-an-hour zones have been increased in some areas. The Minister for Roads is actually implementing some of the things he complained about as shadow minister.

There was much bickering from members of the then opposition about speed cameras being cash cows or revenue raisers for government and all those sorts of allegations that were made against our government. What did these hypocrites do when they came into government? They increased the fines. They have more undercover speed detecting police than ever.

**Mr Herbert** interjected.

**Mr EREN** — They carried on about cash cows and claimed we were ripping off the community, but now they are in government they have increased the resources to catch people speeding and increased speeding fines. Now such measures are not a revenue-raising cash cow; they are road safety measures. I find it absolutely hypocritical.

When you look at some of the changes to legislation, the Baillieu government's road safety action plan for 2012–15 has only been funded with \$2 million for this coming financial year. Initiatives are needed, particularly for that cohort of young people who are most exposed and at risk when they first get their licences. That is an age group we are all concerned about. In terms of the proportion of road accidents that occur on the roads, it is mainly new drivers, young drivers, who are involved. We need to do what we can to make sure that education is a key part of that — for example, with alcohol interlocks for people who have offended in relation to drink driving, and there is even technology available in relation to speeding called intelligent speed adaptation.

As we see more of these technologies come on board in cars, more lives will be saved on the roads. That is why it was a first when Labor introduced in Victoria the requirement that any new registered passenger vehicle have electronic stability control (ESC) and side curtain airbags. Through the investigations we did in our time in government we found that if every vehicle were to have ESC, it would result in 100 lives being saved every year. We got on with it, we legislated and we led the nation yet again in relation to road safety. That was a great initiative, and it will save the lives of a lot of young people because they are obviously most exposed to potential crashes when they first get their licences. If they are in vehicles with ESC, hopefully they will

survive any crash that may occur while they are driving.

It is important to make sure we educate young people. That is why I had a go at the Minister for Sport and Recreation when he got rid of the sporting code of conduct in sports clubs. The sporting code of conduct was very important, because sports clubs play a huge role in the lives of a lot of young people who are exposed to potential dangers. We found that sports clubs are a major area where you can have access to the cohort of people we are so worried about.

**Mr Battin** — On a point of order, Acting Speaker, in relation to relevance, the member for Lara is talking about sport, and I question how it relates to the Road Safety Amendment Bill before the house.

**The ACTING SPEAKER (Mr Languiller)** — Order! I do not uphold the point of order, but I ask the member to come back to the bill and make those comments only in passing. I also note that the debate has been wide ranging.

**Mr EREN** — I think it is beyond the member's comprehension that the cohort of people we are talking about, the ones most exposed to accidents on the road, congregate around sporting clubs. My point is that road safety involves a process of education. I do not think the member for Gembrook understands that you need to go to those people and educate them in order to prevent those accidents from occurring.

It is clear from the bill that this government is used to a stick rather than a carrot. It is about time the government learnt that it is not all about revenue raising; it is about educating people and saving lives. That is why the government, which also does not have a comprehensive jobs plan, needs a comprehensive road safety plan. The strategies we had in place saved lives, and that is what this government needs to do, rather than spending a paltry \$2 million on road safety or cutting funding to the Transport Accident Commission. It needs to increase funding and not do some of the things it has done hypocritically in the past. I urge the government to get on with it.

**Ms WREFORD (Mordialloc)** — I rise in support of the Road Safety Amendment Bill 2012, which is a real breakthrough for Victoria. It is also a real breakthrough for common sense. The bill does three main things. First of all it delivers on our election promise to make hoon drivers do a safe-driving course. Secondly, it improves the vehicle impoundment program for police and reduces administration costs to the state. Thirdly, it establishes more stringent, nationally agreed criteria for

assessing whether a damaged light motor vehicle is a statutory write-off.

The safe-driving course is a highlight of this package and part of a broad-ranging strategy for road safety. It is the first time in Victoria that a government has included genuine education elements for hoon offenders.

Towards the end of the wasted years under Labor when it was in a deep policy vacuum, which it remains in today, one of the few things it did was pinch and partly implement our antihoon policies in regard to crushing cars. I guess Labor governments have a history of pinching opposition policies in their dying days; it is becoming a tradition — just ask the federal government about Nauru.

In relation to what the member for Lara said when he complained about the lack of funding for, I think it was VicRoads — —

**Mr Eren** — No, the TAC.

**Ms WREFORD** — Sorry, the Transport Accident Commission. It is not about throwing more money at everything; it is about outcomes, and this government is about outcomes. Throwing more money at something just to get a press release does not lead to improved outcomes. Whilst impounding and crushing cars makes a significant mark, it does not necessarily get to the root cause of the problem. Many hoons clearly do not understand the risks they are taking and the possible outcomes for their lives and the lives of others when things go wrong. We know that statistically it is young drivers who are more at risk of hoon behaviour, especially young males. The current licencing test examines the driver's knowledge of road rules and car control. From there most people take a common-sense approach to driving, but hoons definitely take increased risks.

I am the mother of four sons. I certainly know what it is like to have young adults first get their licences. My 17-year-old was driving with me recently. He has logged up to about 80 hours on the road, and given his age I have to say he is an incredibly good driver. He emphasised to me what a good driver he is, and I had to say to him, 'It's not always your driving skills on the road that matter. You need to be good, yes; but you cannot know how other people will behave'.

This bill is about teaching potential hoons the possible consequences of their risk-taking not only to themselves but to other people. It may not make a hoon change their behaviour by 100 per cent, but even slight changes may save lives or improve behaviour for people on particular streets. How does this concept

work? If a person is caught hooning, not only is their car impounded or immobilised, but the courts will be required to order the hoon to complete a safe-driving course. The course must be approved by VicRoads. VicRoads will administer the course program, approve the providers and monitor the programs. Failure to complete the course will result in licence suspension, extension of suspension, disqualification from driving or a delay in eligibility to hold a licence or permit.

The cost of the course will be paid for by the offender through a fee — and they should pay. When you consider this change, the recent extension of immediate impoundments to 30 days and the widening of the range of hoon offences you can see that we are serious about tackling the problem. It is a problem that distresses many people in the community and it happens all over Victoria, as I have seen from driving around. Whilst the previous government pinched our idea, it watered it down so that it was Labor's typical slap-on-the-wrist-with-a-feather, soft-on-crime approach.

The addition of a course is a great idea. Many parts of the world offer courses to correct various driver behaviours. The courses clearly work. This legislation also fixes some issues with vehicle impoundments. Impounded vehicles frequently are not recovered and the cost of recovering vehicles from impoundment is often greater than the value of the vehicle. To release a car from impoundment requires repairs to make it roadworthy and payment of towing and storage fees. Many cars are abandoned, but currently the state is stuck with these vehicles for 12 to 14 months, and that costs money. This bill fixes that.

If the vehicle is uncollected, seven days after it becomes available the Chief Commissioner of Police notifies the affected persons to collect it or appeal within 30 days. The vehicle will be deemed abandoned unless there is an appeal, and a sale or a disposal program can commence. If there is an appeal, a sale or disposal program can commence only when the case and appeal time frames have passed. Earlier sale or disposal will reduce storage costs for the state and will mean the program requires less storage capacity. In the case of a vehicle being immobilised, the vehicle can be deemed abandoned if unreleased after three months. There are other refinements to the impoundment process in this bill. Currently police have to wait 48 hours before issuing a surrender notice and must issue the notice within 28 days for a road-safety camera offence and 10 days for any other offence. This bill removes the 48-hour requirement and extends the other requirements to within 42 days for road-safety camera

offences and three months where a sample analysis is required.

There are improvements to the immobilisation program in this bill. Immobilisations will be managed by a central unit of police that will allow the relocation of vehicles immobilised in dangerous places. It will encourage the recycling of low-value vehicles.

The final part of the bill relates to statutory write-offs — no, we are not referring to the opposition on this occasion. As part of the national scheme, Victoria will have clearer guidelines for assessing whether a vehicle is a statutory write-off. The criteria include the structural stability of pillars, the chassis and supplementary restraint systems to determine whether the vehicle is recoverable. If it is not safe, the vehicle will be entered in VicRoads written-off vehicle registry.

In summary, this bill is a breakthrough for Victoria. It is a real breakthrough for common sense, and it does three main things. The safe-driving course is a highlight of this bill, and it delivers on an election commitment. This legislation also fixes some issues with vehicle impoundments and the final part of the bill updates statutory write-off rules. The bill really is aimed at improving road safety for those who are on the road and for all the community, and I commend it to the house.

**Mr HERBERT** (Eltham) — I am pleased to speak on the Road Safety Amendment Bill 2012. As other members of the opposition have said, we will not be opposing this bill. Whilst under Labor Victoria's road toll was slashed quite dramatically because of a whole range of comprehensive measures, there are still far too many deaths on Victorian roads, and any action we can take to reduce that number and make our roads safer is well worth taking and well worth doing.

This bill is a continuation of Labor's legacy, in that it refines the measures introduced by the Labor government to target hoon drivers. In particular it requires hoon offenders to undertake safe-driving courses. As we have heard, the bill also makes changes to vehicle impoundment schemes and the regulation covering statutory write-offs. Whilst the opposition supports these measures and the provision of further driver education programs and the impoundment of vehicles, the title of the bill is a bit misleading and ambitious. It is part of the government's rhetoric. While these measures are welcomed — and the measures contained in the bill reflect good administration of the scheme — I am not really sure that they will have a substantive impact on road safety in Victoria. They are welcome, but to say that this is a road safety

amendment bill is perhaps stretching the truth of the matter a little bit.

When Labor was in government it brought in the hoon driving laws. As I say, we also had a whole range of measures as part of our Arrive Alive program — a program that was targeting a long-term strategy which was to operate between 2008 and 2017 and was in place to make roads much better and much safer. It is a 10-year program we are still seeing the legacy of. We saw that in 2006 there were 832 impoundments for the year, and as the policies were unfolded that figure rose progressively in the order of 500 or 600 extra vehicles a year. In 2011 we saw that there were 3900 impoundments, and in 2010 there were 3200 vehicles impounded. Those measures were certainly working, as was the Arrive Alive program.

It has been quite a disappointment on this side of the house and for many out there in the community that the government simply will not have its own Arrive Alive targets. It has run some measures — it has a minor \$2 million road safety plan — but essentially those targets and the strategy Labor put in place are still the operating ones. This government simply cannot get off its backside and do its own strategy and make its own target. It seems like in every endeavour of this government, particularly in relation to Arrive Alive, you have to drag it kicking and screaming out of bed to do an hour's work. It will never do a full day's work, but it has to be dragged kicking and screaming to do any work.

When it comes to road strategy the government has had some minor bills that have made minor amendments, but it simply will not put the hard yards in — picking up the shovel and doing the grinding work — to actually get a proper Arrive Alive strategy in place and systematically look at fixing up our roads and making them safer for pedestrians and drivers in the long term.

Locally I have been active in the former government's Arrive Alive program and continue to be, given that that is a major program still in place in the state. Recently as part of my local Arrive Alive campaign I went out to local residents and asked them if they were aware of dangerous roads and dangerous conditions that needed to be addressed. It was a serious campaign; it was not a short political campaign. It was a genuine campaign, and I was delighted that about 100 residents came back with issues they had experienced of dangers on our roads — dangerous intersections and places where there have been near misses, where the signalling was not that good, where perhaps it was not safe for pedestrians or where visibility was impeded because of the layout of the road or the intersection. There were

130 major road safety issues identified. Some of those were doubled up, of course, because many residents had the same area of concern — in fact there were three that really stood out.

It was just great to see that the people who actually drive on the roads and experience the risks daily are prepared to report those issues to government and say, 'Here it is. VicRoads may not be aware of this, or the government may not be aware of this, but here are some really dangerous situations on our roads. This is what the situation is. This is what is happening, and we would ask you to have a look at this to try to make our local roads safer'. That is pretty good. As any local member would, I advised the minister of those issues. I thought, 'He is the Minister for Roads; he would have some interest in fixing up these problems or at least referring them on to the bureaucracy to have a go at seeing which of these are really life threatening and which are not'.

Imagine how shocked I was when a couple of months later I got a one-page response from the minister. Did the minister report? Of those 130 issues, did he actually have a look at those roads? Not one. Did he seek individual advice from the department? Not once. Did he personally assess any of those residents' — not mine — concerns about dangerous road situations? Not one. Did he contact any of the residents? Not one. You can guess how many of those 130 individual dangerous roads the minister said he would do something about or that he would even look into or flick off to another statutory authority — not one. Zip, zero, zilch. That is an absolutely outrageous response and an outrageous attitude from a minister who seems to think that the sum total of his job is to simply advise the house about the latest media release on roads. It is really appalling.

This is what road safety should be about. It should be about investigating dangerous roads. It should be about action to address the issues with those roads. It should be about listening to people who are directly involved with reporting some really dangerous situations on our roads. What do we get here? Nothing. We get a nice bill which adds a little bit to Labor's substantive programs and Labor's substantive legislation on hoon driving — it is welcome — but is it anything of substance? No. Does it show in any way, shape or form that this government has a serious attitude to reducing fatalities on our roads and to fixing the problems on our roads and making our roads safer? No, it does not.

On that issue, we have heard those opposite using a lot of rhetoric about how they are cracking down on hoons and how they are getting on with the job et cetera, but I say one thing: whilst they are spruiking those things I

am concerned about the massive staffing cuts right across the bureaucracy that has to administer this scheme and other road safety schemes — the massive staffing cuts we are seeing in Victoria Police, VicRoads, the TAC (Transport Accident Commission), WorkSafe Victoria and the Department of Transport in general. What will those cuts mean for the enforcement and compliance of these measures we are voting on here today? It is all very well to put up your hand and vote for a measure, but at some point those measures have to be enforced and complied with. There is a human resource issue in the Department of Transport, VicRoads and the statutory authorities in trying to get these roads safer.

It seems to me that it is about time the government opened up, allowed a bit more transparency and told Victorian taxpayers whether these departments and individuals charged with enforcing this legislation will be getting extra staff or whether they will be subject to the slash-and-burn attitude and staff reductions we are seeing right across the public sector. Until we can see that, the big question mark about this legislation is, 'Will it actually be enforced? Will it actually do what it is supposed to do, or are we just putting up our hand for some nice measures that seem pretty good on paper but which will never be carried through, because the people who need to carry them through have been sacked?'. That is the question here, and it would be one I would very much like to hear the minister talk about — the extra resources in terms of police and personnel, the extra staff administering things in the TAC and the extra enforcement officers we are going to see in terms of this bill when it gets passed by this house.

**Mr BATTIN** (Gembrook) — I rise to support the Road Safety Amendment Bill 2012. I start off by saying that road safety is something that is very important throughout the state. It is something I know we on this side of the house definitely support, and I will also say that those on the other side of the house have supported it for a very long time as well. I do not think there are many people who have not been touched by the road toll, and I think it is essential that we acknowledge that.

I will also acknowledge that whilst we continue on the path of road safety to ensure that Victorians have the opportunity to return safely home every night whilst driving on the roads, there have been many programs from previous governments, including the last government, that have been put forward that have made a big difference in reducing the road toll. This year the road toll as we speak is at 169. It is down by 12 per cent from last year, but I think everybody agrees it is 169 too many still. We still need to work very hard to reduce that number so everybody gets the opportunity to return

home, as I said. It is as important as workplace safety and as important as any other safety measure so that any person who goes out of their home can be sure that they are safe on the roads.

Re-education is something that is essential. We talk about the carrot and the stick, we talk about punishments and we talk about penalties. I support the government stance in relation to hoon driving. I support the fact that we will impound cars for 30 days. I support the fact that we will crush cars, should it be required, or have a three-month impoundment. I support the fact that when people now go to court for offences of hoon driving the penalties can be harsher, but more importantly I support the fact that each person who goes in must be re-educated before they go back out on the road again.

Something we see too often in this state when reading through either the state or local newspapers reporting on car accidents is that tragically young people have been killed, whether as a driver or passenger, in incidents of hoon driving. One of the common threads in these articles is reference to the person's past driving record, with generally the driver having been convicted of previous offences of speeding or hoon driving or having lost their licence. At the moment we have the stick approach. The stick approach works in some circumstances, but it does not work in a lot of other circumstances, and that is why it is important for us to put re-education processes in place to teach such people that what they are doing is putting not only their lives at risk but is also putting at risk the lives of other people on the roads who have the right to use the roads safely.

Hoon behaviour has been around for a long time. People who have lived down Dandenong way will remember back to the time of the Dandenong drags. Although we would like to think that Dandenong drag racing has totally disappeared, we still have issues with drags in the Dandenong area, and it also happens in Knox. It takes a lot of Victoria Police resources to try to get on top of the issues surrounding drags on those roads. This raises safety concerns in areas such as Greens Road, where up to 1000 people can gather to watch people dragging. Such activity not only puts at risk the lives of the people involved when they are doing burnouts and racing in and around industrial areas but also puts at risk the people on the side of the road who are observing these events and encouraging the activities taking place, as well as other people passing by who may be returning from Frankston or the city, going towards or coming from the south-east. They may be travelling through areas where roads are blocked by hoon drivers competing in events that are

illegal on public roads. Hoons do not understand the risks they are creating for others.

