

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

LEGISLATIVE ASSEMBLY

FIFTY-SEVENTH PARLIAMENT

FIRST SESSION

Wednesday, 29 February 2012

(Extract from book 2)

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By authority of the Victorian Government Printer

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The Honourable ALEX CHERNOV, AC, QC

The Lieutenant-Governor

The Honourable Justice MARILYN WARREN, AC

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| | |
|--|-----------------------------------|
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| Minister for Mental Health, Minister for Women's Affairs and Minister for Community Services | The Hon. M. L. N. Wooldridge, MP |
| Cabinet Secretary | Mr D. J. Hodgett, MP |

Legislative Assembly committees

Privileges Committee — Ms Barker, Mr Clark, Ms Green, Mr McIntosh, Mr Morris, Dr Napthine, Mr Nardella, Mr Pandazopoulos and Mr Walsh.

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

Joint committees

Dispute Resolution Committee — (*Assembly*): Ms Allan, Mr Clark, Ms Hennessy, Mr Holding, Mr McIntosh, Dr Napthine and Mr Walsh. (*Council*): Mr D. Davis, Mr Hall, Mr Lenders, Ms Lovell and Ms Pennicuik.

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 Foley, Mr Noonan 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 Speaker: Mrs C. A. FYFFE

Acting Speakers: Ms Beattie, Mr Blackwood, Mr Burgess, Ms Campbell, Mr Eren, Mr Languiller, Mr Morris, Mr Nardella, Mr Northe, Mr Pandazopoulos, Dr Sykes, Mr Thompson, Mr Tilley, Mrs Victoria and Mr Weller.

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The Hon. LOUISE ASHER

Leader of The Nationals and Deputy Premier:

The Hon. P. J. RYAN

Deputy Leader of The Nationals:

The Hon. P. L. WALSH

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

The Hon. D. M. ANDREWS

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

The Hon. J. A. MERLINO

| Member | District | Party | Member | District | Party |
|--|--------------------|-------|---------------------------------------|------------------|-------|
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| Carbines, Mr Anthony Richard | Ivanhoe | ALP | Northe, Mr Russell John | Morwell | Nats |
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| 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 |
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| Green, Ms Danielle Louise | Yan Yean | ALP | Sykes, Dr William Everett | Benalla | Nats |
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| Helper, Mr Jochen | Ripon | ALP | Thomson, Ms Marsha Rose | Footscray | ALP |
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| 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 |
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| Hulls, Mr Rob Justin ² | 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 |
| Katos, Mr Andrew | South Barwon | LP | Wooldridge, Ms Mary Louise Newling | Doncaster | LP |
| Knight, Ms Sharon Patricia | Ballarat West | ALP | Wreford, Ms Lorraine Joan | Mordialloc | LP |
| Kotsiras, Mr Nicholas | Bulleen | LP | Wynne, Mr Richard William | Richmond | ALP |
| Languiller, Mr Telmo Ramon | Derrimut | ALP | | | |

¹ Resigned 21 December 2010

² Resigned 27 January 2012

³ Elected 19 February 2011

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Wednesday, 29 February 2012

The SPEAKER (Hon. Ken Smith) took the chair at 9.34 a.m. and read the prayer.

BUSINESS OF THE HOUSE**Notices of motion: removal**

The SPEAKER — Order! Notices of motion 3 to 11 will be removed from the notice paper unless members wishing their notice to remain advise the Clerk in writing before 6.00 p.m. today.

PETITIONS**Following petitions presented to house:****Somerton Road: safety**

To the Legislative Assembly of Victoria:

This petition of residents draws to the attention of the Minister for Roads, the Honourable Terry Mulder, the desperate need to duplicate Somerton Road and to provide signalisation at the Magnolia Boulevard, Kirkham Drive and the proposed Aitken Boulevard intersections.

This is a matter of great urgency as this road has proven to be a killer.

The petitioners therefore request that the Legislative Assembly of Victoria through the Minister for Roads immediately fund the duplication of Somerton Road and provide signalisation at the Magnolia Boulevard, Kirkham Drive and the proposed Aitken Boulevard intersections.

By Mr McGUIRE (Broadmeadows) (772 signatures) and Ms BEATTIE (Yuroke) (283 signatures).

Planning: Brunswick terminal station

To the Legislative Assembly of Victoria:

This petition of the people of Victoria draws to the attention of the house the deep concern over the recent action of the Minister for Planning, Matthew Guy, and the Baillieu government in approving amendment C140 to the Moreland planning scheme, rezoning the site of the Brunswick terminal station and approving the building of an additional 66-kilovolt facility alongside the existing 22-kilovolt terminal.

The petitioners note:

the proposal was twice rejected by Moreland City Council as a part of the local planning process and the actions of the Minister in rezoning the site have ridden roughshod over that process;

answers have been sought of the state government about significant unresolved questions about the health and safety of the redeveloped facility, and the appropriate safety standard for such an industrial facility in a purely residential and environmentally sensitive area;

calls had been made of the state government to work with the power companies to fully explore other appropriate sites, specifically in an industrial setting, for the facility; and

these significant questions and calls of the state government remain unanswered and unacted upon.

The petitioners therefore request that the Legislative Assembly of Victoria urge the Baillieu government to reverse this decision, acknowledge the significant concerns of the local community and work with the energy companies involved to fully explore another appropriate site.

By Ms GARRETT (Brunswick) (100 signatures).

Israel: Melbourne protests

To the Legislative Assembly of Victoria:

The petition of the residents of Victoria draws to the attention of the house the recent anti-Israel boycott, divestment and sanctions protests on the streets of Melbourne and the strong response of the Baillieu government.

The petitioners therefore request that the Legislative Assembly of Victoria continue to support all efforts and actions to stop these protesters and their campaign of misinformation against the state of Israel and the Jewish community.

By Mr SOUTHWICK (Caulfield) (120 signatures).

Tabled.

Ordered that petition presented by honourable member for Yuroke be considered next day on motion of Ms BEATTIE (Yuroke).

Ordered that petition presented by honourable member for Broadmeadows be considered next day on motion of Mr McGUIRE (Broadmeadows).

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

Ordered that petition presented by honourable member for Caulfield be considered next day on motion of Mr SOUTHWICK (Caulfield).

PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE**Review of 2009–10 and 2010–11 annual reports**

Mr ANGUS (Forest Hill) presented report, together with appendix.

Tabled.

Ordered to be printed.

DOCUMENTS

Tabled by Clerk:

Auditor-General:

Government Advertising and Communications —
Ordered to be printed

Public Transport Performance — Ordered to be printed

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Cancer Act 1958 — SR 8

Road Safety Act 1986 — SR 10

Subordinate Legislation Act 1994 — Documents under s15 in
relation to Statutory Rule 9.

MEMBERS STATEMENTS

Buses: Altona electorate

Ms HENNESSY (Altona) — I rise to raise the issue of bus connectivity in my electorate. I am concerned by this government's failure to respond to and invest in meeting the growing demand for bus services in my electorate. Bus connectivity between all suburbs and train stations needs to be significantly improved. Congestion on the roads also means that the bus services that do exist are hampered in their effectiveness as their efficiency is diminished by peak-hour traffic jams.

Labor, when in government, initiated bus reviews in the Hobsons Bay and Wyndham local government areas. In Hobsons Bay this improved services and routes to better reflect where locals and visitors were travelling. In Wyndham it resulted in the commencement of bus services in places where they had never existed before.

The Department of Transport has continued to promise that patronage will be monitored and that additional services will be initiated as demand increases. The overwhelming growth in these areas has meant that demand has significantly increased, and the footprint of residential land continues to expand. The potential 5000 new lots coming in to Point Cook east and west via proposals before the Growth Areas Authority will only make this issue more acute.

It is my understanding that the Department of Transport has a policy that says there should be a bus stop within 400 metres of a resident's home. With the expansion that has occurred in my electorate, particularly over the last 15 months, that guideline is no longer being met. It

is meant to ensure that residents have access to proper, connected bus services. I have today filed questions on notice asking the Minister for Public Transport to clarify this issue. I call on the government to rectify the issue and immediately take steps to improve bus accessibility — —

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

Shepparton electorate: indigenous scholarship and bursary program

Mrs POWELL (Minister for Aboriginal Affairs) — On Friday, 24 February, I had the honour of presenting \$500 scholarships to 12 indigenous students and one \$300 bursary on behalf of the Full Gospel Assembly Melbourne (FGAM). The ceremony was held at Wanganui Park Secondary College in Shepparton and involved students from Wanganui Park Secondary College, Shepparton High School, McGuire College and Mooroopna Secondary College.

I have been involved in the Koori scholarship and bursary program since it was established by the FGAM in 2007 and have been proud to see 34 young indigenous students from the four schools graduate through the program. I would like to congratulate Senior Pastor Roland Seow; Mr Lip Teo, chairman of the FGAM scholarship committee; and the very generous committee as well as the church congregation, who have fundraised for many years to fund these scholarships and bursaries. The program provides valuable support for school expenses such as excursions and books, but more importantly it provides support and encouragement for these indigenous students to complete year 12 and beyond.

Each of the students has a unique story. Joel Hudson from McGuire College has taken part in the Ganbina Leadership Program and is an active member of the Air Force Cadets. Joel is working towards becoming an air cadet pilot. Tori Day from Shepparton High School has been involved in a number of school productions and is currently in the Gondwana choir with Debra Cheetham. Last year Tori was involved in the World Challenge and travelled to Cambodia with 20 other students who helped to rebuild local villages and assist with English classes. I congratulate FGAM for its ongoing commitment to indigenous education in the Shepparton district.

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

Ovarian Cancer Awareness Month

Ms GARRETT (Brunswick) — As members are aware, February is Ovarian Cancer Awareness Month and today is Teal Ribbon day. As part of the activities to raise awareness of this terrible disease, sometimes referred to as the ‘silent killer’, last week I held an Afternoon Teal at my office with women from my local Arabic-speaking-background communities. As well as partaking in some made-in-Brunswick Lebanese fare, we talked about the importance of being aware of ovarian cancer and its symptoms, particularly given those symptoms can be very vague and common to other illnesses. We also discussed the critical importance of early detection in helping to save lives and the fact that there is no easy diagnostic test. Women need to be vigilant about monitoring symptoms and seeking medical assistance if they are at all concerned. We highlighted the importance of women sharing this information with others in their families, friendship groups and broader communities.

I believe the women found it a very beneficial experience, and some made the following comments. Wafa said, ‘Now I will tell my friends how important it is to get medical tests’. Fay said, ‘It was a great meeting. It was fun, and at the same time I learnt a lot I can share with my community’. Zobeida said, ‘This reminds me to look after myself, go to see my doctor and be careful about my health. It is a wake-up call, and I will pass it on to my daughter’.

I thank all of the participants for attending this special Afternoon Teal, and in particular Lina Hassan from the Victorian Arabic Social Services Women’s Group for assisting me in organising the event and for her outstanding skills as a translator. I would also like to thank the *El Telegraph* newspapers for raising awareness amongst the Arabic-speaking communities.

Darwin: bombing raids 70th anniversary

Mr DELAHUNTY (Minister for Veterans’ Affairs) — Earlier this month I attended commemorative services held in Darwin along with two Darwin Defenders, Rex Ruwoldt, OAM, the long-time secretary of Darwin Defenders 1942–45 Inc., and Tom Stevens, who was with the Royal Australian Air Force in Darwin. We attended the USS *Peary* memorial service and the main commemoration held at the cenotaph in Darwin, along with many other Darwin Defenders and their families.

The men and women who defended Darwin 70 years ago were young; most were still in their teens. They experienced the horror of war, the loss of their friends

and death and destruction on a scale never before seen in this country. When it was all over these brave young men and women returned to their homes, built their lives and families and continued to make an outstanding contribution to our country. On behalf of the Victorian coalition government I thank them for their dedication to ensuring that the service and sacrifice of those brave men and women who defended Darwin and Australia is never forgotten. I am proud to pay tribute to the spirit and sacrifice of all Darwin Defenders, and indeed to everyone who has defended this great nation. Their heroic efforts will never be forgotten.

World Junior Speed Skating Championships

Mr DELAHUNTY — Last weekend I attended the World Junior Speed Skating Championships held in the world-class Icehouse facility here in Melbourne. Thirty-eight countries were represented at the championships, with athletes aged between 15 and 19 years old. It was a spectacular event; it is a pity more people did not go along to see these world-class athletes. Congratulations to all involved in what was a fantastic championship event.

Sue Harris

Ms CAMPBELL (Pascoe Vale) — I pay tribute to Sue Harris, who has retired as the manager of the Sussex neighbourhood house after 20 years. Under Sue’s leadership the neighbourhood house has built community connectedness with events like Harmony Day lunches and ensured continuing social participation with computer and mobile phone courses for seniors, the newly formed men’s shed and a range of social and support groups. She has improved the health and wellbeing of participants with special needs through programs like Mixed Media, Creative Movement and dance classes, and the Friday Friends social group.

Sue has improved our general health and wellbeing with yoga classes, walking groups and special greening events and has provided much-needed support to young families with services like the Scallywags Occasional Child Care Centre. Sue has given others the opportunity to contribute through employment, volunteering and helping out, and has offered just plain, good old-fashioned friendship to the many people who have come through the doors.

Sue worked tirelessly to establish and advance the neighbourhood house. Her enthusiasm, wisdom, compassion and calmness are rare and admired by all. Many people who have walked through the doors of the Sussex neighbourhood house think of Sue with warmth,

fondness, respect and love. Thanks, Sue, for your countless contributions. We know that the future of the house is assured because of your efforts. We wish Sue a long, happy and healthy retirement.

Mornington pier: reconstruction project

Mr MORRIS (Mornington) — This morning I want to raise for the attention of the house another example of the total incompetence displayed by Labor when it comes to managing money and contracts. The former government allocated funds for the reconstruction of the inner and central sections of the Mornington pier, and the project commenced in 2010. Labor's cunning plan was to complete the reconstruction of the two sections, fit wave screens and join the new section to the existing outer part of the pier. It sounds reasonable, doesn't it?

The outcome was entirely predictable. The project was completed on budget with only two problems — the money ran out before the wave screens could be fitted, and by the time the project was completed the outer section of the pier had deteriorated to the point where it was no longer safe. So now the money has been spent, we have half a pier and the Baillieu government is left to clean up yet another Labor mess.

Daveys Bay Yacht Club: Lidgett Trophy

Mr MORRIS — On Sunday, 19 February, Linda and I had the pleasure of attending the Lidgett Trophy at the Daveys Bay Yacht Club. The Lidgett Trophy is an annual regatta for coaching juniors and is open to Minnow, Optimist and sabot sailors who are under 15 or 16 years of age, depending on the class. The regatta is governed by the Racing Rules of Sailing, and entrants are allocated into advanced, intermediate or novice blue and green fleets. The day attracts a huge field of competitors, with approximately 150 juniors competing in this year's trophy, an event that contributes significantly to junior development in the sport. Congratulations to Commodore Richard Starkins and the team at the Daveys Bay Yacht Club on an excellent event.

Broadmeadows electorate: student achievements

Mr McGUIRE (Broadmeadows) — Talent is not defined by demographics, but too often in the past attitude, education and opportunity have been. As university starts in earnest this week I would like to congratulate the students of Broadmeadows on their outstanding Victorian certificate of education results and wish them the best as they commence the next

chapter of their lifelong learning, whether that be through university, vocational training, apprenticeships or work.

After Labor's \$60 million investment in the Broadmeadows schools regeneration program, students are increasingly achieving outstanding results. By taking a position of leadership and excellence they are defying expectations and solidifying Broadmeadows' position as the capital of Melbourne's north. Schools such as ISIK College, Ilim College, Hume Central Secondary College and Penola Catholic College epitomise the spirit of a community that after generations of neglect is now evolving into the model community that was originally planned.

In particular I would like to congratulate Masad Alfayadh on achieving her goal of studying for a bachelor of medicine/bachelor of surgery at Monash University. Her story has been an inspiration; her family came to Broadmeadows after fleeing war-torn Iraq. She knew only four words of English, 'Hi, how are you?'. Just five months after arriving in Australia her father, himself a surgeon, was tragically killed in a car accident. She wants to go on and take up his position in the community, which is an outstanding legacy.

I would also like to congratulate the other schools in the area, in particular Hume Central Secondary College, which was featured on the ABC's *Four Corners*.

Planning: Armadale development

Mr NEWTON-BROWN (Pahran) — The community and the Stonnington City Council have made it quite clear that the proposed Orrong Towers development at 590 Orrong Road is not acceptable. This has been a community fight of epic proportions spearheaded by a group of volunteers including Margot Carrol, David Fallick, Peter Matthews, Gary Lloyd, Brett DeHoet, Marie Watt and hundreds more.

At first the developer sought to build towers up to 16 storeys high, but this was comprehensively rejected by the community. The new revised plan is still too high and still too intense; the community does not want 500 new apartments in buildings up to 12 storeys high in this location. The Stonnington council has consulted widely and prepared an urban design framework which seeks to limit the site to 250 units with a maximum height of 17 metres. The community does not want a mini-CBD plonked in the middle of an area dominated by single and double-storey homes. The local infrastructure cannot handle 1000 new residents.

The proposal has been comprehensively rejected by the Stonnington council and the appeal will be heard at VCAT (Victorian Civil and Administrative Tribunal) in May 2012. I call on the Minister for Planning to exhibit the council's urban design framework as a matter of urgency to add significant weight to the community's fight to have VCAT refuse the application.

Parliament: Liberal student delegation

Mr NEWTON-BROWN — It was fantastic yesterday to meet the delegation of Liberal students who came to Parliament for a tour of the house. It was inspiring for Liberal members of Parliament to meet the next generation of Liberal activists, some of whom may one day take a seat in this chamber.

Israeli trade minister: Parliament visit

Mr NEWTON-BROWN — Congratulations to the member for Caulfield on organising the Israeli minister for trade's visit to Parliament. It is important that we build the ties between Victoria and Israel and strengthen the important trade relationship that we have with Israel.

Victorian certificate of applied learning: funding

Ms GRALEY (Narre Warren South) — The Baillieu government is failing VCAL (Victorian certificate of applied learning) students in my electorate of Narre Warren South. Nicole Spargo, a VCAL student who is doing her placement in my office, surveyed the schools in my electorate on how cuts to VCAL funding have affected their students. Rob Duncan, assistant principal at Narre Warren South P-12 College, said in his response to the survey that the school had lost \$126 000 from its VCAL program. He said the school had been approached by other schools with requests that his school take over their VCAL programs.

Similarly, Kambrya College has lost around \$126 000 and had inquiries from students from other schools in the region that have had their VCAL programs cut. Another school in my electorate, Alkira Secondary College, is unable to provide a VCAL program without coordination funding. Alkira had plans to employ a coordinator from this year to start VCAL; however, those plans were cancelled following the Baillieu government's cruel and callous coordination funding cuts.

The community is appalled by the cuts to the VCAL program and how they have affected students. Schools

have had to reduce the number of VCAL places they can offer students. Seventeen-year-old Nicole Spargo understands VCAL better than the Baillieu government. She told me that coordinators are vital in searching for work placements for students. Now, following the \$48 million cut, coordinators are having to volunteer their time to assist students in securing work placements. At Narre Warren South P-12 College other programs have been removed or compromised to ensure that the college can adequately cater for its more than 220 VCAL students.

The clearest message that schools in my electorate have sent through their survey responses is that they are doing everything they can to minimise the impact of these cuts on their students. Teachers are showing strong dedication, which is something the Baillieu government will never understand.

Bushfires: powerline safety task force

Ms McLEISH (Seymour) — The safety of our communities is something we all care about. Making changes to legislation and policies for safer communities is a key aim of the coalition government. I was extremely pleased when the Minister for Energy and Resources outlined the coalition's plan, which would substantially reduce the risk of bushfires caused by powerlines in Victoria. Through that plan the government would implement recommendations 27 and 32 of the 2009 Victorian Bushfires Royal Commission.

Following the work of the Powerline Bushfire Safety Taskforce, the minister accepted the recommendations put forward. To come up with a plan that was affordable and sensible and which would have minimal impact on consumers was complex and was always going to be tough. The good thing was that the minister did not declare it to be too hard or too costly and did not walk away from the issue, as the former government did. The investment of \$750 million in this area is excellent, and I congratulate the Treasurer and the Minister for Bushfire Response for their roles. Whilst powerlines are not the only way in which a bushfire can start — they can be caused by lightning strikes and arson among other things — having a plan that reduces the risk of bushfires from electricity assets by up to 64 per cent over 10 years is worthy of praise.

The Minister for Bushfire Response also invited the federal government to provide an additional \$250 million to bring the total investment to \$1 billion. I call on the opposition not to walk away from this initiative again but to lobby members of the federal government and get them to get their eyes back on the

ball and contribute the additional funds for this very important initiative. I commend the — —

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

Child protection: criminal abuse inquiry

Ms BARKER (Oakleigh) — I have previously called for an independent statutory inquiry into the internal processes of the Catholic Church in Victoria in regard to clergy sexual abuse, which should ensure the legal recovery of documents and provide the power to compel witnesses to give evidence. Terms of reference for a royal commission were given to the Attorney-General in August last year, with the Attorney-General indicating he wished to wait on the Cummins report. The Cummins report was tabled yesterday and has recommended that a formal investigation be conducted into the processes by which religious organisations respond to the criminal abuse of children by religious personnel within their organisations. Importantly the recommendation states that such an investigation should possess the powers to compel the elicitation of witness evidence and of documentary and electronic evidence.

Section 14.5.3 of volume 2 of the Cummins report entitled *Report of the Protecting Victoria's Vulnerable Children Inquiry* states 'The investigation and prosecution of crimes is properly a matter for the state' and 'A private system of investigation and compensation, no matter how faithfully conducted, cannot fulfil the responsibility of the state to investigate and prosecute crime'. I have previously stated that all organisations in Victoria, including churches, must recognise that it is state law, practice and process which override any internal processes.

I agree with the Cummins inquiry that arguments often put forward that this type of investigation would be merely historical are not persuasive, and I agree that we need to know if past abuses have been institutionally hidden and whether religious organisations have been active or complicit in their suppression. The Attorney-General has terms of reference which can be used to implement this recommendation of the Cummins report. I thank him for his consideration to date, and I ask him to now get this inquiry under way.

Rooming houses: regulation

Mr SOUTHWICK (Caulfield) — Residents of my electorate of Caulfield have raised with me in recent weeks the real problem of illegal backpacking facilities and rooming houses. These properties often breach

countless local regulations and put residents and their neighbours in real danger just so that their owners can make a quick buck. The danger posed to the neighbourhood is real and needs to be stopped. I thank my constituents for bringing this to my attention, and I call on the cities of Glen Eira and Port Phillip to crack down on this issue and stop this threat to public safety and wellbeing.

Rotary Club of Caulfield: 50th anniversary

Mr SOUTHWICK — The Rotary Club of Caulfield has celebrated its 50th anniversary, and I congratulate it on this milestone. Rotary clubs such as Caulfield are one of the linchpins of our volunteer society, and they do incredibly important work in supporting communities, small businesses and members of our community. Well done to Sophie Potasz and the Caulfield Rotarians past and present on this great milestone.

The Friendship Circle

Mr SOUTHWICK — I recently joined local organisation the Friendship Circle for one of its cooking classes for young people with special needs, who are supported largely by young volunteers. This is a great initiative which provides independence, practical skills and a bit of fun for young people. I also took part in its Walk 4 Friendship at Princes Park, which raised over \$40 000 for its worthy cause. Congratulations to Mordi Engel and his team.

Caulfield electorate: charitable organisations

Mr SOUTHWICK — Charities and volunteer organisations do an immense amount of good work in all of our communities providing support to those who desperately need it and backing up the important welfare work of government at all levels. My electorate of Caulfield has a number of organisations doing great things with shrinking philanthropic funds. I recently attended the Jewish Care annual community appeal launch. That organisation desperately requires these funds to do some great work in areas ranging from disability to youth and aged care. In tough economic times I encourage all Victorians to dig deep and support a local charity in their area.

Lower Plenty Football Club

Mr HERBERT (Eltham) — I seek to acknowledge a terrific initiative from the Lower Plenty Football Club, the Bears, which for the first time this season is fielding a team in the Football Integration Development Association competition. FIDA, as it is known, is a

great organisation that runs organised football competitions throughout Victoria for people with an intellectual disability. On 4 March the Bears will be holding their registration day, and I encourage club members and the community to come along and support them for the start of their season in April.

Governments around Australia have finally acknowledged that much more needs to be done in providing assistance and support for those who live with disability. Clearly the federal government's work on a national disability insurance scheme has excited the whole disability sports sector. But even more exciting is the fact that local communities have taken up the baton and are playing their part in expanding opportunities for those with a disability. Lower Plenty Football Club is one such community group. I would like to acknowledge Grant Barden, Tony Newlands and Alan Gibbs from the club, Ross Coverdale and Sarah Chapman from Araluen Centre, Jeremy Bourke from the Northern Football League and Banyule City Council, who combined to make this initiative a reality.

Lower Plenty Football Club has a reputation for being fiercely competitive, as does any good football club. It is great to see that it is also a great community asset, reaching out to those who have traditionally been denied the chance of playing football. I am sure the Bears' latest team will uphold and enhance the Lower Plenty Football Club's reputation for football excellence. I wish them well.

Melbourne International Comedy Festival: economic benefits

Mrs VICTORIA (Bayswater) — I would like to congratulate in advance all of those who have put together this year's Melbourne International Comedy Festival, because I know how good it is going to be. In about a month's time for about four weeks the comedy festival will again inject a lot of money into the Victorian economy. It is estimated that in fact it brings about \$30 million to the state. Congratulations to Susan Provan, the festival director, and also the general manager, Virginia Lovett, and the chair, Bill Shannon, for putting on what will be an amazing event. Again, with more than 5000 performances there will be something for everyone.

Bayswater electorate: student leaders

Mrs VICTORIA — Congratulations to all the new school captains in the district of Bayswater. The students in their leadership positions will do extremely well. I would like to mention especially those at Bayswater South Primary School, where I had the

honour of presenting their badges, including to the school captains, Amelia Edwards and Oliver Willand, and also the vice-captains, Hayley Curtis and Rowan Ennis-King. I was also at Regency Park Primary School, and that school has some outstanding young leaders.

2nd Wantirna Scout Group: funding

Mrs VICTORIA — The Baillieu government has invested \$20 000 in the 2nd Wantirna Scout Group. I thank Rolf Kums for bringing some of the children down to the scout hall to receive notification that we have invested this money to help the scout group to renovate its tired bathrooms. Organised activities like this help in children's development and teach them teamwork as well as a sense of responsibility.

Pink Ladies: lunch

Mrs VICTORIA — Congratulations to Jo McIntyre on her Pink Ladies lunch.

Soccer: City of Greater Geelong Cup

Mr EREN (Lara) — It is with great pleasure that I inform the house that despite the lack of support from the current government, the longest running regional Victorian soccer tournament, traditionally called the Geelong Addy Cup, is still going ahead, with the finals this Sunday at the Bell Park Sports Club, which is the host for this year. As I have mentioned to the house numerous times, this pre-season cup has been running since 1981. The competition draws large crowds during the summer months and is hotly contested, with every game a local derby. While in government I was proud of the support Labor showed this competition. We provided funding through the Go for Your Life program, and it was renamed the Go for Your Life cup for two years until the election in 2010.

Unfortunately, following the election of the Baillieu government the City of Greater Geelong had to step up as a last-minute sponsor and save Geelong's leading soccer clubs — all because the Liberal-Nationals government scrapped the all-important Go for Your Life funding. Those opposite showed their lack of support for Geelong and importantly for the soccer community. The minister should be ashamed that his government did not step up to the plate and support such a vital competition.

This is especially depressing considering that in an October 2011 press release the minister stated:

There's been an unprecedented boom in interest and support of soccer throughout Victoria, especially with the return of

Australian heroes like Harry Kewell to play in this year's A-league season ...

Given this, it is even more disappointing that the minister has been absent during his time as minister and has not seemed to bring this important competition to the attention of his government. Geelong has a proud history when it comes to soccer, as we have continually provided national team players for the Socceroos.

Forest Hill electorate: student leaders

Mr ANGUS (Forest Hill) — In recent weeks I have had the great pleasure of attending several schools in the electorate of Forest Hill. In particular I had the honour of presenting a range of badges and certificates to the various school leaders. I congratulate all the Forest Hill students who have willingly taken on the extra responsibilities involved in these leadership roles and wish them, together with all the other students, the teachers and the other staff, well for the year ahead.

India and Middle East: trade delegations

Mr ANGUS — I congratulate the Premier and the ministers who participated in the recent trade missions to various countries, in particular the United Arab Emirates and India. It was a great initiative by the coalition government to undertake Victoria's largest ever trade mission, gathering over 200 businesses and organisations from Victoria to participate. Cultivating two-way trade and investment relationships with strategic countries is a way of generating more jobs for Victorians as well as new export opportunities and investment for Victorian businesses. The coalition government in Victoria is continuing to work tirelessly to assist Victorian businesses to grow and increase jobs throughout the state.

Carbon tax: economic impact

Mr ANGUS — The recent events in Canberra have been a good example of an out-of-touch Labor-Greens federal government that is more interested in one job and self-preservation than the good of the country and the jobs of ordinary Victorians. Those opposite continue to stand condemned for not standing up for Victorian workers against the biggest threat to jobs currently in Victoria — namely, the federal government's deceitful carbon tax. I call on the state opposition to stand up for all Victorians and lobby their federal colleagues to prevent the carbon tax from being implemented and inevitably causing economic damage to Victorian businesses, workers and families.

Roads: Werribee employment precinct

Mr PALLAS (Tarneit) — I express my growing concern and the concern of my community about the urgent need for the government to commit to substantial action on the development of the Werribee employment precinct. This is a much-needed investment aimed at developing local job opportunities in my electorate of Tarneit in the outer west of Melbourne. The city of Wyndham has the fastest population growth rate in Australia at 8.8 per cent, which is equivalent to 11 households a day, and has suffered the worst of the recent employment slowdown. This government's failure to invest in infrastructure is exacerbating the situation. In the last calendar year the outer west lost 6800 jobs — more than anywhere else in Victoria.

The city of Wyndham is expected to grow by almost 80 000 households over the next 20 years. The problem will be seriously exacerbated if the proposed injection of 2000 additional houses, meaning up to 5000 additional residents, under the Point Cook west development goes ahead. The roads are already congested, and the infrastructure is overburdened. As the *Wyndham Weekly* noted on 25 January, the councillors at Wyndham have launched a scathing attack on the Point Cook west development, and I join them in their criticism. I congratulate the deputy mayor and my Liberal Party opponent at the last election, Cr Glenn Goodfellow, who told the *Wyndham Weekly* that whilst 2000 homes in a 145-hectare parcel of land have been earmarked for development, there is no commitment to an interchange worth \$80 million at Sneydes Road or the Dunnings Road overpass. Here we have a road in a plan, but guess what? It is a road to nowhere.

Rail: protective services officers

Mr BATTIN (Gembrook) — In a 2010 report the Auditor-General noted that around 7000 passengers were assaulted or robbed on the network each year — that is, around the same level as in 2005–06. It was a figure that was of concern to all Victorians and an issue that regular travellers expected the government to act on. The former government, instead of acting, attempted to talk down these figures as great news that crime had not risen and that there was no problem because we had more travellers than previously and therefore the percentage of travellers who experienced crime was lower.

The current government has acted to prevent crime on our public transport network with the introduction of protective services officers (PSOs) to work on our

railway stations from 6.00 p.m. to the last train, seven days a week. The government is putting in place its agenda to protect Victorians in their homes, on the street and on the public transport network. When this policy was first revealed the former Minister for Police and Emergency Services, Mr Cameron, referred to the hardworking officers who protect these buildings as 'plastic police'. Maybe he should see the work these men and women do to protect not just us but also our courts and areas of public interest.

I had the pleasure of working with the PSOs at the Magistrates Court in Dandenong, and I can tell you that their level of work and commitment to our community is of a very high standard. I for one encourage the community and the media to support the Victorian PSOs as they go about working hard to protect our community by reducing crime on our public transport network. I would have been proud to be one of them, and I would not sit there and bag them from across the hall. It is a new policy, which the Minister for Police and Emergency Services and the Minister for Public Transport have supported to ensure that the Baillieu government continues — —

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

Ovarian Cancer Awareness Month

Ms THOMSON (Footscray) — February is Ovarian Cancer Awareness Month. I rise to speak on this very important issue. We hear a lot about the various cancers that afflict people, but one of the most seriously dangerous cancers for women is ovarian cancer. This is because it is a cancer that is unlike the other forms of cancers, because the symptoms are unrecognisable as those of a serious illness.

Ovarian Cancer Awareness Month is an important month for women and for men to realise that this is a deadly disease because it is so hard to diagnose. The symptoms can be as simple as bloating. You might think, 'There's nothing seriously wrong. I don't need to go to the doctor', and when you finally realise that there is something wrong, it is either too late or extreme measures have to be taken with radical treatments.

This disease afflicts women of all ages, and particularly young women as well. It is a disease for which we hope a diagnosis and a treatment that is less severe than the treatment that is currently available will come quickly. I ask that all women check for the symptoms of ovarian cancer, so that if you are, for example, feeling a little bloated and it has been continuing for a bit of time, take the time to go to see a doctor and get it checked out.

The SPEAKER — Order! The member for Mitcham has only 1 minute.

Rail: protective services officers

Ms RYALL (Mitcham) — I would like to congratulate the first PSOs (protective services officers) who have graduated and are now providing support, safety, a protective presence and information to commuters at train stations. This is a commendable profession and occupation, and the people of the Mitcham electorate, including high school students, have told me how important they believe PSOs are to making them feel safe when using our train system.

I call on the opposition to get behind our PSOs, particularly the Deputy Leader of the Opposition after he labelled them 'plastic police', and to support them and show them the respect that is due any profession and certainly anyone who has dedicated their working time to looking after and protecting others.

Deb Forster

Ms RYALL — I would like to recognise the tireless work of Mitcham resident Deb Forster, who has given starved and beaten dogs from puppy farms and pounds a second chance at life by staging adoption drives and fundraising events for an animal rescue organisation. This organisation finds new homes for lost or abandoned pets and pays vet bills for these pets where they are needed.

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

MATTERS OF PUBLIC IMPORTANCE

Government: financial management

The SPEAKER — Order! I have accepted a statement from the member for Scoresby proposing the following matter of public importance for discussion:

That this house congratulates the Liberal-Nationals coalition government for providing stable and responsible budgetary management to the people of Victoria, particularly during a period of global economic upheaval, and condemns the former Labor government for squandering billions of dollars of taxpayers money during its 11 years in office.

Mr WELLS (Treasurer) — It is very clear to me and members on this side of the house that Labor simply cannot manage money. In the 1980s and early 1990s the Cain and Kirner governments lost this state's AAA credit rating, and what was happening in that period of time is that the government was using the

credit card to pay the wages of nurses, teachers and police while at the same time racking up unacceptable levels of debt. We got ourselves into a situation where we were facing a recurrent deficit of about \$3 billion a year and debts were increasing to about \$32 billion a year. The problem was that we were spending more on interest than we were actually spending on health, so Victoria was seen as a basket case or the rust bucket of the country.

With the election of the Kennett government in 1992 we saw some difficult decisions and a difficult period of time. We saw the immediate pay-down of some of that debt, and we obviously had to get the recurrent expenditures back into some sort of balance. In addition, during the 1990s Victoria's productivity actually increased to above the national average; before then it had been well below the national average. Productivity is absolutely crucial to Victoria because it does not have the mineral wealth of Western Australia or Queensland.

What did the coalition face when it came into government in 2010? The first thing we had to deal with was the enormous amount in cost overruns. It is hard to believe that in just 10 or 11 years the Bracks and Brumby governments had built up cost overruns to the value of around \$11 billion for projects they simply could not manage. It got to the stage where, in an attempt to fix the problems, they just continued to throw money at them. One example is myki. Labor's only solution was to pay for more consultants and contractors to add to the system while they were changing the scope of myki midstream. That is what led to the cost overruns.

Labor was going to move Melbourne Markets from Footscray Road to Epping. I would have thought the people in West Melbourne would move to Epping so they would at least maintain their revenue stream, but that was not the case.

One of the most disgraceful examples of cost overruns was mentioned in the Ombudsman's report on his own-motion investigation into ICT-enabled projects — that is, the Department of Human Services' client relationship information system, which was supposed to cost \$22 million but blew out to \$70 million. I always feel sad when I read this part of the report, at paragraph 383:

The project was not funded by the cabinet budget committee, rather it was entirely funded by DHS. As such, the additional costs were covered by diverting funds from program areas, including child protection, and there was no requirement to obtain government approval.

The former government took money out of the child protection budget to pay for a cost overrun on IT. That is a disgraceful situation.

We also have the issue of lapsing programs — that is, programs that were going to finish on 30 June 2011. Funding for 65 park rangers working for Parks Victoria was going to finish on 30 June 2011 without one cent having been allocated for the day after. We would have thought that there would be ongoing funding for Royal Society for the Prevention of Cruelty to Animals officers, but once again that funding finished on 30 June 2011. It was the Baillieu government that needed to find the money to ensure ongoing funding for those officers.

Another disappointment on coming to office was finding that over the previous 10 years annual expenditure had increased by an average of 8 per cent. That might be fine; the problem was that revenue had increased by only 7.3 per cent over that time. We were going backwards, on average, every single year. The budget was not sustaining the expenditure that had been allocated by the previous government, and this was something we had to deal with immediately.

The other issue we are grappling with now is the public service. We are not talking about front-line staff like police, nurses and teachers; we are talking about the back-office area. The Victorian public service grew by 5.3 per cent between 2006 and 2010. The problem is that the population was only growing at 2 per cent, and one would have thought that the public service would grow in line with population growth. I am not sure why there was such an increase, but we need to deal with that.

Another issue of great significance that we were faced with was the GST. When we came in we were hit with the relativity downgrade from 94 cents down to 90 cents, costing us \$2.5 billion over the forward estimates period and shrinking the pool by \$1.6 billion. What was disappointing was that there was not one word of support from members of the previous state government. We would have thought that they would have supported us in putting our case to the federal government. We did put that case, and federal Treasurer Wayne Swan and Prime Minister Julia Gillard, to their credit, accepted the argument that was put forward by us as a government — that is, that the current relativity formula was unfair. What is disappointing is that it seems they are dragging out that reform with former Premiers Greiner and Brumby, who have been working on it.

The issue is also in regard to the \$550 million that was taken out of the regional rail project. That was another \$550 million which we had to deal with. In our first budget we said that we were absolutely committed to the \$100 million surplus, that we were absolutely committed to the AAA credit rating, that we were going to make sure that we were going to pull back expenditure — and we did that — and that we were going to make sure that we were focused on stabilising debt and being able to free up more money to increase expenditure on infrastructure.

From World Bank reports we know what is going on around the world and what is happening in Greece. In addition we have a high Australian dollar, which is really playing havoc with our manufacturers. At the same time, because of a lack of confidence, households are saving rather than spending. Many people would say that is a good thing, but the issue is that it is impacting on jobs and on GST revenue. Of course, on top of all that is going on, the Gillard government is absolutely hell-bent on bringing in a carbon tax, and in Victoria that is hitting us hard for two reasons. Firstly, it is because we rely on our competitive advantage of brown coal; we have a 500-year supply of brown coal, and the tax is going to have a very hard impact on us. Secondly, it is because we have such a large manufacturing base. One of the input costs for manufacturing is power, and the tax is going to hit Victorian manufacturers very hard.

The other issue we are having to deal with is that the budgets of previous governments relied on one-off funding from the commonwealth government — that is, the Building the Education Revolution funding. That multimillion-dollar revenue input to the budget was being included to prop up the bottom line. When you are relying on those one-off payments and the merry-go-round stops, someone has to fund the expenditure that has been built up. In the budget of 2011 we had to start the process of rebuilding state finances. We said we would have a \$100 million surplus, and we said we would introduce efficiency savings of \$2.2 billion. We went to the election promising \$1.6 billion, but when we got into government and found what we were faced with we had to go further and increased the \$1.6 billion to \$2.2 billion. We had to constrain expenditure growth to 3.2 per cent, and we had to bring in the high-value, high-risk unit that sits in my department in Treasury. That unit ensures that every major project with a value of more than \$100 million or IT project of significance has to go through increased rigour and a higher level of evaluation to make sure it stacks up. We said we were going to stabilise net debt, and we said we would maintain our AAA credit rating.

What is disappointing is the view of state Labor members. They sit there and whinge, whine and carp. The Leader of the Opposition said the opposition was going to have a comprehensive policy platform in 2012. That is what he said. When we look for the comprehensive policy platform in 2012 what we find on the website are highlights of Victorian Labor's 2010 platform. The website has not been updated. Labor said it was going to have a comprehensive policy platform, but Labor members are still referring to the foreword by former Premier John Brumby to the 2010 platform.

An honourable member — Living in the past.

Mr WELLS — They are living in the past. While it is great to be able to criticise and say you are going to come up with a platform in 2012, what you need to do is update the website, because it does not look good when you are referring back to 2010.

What we had to do was bring forward the budget update, which I delivered on 15 December last year. That was to ensure that we stuck by the \$100 million surplus and that we were able to create jobs, increase business investment and boost productivity. The 2011 budget update I delivered on 15 December was about maintaining business confidence, making sure that we have adequate funds for infrastructure, making sure that we have a competitive tax advantage, maintaining — once again — the AAA credit rating and making sure that we have the funds available for those valuable front-line services such as 1700 extra police, 940 PSOs and more nurses. It was about the delivery of those front-line services. It was a difficult period and we had to make difficult decisions, but they were the right decisions to make. We made sure we had a strong financial footing in this state.

The budget update means that we will have forward estimates surpluses of \$2.5 billion and that our net debt is \$804 million lower than the figure stated in the May 2011 state budget. That is a cut in the debt from 5.9 per cent of gross state product (GSP) to 5.8 per cent of GSP. That is important because whilst we said we were going to stabilise the debt we actually went a step further and cut it. That is not an easy thing to do.

We also said that our expenditure growth would be 3.1 per cent and that we were implementing further efficiency measures of \$1.9 billion. That includes 3600 voluntary redundancies for the Victorian public service (VPS), the non-renewal of fixed-term contracts and a reduction in the number of contractors and consultants across government. This is important, but it is also focused on back-office staff; it is making sure we protect the front-line services. We will ensure that

we continue to increase funding in health, education, community services and community safety so that we provide quality services for hardworking Victorians. The announcement means that staffing in the VPS is back to 2007–08 levels. We have brought it back to a realistic level.

We are increasing registration fees and increasing the new passenger car stamp duty from 2.5 per cent to 3 per cent, and this is important. We needed to make sure that by increasing those services and by reducing debt we were able to boost the surplus in order to spend our money on infrastructure rather than going on to further the debt increases we saw under the previous government. That was unacceptable. The previous government relied on debt; we are relying on increasing the surplus. It means creating more jobs. In creating more jobs we have to have strong finances. We have to boost productivity. How are we boosting productivity? We are doing so by cutting red tape by 25 per cent, by having better industrial relations — which is something those opposite would never do because they are too scared of their union mates — and by making sure we have a record amount of skills investment and productivity-enhancing infrastructure, such as regional rail.

In conclusion, a strong budget underpins absolutely everything. It enables economic challenges to be met and is the foundation for economic growth, employment and productivity.

Mr HOLDING (Lyndhurst) — What a pathetic and hollow figure the member for Scoresby has become, exemplified by the ludicrous matter of public importance that this house is being asked to support today. Let us look objectively at the matter the member for Scoresby wants this house to support. Firstly, he asks us to condemn the economic and fiscal performance of the former government, and in the same breath he asks us to laud the fiscal and budgetary strategy of the current government.

Let us just look at the facts. The facts are that debt will be higher under this government than it ever was under Labor and debt is forecast to be higher under this government than it ever was under Labor. The truth is that the surplus will be lower under this government than it ever was under Labor and the surplus is forecast to be lower under this government than it ever was under Labor. Government members expect us to believe that they inherited some sort of fiscal basket case from the previous government. Let us take them at their word, because on 1 December 2010, when this government came to office, following a briefing from the Department of Treasury and Finance the Premier

declared that the advice the government had received was that there were no surprises in the financial position it inherited.