It takes extra Victoria Police resources to deal with these issues, and there are to be an extra 1700 police in this term of government, with 850 currently in place. That is one way to address the issue, by trying to get a police presence in those areas to deter these offences. One of the issues for police members in the past because of limited police numbers was that during these events when police attended in an attempt to disperse the crowds, fine those who needed to be fined or charge those who needed to go to court, they experienced intimidation. With numbers of offenders sometimes in the thousands, when a police vehicle pulled over a car, another car would stop and the occupants would try to intimidate the police in an attempt to get an offender off or get them away from the area. Another tactic used was that hoon drivers or organisers of events would make false calls to divert police to another area, thereby ensuring they were free from police interference because the police would be elsewhere. Again, that puts the safety of residents at risk, particularly on roads in those areas because the police do not have the opportunity to be there.

Talking about driving courses on road safety as a means of getting a message to young people, when I was about 19 I did a driving course at Laverton — not a hoon drivers course — run by AAMI. Although the course gave me some new driving skills that I did not have previously, especially at such a young age, it gave me the opportunity to listen to some people who had been involved in accidents, who were victims of accidents when they were driving home and, more importantly, people who were professionals in the field who engaged us in discussions and enabled us to envisage what happens during an accident. I am not sure if I really understood everything at that time, but the message sank in that driving involved the safety of others and that I was responsible for the risk to other people in my car should I participate in hoon driving. That message is what this amendment is all about. It is to get the message to young people that they are putting someone in their car at risk and others in the community at risk. It is essential for that message to get through to young people.

The message really sank in for me when I attended an accident up in the hills with the local Country Fire Authority unit from that area. When the captain arrived, he discovered that it was his son who had been killed in that car accident; he was not aware of that until he arrived at the scene of the accident. When you see firsthand someone's reaction when they are affected by the road toll — not just getting a phone call, not having

the police knock on the door, but turning up to an accident as a volunteer in support of their community, only to find it is your own son who is the victim in that accident — all of a sudden you realise road safety is above politics, road safety is above everything else and road safety needs the support of everyone.

As I said, and I am fairly open about it, I congratulate the previous government for putting in place many programs in relation to road safety, but it is also important that the opposition now support the measures we are putting in place, whether it be through talking down the road toll, or supporting the Road Safety Amendment Bill 2012, and get behind the most important aspect of this bill, which is to make sure that we get a message out there that hoon driving on Victorian roads is not acceptable. It cannot be acceptable now, and it can never be acceptable in the future. Whether we use punishments such as the 30-day suspension or car crushing or put in place education to ensure that people are aware of the consequences of their actions, we need the support of all members in the house. Government will change in the future — obviously I am hoping it is the distant future — and every government needs to make sure that road safety is a priority and that it continues to keep the road toll going down.

As I said, we should remember that the road toll still stands at 169 for this year. I know a lot of people are celebrating because it is down 12 percent, but we should never forget that it still means 169 people will not take their places at the Christmas table. Families will be missing one of their members, and that is the most important thing to consider. I commend the bill to the house. I look forward to the legislation coming into force. I will continue to campaign to make sure we educate our young people so that they understand the consequences of their actions when they drive on Victorian roads.

**Ms GREEN (Yan Yean)** — It is a great pleasure to join the debate on the Road Safety Amendment Bill 2012. On many occasions during the almost 10 years I have been a member in this place I have spoken about road safety and legislative improvements. In my role as Parliamentary Secretary, Police and Emergency Services, I had a deep interest in this issue. Also as a Country Fire Authority volunteer unfortunately I have had more experience than I cared to have when I have turned out to road trauma sites.

Like many of us I have been touched on a deeply personal level by the road toll. Back when I was a teenager the first serious boyfriend I ever had, a lovely young man called Ross Tibb, lost his life at 17 years of

age in a road accident that was no fault of his. He was an L-plate driver, and it is quite unusual for L-plate drivers who are being supervised to be involved in road incidents; they are some of the safest drivers on the road. Sadly, however, that was how Ross lost his life. He was in a coma for 20 days, and I know I will never forget that time. That experience informed me, as a parent, local member and legislator in this place, about the importance of having legislation and other measures that come from government. Other members, including the member for Eltham, have talked about the importance of educating our young people to make them aware of the risks and to make them safer drivers.

I was pleased that the government I was part of introduced the graduated licence scheme, making it a requirement for our young drivers to complete 120 hours of supervised driving before they got behind the wheel independently. It was a great pleasure to spend many of those 120 hours beside my own son Carlo before he got his full licence. I was pleased that he waited until well after the 120 hours and well past his birthday before going for his licence. He said, 'Mum, I just want to know that I'm going to be a safe driver on the road'. I was really proud that that was a decision he took. He only wanted to do it when he was ready. His decision was partly a result of, I think, the basic training he undertook as a Country Fire Authority volunteer, which had a focus on safety. CFA volunteers turn out to those horrible incidents of road trauma, fire and other things, and they are provided with great training which makes them think about safety in broader ways.

Unfortunately some people from the community I represent were affected by a horrific incident that resulted in the loss of five young lives in an overloaded car on Plenty Road. That was such a shameful loss of life. I commend the local police in the Whittlesea policing district, particularly the then district leadership of Inspector Mark Doney and Senior Constable Sandy O'Connor. They have created a program called Survive — Driving the Message Home, which has educated young people from local secondary colleges following that horrific event. It is a full-day program involving the cooperation of the City of Whittlesea. They spend the whole day talking to young people and making them aware of the consequences of their actions, what the long-term impact can be on people's lives and how they need to be safer drivers. I know that Sandy and the other police in the area have now broadened this approach and are working with other road safety organisations. They have set up a permanent base at the dog racing track at Westmeadows. They will be able to take that message even more broadly to

young people in the community. I very much commend them on their efforts.

I commend the member for Gembrook, a member of the government, who rightly said that the issue of road safety should be bipartisan. He commended members of the previous government for the work they did in ensuring that. I thank him for that. I think the members for Mitcham and Bentleigh should take their lead from the member for Gembrook. The remarks made by the member for Bentleigh implying that the previous government had blood on its hands and had caused road trauma were particularly ignorant. As a former nurse she should know better. I hope she will reconsider the appropriateness of making comments like that.

I was proud to be part of a government that employed the Arrive Alive strategy. It was a 10-year strategy, and I hope the government will adopt aspects of it. It has not yet. It does not have a comprehensive road safety strategy. Its own plan puts only \$2 million this year into road safety. The cupboard has been bare in terms of the road safety commitments from this government. I think the members who criticised our record should have a detailed look rather than just making ignorant comments. I was pleased to be able to highlight the hypocrisy of the Minister for Roads, who is also the Minister for Public Transport, in this place when he reeled off a list of road safety programs funded by him and his government, including Donnybrook Road, which I announced some 12 months before he made that claim in this house. He made a series of similar claims about other roads in the electorate of Macedon and in other parts of Victoria. That is not surprising, because very little has been done on road safety upgrades by this government.

In my electorate and in Melbourne's north there has been zero funding of road safety upgrades or road improvements — not one dollar has been spent by this government. Safer roads and road improvements save lives, and I would implore the minister, as I have done on many occasions, to start funding roads in the Yan Yean electorate. It is the most populous electorate. It has 60 000 electors, and it is growing quickly. It has more than double the population of some other electorates in this state.

It is shameful that the government has not allocated one dollar to public transport; all we have seen are cuts. We have seen cuts of 500 buses a week in the Greensborough postcode area, which means more cars on the road and more people taking risks. For example, Yan Yean Road is incredibly unsafe. It is nowhere on the government's list of priorities, and neither is the intersection of Epping Road and O'Herns Road. We

said that in government we would do a duplication of that road and that we would put in traffic lights.

The only projects that are under way at the moment are the Donnybrook Road safety upgrade, which has just concluded, and the duplication of Plenty Road, which has almost concluded. It was funded by the Brumby government. The triplication of Cooper Street was put on hold by this government for more than two years despite my announcing the funding some three years ago. The government put it on hold, and only about two months ago it announced that it is going to proceed with it.

The government needs to do more than just talk. I welcome the bill, but my electorate is concerned about hoon driving and the lack of road funding in the electorate. This government needs to take more notice of the Yan Yean electorate.

**Ms McLEISH (Seymour)** — Road safety is important to all of us — it touches all of us — so it is with pleasure that I rise to speak on the Road Safety Amendment Bill 2012. The bill has three key objectives. The first is to introduce a compulsory safe-driving program, the second is about refining the vehicle impoundment scheme and the third is around the introduction of new and tougher nationally agreed criteria for assessing whether or not a damaged light motor vehicle is a statutory write-off.

To put a little bit of context around this, as we all know there are deaths on the road; there have been for quite some time, and there are lots of initiatives that work to reduce the number of deaths on the road. Safe driving impacts upon all of us. It is very easy for you to be doing the right thing, but if someone else is not, you can be impacted upon through a secondary accident. I remember when I was younger friends being hit by a car driven by a drunk driver. It really hit home to me, even at a young age, that even though you are doing the right thing and travelling on the right side of the road at a safe speed, you can still be impacted upon.

In particular, we have an issue with young men and their driving habits. Statistics show that 44.5 per cent of car impoundments are of cars belonging to young people aged between 20 and 25 years, which is a disproportionate representation from that age group. In country areas particularly the incidence of accidents is greater, and we need programs that make our roads safer not just for those young men but also for ourselves. Whether we are a passenger in a car, a pedestrian, a passenger travelling in another vehicle or someone doing other things innocently, we can be impacted upon when a car that is being driven unsafely

veers off the road and, for example, into a house or preschool. In some areas we have also seen incidences of hoon driving where shops have been driven into.

The word 'hoon' conjures up a number of images. For me it conjures up images of young men hooning down Plenty Road or the Princes Highway at high speed and it ending with quite disastrous consequences for the driver, any survivors and certainly their families. I had the pleasure of spending a Saturday night shift with the Kilmore police, and one of the first activities we were engaged in was impounding a car belonging to a young man in the 20 to 25 age group. At the time he and his friends were laughing because they thought it was a big joke, but the car was being impounded for 30 days, and I think the implication would have hit the driver later on.

The bill fulfils one of our pre-election commitments. I want to touch on its first objective, which is the introduction of a compulsory safe-driving program. This is associated with certain traffic, or hoon, offences where people are charged, for example, with excessive speed or street racing. The bill will allow the courts to order any person who has their car immobilised or impounded to undertake an education program. The programs will be administered by VicRoads, and the providers of the programs will be approved and monitored by VicRoads. This program reminds me of similar programs for drink drivers. I know several people who have had to go to what they refer to as 'drunk school' to learn about ways to better behave. Importantly, it is quite humiliating for the people who have to attend. I know a young woman who was very embarrassed to have to attend; she certainly learnt her lesson. I think we will have similar outcomes with the introduction of the safe-driving program.

The bill strengthens the legislation around hoon offences and will send a message that hoon behaviour on our roads is not tolerated. It is dangerous, innocent people are impacted upon and it is not something that our government or any government will put up with.

I want to touch on some hoon statistics and car impoundment figures. Since impoundments commenced, in the Mitchell shire 225 cars, or 1.2 per cent of cars, have been impounded, and in the Yarra Ranges shire, the figure is 405 cars, or 2 per cent. What I find most alarming is that in the city of Hume, 1078 cars, or 6 per cent, have been impounded. As I said earlier, 44.5 per cent of the people involved are in the 20 to 25 age group. What is even more alarming is the statistic which shows that 19.4 per cent of affected drivers were on a full licence, but 18.7 per cent, or

almost the same number, were probationary drivers. That is distressing.

The second objective of the bill is aimed at refining the existing vehicle impoundment scheme. Changes are being made to address operational issues and also to reduce government administration costs. Often impounded vehicles are abandoned, because a car may not be worth much or because of costs, such as towing and storage costs, associated with having it removed from the pound. There may also be fines that need to be paid. When a person does the cost-benefit analysis they may find it is better to leave the car where it is, which means that it takes up capacity in the pound, leaving less space available for other cars. It also means that there is an administrative cost for Victoria Police in disposing of the vehicle. At the moment the process for disposing of an abandoned vehicle takes between 12 and 14 months, and substantial costs are incurred by the police, which are not able to be recovered. There is not just the cost of paying for the spaces where the impounded cars are parked but also the time it takes to deal with these matters.

This reform introduces a streamlined process whereby after a seven-day period the Chief Commissioner of Police can notify a person that they have a 30-day period in which to collect the car. They have appeal rights. This measure is about reducing the 12 to 14-month period to something that is much more streamlined, efficient and manageable. Victoria Police will see a reduction in the cost of managing the scheme, but also its capacity to impound cars will be increased.

The third objective is to deal with the tougher nationally agreed criteria for assessing whether or not a light motor vehicle is a statutory write-off. We are talking here only about light motor vehicles and not about other categories, so we are not talking about motorcycles. This is something that was agreed at a national level. We are taking into account some of the changes in vehicle construction and manufacture, because we well know that the way cars are manufactured has altered over the years. Changes in vehicle construction have increased the number of structural areas of a vehicle that must be examined for damage and have led to the introduction of more specific damage indicators.

If we look at the bill in totality, we see that the three key objectives will make the roads safer for all of us. Many of us do the right thing on the roads all the time. I try to do the right thing on the roads and drive very responsibly. I have lost only 1 point from my licence, and it was a very long time ago. However, if others are not doing the right thing, we can quite easily be hit or subjected to some unforeseen event. Accordingly we

need to keep our wits about us as we travel on the roads.

It is also important that we introduce measures to decrease the number of accidents and incidents on the road and increase road safety. Victoria has a history of improving road safety — for example, through the introduction of seatbelts in cars. We have also seen the introduction of drink-driving and antihooning laws. These laws have been strengthened over the years, and in the case of antihooning laws we have seen the periods of vehicle impoundment increase to the current 30-day period. All in all, any law that works to make our roads safer is a good piece of legislation, and I commend the bill to the house.

**Mr TREZISE** (Geelong) — I am pleased to have the opportunity to speak in the debate on the Road Safety Amendment Bill 2012, which the government has introduced, and I am pleased that the opposition is supporting the bill. However, as a member of Parliament who has had a long-time interest in road safety, I have to say that this government has a pretty ad hoc or sloganistic approach to road safety in Victoria. For example, in this legislation it wants to be seen as acting tough on hooners and it wants to be seen as being tough on other drivers who drive outside the law. But, as I said, it is an ad hoc approach, because there is no real strategy in place to tackle ongoing road safety problems.

One cannot help but compare this ad hoc approach with that of the previous Labor government when we saw real, long-term strategies put in place and acted upon under the Bracks and then Brumby governments. In that time, Acting Speaker, as you would be aware, I had the pleasure of serving on the Road Safety Committee for eight years. I think you, Acting Speaker, are a member of the Road Safety Committee at the present time, so you are well aware of the important role that the Road Safety Committee has played in Victoria over many years.

Members on both sides of the house have alluded to the introduction of seatbelts in cars, which was the result of the findings of a study initiated by the Road Safety Committee. As a member of that committee, I, together with other members of Parliament, including the current Minister for Public Transport, had the pleasure of travelling interstate and overseas to investigate road safety issues. I know the minister well, and I know that he and his staff truly know that under the Bracks and Brumby governments Victoria had a reputation as a world leader. That reputation was formed as a result of strategies such as our Arrive Alive strategies. Two of those operated throughout the term of the Labor

government, and there was a marked reduction in the road toll in Victoria: in 2001 there were 444 road deaths and in 2010 there were 288 road deaths.

It is important that members recognise that there is a bipartisan approach to road safety. In the past there have been a couple of members who perhaps have not recognised that, but I think with this bill even they will recognise the fact that there has been a bipartisan approach to road safety.

Not only were the figures that I mentioned before — 444 road deaths down to 288 road deaths — recognised internationally but they represented the most marked reduction in road safety statistics across Australia.

**The ACTING SPEAKER (Mr Languiller)** — Order! This is an appropriate time to break for lunch. The member for Geelong can continue his contribution when the bill is next before the house.

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

**Business interrupted pursuant to standing orders.**

## QUESTIONS WITHOUT NOTICE

### Higher education: TAFE funding

**Mr ANDREWS** (Leader of the Opposition) — My question is to the Premier. I refer the Premier to the case of Sharon Bradley, a mother from Cranbourne North, who is concerned for her son and others who are in his situation. He is a first-year cabinetmaker apprentice who is struggling and will continue to struggle to pay his course fees as a result of the government's \$290 million cutback in TAFE. I ask: is not Sharon and the thousands who have marched to and assembled on the steps of Parliament House today right and has not this government gone too far in the cutbacks to TAFE?