What was the financial position government members inherited? They inherited the best set of books of any government anywhere in Australia. That is the truth — the best balance sheet of any government anywhere in Australia. Victoria's budget had a credit rating of AAA by international rating agencies. Do not take our word for it. What did Standard and Poor's have to say? In its assessment of the Victorian fiscal position delivered in November 2010 Standard and Poor's said:

Victoria's good governance — including its strong fiscal strategy and good financial transparency — aids the state's credit quality.

That is what Standard and Poor's had to say. What did Moody's have to say? It said:

Victoria's credit quality reflects a long-term record of sound financial performance underpinned by the state's prudent fiscal practices along with historically strong growth in tax revenues and commonwealth grants.

That is what Moody's had to say. Standard and Poor's gave us a AAA credit rating, and Moody's gave us a AAA credit rating. This government inherited the best set of books of any government in Australia, and anything government members say should be compared to the statement the Premier made in December 2010 upon coming to office, when he said there were 'no surprises' in the state's financial position.

What have government members done since then? What have these economic geniuses, these Nobel Prize-winning laureates, done since coming to office? The first thing they did was deliver the so-called Vertigan report, the first iteration of which was delivered before last year's budget. What did it say? It said that debt should be eliminated and that it should be zero averaged over a 10-year period. Is this government anywhere along the path to delivering this ludicrous and unsustainable recommendation made in the Vertigan report — a recommendation condemned by every sensible economist and financial commentator in Australia after it was delivered? Are government members anywhere along the path to delivering this recommendation? The answer is no. This government's budget delivered last year in this house doubled the state's debt. Far from rushing to embrace the Vertigan report's ludicrous recommendation, this government has turned its back on it.

What did government members follow up the Vertigan report with? A week later, in April 2011, the Treasurer delivered the *Victorian Economic and Financial*

Statement. What a shameful document this is. What did the *Age* say about this great financial treatise from our Treasurer? On 15 April 2011 the *Age* states:

You have to wonder if Treasury isn't ashamed to have its name attached to this so-called 'Victorian Economic and Financial Statement'. If it isn't, it certainly should be. According to Premier Ted Baillieu, this document was written by Treasury. Yet it has little to do with economics and much to do with politics, dovetailing neatly with an agenda to trash Labor's legacy and manage expectations for the May 3 budget.

That is what the *Age* had to say about the shameful financial statement delivered by the Treasurer in the lead-up to his budget last year. He is an embarrassment to himself, an embarrassment to the government and an embarrassment to the Department of Treasury and Finance, which is respected nationally and internationally for its independence and the rigour of its policy preparations.

What else? Following the Vertigan report and this ludicrous statement from the Treasurer, what else have we heard from the Treasurer since he came to office? Firstly, we have heard nothing on the elephant in the room — the jobs crisis that faces Victorians. There has been nothing from the Treasurer in relation to that. A budget was delivered in this chamber without one mention of the word 'jobs' — the policy dilemma that dares not speak its name. On this Treasurer's watch it seems not a day can go by without another announcement by a Victorian company that it is either reviewing its workforce or letting jobs go. Whether it is Heinz, ANZ, Westpac, Toyota, Alcoa, Qantas or Bosch, one company after another is either reviewing operations or slashing its workforce, yet the Treasurer has nothing to say about the elephant in the room.

What does he have to say? He was missing in action for most of 2011. He was the bubble boy not allowed out of Treasury Place because he was so hopeless and so incompetent. We all remember his humiliating performance when he was sent out to speak on the carbon tax. One reporter asked, 'Do you understand the question, Mr Wells', because the Treasurer was unwilling and unable to answer questions.

The headline on the front page of the *Age* of Wednesday, 21 September last year, is 'State fudges carbon figures'. The headline of an article in the *Australian Financial Review* of 21 September last year is 'Wells fluffs quiz on carbon tax'. What a humiliating performance from the Treasurer!

Then what happened? The Treasurer was benched by the Premier when the review of Alcoa's workforce was announced and the Minister for Regional Cities was

brought in to manage the Alcoa process because the Treasurer is too incompetent and cannot be trusted to manage one of the most challenging issues facing this state over the coming decade. He was humiliated on the carbon tax and benched on Alcoa. He is the bubble boy of the Victorian government — the Treasurer who has been missing in action.

Who else do we have to lead the industry and economic agenda of the government? The Deputy Leader of the Liberal Party, who is Minister for Innovation, Services and Small Business and Minister for Tourism and Major Events. What an embarrassment she has turned out to be. This matter of public importance asks us to laud the government's budgetary position, but the very people responsible for delivering the budgetary and economic position of this government are an embarrassment.

The Deputy Leader of the Liberal Party was asleep in her office when the division bells rang. What a metaphor for this government's economic performance! She was asleep in her office. She then confused Mumbai with Dubai. How humiliating! Then there was her performance yesterday, confusing yes and no as to whether the cuts were to front-line services and the like. Then last night she snuck into the chamber, hoping that under the cover of the adjournment debate she would be able to deliver a correction to the words that she misspoke in this chamber when she was asked about jobs during question time yesterday. This is a minister who has been condemned as the laziest tourism minister since the last time she was tourism minister, yet she is supposed to be the principal economic spokesperson for the government.

Then what did we have? We had the Treasurer in here earlier saying that productivity is the key issue facing this government. When he delivered his budget last year the Treasurer said that productivity was the most important issue facing the government, yet yesterday in the other house the Minister for Manufacturing, Exports and Trade — the Minister for Nothing — delivered the humiliating answer that revealed he does not know what productivity is. We have a manufacturing minister who cannot answer a question about what productivity is, and we have a Treasurer who cannot answer a question about what domestic abatement is.

These ministers are just not up to it. It is not enough that they are asleep at the wheel and that they have formed a dithering, do-nothing, complacent government; they are in fact incompetent. They are condemned by every financial and economic commentator in Australia who takes the time to look at the sorts of statements government members are

making about the state of Victoria's economy. They have nothing to say about plans to create jobs and generate investment. They are an embarrassment at the key time when our economy needs a strong and forceful investment policy. At the key time when our state needs a strong and forceful jobs plan and a plan to drive competitiveness and productivity we have instead a government that is asleep at the wheel.

We have a government that is congratulating itself on its fiscal management, yet it is happy to rip \$500 million out of the state's WorkCover scheme. WorkCover is the best workplace rehabilitation and occupational health and safety scheme anywhere in Australia, and what is this government's only response to it? It is not a response to sign up to the national OHS (occupational health and safety) agenda — an agenda that Victoria has been driving and that Victoria has seen other states modelling their OHS arrangements on. You would think that those opposite, who talk so much about economic reform and productivity, would be rushing to embrace this initiative that was set in train by the previous government, but in fact they have walked away from that and instead want to rip \$500 million out of WorkCover to prop up their fiscal position — the very position they are expecting this house to laud and commend them for today.

The government has embarked on an unprecedented \$500 million raid on Victoria's WorkCover scheme. This is money contributed by employers through workplace premiums to boost occupational health and safety and to provide support for injured workers. The government's response, because of the health of the scheme, is to raid it to prop up its dismal financial performance, its dismal fiscal record in the short period of time it has been in office. We inherited from the coalition \$1 billion in unfunded WorkCover liabilities when we came to office. We turned the scheme around, so do not believe the myth about the coalition being superior economic managers. We turned the scheme around, but not by slashing benefits to injured workers and not by restricting access to common law. We turned the scheme around by reducing accidents in the workplace. We cut premiums and boosted benefits to injured workers. We did those two things at the same time. We put the scheme on a sound financial basis.

This government's performance is an embarrassment given the strong fiscal position it inherited from the previous government. This government's only answer to the strong budget position it inherited from us has been to embark on a systematic strategy to trash Victoria's fiscal record and to tell other states that Victoria somehow had an inadequate fiscal position. So what do government members do? They whinge about

the GST. But who is called on to fix up the GST situation and to make sure that Victoria gets the best share it can? None other than the former Premier John Brumby, the person who those opposite condemned for his strong stewardship of Victoria's economy. The very person who they condemn is the person who has been called upon by the national government to work with Nick Greiner to make sure we get the best possible outcome for Victoria.

This matter of public importance the house is being asked to endorse today is an embarrassment. It is an embarrassment to the Treasurer, who proposed it. He knows that you cannot trash the reputation for fiscal management of the former government because it has been endorsed by Standard and Poor's and by Moody's. It is recognised that the government inherited the best fiscal position of any state government anywhere in Australia. The government itself endorsed it when it came to office on 1 December and said that there were no surprises in the financial position it had inherited. In turn we are asked to commend the government on its fiscal management. We condemn the government for its abject failure to prepare a jobs and investment plan to protect Victorian families.

Mr RYAN (Minister for Police and Emergency Services) — What an absolutely amazingly pathetic performance by the member for Lyndhurst. This is a man who has not come to grips with the reality that Labor was defeated at the election held in November 2010. Why was Labor defeated, I ask rhetorically? Labor was defeated because, amongst other things, it could not run a chook raffle. The people of Victoria threw Labor out because it is completely incompetent in relation to financial management — and you would never see a better example of it than the member for Lyndhurst in his former role as the Minister for Finance. During the campaign he stood in the backyard of this Parliament, which as I recall was the venue, with the then Treasurer, Mr Lenders, now the Leader of the Opposition in the other place, while the two of them in a stumbling, bumbling, awkward, awful performance tried to explain to the media pack how it was that their policy in relation to stamp duty on houses was going to operate. It was a shocker of a performance. The two of them standing there beside each other could not work it out, did not know what to say and contradicted each other. It was the absolute epitome of the Labor Party and its inadequacies.

It is a great pleasure, indeed an honour, for me to endorse the matter of public importance that is before the house. I listened with interest and very keenly, as I always do, to the wonderful and erudite contribution of the Treasurer, in which he summed up so very well the

situation with the various initiatives in which our government is currently engaged. I had occasion only a few days ago to be in Queensland, where I might say it rained every day, but that is another story. While I was up there the election for 24 March was announced. I pause to say — and I cannot help the momentary distraction — that 24 March is a day on which there will be another election — the by-election in Niddrie. If ever you wanted to see the Labor Party on display, you only needed to observe that the two former premiers, Bracks and Brumby, could not even agree between themselves as to who was going to be the candidate for the Labor Party in Niddrie. They cannot even work it out amongst themselves, let alone the voters.

The critical issue about the commentary in Queensland on the day the election was announced was to do with economic management. People were pleading to get a government to run that state — a government of either persuasion. The people at large in the sense of the general community were not concerned about who it was, but they wanted to have a AAA rating. We as a government are providing the AAA rating. The Queensland public wanted to make sure there was a curtailment of government spending. We as a government are providing it.

We are not going to keep growing a public service at 5.2 per cent in an environment where our population grows at 2.5 per cent. We will not do it, and we will not do it because financially you cannot do it. Who are the only people who do not understand that? Members of the Labor Party do not understand that. Labor has been spending beyond its means forever. The absolute Achilles heel of Labor governments around this state and federally is that they cannot manage money. They have no idea how to manage money. Invariably it is left to coalition governments to come along and pick up the pieces and get the whole thing running properly.

In Queensland the story is the same. They are pleading for the incoming government to curtail government spending. We are doing it on behalf of Victorians. They are pleading to return to the days when they had a surplus in their budgetary position in Queensland. We of course continue to provide it, and we will provide it on an ongoing basis. They want to make sure that their government is delivering services in accordance with the needs of the people of their state. We are doing it on behalf of all Victorians.

Not for one moment do I say or does the government say it is an easy task. As this matter of public importance before the house reflects, we are in turbulent times globally. There are difficulties. The apparent circus that passes for economic management

in some areas of Europe has an effect on the way in which we in Victoria live our lives, for all the reasons we know so well. But even in these very difficult times the people of Victoria can be confident, as they were in anticipation in 2010 and as they have been as they have seen us continuing to deliver since we assumed government, that we will deliver responsible, proper government around the budgetary position of our state as a foundation for the way in which Victoria operates. We understand there are those pressures and all those issues that this lot over on the other side could never have hoped to contend with, had they been the government of the day. Thank goodness they are not.

The member for Lyndhurst spoke about the rich legacy that we have inherited from the Labor Party. Let us have a look at a couple of the issues we have inherited. Let us have a look at the desalination plant, which costs almost \$2 million every day, day upon day. Victorians need to reflect on the fact that for about the next 30 years, when the sun goes down every day we will burn about another \$2 million, courtesy of the Labor Party — courtesy of the former Minister for Finance, who oversaw this absolute financial disaster, and his mates. We are faced with having to contend with 30 years of it.

What about the pipeline? What was the call at the time? Can we hear it even on the breeze now?

Honourable members — Plug the pipe!

Mr RYAN — We can! ‘Plug the pipe!’ was the call. Out there on the ground lies \$750 million, a testament to a failed Labor government which promised, hand on heart, that it would never pipe water from north of the divide to Melbourne and then did it — it broke yet another promise. To this day \$750 million has been wasted. In those two initiatives alone, around \$14 million to \$16 million each week, week upon week, for about the next 30 years will be burnt. That is the inheritance to which the member for Lyndhurst refers. How many schools and how many more hospitals could we build with that money?

What about ICT? We had a report on that delivered by the office of the Ombudsman late last year. ICT was supposed to cost \$1.3 billion, but it has cost \$2.7 billion — and half of it does not work. That is absolutely appalling management. What about the sale of the interest in electronic gaming machines? The Auditor-General says that cost Victoria \$3 billion. We got burnt for \$3 billion there. As for smart meters, I do not even know what they cost. I wish the minister was here to give me a rough estimate — it is probably about

\$1.5 billion. The numbers are so extraordinary you lose track of them.

Myki is another crying shame. You can run through it. Today a report on advertising has been tabled, which is a story in itself. Those opposite squandered money. They raped and pillaged the finances of this state, all in the name of what the member for Lyndhurst terms 'very proper financial management'. I will tell you what it is: it is just that, by the Labor Party's standards, because Labor simply cannot manage money. On top of that, to make bad even worse, we have Labor members standing up on the adjournment every night and in their 90-second statements every day, squealing, carping and whingeing about all the initiatives they now want to see undertaken in their respective electorates. 'Fix this road', 'Build this school' and 'Provide that additional health service', they say, when for 11 years they burnt the billions that would have been available to us as an incoming government to do all those things.

This is the proud legacy to which the member for Lyndhurst refers. The member for Lyndhurst and every one of those who sit opposite ought to be utterly ashamed of what they have done to the finances of the state of Victoria, and the matter of public importance before this house today quite properly encapsulates the fact that this Liberal-Nationals government came to power on the basis of promising the people of Victoria that we would provide stable financial management of our resources, particularly as carried through in relation to the budget. I tell you, Deputy Speaker, that we are doing that, and we will continue to do it. Furthermore, as this matter of public importance reflects, that former rabble of a Labor government should be condemned for the disgraceful manner in which it managed the finances of the state of Victoria. Labor members talk about a legacy; it is ours all right, and every Victorian is paying for it.

Mr FOLEY (Albert Park) — I rise to make a contribution to this completely audacious and ludicrous matter of public importance that the member for Scoresby has proposed. I rise not to praise the record of this government and its microeconomics, even in the form of the Treasurer, but indeed to condemn it. It is with staggering audacity that government members come in here and, despite their own inactivity, their lack of vision and their lack of any notion of a plan, propose this kind of matter of public importance to congratulate themselves on their 'stable and responsible budgetary management' and in so doing seek through their political strategies to try to trash the AAA rolled gold legacy of the former Bracks and Brumby governments that they know they have inherited.

But before I turn my attention to that, and while we are on the issue of audacity, I cannot let the contribution of the Deputy Premier go unchallenged, particularly when he has raised the issue of the Niddrie by-election in that contribution to the debate. Let it not be misunderstood: that was essentially a condemnation by the Deputy Premier of the gutless position taken by the Premier in abandoning the people of Niddrie. If this government is so proud of its — what does it call it? — stable and responsible budgetary position, let it test it in the ultimate court of opinion with the people of Niddrie.

This is the government's first opportunity to put that to the test, and what does it do? It squibs it. Why does it squib it? Because government members know in their heart of hearts that what they are doing is gormless management. What they are doing as they go about their visionless plans for the economic management of this state underpins their whole approach not just to the management of economics but to the role of government in this great state. Essentially today the Deputy Premier has called the Premier's bluff on this. Perhaps the representatives of The Nationals will take the next step and nominate someone for the seat of Niddrie and show up the Liberal Party for its gormless abandonment yet again of by-elections in this state. Having said that, I will return to the substance of the matter that the member for Scoresby has raised.

This government has come into this place after some 15 months of inactivity, and what little it has done in this area has been misplaced, badly targeted or counterproductive to the very things that it now seeks to have us believe make it a wise economic manager. What the government is essentially doing is seeking to justify its own inactivity and its putting at risk the jobs of hardworking Victorian families across many different sectors. Somehow or other that is our fault; it is the fault of the Labor Party — if you believe the government's rewriting of history. In fact that is all this is about. This was going to be a spin-free government, but it comes in here day after day seeking to manipulate, through the forums of the Parliament, outcomes and public perceptions and somehow or other justify its own inactivity in economic management.

It is the government's failure to deliver a comprehensive and integrated approach to how it should be seeking to manage the economic levers of this state that should be the subject of condemnation by the house today, not the rolled gold inheritance that it garnered from the former Labor government. Tell the struggling families who are facing uncertainty in the manufacturing belts and tell the struggling families in the electorates of government members in manufacturing, food and retail areas that face daily

uncertainty as to what is going to happen with their jobs that the members of this mob are rolled gold economic managers. Through their own efforts they have doubled the very things that the government condemns us for. In their first budget those opposite have doubled state debt. Their wafer thin margin in surplus has only been achieved by raiding to the tune of \$500 million the reserves of employer and worker contributions in WorkSafe. Essentially it was through worker contributions, which have made their own workplaces healthy, safer and better run, that the government was able to raid to the tune of \$500 million across the forward projections the amount that it needed to deliver its wafer thin surplus — it was almost an accounting con trick — in the Treasurer's midyear economic statement delivered before Christmas.

As the member for Lyndhurst has asked, what has happened to the Vertigan report? Members will recall that just over 12 months ago the initial report was tabled, and as I understand it another report is due next month. This was a high-powered, three-person committee that was to have full access across all of government to deliver those arrangements. But like some crazed uncle who you would want to keep in the attic upstairs, having let him out once they seem to have gone a bit quiet on letting him out again.

What we know of the Vertigan report from different pieces of useful information is that it is a Liberal Party scorched earth document: anything that is not nailed down is going to be flogged off; anything that can be contracted out will be contracted out. Is there a need for public services in any number of areas when supposedly the government's friends in the private sector will be able to deliver all these services? And all through the magic pudding of no debt, over a 10-year economic cycle somehow or other all these services will be delivered to the people of Victoria in a manner in which there will be no contribution from the people of Victoria long term.

This fairyland notion that Dr Vertigan and his two fellow elves are apparently delivering to the Victorian government has gone quiet, and with justification. In the real world in the modern integrated competitive economy in both the national and global economies, which the government knows it inherited, we delivered good services and good results to the people of Victoria. Those opposite, despite what they say, know that they got the best — if not in the world, then certainly in Australia — economic inheritance with which to play. Having said that, those opposite know that the arrangements they bring before us today and the Treasurer's matter of public importance before us

speaking volumes about the spin-driven nature of this government.

But let us have a look at what has happened since the midyear economic statement — the Treasurer's grand plan for things. It has changed a bit, depending on when they let him out, but we have had it reconfirmed by him on a number of occasions and by other ministers and the Premier. This grand economic strategy that those opposite say will deliver stable and responsible budgetary management to the people of Victoria apparently has three pillars: easing the regulatory burden through a 25 per cent cut in regulation, developing productivity and investing in infrastructure. But in all of those there is precious little to see in reality, because they are actually unclear as to what each of those key elements means.

As recently as yesterday we saw the minister responsible for this area in the other house unable, despite severe help from some of his friends — of which he has not many — to define the notions of what productivity actually means, because all that those opposite mean by 'productivity' is bashing working people. That is how they define 'productivity' — making even more insecure jobs that they would never in their own minds seek to do. This of course is in a state and in an economic situation where there is increasing job insecurity. These people simply want to go in a race to the bottom towards cutting jobs and cutting working conditions — because that is what the Liberal Party does. This is the party of WorkChoices; this is the party of hating working people. This is the party that is now in charge of the economic levers of this state. When they talk about productivity, that is what they mean.

When the Liberal Party members talk about investing in infrastructure, it is unclear again what they mean beyond a number of projects that they inherited from the former government, which they had to be dragged kicking and screaming to, particularly regional rail. Where are the hospital investments in the time frame that they were going to be delivered? Where are all the programs that this mob indicated it was going to deliver? They are nowhere to be seen, because they are undeliverable in their approach.

Unfortunately time is getting away from me. If I had my way, I would seek an extension, but I know there are others lining up on this side of the house to have a crack at this ludicrous matter of public importance. It stands to be condemned, as this government stands to be condemned.

Mr CLARK (Attorney-General) — If there is one enduring truth in Australian politics, it is that you cannot trust Labor with money. We have seen it time and again throughout the history of Australian and Victorian political life. Look at the legacy left by the Whitlam government. It trashed the national finances, inflation went through the roof, the economy was on its back and an enormous effort was required by the Fraser government to repair the damage that was left. Look at the Hawke-Keating era and the legacy left by Kim Beazley. Look at the efforts that John Howard and Peter Costello had to put into fixing the national economy as a result of Labor's inability to manage money.

Look at the Rudd and Gillard governments. Look at the disaster Australia is struggling with at the moment. Just think how much better off we would have been if the Howard government had remained with Peter Costello as Treasurer and how much better Australia would have weathered the global economic crisis under that regime compared with the incompetence of the Rudd and Gillard governments. Look at the enormous task that lies ahead for what will hopefully soon be an Abbott government which can then set about repairing that national damage.

In Victoria look at the Cain and Kirner legacy — the trams welded to the tram tracks outside in Bourke Street, the massive deficit and the unsustainable debt. Look at the effort the Kennett government had to put into repairing that damage and how the Kennett government did that successfully to take Victoria from being the basket case of the nation to a strongly growing economy with jobs, with productivity and, on top of everything else, with the funds available to deliver essential improvements in government services.

Look again at the mess the Baillieu government has inherited from the Bracks and Brumby regimes. For all the boasting and attempts to rewrite history from those opposite, when you look back on the legacy of the Bracks and Brumby governments for the first seven or so years of their terms of office you see that one of their biggest challenges was what to do with the ever-increasing revenue that was flowing into their coffers as a result of the state growth and state productivity created by the Kennett government and as a result of the national prosperity created by John Howard and Peter Costello.

What happened when the global financial crisis arrived and that scenario changed? Did the Labor government learn to adjust more difficult economic times? No way! It kept on spending as if there were no tomorrow. It kept on growing the public service at a completely

unsustainable rate. It kept on increasing its debt, it put off to future generations the cost of its own profligacy and they fudged its forward estimates to hide its own incompetence. Labor maintained surpluses on paper by including in its surpluses the capital grants that were given to it by the Rudd government.

When the Baillieu government came to office the legacy of an incoming coalition government was yet again to fix up the mess left behind by its Labor predecessors, and that is what it has had to set about doing and that is what it is doing, responsible step by responsible step. We have had to deal with all the black holes in the individual portfolios we have inherited because Labor fudged the figures and did not sustain programs that it was professing to the world had ongoing funding.

Look at the Attorney-General's portfolio. The Court Integrated Services Program should be a program dear to the hearts of the Labor members opposite who constantly wear their hearts on their sleeves and profess their commitment to the concerns of the underdogs and the battlers. This is a program that was directed at helping offenders with mental health issues, drug addiction and other problems get back on the straight and narrow and get their lives back in order. But this program, which should have been funded on an ongoing basis, ran out as at 30 June last year — a black hole in the budget. We had to find the money to continue to fund it, and we are funding it on a sustainable basis. It is no longer a short-term funded program under us; it is funded into the future indefinitely.

Similarly, as both sides of politics recognise, there is a serious issue with family violence in this state. But what did Labor do in terms of supporting community legal centres so they could provide advice to persons in difficult family situations? That money also ran out at 30 June last year. This government had to find \$9 million over the next four years to fund it on an ongoing basis — another black hole that Labor failed to fund. These are just examples of the issues the Baillieu government has had to grapple with in repairing the legacy it inherited from Labor.

We heard previous discussion in this debate about the capital budget side of things. On that side it is easy to spend a lot of money if you waste a lot of money, and Labor wasted money in droves, and furthermore Labor continued to ratchet up debt in order to fund its profligate spending. The member for Lyndhurst had the gall to assert that the Baillieu government was doubling debt. Let me remind him, although he should not need reminding; he should know the facts. You can pass off

as credulity the remarks from the member for Albert Park, but the member for Lyndhurst should know better that these sorts of figures were in Labor's forward estimates. The rapid increase in debt was a situation we inherited and had to manage, and we are the ones that made the commitment to put debt on a sustainable basis.

Regarding the term of the Labor government, I have described before in this house how when Labor members came to office in the first few years their rhetoric was, 'Aren't we wonderful; we are reducing debt'. Then their rhetoric was, 'Aren't we wonderful; we have got debt stabilised at a low level'. Then their rhetoric was, 'Aren't we wonderful, because debt is an increasing at a very modest level'. By the end of their term they were not talking about debt because it was projected to go through the roof.

That is the difficulty we have to cope with, and it is compounded by another major ongoing failing of the Labor side of politics — the inability to achieve a responsible and law-abiding industrial relations environment in Australia and particularly here in Victoria. Critical to productivity in the Victorian economy is a law-abiding and productive building and construction sector. The Howard government recognised that, and it established the Office of the Australian Building and Construction Commissioner, and for a brief period of time peace reigned on building sites in Victoria. You would speak to front-line managers in the building sector and they would say they actually enjoyed coming to work for a change because they could get on with building things instead of dealing with the day-to-day hassle and aggro and grief and disruption caused by building unions that were out of control.

But what have we got now? Between state and federal Labor, we see a concerted effort to scrap that regime, to abolish the Australian building and construction commissioner. They promised to replace it with a building inspectorate, and then what did they do up in Canberra at the last minute? They slipped through amendments that said that if unions could bludgeon employers into backing down on a complaint they made about industrial lawlessness, then the building inspectorate — the so-called strong cop on the beat that Ms Gillard promised — could no longer do anything.

Where is Labor's commitment to the rule of law, particularly to the rule of law on building sites? Where is the Leader of the Opposition? Where is his spokesperson on industrial relations coming out and condemning what the federal government has been doing? The Baillieu government is doing its utmost to

fill that gap with a strong set of industrial relations principles that will use the purchasing power of the government to try to restore some decency, some standards and some rule of law to building sites in Victoria, but we would not have to be doing that if state and federal Labor were prepared to maintain a strong Australian building and construction commissioner. This is vital for jobs and productivity because if we cannot hold down the exploding costs of building and construction projects in this state, we will not be able to continue to build the infrastructure that the state needs, and if we cannot afford to get those projects going, we are not creating jobs in the short term and we are not creating the productivity and the infrastructure that we need on an ongoing basis.

To finish up where I began, the Baillieu government is an incoming coalition government that is having to tackle a terrible financial and economic legacy left to it by its Labor predecessors. We are getting on with delivering what we said we would do in the election campaign — that is, that we would fix the problems and build for the future.

Ms NEVILLE (Bellarine) — What an extraordinary matter of public importance on which there have been some extraordinary contributions today! This matter of public importance is all about an opportunity for this government to once again try to divert attention from the fact that it has no economic plan and no jobs plan and to justify bringing out its normal mantra to divert attention, which is: 'Let's blame the previous government, and if we cannot, let's blame the federal government — or maybe both of them at once'. This matter of public importance is about ensuring that the facts do not get in the way of the truth here in Victoria; however, the facts are very important. The shadow Treasurer did an extremely good job earlier in outlining some of those facts, and I would like to review some of them.

For the whole time Labor was in government we enjoyed a AAA credit rating. I am not sure if other members read the front-page story in the *Age* of 17 February, but it suggested that after one budget period under this new government Victoria's AAA credit rating may be under threat. Great budget management from those opposite! During Labor's time in government net debt fell, and as the shadow Treasurer pointed out, in the last state budget what was predicted by this government was the doubling of debt. I am not making that up: they are the figures in the government's budget. Unfortunately the doubling of debt does not see significant investment in infrastructure or services.

In addition, during our time in government we cut payroll tax, we cut WorkCover premiums and we cut land tax rates. This government has delivered no tax cuts. In a terrible decision, this government has raided WorkCover of \$500 million, guaranteeing that businesses in this state will pay more in WorkCover premiums. I can tell the house now that if we had ever raided WorkCover, those opposite would have pointed to us and said 'You are not managing the budget'. This is a clear indication that this government is struggling. We did all of this — —

Honourable members interjecting.

The DEPUTY SPEAKER — Order! The Minister for Environment and Climate Change and the member for Williamstown will cease their conversation across the chamber.

Ms NEVILLE — This is what those opposite are congratulating themselves — —

Honourable members interjecting.

The DEPUTY SPEAKER — Order! The minister and the member for Williamstown will cease their conversation across the chamber.

Ms NEVILLE — On top of all of this the government announces that in order to manage budget constraints it is going to sack 3600 public servants. We hear the rants from members on the other side that, 'The public service grew in our time by about 5.2 per cent per annum'. Yes, it did, but guess what: we had to re-employ all of those sacked teachers, nurses and police officers when we came to government. In addition we invested in new services and programs that meant we employed more public servants in order to deliver the services Victorians needed and wanted. These services are now in doubt because of the decisions of this government. It is a furphy for this government to say it is not going to sack front-line workers. I can tell members that the sort of workers who are going to be lost in this state are people who are critical to ensuring good front-line service delivery. Victorians know that this will see a diminishing in service provision.

As I said earlier, this matter of public importance also provides an opportunity for the government to deflect attention from the fact that it has no economic plan for Victoria and absolutely no plan for regional Victoria. It is also a way to deflect attention from the fact that there is no jobs plan for Victoria. As other speakers have mentioned, 'jobs' seems to be a dirty word for this government. It is not in its budget speech. There were no strategies in the last budget to respond to and deal

with job losses or create new jobs and build future jobs for Victorians. How can members of this government congratulate themselves when the budget settings and economic policies of this government have resulted in a decline in the Victorian economy and a significant reduction in jobs and job creation in Victoria?

The member for South Barwon is smiling over there, but let us have a look at the figures released just this week for our region. Unemployment was sitting at 6.5 per cent in January, well above the 5.1 per cent figure of September 2010. Is that something about which the government should congratulate itself? The figures for new domestic building permits in our region show a decrease of 17.4 per cent compared to December 2010. In non-domestic building we saw a 5.5 per cent decrease. There was a decrease in the median house price of 2.4 per cent in the 2011 December quarter compared to the 2010 December quarter. These are very worrying figures and an indication that this government has no plans for regional Victoria and growing our economy in those areas.

Most concerning is what is currently facing Geelong. During the last sitting week Alcoa announced a review of the Point Henry smelter. The initial response by this government was to go silent, to go missing, not to go out and do any media, not to make a statement — —

Honourable members interjecting.

The DEPUTY SPEAKER — Order! The members for Burwood and South Barwon!

Ms NEVILLE — The government eventually had to come out and announce a ministerial committee. After the opposition leader and myself and some other members had been down to Alcoa and met with the management and with the workers, the Premier eventually sneaked down there on a Saturday morning — —

Honourable members interjecting.

Ms NEVILLE — I doubt it was to see a worker.

We have a ministerial committee, and the Treasurer is not on it, which is another indication that the Treasurer is not trusted to manage these issues. But I return to that week when the Premier was asked a question in this house about Alcoa and all he had to offer was to say that manufacturing is doing it tough, look at Rio Tinto. I can tell members that Rio Tinto is not in Geelong, but Alcoa is, and Alcoa is Victoria's biggest exporter. All the Premier has to offer is a ministerial committee and saying that manufacturing is doing it tough.

As Alcoa made clear to both sides, including federally, this review is not to do with the carbon tax, but of course the Premier went to that: the carbon tax. What did this government do?

Honourable members interjecting.

The DEPUTY SPEAKER — Order! The minister and the member for Burwood!

Ms NEVILLE — It eventually met with Alcoa. The Premier eventually sneaked down there to visit Alcoa on a Saturday and did not see a worker. I make it absolutely clear that Alcoa is a major part of the Geelong economy. It represents \$130 million in wages plus the wages paid through supply companies. For every job at Alcoa, it is estimated there are another three in the Geelong community. The impact of the loss of those wages will be significant. Although Alcoa is not the biggest employer in the area, manufacturing is still the biggest employer in Geelong, and the loss of these 600 jobs will have significant ongoing effects on the economy, on Geelong and also on Victoria.

Is there something that can be done? I can tell members that in my discussions with Alcoa it was clear that absolutely something can be done, and the company would have had exactly the same discussions with those opposite. But what we heard from the Premier on the Pulse radio station on the following Friday was that these are matters for private businesses. That is not good enough. I can tell members now that if we see the loss of those jobs in Geelong, this government will suffer the consequences, and they will be significant.

Honourable members interjecting.

The DEPUTY SPEAKER — Order! I have already asked the minister and the member for Williamstown to stop having a conversation across the table.

Ms NEVILLE — The other big concern is the Treasurer's response on 7.30 *Victoria*, again after the review was announced. What did he have to offer Geelong when pushed? What was the Geelong plan? It was a bit of cutting red tape and improving productivity. Again that is not good enough. There are things that can be done, and the story in the *Australian Financial Review* today, with the Vertigan report saying that the government should remove support for struggling industries, is of great concern to me, as the local member, and to the community of Geelong. I will stand up for Geelong and stand up for the fact that we need a government that cares about the community of Geelong and will protect jobs. That is why we delivered the things we did in Geelong, things such as the Transport Accident Commission,

the ring-road and measures that were about the future development of Geelong and putting us in a good place. The government is putting all that at risk.

As government members congratulate themselves, I tell them that the community of Geelong, the workers at Alcoa and the workers at Avalon are not congratulating them. The government has no job plan, no economic plan, and it should be condemned. This government should be condemned, not congratulated, for the fact that it has no regional development plan and no plan for jobs in regional Victoria.

Mr BURGESS (Hastings) — It is a great pleasure to stand to speak on this particular matter of public importance (MPI) because it really could not be more apt when considering the stark contrast between this government and the previous government.

Mr Nardella — How is the port of Hastings going?

Mr BURGESS — I will get to the port of Hastings. The member for Melton has interjected on the port of Hastings, and I will bring that forward and remind the member that when the previous Labor government left office it left Victoria with absolutely no plan for the port of Melbourne, no plan for the expansion from 2.5 million 20-foot equivalent units (TEUs) to 8 million TEUs; it just left Victoria on its own to try to struggle through. The current government, the new government, the coalition government has actually put in place a plan that is going to see Victoria stay in its rightful place as the leader in Australia.

As I said, this MPI could not be more apt. It illustrates the stark contrast between the previous government and this government. What the previous government did not get, what all Labor governments do not get, is that while prudent management of budgets is not the most important thing, it is a prerequisite to everything that governments do. Labor just does not get that. The absolute truism in government is that Labor cannot, and has not ever been able to, manage money. Every time you look at the history books, every time you look at the performance of previous governments, Labor stands out as the government that cannot manage money.

When the Kennett government left office there was a \$17 billion revenue budget — there was \$19 billion revenue overall and out of that there was a \$2 billion surplus. Over the 11 years from that point in time until the end of the Brumby government revenue raised grew from about \$19 billion to almost \$50 billion, but that government managed to outspend that massive growth in revenue. I do not know how any government could

stand by and see growth of spending outstrip revenue when revenue more than doubled — it much more than doubled; it went from \$19 billion to \$50 billion. It is incredible. I have not heard any member of the opposition try to justify where that spending went. As I go a little bit further into what I have got to say we will see where a lot of that spending went; unfortunately that spending went out the door.

One of the most unfortunate things that has occurred this morning is having to listen to members of the opposition go on with a completely unbelievable view of history and of what those opposite did when in government.

Mr Hodgett — It was denial.

Mr BURGESS — Absolutely. The member for Kilsyth interjects with, 'It was denial'.

What is really unfortunate about that is that we had a gallery full of children, and when you consider some of the things that were said you realise that the deceitful statements they heard coming from members of the previous government were just incredible — for instance, that we have doubled debt. What incredible hypocrisy. Everybody sitting in this chamber is well aware that the debt was in the previous government's forward estimates. That was already committed debt, and yet those kids who were sitting in the gallery earlier will walk out of here thinking, 'That must have been a great Labor government; they did not have any debt, and this government has pushed it up', when in reality that debt had already been committed by those on the other side.

It is just incredible that Labor members can exhibit such hypocrisy and try to blame the current government for this new debt; I do not know how those members can stand there and do that sort of thing. As I say, responsible government is not an end in itself and responsible budgeting is not an end in itself, but they are prerequisites for any of the things that governments need to do for the community, and that is why governments are elected.

We have a very unstable economic situation throughout the world. We have a really high Australian dollar — and another Labor government has made it very clear that it is incapable of even understanding the circumstances in which we are operating. What would you expect when there is economic uncertainty throughout the world, a high Australian dollar and Australian businesses are struggling? What would you expect from your national government? You would expect leadership, would you not? You would expect it

to do something so that businesses would prosper. What has it done? It is introducing a mining tax that will attack one of the economy's most prosperous areas. What else has it done? It is introducing a carbon tax that will attack the competitiveness of businesses throughout Australia and specifically in Victoria. What else has it done? It has withdrawn \$4.1 billion from the Victorian economy through GST revenue. There is something about which members on the other side should be ashamed — being a member of the Labor Party.

I return again to the position in which the previous government left the now government and Victoria as far as the operation of ports throughout the state is concerned. The port of Melbourne is Australia's pre-eminent port, but we all know that congestion has got beyond a joke. Everyone knows this. The community knows, because it suffers it every day. The roads are congested. The port itself is congested, and there have been many attempts to look for different solutions. There was a projection that by the year 2030 we will be moving around 8 million TEUs through the port. At the moment we move just under 2.5 million TEUs through. What plan did the previous government leave us for dealing with that incremental growth? It left absolutely zero.

Mr Noonan — Have you heard of channel deepening?

Mr BURGESS — There was an interjection from the member for Williamstown about channel deepening. He might know that there has already been channel deepening and there has also been congestion in the port of Melbourne, so there has been no growth in the capacity of the port. Channel deepening does absolutely zero for the roads around the port of Melbourne or the number of trucks on the roads. There needs to be a diversification to enable Victoria to deal with that growth — and the plan is to use the port of Hastings. Those on the other side might argue that is not the way it should go; however, under the Bracks government that was the plan. In fact the plan that the members opposite had put together was to move some of the port activity to the port of Hastings. Unfortunately they went weak at the knees again, and they were not able to carry the plan forward.

Labor was not game to go through with that plan. Why would you think that would happen with a Labor government? Would it be about the unions telling Labor government members they were not allowed to do it? I think it would be for that reason. That is where we ended up. We ended up with an economy that was struggling because those on the other side did not have

the courage to stand up to their union mates and say, 'We are actually going to move some of the business away from the port of Melbourne, because that is good for this state'. It is certainly worth going through the variety of programs and things that the Labor government thought it was going to do. We need only mention the words 'smart meters' and everybody cringes. The cost was \$1.5 billion, and the Auditor-General said he could see no real benefit.

Mr Nardella interjected.

Mr BURGESS — Of course the member for Melton would now be pointing at the current government continuing with smart meters. However, again the previous government left this government in a situation where this had been rolled out so far that there was no real way back. All you could really do was to pull out what was supposed to be beneficial new technology and replace it with old technology; so the government has done what it has had to do, which is to go on with a program that Labor put in but messed up unbelievably. We are still hearing about the ramifications of that.

Then there is the client relationship information system, for which \$22 million was budgeted and for which there has been a 218 per cent blow-out, to \$47 million. What is even more damning about that is that the \$47 million blow-out, and in fact the whole program, was funded out of the Department of Human Services (DHS); so that was money taken directly out of protecting vulnerable children. For that members opposite should be ashamed — and that is only one of their massive failures.

There is HealthSMART, which had an original budget of \$323 million but no business case. The cost blew out to \$566 million, a blow-out of \$243 million; and we wonder where the revenue went under the previous government. Housing integrated information exceeded its original budget by \$30 million. HR Assist is another one; the cost blew out from \$18.3 billion to \$42 billion. Integrated courts management was more than three years late and had a blow-out to a budget of \$66 million. The LINK database had approved budget funding of \$60.5 million and a further \$127 million was required. Then there is myki; should we even talk about myki? Everybody knows what a shemozzle myki was to begin with. It now seems to be bedded down, but at a major cost to Victoria.

As the Deputy Premier said, one of the greatest shames of the previous government was the desalination plant — at \$2 million a day —

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

Ms GREEN (Yan Yean) — It is quite remarkable that this matter of public importance should be proposed by the Treasurer of this state, the member for Scoresby, who is a complete economic and intellectual pygmy. He dithered, hesitated and ummed and ahed throughout his contribution. He was unable to outline — as he has been unable to do over some 15 months of government — a cogent and forward-looking economic and jobs plan for the state. What we have seen in this 15 months is the handbrake of the Victorian economy being pulled on. We have heard excuse after excuse and seen review after review.

Members on the other side talk about productivity, but there has been little productivity from them. We have seen a 10 per cent increase in ministers swanning about in white cars and a 10 per cent increase in ministers around the big, round cabinet table, while at the same time the government has reduced its role as employer by cutting the public service. Public sector employees do a fantastic job delivering services to the community. The first budget delivered by the Treasurer did not mention the word 'jobs'. The message to the Victorian community, to the workers and to working families of Victoria is that the only jobs members of the government are interested in preserving are their own jobs.

One of the subjects the Treasurer went to in his contribution is close to my heart — that is, the commitment to a growth in jobs in Melbourne's north. I am now in my 10th year in Parliament, and this is something I have been committed to each and every year. It is not something that I started thinking about a year after I came to office; it was my commitment from day one.

The Treasurer criticised the plan to build Melbourne's wholesale fruit and vegetable market and to move it to Epping. We know that successive shadow ministers from the conservative side of politics denigrated Epping, calling it a wasteland and saying there was nothing there. They lied to market traders in successive election campaigns by saying they would not be required to move to the new site. The Treasurer had the temerity to criticise Labor for its lack of policies after one year in opposition when those on the other side went to an election with either no policy, no policy documents or policy documents that were simply press releases. They were silent on the Epping relocation. What sort of corporation would get away with saying that a major project was under review in its main economic document for the year, as the government did

in its budget papers? Ministers could not come to a conclusion when delivering their first budget after six months in office. The wholesale fruit and vegetable market relocation project, with its significance to Melbourne's north, was under review.

The coalition also sought to review the other major job-generating and people-moving project in Melbourne's north that was being undertaken by Labor, the first extension of Melbourne's rail network since World War II — the South Morang rail line extension —

Mr Watt interjected.

Debate interrupted.

SUSPENSION OF MEMBER

Member for Burwood

The DEPUTY SPEAKER — Order! The member for Burwood will leave the chamber for half an hour.

Honourable member for Burwood withdrew from chamber.

MATTERS OF PUBLIC IMPORTANCE

Government: financial management

Debate resumed.

Ms GREEN (Yan Yean) — It has included delaying the \$50 million upgrade to services on the Hurstbridge rail line.

Ms Duncan interjected.

Debate interrupted.

SUSPENSION OF MEMBER

Member for Macedon

The DEPUTY SPEAKER — Order! The member for Macedon will also leave the chamber for half an hour.

Honourable member for Macedon withdrew from chamber.

MATTERS OF PUBLIC IMPORTANCE

Government: financial management

Debate resumed.

Ms GREEN (Yan Yean) — Getting back to the Epping wholesale fruit and vegetable market, in his contribution the Treasurer said the former government had had no plan to move the market traders to the Epping site. Of course we had a plan. He said we had no revenue stream. It is not Labor that is now being threatened with legal action by the market community. The market traders are threatening to sue the coalition government, not us. If that does not show the economic insanity of this government, I do not know what does —

Ms Ryall interjected.

The DEPUTY SPEAKER — Order! The member for Mitcham is out of her place and disorderly.

Ms GREEN — Shane Schnitzler, the president of Fresh State, the market traders organisation, has said:

The Minister for Major Projects, Dr Denis Napthine, continues to ignore this community and the important role it plays in the Victorian economy and the health of our community.

...

As Fresh State members expressed at the recent members meeting, at what point does Minister Napthine and the MMA —

the Melbourne Market Authority —

realise that the ramifications of their actions impact and affect the whole market community! If the government and the MMA think that Fresh State members and the market community are going to agree with their absurd view that our businesses are worth nothing, then we very much look forward to our day in court!

He was not referring to a minister in our government, but to a minister in this government. He should take some responsibility for what is happening on his watch.

The handbrake has been put on. Once Labor's line of projects has been concluded, the government members who have the privilege of representing the north, as I do, will be redundant. Gone will be their opportunity to cut the ribbons on Labor's major job-generating projects with one hand while with the other hand they stealthily cut budgets and jobs in the government sector, like Tedward Scissorhands.

A former leader of the conservatives in this place denigrated public sector employees — nurses, teachers,

child protection workers, prison officers and police — and said he could run government with six public servants and his two Weimaraner dogs. Those on the other side have not changed at all. The Minister for Community Services had the temerity to table a 900-page, 90-recommendation report on protecting Victoria's vulnerable children yesterday, a mere three days after she approved the cutting of 500 jobs from the department that has the major responsibility of looking after the most vulnerable people across this state. For her to argue that this helps to deliver services to assist Victoria's most vulnerable children is a sick joke. You cannot say you know how to manage money and know how to deliver when you make a barefaced statement like that. Yesterday in this house she refused to rule out further cuts to that workforce. It is an absolute joke.

In education, as in all the growing suburbs, there has been no commitment whatsoever from this government. It got rid of the school growth fund and cut capital expenditure in the education system by 60 per cent. It has cut the operating budget by almost half a billion dollars, as happened with the health budget. Whether we are talking about improving outcomes in child protection, delivering better education to our kids or shortening hospital waiting lists, cutting figures like half a billion dollars out of those budgets will not deliver those outcomes.

What we have seen under this government's watch is a complete slowdown, a complete handbrake. We had the best economic indicators of any non-resource state in this country. The only thing that has changed in the last 15 months is those heading the government. We recognise that the community made a decision and put us on this side of the house and put those on that side of the house in charge. After 15 months they have squandered the legacy they were left. The AAA credit rating is now in jeopardy and the manufacturing industry is on its knees. At a time when car manufacturing in this state is on its knees the government has doubled the cost of registration of motor vehicles. It has raided the WorkCover scheme rather than do what we did in every year of our government, which was to reduce premiums and to reduce other taxes to business so we could grow jobs in this state.

We have seen 41 000 full-time jobs lost in this state and counting. The Minister for Youth Affairs could not even tell us what the rate of unemployment is! This is an uncaring government and a ridiculous matter of public importance. The government has no economic skills, and it is led by an intellectual pygmy.

Mr SOUTHWICK (Caulfield) — I rise today to speak on the matter of public importance, and let me say that my contribution will be about the mismanagement and economic incompetence of the Labor Party. Let me start by saying that the Labor brand is damaged goods in Victoria, it is damaged goods in every state in Australia and it is damaged goods federally. It is about time its members took some responsibility, stood up and did something about it. I cannot believe that the Labor Party sent in its biggest contributor to the front line to speak on the first matter of public importance — that is, the former Minister for Water, who is the member for Lyndhurst — to talk about government management and economic prudence, when it was he who provided us with a desalination plant which is costing us \$23 billion, or \$2 million a day for 30 years. That's good economic management?

Ms Green interjected.

Mr SOUTHWICK — The member for Yan Yean should not worry, because I will get to her. The member for Lyndhurst made a great contribution!

Then we heard from the member for Albert Park, who talked about the rolled gold situation that the coalition had inherited. It was a rolled gold inheritance of a desal plant, myki, smart meters, bungled projects and cost blow-outs. There was \$3 billion bungled on poker machines, \$23 billion for the desal plant, \$1.44 billion in waste and blow-outs for ICT — and it just continues. The only thing the member for Albert Park and his mates left us with was fool's gold, not rolled gold. The biggest fools are the people sitting on the other side; they are the biggest fools of all.

Then we heard from the member for Bellarine, who is a former Minister for Community Services, who left us with a huge mess in child protection. Day after day and week after week we saw front pages in the newspapers talking about the shame and the horror that she has left in child protection. I am pleased we have a minister who is on top of it and who is fixing the disgraceful mess that the former minister left us.

Now let me get to the biggest contributor of all — that is, the member for Yan Yean, who is the mouth of the south. In fact she is the Deputy Leader of the Opposition — is that right? Is that what you are? No, I am sorry, you are not. You are also —

The DEPUTY SPEAKER — Order! Through the Chair!

Mr SOUTHWICK — I am talking about damaged goods. We heard the member for Yan Yean carp on

about jobs. The only jobs that the Labor Party created when it was in government were the jobs of public servants. There was an increase of 5 per cent in the public service year in and year out for about five years — and guess what? We had population growth of 2 per cent. While the Labor Party was increasing the public service by 5 per cent, we had a population increase of 2 per cent. Let me give the member for Yan Yean a lesson in economic management. You create jobs by sound economic management —

Ms Green interjected.

The DEPUTY SPEAKER — Order! The member for Yan Yean has had her turn.

Mr SOUTHWICK — You create jobs by sound economic management and by having a responsible budget year in and year out. You do not create jobs by increasing public servants. You ensure that the private sector invests through employment. That is what we are doing, and that is what this matter of public importance is about: it is about restoring fiscal responsibility, which is what we have done since entering government.

I would like to talk about the four simple words that describe Labor, and they are ‘Labor can’t manage money’. We only have to think about the Cain and Kirner governments and the Rudd and Gillard governments to know that Labor cannot manage money. If you compare them to the Howard-Costello, Kennett and Baillieu governments you see there is certainly a great contrast to what we had under the Labor governments. We are continuing the great reforms of coalition governments in restoring strong budgets to ensure that we have the capacity for improving productivity, generating new jobs, increasing business investment and growing export markets. In short, we are the ones who year in and year out are called on by the public to restore budget surpluses, to ensure that we put confidence back into Victoria, to ensure that we have a jobs plan and to ensure that we have economic growth and prosperity and private sector investment.

Before I highlight some of the excellent fiscal management that we have engaged in since entering government, let me remind members of Labor’s mismanagement over the last 11 years. We saw a decline in Victoria’s productivity growth, which is a major determinant of the standard of living. It went from 2.8 per cent to 1 per cent in the past decade. We saw the black hole of \$2 billion in cost overruns on major projects which were recently uncovered. That is on top of the \$11 billion of major project blow-outs since 1999 under Labor. Over 10 years Labor’s

government expenses at 8 per cent growth outstripped revenue growth of 7.3 per cent.

We hear opposition members flap on, but imagine if you ran your home budget and you spent more than you earned. Imagine that! You would get your credit card out one day and — guess what? — it might be declined because you have spent more than you have. But the Labor Party knows that all too well. It spends more money than it has, and what is its solution for fixing a problem? Just spend more money — throw more money at it and the problem will fix itself.

In the 11 long, dark years under Labor, the government was run on big ideas. It would ask, ‘What’s the latest big idea that we can come up with?’, and it would then just spend somebody else’s money. That is what the Labor Party did time and time again. But in fairness to Labor Party members, now they are in opposition they have come up with another idea — which is, to have another public holiday. That is sound economic policy! In fact you would think they would have learnt their lesson having being in government and seen the horrific mess they left us. GST money has been clawed away by the Prime Minister, Julia Gillard. We wanted to send our Treasurer to Canberra to negotiate, and what is the best that Labor Party members could do? They did not allow us to go to Canberra to negotiate on behalf of Victorians. They could not care. All they wanted to do was to look after themselves and their mates. They have not changed their spots.

Then there is the carbon tax. Who is the carbon tax going to hurt most? The people who live here in Victoria. Victorian Labor had an opportunity to distance itself from federal Labor and say, ‘No, we are going to stand up for Victoria. We are going to stand up for jobs’. Labor keeps talking about its big jobs policy. But what has it done? It is absolutely silent, just like members opposite are now. Labor has had the opportunity to mouth off when it really does not count, but when it does count, when we are talking about money and when we are talking about financial responsibility and what really counts — that is, jobs — Labor is absolutely silent.

There is a long list of big ideas, and it is time for Labor to take some responsibility for its actions. Let us look at one former minister after the other. The former water minister was responsible for a desalination plant that is costing \$2 million a day. The former roads minister, the member for Tarneit, was responsible for fairy lights on the West Gate Bridge. The Leader of the Opposition and former health minister was responsible for hiding the performance of the health portfolios and for HealthSMART, which cost \$243 million. He did

absolutely nothing as Prime Minister Gillard knifed Victorians when it came to health. Then there is the member for Monbulk, the former police minister, Mr Merlino, who hid police numbers. It just goes on and on.

The member for Melbourne and former education minister, Ms Pike, left a legacy of crumbling schools. Victorian schools need millions of dollars in urgent repairs; instead, the Labor government wasted Building the Education Revolution money. Now Labor has the nerve to stand up here and say, 'What are you doing about our schools?'. Labor asks what we are doing when it had 11 years, during which it did absolutely nothing about them. All we see is the member for Melbourne mostly asleep in the Parliament now that she is in opposition.

Then there is the former public transport minister, a member for Western Metropolitan Region in the other place, who was responsible for a train system that was on the verge of collapse and a myki budget blow-out of \$857 million. Labor cannot manage money. It could not manage a chook raffle! Let me just end with four words: Labor cannot manage money.

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

Mr NARDELLA (Melton) — The best thing I can say about the member for Caulfield is: bring back Helen Shardey! At least she had some idea of the position we left this state in — not only socially but also economically and budget-wise. Every year that we were in office from 1999–2010 we had a budget surplus of at least \$100 million. That is undeniable. We have a AAA credit rating — undeniable. We had projects on the go every single year — undeniable. We had projects in education. We rebuilt schools. We rebuilt the railway system. We put trains on the tracks. We built carriages for V/Line V/Locity trains. We procured and built more carriages for Metro Trains Melbourne services. We rebuilt hospitals, including the Royal Children's Hospital and the Austin Hospital. All this government does now is go out there and open our achievements. It claims the Royal Children's Hospital as one of its achievements, but in actual fact it can claim nothing. The government can claim nothing because it does nothing. The only thing it does is dither.

The coalition government has had 14 months in office, and what has it got to show for it? It has a situation where it is imperilling the budget and the good name of Victoria. Victoria is going back to being a rust-bucket state. Victoria is going back to a situation where its AAA credit rating is under threat by Moody's. We all

read it in the newspaper; we all saw it. Why? It is because this government is incompetent. This government's budget is run by a Treasurer that cannot even do the numbers; he cannot even read briefing papers. He should have remained the suburban accountant that he was and still is; that is all he is. He has no economic credibility. Look at the modelling for the carbon tax and the legislation here in Victoria. What did the Treasurer say about the legislated target of 20 per cent? 'It is aspirational. I did not know it was in the legislation'. He is like the Deputy Leader of the Liberal Party: 'I was asleep at the wheel'. That is what this government is — asleep at the wheel.

In 2010, our last year in government, the number of jobs created in Victoria was not 50 000, not 60 000, not 70 000, not 80 000, not even 90 000 — 100 000 jobs were created by the Labor government in 2010. But what do we have now? We have a situation where not 10 000 jobs, not 20 000 jobs, not 30 000 jobs, not 40 000 jobs, but 41 000 jobs have been bled out of this economy in the last 12 months.

This year is a leap year. What was last year? Last year was a gap year because the government was asleep at the wheel. We are bleeding 41 000 jobs, and we are looking down the gun barrel of losing 600 jobs at Alcoa plus another 1800 across the wider community. The government does not even have the Treasurer on the subcommittee to try to save those jobs in Geelong. It does not even have the member for South Barwon on the subcommittee. You would not want him on the subcommittee to try to save jobs because he would have absolutely no idea, yet the government comes in here and wants to talk about jobs and the economy and the great things it is doing.

We have just heard the member for Caulfield speak. Did he talk about his record at all? He had 10 minutes, just like I do, and not one second of that — not one millisecond — was spent on the achievements of his government with regard to the economy, because there are none. It is not upgrading any schools. It is not upgrading the hospital at Bendigo. It is not upgrading the Monash Children's centre. It is not building a helipad at Ballarat. It is not building the day surgery unit at Melton or the new community health centre, which we would have done. It is not putting in place the new truck action plan to assist and support Victorians.

The member for Hastings is an economic illiterate who wants to lecture us about Hastings. It will take \$10 billion to build infrastructure to be able to use the port of Hastings. I will tell you what: one of the things I am happy to bet a lot of money on is that at the end of this term Hastings will be the port that it is today and

the member for Hastings will be left holding the baby. We will make sure that he will be brought to account for the rubbish he talked about here today.

Let us look at the infrastructure projects the former government put in place in the ports. Firstly, there was the channel deepening project. We had a working relationship with the stevedores, and we tried to attract additional stevedores to Melbourne. There was the truck action plan, which was all about economic growth and building the state, but the money put into that program has gone.

What have government members got to show for its economic performance? Based on figures from the last budget, all government members have to show for it is a doubling of state debt and absolutely nothing else. There has been no economic activity and no jobs have been created. The fact is that this government is suppressing economic demand in Victoria. The government is going out of its way to sack 3600 people from the public service — people who are critical to backing up our police, nurses, child protection workers and teachers. These public servants are the people who really run the state, and that is where that increase has occurred over our last 11 years.

During the seven long, dark years of the Kennett government members of that government slashed 9000 teachers and 9000 nurses. They closed 326 schools in their time. They withdrew services from regional Victoria, which the then Premier described as 'the toenails of the state'. The Deputy Premier was here earlier wanting to talk about the billion dollar Regional Growth Fund that only has half a billion dollars in it. These are the economic illiterates who are running this state. These are the economic illiterates who want to lecture us about the things that we did in our term in office. These are the economic illiterates who have a Treasurer who, when you put him up against our first Treasurer, Steve Bracks, our second Treasurer, John Brumby, or our third Treasurer, John Lenders, is a pygmy.

The Treasurer is the pygmy in the room. Like all those Enron directors in America, the Treasurer might think he is the smartest one in the room, but this state is suffering under this government, which dithers, does not make decisions and is absolutely political. Government members try look after only the roads in their seats, but the fact is that they are bringing the Victorian economy to such a position that investment and confidence are moving out of the state. These are the worst days since the early part of the Kennett government, when people moved away from Victoria. The mantra of the former government was to make

Victoria the best place to live, work and raise a family, and that is what members of this government are destroying. They are destroying the good things, including the surplus and the AAA credit rating, that we on this side of the house built.

Mr CRISP (Mildura) — It is always interesting to follow the member for Melton as he tries each week to rewrite history for us. However, I rise to support the matter of public importance proposed by the member for Scoresby. Members of the coalition government are the economic managers. We all know that Labor cannot and has not managed money, and there are no better examples of that than some remarkable hangovers from Labor's period in office. The desalination plant was born in haste and repenting, at everyone else's cost. That project is a huge expense for the Victorian people and will hang over their heads for years. The north-south pipeline is probably one of the greatest white elephants ever built. When opposition members were in government they were warned about that project, and now we are left with a white elephant for all of us to pay for.

It was all right for the Labor government at the time, because those days were a time of plenty. Members of the former government were able to grow the public service at a rate of 5.3 per cent, even though population was only growing at a rate of 2 per cent, and they did not need to control the costs because revenues were growing at the same time. Members of that government operated in a comfort zone, but that has ended because things are different since the global financial crisis. This is why there is a commitment from the coalition to manage; and manage we must. We also have to manage the hangover of the waste and incompetence left by the previous government. The Auditor-General has laid it all out for everybody to see, as has the Ombudsman in his reports. It is not pretty, and it will take an awful lot to clean up this mess, but let us go through some of this stuff.

The client relationship system has overrun by a huge amount — \$47 million. HealthSMART is an example of a project that had its genesis in a reasonable idea but which has gone terribly wrong. As people move around in the health system, I think we can all see the benefits of having a database so medical staff can have access to information that will save time and allow those working in the health system to be more productive. It would be beneficial for them to have that information rather than having to start over again. There are also the problems caused when people admitted to hospitals are not in a position to give their full medical history. Having said that, I am still trying to work out how HealthSMART turned out to be such a disaster. After all these years, it

has still not been made to work, which costs us day by day, particularly in terms of our health system.

As we all know, the health system is under pressure as our population ages and grows, and some of our entrepreneurial doctors tell us that what is presenting at our accident and emergency departments is not only — —

Ms Green — On a point of order, Acting Speaker, I draw your attention to the Speaker's rulings and instructions to the house yesterday about members now being required not to read their speeches. The member for Mildura has been here for five years, and he should not be reading from a document. I ask that he incorporate that document into *Hansard* and table it rather than continuing to read it.

The ACTING SPEAKER (Mr Morris) — Order! Is the member for Mildura reading from a document or referring to notes?

Mr CRISP — I am referring to my notes, and I have some additional information that I refer to from time to time, but I am certainly not reading it.

Ms Green — Well, keep your eyes up.

Mr CRISP — That would be my pleasure.

Honourable members interjecting.

The ACTING SPEAKER (Mr Morris) — Order! Members should avoid cross-chamber conversation and direct their remarks through the Chair.

Mr CRISP — We have a productivity problem in our hospitals. The previous government attempted to shift the costs of implementing that scheme to the hospitals themselves, which diverted valuable productive dollars out of hospital budgets to try to make HealthSMART work. It has been an unmitigated disaster, one that is costing us dearly. There are other matters, including HR Assist and the stuff regarding the court system. It is all in the documentation I have with me. One bit of advice I would give to members of the opposition is that they need to remember something — that is, an old saying regarding IT which they should adopt as policy. The saying is: if it does not come in a box, do not buy it. The former government had an unmitigated disaster with its IT. If you buy IT in a box, you can send it back when it does not work. This idea of pouring endless amounts of money into IT systems trying to make them work is ridiculous.

The next area I want to talk about is investing in regional Victoria — that is, the Regional Growth Fund.

This fund will help rebuild Victoria from the ground up, which is what we have to do to make our economy work. We need to build from the ground up and get back to basics to make the economy work. I will also mention some of the things included in the contribution made by the member for Melton about hospitals. This government is committed to country hospitals. The Bendigo hospital is in the planning stage, as is the Echuca hospital.

To say that health is being ignored is misleading, and I am concerned about that. There are tough decisions to be made, and this government had to make those tough decisions. State revenues, as we all know, are declining, particularly because of the federal government's decision to rearrange the GST and to take that money away. That was a real blow for our budget going forward, and as we are dependent on so much of the GST we need to cover that money, and it cannot be made to appear from anywhere.

The commitment of this government to deliver a balanced and responsible budget, to fix up the black holes and to continue confidence in the money markets for our credit rating is to be commended. This government can manage money, it will manage money and it will deliver what Victoria has to have.

What we have to do is cut the waste and recover from the debt, and it is a debt that is going to hang over us for a long time. The desal plant is an enormous burden for this community, and it will carry on. Again, Labor cannot manage money. We will. We will make this work. We have the team to do it and we have great confidence in the Treasurer, who is getting on with the job. We have inherited a difficult time.

It was interesting to listen to the various contributions from the other side. It was a blame-shifting exercise, an excuse-making exercise. We have to deal with the reality that we have now, and the reality is that we are getting on with the job; we are addressing that. We are fixing the potholes in the road, and we have to also rely on the cooperation of people to be patient with some of these projects.

The Regional Growth Fund will deliver for country Victoria. I am very proud of that. For Mildura it has already delivered our airport expansion and it has addressed a problem that for two generations Mildura has wanted to get started on, and that is its riverfront redevelopment. The city of Mildura has its back to the river for a whole number of reasons, and for a long time the community has wanted to do something about that. It was the Regional Growth Fund that delivered that to the Mildura community, and it will continue to deliver

that project over a long period of time, which will make Mildura a different place in which to live.

An honourable member — Not neglected, like it used to be!

Mr CRISP — Indeed; I take up the interjection. Similarly, our airport deals with 215 000 people a year and some new security screening arrangements are coming in. The Mildura Airport does need to reconfigure itself significantly to handle those security requirements that are being placed on regional centres, and that will now happen. The commonwealth government was reluctant to contribute to the project. The Regional Growth Fund has come to the rescue, and that project can now proceed, as we have invested in getting on with that. This is something that Mildura will get the benefit from as those passenger numbers continue to grow. I will continue to support that as I support this government, which can manage money, will manage money and will deliver for regional Victoria.

The ACTING SPEAKER (Mr Morris) — Order! The time set aside for consideration of matters of public importance has concluded.

STATEMENTS ON REPORTS

Public Accounts and Estimates Committee: budget estimates 2011–12 (part 1)

Ms HUTCHINS (Keilor) — I rise to raise a matter with regard to the Public Accounts and Estimates Committee's 102nd report to the Parliament, and specifically the report on budget estimates, part 1 and part 3.

Specifically in part 1 of this report I take the Speaker to the matter of funding and responsibilities of the Minister for Public Transport. I quote from the transcript of the public hearing of 10 May 2011. The minister for Altona asked the Minister for Public Transport:

Minister, if I could just take you to budget paper 3 at page 336. Given that your own figures indicate that patronage on buses will in fact increase by 3.7 million passengers over the next 12 months, why have you failed to allocate a single dollar for new bus services and completely ignored the people living in Melbourne's outer suburbs? There is not one dollar in this budget, Minister.

I would like to acknowledge the minister's reply, which was:

We did not go to the election with a significant contribution to bus services.

I think the minister may need a little bit of a wake-up call, having read this transcript, given the fact that the minister is now the minister and has responsibility for the entire state, not just responsibility for the policies of the Liberal Party that were taken to the last election. In fact he has shown through the PAEC hearings, and particularly on the transcript here, that he is not adequately taking responsibility for the investment that is required into the growth of Melbourne's suburbs, particularly our outer suburbs. It is his budget; it is his job to take responsibility. It is his job to get it right and to get the figures on population growth right and get the predicted patronage levels right. Unfortunately when you go deeper into the details of the last budget you find that there was a huge underestimation of the usage of public transport across Victoria, particularly in the Melbourne metropolitan area, where the budget only looked at a 1 per cent overall increase when in fact Melbourne metro actually had a 4.1 per cent increase. Metropolitan bus patronage grew by 3.7 per cent, and again in the budget this only allowed for a 1 per cent anticipated growth.

Tram patronage has gone up by 4.1 per cent and V/Line trains patronage has gone up by a huge 6.9 per cent, and yet in the line items of the budget estimates at part 1 and in the hearings of May last year and the minister's admissions both patronage and allocated resources for public transport across the state were well underestimated. The Baillieu government is, on top of this, slugging public transport users with a massive increase. The biggest increase is for those in the zone 1 and 2 areas, with a \$214.50 increase to their yearly budget for travel. Most of these commuters rely on public transport to get to and from work. This average increase of 8.6 per cent puts further pressure on the cost of living and further stress on outer suburban families without any additional resources.

Outer suburban commuters usually accept a reasonable increase in return for better services; however, in this case they have not seen better services. In fact the Victorian transport plan outlined by the previous government has been thrown out the window. The money is being taken by this government without the additional resources being put in place.

Going back to the public record of the Public Accounts and Estimates Committee, the member for Altona also asked the minister about the sign-off of timetabling and the importance of resourcing people in the outer suburbs, and she said:

You are the minister; you signed off on the timetable that deliberately disadvantaged people. Do not mislead the committee, Minister.

In response the minister's reply was:

The minister would be absolutely aware.

That was the minister's response, which obviously confused the situation, on the public record, by referring to the previous minister at the table as the minister. I think it is a reality check for the Minister for Public Transport to realise that he is in fact in government, that he is in fact making the decisions and that he is in fact responsible for getting more resources into public transport and not slashing premium stations and other services.

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

**Scrutiny of Acts and Regulations Committee:
review of Charter of Human Rights and
Responsibilities Act 2006**

Mr GIDLEY (Mount Waverley) — I rise this afternoon to make a contribution on the report from the Scrutiny of Acts and Regulations Committee on the review of the charter of human rights and responsibilities. I want to focus my contribution on the well-known extensive protections which exist and which have existed for many years for citizens in this state in terms of common law, statutory interpretation and judicial review, which are highlighted in the report.

As many residents in my electorate and many other Victorians would know, the common law is one of the most well-established sets of rules and principles protecting rights and freedoms in our state. The common law has been developed from the Magna Carta period, and that is important because it provides a context of stability. That has enabled the development over a period of time of sensible, logical, reasonable law, and most importantly law that can evolve with the challenges of the times. Whether you are looking at it as a lawmaker of this Parliament or as a citizen of the state, that is something you expect — that the law is able to be updated and to develop over time to meet the challenges of the day.

The capacity for statutory interpretation provides a major source of protection of the rights and liberties of Victorians, and that is also noted in the report. What that means is that the common law itself informs the way in which our statutes are interpreted by the judiciary, providing certainty and clarity.

I will quote from a text book in reference to the common law. It says:

One of these presumptions is that the legislature does not intend to make any alteration in the law beyond what it explicitly declares, either in express terms or by ... implication ...

In general matters the law remains undisturbed unless it is specifically directed otherwise by the Parliament. That is important in ensuring certainty. It is important in ensuring consistency. It is important in ensuring that Victorians have confidence that our common law, established from the Magna Carta period, is well interpreted in this state.

A couple of other key rights and liberties and freedoms which the common law provides for that were well documented in that report include the right, in most circumstances, not to have rights and obligations retrospectively changed by the Parliament. Common law also protects citizens from the infringement of personal liberty, ensuring freedom of movement and freedom of speech. It also ensures citizens' access to courts, ensures an independent judiciary and provides for a range of other rights to be put forward — property rights and other rights and aspirations which have developed over time.

I will give a couple of examples of cases where these common-law rights have in practical terms protected Victorians and given them the confidence to know that their rights and liberties are protected. In 1994 the High Court ruled that a statute permitting a judge to authorise the use of listening devices did not allow police officers to enter a person's home without consent to install them, citing the fundamental common-law right against trespass. We also know that in 1908 the High Court relied on the right of every British subject born in Australia whose home is in Australia to remain in, depart from or re-enter Australia as and when they thought fit, to rule that the federal statute barring immigration unless the incoming person passed a dictation test did not apply to a person born in Australia who was raised overseas.

These are two very clear examples where our common-law development from the Magna Carta period onwards has provided certainty and stability in terms of the protection of the fundamental rights and liberties of Victorians. The right of judicial review is also fundamental in protecting our rights and liberties. That ensures that Australians appearing in courts have recourse to the review of executive actions and orders and provides for orders to be made to invalidate unlawful laws and regulations and to quash unlawful decisions. Again that is very much a part of the framework of our rights and liberties which have served this state well, which have provided certainty, which have provided security and which have delivered human rights to Victorians.

Scrutiny of Acts and Regulations Committee: review of Charter of Human Rights and Responsibilities Act 2006

Ms CAMPBELL (Pascoe Vale) — I too rise to speak on the Scrutiny of Acts and Regulations Committee report on the charter of human rights and responsibilities. That report was tabled in September 2011, and I note that the previous speaker was a member of SARC and the next speaker is also a member of SARC. If the media wants to know what the government is about to do in relation to the SARC report, I would suggest that the media listen to the previous speaker and the next speaker. They might then get a clear indication of where the government is going in response to the SARC report.

After hearing the evidence at the committee hearings, I think it is important to keep the charter and to refine it. We must have courts plus scrutiny. There is an alternative position that is being presented to this house via the report, which is scrutiny but no courts. The reason I think it is important to have courts plus scrutiny was overwhelmingly provided in the evidence that we heard at the hearings. Today I will quote from two witnesses, the Council of Homeless Persons and the Office of the Public Advocate. I suggest that members look at submission 151, which is from the Council of Homeless Persons. Details of a number of cases were provided to the committee in evidence; one case involved a service user with an acquired brain injury, who was issued a notice to vacate a community-run rooming house. The submission states:

Bob was a 55-year-old man with a history of mental health and behavioural issues that resulted from his acquired brain injury. He had been living in and out of rooming houses for the past 20 years.

Bob was issued a notice to immediately vacate the community-run rooming house he had been staying at due to allegations of violence and assault. Both Bob and his support worker were shocked by the eviction notice, as no tenancy worker had investigated the allegations. Bob's support worker tried to negotiate an outcome that would prevent Bob from being evicted, but this was unsuccessful.

The support worker contacted the HAS to raise a complaint about the impending eviction and the denial of natural justice. The support worker also thought Bob was being treated unfairly because of his disability.

The evidence went on to outline the course of action that was taken and the importance of the charter:

The HAS sent a letter to the rooming housing agency requesting that the notice be withdrawn, as there had not been a proper investigation undertaken. The letter included a complaint on behalf of the tenant and also referred to the charter obligation to give proper consideration to Bob's right

not to have his home arbitrarily interfered with. This provided a framework with which to raise Bob's hardship and the human rights implications of the notice to vacate. After negotiations with the rooming house agency, the notice to vacate was withdrawn. The HAS, rooming house agency and support worker were then able to transfer Bob's tenancy to another rooming house that was linked with additional supports so he could remain stably housed.

We heard evidence that the courts were useful, but the threat of going to the courts was as important. Because the opportunity to go to court is available under the current charter, the evidence we received was that it is quite compelling to use it as an advocacy tool, as the threat of going to court is often a reason for people to listen to the arguments.

The committee also received a submission from the Office of the Public Advocate, which provided fantastic evidence to the committee at a hearing on 20 July 2011. The submission by the Office of the Public Advocate is submission 158. I stress to members of this house, including government members, that the Office of the Public Advocate said that applying a charter lens to guardianship was important. A key benefit of doing so was being able to explain a decision in the context of having considered relevant charter rights as well as the principles of the Guardianship and Administration Act 1986. It outlined other benefits as well, and members should go to its submission.

Public Accounts and Estimates Committee: budget estimates 2011–12 (part 1)

Mr McCURDY (Murray Valley) — I rise to speak on the Public Accounts and Estimates Committee report on the budget estimates 2011–12, part 1. I say from the outset that the work put in by this committee has been outstanding. The financial integrity of this government depends on its ability to plan and manage money, and it hinges on how well this committee functions and how this report pans out.

I begin by referring to section 7.12 at page 82, headed 'Racing portfolio'. The Minister for Racing has been a breath of fresh air in this department. I refer specifically to section 7.12.3, 'Key matters raised at the budget estimates hearing', regarding assistance given to country racing clubs for additional race meetings. Wangaratta, in the Murray Valley, was home to one of the harness racing and greyhound racing venues that was closed by the previous government. The coalition government's commitment to bring back one-off cup meetings has been a huge lift for the industry and for my constituents in the area in which I live.

On 11 March we will see harness racing return to Wangaratta. It will be a sight for sore eyes when we see

horses come back to life at Avian Park; it will be the resurrection of harness racing there. We are very grateful for that. The community is well aware that harness racing is not a done deal in the Murray Valley or in Wangaratta. As we speak the Aurecon report is being discussed as part of a community consultation to see what the best and highest value use for this land will be down the track. This commitment to a one-off event is certainly an enormous leap of faith for our community, and we are the beneficiaries of this coalition policy.

Following on from the racing portfolio is the local government portfolio, which can be found in section 8.5 on page 87. The government is supporting councils in my region at many levels, but there are two levels I would like to discuss today. The first is the flood recovery measures that were put in place, which were a demonstration of the way this government responds to issues that may not necessarily have been budgeted for but which all of a sudden come up from mother nature or from other sources. The proactive and speedy response of the government has been applauded by the likes of the Moira Shire Council, the Indigo Shire Council and the Rural City of Wangaratta. Another level is the allocation of \$1 million to the 40 rural councils each year for the next four years to assist with roadworks and the rehabilitation of roads. We know we have a long way to go, but some roads in some of these councils have not seen a grader for five or six years — or even longer. This has been a great initiative to try to get that support back.

I turn now to the water portfolio, which can be found in section 11.5 on pages 112–13. It talks about a whole range of developments, but it is primarily about the business plans of the Northern Victoria Irrigation Renewal Project and Goulburn-Murray Water and the joining of these two businesses for better outcomes in northern Victoria. As I continue to say in this chamber, water is not a luxury for us; in northern Victoria it really is akin to the air that we breathe. It is absolutely paramount to the survival of all of our communities. We know the Murray-Darling Basin Authority is making a mockery of the consultation process at the moment. Consultation is the process by which the public's input on matters that affect them is sought, but seeking input and listening is a different thing to acting. I suppose time will tell as this consultation period draws to an end.

Our communities rely on agriculture. We have tourism and manufacturing, and they play a big part in our communities as well. However, agriculture lays the foundation for and supports every part of our local economy all year round. It provides infrastructure, and

a good example of that is Yarrawonga. The population of Yarrawonga increases tenfold in the summertime as a result of tourism, but agriculture is the staple that keeps it in one piece when the tourists have gone back to Melbourne and beyond. It keeps the wheels turning in our communities. I commend this report to the house.

Public Accounts and Estimates Committee: budget estimates 2011–12 (part 1)

Mr McGUIRE (Broadmeadows) — I rise to comment on the Public Accounts and Estimates Committee's report on the budget estimates 2011–12, part 1, which was tabled in June 2011. The report identifies at page 11 the key budget themes for 2011–12: boosting Victoria's economy, flood response, cost of living, community safety, rebuilding our transport system, regional and country Victoria, health and hospitals, education and skills, supporting local communities, and integrity of government. This identifies the criteria against which the government's management of the Victorian economy can be evaluated. It starkly sets out key themes that I want to address as a matter of urgency: boosting Victoria's economy, education and skills, and supporting local communities.

The issue I want to concentrate on in my contribution today is the government's failure to seize opportunities — far less to build our future — and the adverse consequences this will have for Victoria's future. The adage that may well define the 21st century is that if you stand still, you get run over. We are currently experiencing a period of radical economic change on a global basis, the speed and scale of which is likely to increase rather than decrease. Even the finest economists cannot predict when or where the international economy will find equilibrium.

We live in a time that author Tom Hayes has termed 'the jump point', and I agree with his description. A critical mass of economic activity has built up behind the surging frontier of the digital revolution. Businesses, workers, governments, non-government organisations, students and pensioners world wide have become active participants in the international digital economy. This critical mass is expected to explode, creating exponential growth in all sectors around the world.

According to a report by Deloitte Access Economics, the internet economy was worth \$50 billion to Australia in 2010 — that is, 3.6 per cent of gross domestic product. The digital economy represents 190 000 jobs across the country and is predicted to grow by around

7 per cent a year to \$70 billion by 2016. According to Deloitte the economic benefit to the wider economy through productivity gains for households and businesses is roughly \$80 billion. This has profound and far-reaching effects for local retailers and increases the export potential for local goods and services. The Treasurer said that productivity gains were our highest priority in Victoria, and I want to underline that fact, but unfortunately the government has been missing in these challenging times.

As the *Herald Sun* editorialised on 24 January:

The Toyota cutbacks have caught the Baillieu government with its engine idling.

Premier Ted Baillieu, in office for 14 months, needs to hit the economic accelerator.

The editorial further states:

Mr Baillieu promised action to win government, but apart from an inquiry into Victorian manufacturing, ironically entitled, *Meeting the Challenges*, little has happened. A report talks about management and training, investment in technology and innovation and clarifying objectives and removing red tape.

It also states:

Mr Baillieu must make government work. Sitting as the head of a committee doesn't cut it. Mr Baillieu must take charge to ensure Victorians are kept in jobs.

To paraphrase an article published in the *Age* of 18 August 2011, the government is trying to manipulate the natural bell curve of the political cycle, to manage the trajectory of public opinion and expectation over its first term, in an attempt to steal the next election and prolong the regime's tenure. According to government insiders, the government's strategy is to avoid any bold policy decisions in an attempt to lull the electorate into a feeling of stability and consistency, and for this the government stands condemned. This is a deliberate and strategic ploy, and a tepid response to the responsibility and privilege of forming government in Victoria. Alarming this strategy is being executed in the context of rapid and radical changes in a volatile global economic environment.

The polarity of the global economy is shifting for the first time since the industrial revolution from west to east. This has profound impacts on how goods and services will not just be produced but also consumed. Under ordinary circumstances managing an economy is a dynamic process, and Victoria can ill afford stagnation or hubris. Over the coalition government's first year the Victorian economy lagged behind the national economy on 12 of 14 key indicators. In the areas of jobs, business investment, building approvals,

new home loans, retail trade, job vacancies, construction work done, government spending and total spending Victoria has fallen behind the rest of the nation. I say we cannot afford lacklustre economic leadership. Without significant and strategic investment in infrastructure, lagging productivity will be compounded.

The ACTING SPEAKER (Mr Morris) — Order! The member's time has expired. I am glad speeches are no longer being read.

Public Accounts and Estimates Committee: review of 2009–10 and 2010–11 annual reports

Mr ANGUS (Forest Hill) — I am very pleased to rise today to speak in relation to the Public Accounts and Estimates Committee (PAEC) review of the 2009–10 and 2010–11 annual reports document that I had the great privilege of tabling in this chamber earlier today. I am sure that you, Acting Speaker, as a fellow member of the Public Accounts and Estimates Committee will concur with my comments when I start by thanking the committee's staff for their extensive work in preparing this very comprehensive document. It certainly is a comprehensive document, and it contains 43 recommendations spread over four chapters. I refer to the chairman's foreword, which basically summarises the three major findings the committee reached in relation to the annual financial statements and reports of the different departments and agencies.

The first finding the chairman identified is that there is a great deal of variety in these documents. This is not unexpected in some ways, but nevertheless he has noted that some departments have produced very lengthy and detailed reports of their operations, while others have shorter documents containing minimal amounts of information. Some are structured around outputs, some are structured around corporate objectives and others are structured around service delivery areas. There is a lot of variety in relation to the presentation of information.

The second major finding that the chairman identified is that most of the entities complied with the government's directions for annual reports. However, he also identified that the committee noted a significant degree of non-compliance with some directions. That is of some concern to the committee, and we have encouraged departments and agencies, through the recommendations included in this document, to ensure that there is consistency in the reporting. PAEC has noted that there is some work to be done by the central agencies to ensure that the various agencies and

departments are aware of the requirements and adhere to them. The third major finding is that there are some additional areas of reporting, and the committee has gone on to identify a set of better practice criteria for annual reporting.

The committee is looking to continually improve and add value to the work that departments and the agencies are doing in relation to their annual reports, and I trust the users of this report will take away that very positive approach.

I particularly want to turn to table 2.1 in chapter 2 entitled 'Better practice reporting to Parliament — Key elements and criteria for annual reports'. This is a very helpful document because it looks at the various elements of better practice reporting, it looks at the criteria and it looks at the comments of the Public Accounts and Estimates Committee. If I can summarise the content of the report and indeed the thrust of the overall document, as I said a moment ago, the Public Accounts and Estimates Committee wants to assist departments and agencies in improving the content of their annual reports so that they are consistent, so that there is continuity which enables sensible comparison and overall so that those reports provide reliable and useful information for all users.

I know from my previous occupation that it can be a great challenge for preparers of financial statements to ensure that such statements are useful for end users. This document encapsulates a great range of thought and provides clear guidance to those involved in the preparation of these documents to ensure that the information is presented consistently and in an easily accessible way. I trust that this will be a very helpful report for all who look at it — as I said, for agencies and departments as well as for members in this place — and I commend the report to members of the house.

BUILDING AMENDMENT BILL 2012

Second reading

Debate resumed from 28 February; motion of Mr CLARK (Attorney-General).

Ms MILLER (Bentleigh) — I rise today to conclude my speech on the Building Amendment Bill 2012, which I began yesterday. The purpose of the bill is to provide that a disciplinary inquiry may be commenced by the Building Practitioners Board (BPB) against a building practitioner whose registration is suspended provided the inquiry is commenced within the three-year period following the suspension. The Attorney-General's second-reading speech refers to a

Supreme Court case, *Ariss v. Building Practitioners Board*, and the concerns expressed by His Honour Justice Bell and the BPB about a loophole in the legislation. Sadly, some builders have taken advantage of the loophole in the legislation. This bill, which amends the Building Act 1993, will close that loophole. It also allows consideration of past conduct with no restrictions, as long as the inquiry commences within three years of the date of suspension of the building practitioner.

The bill also addresses defective works and unprofessional conduct, which can be referred to the BPB and disciplinary action taken. Now that the loophole has been identified, the bill will endeavour to close that loophole and strengthen the ability to pursue builders who have intentionally let their licences lapse. I refer to several newspaper articles, one of which concerns my electorate of Bentleigh. An article in the *Herald Sun* of 11 August 2006 referred to a disabled resident in McKinnon who had been charged almost \$70 000 for house repairs that were worth less than \$5000. This is a very clear example of how the legislation as it stands has enabled some building practitioners to rip off people not only in my electorate but all over Victoria. Changing the legislation to close this loophole will prevent people from continuing to do that.

An article published in the *Age* of 15 August 2009 carries the headline 'Dreams of a new life fade as builder vanishes'. The by-line of the article reads 'African migrants hoping to start afresh have fallen prey to a dodgy builder'. The Sudanese community is part of a diverse multicultural community in Victoria, and we embrace and enjoy the cultural benefits they offer. These people have come to this state for a better life. They are building their own homes with their families in communities of their choice, and we have builders out there taking advantage of them. It is an absolute disgrace that the Labor government let this go on for so long. It has taken the Baillieu government to fix this problem and to help people such as those in this community.

I have a more recent article published in the *Age* of 20 June 2011. It also deals with the types of people who have been taking advantage of the loophole in the legislation. The article is titled 'Watchdog shields "dodgy cowboys"' and carries the subheading 'Commission under fire over complaints process'. The article talks about a family in Heathmont in 2008 having a deck built in their backyard which was discovered to be defective. It goes on to report that it cost that family \$20 000 to have the deck built and they then found that it did not meet safety standards. The

family outlined a list of defects in a letter to Building Advice and Conciliation Victoria. The article reports the letter as saying:

Half an hour after the builder said the deck was complete one of the balustrades snapped off ...

Three months later a Building Commission inspector agreed that the deck was defective and gave the builder four weeks to act. He did nothing.

The legislation as it stands enables people like that builder to get away with this. The *Age* article reports the family as going on to say:

It was the builder who was being protected left, right and centre, and we were left high and dry.

The Baillieu government is taking responsibility for closing this loophole and rectifying the anomaly. This will mean that families such as the one I have mentioned, who pay good money — and we all work hard for it — for repairs to be done to their homes can expect those repairs to be of good quality, to the appropriate Australian standard and to a level where, once the work is completed, the family can enjoy time in their home. This is a very important bill that addresses a loophole in the existing legislation, and all Victorians will benefit from it. I commend the bill to the house.

Mr CARBINES (Ivanhoe) — I am pleased to rise and make a contribution to the debate on the Building Amendment Bill 2012, and I note that the Labor Party does not oppose the bill. Just to pick up on a couple of points in relation to the amendment bill, the purpose of the bill is to provide that a disciplinary inquiry may be commenced against a building practitioner whose registration is suspended, provided the inquiry is commenced within a three-year period after the suspension takes effect. This picks up on an avenue that a previous speaker alluded to whereby unscrupulous building practitioners avoid investigation by the Building Practitioners Board. As I said, the Labor Party does not oppose the bill.

In particular it was noted that the Supreme Court drew attention to the need to amend the legislation when in 2010 it decided that the 2001 amendment meant that the inquiry could look at only the conduct that occurred in the three years prior to the suspension. Of course there is a concern that there is an incentive for unscrupulous operators to delay proceedings in a bid to avoid the scrutiny of the Building Practitioners Board. We are pleased this amendment will provide an opportunity to give greater security and comfort to those people who invest significant sums in our community — families and others — who may have

moved into a house and then decided that as the family has expanded they will pursue this course and at significant financial cost and risk to themselves engage builders. All of us hope we are picking the right tradespeople. These are sometimes difficult decisions to make in the marketplace, and what does help consumers is the existence of rigorous advocacy bodies and watchdogs that can pursue people who are operating unscrupulously in whatever field, trade or practice it may be in order to protect consumers.

One of the issues that people have raised with me in my electorate is that when you go down the path of engaging a builder and investing significant sums to get works under way, if there are contract disputes or disputes about the work, sometimes you can be left with matters unresolved, half-built rooms or houses, the loss of funds that you have expended and a family under stress and pressure. These sorts of things can be a nightmare for those of us in the community who choose to either renovate or build anew, and it is important that this loophole is closed to provide people in the community with some comfort and confidence that unscrupulous operators will be driven out of the industry because they will find they will be brought to book and held to account, and to ensure that those who do have disputes with other builders have a clear avenue to deal with those matters.