**Mr BAILLIEU** (Premier) — I thank the Leader of the Opposition for his question. This government values apprentices, and it values vocational education and training. That is why we are putting in an additional \$1 billion over and above what Labor provided in the forward estimates for vocational training. Indeed in terms of apprentices that is why we have increased the subsidy rate for all apprenticeship courses across the board — all apprentices. We value the system.

What the Leader of the Opposition does not want to admit and acknowledge and does not want to tell others is that Labor left vocational education in this state completely unsustainable. In 2011–12 Labor provided some \$850 million in its forward estimates for

vocational training. What we have seen is that that has blown out to over \$1.3 billion. That is a consequence of changes introduced by the Labor government in 2009.

*Honourable members interjecting.*

**Mr BAILLIEU** — The changes the Labor government introduced in 2009 for a market-driven scheme were designed in such a way that they were completely and utterly unsustainable. I am reminded of what the federal minister, I understand, told university heads earlier in the year: that Victoria's training system was unsustainable and that he had been advised that it needed to be changed.

*Honourable members interjecting.*

**The SPEAKER** — Order! If I hear more from the member for Eltham, he will be out.

**Mr BAILLIEU** — We warned the previous government when in opposition, and when we came to government we commissioned the Essential Services Commission to look at this issue. The commission made findings and recommendations, and we are following up on those recommendations. To do otherwise would be to put our heads in the sand, like the Leader of the Opposition, and commit to a completely and utterly unsustainable training system. There will be more than \$1 billion extra in the training system over and above what Labor provided. In addition to that, so far as TAFE colleges are concerned, the band of subsidies where they have a competitive advantage will receive increases, and that is predominantly apprenticeships. That is as it should be: quality training focused on industry needs, supporting quality providers, and providing students with the outcomes they need.

### **Skills training: government initiatives**

**Ms McLEISH** (Seymour) — My question is to the Premier. How will the government's reforms to skills training contribute to building Victoria's economy?

**Mr BAILLIEU** (Premier) — As I was saying, the coalition government is investing an additional \$1 billion over four years for training. We are delivering the largest investment in vocational training in Victoria's history, we are increasing funding for all apprenticeships and other skills shortage areas, we are following up on the recommendations of the Essential Services Commission and we are putting vocational training in Victoria back on a sustainable footing. Some are blind to the problems. Some have been silent about their own responsibilities. We are dealing with that

mess that Labor left us, and we are investing additional funds in vocational training.

What we saw from what Labor left behind was a training system that wasted taxpayers money on courses that did not deliver employment outcomes.

*Honourable members interjecting.*

**Mr BAILLIEU** — Enrolments had exploded for courses which were cheap to deliver and profitable for providers but which did not deliver jobs. That is unsustainable. I would have expected that the opposition leader, who is still interjecting, would understand that.

**Mr Andrews** interjected.

**Mr BAILLIEU** — But when courses in personal training blow out by thousands and thousands of percentage points, there are naturally questions that are asked. When people come to us and say, yes, that they did a course in personal training, they did that online, they were paid to do it and they did it in bed, you have got to say there is a problem with the system.

This problem has been left by the previous government, and we are seeking to address it. When cash is offered for training courses to be undertaken, when iPads are offered and when there is a blow-out in one year of more than \$400 million, it has to be addressed. You cannot stay silent. You have to be responsible. That is what this government is doing: it is being responsible about it. In the process we are supporting, as I said earlier, quality training from quality providers with quality outcomes. That is what we want in vocational training, that is what the community expects and that is what this government will deliver.

### **University of Ballarat: TAFE funding**

**Ms KNIGHT** (Ballarat West) — My question is to the Premier. I refer to the government's decision to force Ballarat University to cut \$20 million from TAFE programs, which will see jobs cut and courses scrapped. Will the Premier agree to meet with a delegation of Ballarat TAFE students and staff, together with the member for Ballarat East and me, when Parliament meets at the University of Ballarat on 6 September?

**Mr BAILLIEU** (Premier) — I thank the member for her question. I will happily meet with the vice-chancellor of Ballarat University, and he will be participating in the Parliament when we go to Ballarat. I say again that we found ourselves, on coming to government, with a completely and utterly unsustainable — —

**Mr Andrews** — On a point of order, Speaker, we wish the Premier well in meeting with the vice-chancellor, but the question related to whether the Premier would meet with students to talk about his \$290 million reforms. That was what he was asked about, not about the vice-chancellor, and I ask you to direct him to answer the question.

**The SPEAKER** — Order! I have told the Leader of the Opposition before that I cannot direct anybody to answer a question. The Premier was answering the question, and the answer was relevant to the question that was asked. The Premier is about 30 seconds into an answer. I suggest the Leader of the Opposition wait.

**Mr BAILLIEU** — As I would have hoped the Leader of the Opposition and the member would know, the government is working with TAFE colleges to make the adjustments that are necessary, as it is working with private providers and adult and community education providers. The system was unsustainable. It had to change. We have focused an increased subsidy on those courses which have the capacity to deliver jobs.

I recognise the contribution Ballarat University makes as a dual-sector provider. I have met on many occasions with the vice-chancellor. The minister has provided TAFE colleges in particular with an opportunity to present plans to him before September with a view to working through those changes. That is what is happening. I note that Ballarat University has made some suggested changes already. I also note that Ballarat University has acknowledged that in terms of its TAFE provision it was already in significant deficit and about to go into even greater deficit. Changes were afoot at Ballarat University. The university knew it; we know it across the system.

We are endeavouring to put training back on a sustainable basis and ensure that we get quality providers obtaining quality outcomes, because that is what we want: quality providers, quality training and quality outcomes that are related to industry. All sectors are working through that.

**Questions interrupted.**

### DISTINGUISHED VISITORS

**The SPEAKER** — Order! I would like to welcome to the gallery the delegation from the Parliament of Ireland led by Senator Denis O'Donovan, the deputy chairman of the Senate. We welcome them to our Parliament.

I would also like to welcome Keith Remington, a former member for Melbourne, to the gallery today.

### QUESTIONS WITHOUT NOTICE

**Questions resumed.**

#### Education: government initiatives

**Mr THOMPSON** (Sandringham) — My question without notice is directed to the Minister for Education. Can the minister update the house as to how the coalition government is making our education system more effective for young Victorians?

*Honourable members interjecting.*

**The SPEAKER** — Order! I will call the Premier when I get some silence.

**Mr Lim** interjected.

**Questions interrupted.**

### SUSPENSION OF MEMBER

#### Member for Clayton

**The SPEAKER** — Order! The member for Clayton can leave the chamber for an hour.

**Honourable member for Clayton withdrew from chamber.**

### QUESTIONS WITHOUT NOTICE

#### Education: government initiatives

**Questions resumed.**

**Mr DIXON** (Minister for Education) — I thank the member for Sandringham for his question and an opportunity to put some of the facts about education and training on the table. The fact is that this government is committed to job creation and growing Victoria's economy. In what really are difficult economic times we are driving real growth — and I mean real growth — through better budget management, more efficient services and a better targeted investment in education and training.

That is why we have committed to lifting Victoria's educational standards to the top tier in the world — not just in the country, in the world. What does that mean? It means investing in world-class core skills in literacy and numeracy. It is about focusing on the whole child. It is about investing in clear pathways for young people into jobs and into training that leads to real jobs growth.

Why have we set these goals? We have set these goals because Labor did not care about them. Labor left us a legacy. What is that legacy? Stagnation in literacy and numeracy outcomes, stagnation in student wellbeing and stagnation in student pathways into real jobs and skills. For example, as the Premier pointed out, when we came to government we found a training system that was just not sustainable. It had blown out by \$400 million, and in anyone's language \$400 million is just not sustainable. If Labor had cared about our economy, if it had cared about skills and education, it would not have allowed that to happen. It allowed that to happen, and the fact is that we have had to fund that blow-out. But at same time, in a positive way, we are making our training system sustainable.

In skills, when we came to government we found out that the VET (vocational education and training) in Schools program was not funded in an ongoing sense. There was no money for VET in Schools. That was \$8 million per year unfunded. What have we done? We have reversed Labor's attitude to VET in Schools and we have made the funding ongoing, at \$8 million a year over the forward estimates. That has given schools certainty. They know that we care about VET in Schools — —

**Ms Hennessy** interjected.

**The SPEAKER** — Order! If the member for Altona wants to stay in the chamber, she should be quiet.

**Mr DIXON** — They know that we care about VET in Schools, and they know that we are the ones who have provided an ongoing funding basis.

**Mr Herbert** interjected.

**Questions interrupted.**

### SUSPENSION OF MEMBER

#### Member for Eltham

**The SPEAKER** — Order! The member for Eltham was warned earlier; he can have half an hour out of the chamber under standing order 124.

**Honourable member for Eltham withdrew from chamber.**

### QUESTIONS WITHOUT NOTICE

#### Education: government initiatives

**Questions resumed.**

**Mr DIXON** (Minister for Education) — Outside of schools, as the Premier pointed out, we are investing in real courses — courses that make a real difference to the Victorian economy and create real career options for our students. For example, we are increasing funding to all apprenticeships. That is the fact of the matter. Another fact is that we are increasing funding for certificate courses in very important areas such as automotive electrical technology, joinery, plumbing, carpentry and telecommunications cabling. The fact is that these are the courses that lead to jobs and to economic growth for Victoria and Victorian students. That is the sort of real work that we are doing.

Another fact is that we are also investing in the infrastructure that is needed at our schools to maintain these sorts of courses. I will give you two examples. In Ballarat we are investing \$10 million in Phoenix P-12 Community College at Sebastopol. We are also investing \$14 million at Galvin Park Secondary College in Werribee. Labor did not care about its heartland. We are investing in the infrastructure, in the buildings, in the resources and in the equipment that will give the young people of Ballarat and the western suburbs real career choices and the opportunity to go on to great careers and great training, and add to the Victorian economy. These are the facts of the matter.

Those are the real things we are doing. This government deals in facts, because we care about education and training, in stark contrast to those opposite, who only worry about spin, spin, spin — about the politics, not the policy. We care, and we are doing something real about it.

#### Swinburne University of Technology: Lilydale campus

**Mr MERLINO** (Monbulk) — My question is to the Premier. I refer to a statement by the member for Evelyn regarding the closure of Swinburne university's Lilydale campus in which she said:

I want to make it very clear the decision to close this campus is Swinburne's decision; not the government's.

I also refer the Premier to the Swinburne university vice-chancellor's comment that the closure occurred:

As a result of decisions of the Victorian government ...

They cannot both be right, so I ask the Premier: who is correct, the Swinburne vice-chancellor or the Premier's member for Evelyn?

**Mr BAILLIEU** (Premier) — I thank the member for his question. I think that as the member read his question it is quite clear that the member for Evelyn was entirely consistent. To the extent that that decision has been made, it is a decision made by the Swinburne council. As I understand it, the majority of students at Swinburne Lilydale are higher education students rather than vocational students, and Swinburne has made arrangements and is making arrangements for those students to take — —

**Mr Andrews** interjected.

**The SPEAKER** — Order! The Leader of the Opposition!

**Mr BAILLIEU** — Swinburne is taking steps to ensure that all its students, whether they are higher education or vocational, are accommodated at other Swinburne campuses.

**Mr Andrews** — On a point of order, Speaker, in relation to relevance, the question related to the clear contradiction between statements by the vice-chancellor and the member for Evelyn, and I ask that the Premier address that matter in his answer.

**The SPEAKER** — Order! The question related to the closure of the Swinburne campus at Lilydale, and the Premier was answering that question. The answer was relevant to the question that was asked.

**Mr BAILLIEU** — As I said, and as the member clearly indicated in his question, this was a decision undertaken by the Swinburne council, and that is exactly what the member for Evelyn said.

**Mr Merlino** — On a point of order, Speaker, the Premier is clearly debating the question. If he is so proud of his reform, why does he not agree with the statement of the vice-chancellor that the decision was a result of the government's decision? The government closed — —

**The SPEAKER** — Order!

*Honourable members interjecting.*

**Mr Merlino** — Are you proud of it?

**The SPEAKER** — Order! The member for Monbulk is looking to go out again, the way he is going. I do not uphold his point of order.

**Mr BAILLIEU** — I will not repeat what I have said; it is entirely clear that the member for Evelyn is absolutely right. Indeed, as I have said, we are endeavouring to put vocational training in Victoria back on a sustainable footing. There has been a \$400 billion-plus blow-out in one year, and opposition members want to stay silent about that. Their heads are in the sand about the mess they created. We are dealing with it, and we are investing more than \$1 billion extra in vocational training.

I draw the house's attention to some courses where the subsidy is increasing — —

*Honourable members interjecting.*

**The SPEAKER** — Order! I can tell the Leader of the Opposition he will not stay in here any longer if he keeps that up.

**Mr BAILLIEU** — Certificate III in carpentry and joinery is going from — —

**Mr Merlino** — On a point of order, Speaker, the Premier is not being relevant to the question. There are no courses at — —

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

**Mr BAILLIEU** — Swinburne will continue to provide courses, and I note again that certificate III — —

**Mr Andrews** — On a point of order, Speaker, in relation to your earlier ruling you made the point that the answer was relevant because it referred to Swinburne. I put it to you that no courses will be offered at the Lilydale campus of Swinburne, therefore the answer is not relevant.

**The SPEAKER** — Order! The points of order that are being raised now are irrelevant to the question that was asked. The question related to Swinburne and Lilydale, and the Premier was in fact answering the question.

**Mr BAILLIEU** — As I was saying, certificate III in carpentry and joinery is going from \$10.10 an hour to \$11.50 an hour. Certificate III in engineering, mechanical trade, an apprenticeship, is going from \$10.95 to \$12.50 — an increase. Certificate III in electrical machine repair is going from \$9.26 an hour to \$11 an hour. We are investing \$1 billion extra in vocational training — —

**Ms Hennessy** — On a point of order, Speaker, I appreciate that this question and answer have been

hotly contested; however, the Premier is clearly debating the question. The question related to who made the decision to close Swinburne, Lilydale; was it the government or was it the university? Taking us down an interesting but irrelevant avenue about a campus that no longer exists can in no way be — —

**The SPEAKER** — Order! The answer is relevant to the question that was asked.

**Mr BAILLIEU** — Decisions about courses that are offered and campuses that are provided are in the hands of the providers, whether it be Swinburne or the other universities. Whether they are dual-sector or single-sector universities, that is a decision they make.

We are putting more than \$1 billion extra into vocational training. We are focusing those funds on training that matters, training that produces jobs for those students and for employers and on ensuring that we get quality training from quality providers with quality outcomes. That is what the people of Victoria expect. Only those who do not care would stay silent on the problems that this mob left behind.

### **Bushfires: royal commission recommendations**

**Dr SYKES** (Benalla) — My question is to the Minister for Police and Emergency Services. Can the minister advise the house on the recent report of the bushfires royal commission implementation monitor regarding the government's progress in implementing all the royal commission's recommendations?

**Mr RYAN** (Minister for Police and Emergency Services) — I thank the member for his pertinent question. The coalition government remains steadfastly committed to the implementation of all 67 recommendations of the bushfires royal commission. We welcome the recent report which has been tabled by the bushfires royal commission implementation monitor. This important and independent report by Mr Neil Comrie deals with the fact of the government's progress against almost 300 individual actual items that were identified in its 2011 implementation plan. This report was based around those 67 recommendations.

The house will be aware that, unlike the Labor Party, we actually legislated to ensure that the monitor occupies a role that is completely independent from the Parliament. We have also legislated to extend the term of the monitor for a further two years — until 30 September 2014 — to ensure that the job he set out to do is in fact done. The monitor says in the report that there has been very good progress made in delivering

on the commitments that are contained in the implementation plan. The monitor has confirmed that we have implemented 35 of those 67 recommendations.

Among the recommendations there is reference to issues around electricity safety. The house will remember that the former government absolutely dithered in relation to this issue. The monitor notes the significant legislative changes that have been made to improve electricity safety in Victoria. The monitor also considers the implementation of the \$750 million powerline bushfire safety program over 10 years to reduce the risks posed by electricity assets will provide a comprehensive and effective response to the delivery of the relevant recommendation, that being recommendation 27. I know some say to the contrary, but that is in fact what the monitor says.

Insofar as the buyback scheme is referred to in recommendation 46, this again is a recommendation that the former government absolutely turned its back on and refused to implement. The monitor has reported very favourably about this scheme, it having been fully developed and in the process of implementation, with applications having closed and being processed.