I note from *Building Commission Highlights 2010–11* that there were a couple of aspects that it was dealing with which had been picked up by the Building Practitioners Board. They were part of the audit investigation program that was undertaken in 2010–11. The commission in particular focused its functions around two important programs, including:

Targeted audits of the work of draftspersons — This program is expected to assist in identifying instances of poor drafting practices and educating draftspersons regarding the expectations of the Building Practitioners Board.

That is another area where the Building Practitioners Board needs to apply a critical eye and has a responsibility to investigate. I just note from that report that the first phase of the audit had been conducted by 30 June 2011, with eight councils visited and some 376 files or 94 draftspersons being assessed. That project will continue into this year.

Picking up on some of the findings and outcomes from the Building Practitioners Board's inquiries — and I think this goes to the work it has been doing so as to give some confidence in the community that it has had some success in driving out unscrupulous operators and providing some justice for those in the community who have sought remedies from the board — in the 2010–11

year there were some 89 inquiries completed, which was an increase over the past four or five years. There is also a new step, 'Conduct review meetings', which was an initiative introduced by the board in 2010–11; there were some 23 of those.

Of the 89 initial inquiries, 96 per cent of cases were proven, 4 were dismissed and the registration of some nine building practitioners was suspended. There were also some four registrations cancelled. Some 52 fines were issued, totalling some \$133 000. That is quite a significant amount, which was almost double the total for the previous year, 2009–10. Certainly the Building Practitioners Board has been dealing with a number of unscrupulous operators and it has been able to indicate clearly in the annual report where it has taken action against those who have not strictly observed the regulations and guidelines which are in place and which they must adhere to as building practitioners.

I note also that among the range of other issues that people had raised with me was their concern to ensure that there was appropriate information available to them as to where they could go to pursue their concerns about unscrupulous builders. While the amendment bill now before the house will pick up on being able to pursue those who try to avoid scrutiny by the Building Practitioners Board, people have also raised the need to know where they can go for information. I notice there is a range of information available to people in the community. Perhaps rather than engaging lawyers in the first instance they can seek advice from the Building Practitioners Board and the Building Commission as to where they can go to get advice and seek remedies for their concerns.

In particular consumers need to be aware of certain matters — I am just picking up on some comments in the board's report — if they are engaging a registered building practitioner to undertake domestic work of a value greater than \$5000. The report says that if a consumer uses a builder who is not registered, they potentially accept all the risks and liabilities. It is important that people who engage builders seek to find out whether they are registered and do appropriate checks. These are the due diligence measures that apply in a 'buyer beware' market, and people need to do that.

But of course in having respect for and confidence in regulatory processes as to how people are registered as builders, you also need to know that even if you go through those processes you may still find yourself in a situation where you have a dispute with people who might be halfway through a building project on your property on which you have expended significant financial sums. What you need to know then is that

appropriate regulatory processes have been put in place and that the Building Practitioners Board is available to deal with those matters. Inquiries in particular can be generated either on the Building Practitioners Board's own initiative or on the recommendation of a person appointed by the board.

A referral can come from the Building Commission, from insurers or from the Victorian Civil and Administrative Tribunal; also it can be on the request of any other person. On a written request for an inquiry information is officially recorded and referred to the practitioners board for consideration; then it is able to decide whether to proceed with an inquiry based on the evidence provided to it.

Often people get referrals by word of mouth or through other work that people have seen and are aware of. It is important to note that the vast majority of workers and builders in the community who provide a very good service, who want to run hardworking and legitimate businesses and who know their reputation is really what drives their business success are very keen to ensure that unscrupulous operators are driven out of the industry and are held to account appropriately.

I think what is also important about the amendment bill before the house is that it provides — although it probably remains to be seen — the opportunity to ensure the timely resolution of disputes that are brought before the practitioners board. Obviously there was some incentive for unscrupulous operators to avoid being dealt with by the practitioners board within that three-year period and they saw that as an opportunity to avoid scrutiny; that also would have delayed people being brought to book. I was having a look at some of the information on prosecutions and inquiries in the Building Commission's report. It notes that it has been able in a very timely manner to deal with a number of disputes that have been raised.

I commend the amendments proposed in the bill. Labor Party members do not oppose the bill, and we hope it will lead to further improvements in the building industry and for consumers.

Debate adjourned on motion of Mr HODGETT (Kilsyth).

Debate adjourned until later this day.

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

Business interrupted pursuant to standing orders.

DISTINGUISHED VISITORS

The SPEAKER — Order! Before we commence I welcome to the gallery Mr Sobashima, the Consul General for Japan in Melbourne. It is wonderful to see Mr Sobashima in the chamber.

QUESTIONS WITHOUT NOTICE

**Minister for Police and Emergency Services:
industrial dispute representations**

Mr ANDREWS (Leader of the Opposition) — My question is to the Deputy Premier, the Minister for Police and Emergency Services. I refer the minister to the recent industrial dispute at Baiada Poultry, and I ask: did the minister or any of his staff receive representations regarding the involvement of Victoria Police in this industrial dispute?

Mr RYAN (Minister for Police and Emergency Services) — I thank the Leader of the Opposition for his question. This was a particularly difficult time for the company that was the subject of illegal activities by those who were establishing a picket line and then enforcing it, doing so in the face of orders that had been made by the Supreme Court and then persisting with that conduct despite the fact of those orders having been made.

As is usually the case in relation to circumstances such as this and in relation to matters generally that pertain to the enforcement of our laws, there were representations made through my office in relation to this matter. At all stages, as I do with anybody who raises this issue either in this place or otherwise, I gave the very clear indication through those who work with me in my office that this is a police operational issue. It is not something with which the government should, would or will ever interfere, and, as I understand it, police members conducted themselves as they deemed to be appropriate. That is precisely how it should happen.

Child protection: government policy

Mr HODGETT (Kilsyth) — My question is to the Premier. Will the Premier advise the house on amendments to the serious sex offender legislation as recommended by the Cummins inquiry into protecting Victoria's vulnerable children?

Mr BAILLIEU (Premier) — I thank the member for his question. As members would be aware, yesterday the Cummins report was tabled in Parliament. It is a long, comprehensive, detailed report, and it deals with complex issues across many areas. I state up front

that as far as the government is concerned, protecting children, in particular vulnerable children, is a top priority for it. Inevitably many of these issues are difficult, and some are highly controversial.

As members of the house will be aware, the Cummins review recommended, by majority decision after careful consideration, that certain sections of the serious sex offenders legislation that provide for suppression orders on the naming of convicted paedophiles should be repealed in certain circumstances. There are considerations and consequences of the implementation of that recommendation which require careful thought and consideration, including having regard to various legal, correctional, law enforcement and ongoing case management practicalities.

It is my view that every member of this house would, like the government, seek to put the interests of children as the top priority. The government will be urgently seeking to deal with this particular matter. Accordingly, the Attorney-General, the Deputy Premier and Minister for Police and Emergency Services, the Minister for Corrections, the Minister for Community Services and other ministers as required will be working together urgently on this matter. In accordance with the recommendations of the report, that group will be working with the Chief Commissioner of Police, the commissioner of Corrections Victoria, senior Department of Justice officials and appropriate legal advisers and professionals to provide advice on these matters, including the experience of other jurisdictions.

I emphasise in respect of that aspect of the report — volume 2 at page 364, the majority decision of the panel — that the interests of children do and will take priority for this government.

I want to emphasise again that this process will be an urgent one, so that ministers will be in a position to take a decision on policy as soon as possible. Protecting children, families and the wider community is this government's first priority. And I make the point again, as I made it yesterday to the media: I want to thank Philip Cummins, I want to thank Bill Scales and I want to thank Dorothy Scott for the report they have delivered. It has in it some 90 recommendations, some of them very extensive and some of them complex in their own right.

We have already set aside more than \$60 million in additional funds for a number of measures here, including additional child protection workers and additional services in particular locations. We believe this report is an important document, and it comes after 10 years of disappointing results. I do not think it is a

time to be pointing the finger; I think this is a time to get on with the job, and that is what we are doing.

**Minister for Police and Emergency Services:
industrial dispute representations**

Mr MERLINO (Monbulk) — My question is to the Deputy Premier and Minister for Police and Emergency Services. I thank the minister for his earlier answer, and I ask: is it not a fact that the minister received a representation seeking to influence and direct police actions at Baiada from Mr Michael Kroger, a former Victorian Liberal Party president?

Mr RYAN (Minister for Police and Emergency Services) — I thank the member for his question.

Ms Green interjected.

The SPEAKER — Order! The member for Yan Yean!

Mr RYAN — In the course of this most unfortunate dispute, representations were made by various parties to it, which were made to police command directly and which were sent to my office through those who work with me. At no time did I ever meet with Mr Kroger in relation to this issue.

Honourable members interjecting.

The SPEAKER — Order! The member for Kilsyth is on a warning.

Child protection: government policy

Mrs FYFFE (Evelyn) — My question is to the Minister for Community Services. Will the minister outline to the house the government's response to the Protecting Victoria's vulnerable children inquiry report, which was tabled in Parliament yesterday?

Ms WOOLDRIDGE (Minister for Community Services) — I thank the member for Evelyn for her question and for her ongoing interest in and commitment to vulnerable children in this state. In fact I have to say, as the Premier has already outlined, that protecting children is an absolute priority for everyone in this government, and I believe everyone in this Parliament. It is a worthy area of focus, and one on which we must continue to be diligent to try and make that real difference and protect very vulnerable children. I was pleased to be able to table the report in this Parliament yesterday. The report clearly provides a road map of significant reform for the future for how we can take a system that has left vulnerable children in very distressing circumstances and has not met their

needs and make that difference that we all seek to achieve.

This election commitment — and it was an election commitment back in 2009 to undertake this significant inquiry, led by a judicial officer — was made at the time of a very damning Ombudsman's report into the child protection system in 2009. That was followed in 2010 by another damning Ombudsman's report into the out-of-home care system. Both reports catalogued a lack of leadership and a lack of management in this absolutely critical area that was in some instances putting vulnerable children at risk of further harm, rather than undertaking the protective actions for which the state has responsibility.

It was also in the context of a massive loss of foster carers, who are a very critical part of our out-of-home care system. It was also in the context of one in four of our front-line workers walking out the door in their first year because of the dysfunction of the system. They had an absolute commitment to the children and their families, but they could not work within the system that was around them. It was also in the context of unallocated cases, which in some regions were up over 60 per cent — that is, children who had had their abuse and neglect catalogued and recorded by the courts but who did not have a caseworker to work with them. It was also in the context of young people in out-of-home care who were not even getting educational and health assessments as they entered, to try to get those very vulnerable lives back on track. So it was in the context of a very difficult and disturbing circumstance that we inherited from the former government.

We put in place a topnotch panel, and the Premier has already recognised its members for the incredible job they have done. They took over 220 written submissions. They held hearings right around the state, and they have been very thoughtful and have provided us with 90 recommendations, 20 findings and 14 matters for attention. It sets an ambitious agenda, and we are getting on with it, because that is what we think is absolutely important. We have committed to a whole-of-government strategy, which was recommendation 2 and what the panel asked us to do. We have got this high-level ministerial group to drive the response and its implementation in relation to the recommendations we have.

As the Premier mentioned, there is an additional \$61 million and more child protection workers on the front line addressing the issues in Child FIRST, where there are massive demand pressures and where waiting lists had to be closed, so that families could not get that early intervention and support. There are three new

multidisciplinary centres to genuinely tackle child sex abuse — which is a very unpalatable and difficult issue in our community — in the context of reforming case management, reforming the child protection workforce and the \$98 million we allocated for that in the budget.

This government is absolutely committed to vulnerable children. Through this panel report we have set a pathway of where we need to go in the future to make sure that this government does not fail them.

**Minister for Police and Emergency Services:
industrial dispute representations**

Mr ANDREWS (Leader of the Opposition) — My question is to the Deputy Premier and Minister for Police and Emergency Services. I ask: did the minister or his office receive representations from Michael Kroger in relation to the Baiada dispute, yes or no?

Mr RYAN (Minister for Police and Emergency Services) — I thank the Leader of the Opposition for his question. During this terribly unfortunate issue representations were made to various ministerial officers, and in the public at large and to police command by those who had concerns in regard to conduct that was happening on the picket line. In my role as the responsible minister I am always concerned to ensure that the laws of the state are upheld. How the laws of the state are upheld is entirely within the province of the Chief Commissioner of Police, and the way in which we as a government — —

Ms Hennessy — My point of order, Speaker, is on the issue of relevance. The question was clearly about whether or not the Deputy Premier had had representations from Michael Kroger, not about the enforcement of the law.

The SPEAKER — Order! I do not uphold the point of order. The answer was relevant to the question that was asked.

Mr RYAN — This government observes absolutely the distinction between the obligations that it as a government has by way of setting policy and resourcing police on the one hand and the absolute entitlement, right and obligation of Victoria Police to enforce the law as they see fit on the other hand. That is absolutely and precisely what happened in this instance. As I said, representations were made by those associated with the company. They were not only made to me but were made in the public arena, and certainly were made to police command. That is entirely a matter for the police. At the end of the day the police did what the

police need to do; they enforced the law as they deemed appropriate.

Mr Andrews — On a point of order, Speaker, the question related to representations to the minister's office and the minister has completely failed to answer whether Michael Kroger made — —

The SPEAKER — Order! The minister has concluded his answer.

Floods: government assistance

Mr WELLER (Rodney) — My question is to the Minister for Police and Emergency Services. Will the minister advise the house of the impact of the heavy rainfall and flooding across regional Victoria and of the weather warnings for the remainder of the week?

Mr RYAN (Minister for Police and Emergency Services) — I thank the member for his apt question having regard to the difficulties which many people, most unfortunately, have suffered and continue to suffer as a result of the recent rain events. We have had significant rain over the course of the last few days. The rainfall totals have varied between about 20 millilitres and 70 millilitres over the central, eastern and northern parts of the state and between 70 millilitres and 150 millilitres over the north central and north-eastern regions. As of last night, the Victoria State Emergency Service had received 973 requests for assistance since last Sunday. Those requests have been concentrated around a few towns. Some of those — and this is not an exclusive list — are Castlemaine, Ballarat, Chiltern and Tallygaroopna.

This morning I noticed on the cover of the *Bendigo Advertiser* a photo of Barb Templar being comforted by her daughter, Jenny Dwyer. Barb is a resident of the Castlemaine caravan park, and floodwaters had gone through her home. Cherylynn Quinn from Elphinstone is written up on page 2 of the *Advertiser*. This poor lady has had water come through her home for the fourth time in a little over 12 months. These are tragic events for the people who suffer from these matters, as we all know.

To date 18 emergency relief assistance payments have been made, primarily in Castlemaine and Chewton. About 50 homes have been affected in some way or another by inundation. In Bendigo one home has been inundated, and its occupants have received emergency relief assistance. In Tallygaroopna inundation has applied to five residential properties and the hotel. Last night I initiated the process for payment of emergency re-establishment grants to those who are eligible to

receive them. As a government we are concerned to assist those people who are eligible to obtain those grants.

The personal hardship assistance program is available for those who now find their homes uninhabitable. As I said, they can apply for emergency relief assistance. That assistance is up to the sum of \$1200 for a household, being \$480 per adult and \$240 per child. It accommodates emergency relief, food, clothing and anything to do with the replacement of personal items. In addition to that support, I have today activated the emergency re-establishment assistance. That provides grants of up to \$30 000 to those who are entitled to receive them.

I am advised that further rainfall is due as the course of this week unfolds. I say this in a situation where the last thing we want to do is cause any panic among our regional communities, but members of those communities need to be wary, to listen to and observe the warnings about weather conditions as they come out and to take precautions as appropriate. A severe weather warning for heavy rain is current, with flood watches current up around the north-east and for the East Gippsland catchments. Rainfall rates are likely to induce flash flooding and a measure of riverine flooding.

I urge those who live in those riverine areas in particular to take care of their stock and move them to higher ground wherever appropriate. I also urge people — I plead with them, in fact — not to try to drive or walk through floodwaters. The majority of people who are saved in these circumstances have committed the extreme folly of exposing themselves to this danger. I conclude by lauding the efforts of volunteers with our State Emergency Service and other agencies. They do a fantastic job on behalf of all Victorians.

Minister for Community Services: comments

Mr ANDREWS (Leader of the Opposition) — My question is to the Minister for Community Services. I listened carefully to her answer earlier on, and I also listened to her comments on 3AW this morning, when she said, ‘We have to balance the rights of children and families with the rights of paedophiles’, and I ask: can the minister outline to the house a circumstance in which the rights of a paedophile would ever be equal to the rights of a child?

Ms WOOLDRIDGE (Minister for Community Services) — I thank the member for — —

Honourable members interjecting.

The SPEAKER — Order! We will have this answer in silence.

Ms WOOLDRIDGE — I said then and I say now — —

Ms Kairouz interjected.

Questions interrupted.

SUSPENSION OF MEMBER

Member for Kororoit

The SPEAKER — Order! The member for Kororoit can leave the chamber for 30 minutes. I said I wanted silence.

Honourable member for Kororoit withdrew from chamber.

QUESTIONS WITHOUT NOTICE

Minister for Community Services: comments

Questions resumed.

Ms WOOLDRIDGE (Minister for Community Services) — I said then, I have said subsequently and I say now that the rights of a child are always paramount.

Former government: advertising

Mr BLACKWOOD (Narracan) — My question is to the Minister for Public Transport. Will the minister advise the house of the government’s reaction to the Auditor-General’s reports tabled today?

Dr Sykes interjected.

Questions interrupted.

SUSPENSION OF MEMBER

Member for Benalla

The SPEAKER — Order! The member for Benalla can leave the chamber for 30 minutes.

Honourable member for Benalla withdrew from chamber.

QUESTIONS WITHOUT NOTICE

Former government: advertising

Questions resumed.

Mr MULDER (Minister for Public Transport) — I thank the member for Narracan for his interest in the public transport network throughout Victoria. The Auditor-General tabled two reports today in the Victorian Parliament: one on public transport — —

Mr Lim interjected.

The SPEAKER — Order! The member for Clayton is right on the edge.

Mr MULDER — The other one was in relation to government advertising and communications. Those two reports actually overlap.

I would just like to go to the conclusions of the first report, *Public Transport Performance*, which state that under the former Labor government’s policies and procedures:

The department was not prepared to effectively manage the rapid growth in public transport patronage that happened between 2004 and 2009. It did not have the capability to foresee this growth or fully understand the root causes of poor performance. It was therefore unable to effectively deal with the performance pressures.

Satisfaction for all public transport modes deteriorated over the past decade, and performance has mostly fallen short of government targets in the past five years. The decline was greatest for metropolitan trains. The response to this decline was partial and uncoordinated, with an incremental approach to changing timetables where complete revamps were necessary if the drivers of poor performance were to be addressed.

Over this time the department managed public transport as a collection of separate modes of travel rather than as an integrated system.

What was the action that the former government took? In relation to Victorian government advertising under the former Labor government, the Auditor-General stated that:

Faced with increasing criticism about the transport system, the government wanted to persuade Victorians that it had a plan and was responding to concerns. Thus the campaign could be perceived as party political.

The Auditor-General also stated:

Of the five campaigns ... only the transport plan campaign contained a clear breach of the 2009 guidelines by referring to the government as the ‘Brumby government’ in one of its publications.

Moreover, a transport plan publication featuring a photograph of the then Minister for Transport was mailed to residents in a particular suburb. It is considered a reasonable person would regard this as gratuitous and indicative of the intent to serve party political interests. The Department of Transport has accepted that these two examples breach the 2009 guidelines.

This is what was happening under the former government when the transport system was in chaos. What was its approach? It was to hit the advertising button, and \$3.5 million of Victorian taxpayers money went down the drain on party political advertising. Rather than fixing the nuts and bolts of the system, rather than getting the system back on track and rather than supporting the department, the government went for the advertising button. It is interesting to see what happened over a very short period — an ad hoc, patch-up of the timetable. When it had the opportunity to deal with the timetable, the previous government did not. It put its head in the sand and left it until after the election, when it became our responsibility. We have worked with the operators to fix that.

The Auditor-General did not have access to the December 2011 figures in relation to customer satisfaction. I have a clipping from today’s *Age* with the headline, ‘Public transport winning support’ — that is, under the new Baillieu government. The customer satisfaction surveys for the last two quarters show that support for public transport from within the community is on the up and up. We are putting the money where it is supposed to go — into the basics, into the nuts and bolts and into the management of the network. We are putting our money into maintaining the rail network. We are ordering new trains, we are developing plans to extend the network and we are going to put in place a coordinating body to make sure public transport runs as it should.

Presiding officers: fundraiser attendance

Mr ANDREWS (Leader of the Opposition) — My question is to the Premier. I refer the Premier to the government’s fundraising code of conduct, and I ask: does the Premier support presiding officers of the Legislative Assembly attending Liberal Party fundraisers?

Mr BAILLIEU (Premier) — The conduct of the presiding officers is a matter for the presiding officers. As members of the Parliament they are perfectly entitled to attend the functions they see fit to attend.

Ms Hennessy — On a point of order, Speaker, the Premier was clearly attempting to debate the question. The question was about whether or not he supported it, and his attempt — —

The SPEAKER — Order! The Premier has concluded his answer.

Former government: advertising

Mr SHAW (Frankston) — My question is to the Treasurer. Can the Treasurer advise the house of the government's reaction to the Auditor-General's report on government advertising expenditure, which was tabled in the house this morning?

Mr WELLS (Treasurer) — I would like to thank the member for Frankston for his question and for his interest in this matter. Government advertising is legitimate when it provides genuine information to the community.

Mr Andrews interjected.

The SPEAKER — Order! The Leader of the Opposition has asked his question.

Mr WELLS — But it is absolutely vital that those amounts are kept to a minimum, that it is money well spent and that it is monitored and scrutinised. I welcome the Auditor-General's report today on government advertising and communications. It is a report that is damning of the previous Labor government. It is absolutely damning, and all those opposite who served as a minister or parliamentary secretary need to share the blame for this disgraceful situation.

Mr Nardella — On a point of order, Speaker, it is not appropriate for the minister to attack members of the opposition, and I ask you to bring him back to the question.

Dr Napthine — On the point of order, Speaker, the question referred to the Auditor-General's report, which refers to advertising conducted under the previous Labor government, so it is absolutely relevant that the Treasurer was addressing the issues raised in the Auditor-General's report.

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

Mr WELLS — The revelations by the Auditor-General are astonishing. The former state Labor government was the largest advertiser in this state. It spent more than any other state government in the country. In fact it was the seventh-largest advertiser in the entire country. From July 2006 to December 2010, the 11 departments and 5 agencies spent \$1 billion in advertising. They spent \$1 billion of public money — —

Mr Andrews interjected.

The SPEAKER — Order! The Leader of the Opposition is on a warning.

Mr WELLS — When do you think the largest increase in advertising occurred? Let me quote from page 11 of the report:

... the largest increase in expenditure occurred in the year leading up to the 2010 state election ...

Honourable members interjecting.

The SPEAKER — Order! I ask the house to come to order. The Treasurer does not need the assistance of members of the government.

Mr WELLS — The report goes on to say on page 34, dealing with Labor's key advertising campaign, and this is embarrassing for the previous government:

The Blueprint for Regional Victoria was portrayed as the government's new plan for regional Victoria. For example, one advertisement had the heading 'There's a new blueprint for regional and rural Victoria'. A closer reading of the actual plan, however, reveals that over 20 per cent of the blueprint's proposals were a continuation of pre-existing ... programs. Without pointing this out, the campaign could have been perceived as misleading and not an accurate presentation of the facts.

Page 32 of the report states:

... the Transport Plan campaign contained a clear breach of the 2009 guidelines —

which were put in place by the Brumby government. The report goes on to state:

... a ... publication featuring a photograph of the then minister for transport was mailed to residents in a particular suburb. It is considered a reasonable person would regard this as gratuitous and indicative of the intent to serve party political interests.

This is typical of Labor members: they spend money like drunken sailors and are fast and loose with the truth. Members opposite — —

Ms Hennessy — On a point of order, Speaker, as you would well be aware, under previous rulings from the Chair attacks on previous government administrations are prohibited. The Treasurer has had ample opportunity to canvass issues in the report, but it has now transformed into an unedifying rant. I ask you to bring him back to answering the question in accordance with the standing orders.

Mr Ryan — On the point of order, Speaker, I ask you to rule the point of order out of order. The

Treasurer is commenting on a report by the Auditor-General which was tabled in this Parliament this day. It is directly relevant to issues around government business. The report is very pertinent and therefore so are the Treasurer's comments. In my respectful view the point of order should be ruled out of order.

The SPEAKER — Order! I do not uphold the point of order, but I do ask the Treasurer to come back to answering the question.

Mr WELLS — In conclusion, this is another concern — —

Ms Hennessy — On a further point of order, Speaker, in light of the ruling that you issued in this house yesterday, I would ask that your ruling be enforced. The Treasurer is clearly reading. He cannot even make a pathetic attack on the opposition without relying on his preprepared notes.

Honourable members interjecting.

Dr Napthine — On a point of order, Speaker, clearly the Treasurer was referring to notes, but he was also quoting some sections of the report, like the section where it says the advertising was 'to serve party political interests' — —

Honourable members interjecting.

The SPEAKER — Order!

Dr Napthine — It was perceived as party political. That is what he was quoting from — —

The SPEAKER — Order!

Questions interrupted.

SUSPENSION OF MEMBER

Minister for Ports

The SPEAKER — Order! I am going to boot out the Minister for Ports for half an hour.

Minister for Ports withdrew from chamber.

QUESTIONS WITHOUT NOTICE

Former government: advertising

Questions resumed.

The SPEAKER — Order! I ask the Treasurer, who has 2 seconds left, to return to answering the question.

Mr WELLS — The previous Labor government should hang its head in shame!

Honourable members interjecting.

The SPEAKER — Order! I am sure everybody will be delighted to know that question time has concluded.

CARERS RECOGNITION BILL 2012

Second reading

Debate resumed from 8 February; motion of Ms WOOLDRIDGE (Minister for Community Services).

Ms GREEN (Yan Yean) — It gives me great pleasure to lead the debate on behalf of the opposition on the Carers Recognition Bill 2012. Labor recognises the enormous contribution made by hundreds of thousands of Victorians and the efforts they make in providing care and unpaid work every day of the year that supports children in foster care and in kinship and permanent care; people with a disability, a severe or chronic medical condition or a mental illness; and indeed those who are frail, aged or in palliative care.

On a personal note, I pay tribute to a particularly wonderful carer, Janine Hammond. Janine was my neighbour for many years. She is a fantastic young woman whom I met as a teenager. As a very young adult she had to take a great deal of responsibility for her wonderful mum, Jacqueline Pearce, who was beset at a young age with horrific brain tumours. Sadly Jacque lost her battle for life only in the last fortnight. She battled those tumours for 15 years, and Janine and her husband, Nick, cared for Jacque in the most wonderful way over that time whilst also balancing looking after three children, including a little boy with autism. Janine showed that great love to her mum, Jacque, by spending the last 10 days of Jacque's life beside her while she was unconscious in St Vincent's Hospital.

It is people like Janine Hammond who epitomise the love and devotion that carers in this state show to their loved ones, so it is very appropriate that this Parliament

should recognise the sacrifice and contribution that carers make to improving the lives of others, and how invaluable it is. Carers give those they care for the opportunity to live their lives to the fullest, to retain their dignity and to remain a part of their community.

Prior to getting into the detail of the bill I would like to talk about Labor's record of supporting carers, because I think this bill is a logical extension of the work that we did. I commend the work of the former Minister for Community Services, the member for Bellarine, who in June 2010 launched *A Victorian Charter Supporting People in Care Relationships* and the Victorian Carer Card. These were tangible measures to support carers in this state. The charter articulates the rights and responsibilities of people in care relationships and how they can be supported by organisations, governments and the community. The charter also seeks to empower carers to access the services available to them and to the persons in their care, as well as providing practical assistance, such as listing the supports and resources available to assist carers.

There are more than 140 000 carers in Victoria, and they represent all age groups, including young people like Janine Hammond, who is now only in her mid-30s and who had been in the caring responsibility relationship with her mum, Jacquie, since her late teen years. They can be friends, neighbours or family members who care for people who are unable to care for themselves. Under our government, funding was allocated to Carers Victoria to promote the charter and evaluate its impact on the lives of carers. The charter states:

One thing in common for all carers and the people they care for is being in a care relationship. This is people involved in a shared arrangement with many qualities, including one or more people providing unpaid care to another or others.

Each care relationship has different needs and challenges. Many things affect care relationships making them complex, including people's age, sex and health, and resources in the care relationship.

Anyone may find themselves in a care relationship at any stage of their lives.

People in care relationships deserve to be recognised and supported. Support begins with protecting rights.

The legislation before us continues to promote that care relationship rather than the carer or the person being cared for, and that relationship is paramount. As noted in the second-reading speech, the bill is consistent with the charter, and the charter will be updated to reflect the new legislation. The opposition certainly welcomes this measure. The bill is straightforward and seeks to

enshrine values for supporting care relationships rather than setting up any sort of regulatory framework.

The main purposes of the bill are: to recognise, promote and value the role of people in care relationships; to recognise the different needs of persons in care relationships; to support and recognise the fact that care relationships bring benefits to the persons in the care relationships and to the community; and to enact care relationship principles to promote understanding of the significance of care relationships. The commencement date for the bill is 1 July 2012, unless the bill is proclaimed earlier.

As I have noted, the bill focuses on care relationships rather than carers. For the purposes of the bill, a person is considered to be in a care relationship if he or she provides care to another person or receives care from another person because one of the persons in the relationship has a disability, is older, has a mental illness or has a chronic illness. Additionally a care relationship includes children and carers involved in the child protection system who have a permanent care order, a child-care agreement or a protection order in place. Carers who are paid or doing voluntary work for a community organisation or undertaking a caring role through study are not considered to be in a care relationship for the purposes of the bill.

The bill applies to public sector agencies, publicly funded care agencies, some contractors or funded care agencies or any person, body or class of person to be prescribed by the regulations. However, the bill will not apply to family day care services, children's services, education and care services, preschool programs or government and non-government schools.

Part 2 of the bill sets out principles relating to respect, recognition and support of carers, principles for the person being cared for and principles relating to the care relationships. The principles do not create or confer on any person any right or entitlement enforceable at law.

Part 3 of the bill provides a set of obligations that care support organisations must adhere to for the understanding and support of care relationships, but it explicitly states that this is not creating any funding obligation. However, the bill requires that a care support organisation prepare a report on these obligations in its annual report.

The minister's second-reading speech referred to this bill being part of a carer action agenda. The Carers Victoria press release indicates that it is a bit disappointed in that the Victorian carer action agenda

provides an opportunity for this government to deliver tangible changes in funding policy and services, and to deliver better support for caring for families, but Carers Victoria wants to know how long Victoria's carers have to wait before they see real action being taken for themselves and for the people they care for.

A press release quotes Carers Victoria as stating:

Too many carers are struggling financially. They are physically and emotionally exhausted, and many are socially isolated. They are also desperate for changes to a severely inadequate service and support system.

I can assure Carers Victoria, and indeed all carers in Victoria, that we in the opposition will be making sure the government matches its words with action and that real support is provided to carers to support them in their everyday lives.

Mr Southwick — On a point of order, Speaker, I draw your attention to the fact that the member is reading her speech. You made it very clear early in this sitting of Parliament that we are not to read speeches. The member has been a member of this chamber for some time, so by this stage she should be able to speak without reading her speech.

The SPEAKER — Order! Is the member reading her speech?

Ms GREEN — I was quoting from a Carers Victoria media release, but otherwise I have just been referring to my notes. I am happy to continue.

The SPEAKER — Order! I ask the member to make her speech without too much reference to what is in front of her.

Ms GREEN — It is very interesting for this house that while debating this bill this week to note that last Thursday the minister responsible for the bill confirmed that 500 jobs are to be cut from the Department of Human Services, which has the responsibility of looking after the most vulnerable people in Victoria, including children in the child protection system, people with disabilities, members of any other disadvantaged group and people looking for housing, whether permanent or in an emergency situation. It is a great shame, as Carers Victoria has noted, that the government needs to match its words with actions, because sadly those actions at the moment are not to support carers in any tangible way aside from words but to make cuts to the department. It is just not believable; it is not credible.

The minister in this chamber yesterday refused to rule out further cuts to the child protection workforce, and

she has not been able to explain the situation. She has not been able to explain how it will be of benefit to carers, to people with disabilities who are on waiting lists for aids and equipment, for those on individual support packages or for those in residential care or foster care. She has not been able to explain how you can possibly deliver more with less and given the pressures on the system. We saw yesterday that the minister was being defensive, using the weasel words of so-called sustainable government, when in fact what we know is that this is cuts to services that support our most vulnerable, including carers and those they take care of.

The Auditor-General published a report in September 2011 on individualised funding for disability services and confirmed that the individual support packages and individual support we introduced in government were serving the disability community well. However, there is always room for improvement. On page 4 of this report the Auditor-General noted that it was very disappointing that in last year's budget — the 2011–12 budget — there was absolutely zero growth funding from the state government for individual support packages. I know the minister stayed up late last night and wanted to make a big deal of saying that I had made mis-statements about funding for individual support packages. Here we have it in black and white in the Auditor-General's report of October last year, which absolutely confirms that there was a zero increase from the state coffers for growth funding for individual support packages. You cannot support carers and those with disabilities if you have no growth funding for individual support packages.

We have seen on the conservative side of politics that there is a diminishing of care. We took the lead on support for a national disability insurance scheme (NDIS). That was something we were proud to work on in partnership with our federal counterparts. What we are seeing is a minister who has started cost shifting to the commonwealth. She uses a lot of words saying the government supports a national disability insurance scheme, but it is doing little to back that up and is starting to handball its responsibilities for people with disabilities straight over to the commonwealth. However, when the federal opposition leader, Tony Abbott, says he is backing away from an NDIS, we hear little from those on the other side criticising that. They are very good at criticising our record in government and making noise about that, but not when Tony Abbott is backing away from a groundbreaking and equitable scheme that has been lauded across the country.

The Productivity Commission recommended that the scheme should proceed, because Australia has the lowest level of funding among Organisation for Economic Cooperation and Development countries for people with disabilities. This is a national shame; it is a dreadful shame, and it is something we should work across party lines to address. It is not good enough to say, 'Yes, we will have the pilot here in Victoria' if you are not prepared to put your hand in your pocket and you are in fact cutting funds to the workforce that looks after people with disabilities. We saw in a document entitled *DHS Organisational Review Outcomes — Proposed Organisational Restructure* that in a proposed restructure — read 'job cuts' — announced by the department last week the disability services division will disappear.

So the workforce that the Auditor-General said by and large was doing a good job but needed some improvements in terms of delivery of individual support packages will fall victim to this government's cuts when the disability services division goes. It will be part of the so-called restructure, where we are cutting 8 regions down to 4, with apparently 17 new areas with managers. Managers are really going to improve the front-line delivery in those areas! We are going to sacrifice the support staff that looks after allocation of individual support packages and provides support to our child protection workforce. We will have a situation where the child protection workers, rather than doing the important work that they need to do in keeping our most vulnerable children safe, will have no administrative support and will need to spend more time in front of a computer terminal doing data entry or phoning up and making court dates or driving long distances in these new super regions to put children in placements.

It is just not good enough to put a bill before this house and make noise and put platitudes into legislation saying that you care. You must back up that care with budget funding. We saw in this year's budget a cut of \$180 million from the Department of Human Services. We heard yesterday that the government's response to the 900-page, 90-recommendation report into child protection will be to allocate \$62 million — \$180 million has been cut, and \$62 million is to be given back. That is still in effect an extremely large cut. The Community and Public Sector Union has noted that this is the first cut to child protection resources.

During Labor's time in office I am proud to say support grew for addressing this difficult problem. It was all very well for the then shadow minister to make deeply personal criticisms of the previous minister; she was a hero and an attack dog in opposition, but she is now a

very quiet lap-dog in government. She made deeply personal remarks about the previous minister, the member for Bellarine — referring, every time she asked a question, to 'this uncaring minister'. I put the current minister on notice: I will keep her accountable in her portfolio. I will keep her accountable, but I will never stoop to questioning her commitment to and concern for our vulnerable children or the concern of anyone else in this chamber for them. What I will question is her ability to deliver outcomes and to get money out of the expenditure review committee. What she is presiding over at the moment are cuts to a stressed sector, and as Carers Victoria has said, she needs to back up words with action.

I mentioned the former Minister for Community Services, the member for Bellarine, who in her time as minister put in a great deal of effort and worked very closely with the carer community across Victoria. She introduced the Victorian charter in June 2010, and she also introduced the Victorian Carer Card, supporting 140 000 Victorians who provide care at home. The Carer Card provides carers with discounts and benefits from over 700 businesses and government venues, free Sunday travel on public transport in metropolitan Melbourne and bus services in regional centres and two return off-peak travel vouchers to anywhere in the state.

On top of the 181 places built for people with a disability, we invested in building 100 new places specifically for people with a disability living with older carers. We invested in respite services to support older carers, committed funding for three new respite care facilities in our final budget and provided funding for over 20 000 episodes of respite care in our last year of office. That was something I was very proud of. In my own electorate I worked very closely with Respite Alliance Whittlesea, led by Trevor Carroll, who won one of the Australia Day awards in the city of Whittlesea this year in recognition of his advocacy for people with disabilities. I know that RAW feels it really has had a raw deal in terms of access to respite services in Melbourne's north.

There is a great sense of disappointment about the funds that the former Minister for Community Services, the member for Bellarine, allocated in the May 2010 budget. I was pleased to be able to announce at the time that one of those purpose-built care facilities would be built in my electorate, and it is deeply disappointing that that community has had to fight tooth and nail to get this government to follow through. The first hurdle we had when this government came to office was when the Plenty Valley Community Health service wrote to the minister and asked when the promised beds would be delivered, given the change of government. The

minister did not even give Plenty Valley Community Health the courtesy of a reply. A reply was sent from her chief of staff saying that those beds were an unfunded election promise. The minister then had to back down, because it was in black and white that those beds were funded in Labor's May 2010 budget.

When RAW asked further questions of the now Minister for Community Services about those facility-based respite beds to be built in the city of Whittlesea, it was told, 'We are having discussions in relation to a location in Epping, but we can't announce it because we need to consult with the neighbours'. I would welcome that. That is a good thing to do; however, some months on from then there was an announcement that, yes indeed, a facility would be built in Epping, in the AVJennings estate, but — surprise, surprise! — none of the neighbours knew anything about it!

That was the whole reason for the delay and the non-announcement more than a year after Labor had funded those beds — a delay during which the minister had dithered, had tried to fund them somewhere else and had tried to say that they were an unfunded election commitment. That is how much her concern for carers extends to carers in the north. Then — surprise, surprise! — AVJennings says, 'We've got a covenant on this estate; you can only build a double-story house'. That is not going to be suitable for people with disabilities. The minister and her department had to go back to the drawing board yet again.

I am pleased to say that that facility is now proceeding, but when government members in the other house claim that this is something they have achieved, it needs to be pointed out that nothing has yet been achieved. There has been delay upon delay, and we will be lucky to have any of those carers, those people with disabilities and those people who need respite getting access to those respite beds, which were funded by Labor in May 2010, before the end of 2012. This is not a government that cares and acts. Not one new dollar of its own is being allocated. It cannot even spend the dollars that were allocated by our government that were waiting there to support that facility-based respite care.

There was no money in the government's election commitments or in what has been funded in this year's budget for facility-based respite care, which is what the sector demands. There is a lot of talk about flexible this and flexible that, and we know what that means in the workplace: it is code for 'putting it all back on the one with the least power'. Carers do not want someone coming into their home to give them respite in that way. They need clear time away and to have their loved one

looked after in locally based purpose-built facility-based respite care. I urge the minister to simply get on with the task that Labor funded and then start working on some of her own projects.

It is typical of this government. Government members are more than happy to go out with their Tedward Scissorhands and with one hand cut a ribbon on a project funded by Labor and with the other hand cut the budgets. We are seeing that in the Department of Human Services. Carers are not being cared for and workers are not being cared for or supported in this sector. Their jobs are being cut. It is incumbent on this minister to show some care to carers, and as Carers Victoria and fantastic local groups of carers like RAW in the city of Whittlesea have said, there needs to be some meat on the bones. I look forward to continuing to work with the groups in my area and across the state to get better outcomes.

The opposition will be vigilant. We will hold the minister accountable. Despite her refusal to rule out cuts to the child protection workforce, as she did yesterday, and despite her refusal to take the federal Leader of the Opposition, Tony Abbott, to task for his desire to delay the national disability insurance scheme, I pay tribute to everyone across the community who has shown their support. I have never seen such a fantastic coalition of support across community organisations, carers, the trade union movement, businesses and the community sector in support of the concept of a national disability insurance scheme.

I commend the work of the federal Minister for Disability Reform, Jenny Macklin. I commend the now federal Minister for Employment and Workplace Relations, Bill Shorten, for the work he undertook as the former federal Parliamentary Secretary for Disabilities and Children's Services in getting onto the agenda the rights of people with a disability to be able to live, work and do the things that we take for granted — those of us who are not afflicted with a day-to-day disability that interrupts our ability to earn an income, live with dignity, raise our children and have our children supported in supporting us.

Labor has a fantastic record in spreading our commitment to social justice across things such as the NDIS, and I urge this government to have terse discussions with opposition leader Tony Abbott about the NDIS. People with a disability cannot wait any longer. This concept has been discussed since I was a little girl at primary school. There has never been more community cohesion, support and commitment for a national disability insurance scheme. Now is the time; it is not the time for this minister to cost shift to the

commonwealth and be silent on taking Tony Abbott to task. This is something that we should work collaboratively on. Its time has come.

We support carers on this side of the house. We are not opposing this bill, but as Carers Victoria has said, there needs to be meat on the bones. The government cannot deliver on the commitment it has made in a climate of budget cuts and in a climate of a federal opposition that is walking away from a national disability insurance scheme. I say to the minister that she needs to not just use words, she needs to do the work and she needs to argue very solidly before the expenditure review committee into the next budget so there are not just words but actions to support carers, people with disabilities and people with special needs in this state and to ensure that there is a stop to the cuts in the department.

Mr WAKELING (Ferntree Gully) — It gives me great pleasure to rise to speak positively on the Carers Recognition Bill 2012. Because we on this side of the house think that the work of carers is very important, I am going to speak positively about the work of carers. This bill delivers on another election commitment of the coalition government, which in opposition said that if elected to government it would implement a bill to recognise carers, and that is exactly what this bill seeks to do. It is introducing legislation to recognise, promote and value the work of carers and bring Victoria into line with other states and territories.

Members only need to hear the contribution of the member for Yan Yean to understand why those opposite are at sea on so many issues that come before this house. They do not know where they stand on the issue of carers and we do not know from that contribution whether or not they are supportive of the tenet of this bill. The contribution we have just heard was just ranting, raving and opposition, which clearly demonstrates where those opposite sit within Victoria. I am very proud to stand here and support this bill, because it will ensure that Victoria catches up with the other mainland states and territories that have such legislation on their statute books. Those opposite had 11 years to introduce legislation to recognise carers.

The legislation seeks to recognise, promote and value the role of carers and care relationships. It will align Victoria with the other states and territories, as I said, and it will also support the implementation of the government's families statement released on 10 February 2011, which highlights the importance of supporting the role of carers.

The bill will provide a definition of 'carer' and 'care relationship'. It will provide a statement of care principles based on but extending Victoria's existing charter supporting people in care relationships, and it will provide obligations for agencies and associated providers covered by the bill. This is a fantastic piece of legislation because it demonstrates for the first time the significant role that carers play within this state — not just carers as individuals but carers who are in a relationship with the people for whom they provide care. As we know, people who are carers are caring for people who are children, parents, partners, siblings or extended family members. The bill deals with people who have disabilities and people suffering from dementia or chronic or mental illness, children who require protection and those who are recovering from serious injury or illness.

I am very proud of the work of the carers within my own community and within the city of Knox. I am advised from the census that 1965 persons requiring care resided within my electorate in 2006 — 2.8 per cent of the adult population. I am very proud of the work of organisations within my community such as Knoxbrooke, Interchange Outer East, Yooralla and Illoura Early Childhood Intervention Services, which provide fantastic care and support.

I look to someone in my community. Betty knows who she is, and I will protect her family name for privacy reasons. Betty has been an advocate for many years for her daughter, for carers and for those who suffer from serious disabilities; she has been a champion of her daughter, of those who need care and of the carers she knows. It is for people like Betty that we have acted as a government to recognise the work of our carers.

Mention has been made of the NDIS (national disability insurance scheme), and it is interesting to hear the comments of those opposite. Let us be frank, the Victorian government has been a very strong supporter of the NDIS. It should be noted that Premier Baillieu was the only premier to come out and openly support the NDIS and, as was mentioned by the member for Yan Yean, we have put ourselves forward as the trial location for the implementation of that scheme. This government is very clear in its support for people who are carers and its support for those who suffer from disabilities and mental illness, and it is important that all sides of politics put aside their differences and support such a scheme. As I said, I stand in this house as a very strong supporter of the work that has been done by our carers, and I am proud of the work that has been done by this government and by the Minister for Community Services, who has done significant work in the area of support for carers.

With regard to the commentary around this bill, the member for Yan Yean referred to a Carers Australia media release that in turn refers to Carers Victoria, but what she did not mention was that Carers Victoria said it was pleased with the legislation and that it:

... is important because it recognises the care relationship; a principle that is unique to Victoria's legislation and one that acknowledges the interdependency of people with care needs and their family members. We congratulate the Victorian government for its commitment to supporting and recognising caring families.

The editor of the *Bendigo Advertiser* said in his editorial of 9 February 2012, 'Carers will get greater recognition under new legislation introduced by the state government yesterday'. He went on to say:

To all carers, congratulations on the role you play in enhancing the lives of those you help. It's hard to see how this community could get on without you.

I am sure we all would agree with that sentiment.

The chief executive officer of the Association for Children with a Disability, in a letter to the minister regarding the bill, said:

The Carers Recognition Bill represents good policy and sound leadership that is attuned to the real experiences of many Victorians. Enshrined in law, carer recognition will demand that we look beyond our own backyards and have greater regard for others whose daily lives carry greater responsibilities and challenges.

Do not take it from this government; take it from those who work within the sector. They are supportive of the legislation that is before the house today.

I was interested in the commentary by the member for Yan Yean in her support of the work of the previous government. She spoke glowingly about the work that was done in 2010 by the former Minister for Community Services, the member for Bellarine. Without bringing into question the work of that minister in 2010, I think it is very important that we understand that other states were acting on this issue well before those opposite decided to act. You only need to look at Western Australia, which prepared legislation in 2004; South Australia, in 2005; the Northern Territory, in 2006; the Australian Capital Territory, in 2006 — even the territories were ahead of us — Queensland, in 2008; New South Wales, in 2010; and the commonwealth, in 2010. Those opposite had 11 years to act on this very important issue, but as with so many other pieces of legislation that have been introduced by the coalition government, it was not enacted by those opposite.

We have listened, we have explained our position and we have acted. That is exactly what this piece of legislation has done. We said in opposition that we would develop legislation to recognise carers, and we are putting that position in place. That is why I stand in this house proudly supporting this important piece of legislation, not just because it is good policy but because it recognises the importance of those 700 000 volunteers across the state, the unpaid carers of family members and the broader community. We should all stand in this place to support — not simply not oppose, but to support — this important piece of legislation because that is what Victorians demand.

Ms KNIGHT (Ballarat West) — It gives me great pleasure, and I am actually very grateful, to be able to stand and speak on the Carers Recognition Bill 2012 and to emphasise that Labor does not oppose this bill. It builds on the great work that Labor has done, and I would like in particular to mention the Victorian state disability plan as well as the Victorian charter supporting people in care relationships.

This bill is important because it provides a formal recognition of the relationships between caregivers and those for whom they care. I will outline briefly the main purposes of the bill, which are to recognise, promote and value the role of people in care relationships; to recognise the different needs of persons in care relationships; to support and recognise that care relationships bring benefits to the persons in the care relationship and to the community; and to enact care relationship principles to promote understanding of the significance of care relationships.

It is really important that we define and distinguish between those people who perhaps provide an important caring role but in a minimal way and those that the National Carers Coalition refers to as those who provide care that 'is so great that it overrides their caregivers' entire existence'. I would put myself into that category, as I am the carer of a child who has autism and an intellectual disability, and who is non-verbal and presents with rather challenging behaviour. I think I am in quite a unique position to speak on this bill.

I would like to acknowledge the presence in this chamber of the member of Gippsland East, and I look forward to hearing his contribution to the debate. I would also like to say that, with some exceptions, carers are overwhelmingly women, and it is important that we remember and acknowledge that we are talking about a gendered position.

While there is undoubtedly a lot of joy around caring, there is also a lot of burden related to that care. There are a lot of challenges and there is much grief and trauma. The Productivity Commission has stated that carers have among the lowest levels of wellbeing of any group of Australians. Caring for a person with a disability can be physically, mentally, emotionally and economically demanding. I would also throw into that mix socially isolating. I would like to mention the higher than usual rate of breakdown in families where caring comes into the relationship. Again, this is something that I have experienced.

In terms of caring being physically, mentally, emotionally and economically demanding, I can certainly relate to that and I am sure everybody in this chamber would have spoken to carers in their electorates who may have presented with those very issues. Just last week I had to visit the doctor because I had some recurring pain in my left arm. After many X-rays and ultrasounds it was discovered that there are three points of injury. That would be what I would refer to as a carer-related injury, because until my child went into care at the age of 15 I spent a lot of time restraining him with my left hand whilst protecting the other children with my right. I made a conscious effort to do that, knowing that my right hand was the stronger and would be the better one to protect them. However, this meant that the left arm took a bit of a battering. Whilst this is not life threatening and will not stop me from doing anything, it serves as a reminder of 15 years of strain, trauma and injury.

On the subject of caring being economically demanding, which is an understatement, my own career was curtailed somewhat in that I had to work around always having to be available for my child. If he was showing quite challenging behaviours at school or in respite, I would have to go and get him, so it was quite difficult for me to hold down a job. For most of my working life I was able to work sometimes for one day a week; sometimes I could not work at all, and sometimes I could manage full-time work. There was certainly no stability and no way I could plan financially for my future.

I would like to say that I was in a situation where — thank goodness — bond assistance was available to me, otherwise I do not know what I would have done. I do not know how I would have secured housing for myself. Thank goodness also for organisations like the St Vincent de Paul Society; that organisation, when I had three children in nappies and a broken-down washing machine, delivered an old washing machine to my home. Thank goodness for organisations like that; I commend them. Good old Cash Converters helped out

at times. I know there are a lot of people in my electorate who also face those challenges. Some of them are carers, and some are not.

You turned up at therapy, you turned up at playgroup and you talked to your peers, usually mums, who were there and all had their stories — ‘My back has gone’, ‘My arm has gone’, ‘My washing machine has gone’ or ‘My other kids are playing up’. You try to cushion your other children from the difficulties of caring, and sometimes that is pretty hard to do. So when we talk about recognising carers we also need to acknowledge that siblings come into that mix as well. Siblings often take on greater responsibility than they would normally take. On each of my kids’ birthdays I thank them and apologise for the additional responsibilities they have had to take on and the things they have had to see which perhaps they probably should not have had to. That is the life of a carer.

I absolutely do not oppose this bill. I would stand here and support anything that promotes the often unsung and unknown work of carers. I think any member of Parliament would have a dilemma around how much of themselves they are prepared to expose. For me it was around making the conscious decision that I had a responsibility to highlight and promote the work, the challenges, the benefits and the difficulties that carers face and that I would do that not only for myself but for all of those people with whom I sat around in playgroups and for all of those other carers who would drop everything to respond to a call for help. For all of the women in my group whom I still see — we still try to get away for a girls’ weekend every now and then — who have come through our kids being toddlers to now being adults in permanent care, I would not disrespect the help they gave me by not speaking up on their behalf at every opportunity. I stand here proudly as a carer, and I stand here in support of this bill and commend it to the house.

Mrs VICTORIA (Bayswater) — I rise to wholeheartedly support the Carers Recognition Bill 2012, and I am pleased that those opposite have said that they are supporting the bill rather than simply not opposing it. The bill deserves the full support of everybody in this Parliament. The idea of this bill is to give a relationship-based approach to the status of carers and caring relationships, and the key elements proposed by this bill are to define what is a carer and also a care relationship and to provide a statement of care principles that are based on and extend what was done formerly in Victoria’s existing charter supporting people in care relationships. It will also define the obligations for all agencies and associated providers

covered by the bill. It also deals with reporting and compliance.

The idea behind this bill is very much to raise awareness and raise the profile of people in care relationships. We are talking about not just carers but care relationships because they are exactly that. It is not about the carer, it is about the person who cares for the person and the person who needs the care as well. It is a mutual relationship. The bill ensures that carers can be appropriately involved in the treatment of and planning for the people for whom they care, but it also recognises, promotes and shows how much we value the contribution of people who care for others in the community in Victoria.

It is estimated that we have approximately 700 000 unpaid carers in Victoria, and they make a huge commitment not only to the person they are caring for but also to our community and our economy. In the district of Bayswater we have just over 2000 people who are considered to be in need of assistance — that is, people who need care to be able to get meals ready or to feed themselves and that type of thing. That is a substantial number; it amounts to something like 4 per cent. In 2010, a couple of years ago, it was estimated that one in eight Australians provided some sort of informal, unpaid care.

In the United States the figures are alarming. Obviously that population is much higher, but there is also a great emphasis there on young carers. One of the things we are also doing is recognising young carers. There are a lot of people in our community — they could be as young as pre-teenagers and go right through the teenage years — who, when they should be at school, are having to skip classes and are not able to go out and get part-time jobs like normal teenagers because they need to go home and care for somebody. This bill is giving them the respect they need and have earned. The family members they might be caring for — and this applies to carers in all age groups — could be someone who is aged, someone with a chronic or mental illness, someone with physical disabilities or someone recovering from an illness or accident.

The types of care relationships we are defining are an adult caring for elderly parents, parents caring for ill or disabled children, children or young adults caring for parents or grandparents, and grandparents having guardianship of young children, which we are seeing more and more as people are wanting or needing to have two people at work to be able to keep up with the stresses and strains of financial commitments in this day and age. Quite often life is very tough for a carer and it impacts significantly on their life. Sometimes it is

a part-time role but quite often it is a full-time role. The average amount of time a carer spends in that role is about 14 hours a week. If it is caring for someone with a mental illness, that is on average around 104 hours a week, so it is substantial. There is a valuable economic and social contribution that caregivers make, and we want to give them the utmost respect for that. They deserve our respect and they deserve recognition for the work they do.

It is not before time for this type of legislation to come before our Parliament. We need to legislate to make sure that we have this respectful progression for carers and also for care relationships. I direct the attention of the house to a time line I found that talks about when this type of legislation was passed around Australia. Ours is the last mainland state to pass such a piece of legislation. In 2004 Western Australia under Geoff Gallop passed the Carers Recognition Act 2004; in 2005 under Michael Rann South Australia passed such a bill; in 2006 the chief minister, Clare Martin, saw one passed in the Northern Territory; in 2008 Queensland under Anna Bligh passed such a piece of legislation; in 2010 New South Wales passed such legislation under Kristina Keneally; and in June 2010 the commonwealth passed such legislation under the current Prime Minister. There is one thing that all this has in common: these were all pieces of legislation providing recognition for carers and care relationships and they all came in under Labor governments, and I applaud them for doing that, but my question to this house is: why did the Labor government of Victoria not take such a step? Shame on it for not having the respect for the carers to do what the rest of Australia saw fit to do. Why did it not do that? What did it have to lose?

Ms Neville — On the bill!

Mrs VICTORIA — It is on the bill.

Ms Neville — Former Labor governments are on the bill? I don't think so.

Mr Wynne — On a point of order, Acting Speaker, this is not an opportunity for a government member to pass criticism on the former government, particularly following the contribution of my colleague a few moments ago. It is appropriate that we stick to the bill and that we deal with this, as we have tried to do today, in a bipartisan way and in a way that respects the integrity of the bill and also the integrity of carers more generally.

The ACTING SPEAKER (Mr Tilley) — Order! What is the member's point of order?

Mr Wynne — My point of order is that the member should return to the bill.

The ACTING SPEAKER (Mr Tilley) — Order! I do not uphold the point of order, but I ask the member to relate her comments to the bill.

Mrs VICTORIA — I believe I am speaking on the bill, because the timing of this bill is all important. Some of these pieces of legislation were enacted back in 2004. We could have led the way here in Victoria, but the then government chose not to — and why did it not show the same sort of respect? I want to return to something the member for Yan Yean said when she talked about tangible steps and also to what Carers Victoria had to say in its media release of 9 February. The member for Yan Yean said that Carers Victoria was disappointed by what we had brought in. I would like to read from what I believe is the same media release. It states:

Carers Victoria CEO Caroline Mulcahy said, 'This legislation is important because it recognises the care relationship; a principle that is unique to Victoria's legislation and one that acknowledges the interdependency of people with care needs and their family members. We congratulate the Victorian government for its commitment to supporting and recognising caring families.

'Carers Victoria was pleased to participate in the consultations that informed the development of the bill. We lobbied for its alignment with national carer recognition legislation to ensure national consistency and a focus on improving the health, wellbeing and economic security of caring families'.

Again I ask: what press release was the member talking from? I note also that in 2002 the former community services minister, the member for Pascoe Vale, said she would ensure that this type of legislation was introduced. If she had done so, that would have been before 2004, which was when the first jurisdiction in Australia did that. It took until 2010 for Labor to come anywhere near close to that.

I have many care groups in my area that will be delighted by this piece of legislation. The motor neurone disease support group, the Disability Action Group, eastern region, and Brett Reynolds and his art group rely very much on this type of care. Also there are the middle-aged and older parents who come to me saying, 'What are we going to do? Who is going to support us?'. The Baillieu government is showing respect. We are providing support; and I commend the bill to the house.

Ms EDWARDS (Bendigo West) — I also am very pleased to rise to speak in the debate on the Carers Recognition Bill 2012. It is a very significant but

relatively straightforward bill, and I appreciate that it acknowledges the care relationships that need to be promoted in our society.

The member for Bayswater spoke of respect, and I would hope that the remaining speakers on this bill do show some respect. In particular I would like to refer to the member for Ferntree Gully's commentary. I know exactly where I stand and where Labor stands when it comes to caring, because I have been a carer. I find it offensive that the member would use this bill as such a divisive issue.

Definitions of carers and care relationships for the purpose of the bill have already been espoused by other members. There are many carers in Victoria, and there is a vast diversity of carers and care relationships ranging across all ages, across gender and across cultures and language. It is important that carers, as givers to our society, should be recognised as such, particularly for their invaluable help to the person or persons for whom they are caring and to their communities. Carers are the unsung heroes in our communities. They do underpaid work, and they sacrifice to improve the lives of those they care for, often without thanks and without acknowledgement.

Labor will not be opposing this bill, because we all know that carers, like those they care for, have many different needs — emotional, physical, financial and social. Enacting care relationship principles that promote in legislation an understanding of these needs and the significance of the care relationship is a positive step forward. Many individuals find themselves becoming the primary carer for ill and disabled family members, often unexpectedly. We live longer, but with compromising medical conditions and increased costs of health care. Consequently families are increasingly replacing skilled health workers in the delivery of this complex care. The carer role has changed dramatically from promoting convalescence to providing high-technology care and psychological support in the home.

I would like to talk about the role that carers play in an area about which I am passionate — that is, in the care of dying people. Palliative care, as we know, is the specialised health care of dying people. It aims to maximise quality of life and to assist families and carers during and after the death of a loved one. Although approximately one-third of all patients receiving palliative care services stay at home, up to 90 per cent of terminally ill patients spend the majority of their last years of life at home. Palliative care would be impossible for many people without the support of carers; however, there is considerable evidence that the

burden of caring adversely affects family carers, who lack adequate resources and who are insufficiently prepared for this new and complex role.

Rural and regional areas in particular, such as my area around Bendigo West, have particular needs associated with this and with the lack of appropriate services for people with terminal illnesses who face issues related to isolation, distance and transport. In the rural and regional context considerable differences exist in the level and type of support available to carers. The current system of support should be substantially improved to ensure equitable access to regional and metropolitan-based palliative care for patients and carers from rural and remote areas. To sustain the wellbeing of carers in these rural and regional remote areas, carers need to be able to access adequate and flexible resources, have fairer remuneration and receive more respite care.

Support for carers would also be enhanced with better training and preparation for the carer role, access to equipment for caring tasks, availability of psychosocial support and home help, improved access to the paid workforce and more financial support for transport and relocation. At the age of 34 I was put in the position of needing to care for my late husband, who was unexpectedly diagnosed with a brain tumour at the age of 39. At the time I was not prepared for the role I would have to play as a carer for my late husband and for my four children, all of whom were under the age of 10. This brought home to me significantly the need to support carers in our community, how difficult it is to be a carer in our community and the importance of support, whether it is financial, emotional, social or physical.

Last week I had the opportunity to meet with two families in my electorate. One family was made up of ageing parents with a 30-year-old autistic daughter. The parents were very worried about the future for their daughter and about the failure of the system to provide an ongoing individual support package for her. Sadly there has been no growth funding in the area of individual support packages, as the member for Yan Yean pointed out. I also had contact with a family with five children, three of whom have an autism spectrum disorder. They mentioned to me the need for more funding for Mansfield Autism Statewide Services, particularly the Travelling Teachers program, which is so important to the future of their three children with autism.

I hope this government is not all care and no action when it comes to carers. The bill certainly speaks volumes about the role and importance of carers, but it

must be backed up with financial support. Labor's achievements in this area are on the record; others have spoken of it, and it has been acknowledged by Carers Victoria.

I am disappointed at the cut of 500 staff from the Department of Human Services, as I have a family member who is a front-line child protection worker. These staff are already overworked and stressed. They burn out too quickly because of the difficulty of the job they do, and now they will be forced to pick up more administrative tasks on top of the massive amount of work that is already expected of them.

The government has an opportunity to match this bill and its recognition of care relationships by allocating additional funding in the May budget to deliver more services that will better support caring families. It also has the opportunity to show that it is serious and genuine about supporting carers. I call on the government to take action in the May budget.

Mr BULL (Gippsland East) — It is with great pleasure that I rise to make a contribution to the debate on the Carers Recognition Bill 2012. Rather than comment on why such legislation has not been introduced before, I am pleased to say that the government has introduced this legislation and that it also has bipartisan support.

As we have heard from previous speakers from both sides, carers are truly the unsung heroes of society. They can be parents, spouses, siblings, neighbours, nieces, nephews or people from the general community. They can also be members of Parliament. I acknowledge the great contributions made by the members for Bendigo West and Ballarat West. The member for Ballarat West and I have found ourselves in similar circumstances, which we have often discussed.

All too often people are thrust into the role of carer out of necessity — it is something that just happens to you. It is often because of a desire to care for a loved one, and it brings a range of issues into your life. You have endless appointments, sleepless nights and constant worry. You are confronted with the difficulty of accessing services. You do not know where to go for help and you are basically forced to live day by day. The stress that it can put on relationships is enormous. We see and hear of the high divorce rate amongst those who are forced to care for family members or loved ones, whether they have a disability or whether it is an accident or illness that has forced this predicament on their carers. Even caring for an aged parent brings associated stresses.

As the member for Bendigo West pointed out, caring can be very rewarding, but there is a flip side, and it is certainly a double-edged sword. It can also be challenging, personally taxing, enormously stressful and financially burdensome.

The bill is about recognising carers and carer relationships. One of the dilemmas faced by me and the carers I have come into contact with is not knowing what will happen to the people we love when we are gone. The bill recognises carer relationships, and it can only assist when those relationships are understood and recognised by organisations; it can only help with what is ultimately a heart-rending and emotional discussion about what will happen to our loved ones.

Another issue I want to touch on, which I raised in the adjournment debate only last night, is the great need to support people in carer situations through respite care. Whilst I am hopeful that the matter I raised will have a positive outcome for carers in my electorate, the importance of respite care for people who are not in a carer relationship can be greatly underestimated. When you are trying to survive day by day — and at certain stages of your life that is what it comes down to — being able to have a break, whether that be through having a beer or a cup of coffee with your mates, your wife getting her hair done or just getting out of the house and going for a walk, is so important in getting through that awkward and difficult stage in your life.

I am certainly proactive in my push for respite options to be recognised. I see supporting carers as an enormously important responsibility. As I said earlier, a lot of people who are caring for loved ones do not want money; they just want support and recognition and the chance to have a bit of time out, and I cannot stress that enough. Some startling statistics include that in Victoria — and I know this has been mentioned — we have 700 000 carers. Even in my electorate up at the pointy end of Victoria in Gippsland East we have 2800 carers, and I appreciate that that is well above the state average. That figure rolls off the tongue, but we should just get our heads around it. I am sure a lot of our electorates are very similar, and the number of carers is a startling reminder of just how important a role carers play in society.

Through my involvement with the system I know that when you are thrust into these circumstances and these life situations you are introduced to a whole new world. You become engaged with people in carer groups and support agencies, and when your son or daughter is going through their education you become involved in the special school environment. This opens your eyes to how much other people are struggling. We go through

situations in which life gets tough at times, but you see some of the circumstances that other people in the community and other people in society are facing. This bill will go an enormously long way towards giving people the support and the recognition they deserve, and I cannot stress that enough.

As has been mentioned, all the other mainland states have legislation in place that recognises carers. I do not know why that has not happened here, and I do not really care. What is important is that it is coming into play now and that it has bipartisan support. I know it will be very well received by the various carer groups in our society. It is based on the principle that, where appropriate, carers and the care relationship they have with the person they are looking after are included in the assessment, the planning, the delivery and the review of services. That is absolutely critical. You would like to think that is happening at the moment, and I am sure in most cases it is, but the fact that it will now be enshrined in legislation and will be part of the reporting procedures of organisations is a massive step forward.

We heard earlier from the member for Ferntree Gully about the push, which has the support of all states, for a national disability insurance scheme (NDIS), and I do not think anybody would disagree that that would be a massive and significant step forward for the disability sector. I see this legislation as a key component and a very important step in getting our ship in order in a legislative sense to be able to make that step into an NDIS and bring it on board.

This government went to the election saying that carers had to be recognised. In my first 15 months in the job I have spoken on a few bills, and I think it goes without saying that you care a little bit more about some than about others. This bill would probably be one of the bills that is closest to home for me. It sets out clear expectations of people and organisations in their engagement with carers and of how they should be treated in those relationships. The focus of the bill is on supporting that relationship rather than focusing exclusively on the carer. I know that in some sections that has perhaps not been well received, but I think it is a very positive step forward and I think it is the way it should be.

The chief executive of Carers Victoria welcomed the bill. Without going through all the comments that were made, there was one particular comment in which an individual said that the bill acknowledges the interdependence of people with care needs and family members. I see that as being absolutely critical.

In finishing, if the relationship between a carer and the person they are caring for is strong and it is recognised, the carer and the person they are caring for will have a better life; it is as simple as that. If it is strong and recognised, they will both have a better life, and I truly believe that this legislation goes a long way towards achieving and recognising that. I endorse the bill, and I wish it a speedy path through both houses.

Mr NOONAN (Williamstown) — It is with pleasure that I also rise to make a contribution to this debate on the Carers Recognition Bill 2012.

It is quite humbling to follow three members in this place, the members for Ballarat West, Bendigo West and Gippsland East, who have all bravely shared with us their experiences in caring for loved ones. From time to time in this Parliament we are fortunate to have members talk about their experiences and place on record their personal struggles. We are also given the opportunity to understand why those people have entered public life and what differences they want to make as a result of their personal experiences. I think we have seen a very good illustration of that, and I want to pay my respects to those three members who have chosen to take the opportunity today to come into this place and give us, from their personal perspective, an account of what life is truly like for those thousands of carers who are located in each and every one of our electorates right across the state. I say to them: well done, your contributions make a significant difference to the overall course of this debate.

I also want to place on record my respect and gratefulness to the previous Minister for Community Services, the member for Bellarine, who is at the table and who in 2010 launched Victoria's first ever charter supporting people in care relationships. This bill builds on that charter and now enshrines in law those rights and responsibilities for people in caring relationships in Victoria.

As worthwhile as this legislation is, anyone with a passing interest in the area of disability services will understand that as a nation and as a state we have a once-in-a-generation opportunity to implement real reform that will dramatically impact on the quality of life of many thousands of Victorians and Australians. When I talk about that dramatic reform I am referring to the national disability insurance scheme, which was referred to in the minister's second-reading speech on the bill. I have spoken previously in this house about my support for this scheme and openly acknowledged the Baillieu government's willingness to place Victoria at the fore of implementing it and making it a success. I

commend the Baillieu government once again for its willingness to show some leadership on this issue.

However, in this place we all understand that words and good intentions will never be enough. What carers really want from their elected representatives is leadership. When I talk about leadership in this context I am talking about two things: imagination and courage — imagination to see the bigger picture and courage to see these reforms through. True national reform in disability services will take both imagination and courage, but above all else it will take leadership.

My own views on this issue have been heavily influenced by my time in this Parliament. During the last Parliament I served on the Family and Community Development Committee alongside the now Minister for Community Services and indeed also the now Minister for Local Government, who is in the chamber. I thought the work of that committee was very valuable. We conducted an inquiry into supported accommodation for people with a mental illness and/or a disability. It was a very gruelling inquiry; it took a bit of a personal toll on all members of that committee. It is not easy to listen to people speaking in desperation about their desire to see real change in disability and mental health services.

In all, the committee received 129 submissions from individuals and organisations right across the state, and almost half of those submissions and hearing evidence was received from families in caring relationships or from carer support groups. Many of the contributions that people made, particularly at the public hearings, led to those people breaking down. Basically all resilience, which we all know is one of the mainstays of the human spirit, had been lost for those people. One could not but feel for their plight.

The member for Gippsland East hit the nail on the head when he said that of all the things that carers worry about, above all else it is what the future will hold for the person they are caring for when they are no longer able to care for that person. That came through time and again. Indeed it really became a defining point within the context of our particular inquiry.

A political opportunist might point to the failings of the previous Labor government in this space, but it is worth noting that Labor invested nearly \$1.3 billion in disability services in its last year of government — the biggest ever investment in disability services in Victoria. What we have learned from that, however, is that it does not matter how much any state government puts into the area of disability services. The Productivity Commission's inquiry report entitled

Disability Care and Support makes a very strong point that money is not enough — you need wholesale reform of a system which, in its view, is underfunded, unfair, fragmented and inefficient.

This leads me back to the issue of leadership. Late last year the Gillard government announced that it would commence work with the state and territory governments to implement a new national disability insurance scheme (NDIS). In doing so, it pledged the first \$10 million to conduct the early planning work. This was a breakthrough moment for many families across Victoria and Australia who had been looking for real reform for many years. My federal parliamentary colleague Bill Shorten labelled this a human rights issue. I think Bill deserves some credit for leading this debate nationally, being an advocate both at the community level and within government on this issue and being prepared to take this issue on.

Credit is also due to those who have been leading the community campaign. The Every Australian Counts campaign has attracted more than 100 000 supporters and aims to double that number within the coming years. The campaign organisers have been highly successful in getting to MPs like myself and also to prominent Australians and organisations in order to rally support in the community to implement an NDIS. In my own electorate disability advocates such as Milly Parker and Carol Winfield have also made it their business to promote the scheme at every opportunity. These activities do not go unnoticed; they make a difference. I want to pay tribute to those leading that campaign and acknowledge the impact they are having out in the community.

I want to make one political point, and that is that there is some risk to this reform because the alternative prime minister has made it clear that he will only implement an NDIS scheme in government when the budget returns to a strong surplus. I say in fairness to Mr Abbott that he has been on the record indicating quite strongly that he supports the recommendations of the Productivity Commission. But let us be clear: he is putting a qualifier around the potential introduction of a national disability insurance scheme if there is a change of government.

So I appeal to the Minister for Community Services, who has made Victoria a champion of the NDIS scheme, to go to her federal colleagues in Canberra and encourage them not to put those qualifiers around this scheme, because if they start to put qualifiers around it, all of the work and support that has taken many years to develop could be lost overnight. The minister must drive the point home that we will deliver to those carers

who live in each and every one of our electorates right around the state of Victoria the sort of support they need so that when they ask the question about who will support their loved ones when they are no longer able to or no longer with us, we will have a scheme in place that will genuinely support those people, not just for a year or two but long into the future. I commend the bill to the house.

Ms RYALL (Mitcham) — It gives me great delight to stand and contribute to debate on the Carers Recognition Bill 2012. I want to start off by quoting from a 9 February media release from Carers Australia, which states:

Carers Victoria CEO Caroline Mulcahy said 'This legislation is important because it recognises the care relationship; a principle that is unique to Victoria's legislation and one that acknowledges the interdependency of people with care needs and their family members. We congratulate the Victorian government for its commitment to supporting and recognising caring families'.

One of the most important factors of this bill is that we finally have a bill that recognises and acknowledges the contribution of carers in the state of Victoria and the tireless work that goes into providing that care. As some have mentioned before me, you can suddenly become a carer without any notice whatsoever. We have heard some heartfelt contributions today from people such as the member for Bendigo West in relation to her role as a carer and from others in this house. People can become carers with no notice whatsoever or with some notice. They can be carers in a part-time or a full-time capacity. Sometimes people choose to become carers on a voluntary basis, and at other times there is no choice to become a carer. It is very important for carers that they have been officially recognised for the first time in this state.

In terms of the definition of what a carer is, this bill defines a 'carer' as a person who provides ongoing support. That support means continuous assistance and personal care to another person in a care relationship. A 'care relationship' means there are two parties to the caring: the person who is the recipient of the care and the person who is providing the care.

I am pleased that this is another election commitment that we are fulfilling. A focus of our election campaign was to make sure that carers were officially recognised. This bill is also about guiding policy development for the delivery of services by government agencies and other organisations that engage with carers. Carer relationships are diverse and may involve foster care, kinship care, support for someone with a terminal, mental or chronic illness, support for ageing parents or

support for the frail aged or for people with a disability. I am sure there are other circumstances and reasons for people taking on caring roles.

The last census data available to us, from 2006, indicates that there are approximately 700 000 carers in Victoria. In the electorate of Mitcham the number of carers in that census data reflects that there are just over 1800 individuals who require assistance. One of the most difficult circumstances is when you find out in an instant that you are suddenly going to become a carer. I had a newborn baby when I went into a caring role for my mother-in-law, who was diagnosed with cancer and became in need of care. I entered into a care relationship in a nursing capacity and looked after her until she passed away. There are time constraints involved in caring, certainly with a newborn. There is trying to get regularity when nothing is regular. It is very difficult for a person in a caring capacity to have any regularity in their lives, so the impact is enormous because their time is no longer their own.

Likewise I have had family members — for example, a brother-in-law had leukaemia — and extended family members who have had children with leukaemia, Asperger's syndrome and autism spectrum disorder. Everyone will have had firsthand experience of someone affected by these conditions. Every one of us has been touched by somebody who needs care and touched by somebody who is in a caring position. Carers are unique human beings who have absolutely one thing in common — that is, they are committed to caring for others.

The bill provides recognition to carers and says to Victorians that we need to be thinking about, talking about and considering carers. In my short time as the member for Mitcham I have been very fortunate to meet many people who require care and many who have been in a caring role. In some instances people have been caring for the elderly, and in some other heartbreaking instances spouses have cared for their partners, husbands and wives who have such conditions as multiple sclerosis for years, to the point where the person being cared for has become totally dependent on their carer and support organisations to help them survive.

We in the Mitcham electorate are very fortunate to have many organisations that provide support to carers and those receiving care. They include the Multiple Sclerosis Society of Australia, which is located directly opposite my office. The society provides support to carers and assistance to those with multiple sclerosis. Next door to my office is Burke and Beyond, a community organisation that provides assistance to

young people with intellectual disabilities by helping them integrate into society. Burke and Beyond also provides support to parents in that situation. Nadrasca, another organisation in the electorate of Mitcham, provides support and care to people with an intellectual disability, including accommodation services, day programs and respite care for carers.

Other organisations in my electorate include an Asperger's syndrome support group in Blackburn, and Yooralla, which has an independent living centre in the electorate and helps enhance the quality of life of people with disabilities and supports their carers. The Association of Relatives and Friends of the Mentally Ill in Blackburn provides support to carers of people with mental illness. There are community services that gather around and support carers, but that does not alter the fact that the carer is in a situation where for 24 hours a day, in many instances, they are providing support or support services to the ones for whom they care.

The Mirabel Foundation works with many grandparents in the electorate of Mitcham who have lost their children to substance abuse and therefore become the carers of their grandchildren. Sometimes the child has been abandoned, or a parent has died. I have met with these grandparents in my electorate and seen the work that Mirabel has done to support them, and I know that assistance eases their load and helps them every step of the way. This bill will also align Victoria with other mainland states and other nations that have enacted similar legislation.

I want to pick up on a couple of things said by the member for Yan Yean. I thought it was a cheap shot to link the unsustainable growth of the public sector under the former government and the budget measures that are in place with this bill. It was another cheap shot to bring in the NDIS (national disability insurance scheme), when this government and this Premier have supported it. The Productivity Commission has said that it is a federal government responsibility to fund the NDIS; however, members of the opposition, including the member for Yan Yean, have been calling for funding via the Victorian government in relation to this — against advice from the Productivity Commission. My question to the Labor opposition is: what is its position on the funding by the state for the scheme, and is it its policy that it would initiate that funding for an NDIS?

The government aims to be ready for the NDIS when the federal government provides the funding. I am proud to have the opportunity to speak on this bill. I am also proud to be a voice for carers and to acknowledge

and thank them for the work they do. Through this bill we recognise them, including many people in the electorate of Mitcham. I commend the bill to the house.

Ms NEVILLE (Bellarine) — I am pleased to be able to make a contribution to the debate on the Carers Recognition Bill 2012. As we all know, each and every day thousands of Victorians provide care to some of the most vulnerable members of our community. As the local member for Bellarine and a former Minister for Community Services, I have had the opportunity to sit down and meet with many carers, including carers of both children and adults with a disability, carers of people with a mental illness and many foster carers and kinship carers. These are people who commit their hearts and souls to caring for somebody in need. Some of those carers are in family relationships, but others include foster carers, who in some cases take on looking after some of the most challenging young people in our community. These carers can make a significant difference to their quality of life.

I am always amazed when I hear some of the stories. At the point when carers come and see their local MP or the minister to talk about their particular issues, those families and those individuals are usually under enormous pressure, so we often see them at points in their lives when they feel they are unable to continue doing the work they have been doing. I know, and we have heard some of the stories today, that there is a lot of joy in caring, but it also requires enormous strength and resilience, and that is what amazes me. Often someone will come to see you and will talk about their situation, and as an MP you try to do what you can to source some relief for that particular pressure at that point in time. However, often by the time the meeting is finished, even though they have had a capacity to talk to you about their particular struggles at that time, they pick themselves up and keep going and go home.

There are many stories, and I am sure we have all heard them, about parents who have cared for a young person, a child with autism, who also has very challenging behaviours. We heard a little bit of that this afternoon from the personal experiences of the member for Ballarat West. That is very difficult, and it is very difficult to provide care for such a young person but also provide quality care for the other children in the family.

I find amazing the sort of resilience that people show and also the level of love and care and sacrifice they commit to in protecting their children and their care relationships. As I said, often those caring relationships carry a lot of joy but often they are also extremely difficult. I think that as a community in Victoria we

have around 70 000 people recorded as unpaid carers. I am sure the number is much greater than that. Without those carers, those people who are doing basically unpaid care work, I think our community would be poorer. I believe it is something we can be proud of. However, it is also important that we acknowledge as a community and as a Parliament that people in those relationships cannot do it alone and that there is a role for the broader community but also for members of Parliament and for government to provide some assistance along the way to support those caring relationships.

It is absolutely important to have a bill of this nature to recognise in a symbolic gesture the importance of care relationships, to say to the community and to the carers that as a Parliament we absolutely support the work you do. We absolutely acknowledge that work in a very public way through a piece of legislation that will for a very long time sit on the Victorian statute book. It is also important to acknowledge that that is not enough.

Certainly as Minister for Community Services in the former government I know we also did some of this sort of stuff. The charter, for example, was an important opportunity to send a message to the community and to carers about the value we placed on their work. In addition to that, the introduction of the Victorian Carer Card was welcomed to an extraordinary degree by carers and was also well supported by businesses and government agencies.

Those things were important gestures. The Carer Card provides some real benefits to carers through particular discounts. However, it needs to be more than that — and people have spoken about that today — because at certain points in a caring relationship, there will be enormous pressure. There will be a point of desperation and, as I was saying before, that is often when you see somebody come into your office. What people need at that time might be respite or it might be home and community care services or it could be about trying to find some solution for an older carer who has been caring for a child who is now a young adult with a disability, for example, and for whom having a bill of this kind and the charter or even a Carer Card is not going to be enough to support that person through those difficult times and to ensure a good future for them and for the person they are caring for.

It is the programs like respite care programs that are so critical, and programs such as the older carers program, which was a dedicated program we put in place to build accommodation. It was a program that was committed to by the states and territories with the commonwealth government through the ministerial meetings, and it

was particularly targeted to older carers to enable them to plan for the future for the young person they might be caring for and to give them some reassurance that, whatever happened to them, the young person would be cared for by the community in accommodation or through other supports.

It is also programs like the program for young persons in residential aged care, which was again another program that was signed off by the previous government and also with the commonwealth government to provide accommodation, support and other sorts of services to assist with young people who were in a nursing home or at risk of going into a nursing home because their carers could no longer manage the sort of disability they had. That has been a very successful program. If I could just indicate to the house, I hope that both the federal government but also the current state government will look seriously at extending that program as it is about to lapse. It has been extremely successful, but to continue to make inroads, it needs an ongoing funding commitment by both the state and commonwealth governments.

I make a point about the NDIS (national disability insurance scheme). What I would say is, firstly, that at the moment the NDIS will take a while. People know that, the commonwealth government knows that and I am sure the state government, looking at it, knows that. It cannot be the only thing in the short term that we rely on and keep pointing to. We absolutely need to continue to work towards the development of that scheme.

It is a program that the commonwealth government referred to the Productivity Commission. As a result of conversations with representatives of all the states and ministers like me at the time, ministerial council meetings referred the issue off to the Productivity Commission while we were still in government. Both the then Premier and I made submissions to the Productivity Commission in support of the proposal, so I want to indicate very strongly that we absolutely supported it and encouraged the then parliamentary secretary, Bill Shorten, to move forward with it. I have been on the record numerous times in support of it. There is a lot of work to do to achieve it, but if it is achieved it certainly will be a life-changing program for many carers and many people with a disability in Victoria.

As I said, it is great to see these symbolic gestures and to say as a Parliament that we absolutely support care relationships, but we need to make sure the government backs that up with services that we know can relieve some of the desperation that can develop in those

relationships. We need to make them sustainable; therefore they need the supports — the respite and the HACC services that actually make those relationships sustainable. It is in the families' interests, it is in the carers' interests and it is in the interests of all of us to ensure that those relationships are sustainable.

Mrs BAUER (Carrum) — It is certainly a great pleasure to offer a contribution to the debate on the Carers Recognition Bill 2012. I would like to commend those members who have spoken on the bill prior to me today. It has been really heart warming listening to the contributions of colleagues on both sides of the house, in particular the members for Gippsland East, Bendigo West and Ballarat West. It is certainly a bill that has bipartisan support. The contribution that carers make to our community and society affects us all. It has been terrific to hear those shared personal experiences coming out in the debate on this bill.

As I mentioned, it is terrific to see that the opposition is not opposing the bill. The purpose of the bill is to promote and value the role of people in care relationships, to recognise the different needs of people in those relationships and to support the people in them — helping those in care. In turn this helps the community. It is certainly a positive bill. We really value the work and the contribution of carers. As we have heard previously, this bill honours and delivers on the election commitment that the coalition took to the 2010 election to recognise, promote and value the role of carers.

I am proud to speak on this bill. It strikes a particular chord with me, as a prior role I had was working in the disability field, with Interchange Southern, in the 1990s. Since then, in my role as the member for Carrum I have met people who are carers and people who are being cared for in our community on a daily basis. Often unacknowledged and certainly unsung heroes, carers are a vital part of our community. The statistic we have already heard is that every day in Victoria 700 000 of them selflessly rise to the challenge of caring for an individual in need — whether in an official or an unofficial role, whether caring for family or for friends, whether informally or formally and whether paid or unpaid. Often they are caring for children, but they are also caring for people with mental illnesses, people with a disability, people with dementia or people with terminal illnesses. They are also providing foster care and disability services, as I have already mentioned.

I am very proud of the care and support that carers contribute to the community throughout Aspendale and Seaford. There are also organisations like Interchange

Southern and MOIRA child and family services, local churches, the Brotherhood of St Laurence, Family Life, OzChild, Frankston/Peninsula Carers, aged-care facilities and dementia carers, just to name a few. Looking at the 2006 census data for Carrum, there were 2451 people in the Carrum electorate and 2672 people in the Frankston electorate needing assistance and care. That is an indication of how vital carers are in our community.

Members all know someone who is a carer. Some choose to be carers; others have caring thrust upon them. Some care for relatives for a few months, and others care for people for a lifetime. The issue touches us all. Carers are from all walks of life, they are of all ages and they represent all professions and nationalities. I am aware of a carer as young as 10 and also one who is 100 years old, so it is an area that is a great example of diversity. During Seniors Week in October last year I was very proud to host the Century Club function, which was a great example of the diversity of carers. We had 47 people aged 100 years and older attend an afternoon tea at Parliament House with their carers.

We have heard that this is the first time in Victoria that carers will be recognised. In fact we are the last state to implement this recognition. Other states have done it, and we as a coalition government have done it in just over 400 days. Carers do not only advocate for those they care for; they also become a voice for those people and highlight issues on their behalf. Each relationship is unique and deserves to be recognised, respected and supported. I commend the minister and her team for their leadership in this area.

The value of this legislation is in its recognition of carers. The bill introduces the 11 care principles to address the roles of the carer and the person being cared for and the care relationship. Promoting the role of carers increases awareness and understanding in the community of the importance of the role. Carers Victoria states that 50 per cent of the 100 000 primary carers in Victoria are on a low income. Caring for another individual on a tight budget brings with it its own set of issues. People being cared for often face higher daily costs due to medical bills, special dietary requirements and transport costs.

Carers often have challenges with their own employment and experience time constraints due to their caring roles. Most employers try to accommodate the situation, but some still show a lack of understanding for carers' special circumstances. I am delighted that clause 7(f) of the bill states the principle that a carer should:

have the effect of his or her role as a carer on his or her participation in employment and education recognised and considered in decision making.

I would like all Victorian employers to adhere to the care principle in clause 7(f) and to be more supportive and accommodating of employees and students who have responsibilities as carers. This will encourage more flexible working options, which will encourage more carers to enter the workforce.

I also look forward to the long-term plan developed as part of the Carers Action Agenda, which will recognise carers and reform the support and services available to those in care relationships. The 11 care principles introduced by the bill will be actively promoted within government agencies and care support organisations so they are reflected in the work of those organisations.

In the city of Kingston there is a wonderful range of support services for those in care relationships, whether it be domestic services, home maintenance or respite personal care. In fact they support over 4000 clients. In Frankston the Frankston/Peninsula Carers association is a very committed group of volunteers who support carers through their networks, information and advocacy and raise awareness of ageing carers and their needs. At this stage, while speaking about the city of Frankston, I would like to congratulate Frankston's Citizen of the Year for 2012, Gwen Dearsley, who is known for her volunteer work in Frankston's aged-care services and is a perfect example of a carer in our community.

Before I close I would like to correct the record. In his contribution the member for Williamstown called on the Minister for Community Services to talk to her federal colleagues about their commitment to a national disability insurance scheme. He should do likewise. Despite the chaos in the federal Labor Party, last time I checked we still had a Gillard Labor government. The federal Labor government has refused to commit to funding the NDIS, despite the clear recommendation of the Productivity Commission. Without a clear commitment from the Gillard government — —

Ms Thomson — On a point of order, Deputy Speaker, the member is reading her contribution word for word. They are not notes. The Speaker made a ruling yesterday in relation to reading out speeches, and that is exactly what the member is doing at this time. I have been observing her very closely.

The DEPUTY SPEAKER — Order! Is the member for Carrum reading her speech or referring to notes?

Mrs BAUER — I am referring to notes, and I am correcting the record.

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

Mrs BAUER — So without a clear commitment from the Gillard government to deliver on the Productivity Commission's recommendation around funding, the scheme remains at risk.