I am pleased to report to the house that as at the end of July 137 applications have been approved for valuation based on the determination of eligibility for this program. The bushfire land acquisition panel, which is overseeing it, is chaired by the Honourable Patrick McNamara. One hundred of these applications have already been sent for valuation, and it follows from the nature of the program that offers to purchase will be made to all those who are eligible, and indeed many of the offers have already been sent.

On the issue of emergency and incident management, the monitor has reported that the state level emergency arrangements faltered as a result of confusion about responsibility and accountability on Black Saturday, and accordingly the commission made recommendations. The monitor has confirmed that the government's implementation of its program in response to recommendation 8 in fact far exceeds the recommendation made by the royal commission in terms of capital works, training, exercising, organisational structures and other related matters.

On the question of the overall performance, the monitor says at page 67:

There is clear evidence that Victoria is now substantially better prepared on a regular basis to respond to bushfire risk than at the time of Black Saturday.

We are very proud of the progress that has been made; it is progress that is ongoing. We intend to implement every one of the 67 recommendations.

**Swinburne University of Technology: Prahran campus**

**Mr FOLEY** (Albert Park) — My question is to the Premier. Will the Premier honour the commitment made by the member for Prahran that the government will block any sale of the Swinburne University of Technology Prahran campus and reserve the site for education purposes?

**Mr BAILLIEU** (Premier) — I am very familiar with the campus there, and no final decision has been made about that. As I have said publicly, we certainly value that site as an educational precinct, and as the member for Prahran has rightly observed, it has a strong history in that regard, and we will consider any proposals in that light.

**Infrastructure Australia: government submission**

**Mrs BAUER** (Carrum) — My question is to the Treasurer. Will the Treasurer inform the house of how the coalition government’s submission to Infrastructure Australia supports greater productivity and will generate jobs and investment in Victoria?

**Mr WELLS** (Treasurer) — I thank the member for Carrum for her question and for her great interest in the economy. Earlier this month the Baillieu government released *Victoria’s 2012 Priority Infrastructure Submission to Infrastructure Australia*. The submission focuses on productivity, economic growth and a wide range of projects. It also makes the point that when it comes to building infrastructure you need to have a strong balance sheet, you need to have the capacity to be able to build that up within the budget, you need a AAA credit rating and you need to make sure that you have responsible debt levels.

We have to make sure that we are able to build infrastructure on time and within budget — something Labor could never ever do. You only have to look at myki, the Melbourne Markets or the desalination plant projects. What we have done is introduce the high-value, high-risk process to include planning and delivery. In addition we have introduced a code of practice for the building and construction industry, and we have a strong enforcement arm to make sure that the conditions set by the government are abided by by the building and construction industry. That is to make sure that we get rid of union thuggery and union rorting. It is

interesting that Labor has promised that if it is ever elected, it will get rid of that important unit, kowtowing to its union mates and its union masters.

The infrastructure submission includes such projects as the Melbourne Metro rail project, the port of Hastings and the Dandenong rail capacity project. These projects are crucial to the state, on top of the \$1.6 billion Webb Dock upgrade. If members consider the Monash Freeway, they will realise that it is straining at the moment with all the activity taking place on it. We need a better road network, and we need better access to ports. What we need is the east–west link.

When I speak to people in Geelong they say they are fed up with the congestion on the West Gate Bridge. They need another river crossing. When you speak to manufacturers they say they are sick and tired of the bottleneck around Hoddle Street. When there is a blockage on the Monash Freeway the city faces gridlock. There is widespread support for the east–west link, including from the Victorian Employers Chamber of Commerce and Industry and Infrastructure Australia. The federal opposition leader, Tony Abbott, came out and promised \$1.5 billion for it, and what did the Prime Minister do? The Prime Minister slammed Tony Abbott for the decision — what a fantastic Victorian she is! It is interesting to note where state Labor stands on these important projects.

Labor says this is a grand hoax that will do nothing to ease Melbourne’s congestion. ‘We absolutely do not support it’ — that is from the Leader of the Opposition. The member for Richmond says, ‘This is just some pathetic attempt to drive some wedge because we have a by-election going on’ — drive some wedge! The thing we want to drive is the opportunity to drive from the east to the west without being blocked. If Labor really cared about productivity, if Labor really cared about jobs, if Labor really cared about Victoria, it would put aside its opposition to this project and back the Baillieu government.

**Public sector: job losses**

**Mr ANDREWS** (Leader of the Opposition) — My question is to the Premier. Can the Premier confirm that department of education staff caring for ill relatives, staff away on WorkCover and other staff who are parents and who are on parental leave with their babies, will be ‘required to apply on merit through a closed selection process’ — that is, have to reapply for their own jobs — as part of the department of education job cuts leaked today?

**Mr BAILLIEU** (Premier) — Members would know that as part of the sustainable government initiative (SGI) announced last year we announced a reduction of 3600 jobs, and that will proceed over two years.

**Mr Andrews** interjected.

**Mr BAILLIEU** — Three thousand six-hundred were announced last year, and that will occur over two years by voluntary departure and non-renewal of contracts. In the budget we announced a further 600 positions across the whole of government. As we announced in June, the SGI would include 400 positions in the department of education, and some of those have already departed. Management of that is undertaken by the department of education in standard provisions which were applicable under the previous government as well.

### **Small business: government initiatives**

**Mr HODGETT** (Kilsyth) — My question is to the Minister for Innovation, Services and Small Business. Given that this is small business month, can the minister update the house on government initiatives to support Victorians working in small business?

**Ms ASHER** (Minister for Innovation, Services and Small Business) — I thank the member for Kilsyth for his very important question and for his support of small business. As the member has said, August is the month of Victoria's Small Business Festival, which is a festival that has been supported by this government and previous governments. It is an opportunity for governments to run a whole series of programs to assist small businesses.

Members of this house would be aware that at the moment in Victoria there are over 500 000 small businesses. Small business represents 96 per cent of all businesses and represents 47 per cent of private sector jobs. Over 250 events have been scheduled throughout the month of August, and there are a number of new features in this year's small business festival. Firstly, there has been more involvement from industry associations, including the Council of Small Business Australia conference, and the Premier opened that conference. Secondly, there have been more events outside normal business hours — that is, 40 per cent more events have been suggested to be held outside business hours. Most importantly, 40 per cent of events have been held in regional Victoria.

We have a wide range of events in the small business festival, such as events relating to business development, business planning, exporting, financial

management and so on. I would like to provide the house with a couple of examples of seminars that could be attended. For example, if you lived in Box Hill and were considering starting up your own business, you could enrol to participate in a seminar called 'Write your own business plan'. That is being held later in August, and I am sure the member for Box Hill would encourage any people wishing to start up businesses in his electorate to attend. However, there is another seminar that will be of interest to small business owners. Unfortunately — and the coalition understands this — there are many challenges in small business.

Some small business owners are exposed to abusive behaviour by angry and stressed customers. These individuals may want to buy something at a shop that the shop may not have — for example, a hot pie. The government has a seminar that may be quite an advantage under those circumstances. We have a seminar here run by VECCI (Victorian Employers Chamber of Commerce and Industry) called 'Working with aggressive and challenging behaviours'. This seminar is specifically targeted to 'anyone facing clients or customers with aggressive or challenging behaviours'. This seminar will be held at VECCI in East Melbourne, a very suitable location — for example, it is a suitable location for a milk bar owner located in Carlton.

Members may wish to advise small businesses that the courses held by Small Business Victoria are not long courses. They are short courses, and many people may want to know whether there is a bill associated with these courses. The answer is: 'Yes, there is a Bill', but many of these courses are free. In conclusion, I urge all small businesses to participate in the small business festival, and I wish them well.

## **ROAD SAFETY AMENDMENT BILL 2012**

### *Second reading*

#### **Debate resumed.**

**Mr TREZISE** (Geelong) — Just before the lunch break I was talking about the effectiveness and success of the Bracks and Brumby governments when it came to road safety and the fact that we went from 440 deaths on the roads in 2001 to 288 deaths on the roads in 2010. The point I was making is that under the Bracks and Brumby governments this state was recognised as a worldwide leader on road safety.

The hoon legislation we are debating this afternoon is a step forward by this government. As I said before, I am pleased we are supporting the legislation. However, this

government lags far behind the former government. It has taken nearly two years for this promised legislation to come before the house. One can only compare that to the record of former Labor governments which under various Arrive Alive strategies over 10 years implemented initiatives such as the tighter speed controls that were opposed by the coalition. We introduced drug-driving laws, graduated licensing and hoon legislation, which I admit we are improving on today, and I congratulate the minister on this step forward. But as I said before, it is only an ad hoc type policy. These are sloganistic policies compared to the Arrive Alive strategies and other effective policies that in reality reduced the road toll quite dramatically over the life of the former government. The final example was in 2010. It was the Brumby government, again as a world leader, that made it compulsory for car manufacturers to fit electronic stability control in newly built cars. It has been estimated by road safety experts that this will save dozens if not hundreds of lives over the coming decade. We are supporting this legislation. I am pleased we are supporting the legislation, and I wish it a speedy passage through the house.

**Mr BURGESS** (Hastings) — It is a great pleasure to rise to speak on the Road Safety Amendment Bill 2012. There are several objectives of this bill. One is to establish a compulsory safe-driving program scheme for drivers who have committed certain traffic offences. Its implementation is a government election commitment, so it is another one of the government's election commitments that we are seeing proceed into reality. This is one of the very important ones, because it deals with road safety, and I think everybody in the house is on the same page with that. The bill refines the existing vehicle impoundment scheme in order to address operational issues and reduce government costs in administering the scheme. It also establishes new and more stringent nationally agreed criteria for assessing whether damaged light motor vehicles, excluding motorcycles, are a statutory write-off — again, a very important legislative measure because there is a great deal of uncertainty surrounding that. There has been inconsistency in that particular area of the law and its operation, and it is really important that there be a consistent approach across Australia.

When you look at the variation in approach, it is easy to see that cars that are less than safe could easily make it back onto the road. Many of the things that are now going to mean a vehicle is counted as a statutory write-off are not apparent, and there has to be a fairly intense level of scrutiny of these cars to make sure that they are either within or outside the safety parameters. This piece of legislation will assist in that area.

Dealing with the establishment of a safe-driving program scheme, the bill will amend the Road Safety Act 1986 to require a court to order an offender who has been found guilty of committing hoon offences under the act and has had his or her vehicle impounded or immobilised by police or by order of a court to complete a safe-driving program. Safe-driving programs — all iterations of safe-driving programs really, so long as they are effective — are very beneficial to our community. One of the things we wrestle with on a daily basis — we measure it annually on an ongoing basis — is the road toll. There has been all sorts of evidence over a great many years about what are the major contributors to the road toll. Clearly an inordinate number of young people are involved in car accidents, but one of the major underlying facts is that the more safe-driving training that drivers undergo, the safer their driving is. It is not a cure-all, because clearly people can be the safest drivers on the road but they are subject to the safe-driving capacity of other drivers, so the more drivers we have trained and the better their driving training is, the greater the safety of people on the road will be.

The applicable offences for the purposes of the scheme are a subset of the offences that we normally refer to as hoon offences. They include certain excessive speeding, street racing and other offences such as dangerous driving, careless driving and offences that involve a deliberate loss of traction. If an offender fails to complete the safe-driving program, they have their licence suspended. If they do not have a licence, they will be prevented from obtaining a licence until the training has been completed.

On the scheme itself, VicRoads will approve the program providers and the programs that are going to be provided. The scheme will be administered on a full cost recovery basis. In addition to the commercial fee that is charged by the scheme or the program providers, VicRoads will require the providers to have a cost recovery component as well.

One of the really important things about legislation such as this, which actually surpasses the legislation itself, is that it is more about the message that governments that lead the community provide by enacting the legislation. Certainly the previous government did quite a lot of this by sending road safety messages; again, it was a bipartisan approach, and hopefully we are still on a bipartisan table as far as road safety is concerned.

It is really important that governments lead in this area because it is about not only the message that is sent to the drivers but also the message that is sent to the

community as a whole, to police for their enforcement and importantly to the courts about what the expectation is of this community. That message is delivered by the legislation the government enacts. This is another piece of legislation that sends a very strong message to the community, to the police and to the courts that we desire and expect safer training and safer road use, and this imposed training component is a part of that.

I refer again to the refinement of the vehicle impoundment scheme. As I said earlier, this is a very important piece of legislation because of the safety aspects but also because of the costs involved with the government and the bureaucracy having to implement the scheme. It facilitates the expeditious sale or disposal of abandoned, impounded or immobilised vehicles by introducing a new process whereby, subject to certain safeguards, a vehicle will be deemed to be abandoned. It removes the limitation that currently exists on the issuing of vehicle surrender notices in cases where a vehicle is not immediately seized by police at the roadside. In particular, this allows for additional time to serve a surrender notice where an offence has been detected by way of, for instance, road safety camera or an analysis of blood or other fluid samples.

The bill also improves the process for immobilising vehicles of hoon drivers by requiring the prior approval of Victoria Police before an immobilised vehicle can be moved to an alternative immobilisation site and by authorising police officers and other authorised persons to move an immobilised vehicle which has been left in a dangerous or inappropriate situation. It also encourages the recycling of low-value vehicles by providing the Chief Commissioner of Police with the discretion to waive the immobilised vehicle's release fees if the registered operator of the vehicle arranges for the destruction of that vehicle through an approved vehicle recycler.

As I said earlier, the new criteria for assessing the statutory write-off elements apply to light motor vehicles and exclude motorcycles. The assessment criteria for other categories of vehicle are not affected in any way. The new criteria have been agreed to on a national basis, so there is again an element of consistency in this particular approach. This legislation has taken into account the changes in the way vehicles are constructed.

What is really worthwhile to note is the reaction of and support from the community. That has certainly been evident in the press and also from the comments of people I have spoken to in my electorate about their attitude to hoon driving. As I said earlier, the

government's zero-tolerance approach to hoon driving has had a major impact on the amount of hoon driving out there in the community and certainly within my community. I know that both anecdotally and in other ways. My information is that hoon driving has dropped quite dramatically throughout my electorate and, anecdotally, throughout the rest of the state.

That is a very important element, because along with graffiti and other low-level crimes hoon driving is one of those things that makes our residents — the people in our community — feel less safe. They feel exposed to a certain element of lawlessness, they do not feel safe on the roads and they certainly do not feel that their children are safe on the roads, which of course is an important consideration for us all. Having said all that, the bill is a good step in the right direction. I commend the bill to the house.

**Ms D'AMBROSIO** (Mill Park) — I am pleased to join the debate on the Road Safety Amendment Bill 2012. Like other speakers, I am happy to lend my support to the new measures that have been presented to the Parliament to provide greater weight, if you like, to the need to improve or tighten up our laws with respect to hoon driving. Comments have been made about the large body of work that was done under the previous government, and this bill continues somewhat in that vein. The new measures introduced through this bill will certainly assist in sending a further clear message throughout the community and on behalf of most people in the community that hoon driving is not acceptable. It is not safe, and it is certainly something that is not supported and ought to be penalised in various ways.

The bill does a number of things. I wish to touch on some elements of the bill which, as I said, give greater strength and provide additional policy responses to help curtail hoon driving in the community. Before I get to those elements of the bill, I reflect on the impact of hoon driving on families in parts of my electorate of Mill Park. For a number of years I would often receive phone calls or emails of desperation, if you like, from certain pockets of the electorate. I certainly would not want to suggest it was widespread, but there were certainly pockets of the electorate where families and older people in particular were feeling quite at risk because of the wide extent of the problem. They were certainly bothered by hoon driving. The responses were of course quite positive in terms of the police attempting to deal with those concerns, and on many occasions the police were able to deal with those concerns quite well and adequately. Certainly it was through those types of concerns expressed by the community that the previous government took steps —

and very strong steps — towards sending a very clear signal to the perpetrators that hoon driving would not be tolerated.

This bill requires persons who have been found guilty of particular hoon traffic offences and have had their vehicle impounded or immobilised to complete a safe-driving program. This is a very positive step. It is important to say that, because one would hope — certainly we would all hope — not only that would there be a good policy response to such behaviour in terms of penalties, whether they be fines or vehicle immobilisation or impoundment, but that there would also be behavioural changes, and that is what safe-driving programs could certainly offer. It is important that people are made to take some account of that, and if it means that some of these drivers learn why it is important not to be abusive on the roads in the use of their vehicle, we can only hope that that will filter through and wash through the kind of driving that these people do later on in life. That can only be a good thing for the community in terms of safer driving habits and behaviours, so that is certainly something that is a positive.

The bill also provides a new process for deeming vehicles that are abandoned, immobilised or impounded, allowing for them to be sold or disposed of. This is a step that has been discussed for a number of years, and there are a lot of policy issues surrounding it in terms of the consequences when vehicles are perhaps subject to hire purchase contracts or in other cases subject to insurance matters. Nevertheless that is an element of the bill.