In closing, we as the Victorian coalition government are serious about improving services to carers. This bill is a guide to future policy development and delivery of services. Other states across Australia have implemented similar legislation; the former government had the opportunity to implement this legislation. I am very pleased to see that we as a coalition government are taking a lead in supporting the role of carers for which we have bipartisan support. We are governing and we are serious about recognising carers.

Mr SCOTT (Preston) — I rise to speak on the Carers Recognition Bill 2012. It has been said previously that the opposition does not oppose the bill. I would like to place on the record my appreciation of the wonderful work done by carers in my own constituency. Some members will be aware that there are organisations and individuals that perform a fantastic caring role in the community providing support and allowing others to live as full a life as possible.

I place on the record my particular appreciation of Action on Disability in Ethnic Communities (ADEC), which is an organisation that some members have previously praised. It is a group that works with disabled members from non-English-speaking backgrounds, and its organisational headquarters are located in my electorate. ADEC has a particular role not only in assisting the disabled from non-English-speaking backgrounds but also in working with carers in families. To watch how the support, love and care given by carers enables people to live full and meaningful lives makes it incumbent upon all of us to reflect on the important sacrifices that are made.

As I said, this bill is not opposed. The purpose of the bill, as noted in the explanatory memorandum, is to recognise, promote and value the role of people in care relationships; to recognise the different needs of persons in care relationships; to support and recognise that care relationships bring benefits to the people in them and to the community; and to enact care relationship principles. My community is certainly the better for the wonderful work that is done by

individuals in the community and organisations like ADEC.

There is a definition of 'care relationship' in the bill. A person is in a care relationship if he or she provides another person, or receives from another person, care because one of the persons in the relationship has a disability, is older, has a mental illness or has an ongoing medical condition. I would like to touch upon mental illness, because a large number of people who suffer from a mental illness are living in my own electorate, particularly in public housing. The needs of people with mental illness are something we should take very seriously. Although it may sound trite, mental illness can be extraordinarily debilitating. There are a large number of persons with psychiatric conditions, such as schizophrenics and others, whose families dedicate their lives to trying to assist them to live as normal a life as possible. There is much done by the formal acute and non-acute health agencies within our community to assist those with a mental illness, but without the role that families play, many of those lives would not be as full and as productive as they are.

In East Preston and East Reservoir there are particular areas where, if we are honest about it, great burdens were placed on families when the institutionalised forms of care were wound back and people were brought into the community. Many family members and friends, particularly family members, took on roles that had previously been assigned to the state. As I said, fortunately there are a large number of people in my electorate who were deinstitutionalised, and that was the right thing to do in my view — a view that I hope is shared by all members in this place. They were moved into the community, and it has largely been the work of families to care for them. All of us in the house should express our appreciation of those who have sacrificed their time to assist persons other than themselves, and in particular I would like to touch upon those suffering from a mental illness and those from a non-English-speaking background.

Returning to ADEC, it is one thing to be disabled in a society in which you have grown up; it is another thing to be disabled and require assistance in a foreign land where you may not speak the language; you may not be able to participate in the society because you are in a country in which people do not speak your mother tongue and the customs and perceptions are quite different from yours, particularly in societies where disability is considered a taboo subject. There has been much discrimination within our own community, but there are many societies and many cultures where disability is very much a subject that is not discussed and is swept under the carpet. The carers in those

circumstances should be singled out for particular praise and given particular support. It is important that in this place we give due consideration to such persons for the work that they do in the community.

To return to the specifics of the bill, there are additional persons who are in a care relationship beyond those I outlined previously. They are where a permanent care order for individual custody and guardianship of a child is made under part 4.10 of the Children, Youth and Families Act 2005; where a child is placed with an individual who provides care under a child care agreement made under part 3.5 of the Children, Youth and Families Act 2005; and where a child is placed with an individual who provides care to that child under a protection order made under part 4.9 of the Children, Youth and Families Act 2005. There are some other provisions which relate to what is not a care relationship, but I will not tire the house by providing those details. However, those who care for children in those most difficult circumstances are deserving of special recognition. It is worthy that the Parliament reflect on their work and the work that is done by persons who administer assistance to children, often under the most difficult of circumstances — circumstances which are challenging to their carers.

Clause 5 of the bill clarifies which organisations are required to comply with the bill, and they include public service care agencies. These are bodies within the meaning of the Public Administration Act 2004; councils within the meaning of the Local Government Act 1989; entities established by an act or for a public purpose that are responsible for the development, implementation, provision or evaluation of policies, programs or services that affect carers or a person for whom they care; funded care agencies; subcontractors of funded care agencies; and any person, body or class of person prescribed by the regulations. Like so many other bills that come before this house, the important detail of regulation is significant, and it will be interesting to see what organisations, bodies or classes of persons are prescribed by the regulations.

I will not keep the house too much longer, but I would like to say that those who give themselves to others and whose lives are dedicated to the welfare of those who are described in this bill are persons for whom I hope all members would have the greatest of respect and would treat with the respect and honour that they deserve, because we are all indebted to people who give their lives to others. We are elected representatives, but there are many ways to serve the community and there are many heroes who serve our community in thankless ways. They do not have an audience and their thoughts and words are not recorded for posterity in *Hansard*,

but their contributions are certainly as great as those of the people who serve in this house.

Mr SOUTHWICK (Caulfield) — I rise to speak on the Carers Recognition Bill 2012, which recognises all carers, including young carers, kinship and foster carers, people supporting frail and ageing parents and carers of persons with a disability, and the important role they play within the community. Today we have heard members from both sides of the house giving very passionate speeches about a very important issue, and I am glad this bill has bipartisan support from both sides of the Parliament. Certainly individuals have spoken passionately about this important issue.

I would like to recognise that it has been a coalition commitment to implement such an important bill. We are delivering yet another election commitment, and this is an important election commitment because this is all about recognition. It is about recognising the important work that these carers do within our community in supporting their loved ones. I will talk about a number of local organisations that play an important role within our community and I will share some very important stories with the house.

There are some 700 000 carers across Victoria. It has taken some time to bring this legislation to fruition in Victoria; we are the last mainland Parliament to implement carers legislation, and that includes the federal Parliament. The legislation has been a long time coming, but thankfully we are now on our way to having it. It is an important step towards the national disability insurance scheme, and this bill sets the foundation for that. I am pleased that our Premier has come out and offered Victoria as the first state to trial such a program. He has certainly been on the front foot in showing our commitment towards supporting the national disability insurance scheme.

I would like to talk about recognition and the fact that many carers do what they do for one thing — and that is for love. What this legislation is about is recognising and supporting carers, and in many instances it is about offering things such as respite to many of those carers who play such a valuable role within the community. It is done for love, not for money, and the contributions they make could never be replaced. The member for Gippsland East raised the very important point that caring for people is not a 9 to 5 job. It is a 24/7 activity in many instances, and offering carers the opportunity of some time-out is so important, and many organisations do such a wonderful job in providing this.

Locally we have some 2215 members within the Caulfield electorate who are in need of some support,

and this represents, according to the last census, about 4.1 per cent of people within Caulfield compared to the Victorian average of 4.2 per cent, so we are about on average in terms of people who are needing support. We have a number of organisations, as I touched on earlier, that particularly deal with respite. One of these groups is The Friendship Circle, which I spoke about earlier today, which provides five-day-a-week programs for kids with special needs so that their parents and families can have some time-out. It offers things such as cooking classes, weekend programs and holiday programs. Access Inc. is another organisation that does valuable work within our community and supports not just the children but the carers as well. TRY Australia, formerly TRY Youth and Community Services, also runs a lot of vacation-care programs and after-school programs. These are three very important organisations, and they recognise the importance of not just supporting the child but supporting the carer.

This legislation has a holistic approach of supporting the carer and the person that they are caring for. It is not just about the carer; it is about recognising the carer and the relationship between the person being cared for and the carer. I will mention a couple of other organisations, especially the Mirabel Foundation, another organisation in my electorate. Mirabel is a perfect example of a local community organisation which fundraises year in, year out to support some 1700 children and their families in kinship relationships where children have parents who have had substance-abuse problems. This is a really important example. Many of those carers are grandparents who have already gone through one lot of raising children and are now doing it again. With the member for Bentleigh I had the opportunity to attend one of the holiday programs run by Mirabel, which was for the children but for their carers as well. While the children were being cared for at the camp at the Lord Somers facility, the carers were being pampered. They had days of pampering, talks and support. This sort of work is invaluable, and Jane Rowe, the CEO of the Mirabel Foundation, and her team do a terrific amount of work.

I also congratulate — and I know both sides of the house will support me in this — the Premier. For a number of years when he was in opposition he organised a bit of a Christmas drive. Members of Parliament gave presents which went to the Mirabel Foundation. I have been fortunate enough to have now attended that event for three years. This year it was held at Caulfield Park. We had the carers come together with the kids, and we celebrated together with a picnic and an exchange of gifts. It was great to have the opportunity to see the smiles on the kids' faces and most importantly on the carers' faces.

Grow is a national organisation which has its Victorian base in Glen Huntly Road in my electorate. It has been going for 55 years, but in 2008 it specifically set up Grow-Better Together, a program to support carers. I know that it is absolutely over the moon with what we are proposing in this legislation. When I talked to the project officer with Grow, Louise Phillips, who looks after a number of its programs, she told me about the impact of and what a difference this bill will make to many of the carers that Grow supports. One of the carers stated:

Grow-Better Together has also helped me in my area as carer. It has shown me that even when my husband is sick I can be well if I look after myself. I have been encouraged to hand more responsibility back to my husband and work out how to overcome his difficulties rather than doing everything for him.

This is a perfect example of an organisation that is doing some terrific work and can now be finally recognised for the great work it does in the community.

I also had the privilege of attending a Jewish Care respite centre only a few weeks ago with a member for Southern Metropolitan Region in the other place, Andrea Coote. We opened a respite centre for many of the young kids to allow their families to have some time to themselves and to give some time back to carers. Again, this is a very important element for many of the carers who do such a terrific job.

There are many examples of people who are doing such a terrific job within our community and who continue to do so. This legislation provides an opportunity for them to finally be recognised. It will finally give them the recognition they deserve and put carers front and centre on the map. As I said, they do not do it for money. These are people who are volunteering their time and doing what they do for love. I acknowledge that Carers Australia has been fully supportive of this legislation, and it has congratulated the Victorian government on its commitment to recognising caring families. I also acknowledge that the Association for Children with a Disability has also come out and said that finally carers are being acknowledged in this important legislation.

This bill is a great step. It is an election commitment that we went to the people of Victoria with, and I commend the bill to the house.

Mr HERBERT (Eltham) — It is a pleasure to speak on the Carers Recognition Bill 2012. Like my Labor colleagues, I am committed to improving support for carers and to recognising the great and invaluable work they do in our community. We all know that government simply cannot do it all, nor should it do it

all, and there are literally hundreds of thousands of people out there who play a great role in helping others in their family and in the community as carers.

This point was highlighted for me once again just recently when I undertook a survey in the Eltham electorate. I will not use props here, but I did a fairly substantive report from the responses I received from the 2000 residents. Whilst the survey was on the general health of the community, one of the things that was interesting was that in a community like Eltham, which is fairly affluent, a large number of people said support for carers was an important part of their lives. In fact 1 in 10 respondents was caring for someone who suffered from a major illness or had a disability. Crucially, of that 1 in 10, 84 per cent were unpaid spouse carers.

It became clear when going through the annotated responses people made that there is still really a great need. Despite the support that has happened over recent years, there is a need to look at expanding the programs that help carers and keep people out of institutional care. This will help the government but also take a burden off many of those people's lives. It is not just about expanding services; getting right the services that carers need is crucial. Too often government takes a kind of benevolent viewpoint and public servants formulate policies that they believe help carers, but they do not focus enough on what provides the sort of support that carers need in their day-to-day lives.

I want to talk a little bit about that, because when we look at this bill — it is a nice bill with good words and we support the sentiments in it — it does not really focus on the concrete mechanisms that need to be put in place to ensure that carers' needs are met better by government. Yes, the bill has 11 principles, and one of those principles should be included in assessment, planning, delivery and review of services in terms of the care relationship. In fact in many ways one of the faults of the bill is that it is not that specific.

I want to contrast this legislation with the commonwealth Carer Recognition Act 2010, which was introduced a couple of years ago. Part 3 of that act sets out formally the legal obligation of public service agencies and associate providers to consult carers and bodies that represent carers when developing or evaluating care support measures or packages — a straightforward thing. In law the carers or the agencies or bodies that represent them have to be consulted directly about the measures that are put into place. That is smart because a lot of money goes into this and we need to make sure that that money hits the target as it should.

Unfortunately whilst many aspects of the national bill are reflected in this bill — and that is clear if you read the two pieces of legislation — one thing that is different is that the obligation by the state government to reflect care relationship principles has been taken out. The bill provides that the government should take into account the views that it thinks the carers should have rather than have a formal obligation, as I understand it, to consult directly before implementing any measures. That is just not good enough. It should be a formal part of this bill, and there should be formal mechanisms mandated through legislation to directly consult before any new measures are put in place.

Whilst that may seem a pedantic point, I will highlight why I think that is important. A few years ago a number of people came to my office, as members on all sides of politics would experience when people who are in dire situations are looking for help. Within a short space of time a couple of people who came in said their partners or spouses had suffered shocking tragedies, one through an accident and one through natural causes, which meant that they had to give up their work to become full-time carers. Their experiences in seeking help were quite frankly horrendous and anything but helpful, to the point when they came to see their local MP to resolve the situation.

Being a bit naive at that time about the sorts of services that were around, I convened a meeting of all the local carers, support groups and government agencies that support carers. I have a big office with a meeting room that holds 20 to 30 people, and it was chock-full of representatives of those groups. I was shocked and could not believe how many groups there were that supported carers. There was everything from Centrelink in terms of the funding that full-time carers need, to hospitals and referral agencies to access these groups. The amount of duplication that was taking place amongst those groups, as was evident when we went around the table, was unbelievable. The 30 or so groups were all composed of good people, all doing good things, but at the end of the day the two carers were not getting the help they needed. It may have been that they had slipped through the net by accident or it may have been that the services that were offered were not targeted more directly to what those people needed, when they needed it.

That is why I say direct consultation is absolutely critical and central to what we as politicians do in terms of supporting carers. It should be a central part of a proper Victorian carer action agenda, something which has been mooted for a long time and for which all the various groups in existence are asking, but which the government has not even looked at. It has not done

anything. It has framed this legislation, but when it comes to actual concrete means to support carers, we see a great void and absolutely no action. Perhaps it is not quite no action on the policy front, but the people who want this action plan and who do the hard work to back the fine sentiments that are in this legislation — the staff of the department who are about to be sacked, the 500 who are going to go — are the people who are required to do the sort of work that is needed to achieve something concrete.

In short, whilst this is a bill that has nice sentiments, it is a bill that should have been tighter. It should have had more concrete measures in it to support carers and it should have accompanied a proper, well-funded action plan in terms of what happens to carers in this state and the government support they get.

Mr ANGUS (Forest Hill) — I am very pleased to rise today to speak in support of the Carers Recognition Bill 2012. At the outset I mention a couple of things: firstly, that it is another election commitment of the new coalition government being delivered, which is to be commended; and secondly, that there have been some outstanding and passionate contributions from members on both sides of the house. There is no doubt at all that this is a topic that throughout the course of one's life will most likely impact on each of us one way or another.

I also state at the outset that the role carers play in the community is an absolutely vital one. They are often the unsung heroes of the community. As other members have mentioned, they do not sing their own praises but are rather the unsung heroes that fulfil such an important role. There can be many types of carers. Whether it be the carer of a partner, a child, a parent, a grandparent or indeed a foster carer, they are all key roles that are played throughout the community. I turn for a brief moment to the purposes that are clearly laid out in clause 1 of the bill. They are to:

... recognise, promote and value the role of people in care relationships ...

... recognise the different needs of persons in care relationships ...

... support and recognise that care relationships bring benefits to the persons in the care relationship and to the community —

and that reflects what I just said — and to:

... enact care relationship principles to promote understanding of the significance of care relationships ...

It is a very succinct purpose contained in the first clause, but it covers a very broad range of aspects. I will

mention some of the different types of carers. We have heard contributions today in relation to that aspect, but I will focus my contribution on the role of foster carers. In my view, and I am sure in the view of most or all members in this chamber, foster carers have a vital role in the community. Like all the other carer roles, foster care has great challenges. Foster care also has a range of unique challenges. I am sure many members would know numbers of foster care families and would have heard their stories. They talk about getting telephone calls in the middle of the night, asking them to receive a child, often unannounced because there has been a domestic situation and they need to step into the breach, and that is what they do in their role. It is an extraordinary act to be ready at any time to take another person into their family.

That can obviously be for short, medium or long-term periods, and then of course often you have to hand the child back. These are big emotional issues and challenges that are faced by foster carers in particular. There are also the complexities within their own families; perhaps they have their own children in the family, so to get another child or children — and often they are siblings who are attended to in this way — coming into the family can upset the dynamics of the family and have a great impact. It is a wonderful sacrifice that is made, not only by the parents but also by the children of that family, when they are present as well.

I suppose another one of the absolutely unusual features of that area is that foster carers are not related and very often not known at all to the child being fostered. That just shows the capacity of the people who step up to the plate and fulfil these roles within the broader community. What an outstanding and highly commendable role that is. I want to place on record my thanks and congratulations to all the foster carers throughout the state who step up in this way and lay down their own lives for the sake of these children, who are so often coming out of such poor circumstances.

The bill fulfils the government's election commitment to introduce legislation to recognise, promote and value the role of carers. Victorian carers and people in care relationships have been missing a clear statement that recognises the important contribution they make to the community as well as guidelines on how they can be treated. Members on this side of the house, with the support of the opposition, want to raise the status of carers and care relationships in the community, which will bring Victoria into line with most of the other states and territories. I also note the commonwealth introduced similar legislation in 2010.

The bill will provide legislative recognition of the contributions that carers make, and hopefully that will have a positive impact on their day-to-day experiences. It will set out the clear expectations for people and organisations that engage with carers about how they should be treated. It is hoped that the legislation, as it is rolled out, will remove some of the vagaries and unknown circumstances that people fulfilling this vital role inevitably encounter in the course of carrying out their responsibilities. Organisations will be required to demonstrate their compliance with the principles in the bill, but I should note that, very wisely, the minister responsible has not sought to impose a complex regulatory burden. Again that reflects the view of members on this side of the house that we are not looking to increase burdensome regulation and red tape but rather we want to facilitate in a most efficient way the end objectives that we have in mind.

We have heard from other contributors to the debate that there are over 700 000 unpaid carers in Victoria. That represents some 4.2 per cent of the population. The 2006 census figures show that there were 2339 carers in Forest Hill, my electorate. That represents some 4.7 per cent of the population, so in the electorate of Forest Hill we have a carer population that is about 10 per cent higher than Victoria's average.

In relation to some of the financial impacts of carers, a report prepared by Access Economics in 2010 talks about some of the national figures. We can look at our share of that here in Victoria, but just the annual replacement value of informal care provided in 2010 was over \$40.9 billion, with carers providing 1.32 billion hours of unpaid care. That is an extraordinary contribution to the national economy. Obviously, as I said, Victoria certainly contributes its fair share of that as well. The survey of disability, ageing and carers that is conducted every six years, the last one in 2009, backs up the figures from the 2006 census that I have just mentioned. That survey found there were 703 100 carers, so that is some 13 per cent of the population. Of those, 194 100 were primary carers, and of those primary carers, 138 000 or 71 per cent were women. It is a fantastic role that is played by those carers throughout the community in a broad range of areas of responsibility.

In the electorate of Forest Hill we have a number of organisations that are involved with carers and the provision of care. It is not an exhaustive list by any means, but we have the Nadrasca farm, Burke and Beyond, the Vermont South Special School, the Burwood East Special Developmental School, Aurora School, other organisations such as churches and not-for-profit organisations and so on. Speaking along

those lines, like most members, I have had many individuals come into my office, including grandparents caring for grandchildren, spouses caring for their partner and so on.

This is a great step in the right direction. The broader community owes a great debt of gratitude to all carers. I commend the bill to the house and congratulate the Minister for Community Services, who is at the table, on the work that she and her team have done in this regard.

Ms HALFPENNY (Thomastown) — I rise to make a contribution to the debate on the Carers Recognition Bill 2012. I would like to say at the start that I am sure all members of this house are united in wanting to recognise and express their deep appreciation of and respect for the work of the hundreds of thousands of carers right across Victoria who dedicate themselves, day in and day out, to looking after loved ones. There are also those who look after some of the most vulnerable children in our society through foster care and kinship care, although many of those who are involved in kinship care are not included in the definition provided in this bill. That is quite a deficiency that can hopefully be rectified later. I will speak later about this issue.

The bill provides valuable recognition for the work carers do and the important contributions they make. The previous Labor government, for example, introduced the Carer Card in recognition of carers and to provide them with some support. It was certainly welcome, because the research that has been done shows that those people who provide their services as unpaid carers are overwhelmingly financially disadvantaged. Any sort of social service payments or benefits that they may receive really do not cover the expenses and the things they have to pay for in caring for their loved ones. That does not even include the income that is often forgone; often unpaid carers cannot work because it is a full-time job to care for those in need of care seven days a week, 24 hours a day. All of us in Victoria are indebted to carers, and it is therefore timely that we take some time in this house to debate and approve measures to show that the state Parliament and the Victorian people appreciate and recognise their enormous contribution and also the ongoing sacrifices they make.

In my electorate of Thomastown I have met many family members who care for their disabled children, foster children, elderly relatives and partners. They tell me that while it is a difficult job, it is also a rewarding one. However, they are also often frustrated not only by

the lack of services but also by the lack of recognition by government departments and agencies.

The parents and also the carers of adult children with a mental illness have told me that service agencies often ignore their role as carers and, for example, refuse to allow them to attend interviews with their adult children that are held with job service agencies. They are also often excluded from things like discussions on health plans and other critical information because they are not really recognised as the advocates for their children. They are therefore excluded from some very important decisions and decision-making forums that involve their children. I hope this legislation will go towards preventing this, so that agencies and service providers do, or must, recognise carers and their role as advocates and representatives of those for whom they are caring.

In my electorate of Thomastown the last Labor government allocated funding for respite care beds in the suburb of Epping. Why I raise the issue of respite care is that this is formal care to relieve or to give some respite or assistance with care to unpaid carers so that they can have a break in caring for their loved ones. The carer can go to another place, a residential care place, for some respite so that they can have a little bit of time to themselves or a little bit of recreation time not looking after those they are caring for on a full-time basis. As I said, the Labor government provided funding for five respite care beds and one emergency bed in Epping, but this of course in no way meets the demand in the northern suburbs.

I guess if we want to really recognise carers, we really need to recognise the absolute and critical need for respite care and for more of it. The electorate of Thomastown, according to the statistics, is one of the electorates with the highest number of people who require assistance with daily living. There really is a need for respite care as well as a recognition of those who care for others.

As previously raised, I want to talk a bit about kinship care relationships — for example, this is about grandparents who look after grandchildren. It is also about aunts or uncles who care for a sibling's children full-time because the parents cannot do so or are not fit to do so. Families often take into their own hands the looking after of children, and so they may actually remove the child from their parents without protection orders or guardianship laws. In these cases there is absolutely no recognition of the contribution made by these kinship carers in any sort of formal way, whether it is to do with consultation, general recognition or supporting them in terms of looking after the children.

I would like to refer to some submissions that have been made on this case, in particular in relation to the lack of recognition of grandparents who are in kinship caring relationships. As I said, this form of care is not recognised in the current bill before us. The Children's Protection Society provided copies of a submission to the parliamentary Family and Community Development Committee, of which I am a member, which talked about the concerns of grandparents in a report that was produced by the Council on the Ageing in New South Wales. It raised a number of relevant issues that the grandparent group associated with Victoria's Children's Protection Society confirms are just as relevant in this state. The submission says:

Grandparents attending the forum reported feeling 'invisible', 'undeserving', 'voiceless' and 'socially isolated' within the community. They felt that 'the system' needed some adjustments to respond to them in a more respectful and responsive manner.

Therefore, speaking in support of this Carers Recognition Bill 2012, I raise the deficiency in it and the need for action in both the provision of more respite care bed facilities and also the provision of support to and recognition of carers in kinship caring relationships who are currently unrecognised.

Mr CRISP (Mildura) — I rise to support the Carers Recognition Bill 2012 that is before us here today. Really what we want to do is talk about something that is close to all of our hearts. We all know someone who is a carer. We have all been someone in a care situation ourselves, and whether it be family or friends, this is close to our hearts. We all value those who care, and we look around and see, particularly in our lives as MPs, those people who come to us who have dedicated their lives to this, whether it be a disabled child, a parent or partner with a longstanding illness or even a child with a long illness.

I think these are the remarkable people of our community. They are the unsung heroes, and so much of it is voluntary. As I understand it there are 700 000 people who are unpaid part-time or full-time carers in Victoria. We would be lost without them, and it is fitting that this bill gives some recognition to them and puts some boundaries and rules around what they do, how we recognise them and how government will interact with these people.

This government made an election commitment, and now it is delivering on that. We are trying to deliver in a very sensitive way to these people, because we want to support and help them but not constrain them or make them feel trapped by bureaucratic commitment. There are myriad organisations out there which support those

who care for people. It is a complex landscape, and I admire those who find their way around it to get the right sort of support they need. Many of us see in our office people who are struggling with that landscape, and we all do what we can to help those people get the services they need. Many times we have seen people who really do need respite or a break from this, as carers cannot do it 24 hours a day for 365 days a year, and I really do commend the respite principle for those people. I also commend the coalition speakers who have spoken on this bill, many of them from the heart, as I think this is a very important issue.

However, I need to correct something said by the member for Eltham. It was in relation to the fact that, consistent with the carer recognition legislation in other jurisdictions, the bill does not confer rights or entitlements enforceable at law. In his contribution the member for Eltham argued that the bill does not go far enough to ensure that carers will be consulted about support for carers and those who are cared for and that the bill should mirror the federal legislation, which goes further. That is not the case. He went on to say that the federal legislation has legally enforceable provisions, which it does not. Section 10(1) in part 4 of the federal Carer Recognition Act 2010 says:

This Act does not create rights or duties that are legally enforceable in judicial or other proceedings.

It was a minor error by the member for Eltham! There is no significant difference between Victoria's bill and the federal bill. In this case the federal government's act refers to 'carer recognition' while our bill refers to 'carers recognition'. I wanted to make those issues clear.

The bill also focuses on supporting relationships rather than exclusively focusing on the carer. That is important, because anyone in care will have a unique relationship with their carers, whether they be family, friends or whatever. The bill seeks to support that. The bill also says that government departments need to ensure that their staff are aware of and understand the principles of the legislation. This has to be a partnership between government, the not-for-profit and community organisations that provide support and carers themselves. Schools and early childhood services do not have to comply with the legislation. The relationships at school and in early childhood services are different in some ways, and the legislation has to recognise those differences. That is a delicate matter, but I think the bill finds the right balance.

The bill imposes obligations on organisations to take all practical measures to ensure that their employees and agents are aware of and understand the care relationship

principles set out in the legislation. That will require some education and follow-up. The myriad organisations providing resources in a stressed and difficult environment will need to be aware of their responsibilities under the legislation, and I am sure that will happen as the bill moves through the system. Organisations must report annually on their compliance with obligations under the bill. That is simply a reporting function they need to cover off on.

Care support organisations must consider the care relationship principles in the bill when setting their policies and providing services. In practical terms that means they will have to do a bit of work. They will need to review their service principles, values and ethics, and procedures to make sure they are complying with the legislation. Where possible they should introduce human resources policies that make it easier for carers to balance their work and their role as a carer. We have all watched family members or friends deal with that, so we all know how difficult it is. Organisations must take practical measures to ensure that all people in carer relationships are receiving services from them and are aware of the care relationship principles set out in the legislation. That means the organisations that provide support have to be a bit more focused on this. I am sure they are prepared to do that because of the recognition it brings.

This is a comprehensive bill that comes from the heart. I am pleased to support the bill and wish it a speedy passage.

Mr HOWARD (Ballarat East) — I am also pleased to speak in the debate on this bill, which laudably recognises the carers in our community. We know there are many carers across the state. As others have pointed out, the Australian Bureau of Statistics informs us that in 2009 there were 703 100 carers across this state, making up 13 per cent of the population. Of that number, 194 100 were primary carers, 71 per cent of whom were women. All these people are doing a vital job in our community. As we are aware, often this is not by design but as a result of family circumstances that have seen them thrust into these caring relationships.

There is a great variety of caring relationships — carers supporting children with disabilities or spouses or parents with health problems — in a broad range of circumstances. We know of many of them personally, and we have heard many speakers in this debate talk about a range of circumstances in which they have been personally involved as carers or as people supporting carers. Carers are often women, and they are often over 55 years of age. They are frequently required to spend

many hours a week — often more than 40 hours a week and sometimes many more hours than that — in their caring role. Clearly being a carer is a challenging role for anyone, and it requires support. It is appropriate that the government and the community more broadly provide a range of supports for people in caring roles.

The bill's recognition of carers, and more particularly of the care relationships between the carers and those they are caring for, is welcome. However, those who know carers personally or have some reason to work with them — and this is certainly my experience — know that there is already a significant amount of recognition of carers. The second-reading speech recognised that the Charter of Human Rights and Responsibilities already contains a statement of principles supporting people in care relationships, and the bill is consistent with the charter. We already have principles in place to recognise carers and ensure that the government recognises the need to support them, including through government departments, and, as I have identified, a range of supports are provided.

I am very proud to say that the former Labor government worked to increase the level of support provided to carers and to those who are cared for in a broad range of ways, and when I compare Victoria to other places around the world, I believe that we generally do a good job in supporting both those who need care and their carers. But we all know there is more to be done. There are gaps out there. There is a need for more in terms of respite support for carers.

Many of us have seen circumstances where older people are caring for children and want to know that as their children grow up they are going to be able to move out of their care when they are no longer in a position to support them and that their children will be placed in appropriate independent living accommodation or supported accommodation that will relieve the parents of their responsibilities. Those parents want to know that the person they have taken so long caring for will continue to get support after they are no longer able to support them. I am pleased we have a good record in this state — and the former government certainly continued it.

Like so many other bills that have come from this government, this bill is all about spin and in so many ways is all about talk and no action. The second-reading speech recognises there is an action plan to come in the future, and obviously that is the very vital issue that carers are looking for. They want to see action. They do not just want to see something that is a nice motherhood statement which recognises them, although we all agree that needs to be done. The real

issue is ensuring that there is greater financial support to identify the services that are required where there are gaps. We also need to recognise that the services need to be provided in a different way — that it is not a bureaucratic system — which takes into account the specific issues of those in care and provides a service in a way that is useful to them.

For example, in stakeholder comment on the bill Caroline Mulcahy, the CEO of Carers Victoria, while recognising that the bill is useful and welcome, said:

... many carers will see this bill as largely a symbolic gesture.

She also said:

Recognition is just the first step.

She said carers will have to wait for the government's carer action agenda to learn what real changes might take effect. She also said that Carers Victoria will maintain pressure, quite appropriately, on the government to deliver further tangible changes in funding policy and service delivery.

The real issue is: is this government going to deliver the funding for service delivery that is going to make a difference to carers? It is one thing to recognise carers, as laudable as that is, but action is going to be important — and thus far we have not seen it from this government. This is another bill which has come into this house which is about words and about something the government is planning to do, but it is not the real action that is going to make a difference to the people of Victoria who matter. Like so many others in the house and like the 700 000-odd carers around this state, I will be watching to see that this government follows through on its words with some serious actions and to see that the sentiment in the bill is before very long followed up with action.

Nobody in the chamber could speak directly against the bill; nobody could vote against it. It is laudable in its concept, but what is really waited on by so many carers is some action by this government to show it is deadly serious about supporting carers.

Debate adjourned on motion of Dr SYKES (Benalla).

Debate adjourned until later this day.

DRUGS, POISONS AND CONTROLLED SUBSTANCES AMENDMENT (SUPPLY BY MIDWIVES) BILL 2012

Statement of compatibility

Dr NAPHTHINE (Minister for Ports) tabled following statement in accordance with Charter of Human Rights and Responsibilities Act 2006:

In accordance with section 28 of the Charter of Human Rights and Responsibilities Act 2006 (charter act), I make this statement of compatibility with respect to the Drugs, Poisons and Controlled Substances (Supply by Midwives) Bill 2012.

In my opinion, the Drugs, Poisons and Controlled Substances (Supply by Midwives) Bill 2012, as introduced to the Legislative Assembly, is compatible with the human rights protected by the charter act. I base my opinion on the reasons outlined in this statement.

Overview of bill

The purpose of the bill is to provide for suitably qualified registered midwives, whose registration has been endorsed by the Australian Nursing and Midwifery Board, to possess, use, sell and supply a number of drugs used in the course of midwifery practice. In accordance with the Drugs, Poisons and Controlled Substances Act 1981, the midwives will be authorised to use those drugs specified on a list approved by the minister. The bill also empowers the minister to specify at which health services and in which clinical circumstances the drugs may be used.

Human rights issues

1. Human rights protected by the charter that are relevant to the bill

The bill does not engage any human rights protected by the charter.

2. Consideration of reasonable limitations — section 7(2)

As the bill does not engage any of the human rights protected by the charter it is unnecessary to consider the application of section 7(2) of the charter.

Conclusion

I consider the bill is compatible with the Charter of Human Rights and Responsibilities because it does not raise any human rights issues.

Hon. Denis Napthine, MP
Minister for Ports

Second reading

Dr NAPHTHINE (Minister for Ports) — I move:

That this bill be now read a second time.

The purpose of this bill is to amend the Drugs, Poisons and Controlled Substances Act 1981 to authorise

midwives with a prescribing endorsement to possess, use, sell or supply certain scheduled medicines required for midwifery practice.

I should point out that in due course the Drugs, Poisons and Controlled Substances Regulations 2006 will also be amended to facilitate these changes, and a list of medicines required for midwifery practice will be approved by the minister in accordance with provisions of the act.

I would like first to provide the house with some background to this bill.

In 2008, the commonwealth government made an election commitment to develop a plan to promote the national coordination of maternity services. A maternity services review was then undertaken by the commonwealth chief nurse and midwifery officer with a report published in February 2009.

The report made a number of recommendations including expanding the role of midwives to deliver greater access to a range of maternity care services within a collaborative multidisciplinary care environment.

In response to the review the Australian government announced a maternity services reform package in its 2009–10 budget and a National Maternity Services Plan 2010 was developed following national consultation and agreement by Australian governments.

The plan provides a five-year vision for maternity care in Australia and gives effect to the commonwealth's maternity reform package of budgetary measures.

In accordance with the plan, Victoria, along with all other states and territories, agreed to 'use best endeavours to amend the relevant drugs and poisons legislation to enable appropriate prescribing rights for midwives to facilitate access to pharmaceutical benefits scheme (or PBS) subsidies for women'.

To facilitate the maternity services reform package, in November 2010 the Australian Parliament passed the Health Legislation Amendment (Midwives and Nurse Practitioners) Act 2010 which amongst other things amended the Health Insurance Act 1973 and National Health Act 1953 to add midwives as a new prescriber group.

Granting PBS authority for midwives at a commonwealth level, however, is not an authority to prescribe. It is an authority to claim the rebate for certain PBS medicines. Authority to prescribe is

granted through state and territory drugs and poisons legislation.

To give effect to this PBS access for midwives, all states and territories have either undertaken, or are currently making the necessary legislative changes, to authorise prescribing by midwives.

With prescribing authority, midwives will be able to provide a broader range of midwifery services, working in close collaboration with medical practitioners. Their clients will also be able to benefit from the commonwealth rebate schemes for these services.

Without this authority, Victoria's midwives will be unable to provide a range of private midwifery services. Victorian women and families will be more limited in their access to maternity services and will not benefit from the public rebate schemes set up for this purpose and now in operation across most of Australia.

I would like to address the issue of safeguards in relation to the proposed amendment to the act.

Firstly, the Nursing and Midwifery Board of Australia has a comprehensive regulatory framework for midwives inclusive of registration standards for:

notation as an 'eligible midwife', which is one of the requirements to qualify for MBS and PBS authority; and

scheduled medicines endorsement for midwives under section 94 of the national law.

The latter endorsement is the one that is relevant to the bill we are considering today.

Secondly, midwives must satisfy the board that they meet a number of requirements to gain this endorsement. These requirements include evidence of current competence to provide pregnancy, labour, birth and postnatal care through a professional practice review. Midwives must also demonstrate that they hold an approved qualification to prescribe scheduled medicines required for midwifery care.

Thirdly, endorsed midwives are required, as are all registered health professionals under the national law, to have professional indemnity insurance (except where otherwise exempt) and to complete additional mandatory continuing professional development each year.

Lastly, and in all cases, midwives who access the Medicare or PBS scheme are required under the commonwealth act to have in place a collaborative

arrangement with a designated medical practitioner. This might be an obstetrician, a medical practitioner who provides obstetric services or a medical practitioner employed or engaged by a hospital authority.

I would now like to turn to the key features of the bill itself.

The bill will amend the Drugs Poisons and Controlled Substances Act 1981.

The definition of midwife to be included in section 4 of the act means a person registered under the Health Practitioner Regulation National Law —

to practise in the nursing and midwifery profession as a midwife (other than as a student); and

in the register of midwives kept for that profession.

Section 5 of the bill amends section 13(1) of the act to provide an authorisation for a midwife who has been endorsed under section 94 of the national law to obtain and have in his or her possession and to use, sell or supply any schedule 2, 3, 4 or 8 medicines approved by the Minister for Health and specified in the endorsement in the lawful practice of his or her profession as a midwife.

Various amendments to the act authorise endorsed midwives to prescribe in the same way as other health professionals with scheduled medicines endorsement under the national law.

As I indicated earlier, section 7 makes provision in the principal act for the minister to approve a list of medicines for midwife prescribing.

There is also provision for the minister to limit the circumstances in which a midwife can prescribe, for example, to a class, list or type of medicine, or with reference to the form of the medicine, or the purpose for which the medicine is used, sold or supplied.

It is expected the list of scheduled medicines the minister will approve will be developed in due course in consultation with clinical experts, other jurisdictions and the board to reflect contemporary evidence-based practice and best practice guidelines.

Summary

In summary, the amendments will enable clients of an eligible midwife to receive comprehensive services and not need to also see a medical practitioner or nurse practitioner to have medicines prescribed for their

routine maternity care where this referral is unnecessary.

These amendments are made in the context of a strong regulatory framework that will ensure that only midwives endorsed as having the competence to do so will be authorised to prescribe. The commonwealth law for the purposes of Medicare and PBS access also builds in the important requirement of maintaining an ongoing collaborative relationship with a medical practitioner.

This bill is widely supported by key stakeholders and will align Victorian midwives' practice with their professional colleagues in other states.

This bill will enable Victoria to fully participate in national maternity services plan 2010, especially with respect to its intention to provide more maternity services for rural and remote communities.

Furthermore, birthing women will be able to receive a PBS rebate for medicines prescribed as a part of private midwifery practice.

I commend the bill to the house.

Debate adjourned on motion of Ms NEVILLE (Bellarine).

Debate adjourned until Wednesday, 14 March.

STATUTE LAW REPEALS BILL 2012

Statement of compatibility

Mr McINTOSH (Minister for Corrections) tabled following statement in accordance with Charter of Human Rights and Responsibilities Act 2006:

In accordance with section 28 of the Charter of Human Rights and Responsibilities Act 2006 (charter act), I make this statement of compatibility with respect to the Statute Law Repeals Bill 2012.

In my opinion, the Statute Law Repeals Bill 2012, as introduced into the Legislative Assembly, is compatible with the human rights protected by the charter act. I base my opinion on the reasons outlined in this statement.

Overview of bill

The bill corrects a number of ambiguities, minor omissions and errors found in statutes to ensure the meaning of s is clear and reflect the intention of Parliament.

Human rights issues

1. *Human rights protected by the charter that are relevant to the bill*

This bill does not engage any of the rights under the charter act.

2. *Consideration of reasonable limitations — section 7(2)*

As the bill does not engage any of the rights under the charter act, it is not necessary to consider section 7(2) of the charter act.

Conclusion

I consider that the bill is compatible with the Charter of Human Rights and Responsibilities Act 2006 because it does not engage any human rights issues.

The Hon. Ted Baillieu
Premier

Second reading

Mr McINTOSH (Minister for Corrections) — I move:

That this bill be now read a second time.

The bill before the house, the Statute Law Repeals Bill 2012, is a regular mechanism for repealing statute law in Victoria. The bill is important to the orderly management of the state's statutes so that the laws remain clear, relevant and accurate.

The bill repeals wholly redundant acts identified by Office of the Chief Parliamentary Counsel and departments. The acts to be repealed are listed in a schedule to the bill.

The bill repeals both principal acts which have no ongoing operation and amending acts which are spent in effect and have no further purpose. Most of the amending acts contain transitional and amending provisions. The transitional provisions are no longer required because of the passage of time or subsequent legislative enactments. The amending provisions are no longer required because they have amended or repealed the provisions of the principal acts which they were enacted to amend or repeal.

Any residual effect of the transitional and savings provisions will be saved by section 14 of the Interpretation of Legislation Act 1984.

The bill should be seen as part of the Victorian Parliament's regular housekeeping arrangements. The government has an obligation to bring forward, on a regular basis, legislation of this nature to ensure the law of Victoria is as current as possible.

By repealing redundant acts, the bill will ensure that Victorian statutes are updated and maintained in a regular and orderly manner so that they remain relevant to the Victorian community.

I commend the bill to the house.

Debate adjourned on motion of Ms NEVILLE (Bellarine).

Debate adjourned until Wednesday, 14 March.

Referral to committee

Mr McINTOSH (Minister for Corrections) — By leave, I move:

That the proposals contained in the Statute Law Repeals Bill 2012 be referred to the Scrutiny of Acts and Regulations Committee for inquiry, consideration and report.

Motion agreed to.

WATER AMENDMENT (GOVERNANCE AND OTHER REFORMS) BILL 2012

Statement of compatibility

Mr WALSH (Minister for Water) tabled following statement in accordance with Charter of Human Rights and Responsibilities Act 2006:

In accordance with section 28 of the Charter of Human Rights and Responsibilities Act 2006 (the charter act), I make this statement of compatibility with respect to the Water Amendment (Governance and Other Reforms) Bill 2012.

In my opinion, the Water Amendment (Governance and Other Reforms) Bill 2012 (the bill) as introduced to the Legislative Assembly is compatible with the human rights protected by the charter act. I base my opinion on the reasons outlined in this statement.

Overview of bill

The purpose of the bill is to convert the three Melbourne water retailers from Corporations Act companies regulated under the Water Industry Act 1994 (the Water Industry Act) into statutory corporations regulated under the Water Act 1989 (the Water Act). This will confirm the Melbourne water retailers as being in public ownership. The bill, to the extent possible, will also provide a common operating and governance framework across the Victorian water sector.

Human rights issues

1. Human rights protected by the charter act that are relevant to the bill

Right to privacy

The bill engages section 13 of the charter act which provides that a person has the right not to have his or her privacy,

family, home or correspondence unlawfully or arbitrarily interfered with or to have his or her reputation unlawfully attacked.

An interference with privacy will not be unlawful provided it is permitted by law, is certain and is appropriately circumscribed. Any interference will not be arbitrary provided that the restrictions on privacy are reasonable in the particular circumstances and are in accordance with the provisions, aims and objectives of the charter act.

Clauses 20 and 55

Currently, under section 133 of the Water Act, an officer of a water corporation or an authorised person may enter any land:

without prior notice for the purposes of reading a meter, inspecting and measuring a septic tank, inspecting works or making a test to find out whether the act, regulations or by-laws are being complied with, and carrying out any other function under the act; and

after giving seven days' notice in writing, for the purpose of carrying out works authorised under the act.

In the case of residential land, entry for any of these functions may only occur between the hours of 7.30 a.m. and 6.00 p.m. unless the water corporation has reasonable grounds for believing that the act, regulations or by-laws are not being complied with or if the occupier consents.

Entering residential land to inspect for legal compliance

Clause 20 amends section 133 of the Water Act to require an officer of a water corporation or an authorised person to give an occupier seven days' notice in writing before entering land used primarily for residential purposes (residential land) for the purpose of inspecting works or making a test to find out whether the act, regulations or by-laws are being complied with.

Entry to residential land will continue to only be permitted between 7.30 a.m. and 6.00 p.m., as is already required by section 133. The notice and entry time requirements will not apply where the occupier consents to entry and inspection to assess for legal compliance.

Clauses 20 and 55 provide that, alternatively to the requirement to give seven days' notice, an authorised water officer will be able to access residential land for the purpose of inspecting works or making a test to find out whether the act, regulations or by-laws are being complied with, where the officer has obtained a search warrant.

An authorised water officer entering residential land will be able to search for and seize anything named or described in the search warrant. He or she will be able to take any action necessary to collect evidence of any offence being committed on the premises, including taking photographs and soil samples.

Entry with a search warrant will not be restricted to entry only between 7.30 a.m. and 6.00 p.m. The time of entry will be as permitted by the warrant.

To the extent that sections 133 and 291E of the Water Act allow entry onto residential land, clauses 20 and 55 engage the right to privacy.

An authorised water officer can apply for a search warrant only if they have reasonable grounds to believe that the issue of a search warrant is necessary for the purpose of inspecting any works, or making any test on the land to find out whether there is evidence that the Water Act, or any regulation or any by-law of an authority, is not being complied with. An authorised water officer must provide evidence to a magistrate on oath or by affidavit that it is necessary to issue the search warrant for the purpose of inspecting any works, or making any test on the land to find out whether there is evidence that the Water Act, or any regulation or any by-law of the authority is not being complied with.

An authorised water officer can only execute a search warrant if that officer is named in the warrant and only in accordance with the conditions of that warrant. An officer must announce themselves before entry unless immediate entry is, for example, required to ensure someone's safety. The officer must provide a copy of the warrant to the occupier or another person present on the premises.

A search warrant issued under section 291E will not authorise an authorised water officer to arrest a person.

Section 291H of the Water Act allows an authorised water officer to seize things that were not named in the warrant issued under 291E but the authorised water officer believes could have been included or will afford evidence of the commission of an offence and it is necessary to seize that thing to prevent concealment, loss or destruction of the evidence.

To the extent that section 291H relates to entry to residential land under section 133 it engages the right to privacy but does not limit the right to privacy. The power to seize things under this section will be lawful, reasonable and not arbitrary as an authorised water officer will be acting under the authority of a search warrant and within defined parameters specified by the warrant. Further, an authorised water officer will be seizing things only if they afford evidence of an offence and seizure is necessary to prevent a frustration of justice or continuation of an offence.

Entering residential land to carry out any other function

Clause 20 amends section 133 of the Water Act to also require an officer of a water corporation or an authorised person to give an occupier seven days' notice in writing before entering residential land for the purpose of carrying out any other function under the act. Entry to residential land will continue to only be permitted between 7.30 a.m. and 6.00 p.m., as is already required by section 133. The notice and entry time requirements will not apply in an emergency or where the occupier consents to entry.

The requirement for giving seven days' notice will not apply in relation to a water corporation with an irrigation district performing the function of providing, managing and operating systems for delivering water to land under section 221(a) of the Water Act where the water corporation needs to pass over residential land to access its irrigation channels.

To the extent that section 133 of the Water Act allows entry onto residential land, clause 20 engages the right to privacy.

Some water corporation-owned irrigation channels can be accessed by the corporation only via a private road that passes by residential premises on a rural property. While driving by

residential premises may interfere with the property owner's privacy and thus engage section 13 of the charter act, the interference will be minimal because a water corporation would not seek to enter the premises. It would not be possible for rural water corporations to operate all their irrigation channel systems if they could not have regular access over residential land to specific channel infrastructure.

If however performance of these section 221(a) functions means that the water corporation will be carrying out works on residential land under section 133(2) of the Water Act (as opposed to merely crossing over residential land) the water corporation will be required to give seven days' notice.

Conclusion

These new constraints, together with other existing safeguards, promote personal privacy and minimise inconvenience for members of the public, while still ensuring that water authorities have access to land for limited and specific purposes that are essential for the safe, efficient and effective operation of our water and sewerage systems.

In this context, any interference with personal privacy associated with these entry powers is reasonable, lawful and not arbitrary. As such, the right to privacy under section 13 of the charter act is not limited by clauses 20 and 55 of the bill.

Clause 41

Clause 41 of the bill amends section 273A of the Water Act to place the onus to notify the relevant water corporation of a tenant occupying a property on the owner of the property. This triggers a meter reading by the water corporation and transfers liability to pay any water usage and sewage disposal charges from the property owner to the tenant.

The amendment will maintain the status quo in Melbourne as it reflects existing requirements under the Water Industry Act. However, it represents a change for regional Victoria, as the Water Act currently places the onus on the tenant to notify the water corporation when the tenant commences occupation of a property.

Clause 41 engages the right to privacy to the extent that property owners in regional Victoria will provide name information of tenants to the relevant water corporation. The address is already known as the property is already connected to the water corporation's works. In handling this personal information, water corporations are bound by the Information Privacy Act 2000.

In these circumstances, the right to privacy is engaged to a minor degree and any interference with personal privacy associated with this amendment is reasonable, lawful and not arbitrary. As such, section 13 of the charter act is not limited by clause 41 of the bill.

Property Rights

Clause 26

Section 20 of the charter act protects against deprivation of property other than according to law. The bill engages section 20 property rights.

Clause 26 of the bill will amend section 147 of the Water Act to reduce the scope of its application, so that a water corporation can only compulsorily require the connection of a

serviced property to its sewerage works (not 'any' works) and only where it is of the opinion that, after consulting with the Environmental Protection Agency and the Department of Health, this is necessary to avoid an adverse impact on public health or the environment. For this reason, the impact on property rights is quite minor and the right in section 20 is not limited.

Clause 42

A consequence of converting the Melbourne water retailers into statutory corporations under the Water Act is that section 274(4A) of that act will apply to customers in Melbourne. That section provides that, where a person who is liable to pay an amount to a water corporation in relation to a property is the owner of the property, the debt is a charge on the property.

Clause 42 of the bill will amend section 274(4A) of the Water Act and clause 72 of the bill will amend section 4F of the Water Industry Act to enable the ESC to regulate, via its customer service code (ESC code), the application of section 274(4A) of the Water Act by water corporations. The proposed amendment will:

provide that an amount owed to a water corporation is a charge on the property only if an ESC code does not provide otherwise; and

ensure the ESC has a power to do this under section 4F of the Water Industry Act under which it can regulate standards and conditions of service by making codes requiring water corporations to issue and comply with customer-related standards, procedures, policies and practices.

ESC codes are developed through a transparent and participatory public process, and are readily accessible to members of the public.

The bill engages section 20, but only to a limited extent. The term 'deprived' in that section has a wider meaning than being stripped of title, and includes substantially depriving a property owner of the ability to use his or her property, including disposing of it.

However, section 274(4A) of the Water Act does not deprive a property owner of the ability to use his or her property; it does not lead to a disposal of the property by a water corporation and it does not deprive the property owner of an ability to dispose of the property when they choose to. Section 274(4A) only enables the water corporation to have the debt registered on the title to the property. The property owner is free to use their property until such time as they seek to settle a contract to sell the property; at which point in time, financial adjustments are made for settling any encumbrances on the property, including the debt to the water corporation.

The purpose of section 274(4A) is to secure, and encourage payment of, debts owed to water corporations by property owners. This is important as it minimises the extent to which customers who pay their bills subsidise recalcitrant debtors, noting that bad debts are ultimately recovered through higher water prices.

Any impact of a charge on property on the rights protected by section 20 of the charter act can be avoided by the property owner paying for water and sewerage services they have received. Furthermore, debt management by water

corporations must occur in accordance with the ESC code which contains a number of safeguards. This includes requirements to send reminder and warning notices for unpaid bills, to provide flexible payment options and to implement hardship policies to assist customers experiencing financial difficulties.

The circumstances in which a debt to a water corporation will be a charge on property are clearly set out in the act. They serve an important public purpose and are subject to ESC regulation and safeguards contained in the ESC code. The impact on property rights is quite minor and the property rights protected by section 20 of the charter act are not limited.

Right to a fair hearing

Clauses 25, 26 and 27

The bill also engages section 24 of the charter act which provides for the right to a fair hearing. Clauses 25 and 26 of the bill will make available to rural and regional consumers the Victorian Civil and Administrative Tribunal's (VCAT) jurisdiction under the Water Act to review decisions of the water corporations regarding connections and discharges to their works and maintenance of works.

Clause 27 will also make available to regional consumers the VCAT jurisdiction under the Water Act to determine a claim for compensation for an intentional or negligent spill of sewage from a water corporation's works.

Currently, these rights are only available to water customers, or potential customers, in Melbourne under the Water Industry Act. These clauses promote the right to a fair hearing protected by section 24 of the charter act.

Clause 61

Clause 61 of the bill inserts a new section 303A into the Water Act containing evidentiary provisions. One of these provisions is that despite the rule against hearsay, the results of any analysis based on analytical techniques which by their nature infringe that rule are still admissible in evidence in proceedings. Whilst this engages section 24 of the charter act, it is fair and reasonable and does not limit the right to a fair hearing, because:

the purpose of this provision is to ensure that parties to proceedings are able to utilise all available evidentiary technology; and

it is reasonable to expect that any such analysis would be carried out by appropriately qualified people to legally recognised standards.

Right to be presumed innocent

Clause 61

Section 25(1) of the charter act provides that a person charged with a criminal offence has the right to be presumed innocent until proven guilty according to law. The bill engages section 25(1) of the charter act.

Clause 61 of the bill inserts a new section 303A into the Water Act containing evidentiary provisions that deal with the problem of dangerous, polluting and/or unauthorised

discharges into sewers. This provision replicates the existing section 177C of the Water Industry Act.

New section 303A(6) provides that anything found in a sewer on a property, or which exclusively services a property, or in any works connected to that sewer, is presumed, in the absence of evidence to the contrary, to have been discharged by the occupier of that property.

To the extent that this provision applies a presumption of fact against an accused, it engages the right to be presumed innocent. To the extent that the provision may limit the presumption of innocence, the limitation is reasonable under section 7(2) of the charter act for the following reasons:

New section 303A(6) imposes an evidential onus on an accused person, not a legal onus, which is a less significant limitation on the right.

The placing of the evidential onus on a property occupier is consistent with the strict liability of the property owner under section 145(c) of the Water Act. Section 145(c) provides that a person must not, without an authority's consent, cause or permit anything to be discharged into the works of the authority.

The physical circumstances of sewerage infrastructure and the nature of the offence make it more likely that for an unlawful substance —

to be in a sewer on a property; or

to be in a sewer which exclusively services a property; or

to be in any works connected to that sewer (being either a sewer on a property or a sewer which exclusively services a property);

the substance could only have found its way into the sewer or works if the occupier had caused or permitted the substance to be discharged into the sewer or works.

The purpose of the presumption of fact is to support the enforcement of offences targeting the illegal use of sewers to dispose of dangerous or polluting materials, which can have serious effects on public health, the environment, the safety of water corporation employees and the integrity of the sewerage system.

It would be unreasonably difficult and onerous for a water corporation to prove exactly how a substance came to be in a sewer that is under the control of a property occupier. In contrast, the occupier will have particular knowledge of evidence that may challenge this presumption of fact and is therefore the appropriate person to carry the evidentiary burden.

Conclusion

I consider that the bill is compatible with the Charter of Human Rights and Responsibilities because although it engages the section 13 right to privacy, section 20 property rights, and the section 24 right to a fair hearing those rights are not limited by the bill. Any limitation on the section 25 right to be presumed innocent is reasonable under the charter act.

Peter Walsh, MLA
Minister for Water

Second reading

Mr WALSH (Minister for Water) — I move:

That this bill be now read a second time.

One of the strengths of the Victorian system for water management is the state's model for provision of essential water services by state-owned water corporations, rather than a mix of private, state and local government bodies as in other states.

In the government's plan for water this government made a commitment to keep Victoria's water utilities in public ownership. While there is a role for the private sector in providing contractual water services in Victoria, Victoria's water utilities will continue to be owned by and accountable to the Victorian Government.

Unlike Victoria's rural and regional water corporations, which are statutory corporations, the three Melbourne water retailers — City West Water Ltd, South East Water Ltd and Yarra Valley Water Ltd — were originally established as three special-purpose Corporations Act companies. This bill will convert them into statutory corporations and migrate them from the Water Industry Act 1994 to the Water Act 1989 under which all the other water corporations are established.

The provision of retail water and sewerage services is currently regulated under two acts: the Water Act 1989 for regional Victoria and the Water Industry Act 1994 for Melbourne. The two acts provide the state's water businesses with the functions and powers they need to operate their businesses. The distribution of the legislative arrangements for these services across two acts has resulted in unsupportable discrepancies in the provision of water services between Melbourne and regional Victoria.

This bill will therefore simplify the current arrangements in Victoria by unifying the incorporation, governance and regulatory arrangements that apply to the state's 19 water corporations under the Water Act.

The bill establishes three new statutory corporations, with names similar to their current names, and provides for a whole-of-business transfer from each retailer to the relevant new water corporation. Specifically, any rights, property and assets that vested in each retailer immediately before conversion will be vested in the relevant new water corporation and any debts, liabilities and obligations that exist immediately before

conversion will be the debts, liabilities and obligations of the relevant new water corporation upon commencement of the act. The bill will ensure that the conversion process is smooth and seamless.

The government recognises that water is the most crucial of the essential services for meeting human needs. The bill therefore removes the power of a water corporation to cut off a person's supply of drinking water because that person has not paid their bill.

This bill also repeals two outdated debt recovery provisions from the Water Act. In regional Victoria, where a person has been in debt to a water corporation for more than three years, the water corporation could forcibly sell that person's land and use the proceeds to pay off the debt. Further, if a landlord owed money to a regional water corporation, that water corporation could require the tenant to pay its rent to the water corporation to satisfy the landlord's debts. Both of these debt recovery powers will be removed from the act because they no longer present a reasonable and proportionate response to recovering moneys owed to water corporations.

The government acknowledges that there is a small number of people who choose to avoid paying for the water services they receive. The cost of their avoidance, if not properly managed, is unfairly borne by the whole community as it must ultimately be passed on to other customers in the price of water. The Water Act will keep two debt management powers, being the ability to charge interest on unpaid moneys and providing that debts owed to a water corporation form a charge on the land to which they relate.

It is appropriate to leave these remaining debt recovery powers in the Water Act to assist the water corporations in recovering potentially significant debts of hundreds of thousands of dollars accrued by some large commercial water users. It is not fair for all water customers to subsidise the cost of these debts through the price of water.

However, the bill will also ensure that a water corporation's use of these two remaining powers can be regulated by the Essential Services Commission through a customer service code for water services, in consultation with the community, to make sure use of these powers is appropriate and sensitive to the needs of those in our community facing financial hardship.

The bill introduces new requirements for water corporations' personnel entering residential land that will provide a better balance between Victorians' right to privacy and the importance of water businesses being

able to enforce water laws, respond to emergencies and carry out their statutory functions generally.

Until now, regional Victorians have not enjoyed all the same rights as people in Melbourne. This bill will remedy this situation. For example, it will provide all water and sewerage customers in Victoria with the right to seek a review by the Victorian Civil and Administrative Tribunal of decisions made by a water corporation regarding connections and discharges to a water corporation's works and maintenance of works.

A water corporation's power to require a property owner to connect to its works will be limited to sewerage works and only where it will benefit the environment or public health.

A person's right to seek compensation through the Victorian Civil and Administrative Tribunal if there has been an intentional or negligent spill of sewage from a water corporation's works will now be extended to apply across all of Victoria, rather than just Melbourne as has been the case.

The bill starts us on the road of reducing unnecessary red tape in the water sector. It will allow the Minister for Water to determine water and sewerage district boundaries for water corporations. These reforms will facilitate the move to statewide, contiguous districts, to provide greater certainty around responsibility for planning for the community's needs for water supply and sewerage services.

Additional regulation-making powers will be inserted into the Water Act to enable the making of regulations for trade waste, water supply and sewerage services, to apply across the state and replace a myriad of by-laws that currently regulate these services.

The government has announced that it will integrate the Northern Victorian Irrigation Renewal Project with Goulburn-Murray Water Corporation. Upon integration, it may be necessary to appoint some additional directors to the board of Goulburn-Murray Water Corporation. The bill facilitates this by increasing from eight to nine the maximum number of directors that may be appointed to a water corporation board.

Requirements for each water corporation to have an emergency management plan will also be streamlined under the Water Act, while retaining the water corporations' accountability to the Minister for Water to ensure service continuity in times of emergency.

Overall, this bill creates a uniform and much fairer set of arrangements for the provision of water supply and

sewerage services to customers across all of Victoria and reinforces the government's commitment to keep Victoria's water utilities in public ownership.

I commend the bill to the house.

Debate adjourned on motion of Ms NEVILLE (Bellarine).

Debate adjourned until Wednesday, 14 March.

LEGAL PROFESSION AND PUBLIC NOTARIES AMENDMENT BILL 2012

Statement of compatibility

Mr CLARK (Attorney-General) tabled following statement in accordance with Charter of Human Rights and Responsibilities Act 2006:

In accordance with section 28 of the Charter of Human Rights and Responsibilities Act 2006, I make this statement of compatibility with respect to the Legal Profession and Public Notaries Amendment Bill 2012.

In my opinion, the Legal Profession and Public Notaries Amendment Bill 2012, as introduced into the Legislative Assembly, is compatible with the human rights set out in the charter act. I base my opinion on the reasons outlined in this statement.

Privacy

Section 13 of the charter act provides that a person has a right not to have his or her privacy unlawfully or arbitrarily interfered with or reputation unlawfully attacked.

Clause 15 of the bill adds to the eligibility requirements for a person to be a public notary, that the board of examiners must be satisfied that he or she is a fit and proper person. This addition enables the board, using its existing powers to make enquiries relating to eligibility, to make enquiries into and seek further evidence relating to a person's fitness and propriety and have the applicant appear in person before the board.

The board's powers to make these inquiries as to the fitness and propriety of an applicant are neither unlawful nor arbitrary as they are part of an appropriate assessment of an applicant's eligibility for appointment to a responsible office. The amendments in the bill are therefore compatible with the right of a person set out in the charter act not to have his or her privacy unlawfully or arbitrarily interfered with or reputation unlawfully attacked.

Robert Clark, MP
Attorney-General

Second reading

Mr CLARK (Attorney-General) — I move:

That this bill be now read a second time.

The purpose of the Legal Profession and Public Notaries Amendment Bill 2012 is to make a number of amendments to the Legal Profession Act 2004 and the Public Notaries Act 2001. These amendments will cut red tape in the regulation of the legal profession, including removing unnecessary legislative restrictions that currently prevent government and corporate lawyers who hold a valid practising certificate from volunteering their services for pro bono legal work other than with community legal centres. This bill is a further demonstration of the government's commitment to reducing regulatory burdens, boosting productivity and opening up opportunities.

The amendments to the Legal Profession Act 2004 will achieve these reforms without having to wait for the intended replacement of the act with new legislation under the national legal profession reforms being developed under the auspices of the Council of Australian Governments.

The principal amendment to the Legal Profession Act 2004 alters the definition of 'corporate legal practitioner' to permit corporate legal practitioners (that is, legal practitioners working as in-house counsel for businesses, community organisations or government) to provide pro bono legal services provided they hold a practising certificate and have the required professional indemnity insurance. This is an important and positive change that has been keenly sought by those involved in providing pro bono legal assistance to the community.

The current definition of 'corporate legal practitioner' limits those practitioners to providing legal services to their employers only, or as volunteers at community legal centres. It would not presently be possible, for example, for legal practitioners working in a Melbourne corporate head office to form a temporary team to provide pro bono legal services to assist a disaster-affected community in regional Victoria. This is a source of frustration for those legal practitioners who are willing and able to provide such assistance, and is a lost opportunity for the community as a whole.

The government is also working with the Legal Services Board to assist in arranging a suitable professional indemnity insurance policy for corporate lawyers that will provide cover for their pro bono work. This process is already well advanced. Once these arrangements are in place, the way will be open for up to 2700 legal practitioners currently holding corporate practising certificates to engage in pro bono work on the same basis as other practitioners.

The Victorian legal profession has an outstanding track record in pro bono legal service provision and this reform will further enhance the ability of the profession to apply its unique skills and knowledge for the benefit of the community.

The bill also contains provisions regarding the delegation by the Legal Services Board of certain of its functions in relation to setting professional indemnity insurance requirements.

Due to the significant administrative burden involved with these functions, the bill provides that the board may delegate its functions with respect to approving the terms and conditions of professional indemnity insurance for community legal centres, Australian-registered foreign lawyers and corporate legal practitioners, and may also delegate its functions in relation to exempting particular law practices from the requirement to hold professional indemnity insurance with the Legal Practitioners' Liability Committee. The board will provide guidelines to direct the performance of these functions by its delegates. The delegation of these essentially administrative functions will leave the board free to devote more time to its significant policy and strategic roles.

In addition, the bill will allow the legal services commissioner to summarily dismiss a disciplinary complaint where the commissioner considers there is no public interest in taking further action on the complaint because the practitioner that is the subject of the complaint has already been struck off the Supreme Court roll. Similarly, the commissioner will be empowered to take no further action in respect of an investigation arising from a disciplinary complaint, where the commissioner considers it is in the public interest to do so because the practitioner who is the subject of the complaint has already been struck off the Supreme Court roll, or to suspend the investigation where an application to have them struck off has been made. This amendment will avoid the commissioner being required to initiate disciplinary proceedings in the tribunal in circumstances where the ultimate disciplinary sanction — that is, striking off the Supreme Court roll — has already been applied, rendering further disciplinary action superfluous.

The bill also makes a range of other amendments to the Legal Profession Act 2004, largely targeted at removing unnecessary administrative and regulatory burdens on the Legal Services Board and legal services commissioner. For example, the bill removes an unnecessary annual reporting obligation that requires the Legal Services Board to report on whether or not

the board performed all the functions it was required to perform under the Legal Profession Act during the year.

As well, the bill clarifies the matters the Legal Practitioners Liability Committee is required to consider when setting professional indemnity insurance premiums and includes 'judicial education' as an additional ground of discretionary grant funding from the Public Purpose Fund.

The bill also amends the Public Notaries Act 2001, to make clear that a person must satisfy the Board of Examiners that he or she is a fit and proper person for appointment in order to be appointed as a public notary in Victoria.

The current disclosure requirements for applicants presuppose that the Board of Examiners is entitled to consider the fitness and propriety of an applicant when assessing their eligibility for appointment. The ability of the Board of Examiners to consider such matters is consistent with the findings of the Review of the Evidence Act 1958 (Vic.): Role and Appointments of Public Notaries, undertaken by the Scrutiny of Acts and Regulations Committee in October 1996.

Public notaries exercise significant responsibilities to witness documents, administer oaths and perform other functions, many of which are internationally recognised, and it is appropriate that public notaries must be fit and proper persons for appointment, reflecting the importance of preserving the integrity of notarial appointments and ensuring public notaries in Victoria meet the highest ethical and professional standards.

I commend the bill to the house.

Debate adjourned on motion of Ms NEVILLE (Bellarine).

Debate adjourned until Wednesday, 14 March.

DISABILITY AMENDMENT BILL 2012

Statement of compatibility

Ms WOOLDRIDGE (Minister for Community Services) tabled following statement in accordance with Charter of Human Rights and Responsibilities Act 2006:

In accordance with section 28 of the Charter of Human Rights and Responsibilities Act 2006 (charter act), I make this statement of compatibility with respect to the Disability Amendment Bill 2012.

In my opinion, the Disability Amendment Bill 2012, as introduced to the Legislative Assembly, is compatible with the human rights protected by the charter act. I base my opinion on the reasons outlined in this statement.

Overview of bill

The purpose of the bill is to amend the Disability Act 2006 (the act) to make a number of technical and administrative amendments and to make one minor amendment to the Human Services (Complex Needs) Act 2009.

Human rights issues

One amendment engages but does not limit rights in the charter act, while a number of other amendments clarify rights and responsibilities with the effect of promoting and strengthening rights in the charter act.

Amendments that engage but do not limit rights in the charter act

Change to the role of the independent person

Under section 143 of the act, an independent person must be appointed to explain a range of matters to a person with a disability related to the use of restraint and seclusion, including the right to review by the Victorian Civil and Administrative Tribunal (VCAT). Section 143 engages the right to a fair hearing in section 24 of the charter act, as it provides a mechanism for a person with a disability to be informed about their right to challenge decisions made in relation to them at VCAT. Section 143 also engages the right to liberty and security of a person in section 21 of the charter act, as it provides for safeguards against arbitrary detention.

Section 143(1)(c) of the act currently requires an independent person to explain any change to a behaviour support plan, regardless of whether the change involves the use of restraint or seclusion. This has proved to be unduly onerous and unnecessary to protect rights, as behaviour support plans may be reviewed up to four times a year, including to reduce the use of restraint or seclusion.

The bill amends the act to require that an independent person only has to be available to explain to a person with a disability the review of the person's behaviour support plan annually or whenever there is a proposed increase in restraint or seclusion. The amendment retains the important role of the independent person in explaining amendments to behaviour support plans that restrict a person's liberty (and in relation to which they may wish to seek a review). Consequently, the amendment does not limit the right to a fair hearing, nor the right to liberty and security of the person.

Amendments that promote rights in the charter act

The bill makes a number of amendments that promote rights in the charter act.

Allowing family members to authorise service providers to manage a resident's money

Section 93(1) of the act requires an administrator to be appointed to authorise a service provider to manage a prescribed amount of a resident's money, where the resident is unable to provide the consent themselves. The bill amends the act to allow family members or others who are responsible for managing the person's money on an informal

basis to authorise the service provider to manage the person's money. By recognising the authority of family members and significant others in providing care and assistance to the person with a disability, the amendment promotes the protection of families in section 17 of the charter act.

Compulsory orders

The act specifies that where a person is subject to compulsory treatment and admitted to a residential treatment facility, a treatment plan must be prepared within 28 days. The bill promotes the right to a fair hearing by requiring the authorised program officer who prepares the plan to inform the person of the right to seek a review of the treatment plan by the VCAT.

An additional amendment to the act relates to supervised treatment orders which provide for the civil detention of a person with a disability. The amendment promotes the right to a fair hearing as it provides that the person who is the subject of the supervised treatment order is to be notified of the application for a supervised treatment order.

Assessment orders

Section 199(3) of the act permits the senior practitioner to make an assessment order for the purpose of enabling a treatment plan to be prepared for a person. An assessment order allows a person to be detained for up to 28 days for the assessment to occur. The bill provides for a person to seek a review at VCAT of the decision to make an assessment order. This promotes the right to a fair hearing and the right to liberty and security of the person.

Conclusion

I consider that the Disability Amendment Bill 2012, as introduced to the Legislative Assembly, is compatible with the Charter of Human Rights and Responsibilities Act 2006.

Hon. Mary Wooldridge, MP
Minister for Community Services

Second reading

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

That this bill be now read a second time.

The Baillieu government is committed to protecting the rights of Victorians with a disability and reducing the administrative burden on disability service providers.

The Disability Amendment Bill 2012 will amend the Disability Act 2006, which commenced in 2007. It will also make a minor technical amendment to the Human Services (Complex Needs) Act 2009.

The main purpose of the amendments is to protect and strengthen the rights of people with a disability, while clarifying administrative and operational issues that have arisen since the disability act came into effect. These amendments will not change the policy intent of the legislation.

This bill is another way that the government is ensuring Victoria is best placed for the possible introduction of a national disability insurance scheme.

In particular, the bill addresses concerns that have been raised about the detention of a person for the purposes of an assessment order under section 199 of the act. This section permits the senior practitioner to authorise the detention of a person, without the person being able to seek a review of the decision.

The bill amends the act to enable an application to be made to the Victorian Civil and Administrative Tribunal for a review of the decision. This amendment will increase the accountability and transparency of procedures relating to assessment orders and ensure that the rights of people with a disability are protected.

The bill aligns with the government's election commitment to reduce red tape by addressing key issues identified by disability service providers, while safeguarding the rights of those who use disability services.

The first amendment exempts residential respite services from the requirement to provide a residential statement. This requirement has been identified as onerous by disability service providers.

Removing the requirement to provide a residential statement to people using residential respite services does not disadvantage them. The act requires that all disability service providers give people information about the services to be delivered to them, including costs, complaint procedures and legal rights under the act.

The second amendment means that an independent person will be involved in the annual review of a behaviour support plan or when there is an increase in the use of restraint or seclusion. Currently the independent person is involved in all reviews concerning a behaviour support plan, which may be as frequent as four times a year. This level of frequency had not been anticipated when the act was drafted.

A further amendment to reduce the administrative burden on disability service providers is the removal of the requirement to develop a behaviour support plan where a person is subject to a compulsory treatment order and has a treatment plan. A treatment plan supersedes and duplicates the information contained in a behaviour support plan, making the latter unnecessary.

The introduction of these amendments will reduce the administrative burden placed on disability service

providers, while ensuring rights are protected. This will allow resources to be prioritised to service delivery, leading to better outcomes for clients.

The bill will also clarify some unintended consequences of the act. The definition of a 'residential service' has been amended to allow that accommodation and support may be provided by different disability service providers. Accommodation may also be provided by an entity that is not a disability service provider, such as a housing association. The amendment has the effect of ensuring residential rights for people in disability services currently exempted from the Residential Tenancies Act 1987.

The amendments also clarify the jurisdiction of the disability services commissioner. Under the amendments the commissioner can consider complaints about services that are provided by an organisation contracted or directly funded under the disability act by the Secretary to the Department of Human Services.

This will allow the disability services commissioner to consider complaints about organisations that do not fall within the current definition of 'disability service' in the act, such as disability advocacy services and the financial intermediary service. This change will increase the protection that the commissioner is able to provide to people with a disability.

Another unintended consequence of the act concerns the management of a resident's money by a disability service provider. The act attempted to limit the role of a disability service provider in managing a resident's finances. In practice this section has precluded disability service providers from acting on directions given by a resident's family or other significant person about the management of the resident's money. The bill enables a disability service provider to manage a prescribed amount of a resident's money if a person who informally manages the resident's money, such as a family member, gives the provider written consent to do so.

The bill will also amend the Human Services (Complex Needs) Act 2009 to ensure that the powers and functions established by that act are vested in the Secretary to the Department of Human Services, who administers the multiple and complex needs initiative, rather than the Secretary to the Department of Health, as is presently the case.

These amendments will ensure that the rights of people with a disability are protected and strengthened, while delivering on the government's commitments to reduce red tape and improve transparency and accountability.

In the context of ongoing preparations for the possible introduction of a national disability insurance scheme and continuing disability reform in Victoria, this bill is an important step in ensuring our legislative base is as strong as possible.

I commend the bill to the house.

Debate adjourned on motion of Ms NEVILLE (Bellarine).

Debate adjourned until Wednesday, 14 March.

CARERS RECOGNITION BILL 2012

Second reading

Debate resumed from earlier this day; motion of Ms WOOLDRIDGE (Minister for Community Services).

Dr SYKES (Benalla) — I rise to contribute to the debate on the Carers Recognition Bill 2012, a bill that recognises the vital role of over 700 000 carers in Victoria, including a great many in the electorate of Benalla. The bill will provide legislative recognition of the contribution that carers make and will have a positive effect on the day-to-day experiences of people in need of care. It is the first time that Victoria will have legislation that sets out clear expectations of people and organisations that engage with carers about how they should be treated.

The provisions of this bill provide that, where appropriate, carers will be included in the assessment of their clients' needs and the planning, delivery and review of their care. The bill brings Victoria into line with other states on mainland Australia with regard to the provisions of similar legislation. It is a significant step down the road towards a better deal for carers. That road also involves the implementation of a national disability insurance scheme, and the Minister for Community Services, the Premier and the coalition government have publicly demonstrated a very strong commitment to the rollout of that scheme.

I wish to follow the lead of other speakers who have taken the opportunity during this debate to recognise the fantastic contribution of the carers in their electorates. I have found interacting with carers to be one of the most rewarding aspects of my nine years as the member for Benalla. I find their energy, love and positive outlook to be truly inspirational. I have a saying as I go around the traps that as my batteries run low, I touch a carer and become energised from the energy and love they exude, and that gets me going

again. I have the highest regard for carers, including the many I have met in the electorate of Benalla.

One particular group of carers I will touch on — one that other speakers before me have mentioned — is the group at Mansfield Autistic Statewide Services, in particular their travelling teacher service. The member for Ballarat West touched on this service. The member for Bendigo West also spoke well on this subject, but I congratulate the member for Gippsland East, who has a close association with Mansfield Autistic Statewide Services. I know other members also have an involvement with the group, including the member for Swan Hill. People such as Jenny Cleeland, Simone Reeves and Christine Holland, while they are salaried people, give way beyond what they are paid to do. Through their leadership, other people in the community contribute fantastically to the wellbeing of people experiencing autism.

These people follow the lead of an absolutely amazing lady, Dr Joan Curtis, who something like 50 years ago identified the particular needs of young people with autism and set in place a program — I think you would call it tough love. If you know Joan, you would know that she is a tough nut. She put in place a program that has helped young people with autism realise their potential, initially in the Mansfield area but then also statewide. Joan put in place a program that has enabled young people with autism to develop to their potential, and she supported the affected families and the broader community in doing that. One particular aspect of their potential that young people in Mansfield have developed is their artistic talent. In my office I have a number of pieces of art by various members of the autistic group in Mansfield, including Tim Mallows, Jonathan Esser and Kylie Hughes, and their work is truly inspirational. That is one group of people whose care is outstanding.

Closer to Benalla we have the Benalla Support Group for Children with Special Needs. Their coordinator is Trudiann Eaton. Again these people give, give and give. There is another support and carers group in Benalla of which Sally Martin is a leader. Sally's son, Will Martin, is a truly inspirational young man. He put together a cookbook, copies of which we had in my office to help promote it. It is another great example: given the right support by his carers, Will was able to develop a talent and produce a cookbook that has been a bestseller locally. That is a credit to Sally and others around him.

There are other people as well, such as Anne Carroll in Mansfield and Valda Martin in Ruffey. Amanda Bertok in Nagambie has put in a fantastic effort supporting

people in the community. A group in Bright led by Bernice Delaney and another lady, Cheryl Sanderson, is amazing. These people have been volunteers in many aspects of community support in their community but particularly for people needing care — whether they be people with intellectual or physical disability or whether they be aged people. Bernice and Cheryl are tremendous examples of members of the community who are giving, caring and sharing.

As other speakers have mentioned, there are many other forms of caring relationships. One that is particularly active in the Euroa area is the Euroa senior citizens register, which has been set up by the police and Euroa Health to support older people who are still living independently. With the help of a buzzer system and a checking system, they can feel confident that, should they need additional support, that support is simply a phone call or a press of a buzzer away. It is an initiative of the Euroa community, again showing a caring relationship with older members of the community.

Even an activity such as Meals on Wheels, in which my wife is an active participant as a member of the Rotary Club, is not just about producing and delivering meals for local people who are often older and living on their own; it also provides that social contact. They look forward to a natter and a general catch-up with someone who can pass on a little bit of information about what is happening in the community. Our service clubs, such as Rotary, the Lions Club, Apex and other community-spirited organisations, are part of that group of unsung heroes — our carers.

I would like to touch on another caring group in our area that is now under the umbrella of Yooralla. Prior to that it was known as Central Access, and prior that Ballendella. Whilst there are salaried components to it, there is a large amount of volunteer input. Again it is an example of the community recognising the need for people, in this case with an intellectual disability, to be supported and for the families that are looking after those individuals to also be supported. We have had a coming together of professional support and volunteer support that has enabled our people with an intellectual disability to grow. These people are involved in various forms of employment, and they get a real buzz out of being able to do something productive. I have involved them in folding letters and putting them in envelopes as part of a mail-out. When you pop along to see them and talk with them, they are absolutely over the moon. They have a sense of satisfaction because they are doing something, in this case getting some information out to the community.

I know that other groups, such as the Tatong Football and Netball Club, involve people with some disability in boundary umpiring. Other groups in another community might involve people in theatre through participation in the behind-the-scenes work to get productions under way.

What we have in this bill is a movement towards recognising the extremely valuable role of carers. In this case it is the ones closer to the person in need of care, whether they be people with an intellectual disability or people who are ageing. In doing so, we will end up with the best possible package for the person in need of care and the people delivering the care. That is going to be particularly important for those ageing carers who are wondering what is going to happen when they are no longer able to look after their child in need. I commend the bill to the house. I welcome the bipartisan support it has received, and I wish it a speedy passage through the house.

Ms GARRETT (Brunswick) — I am pleased to rise to make a contribution to the debate on the Carers Recognition Bill 2012. This has been a very moving and heartfelt debate. Some members have been courageous, and I believe selfless, in sharing their direct experiences as carers of loved ones. I note in particular the contributions of the members for Ballarat West and Bendigo West and the member for Gippsland East. All these members were inspirational in their addresses and are such strong advocates for the extraordinary contributions that carers make to our community, and I thank them.

On this ovarian cancer Teal Ribbon Day it is also fitting that I recall and pay tribute to the exceptional role that my father performed as a carer to my mother during the years in which she battled ovarian cancer prior to her death in 2009. Like so many other carers, my father became an expert in doctors appointments, medicines and their side effects, and post-operative healing. He gave up work, and he loved her and looked after her with a tenderness and resolve which was quite remarkable to witness. So it is a privilege to be speaking on this particular bill in the company of members on both sides of the house who have made such fine contributions.

Those of us who have been carers ourselves or who have witnessed closely those we know and love be carers, understand how strong, beautiful and complex care relationships can be. They are often characterised by unconditional love, extraordinary commitment, resolve and sacrifice, unmatched passion, fierce advocacy and unparalleled personal strength and reward, and as we have heard today, many carers find

themselves thrust into the role suddenly, completely unexpectedly and with no preparation for what lies ahead. There are more than 140 000 carers in Victoria across all age groups, backgrounds and circumstances. They do an extraordinary job. They rise to challenges many of us could only imagine and they demonstrate the best of what humankind can be.

It is therefore vital that the carer relationship is given the recognition and respect it deserves, and therefore it is right that the Carers Recognition Bill 2012 continues to promote the concept of the care relationship rather than separating the carer from the person to whom care is provided. This bill continues the work of the Victorian charter supporting people in care relationships which was introduced in 2010 by the previous government. That charter sets out the rights and responsibilities of people in care relationships and outlines how these relationships can be assisted by organisations, governments and the broader community. It also provides information for carers about the resources and services available to them and the people they look after.

This bill continues that tradition and is designed to enshrine values of supporting care relationships rather than setting up a regulatory structure around them. Its main purposes are to recognise, promote and value the role of people in care relationships; to recognise the different needs of persons in care relationships in order to support and recognise the fact that care relationships bring benefits to the persons in the care relationship and the broader community; and to enact care relationship principles to promote understanding of the significance of care relationships. It is worth noting at least some of those principles that are ably set out in the bill as relating to carers and to persons being cared for. For example, in part 2, headed 'Care relationships principles', clause 7 states:

A carer should —

- (a) be respected and recognised —
 - (i) as an individual with his or her own needs; and
 - (ii) as a carer; and
 - (iii) as someone with special knowledge of the person in his or her care ...

That clause goes on to talk about a carer being recognised for his or her efforts and dedication as a carer and for the social and economic contribution to the whole community arising from his or her role as a carer.

Further it talks about the carer having his or her social wellbeing and health recognised in matters relating to the care relationship and having the effect of his or her role as a carer on his or her participation in employment and education recognised and considered in decision making. These are just some of the principles that are set out in the bill that are worthy of note and worthy of support.

While these are worthy statements and while this bill has an important role to play in ensuring that the carer relationship is properly honoured in our community, it must also be noted that this bill is part, in context, of a broader debate. Clauses 11 and 12 of the bill, in the part of the bill relating to care support organisations, state very clearly that nothing in this part creates any obligation on the care support organisation to provide funding or services to persons in a care relationship.

Sitting suspended 6.30 p.m. until 8.02 p.m.

Ms GARRETT — As I was saying prior to the dinner break, the bill contains many worthy aspects which the opposition is more than happy to support, and I went through some of those in depth. I noted that these are very worthy statements and principles which are to be supported and welcomed, but I also highlighted that clause 11(2) of the bill, which relates to care support organisations, makes it very clear that nothing in the bill is to be taken as creating any obligation on any care organisation to provide funding or services to persons in care relationships. That takes us to the fundamental point that supporting carers in our community means properly funding and supporting the services that assist those carers to look after those they care for. In this regard, as previous speakers on this side of the house have pointed out, it is absolutely right to highlight the very significant cuts this government is making to the public sector in this state, including to those departments that so many carers rely on each and every day for support.

You cannot hack into public sector numbers by thousands without having a negative impact on the services provided, particularly those provided to vulnerable people in our community. The nonsense and spin of separating front-line services from supposed back-room workers really does not wash with anyone, and I do not believe it will wash with the carers of this state.

While we in this house support the principles in this bill about recognising and honouring care relationships in our community, focusing on those care relationships and giving them the respect they deserve, we also call very loudly on members of this government to put their

money where their mouths are, to come clean about the impact of these deep and wide cuts on the thousands of people in care relationships in Victoria and to deliver in a very real and substantial way to those who do so much for others and make such an outstanding contribution to our community. The government must go beyond words and take action.

Mr THOMPSON (Sandringham) — In contributing to debate on the Carers Recognition Bill 2012 I would like to recall at the outset in general terms the words of a former member of The Nationals and member for Warrnambool who spoke about his understanding of people who needed care and the impact of a range of disabilities in the wider community. In my political journey I have met, along with other members of the chamber, many people who have strong care roles and parents dealing with intellectual, psychiatric and physical disabilities.

The former member for Warrnambool was in a circumstance where his own family confronted a number of issues relating to health. In a speech I will never forget he said when concluding:

I shall conclude by using the phrase I started with and then with a couple of other words. I opened my contribution to the debate today by quoting from Dr Silvano Arieti from the New York Medical College, who is recorded as saying:

no war in history has produced so many victims,
wounded so many people;

no earthquake has exacted so high a toll;

no other condition, that we know, has deprived so many
people of the promise of life ...

Dr Arieti was talking about schizophrenia. He was not talking about the whole range of mental illnesses. That starts to put in context how big and important this issue is.

I put it to the house that it is okay to be mentally ill. Our acceptance will provide sufferers with much-needed dignity and most of all hope, hope to achieve basic needs in life — the things that we often take for granted every day — and hope for a brighter future, a future that would see fulfilment of the promise of a quality life.

That speech was greeted with acclaim by members in the house at the time as the then member for Warrnambool defined a contrasting circumstance of someone who was without hope, without life and bundled up in the corner of the room.

The Carers Recognition Bill 2012 has the objective in clause 1 to:

- (a) recognise, promote and value the role of people in care relationships; and

- (b) recognise the different needs of persons in care relationships; and
- (c) support and recognise that care relationships bring benefits to the persons in the care relationship and to the community; and
- (d) enact care relationship principles to promote understanding of the significance of care relationships.

I can go through the kaleidoscope of the years with story after story of parents who have looked after their children, and who have envisaged difficulties that their children would later encounter. I remember one couple I visited whose Down syndrome son was 54. They were in their middle 80s and were concerned about the welfare of their son after they died. I remember another couple who cared for their daughter who had profound disabilities and for over 40 years they cared for her within the ambit of the family home.

I am also aware of the impetus behind the national disability insurance scheme and the circumstances of numbers of families where there might be multiple disabilities and numbers of children within the one family who had multiple disabilities, and how those family dynamics interact. I am aware of another family too, a young single mother with three children, one of whom required 24-hour attendant care by her at the time and the impact that had on the dynamic of the other family relationships within that context. I am aware of good companies such as Ronstan that ran a sheltered workshop within a factory manufacturing operation that exported to 46 countries around the world.

I am aware of the great support by parents and siblings as they look after other family members. I am aware of having visited one family where a person had diagnosed autism and significant physical disabilities, and where there was a communication relationship between this young fellow who the experts said could not communicate. While visiting the family I saw him communicate with his adopted brother who had a wonderful rapport within the family household, and he was a wonderful carer for his likewise adopted brother within the family relationship.

In the area of aid agencies that have provided care, I have seen arrangers who have dealt with the carers in looking at Early Choices or Making a Difference programs, programs run out of the department. I have seen wonderful physiotherapists and occupational therapists who have worked with the families to improve the physical abilities of people within this general context and have improved the life options and opportunities. I have seen great agencies where

professional staff have dedicated their professional lives to improving outcomes in the range of circumstances.