The bill also affords police a longer period of time in which to require the surrender of a vehicle used to commit a hoon offence in a case when the hoon driving offence is detected by a camera or through blood or oral fluid analysis. This will provide a greater catchment period for taking vehicles driven by hoon drivers off the road. Because time is required to process blood or oral fluid samples that have been taken, a provision affording police a longer period in which to have vehicles surrendered makes a lot of sense and is a confluence in terms of the policy. There are also some additional powers conferred on police and other authorised persons regarding the relocation of immobilised vehicles. These powers should be well regarded. Some other technical matters are also dealt with in the bill, including the requirement that additional notifications with respect to immobilised, impounded or forfeited vehicles are to be recorded on the commonwealth personal property securities register.

There are many other provisions in the bill, some technical and others not so technical, but in the time I have left I will talk about the vital importance of governments supporting and promoting safety on our roads. That should no less be the case with respect to hoon driving and antihoon legislation. I comment on the fact that it has taken a good 18 months since this government was elected for it to present this bill. I contend that that is 18 months of inexplicable delay, and I say that because this is not new territory. Hoon legislation was keenly debated in the last term of the previous government. Ideas contained in this bill had been entertained and debated in the public sphere for many years, and it is interesting to note that it has taken some time for the government to produce this bill.

The other matter I comment on is one of great concern to me and constituents in my electorate. While this government has put aside a very limited amount of money for a road safety action plan, we have yet to see the plan. It is fair that the government should understand that when people in my community, and indeed the constituents of all members on this side of the house, ask to be shown the plan, it is a serious indictment and commentary on the lack of the presentation of a plan for Victoria by this government. Road safety is very important because it has touched so many lives and unfortunately will continue to touch many lives. That is why it is vitally important for any government in power to have a comprehensive and well-funded road safety action plan to tackle a problem that has devastating outcomes, not only because of the deaths that result from bad behaviour on the road but also because of the sometimes life-changing and lifelong injuries that affect people's lives.

I ask the government to do the right thing and treat this issue more seriously by presenting its road safety action plan — not just providing a little money that shows the government is treading water on this issue but actually showing us the plan. Where is the plan that is needed to ensure that Victoria maintains a high level of community buy-in and support for tackling bad behaviour on our roads?

**Mr WATT** (Burwood) — I take great delight in rising to speak on the Road Safety Amendment Bill 2012. I have listened to contributions from most of the previous speakers, and it seems to have turned into a competition of unzipping, slapping on the table and seeing who has got the biggest. Listening to some of the people on the other side talking about road safety and then complaining about the fact that over on this side we might comment on the record of others made me decide to put some facts on record so that people could have a better understanding of the issues. Hoon driving

is a very important issue, and I thank the member for South-West Coast, the Minister for Ports, who is at the table, for being the first member to raise this. He should be congratulated for raising the issue of hoon driving over the years. When I hear members on the other side trying to say that the issues are all bipartisan but the Baillieu government is doing nothing about it whereas the opposition when in government did everything, I put on the record that the member for South-West Coast was the member who raised it and put it on the agenda and that it was taken to the election by the coalition.

**Ms Edwards** — The member is confused.

**Mr WATT** — Unfortunately for those opposite, I am not confused. I understand that the member for South-West Coast should be congratulated for that particular effort.

**An honourable member** interjected.

**Mr WATT** — I keep repeating myself because members on the other side try to take credit for things on which they did not agree but were pushed to place on the agenda. When we look at the record of achievement on road safety, I can mention in particular the 40-kilometre-an-hour speed zones around schools. That very important road safety policy was put forward in 2002 by the then Liberal opposition, and the previous government was led kicking and screaming into accepting that policy. I accept that it agreed with the policy in the end.

Around 1970 the road toll was a particular problem. It was 1061 in 1970. Since then good work has been done by all governments, both Liberal and Labor. I am happy to accept that all governments have concentrated on — —

**Ms Edwards** — Don't forget your Nationals members.

**Mr WATT** — I include The Nationals as part of a coalition government. All governments have concentrated on the road toll, and it is something in which we all have an interest. It upsets and disappoints me a little to hear some people trying to take the high moral ground with a holier-than-thou attitude and then slapping the government because they do not necessarily agree with certain policies or the way certain things are happening. In 1970 the road toll was 1061, but over the years it has diminished. Last year it was 287 owing to a great effort by all governments since 1970. I give credit to the previous government for listening when it was dragged kicking and screaming to do something. So far this year the toll is 169. That is

down from 192 at the same time last year. I find it interesting that those opposite are yelling and screaming about the road toll when it is down due to the good work of this government and previous governments.

I note that lots of things have been done with regard to the road toll over a long period of time. In the 1970s Victoria was renowned for its innovative approach to reducing the road toll. Seatbelts were made mandatory in Victoria in 1970. Everybody would understand that that was a great improvement to cars and that it saved lives. In 1976 under a Hamer government, random breath testing for drink driving was introduced. Most would accept that those two initiatives have contributed to the reduction in the road toll more than most other things. The fact that we concentrate on speed is fantastic, and that leads us to hoon driving and the raising of that issue by the member for South-West Coast in 2004.

If we look at the road toll, we can see that we are down into the 200s. That is a good effort. It is good to see that manufacturers of cars can contribute to reducing the road toll. It is great to see improvements in road safety with regard to the manufacture of cars. The Road Safety Amendment Bill establishes a compulsory safe-driving program for drivers who commit certain traffic offences, thereby implementing a government election policy. I know those opposite do not like it when we stand up in this chamber and say, 'This is a government election policy, and we are implementing it'. What they do not seem to comprehend is that going into an election, making policies, having the people of Victoria accept those policies and moving to implement them is what we as a coalition are all about. Those in opposition do not like some of those policies, but it is great to see they are jumping on board with this one. It was an election commitment to require drivers to complete a safe-driving course.

The bill refines the existing vehicle impoundment scheme in order to address operational issues and reduce government costs in administering the scheme. It also establishes new, more stringent, nationally agreed criteria for assessing whether a damaged light motor vehicle is a statutory write-off. The bill will amend the Road Safety Act 1986 to require a court to order an offender who has been found guilty of committing certain hoon offences under that act and who has had his or her car impounded or immobilised by police or by order of a court to complete a safe-driving program. That is a very good thing, and it was an election policy.

The offences established for the purposes of the scheme are a subset of what are commonly referred to as hoon offences. They include certain excessive speed offences, street racing, dangerous driving and careless driving involving deliberate loss of traction. Most people understand what hoon driving is, and it is a great thing that we want to stamp it out.

I also wish to place on the record some of the other great things that we as a government are doing, and have done, since the time we have been in office to improve people's safety on the road and in general. My advocacy and the great work of my staff have ensured that there is a good level of police presence in the Burwood electorate. Since the election I have been constantly receiving comments on the great work of the police in my area and on the fact that a lot more police can be seen on the street enforcing the road rules. This is fantastic, especially considering that some time ago the police presence in my electorate was downgraded. It is great to see that we are getting the police back out there as part of the statewide campaign to increase police numbers throughout Victoria. I also wish to state for the record my gratitude to the police for the work they do to reduce the road toll in my electorate and also throughout the state.

I will make one closing point. Regarding hoon driving and the impounding of cars, I note that over the last six years — from 2006 to 2012 — 3.3 per cent of all car impoundings have occurred in the municipality of Monash, an area represented by a number of ministers in the previous government. I note that the figure of 3.3 per cent is somewhat high when compared to the whole state. I end with that remark and commend the bill to the house.

**Ms RICHARDSON** (Northcote) — It is a pleasure to rise to speak on the Road Safety Amendment Bill 2012. It is always a pleasure to follow the member for Burwood. We got to know each other well on the hustings at Northcote in 2006. He was a candidate for the northern suburbs, and we got to know each other quite well. While we agree on some things in respect of the battle in the north, I think the point he has missed in the debate from members on this side of the house is that the measures the government is taking in respect of road safety are exceedingly slow in coming. Opposition members wait anxiously to see improvements made. I know that everyone in the house wants to see the road toll go down. Our concern is the snail-like pace that is being set by the minister, and I urge the member for Burwood and others to take up our concerns and to speak directly to the minister and get him out from under the desk and working hard in the interests of every one of us.

In government Labor delivered legislation in 2006 that saw the impoundment of over 10 000 vehicles by 2010. We also expanded the impoundment scheme in 2010, we targeted repeat drink and drug drivers and toughened the impoundment periods. We also introduced a tougher regime, which meant that vehicles could be sold and crushed and the proceeds could go to victims of crime. Along with a wider range of measures, this had a good impact. It saw the road toll decrease from 444 in 2001 to 288 in 2010, which I know was welcomed by everybody in the house. We did all of these things as part of a broader road safety strategy. Our concern, along with a great many others, is the minister's snail-like pace when it comes to delivering a broader road safety strategy. We know it works, because it has delivered results in the past.

We are concerned that only \$2 million has been set aside for a strategy that as yet has not been released to the public. As I said, I encourage every member to take up whatever opportunity they have with the minister to get him to deliver a comprehensive strategy that will lead to a reduction in the road toll.

In saying all of that, we welcome the attention that is being paid to the problems of hoons in Victoria. We know that the best way to address hoon behaviour is with extra police on the beat; legislation on its own cannot deliver change on our streets. We need the police to be out there and able to enforce the laws that are passed in the Parliament. Obviously some greater responsiveness needs to be put in place as well. I am very fortunate that my Northcote police are fantastic in responding to concerns from my constituents about any activity of this kind. They have been very tough in their response, as they should be.

In conclusion, I encourage the delivery of a wider road strategy. It is something that we would all like to see put in place and something that we would all like to be talking about, not just here in the Parliament but out in the wider community. It obviously makes a difference to the road toll. We would like to see additional funding, not just \$2 million, put in place to see what I know we all want to see, and that is a reduction in the road toll and in the injuries that come from road accidents. I will conclude with those brief words.

**Mr SHAW** (Frankston) — I am happy to rise to talk about the Road Safety Amendment Bill 2012. The discussion has been quite good, and we all seem to agree that the road toll needs to come down and that there need to be better road safety initiatives. You cannot always legislate against stupidity. When you see some drivers and the way they behave on the road, you realise that a lot of it comes down to driver education as

well as basic manners and respect on the road, which seems to be lacking in a number of drivers. You see that just driving from here down to the peninsula and Frankston. You, Acting Speaker, might see some of that when you drive back to Mornington. Manners on the road are very important, but how do you legislate for them? You do not.

The best thing we can do is to look at the penalties, and the government came to power on a platform of law and order and safety. In Frankston that was a large part of our election commitment and something we pushed with the electorate, because the people of Frankston were telling us that that was what they wanted. We talked about the hoon legislation earlier. Following an election commitment we increased the penalty for hoons for impoundment of a vehicle from 48 hours to 30 days, we took the second offence up to three months impoundment and then we said, 'On the third strike you're out and your car is crushed'.

I am glad this election commitment will now come into legislation. I was a little bit surprised that it did not come in a bit earlier when we were talking about the hoon legislation the first time, but I was given some reasons why that did not happen. It is good to see it now. It will not just punish people for what they have done, it will also look at how to rectify the issue of their hooning, and that is by bringing in a safe-driving course.

From my reading it seems that the course will be on a cost-recovery basis; it will be on a user-pays basis. It seems that the government will not be out of pocket. The government will have administration costs, and the person who is doing the safe-driving course, if they do not want to have their licence suspended and if they want their car back, will have to pay costs of about \$500 for administration and about \$500 to cover the cost of the course. It will cost them about \$1000, which is quite a hefty penalty, but deservedly so. They cannot have it free; they have to put their hand in their pocket. They did the crime, they have to incur the costs and they have to do the time. For some drivers \$1000 will be a quite substantial amount of money.

Hopefully, the course will not be just about the \$1000 out of their pocket as a punishment; it will be about educating the driver. The course is specifically for people who have been caught under the hoon legislation for dangerous driving in a situation where their vehicle is travelling at more than 45 kilometres an hour over the speed limit, or they are driving at 145 kilometres an hour when the maximum speed limit is 110 kilometres an hour. Other applicable offences include careless driving — we have all seen what that

is — losing traction and using a vehicle in a race or speed trial.

In Frankston hooning is an issue, but as I said earlier it is great to see that crime in the city has come down by 4.2 per cent. When the figures came out in March we saw it is one of the few areas where crime has come down, when the state average has gone up by roughly 4 per cent. It is a great outcome for Frankston. I think the additional police in our area have done fantastic work, and the message is getting out on the peninsula and in Frankston that there are an extra 75 police around, which is more than anywhere else in the state. That is delivering on our election commitment to the community. The protective services officers will be coming soon to Frankston station, and they will add to that aspect of safety. Foot patrols were called for not just by the council but also by me and by a number of members of the public, and it is terrific to see them walking the streets of Frankston.

This legislation is not just about penalties; it is about putting safe-driving programs into effect. I know that members on the other side of the chamber have mentioned the 120-hour requirement for learner drivers. That was a fantastic initiative. Learners now need to have driven for 120 hours before they are issued with a licence. It is a pity more of them have not learnt to drive safely during those 120 hours — or have chosen to drive irresponsibly is probably more to the point. If a driver who is found guilty of certain driving offences does not complete a safe-driving course, then their licence will be suspended indefinitely. That will be a major deterrent to people who love their cars and love driving around. The \$1000 in costs young people will incur will be a major deterrent as well.

This legislation adds to the raft of changes in the way we view crime in this state and the way we are putting out and selling the message that hoon driving will not be accepted. It is just like the message we put out that having bongs in the windows of cigarette shops was not the go. My kids and other people's kids can walk past and say, 'Yep, they're not in the windows'. When people see a hoon driver I want them to look at that person and say, 'Let's ring that hoon line'. I have not heard the hoon line mentioned in the course of this debate, but the hoon line is promoted quite well in Frankston. We want to see more people ringing the hoon hotline, because community involvement is the way we are going to catch them.

The police cannot be out on every single road or on every single corner. By the time a resident or a business rings up and says, 'Someone has been hooning down my street' or 'burning rubber down the street off the

speed humps' or whatever it is, it is far too late for the police to catch them. We need community involvement; we need people to get the numberplate details and the make of the car. If they know where the car resides, and many people do know — hooners do not just come in from other areas; they live locally — and they may have seen the car before, we want them to ring the hoon hotline, because that is the way we will catch them. It should not just be left to the police and the politicians; it should be a whole-of-community exercise to deal with these hooners.

The safe-driving program is not just about collecting revenue, because it is revenue neutral. We hope it will be not just educational but also a deterrent. We hope the educational input will make that person think, 'My goodness, I want my car back. I don't want my licence suspended, and I want to be able to drive again'. With those few words, I commend the bill to the house.

**Mr SCOTT** (Preston) — I want to make a brief contribution to the debate on the Road Safety Amendment Bill 2012. Road safety is one of the most important issues to come before this house. I know that many members have been deeply touched by the effects of the road toll and serious injuries on the roads. I know of a number of individuals who have suffered serious brain injuries in motor vehicle accidents, injuries that have had a huge and deleterious impact on their lives and the lives of their families and friends. It is a very serious issue that I would hope every member of this Parliament would treat appropriately.

The bill itself deals with three areas: statutory write-offs, safe-driving courses for hooners and a vehicle impoundment and immobilisation scheme. Other members have touched upon the bill, but I think it is worth reflecting when dealing with this bill on the reduction in the number of road fatalities in Victoria over a period of time. The figure that is often quoted is that of 1970, when Victoria had a population which was approximately half of what it is today and yet 1061 persons were killed on the roads in that year. Over a period of time there has been a very significant shift in the attitudes of the community as a whole, which is reflected through this Parliament, and the tolerance of the sort of behaviour that leads to death and injury on the roads has lessened dramatically.

I think it is an ongoing process and one that I hope all members of the house will welcome, because the death of any individual on the roads is regrettable and everything within reason should be done to avoid deaths on the roads. There has been a big shift with reference to drink driving or driving under the influence of drugs from the time when that had become

something that was almost socially acceptable. I know people from a different generation who used to talk, quite literally, about how many cans it took to drive somewhere. That was a term of reference in Australian society. Thankfully those sorts of attitudes have been consigned to the dustbin of history, where they deserve to be.

**Mr Katos** interjected.

**Mr SCOTT** — Yes, it is now cans of coke; I hear that reference. But it is a really important point; there has been a change in the community. It now places a higher value on ensuring the protection of the life of others, not just the person driving but other innocent individuals as well, and the selfish and self-indulgent behaviour which wrecks the lives of others through injury in addition to death is now treated with the social disapproval and the legislative disapproval which it deserves. I think that is something that we would all hopefully work towards ensuring.

We obviously welcome legislation which improves road safety, and there have been comments made by previous members that we would like to see more action in this space. We have had some concerns about some of the actions of the current government relating to road safety. I was at the Public Accounts and Estimates Committee hearings earlier this year during which there were discussions about the road safety budget and changes that had been made to it at the time. There was approval for, I think, \$50 million over three years for the Arrive Alive II program, and there was a lesser amount of funding, \$17 million over four years, for Victoria's road safety action plan.

But regardless of those comments, I hope that all members would regard this as an issue that deserves to be treated seriously. We have some concerns, but I am not going to impugn the motives of other members. I am sure every member here wishes that there was a lower road toll and that more people would return home safely. Under the previous Labor government great work was done by the police in these areas in particular and the broader community was able to reduce the road toll quite significantly. In 2002 there were 397 deaths on Victoria's roads and in 2011 there were 287 deaths. There is another measure which records deaths per 10 000 registered vehicles. This is perhaps a more accurate measure of these things, because it takes into account the growth in population and the number of vehicles on the road. The road toll under this measure dropped from 1.16 deaths per 10 000 registered vehicles in 2002 to 0.68 in 2011. That figure nearly halved in that period.

In recent years there has been a slight reduction in deaths per registered vehicle and a very slight reduction in the road toll. The road toll from 2009 to 2011 dropped by 3, so there has been somewhat of a plateauing in that reduction, although there has been a slight reduction in the deaths per 10 000 registered vehicles. I am sure we all hope that a significant reduction in the road tolls which have occurred in previous years can be achieved over future years. There was a commitment by the previous government to aim to reduce the road toll to below 200 persons a year. I think that is a figure we should all work towards. As I said, every death on the roads is something which should be regretted and all reasonable steps should be taken to ensure that those deaths do not take place.

As I was saying before, much of this is cultural. I differ from the member for Frankston in that I think legislation has a critical role to play in changing cultural attitudes as well. It is an interplay of both social pressure and legislative pressure that leads to the best results in these areas whereby the Parliament can take a lead in changing social attitudes towards driving and dangerous driving. The hoon culture has been under a sustained critique, including from the previous government, which first introduced hoon laws. It is obviously an area of significant concern in that the people who undertake, quite frankly, fairly selfish behaviour put their own enjoyment and their own desire for gratification above that of the safety of other members of the community. Frankly, that is something we should condemn. It is behaviour that shows a childish disregard for the welfare of others and a lack of empathy for the results of their actions. It is important that as a community we send a message through this Parliament that that sort of behaviour is not acceptable to the broader community.

I do not intend to speak much further on this bill other than to say that I wish in future years when we are discussing legislation about road safety that the figures will have again decreased.

**Mr GIDLEY** (Mount Waverley) — I rise to make a contribution to debate on the Road Safety Amendment Bill 2012. I do so because this is an important piece of legislation to improve road safety, not just in Victoria but also in the community that I represent. Certainly in Waverley we have a range of road users, whether they be pedestrians, students — we have a number of schools in our area — commuters using the M1 freeway or others. The issue of road safety is important to all of them in different ways.

This bill seeks to improve road safety on our road network for the benefit of all of road users. I note in

particular that the bill makes changes in terms of hoon driving but that it also makes changes in terms of the roadworthiness of vehicles — that is, vehicles that may be deemed as statutory write-offs. I intend to focus my contribution on those two areas, because they are significant measures that will have an impact on improving road safety, together with other initiatives that the coalition government has put together and is continuing to put together for the remainder of this term.

This bill in particular will require a court to order an offender who has been found guilty of committing certain hoon offences under the legislation and who has had his or her vehicle impounded or immobilised to undertake a safe-driving program. That is aimed at ensuring that people who do hoon drive and who are caught by the relevant provisions understand that the Parliament, the government and the whole community do not believe that is acceptable behaviour. People who engage in that sort of behaviour put themselves, other road users and the whole community at risk. The requirement to complete a safe-driving program should help in changing the attitudes of those who are caught by those provisions. There is obviously a deficiency in their attitude because they are hoon driving, and therefore there is a need to work with them as much as possible to change their attitude.

It is clear that in the past when governments have embarked on changing attitudes to road safety they have been successful. Mention has been made as part of this debate of the changing attitudes to drink driving. That is welcomed. I certainly detect that there is a growing change of attitude to speed, for example, although there is still quite a way to go in fully understanding the consequences of speed and fully changing community attitudes on it. This bill, with this provision to require a road user caught by the hoon legislation to complete a safe-driving course, is another aspect, another step if you like, along that path of changing community attitudes to road safety. That will benefit the community.

I note that in addition to those aspects the bill provides that if an offender fails to complete a safe-driving program within the period required, they will have their licence suspended. Also, if they already have had their licence suspended or have another restriction on their licence, that extra suspension will be served in addition. That is again another signal to the community from the Parliament that if you do not undertake a safe-driving course when you are caught by these provisions, you simply should not be on the road because you are putting yourself, the community and families at risk.

As I said, in the community that I represent we have a high degree of interaction between students, pedestrians and other road users on road safety aspects, whether that be on 40-kilometre-an-hour school speed zones, 60-kilometre-an-hour zones, the default 50-kilometre-an-hour limit or the M1 freeway. As a representative of the area I certainly do not want to see road safety compromised. The bill will ensure through that provision that the signal is sent that if you are caught by the hoon provisions and are required to undertake a safe-driving course and you have not done it, you will not be able to drive on the roads. It is also important to ensure that the community is not unnecessarily burdened with the cost of fulfilling the provisions on vehicles belonging to people who are caught hoon driving. That is really a view that a community that has been put at risk by certain driving behaviour should not bear the burden of the cost of meeting that requirement. I note that this bill provides that a scheme which is administered will be operated on a full cost-recovery basis.

In addition to that the bill provides that a commercial fee will be charged for providing a safe-driving program. That is fair enough. But it goes further, ensuring that if there is a cost to VicRoads, a portion of that cost should also be borne by the person having to undertake the course. While taxpayers have a responsibility to promote safe driving, they should not have to shoulder all of that burden and responsibility. Again, I think the coalition government is sending an important signal that people who undertake these acts, who put themselves and others in danger, not only have to undertake a safe-driving course but also have to accept the consequences of their actions financially; and they may have to pay a fee on top of the fee for conducting the safe-driving course.

The bill before the house will also reduce some of the costs to Victoria Police in actually implementing and administering the vehicle impoundment scheme. A range of provisions in this bill will ensure that. In a situation where the value of a vehicle is such that it is not in the user's interests to pay a discharge fee or to have the work done on a vehicle which might result in it being discharged, the bill provides for a shorter period to expire before Victoria Police or another authority may dispose of the vehicle. In the case of a road user making the decision, for example, that they will not pay the release fee as it is not economically viable for them to do so because of the value of the car and the cost of repairs to get the vehicle released, rather than having to hold on to the vehicle for a long period of time and incur all the costs associated with that security — whether that be through holding fees or other charges — Victoria Police will have the

opportunity to move that vehicle on in a much quicker time frame. That will ensure that more resources are made available for more worthwhile causes to improve road safety.

I also note the additional tests that the bill provides for a vehicle to be declared a statutory write-off, and that is a positive thing. If the ability to have a statutory write-off is based on tighter criteria — in particular, I note there are additional structural areas that this bill requires to be looked at in this regard, including things like the pillars, the chassis and supplementary restraint systems; they are all important factors that contribute to the safety of a vehicle, its roadworthiness and the decision on whether or not it should be on the road — that should improve the roadworthiness of vehicles. It will also help in terms of any harmonisation between Victoria and other states on that program.

This legislation is really part of a package, as I said, which the coalition has delivered thus far and will continue to deliver in government. We have already seen changes to hoon laws enacted through legislation in this house. We have seen just this week through VicRoads the release of the speed review campaign. The appropriate authorities that have the skill and expertise on speed limits have been able to look at this matter to ensure that speed limits which are applied are appropriate to the area, are fundamentally about road safety and make it easier for road users to obey the speed limits and in that case improve road safety.

When we are talking about the elements of this bill and the importance of road safety it is important to note those other mechanisms. Of course the improvement of confidence in the road safety camera system as a result of the Auditor-General's report into the road safety camera network and the creation and appointment of an independent road safety camera commissioner to encourage that confidence are very important as part of improving road safety. It is one of a number of packages that the coalition has delivered. In summary, this bill builds on those other initiatives that I have outlined that the coalition has committed to in order to make a genuine improvement in road safety, which it is doing. I am pleased to commend the bill to the house.

**Mr MADDEN** (Essendon) — I rise to speak on the Road Safety Amendment Bill 2012. I want to make a brief contribution based around a couple of issues I am quite concerned with. They are not necessarily in relation to the bill, but they are areas we need to consider in relation to the future of road safety.

There has been an enormous amount of investment over many decades, irrespective of who has been in

government in this state, in road safety. We have a commendable record on road safety and safety provision over a long period of time. That is due to conscientious efforts by not only governments of all persuasions but also VicRoads and the police, as well as investment in road infrastructure and improvements in safety technology in new vehicles.

All those things have been very important to making that progress, but we have come from a very low base if you think back to when universal access to cars began in the 1950s, 60s and even 70s. Some people in this chamber may have memories of sitting without restraints in the back of a station wagon going to sporting events. I remember when we were kids sitting in the back of a ute with about 10 other people going to a football game. You would not dare be seen doing that these days, and that reflects the change in people's views about safety, the way they drive and their expectations about how other people should drive. The hoon references in this bill go to the heart of that. We have changed from thinking that people are entitled to hot up their cars, drive them at unreasonable speeds and parade themselves around to the view that if you are going to do that, you have to be very careful about the way you drive and the way you consider road safety.

Without making too sweepingly broad a generalisation, one of the issues in relation to hoon driving is that it predominantly involves young males. Every now and then you see an older person featured prominently on television, but that is because they are the exception to the hoon driving rule.

This extends to not just road safety but a whole lot of areas of government policy. I want to highlight that governments of all persuasions could be much better at dealing with the issues of young men. Young men seem to be inclined to engage in high-risk behaviours. There is nothing wrong with that, so long as they know what those risks are and what the risk is to other people and that they make the right choices at the right time. Young men often believe they are indestructible. Sometimes they are encouraged to think that, given what they involve themselves in. It is a great shame that young men consider themselves indestructible until, for example, a road safety or driving incident happens and they or one of their mates get themselves killed, or injured through high-risk behaviours.

You will find that a similar cohort presents itself time and again: young men exhibiting high-risk behaviours in relation to driving, workplace accidents or substance abuse or engaging in violence either as perpetrators or victims. The broader issue, which goes well beyond road safety but also relates to it specifically, is that we

need to develop a greater understanding of public policy needs in the space around young men and their health. That issue extends to older men and how they deal with the encouragement to engage in those high-risk behaviours. It goes back to having good role models and older men being able to advise young men about what their behaviour should be — what is acceptable and what is not. It relates to good parenting, including good fathering.

It is very important that we encourage those changes over and above just the road safety issues. If we start making those changes, we might see a difference across a whole range of statistics in areas where government has to spend a lot of money trying to alter the behaviours of a certain cohort of young men that, I suspect, come up in the statistics time and again in a way that we would prefer they did not. With that, I will curtail my contribution to the debate on this bill. I look forward to developing further improved public policy, whether it be in road safety or the high-risk behaviour that young men engage in.

**Mr KATOS** (South Barwon) — It gives me great pleasure to rise this afternoon to make a contribution to the Road Safety Amendment Bill 2012. One thing that has come out of all the debate on this bill is that it is very important to have a bipartisan approach to road safety in this state. It is an issue that should be above party politics. I commend the majority of the members who have spoken on this bill for taking that view. I think that is very important.

The year 1970 has been mentioned a lot. It was the year I was born, but it was also the year that seatbelts were introduced in Victoria. In that year there were over 1000 deaths on the road in Victoria. I can give an example of the change in attitude since that time. People in Victoria and indeed Australia have an excellent attitude towards road safety. In 1984 I made a trip to Greece with my parents. I remember arriving at Athens and getting out of the airport and into a taxi. The first mistake I made was trying to sit in the left-hand seat, which was obviously the wrong side. I then sat in the right-hand side of the cab and went to put my seatbelt on. The taxidriver gave me the strangest look and yelled a few expletives at me in Greek as if to say, 'What in the hell are you doing putting on a seatbelt?'

**Mr Noonan** — What did he say?

**Mr KATOS** — I cannot repeat those words in the chamber; it would be unparliamentary. But that is the kind of change in attitude Australia had had in 14 years. I grew up with that change in attitude, and I

instinctively get into a car and reach for the seatbelt. When you go to other countries those attitudes are just not there.

The bill before the house today honours an election commitment. I have here a media release from 22 January 2010 in which the now Premier is reported as saying:

... the coalition also wanted to give drivers better safety skills and education in road safety. The plan will include a compulsory safe-driving course for offenders, requiring them to undertake instruction to learn and understand risks of speed, roads, traffic and dangers to other road users.

That is why we are debating this bill before the Parliament today. The objectives of the bill are to establish that compulsory safe-driving program scheme for hoon drivers, refine the existing vehicle impoundment scheme to address operational issues and reduce the cost of administering the scheme, and establish nationally agreed criteria for assessing damaged light motor vehicles as statutory write-offs. As I said, the bill will establish safe-driving programs and will require someone convicted of a hoon offence to undertake one of those programs. Hoon offences include excessive speeding offences, street racing, dangerous driving, careless driving and the deliberate loss of traction, which is a polite way of saying doing a burnout. These are important.

I have four young sons. My sons are not of driving age yet; my oldest boy is nine. I want these sorts of attitudes to be instilled in them so that in a few years when they get their learners permits and, in turn, their drivers licences, they will look at someone behaving in such a manner just as I looked at someone when I got into that cab in Athens and instinctively went to put my seatbelt on. If they see this sort of behaviour, I want them to instinctively be disgusted and appalled by it, as I believe most members of the community are. Unfortunately there is always a minority of people who engage in this sort of behaviour, and that is what we are here to try to deter.

If an offender fails to undertake a safe-driving program, they will not be able to get their licence back, and if their licence is suspended, the suspension will continue until they do a safe-driving program. There will be full cost recovery. The costs of undertaking a safe-driving course will be paid for by the hoon offender with full cost recovery to the government. There are changes to the way abandoned vehicles are treated; there is a refinement to allow a reasonable amount of time for them to be disposed of. There is also a removal of limitations on the issue of surrender notices. There are improved processes around the moving of immobilised

vehicles by police and authorised officers. The bill also encourages the recycling of low-cost vehicles, as long as they are released directly to a recycling facility. This is great legislation that honours an election commitment, and I commend the bill to the house.

**The SPEAKER** — Order! The time set down for the consideration of items on the government business program has expired, and I am required to interrupt business.

**Motion agreed to.**

**Read second time.**

*Third reading*

**Motion agreed to.**

**Read third time.**

## CRIMINAL PROCEDURE AMENDMENT BILL 2012

*Second reading*

**Debate resumed from 15 August; motion of Mr CLARK (Attorney-General).**

**Motion agreed to.**

**Read second time.**

*Circulated amendments*

**Circulated government amendments as follows agreed to:**

1. Clause 6, lines 28 and 29, omit “first imposed” and insert “imposed by the County Court”.
2. Clause 6, line 33, omit “first imposed” and insert “imposed by the County Court”.
3. Clause 6, page 6, line 13, omit “first imposed” and insert “imposed by the County Court”.

*Third reading*

**Motion agreed to.**

**Read third time.**

**LOCAL GOVERNMENT LEGISLATION  
AMENDMENT (MISCELLANEOUS) BILL  
2012**

*Second reading*

**Debate resumed from 15 August; motion of  
Mrs POWELL (Minister for Local Government).**

**Motion agreed to.**

**Read second time.**

*Third reading*

**Motion agreed to.**

**Read third time.**

**PORT MANAGEMENT FURTHER  
AMENDMENT BILL 2012**

*Second reading*

**Debate resumed from 14 August; motion of  
Dr NAPHTHINE (Minister for Ports).**

**Motion agreed to.**

**Read second time.**

*Third reading*

**Motion agreed to.**

**Read third time.**

**CRIMINAL PROCEDURE AND  
SENTENCING ACTS AMENDMENT  
(VICTIMS OF CRIME) BILL 2012**

*Second reading*

**Debate resumed from earlier this day; motion of  
Mr CLARK (Attorney-General).**

**Motion agreed to.**

**Read second time.**

*Third reading*

**Motion agreed to.**

**Read third time.**

**Business interrupted pursuant to sessional orders.**

**ADJOURNMENT**

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

That the house now adjourns.

**Buses: route 509**

**Ms GARRETT** (Brunswick) — I wish to raise a matter for the attention of the Minister for Public Transport. The action I seek is his urgent intervention to ensure the continued operation of bus route 509, or as it is affectionately known, the Hope Street bus. Over recent weeks many members of the community have contacted my office, concerned and anxious over news of the closure of bus route 509. This bus route provides a vital public transport link for many members of the community, particularly senior citizens and those with limited mobility, for access to essential services such as shopping, appointments, community and social organisations, and transport from Sydney and Melville roads to adjacent areas.

The news of the sudden withdrawal of this bus route has caused significant distress. It is of great concern, and many passengers and members of the community have said that they first heard about the closure of the route from bus drivers. There was no formal notification and no communication to nearby residents. The absence of communication is not only contemptuous, it points to the likelihood that the government thought it could get away with shutting down this bus route by stealth and no-one would notice. As late as today the Public Transport Victoria website had no notice of the closure of the service. In fact, the site lists the timetable as relevant until 31 December 2012. However, Joe Piccolo, the owner of the Hope St Bus Line, has publicly stated in media reports that Public Transport Victoria has ordered him to cease operating next month.

The news of the closure of the Hope Street bus has been a call to arms for the members of the affected community. A petition has been circulated by concerned citizens and has already gathered hundreds of signatures. This is not surprising given the affinity the community has with this local service, which has been in operation for over 50 years. To quote some of the reactions to the news, Joe Piccolo has said:

A lot of elderly people take the bus and they're going to be devastated if it goes.

Local resident Helen Cattapan said:

I've been using it for 10 years so I'd hate to see it go.

Cheryl Richings, also a local resident, said she would be ‘absolutely devastated’ and Vic Guarino, a spokesman for the Australian Pensioners Voice, said it would be ‘wrong’ to take away the service.

I have had many young people contact my office. Selflessly they have said that they know through their use of the route the number of elderly people and people with mobility issues who rely on the service. They are gravely concerned about what these community members will do in the future if the service is removed. This is just one way of demonstrating how this bus route is deeply embedded in the community — indeed, the people who use this service are a community in themselves.

While there have been calls in the past for the removal of the route, the previous government resisted these calls, acknowledging the service this route provides to the community. In fact in addition to the government continuing this service, the previous member for Brunswick advocated for it to be one of the local bus routes to be upgraded, expanded and have its breadth of hours increased.

On behalf of my community the action I seek from the Minister for Public Transport is that he urgently intervene to put to rest the anxiety of the community, particularly those elderly and disadvantaged members of the community who rely on this service, reverse this decision and ensure that the bus route will continue.

### **Yarra Hills Secondary College: Mount Evelyn campus**

**Mrs FYFFE** (Evelyn) — My request for action is to the Minister for Education. I ask the minister to come out and visit the Mount Evelyn campus of Yarra Hills Secondary College. This is a fantastic school situated over three campuses on the edge of the Yarra Valley, with one of the year 7 to 10 campuses situated in my electorate. Yarra Hills is very fortunate to be positioned next to Morrison Reserve, a high-level athletics park with a recently upgraded synthetic surface running track — this is not to mention the picturesque settings the campus finds itself in.

Mount Evelyn is an incredibly tight-knit community. All groups and organisations work hand in hand to make Mount Evelyn the fantastic town it is, and Yarra Hills is integral to this local partnership. Earlier this year, year 9 and year 10 students from the school joined with local youth organisation Bridge Builders Community and Youth Organisation to hold a music festival, raising much-needed awareness about youth mental health issues. They also worked in conjunction

with Bridge Builders to host a breakfast that more than 300 business leaders attended. The school also works very closely with Mount Evelyn Special Developmental School, which is adjacent to this middle campus, and they also reach out to the Melba Centre.

Darren Trippett commenced in the role of campus principal this year, and combined with the recent name change of the school from the old name of Pembroke Secondary College, changes are definitely happening at the campus. This is in parallel with the \$10 million modernisation project currently under way at the Mooroolbark senior campus, a Baillieu government initiative.

The first four years of high school are an incredibly critical period in any teenager’s life; this is when our young people transition from children to adults. With so many formative physical, mental, educational and social events taking place in these years, it is crucial that students be given a good, steady environment in which to develop. Being part of a middle campus is very important to a lot of the children who come from more isolated communities so that they develop a sense of importance and self-worth before they move to the senior campus. Yarra Hills is a fantastic school, and I wish to see it continue to develop as an educational provider.

I ask the minister to visit Yarra Hills at Mount Evelyn to see firsthand the terrific educational services that are delivered at the campus and discuss the long-term vision of the school for the future students of Mount Evelyn. It would also be terrific if on that day the minister could give me an extra hour and go with me to Mount Evelyn Special Developmental School, and perhaps he might even be able to give me another hour and visit Birmingham Primary School — excellent schools in the beautiful Mount Evelyn township.

### **Swinburne University of Technology: Lilydale campus**

**Mr MERLINO** (Monbulk) — I raise a matter for the Minister for Higher Education and Skills. The action I seek is that the minister immediately intervene to ensure the continued operation of Swinburne University of Technology’s Lilydale TAFE and university campus. The tragic outcome of the Baillieu government’s ripping \$290 million out of the TAFE sector is being felt across the state. The opposition warned the government that campuses would close, fees would skyrocket, staff would be sacked and students would suffer. That is the reality we face today following this unprecedented attack on TAFE.

I will read out a quote:

Institutions such as Swinburne university have a strong vocational emphasis and close links with industry ensure that their study programs keep pace with developments in commercial and community sector. The courses on offer at Swinburne have been invaluable in helping young people in the Yarra Ranges go on to fascinating careers. It would be a travesty if the success of these programs were undermined ...

These are comments made by the member for Evelyn in 2008, yet this is exactly what the member and her government are delivering in 2012.

**Ms Green** interjected.

**Mr MERLINO** — Earlier today members heard the Premier say that the closure of Swinburne, Lilydale, is part of its reform and that the courses that have closed did not deliver employment outcomes. The member for Evelyn and local businesses would attest —

**Mrs Fyffe** — On a point of order, Speaker, the member for Yan Yean referred to me as ‘doing a Pontius Pilate’. I find that offensive, and I ask her to withdraw.

**The SPEAKER** — Order! I ask the member to withdraw.

**Ms Green** — I withdraw.

**Mr MERLINO** — Businesses across the Yarra Ranges, the outer eastern metropolitan region and beyond into regional Victoria know that Swinburne delivered employment outcomes: jobs for students and employees for local businesses. The government also maintains that this was a decision of Swinburne and not of the government. What absolute rot! The vice-chancellor of Swinburne University of Technology says in a letter:

As a result of decisions of the Victorian government ... Swinburne’s revenue arising from VET provision will decline ...

...

... the aggregate change in Swinburne’s income ... is in the order of \$35 million per annum.

The letter goes on to discuss ‘how Swinburne responded’. That is what we are talking about: how Swinburne responded to the government’s cuts.

The minister must intervene, not at the point at which Swinburne is seeking to offload its assets, which is what he spoke about this week in question time in the other place, but now, before the site becomes a ghost town and there are empty buildings rotting away. He

needs to intervene now to save Swinburne University of Technology’s Lilydale campus.

### **Planning: Highett open space**

**Mr THOMPSON** (Sandringham) — I raise a matter for the attention of the Minister for Planning. The action I seek is an update from the minister or his department in relation to proposals for the prospective development of land in the suburb of Highett, which is in my electorate. There are a number of parcels of land, some of which are under state control, in particular the former Gas and Fuel Corporation land on the eastern side of the railway line between Highett and Cheltenham railway stations and also the CSIRO land on the western side of the Frankston railway line, bounded by Graham Road, Middleton Street, Highett Road and Bay Road.

The legacy of the planners of Melbourne, who provided fine areas of public open space, cannot be underestimated in terms of its benefit to the people of Melbourne.

Within the parliamentary precinct and just beyond the land to the south of the parliamentary building is a fountain and a number of statues, including one of General Charles Gordon of Khartoum. To the north there is an area of parkland with a fine statue marking the contribution to Australia of the late Sir Douglas Nicholls and his wife. These are marvellous areas of land. We have Treasury Gardens in one direction and Fitzroy Gardens in another. They represent an important part of the lungs of Melbourne and are one of the reasons why Melbourne has been referred to as the garden state.

The CSIRO Highett site is under the control of the commonwealth and the aegis of the federal Minister for Innovation, Industry, Science and Research, Senator Kim Carr, and Gary Gray, Special Minister of State, the responsible ministers in relation to negotiations concerning the public open space that might reasonably be made available in the transfer of that parcel of land, which has been on the market for sale. Excellent negotiations have been undertaken, and there has been constructive dialogue between Canberra, the City of Bayside, the federal member for Goldstein, Andrew Robb, and me. I believe the Minister for Planning has also made representations.

This is an important issue. There is opportunity through dialogue to achieve an outcome which will provide environmental, passive and possibly also active recreational space in an important part of Melbourne

and can be a legacy for future generations of Melburnians.

### **Taylor's–Kings roads, Kings Park: traffic lights**

**Ms KAIROUZ** (Kororoit) — The adjournment matter I wish to raise is for the attention of the Minister for Public Transport. It concerns the roundabout at the intersection of Taylor's Road and Kings Road in Kings Park, in my electorate of Kororoit. The action I seek is that the minister fund signalisation of the roundabout. The issue resonates across my electorate and is one of the biggest issues that constituents raise when they come into my office and when I meet them in the street.

Taylor's Road and Kings Road are major suburban arterial roads that connect the western suburbs to the Calder Freeway and Western Ring Road, and as such they are heavily used by commuters going to and from work. During peak hour the wait to enter the roundabout can be 15 minutes, with cars backed up hundreds of metres. The Red Spot survey in the *Brimbank Leader* found the intersection was named 'most likely to cause frustration for Brimbank motorists'.

Following this glut of constituent inquiries I recently wrote to the Minister for Public Transport asking when signal lights will be installed at this dangerous roundabout. The minister responded in a letter dated 5 August, advising that VicRoads had:

... undertaken extensive site visits and has an understanding of the issues at this location.

He further stated that:

A review of the most recent crash records indicates that there has been no significant change in safety at the roundabout.

Whilst this may well be true, the lack of an increase in collisions does not mean the roundabout is safe and therefore not in need of an upgrade; it merely means the problem is not getting any worse. I myself have witnessed many collisions when waiting to enter the roundabout. It is only a matter of time before someone is seriously injured. It is a nightmare for cyclists and pedestrians.

The minister went on to state in his response that VicRoads 'is aware' the installation of signal lights would reduce congestion and make the intersection safer for all road users, yet he seems unwilling to commit to the upgrade. I therefore ask the minister to immediately fund the signalisation of the Taylor's–Kings Roads roundabout. It will reduce congestion and increase safety for both motorists and pedestrians. It is an affordable common-sense solution

to a simple problem that is plaguing residents and commuters in Kororoit.

### **Floods: category C recovery grants**

**Mr WELLER** (Rodney) — I wish to raise a matter for the attention of the Deputy Premier in his capacity as Minister for Police and Emergency Services. The action I request is for him to urge the commonwealth government to reverse its decision not to approve category C grants for a range of Victorian communities including those in the shire of Campaspe in my electorate of Rodney. Category C grants provide \$25 000 for clean-up and recovery to not-for-profit organisations, businesses and primary producers and are an important part of the natural disaster relief and recovery arrangements.

Last year in the town of Rochester businesses felt it was very important that the \$25 000 grants be there to help them, and basically within a week of the flood most of the town's businesses were back operating, which was very important. The grants were also important in the farming areas. With the Treasurer I visited some of the farms in the Rochester area that were flooded last year. On another occasion I visited with the Minister for Police and Emergency Services, and the Premier toured the area as well. I was most appreciative and felt very supported when some of my colleagues from the Liberal Party came to help on the Saturday and Sunday at the relief centre at Cohuna when the floods were going through the Leitchville and Cohuna area.

We recently witnessed a great inconsistency in the application of these grants, where the towns in the shires of Moira, Shepparton, Towong and Indigo were given access to the grants while applications from other shires, including Campaspe, were declined. We experienced in the 2012 February–March floods, as they were called, flooding of the Wanalta Creek, Coronella Creek, Mosquito Creek depression and Mullers Creek, which caused damage to farmlands in the area.

Once again I ask the Minister for Police and Emergency Services to urge the commonwealth government to consider the plight of the Campaspe shire community and others in similar situations across Victoria with respect to category C grants.

### **Consumer affairs: Latrobe Village**

**Mr SCOTT** (Preston) — My matter is for the attention of the Minister for Consumer Affairs, and it relates to retirement villages and deferred repayment contracts. The action I seek is that the minister meet

with residents of the Latrobe Village to investigate and seek a resolution of their concerns

People entering a retirement village have to pay considerable sums to purchase their unit, and often the unit may only be resold to the village proprietor when the resident leaves. Under the legislation that existed prior to the amendment by the previous government, proprietors of retirement villages could withhold for eight years payouts to people leaving a village. Generally no interest was paid on delayed payouts. If a resident requested an immediate payout of their investment, the payout figure was reduced in many cases by up to half. The delays and discounts caused hardship to elderly people who had been compelled for health reasons to move into nursing homes or alternative accommodation, as well as to the families of residents who had died.

The previous government did amend the law to outlaw such deferred payment contracts from August 2006, but there are still people who signed contracts prior to that date and are subject to the old law. In particular Mr Frank Cox, who is probably known to some members of this house and who is 97, is a long-term resident of Latrobe retirement village, which is owned by Stockland, and has been making representations on behalf of the community he lives in. The contract he signed contains deferred repayment clauses, as do the contracts signed by many other residents of the retirement village.

Stockland runs 62 retirement villages around Australia, and Stockland itself was reported in the *Age* of 12 June as having changed its policies. The CEO, Mr David Pitman, has stated that new arrangements meant that anyone with a pre-2006 contract who left one of its villages after 1 May this year would be guaranteed to get their money back. However, the residents have not been given information which gives them a genuine assurance that that will be the case. Despite the assurances from Stockland they are deeply concerned by the situation they potentially face. Intervention by the minister, who I note has been quite happy to put forward various media releases and information booklets relating to the rights of residents in retirement villages, would be most welcome in ensuring that the residents of Latrobe retirement village receive fair payment when they leave the village in accordance with the new provisions in the current act — that is, as Stockland has promised.

### **Aged care: federal funding**

**Mr TILLEY** (Benambra) — I wish to raise a matter for the attention of the Minister for Health and Minister

for Ageing, the Honourable David Davis. The action I seek is for the minister to advocate on behalf of regional aged-care providers and their families after the federal aged-care funding shortfall was highlighted earlier this week.

The commonwealth announced its aged-care package called Living Longer, Living Better in April 2012, which will affect the structure and viability of the aged-care industry, as well as the future supply of aged-care services. In late June this year the commonwealth announced changes to residential aged-care funding to achieve the \$1.6 billion in savings required to support implementation of other aspects of the package. It is unfortunate that there has been no direct consultation with health and ageing ministers in the development and announcement of the commonwealth aged-care changes, despite the critical impacts they will have on health and broader aged-care services.

An independent financial analysis of changes to the federal government's aged-care funding instrument has been undertaken and shows an expected shortfall of more than \$750 million over the next two and a half years. The report reveals that 89 per cent of aged-care facilities will face unrecoverable losses of revenue under the revised funding model, which came into effect on 1 July 2012. It is distressing to know that smaller and rural facilities — like those located in my electorate — are the ones that potentially will be most affected. The average loss per aged-care facility is estimated at more than \$125 000 each year, with some facing revenue shortfalls of up to \$560 000.

As running costs continue to rise, aged-care providers will not be able to increase their care fees as they are set by the federal government. I wish to acknowledge the Victorian state government's commitment to aged care, especially in the area of palliative care, with an additional \$34 million being allocated in last year's budget. I will advocate on behalf of my electorate, and I ask that the minister do everything he can to advocate for and protect the elderly residents of Victoria and to address the federal minister about this large funding shortfall that will affect a large percentage of elderly Victorians in aged-care facilities.

### **My Future My Choice: funding**

**Ms GREEN** (Yan Yean) — I wish to raise a matter for the Minister for Community Services. The action I seek is that she assure the family of Mr Ryan Naughtin that his recent serious illness, including being on life support, is not the result of her decision to discontinue

funding for the My Future My Choice program on 30 June 2011.

The My Future My Choice program was a joint initiative of state and federal governments, and state Labor contributed \$30.1 million over five years towards offering assistance to young people with acquired brain injury and other forms of serious illness who had sadly languished in nursing homes over many years. I would like to put on the record my acknowledgement of the work of Mary Nolan, Bronwyn Morcombe and many others who have run a very strong campaign to get young people out of nursing homes.

It beggars belief that this government is now seeing this as a problem. It is simply not good enough that young people with acquired brain injury and other complex health needs are going back into aged-care facilities. With regard to Mr Ryan Naughtin, his parents have had the tragedy of saying goodbye to Ryan over the last month when he was on life support in the Austin Hospital. Amazingly he has come around from that situation and has recovered sufficiently; however, his family is very distressed at the thought of him returning to the facility where he acquired the illness.

The family has not been happy with Austin Hospital discharging him back to the facility that he was in — Austin Street Villa Maria in Alphington. This happened despite their pleas to the Department of Human Services (DHS) that they had another place for Ryan to move back to, where they were more confident that his aspiration pneumonia would not recur. That place was Yooralla in Thornbury. This fell on deaf ears at the department. The DHS said that Ryan could have an aged-care place, so he went back to where he was more than five years ago. This is simply not good enough. The minister and the Premier have been glad to pat themselves on the back about their contribution to the national disability insurance scheme (NDIS) trial in the Barwon region, but what does it mean for everyone else across the state until the NDIS is fully operational? Young people in nursing homes should not have to wait until that point in time.

I think it is appalling that Mr Ryan Naughtin's family wrote to both the Minister for Community Services and the Minister for Health over a week ago pleading with the minister and her colleague in the other place and that neither has responded. They both need to do their job and actually reassure the community that My Future My Choice has not resulted in serious illness to Ryan Naughtin.

### **Patterson River fire brigade: grant**

**Mrs BAUER** (Carrum) — I raise an issue for the Minister for the Arts. The action I seek is that the Minister for the Arts advise the Patterson River fire brigade of other avenues it can take to apply for a grant to preserve the brigade's history. The Patterson River fire brigade covers the communities of Patterson Lakes, Carrum, Chelsea, Chelsea Heights, Seaford, Bangholme, Bonbeach and other areas. It is staffed by full-time career firefighters and volunteers. The Patterson River fire brigade applied for a 2011–12 local history grant through the Public Record Office Victoria, but unfortunately it was unsuccessful in securing this funding.

The brigade is seeking a grant for the amount of \$7150. This would be used to electronically record and retain the pictorial history of the brigade by preserving photographs and old movie film. This is to make sure that its pictorial history does not deteriorate and to secure it for future generations. The Patterson River fire brigade was planning on presenting this at its centenary celebration on Saturday, 20 October 2012.

I spent a night with the Patterson River fire brigade in July and met the captain, Garry Best, and also the many wonderful, dedicated volunteers. Whilst I was at the brigade I saw an impressive array of historical photos on display dating back as far as 1912. I had the pleasure of viewing these wonderful black-and-white photos, and I was pleased to learn a lot about the history of the brigade. With the expansion of housing from the turn of the 20th century into beachside suburbs south of the Mordialloc Creek, local residents were keen to establish local fire service units, as the nearest metropolitan fire service was closer to Melbourne. After public meetings, in 1912 three volunteer fire brigades were formed — one at Aspendale, a second at Carrum and the third at Chelsea. Equipment was purchased by each brigade from its own fundraising activities and from citizens' donations.

Prior to the purchase of motorised fire vehicles — Chelsea in 1926 and Carrum in 1934 — the early brigades' equipment consisted of a hose carriage, ladder, hoses, beaters and buckets. It was slow, strenuous work taking a hose carriage to a fire, particularly with the local sandy terrain and unmade streets. When researching the brigade's history I was interested to learn that before water reticulation a fire outbreak was commonly extinguished by bucketing of water from the nearest tank, dam or well. Scrub fires were generally extinguished by the use of fire beaters or wet bags or by thrashing with clumps of tea-tree or other branches.

The Patterson River fire brigade was formed after the amalgamation of the Carrum and Chelsea brigades in 2006. It is a volunteer-based brigade, and I recognise its members' extraordinary service to the community over the past 100 years. I request from the minister suggestions as to potential grant avenues for the Patterson River fire brigade to assist it in preserving its historical records.

### Responses

**Mr RYAN** (Minister for Police and Emergency Services) — The member for Rodney raised with me important issues around what are termed category C entitlements under the national disaster relief and recovery arrangements — the NDRRA, as they are euphemistically termed.

As members of the house would know, the categories of assistance available under the NDRRA are four in number. They span from A at the lowest end through to D, being the most serious. Category A includes the benefits provided by way of emergency household grants. These are the payments of up to \$1200 per household for those who suffer as a consequence of damage to their homes in an incident, be it fire, flood or otherwise. I am putting this very generally for the sake of brevity. Category B has to do with assistance available to local government and also loans of up to \$200 000 which might be advanced by the state government to those who are entitled to receive them. Category D covers the very serious forms of damage which are done to the businesses that employ substantial numbers of personnel. In extreme situations those grants are made.

It is category C which is the focus of the matters raised by the member. These are clean-up and recovery grants — payments of up to \$25 000. The grants are payable to not-for-profit organisations, primary producers and the small business sector. Some difficulties have arisen over the period spanning approximately the last 12 months in the way in which these grants have been administered. It is a necessary component of the NDRRA that the federal government has the ultimate responsibility of declaring whether an event is of such severity as to warrant category C grants being triggered. To enable that to happen the state of Victoria, as happens in the other jurisdictions, has to apply to the federal government for that declaration. In so doing the state has to provide to the commonwealth government the material which justifies the basis for the declaration being made. That material is usually drawn from the agricultural sector, the small business sector and local government.

It is reasonable to say that over the last four or five years in each instance the state of Victoria has sought a declaration under category C from the federal government, that declaration has been universally granted — so the state of Victoria has gone to the federal government indicating that a particular event has occurred and that nominated local government areas have been impacted upon, and the application has been made. Up until relatively recently the application has been granted in every instance. Where it has been granted, the payments have been assessed by the Rural Finance Corporation and the state of Victoria and the commonwealth government have split the obligation which arises under those payments on the basis of sharing it equally.

The circumstance has arisen over this last 12 months or thereabouts where the situation we have historically known has now been different. The problem has arisen when we have made applications with regard to three particular events which occurred in the latter part of last year and then two events that occurred this year. In those instances the commonwealth has either rejected the applications outright or granted them in part. I have had the opportunity to discuss this with the federal Attorney-General, Ms Nicola Roxon, with a view to trying to resolve the issue. I might say that those discussions have been very constructive. The discussions are ongoing, but I say to the house that the urgency of the situation is paramount.

Last week I was in Northern Grampians shire. I went to a meeting of the council at Stawell. At that meeting there were five community representatives from the area of Joel Joel, which is within the Northern Grampians shire. This community was impacted upon very heavily by a flood event that occurred in or about mid-December 2011. Around 80-plus properties were affected, and an application was subsequently lodged by the state of Victoria to the commonwealth seeking a declaration for assistance. That application was refused outright. It was nothing less than heartrending to sit there the other night listening to these people telling their respective stories of the utter grief which has been caused in their family arrangements as a result of the impact upon their properties and upon them personally. I will not dwell on it now, but suffice to say it has had a shocking impact on a significant number of people who are property owners.

I am very conscious in saying this — the member for Ripon, I know, shares the concern of his constituents, as do we all across this chamber — of the way in which these people have suffered. I am sure that that is a universal view also shared from the federal government's perspective and that of the federal

Attorney-General in particular. The nub of the issue is that, for reasons we cannot explain on behalf of the Victorian government, these folk have not been able to access the category C grants because the federal government has not made the declaration. We have offered more material. We have sought explanations. As I say, we are in conversations, and hopefully we will be able to get these people over the line with the declaration being made.

Similarly in northern Victoria earlier this year — late February and early March — in the area represented so ably by the member for Rodney and in other parts of northern Victoria, floods struck and communities suffered. We have made applications. Four of the municipalities have been granted category C funds, but about 15 or 16 others have not been beneficiaries of the declaration. Those who have received the declaration are the municipalities of Moira, Shepparton, Towong and Indigo, but there are many others — as I say, something of the order of another 14 or 15 — in the north of the state that simply have not had the declaration made. Therefore people who have suffered as a consequence of the floods are not enjoying the availability of these grants and are in a similar situation to those folk I have described at Joel Joel.

More recently, in early June, in Gippsland there was a very substantial flood event which caused something in the order of \$40 million worth of damage across six municipalities. Again we have gone to the commonwealth, and we have done so on the basis of personally being in contact with about 1300 family groups who are the owners and operators of agricultural enterprises of different sorts right throughout the impacted areas. We have had responses from about 900 to 1000 of them. The totality of the information we have gleaned has gone to the commonwealth government for its consideration. We are still awaiting an outcome of the application for the declaration for entitlements under category C.

I use this opportunity to implore the federal government to very carefully consider, as I know the federal Attorney-General will, the information which has been provided to her. To the extent that any more information is required, we are only too happy to provide it. To the extent that additional material needs to be forthcoming, we are only too pleased to seek it. Based on the historical judgements around the way in which these declarations have been made, there is no doubt in my mind and indeed in the mind of the government that these declarations ought properly to be made. We in Victoria, as a state, stand willing to meet our 50 percent commitment to these payments if it is that the declarations are forthcoming.

I finish on the basis of saying once more that whereas it is important when these events happen that there be assistance provided to local government and assistance provided to entities of a public nature for the restoration of public assets and matters of that sort, the issue in relation to category C declarations in its own way is very different. These go to the absolute core of enabling these poor people who get caught up in these nightmares to be able to at least have something with which to address the immediacy of their need. As I said to the federal Attorney-General, and to those folk at Joel Joel the other night, government is not an insurer. That is not what this is about. It is not a question of the government of the day, of any persuasion, having to meet the totality of the loss of those who suffer it when these events occur, but rather clean-up and recovery grants are intended to achieve exactly what they sound like — that is, enable the emergency of the moment to be met in a manner which reflects what was underpinning the NDRRA when they were put in place, and that is very particularly so for these category C declarations because above everything else, and all other issues aside, they relate to people.

**The SPEAKER** — Order! I call on the minister for birthdays — the Minister for Public Transport.

**Mr MULDER** (Minister for Public Transport) — Thank you, Speaker, and I am happy to join you in that golden era.

**The SPEAKER** — Order! The minister is never going to catch up to me.

**Mr MULDER** — I hope not, Speaker. The member for Brunswick raised an issue with me in relation to a petition that residents in her electorate have put together regarding bus route 509, which is known as the Hope Street bus route and covers off on Ballarat Street, Ovens Street, Hope Street, Duggan Street and Murray Street. It is unique in that it is Melbourne's shortest bus route and runs over a distance of about 2 kilometres, takes about 10 minutes each way and has a number of buses that run up and down the route. The reason Public Transport Victoria has advised the operator that the service will cease is that the buses carry an average of less than 1 passenger per trip.

Public Transport Victoria is currently going through a process of analysing bus routes right around the state, making sure that we are getting value for money and making sure we are covering off on the greatest number of people we possibly can in terms of providing them with a bus service. Normally in these circumstances if the bus industry thinks that we have gone down the wrong path, Bus Association Victoria, which represents

its operators and looks very closely at the decisions of government, will come to us and tell us. In this particular case it has questioned the viability of the route, as has a former mayor, I understand, in terms of the fact that it is a very short route and has an average of less than one person travelling per bus.

Public Transport Victoria, as I said, is currently doing an analysis and working through the process, and for anyone who would say that this is not rocket science, it is about matching the bus timetable with tram and train timetables. That is the role we have given Public Transport Victoria to perform, and that is what it does when it looks at these types of anomalies and finds out that these types of services do not work.

**Ms Green** interjected.

**Mr MULDER** — I take up the interjection from across the table. The member would be aware that we have introduced additional bus services since coming to government, and we will continue to support the community providing we get that level of support in providing bus services across the bus network. I believe the service is due to cease on 30 September. There are other bus routes on nearby streets that also offer connecting services to the existing tram network.

The member for Kororoit raised an issue with me in relation to the Taylors Road–Kings Road roundabout and the fact that the member would like to see some traffic lights fitted in that area to improve the flow of traffic and deal with congestion in peak time which builds up to something in the order of 15 minutes. As is the case with all these requests I get from members, whether they come from my side of the house or whether they come from opposition members — I know when I was in opposition I used to get responses back from the previous government ministers which consisted of two or three paragraphs and basically said that they had received my inquiry and there was no funding available — I ask VicRoads to go out and carry out an investigation of the issue. In this case VicRoads has visited the location and looked at it, and its advice is that there is no issue in terms of an increased safety risk at this point in time.

As I indicated, these types of requests will be viewed in relation to future budget allocations, but we always go out and do an inspection and we always provide members with a comprehensive answer in writing as to the reasons for making those decisions.

**Mr DIXON** (Minister for Education) — The member for Evelyn — who is running late, but I have spoken to her about this issue — has asked me to visit

the Yarra Hills Secondary College Mount Evelyn campus. I am very familiar with the senior campus in the member for Kilsyth's electorate. It would be really good to go and visit this other campus, because I think Yarra Hills Secondary College is doing a great job. It is reconfiguring itself and setting off in a new direction. I am a great admirer of the work being done.

The member for Evelyn is a great advocate for the schools in her electorate. She took some liberties in asking for me to visit while I am out there visiting a couple of other schools, Birmingham Primary School and Mount Evelyn Special Developmental School. I will work with my diary secretary, who controls my life, and will make some time to come out there.

**Mr Merlino** — You are very popular, we hear.

**Mr DIXON** — Hopefully I will be able to get out there this year. I am very popular, as the member for Monbulk said. I would really like to get out there and visit the schools.

**Ms WOOLDRIDGE** (Minister for Community Services) — I am responding tonight to the adjournment matter raised by the member for Yan Yean. I acknowledge the very difficult circumstances the family of Ryan Naughtin is experiencing at this time. Had I been given some prior notice of the adjournment matter I might have had a chance to look into the case, but with only a couple of minutes to respond I would like to first of all say that I received emails last Friday and again yesterday from Stephen Naughtin. They are under active consideration. I will make sure I do everything I can to respond to them as quickly as I can.

I want to place on the record that the facts the member for Yan Yean gave regarding the My Future My Choice initiative were absolutely wrong. This is consistent with what we regularly hear from the member for Yan Yean. There has not been a discontinuation of the funding. In fact, as the member said, there was \$60 million contributed over five years by the state and federal governments — it was a great Howard initiative. That is about \$6 million a year from the state. This year the state will be contributing more than \$9 million in funding for the continuation of the My Future My Choice initiative. It is absolutely incorrect to say that the program has been discontinued. It is factually wrong, but it has been regularly said in relation to the continuation of the project.

My Future My Choice has been a very successful initiative, and as a result 104 new purpose-built accommodation and support places have been created

across 22 sites. Also provided have been new high-level individual support packages and enhanced packages. They, of course, must continue to be funded. You cannot just build these things and walk away from the funding. We are absolutely committed to continuing to fund, through more than \$9 million a year, the My Future My Choice initiative.

We are also seeking to have processes that enable young people who might be diverted into aged care to end up in age-appropriate accommodation as a matter of course going forward. Disability services, health services and the aged-care assessment services have all been working together to try to improve the pathways for people with a disability who need high-level accommodation and support so that they can get age-appropriate accommodation if we can possibly find it. That is what we want to achieve so that the pathways are established. We do not just want a one-off program. We have learnt from this great initiative, and we want to embed what we have learnt in the practice of everything that we do.

The coalition government is committed to providing enhanced accommodation and support, and I am pleased that there have been a number of announcements about this. Through our innovative accommodation program we have created 65 new places, and \$35 million has been invested in a range of accommodation types, including that for people who may otherwise be in residential aged care. Through a separate process the state invested \$14 million and the commonwealth invested \$17 million to establish 53 new places for innovative supported accommodation. The government continues to support the outcomes of the My Future My Choice program. We continue to expand accommodation so it can respond to the range of needs by looking at it innovatively instead of taking the one-size-fits-all approach that was taken previously. We recognise that there is a group that is prioritised for access to the most age-appropriate accommodation we can possibly provide.

It is disappointing to hear the other side frame an individual's difficult circumstances in a policy context that is factually incorrect. I want to set the record straight. We will certainly work with the Naughtin family to try to identify the best possible accommodation for Ryan. This is an important issue. We do not seek to politicise individual cases in relation to their circumstances. We will look at the best way to resolve this.

**Ms Green** interjected.

**The SPEAKER** — Order! That is enough from the member for Yan Yean!

**Ms WOOLDRIDGE** — I repeat that this is not an issue to be politicised. This is an issue to be resolved in the most appropriate way for a family that is in difficult and trying circumstances. That is what I will aim to do.

**Mr McINTOSH** (Minister for Corrections) — The member for Preston raised a matter for the Minister for Consumer Affairs.

The member for Monbulk raised a matter for the Minister for Higher Education and Skills.

The member the Carrum raised a matter for the Minister for the Arts.

The member for Benambra raised a matter for the Minister for Ageing.

The member for Sandringham raised a matter for the Minister for Planning.

I will refer those matters to the respective ministers.

**The SPEAKER** — Order! The house is now adjourned.

**House adjourned at 4.51 p.m. until Tuesday, 28 August.**