The bill before the house also defines a set of principles in relation to the regard in which a carer should be held within the community. There is circumstance after circumstance across Victoria where there are important care responsibilities and important care relationships and where there has been a level of selflessness and giving. The principles within the bill take into account cultural identity issues, social wellbeing and the role of the carer on his or her participation, employment, education and considered decision making, and the role of the carer in being able to be regarded by the wider community, respected and recognised as an individual with his or her own needs and someone with a special knowledge of the person within their care.

As we look at the demands on carers, there is also an important role that they fulfil in the wider community as the cost differential between a care arrangement at home and a care arrangement within an institution is quite massive and of the order of a couple of hundred thousand dollars a year for someone that might require 24-hour full-time individual care compared to a home relationship where a person might be cared for within the immediate family arrangement.

The Sandringham electorate has many people who might be older and dependent, and we heard earlier this evening the fine exposition of circumstances of the extraordinary care proffered and the life journey experienced as a result of that unconditional commitment to support a person who requires that attendant care. As a matter of conviction I am pleased to support the bill before the house and to acknowledge the ongoing contributions of people around Victoria in every community, within every dimension of Victorian family life where there are people who have dependent needs.

I conclude with the words I have already mentioned that were quoted by John McGrath when, from his own life journey experience, he articulated to the house the circumstances which he had directly confronted as a parent:

no war in history has produced so many victims, wounded so many people;

no earthquake has exacted so high a toll;

no other condition, that we know, has deprived so many people of the promise of life ...

If this bill helps to advance the cause of carers, if it helps to advance the cause of those people who are cared for, this house will have done a good job this day.

Mr McGuire (Broadmeadows) — The Carers Recognition Bill 2012 is effectively an act of recognition of big-hearted Victorians with a stoic sense of duty, and as such it is welcomed and Labor supports it. Those Victorians who are full-time carers, often providing care without pay to family members with a disability, are in many cases the community's unsung heroes. It is right that they be honoured and recognised, and I am proud to join with all members of Parliament to salute those exceptional individuals. Given that there are more than 4 million Australians with some form of disability and approximately 1.3 million who need assistance with mobility, self-care and communication, this is a critical issue for all Victorians.

Dealing with these quality of life issues comes at a high cost for many carers. Almost 30 per cent of carers reported experiencing depression, with 10 per cent reporting that they had been diagnosed with a stress-related disorder, according to the Australian Institute of Health and Welfare. A common theme was the exclusion and negative attitudes expressed by carers, according to the 2009 report aptly named *Shut Out*. The Australian Institute of Family Studies found that around 18 per cent of carers had face-to-face social contact only either once every three months or less often. Let us consider what that means. Just under one in five carers experiences less than one face-to-face social interaction every three months. These findings are devastating for carers on an emotional and on a social level.

There is also a major economic impact. More than 1.32 billion hours of unpaid care was provided in 2010, with an estimated annual replacement value of more than \$40 billion, according to Access Economics. However, Access Economics found that the real value of unpaid care was much higher when combined with the associated opportunity cost of \$6.5 billion. To put it bluntly, the community would struggle to function without the devotion of carers. This has been recognised across the chamber in today's debate, and my view is to advocate for carers in the public interest, beyond partisanship.

Let us deal with the critical facts. What has been done and what needs to be done? The challenges are great. In response, the government's legislation seeks 'to recognise, promote and value the role of people in care relationships'; 'to recognise the different needs of persons in care relationships'; 'to support and recognise that care relationships bring benefits' to the people in care relationships and to the community; and 'to enact care relationship principles' to promote understanding of the significance of care relationships.

Let me state this clearly: carers — not just in Victoria or Australia but around the world — are selfless individuals who heroically deliver unpaid care for family members, often holding families together under enormous stress. But with a high incidence of depression and social exclusion, the government is failing to provide the support and services that are desperately needed. Further funding cuts only exacerbate the problem. Therefore this legislation must not simply be allowed to become yet another example of gesture politics, which so far has been the hallmark of the coalition government.

The Minister for Community Services acknowledged this critical issue with her admission that 'legislation on its own is not enough.' That is right, and I agree, so where is the plan to do something? This has been my cry since it became obvious that this government has no vision or plan for Victoria and instead has become the master of gestures lacking substance.

Mr Southwick — On a point of order, Acting Speaker, as much as we love the member for Broadmeadows, it is obvious that he is reading an extensive essay. The Speaker has already given a ruling that we should not be reading our notes, and it is very clear that the member is reading an essay.

The ACTING SPEAKER (Mr Weller) — Order! I ask the member for Broadmeadows whether he is reading or referring to notes.

Mr McGUIRE — I am referring to copious notes. If the member for Caulfield wants to come down and read the shorthand he can do so.

The ACTING SPEAKER (Mr Weller) — Order! I did not ask the member for Broadmeadows to respond. I asked a question. He has answered that question and should now continue.

Mr McGUIRE — The point I am making is that on this issue and on many others confronting the state the challenge for the government is to do something. It is not just me who says that; it is also the former Liberal Premier Jeff Kennett. He is exactly on my side on this issue. This has been my cry since I entered the house. After more than 11 years in opposition and 15 months in government I believe that it is not only fair but that it is in the public interest that we hold the Minister for Community Services accountable to deliver on a detailed, funded plan of action for carers. That is the critical point; that is what we need. The minister has said:

... the government is also developing a carer action agenda that will establish a long-term plan to recognise carers and

reform the support and services available to people in care relationships.

We look forward to seeing that. This is the critical test that must be addressed, because this is another admission that the government does not have a plan to implement at this stage. This is significant, because recognition is important, but it will not solve any problems.

It has been inappropriate for some coalition members to deride Labor and to infer that we do not support carers. We do. In fact we support them so much as to dare to hold the government to account for not doing enough to support carers. The member for Ferntree Gully stated that Labor does not know where it stands on carers. This statement is far from the truth. The previous government introduced the Victorian charter supporting people in care relationships, which acknowledges the role of carers and articulates their rights and responsibilities and how they can be supported by organisations, governments and the community.

The previous government launched the Victorian Carer Card program for more than 140 000 Victorians caring for those with a disability, chronic or mental illness, children needing foster care and frail elderly members of our community. The Carer Card program offers discounts and benefits for carers from over 700 businesses and government venues, free Sunday travel on public transport in metropolitan Melbourne and bus services in regional centres, and two return off-peak travel vouchers for travel anywhere in the state. The Labor government built 100 new places specifically for people with a disability living with older carers, on top of 181 places that were in construction when the coalition came to government.

The Labor government invested in respite services, including \$7 million in 2009 and \$10.3 million in 2010, to develop three new respite care facilities and provide 22 000 episodes of respite in 2010 alone. The previous government also introduced an online respite service to personalise respite assistance and streamline processes, including the provision of individual supports for over 14 500 people to allow them greater independence and choice, including the opportunity to choose the type of respite that meets their needs. This is a significant record of achievement in terms of practical measures that help carers every day. This is the critical point I want to wrap up on. It really comes down to the question: what are you actually going to do for these people? It is important to have these symbols put into place, but what is more important is what you actually do for these people.

The bill has bipartisan support, but the onus is on the government to deliver a plan for practical assistance that will make a difference every day to the lives of Victorian carers to honour their invaluable commitment. That is what Labor has done in the past. I look forward to the day the coalition government puts its plan before the house so that we can analyse it and see what it delivers for carers. We want to look at it in a bipartisan way. We hope that the government will deliver, that the money will be there, that further funding will not be cut from the department, that carers will be taken care of and that the government will move beyond gestures to substance, because this is the least that should be done for carers in Victoria.

Mr MORRIS (Mornington) — This has been an interesting debate. I have not been in the chamber for much of it, but I have followed it in its entirety. As the member for Broadmeadows indicated, there has been the occasional spat, but generally the debate has been conducted with great dignity, as befits the subject matter.

The bill is an election promise of the government's that I am very pleased, indeed proud, to support. The bill will recognise the great contribution that carers make in our community and the significant value of their work, not only to their family members or whomever they are caring for but also to the wider community. The bill will also serve the important purpose of promoting the great work of carers.

From a personal perspective, I was not particularly familiar with this issue when I came to Parliament despite having spent a lot of time in local government, where you tend to come into contact with most facets of the community. In a personal sense carers were not on my radar. The first discussion I had about it was with my predecessor as the member for Mornington, Robin Cooper, who spoke at great length and with great passion about the issues confronting carers, particularly parents with middle-aged children requiring care — and we have many on the Mornington Peninsula. As I heard a member say earlier today, one of the great challenges such people face is what is going to happen to their kids when they are no longer able to care for them or are not there at all. I have to say it was the first time this crossed my radar. It is fair to say that from that time on it has been a significant issue as far as I am concerned.

As we all know, once you are in this place people make themselves known to you. One of the factors that has contributed to the tenor of the debate today is that while most members of the wider community, I suspect, have the same degree of exposure to this issue that I had

prior to coming to Parliament, every one of us in this house is well and truly versed in the challenges that carers face and the issues with which they have to deal on a day-to-day basis.

Comment has been made that Victoria as a jurisdiction has not been as quick to recognise carers as it might have been. I see from the list I hold that once the bill passes both houses — as I am sure it will, given the support from both sides in this house — in Australia only Tasmania will lack legislation to recognise carers. Western Australia has had such legislation since 2004, South Australia since 2005, the Northern Territory and the Australian Capital Territory since 2006, Queensland since 2008 and New South Wales and the commonwealth since 2010, and Victoria will have it in 2012.

Whatever other arguments there might be about the resources available — whether it is the debate about the national disability insurance scheme or the debate about commonwealth and state funding in the early years of the last Parliament — it is the recognition of the role of carers in the community that is not only the subject of the bill but also the very important starting point in terms of where we go. Unless you recognise the situation and raise community awareness it does not matter much what else is happening.

Carers come in all shapes and sizes. They are represented across the socioeconomic scale. There is no prejudice when it comes to carers, and that can equally be said of the people for whom they care. There is great diversity in the nature of care and the relative ages of carers and those cared for: there are young carers looking after parents, older carers looking after children and almost everything in between. They all face individual challenges and slightly different situations, although of course there are many similarities.

As I said, when I first came into the Parliament it was not an issue for which I had any plans or on which I had done any work, but that situation changed very quickly. I came to know and respect many of the significant players in the carer community on the Mornington Peninsula, and I just want to mention a few names and recognise the great contribution they make to the debate and to the wider issue. They include Joy and David Jarman, Beryl Gibb, Norman Carlyon, Marie Hell and the late Karl Hell, amongst many others. Time simply does not permit me to list them all.

I think I heard the member for Carrum mention the Frankston-Peninsula Carers group, which is a great not-for-profit organisation. Thinking outside the square its members have worked with governments of all

spheres to put together a package of funds to assist with the care of their adult children when they are no longer there to look after them. It is that sort of commitment that really is the subject of this debate.

I want to touch on another group that has done a terrific job particularly in terms of raising consciousness and raising the issue, and that is a group within the Rotary Club of Mount Eliza. I need to make it clear that my wife, Linda, is currently the president of the Rotary Club of Mount Eliza, but I do not claim any association with the work that has been done there except that as a Rotarian she has done the things that need to be done. Two Mount Eliza Rotarians, Mike Weber and the late John Gordon, got involved with support for young carers — kids, often in secondary school and some even in primary school, who were looking after their parents. Of course that places an incredible load on them in terms of managing to stay in school and engaged in secondary education as well as doing all the other things they do.

These two gentlemen saw the challenge, got out there and raised awareness. They went out and sold the concept to other Rotary clubs in District 9820. They got the Mornington Racing Club involved and ran race days to raise funds for young carers, and they have now instituted a scholarship scheme which makes money available for the kids who are doing such a tremendous thing for their parents. It goes some way towards mitigating the impact that their carers role might otherwise have on the lives. This bill is clearly long overdue, but I am delighted that it has bipartisan support and that, by and large, the debate has been conducted with such great dignity. As I said at the outset it is important in terms of recognising publicly the value we place on the role of carers and significantly promoting that cause. I commend the bill to the house.

Ms KAIROUZ (Kororoit) — I welcome the opportunity to speak on the Carers Recognition Bill 2012. From the outset I would like to say that I wholeheartedly support the principles of respect, recognition and support which underpin this bill, and I pay tribute to the members for Ballarat West, Bendigo West and Gippsland East for their brave, moving and heartfelt contributions regarding their personal experiences as carers.

I am sure the almost 700 000 Victorian unpaid carers would join me in saying this is a welcome step towards acknowledging their important role in assisting those they care for to realise their individual physical, social, emotional and intellectual capacities.

But there is more to be done — far more. According to Carers Victoria, many Victorian carers are struggling financially and are both physically and emotionally exhausted, many are socially isolated and are desperate for changes to services and for a support system, and many have unique situations on their hands. In its media release of 9 February Carers Victoria stated:

... we know that many carers will see the bill as largely a symbolic gesture. They will be disappointed to have to wait for the government's Carer Action agenda to learn what real changes may take effect.

I acknowledge that the bill provides formal recognition of care relationships and the significant role that carers play in the community, as well as honouring the election commitment the government made. But without there being a plan and a budget to improve the system for the 700 000 unpaid carers, it is like many more of its promises, which are hollow, empty and unfulfilled. I acknowledge the intent with which this bill is presented to the Parliament, and it is to be applauded. But it is time for the Victorian government to further outline its commitment to Victorian carers and those they care for by putting its money where its mouth is. Victorian carers deserve nothing less.

In a media release of 8 February the Minister for Community Services is reported as having stated:

... the bill ... will raise the status of these carers and care relationships ...

I say to the minister that status does not pay the bills, status does not put food on the table or pay for respite care, status does not make up for the lost opportunities for many carers to go to work, have a social life or even have a good night's sleep, and it certainly does not take away the endless worry about what the future will hold for the person a carer is caring for. Carers do what they do because they care, and as a consequence they sacrifice a lot — and they rarely have a choice and they hardly ever complain. As I have heard from previous speakers who spoke so eloquently and from members of my community in Kororoit, they would not even think twice about their role as carer: they unequivocally embrace their role with love and often with joy. I hear from parents and carers in my community who bring in, say, their autistic child. I can see the love they have for their child, and that even though the child they are caring for is giving them an extremely hard time, they would not give up their child for the world.

I think everybody in the chamber would agree with me that it is our role as legislators and community representatives to ease the burden on these 700 000 unpaid workers and to show that we care. The government today, which has presented this bill with

great intentions, must show that it cares with more than just empty words. Words must be matched with action. As carers need government support in their daily lives, the May budget would be the perfect opportunity for this government to show that it cares for them.

According to 2006 Australian Bureau of Statistics figures, a total of 5886 people in Kororoit provide unpaid assistance or care to a person with a disability. I have been fortunate to meet many carers, kinship carers and foster carers from my electorate as well as representatives of organisations that provide care and support for the aged, people who have physical and mental disabilities, people with autism and others who struggle with substance abuse.

Recognising and formally acknowledging the contribution that carers and people in care relationships make is welcome indeed, but more needs to be done. We need to build on the Victorian charter's support of people in care relationships — the charter was launched by the former Minister for Community Services, the member for Bellarine — not just with words but with actions. The May budget is the perfect opportunity for this government to put its money where its mouth is and show the community that it cares for the 700 000 unpaid carers.

It is often said that the best predictor of future performance is past performance. On that basis, I hope that the 700 000-plus carers will not be bitterly disappointed in the long term if the way Victorian nurses are being treated is any example. It was President Truman who once said:

Men make history and not the other way around. In periods where there is no leadership, society stands still. Progress occurs when courageous, skilful leaders seize the opportunity to change things for the better.

If more is not done to support the 700 000 unpaid carers in our community, then history will view this government as devoid of courage, lacking in skill and reluctant to take the steps that would enact any meaningful change. This bill is a positive step forward. It is a bill that I wholeheartedly welcome. The opposition supports this bill, and I wish it a speedy passage.

Mrs FYFFE (Evelyn) — I am pleased to rise to speak on the Carers Recognition Bill 2012. Perhaps I am a bit naive, but I really do believe that the majority of people who come into this place do so with the intention to make a difference, to fix things for people, to make life better and to make a system in which people can prosper. Sometimes we get so frustrated that

we cannot achieve what we want, and at times we can even feel impotent.

Yesterday when the *Report of the Protecting Victoria's Vulnerable Children Inquiry* was released I do not think anyone who is a member of Parliament would not have felt saddened to know that we still have so many vulnerable children in our society, despite all the money and all the work that has gone in over all these years by successive governments, all political parties and people out in the field. And so it is with other areas. We want to make life good; we want to make life happy for people. We make promises, and we plan to do things. Although some of those things may seem insurmountable and the mountain is so high, as the Chinese saying goes, 'A journey of 10 000 miles begins with a single step'.

Whilst this is not exactly a first step — Victoria already has the Charter of Human Rights and Responsibilities, built from the Victorian policy framework which recognises care relationships and gives some rights to carers — there is no formal recognition for carers in Victorian law. Going into the 2010 election the coalition made a commitment to introduce legislation to Parliament to recognise and promote the invaluable work of carers. This bill meets that commitment. It is consistent with the existing provisions under the Charter of Human Rights and Responsibilities and will build on that good work by giving further rights and recognition to carers.

Another important thing the bill will ensure is that all government agencies will have to include in their annual reports how they have complied with the principles included in this bill. That is very important. So many of the changes that have happened since I have been in Australia have started off with small steps. When people were fighting for the rights of people with disabilities to access buildings, it started off small. Now it is part of life that every public building has to have disability access. So many places around the world do not have that.

This bill is an important step forward in looking at and recognising the work of carers. The member for Bellarine talked about the fact that the people who come to our electorate offices are those who are probably at the end of their tether. They have multiple problems, and they are really at the end of their tether. Sometimes all we can do is put an arm around their shoulder, take them into the kitchen area of the office, give them a cup of tea and just listen. So many times there is nothing else we can do for them but be there to listen.

We have to balance our lives so that we are not weighed down with all the problems that are presented to us in our offices. As has been said by three of the previous speakers, who have far more personal experience of caring and who made very good and very personal speeches, you can also have some joy in caring. Although the demands cannot be minimised at all, there can be joy and pleasure in caring for people who have extra needs.

I think we all have instances in our own lives where we have had contact with people who have devoted themselves to looking after others. Although this bill deals with one-on-one caring and talks about the person who is caring and the person who is receiving that care, it is also important to recognise all those other volunteers in the community who are involved in caring, although they are not covered by this bill.

I would like to highlight one particular occasion. I was on a pre-polling booth in Lilydale and an elderly gentleman came rushing up. He was out of breath and I was quite concerned about him. I asked, 'Are you okay, sir?', and he said, 'I've got to hurry — my wife's at home'. I said, 'Why don't you sit down for a moment, and I'll get you a drink of water?', and he said, 'No, I can't — I've left her'. I was really worried, so I took my badge off and walked into the hall with him, because I thought he was going to have a heart attack on the way. As we were walking in I said, 'Take your time, sir, and do take a rest'. He said, 'Oh, no — I've had to lock her in'. I said, 'Is she ill, sir?', and he said, 'Yes, she has dementia'.

After he had placed his vote, I walked to his car with him, and I said, 'Do you know there's a lot of help, a lot of assistance?', and I talked about Caladenia Dementia Care, which is an absolutely wonderful not-for-profit place in Chirnside Park. I told him about the activities there, and I said, 'Perhaps your wife could go there to give you a break', and he said, 'Oh, no. No-one else can look after her. She hits anyone else who's around'. I felt that I had not done enough, but there was nothing more I could do, apart from hurriedly scribbling down the name of Caladenia and giving him my card. The devotion of this man — he said, 'We've been married for over 40 years, and now it's my job to look after her'. These are the things that make you realise that we have to keep trying and that although the mountain is so high and the journey is so far we must as legislators do what we can within the restraints that we have to work with to ensure that we are advocating for and improving the lives of other people.

My dad had a sister, Auntie Grace. Auntie Grace had a very interesting personality and at times had to be

institutionalised. It was in the days when there were these great big, enormous, dark, forbidding buildings where people would be locked away for years and years. Occasionally Auntie Grace had to go in there, but she would come out. We lived in a hamlet — not even a village; a hamlet — and everybody knew Auntie Grace. So if she was out, you knew that she was being protected. Someone would come and say, 'I saw your Grace down the street. I think she's going a bit queer — you'd better go and get her'. Auntie Grace, who did not enjoy wearing clothes very much, would often be taken into a home until someone could go and get her.

Of course things have changed since then. People do not live in little hamlets and they need a lot more care. But we do not want to lock them away, as we did to so many other people. Not everyone who is cared for has a mental illness. We have the people with very difficult physical problems. Often it is the mother, the father or the siblings who are having to do all the personal care. I take my hat off to everyone who is providing that intense level of care where they are feeding them, washing them, dressing them and looking after them, and getting up every hour of the night to turn them, to look after their bed sores, to make sure their airways are free and so on. We in this place complain bitterly. We get upset and angry with each other across this chamber and say life is tough, but it is nothing compared to what these fantastic carers deal with. They are out there day after day, year after year, looking after people.

Other members have talked about grandparents, but I want to highlight the number of grandparents we come across who take in young children. They are probably 60 or 65 years old themselves, and they take in their grandchildren, bring them up and take them to school. Just visualise this: you are 80 years of age and you have a 15 or 16-year-old teenager who you want to have a good life. You try to let them go out to parties and you pick them up. They want good clothes, but you are living on a pension. Life is very difficult because although the child might be getting an allowance it is never enough to cover the latest gear and things. I think about those grandparents, and I take my hat off to them. Quite honestly I could not envisage myself at this stage of my life coping with three or four small children as some of the grandparents in my electorate do — I will not mention their names, but they know how I feel about them — who are looking after these children and doing a magnificent job. Could anyone imagine staying awake until after midnight to go and pick up a teenager when you want to go to bed at 9 o'clock? They are doing all of those things. These are the carers — the unsung heroes — in our society.

The contributions to tonight's debate have been good, as has been the bipartisan support. Hearing the personal stories makes us all reflect on the fact that we in here are individual human beings as well as members of Parliament who belong to parties and who carry on and interject and are rude to each other across the chamber. This bill is not the answer to everything, but it is a step along that long road that we must continue to travel to improve the lives of carers and those who are being cared for at every step of the way.

Mr PERERA (Cranbourne) — I have great pleasure in speaking on the Carers Recognition Bill 2012. As we have heard previously, the opposition is not opposing the bill. However, at the outset I put on record that the sacrifice and contribution carers make to improve the lives of others is invaluable. If it were not for the 700 000 carers who provide much-needed care for people who are in need, our society would be a different place today. The Australian government recognises this fact, and that is why the prerequisite to immigrate to Australia on a carer visa is minimal. All carer migrants need is a genuine commitment to care for their loved ones who are living in Australia.

We in the Labor Party recognise the great contribution made by carers to make our community a great one. In June 2010 the community services minister in the Brumby government, the member for Bellarine, launched a Victorian charter supporting people in care relationships. The charter articulates the rights and responsibilities of people in care relationships and, most importantly, how they can be supported by organisations, government and the community. The minister has declared that this bill is consistent with the charter in recognition of the work of stakeholders. What this means is that people in care relationships will be recognised, respected and supported as individuals; respected and supported for their care relationships; encouraged to take part in care planning, management and service delivery where appropriate; and able to use what the charter says to support their relationships and their use of services.

The minister's second-reading speech says that the bill will not give individuals the right to institute legal proceedings or to challenge any organisation on the decisions that particular organisation may make. The second-reading speech also says that organisations will not be required to provide funding, employment, education or training services to people in care relationships.

The recognition provided here is pretty much a logical extension of the charter. The charter will be updated to reflect the new legislation. Rather than setting up a new

regulatory framework, the legislation enshrines in law the values involved in supporting care relationships. The second-reading speech refers to this bill as being part of the government's carer action agenda. Carers Victoria has said the carer action agenda will provide this government with the opportunity to deliver tangible outcomes. However, Carers Victoria is impatiently waiting for the real delivery of these outcomes. What Carers Victoria really wants to know is: how long will it take for real actions to be delivered? The future will be built upon the past and present; that is a fact. That is why it is important to examine what has happened in the past and what is therefore currently available in this space.

The former Labor government introduced the Carer Card program for over 140 000 Victorians who care for people at home, including the disabled, the chronically or mentally ill, children needing foster care and the increasing number of frail aged people in our community. The Carer Card provides discounts and benefits for carers from over 700 organisations, including private businesses and government agencies; free Sunday travel on public transport in metropolitan Melbourne and on bus services in regional centres; and two return off-peak vouchers for travel anywhere in Victoria. The former government invested in building 100 new places for people with disabilities living with older carers. This is on top of 181 places already built. The current government could plan on improving these stock levels as part of the carer action agenda. The Labor government provided capital and recurrent funding for 15 additional facility-based respite places. In 2010 alone, its last year in office, the Brumby government funded over 20 000 episodes of respite care.

Now is a great opportunity to put this carer action agenda into effect. The carer action agenda should look at improving these numbers. I am sure the carer action agenda prosecutors will be pleased to know that there is an online respite service. This streamlines access to respite care across the state and makes it easier for people to find the respite service that best suits them and their family. That is also courtesy of the Brumby Labor government. The former government provided funding for individual support for over 14 500 people to give them greater independence and choice.

The Minister for Community Services should be able to mention the positive achievements of the former Victorian government, whether in a Council of Australian Governments meeting, working with carer groups or talking to other interested parties. I am sure the minister can recall being a member of the Family and Community Development Committee, which

worked on an inquiry into supported accommodation for Victorians with a disability and/or mental illness. As the minister will be involved in the carer action agenda, I would like to remind her of some of the recommendations she wholeheartedly approved arising from the inquiry. So far I have no reason whatsoever to believe that the minister is a hypocrite. Therefore I believe she will deal with all 14 of these recommendations to which she was an enthusiastic contributor and include the ones not so far implemented into her carer action agenda.

Some of the recommendations highlighted the requirements for providing council services, support options — financial or otherwise — skill development and improving respite arrangements available to families in caring relationships. I am sure the government will be on track to make some progress in recommendation 10.3 since it is embracing the federal Labor government's great initiative, the disability insurance scheme. Recommendation 10.12 states:

The Victorian government develops a strategy regarding older families in caring relationships, with the objective of providing greater certainty regarding the future for people with a disability and/or mental illness with older carers.

As the minister and the government are well aware, one day we all have to go. The aged carers worry about passing on without providing certainty to the loved ones they have looked after so well for a number of years. People's situations could change: their relationships could go sour, or the care giver could grow old and become weak and not be in a position to look after the ones they have been caring for. Therefore it is important to go beyond the rhetoric and take some action to provide certainty to all the carers who are getting older and looking for certainty for their younger ones. This came up over and over again in the inquiry we conducted together.

Ms MILLER (Bentleigh) — I am delighted to speak about the Carers Recognition Bill 2012. This bill provides for a few things so I will just outline what it is about. It recognises, promotes and values the role of people in care relationships and recognises their different needs. It also supports and recognises that care relationships bring benefits to the people in such relationships and to the community. Finally, it enacts care relationship principles to promote understanding of the significance of care relationships.

At the outset I would like to commend the Minister for Community Services for taking the proactive approach and initiating this bill. As it stands right now Victoria is the last mainland state to come on board with this legislation, and that is a very significant point. The bill

will address carers and people from various areas, including those in disability, aged care, mental illness, ongoing conditions, terminal illness and chronic illness. The bill recognises carers and the work they do. It also involves consultation with the person who is being cared for and the carer who is caring for that person. It is about together providing the support that is required for that particular individual. Essentially they are taking a holistic approach. I have a media release dated 9 February 2012 from the Carers Victoria CEO, Ms Caroline Mulcahy, which talks about the fact that the Carers Recognition Bill is long overdue.

The Baillieu government has been very proactive and taken steps to address this important issue, certainly in my community in Bentleigh, but also within the community of Victoria. It is a very important commitment that we are going to introduce. In fact Victoria wants to take the lead with this bill. We want to be the first state to launch support for a national disability insurance scheme. This is a unique program and one that I am sure the carers and those being cared for would very much embrace.

There are approximately 700 000 carers in Victoria, and approximately 200 000 of them are primary carers. They deliver an incredible service not only to individuals and families but also to the wider community. The love and support they give those people is paramount, and you cannot put a price on it. We should be very proud of the people who put themselves in that role. I have actually been in that role myself. I was a primary carer for about 18 months for someone near and dear to me. This bill is important in recognising the commitment and sacrifices that one makes in such a role. They are important on an individual, family and community level.

There are several respite and carer support groups in the southern metropolitan region, including in my electorate of Bentleigh, and I would like to point them out. They include the Bentleigh East Carers Support Group in Bentleigh East, the Glen Eira Bayside Lupus-Sjogren's Self-Help Group in Bentleigh East, the Cheltenham Carers Support Group in Moorabbin and the South East Anxiety Disorders Self Help Support Group in Bentleigh. That gives an insight into what support groups are in my electorate. There are many others within the Glen Eira, Stonnington and Port Phillip municipalities in Victoria and also in a variety of other areas in Victoria.

This bill is all about recognising the wonderful work that carers do, and it is long overdue. I know many members of the community value the contribution that carers make. The fact that the bill recognises and

promotes the value of the role these people play in care relationships is incredible.

To recognise the different needs of people being cared for is also important. We have people of all different abilities, ages and cultures, and it is important that carers who are caring for an individual take that into account and look at the individual from a holistic point of view. This bill shows that the Baillieu government is committed to recognising, promoting and valuing the role of Victorian carers. This was an election commitment that we in government made to our respective electorates and, more importantly, that we made as a government to the people of Victoria. I know that the 700 000 carers and the 200 000 primary carers in Victoria will definitely value the fact that we are taking this step and recognising the sacrifices and commitments they make and the good they do for individuals, families and communities.

The Carers Victoria CEO recognises that this is just the first step of many to come in terms of acknowledging the importance of what carers do. This bill also recognises the value of kinship and foster carers. Carers might give care on a part-time basis, a full-time basis or maybe just on a weekend. I have taken my own time to volunteer at a weekend camp for carers; it was their time out. I went down to Lord Somers Camp at Somers with my colleague the member for Caulfield, and we got involved. We were there to listen and learn. We got to understand and engage with those carers and to hear all the amazing things they have done and continue to do.

It was interesting for us to see that there are a lot of grandparents in the community taking on the role of carer. Quite often these grandparents have had their own families and raised their own children. Their children have moved on and started their own lives, and the grandparents are now spending their time, effort, love and affection on their grandchildren. They are caring for their family because they feel it is appropriate.

I would also like to point out that according to the Australian Bureau of Statistics 2006 census there were 604 people in Bentleigh, 904 people in Bentleigh East, 152 people in McKinnon and 229 people in Ormond who accessed some form of care or assistance in 2006. Given that we have had a huge population surge since then — we have certainly had one in Bentleigh, which is a very family-friendly community and embraces all sorts of cultures — I would suggest that now, as we talk about the Carers Recognition Bill 2012, those numbers would have changed. It will be interesting to see the most recent numbers compared to those of 2006, to see

how many people are drawing on some form of caring support services now.

As I said earlier, there are four places in my electorate that offer fantastic services. The work these carers do and the time they put in is incredible. You just cannot put a price on the love and affection they put in. I am very proud to speak on this bill on behalf of carers in Bentleigh, and I commend the bill to the house.

Mr NARDELLA (Melton) — A number of years ago I watched a documentary called *Best Boy*. If members ever get the opportunity to have a look at it, they should. It is a film about an elderly couple who are looking after their son back in the 1970s in America. It goes through how that family has to deal with mortality in the sense that both the mother and father are very old and the son is disabled. The film is made by a cousin of the son. It is a really powerful film because it goes through these three lives in terms of what will happen to this middle-aged man once his parents pass away. The parents have looked after him all his life, loved him and cared for him and been his advocates and his rock. One of the really powerful things about the film is that they are scared. They are concerned about what will happen to their son when they eventually pass away.

Eventually the family gets to the situation where the son goes into a home. He goes in a couple of times to get used to it, because before that he has not been away from his mum and dad, and then eventually the parents do pass away and he moves into a home permanently. That is one of the things that a lot of families go through. A lot of families are concerned and scared for the future of their loved one — their sibling or partner or husband or wife. They may be grandparents who sometimes look after their grandchildren or other members of the family.

The resources needed for those lives to continue — that is, the people who are being cared for — is an issue that envelops carers in their day-to-day thinking because they have been so central and so enmeshed with the person they have cared for that they do not know what is going to happen to them once they are gone. The experiences in *Best Boy* and also the real-life experiences of people who care for others are in my mind and certainly in many people's minds, and there have been some very good contributions on both sides of the house on this particular issue.

With the proposed legislation today it is important that its evolutionary development builds on the Victorian Carers Charter of 2006, builds on the work done by the previous Labor government during its 11 years, builds on the work done by the Kennett government in its

7 years and also builds on the work of the Cain and Kirner governments before that time. How do we make people's lives better? How do we change those lives to make sure that the people who are cared for by a carer will be looked after so that they can continue with their lives into the future when they eventually leave that person's care? This bill is part of that evolutionary change.

In my time in this Parliament I first met with people from Carers Victoria as the shadow Minister for Aged Care back in 1995–96. The work it was doing then and the work it continues to do now to support, advocate and look after carers and the people who they are caring for is critical. I take my hat off to those professional and really caring people within Carers Victoria. Carers are advocates and helpers, mothers, fathers and grandparents — and I want to talk about that, because the member for Caulfield touched upon this as well — and they are the voice of those vulnerable people.

Over the time I have been in Parliament the things that have needed to be developed have been things like respite services, and other honourable members have talked about that. Again, it is critical to make sure as our society ages and as we move into the middle part of this century that services and facilities are available for carers themselves, because these are the things they have said to me and to many others that they require just to give them a break and allow them to recharge their batteries so they can go forward. The establishment or the extension of community residential units is one of the most difficult issues I have ever had to deal with. As a community we need to do that much, much better. Equipment and support are needed for people, and the state disability plan consultations undertaken by the then Minister for Community Services, the member for Pascoe Vale, were a very powerful way of empowering people during our last term of government — and that needs to continue.

I appreciate the speech made by my friend the member for Caulfield in regard to the Mirabel Foundation. It does fantastic work. I have sat down with Jane Rowe, who is the CEO there. The work, support and advocacy, the camps and the breaks it provides to grandparents are beyond belief. I concur with the member for Caulfield that it is extremely important to have those support services. They are just amazing people; they provide some accommodation for those 1700 children, but they also provide the support. I have been out to the support group in Sunshine, where I have talked to the grandparents.

I am also looking forward to visiting the Bacchus Marsh kinship group; Cherie Salmon is the care worker

out there. I want to meet those families and do some further work with them to increase their advocacy group and find out the things that they need and then work with them to get those things so that they can continue to look after the people they are looking after, who are their grandchildren, and that is the difficulty. I have met quite a number of grandparents who have had to take over the roles of their children and look after their grandchildren. They are amazing. They have looked after and grown their own children, but now, for whatever reason, and a lot of it is to do with drugs but there can be other reasons, they now have to look after their grandchildren. Again I think it is incumbent upon on all of us to make sure that we continue this evolutionary process and do what we can to support the carers within our society.

Mr SHAW (Frankston) — I rise to speak in support of the Carers Recognition Bill 2012. This bill is all about love, sacrifice, commitment and the education of those carers who look after loved ones, whether they be a little bit older, whether they be a little bit younger, whether they have a disability or whether they have a mental or physical illness. We are talking about carers and those who are being cared for. I have not had direct experience of caring for someone; I have a healthy family. But we did look after my grandfather. We had a name for him; we called him Popeye. Pop was a name that was used back then, but Popeye was a big cartoon character at the time. My grandfather had a tattoo, and he smoked — but not a pipe.

Our grandfather was quite an independent person. My grandmother died at a pretty early age, but he was a little bit older. We looked after him for quite a long time but I never looked after him myself because I was only in my mid-teens at the time. I did not see our parents or myself as carers. I also did not see us as volunteers; it was just something that you did for the people you loved. A lot of the people we are talking about, the carers, are not looking for recognition and they are not looking for applause, but here we are giving it today in the form of legislation. We are recognising carers and those who are being cared for.

In Frankston there are many support services such as Peninsula Youth and Family Services. We also have OzChild, which has a regional office there. But Frankston has an ageing population. In the 2006 census 5.2 per cent of the population of Frankston required care when the average for Victoria was 4.2 per cent. Frankston ranked about 20 per cent higher than the rest of the state, and I looked at that figure and wondered why.

As I mentioned before, we do have an ageing population. We also have a major hospital, the Frankston Hospital, and years ago people had the foresight to say that Frankston would be a place where children with disabilities would be able to go, that there would be schools for disabled children in Frankston. We now have Naranga School, which is a large special school in Frankston. We have the Frankston Special Developmental School, and we have a place called Woorinyan Community Services as well. Just that area captures quite a lot.

When I was talking to Graeme Weideman, the former member for Frankston with the longest service, having been in Parliament for some 17½ years, he was telling me about the background to why people with disabled kids would come to Frankston. He said it is because we built the schools so that they could come. Graeme and I are members of a committee of a group called Job Focus. Job Focus finds jobs for people who have a mental incapacity or a physical disability. They could be in a warehouse, mowing lawns or doing things like that, and they are so grateful for the work they get, regardless of what it is. They could be serving behind the counter at Focus on Taste in Frankston, and they are so grateful when we come in. They always seem quite happy. They do not always do their job as we in our impatient society would like them to do it, but we give them a break.

When I went to the opening of Woorinyan there were parents of children with disability there. You hear stories — and we have heard lots of stories from both sides of the house — about people who have been touched or affected or people they know directly who have kids with autism or are disabled or of that ilk. At Woorinyan they do not just place them in jobs. If they are a little bit older or a bit more mobile, they actually set them up in enterprises such as grass cutting. I think that is an absolutely fantastic opportunity that they have created.

I talked about the staff, but to talk about the parents, I love the dedication and the sacrifices that they make. At times when I was doing my job as an accountant, people would come in with children who were disabled. One of the parents, if not both, would have had to make sacrifices. They would have sacrificed their careers, worked overtime or taken a job closer to where they lived rather than in the city, where they could be earning more money. They made those sacrifices for the love of their children. As I said from the start, I did not look at my parents or myself as caring for Grandad. When I look back at it now, I can say, 'We did that because he was family'. You do that for family, but

there are lots of people out there who do it not for family but because they love people.

In Frankston we have a large office of OzChild. People from OzChild were telling me that they have a list of carers and they can ring those carers at any time of the night and put people into foster care or temporary care. I think those people have a fantastic love and dedication. It is a sacrifice they make to bring a totally unknown child into their home, to share their home, their belongings and their children. It is a fantastic organisation, and they are fantastic people. I am glad we can recognise that, give them a pat on the back and say, 'Hey, well done'.

I have been to Uganda three times, and we certainly live in a different culture. The average age of a male in Uganda is about my age — middish-40s. There are quite often three generations where they live in their community. There are those who live past the average age, but the others do not look at themselves as carers. There is a totally different mentality there; for the most part they look after their elderly. At the other end of the spectrum, though, Uganda has quite a bit of AIDS, it is also war torn and people give up their children that little bit too early so there are orphanages. There are people who take in those children, and organisations have people who go there and look after those children and set up places for them.

Here in Australia we may not have that whole community feeling all the time, with Nan, Grandad or Great-grandma living with us, but we as members of this house can recognise carers and those caring relationships.

Ms GRALEY (Narre Warren South) — It is a pleasure to speak this evening on the Carers Recognition Bill 2012. I would like to begin by commending a number of MPs, especially the members for Bendigo West, Ballarat East and Brunswick and the member for East Gippsland on the other side of the house, for their eloquent and moving speeches about their very personal experiences and their families' experiences as carers for people in their families who were in great need of care. They have spent a great deal of time reaching out and caring for people. It was very moving to hear their speeches this evening. I commend their value to other people in the house, and I also thank them for sharing those experiences.

As other members have said, the opposition does not oppose this bill. One of the reasons we do not oppose it is that many of the things that are in this bill, or it has been declared will happen in the future as a result of this bill, build on some of the good work that was done

by the Labor government in office when we provided record levels of support and resources for carers and the people they look after.

One of the hardest things you deal with as a member of Parliament is having carers come to your electorate office and, right there in your office, tell you about the stress they are experiencing in dealing with a loved one, the inadequate support they sometimes receive and their concern about what they are going to do in the future as they age. As other members have rightly pointed out, this is a great issue in the community for people who are ageing and have children to look after when they do not know what is going to happen in the future. In many cases I have also had experiences with grandparents having to look after grandchildren as a result of some sort of mental illness or an addiction that their own children experience. They find themselves in the role of carer at a very late age when they probably should be kicking up their heels and enjoying their retirement.

I must admit that even though one takes a great deal of interest in their story, does what one can and provides them with connections to other services that may be able to support them — for instance, we can offer them the support of a Carer Card — one nevertheless feels somewhat inadequate when they leave the office and wishes one could have done a little bit more. That is exactly what I think the CEO of Carers Victoria was talking about when she described the experience of carers, stating:

Too many carers are struggling financially. They are physically and emotionally exhausted, and many are socially isolated. They are also desperate for changes to a severely inadequate service and support system.

I must admit that some of the carers who have turned up in my office look quite exhausted, and I often wish I had the time to go and babysit for them that night. But our jobs are also quite demanding, and many of us have people we have to care for as well. We all realise from the speeches that have been delivered this evening that when a situation arises in your family where you have to care for a loved one, it really brings home the great stresses and strains that places on any family and how inadequate we all feel in dealing with this.

It is good that the government has brought this bill to the house, and it is quite a straightforward bill. The member for Eltham described it as a nice bill or, as Kath Day-Knight from Fountain Lakes would have said, a 'noice' bill. We are very concerned, nevertheless, that this is not enough and is, as members on the other side have said, a starting point.

It is not enough to provide some sort of big, legislative hug and nice words. It is all very laudable. It is good to give compliments and say thank you — I am a great believer in that — but carers need real support not just words.

I draw the attention of members of the house to an article that appeared today in the *Berwick Leader* headed 'Education setback' and with the subheading 'Specialist school won't open until 2014'. I have heard members on both sides of the house talk about how demanding it is for parents of children with special needs. The article by Rachel Flaherty says:

Parents of children with disabilities have been devastated by the shocking news Officer's specialist school will be delayed for a year.

Families from Casey and Cardinia were left reeling after the *Leader* revealed —

not the Department of Education and Early Childhood Development or the minister —

the government's completion date for the school had been set back to 2014.

Parent Cathy Smith, who led the fight for the school, said desperate parents had been promised it would be ready by 2013. 'It is a slap in the face for all of us. Many people's lives are on hold waiting for this', Ms Smith said.

...

Ms Smith said many parents could not work full time and even struggled with part-time employment because of drives of up to 2 hours a day to take their children to existing schools.

She talks about that further in the article. This evening we heard members in this house talk about that real problem. She goes on to say:

This delay is unreasonable and unfair ...

I know how desperate families are for this school to be opened. I sympathise with them, because they have made real plans to make sure that their households are ready so that they can send their children to the new school in Officer in 2013. I understand how devastated they must feel that this government has not been able to sufficiently get its act together so that these parents of children with special needs will be able to send their children to the new school next year.

I finish my contribution by thanking all carers in my electorate of Narre Warren South. When the new school was proposed, hundreds of parents of children with special needs attended a public meeting. They got up on stage and talked about their plight, including the things they do in their spare time, the things they have

to go without and the things they need. I was very pleased that both the government and the opposition at that stage got behind families; the opposition and the government both promised the families they would build them a school.

I salute the work of the families; they have done a tremendous job. I have had many families in my office, and I give a strong, heartfelt thanks to them for all they do. But as I said when I drew the attention of members to the announcement today about the lack of commitment by the government in making sure that this specialist school is open when parents expect it to be open, I now draw the attention of members to the fact that the Baillieu government needs to match the words in the statement of compatibility and this bill before the house with actions. It is very important for the people of my electorate that they get this specialist school as soon as they possibly can.

I suggest to the Premier that one thing he could do to support families who have students with disabilities is to get onto the phone and ring Mr Abbott, the federal Leader of the Opposition, in Canberra and get him to commit to the national disability insurance scheme, because that would be a very —

Mr Southwick — On a point of order, Acting Speaker, this bill has had bipartisan support from both sides of the chamber. The member for Narre Warren South is trying to make political, irrelevant points that have nothing to do with the bill we are debating —

The ACTING SPEAKER (Mrs Victoria) — Order! What is the member's point of order?

Mr Southwick — The member is talking about specialist schools which have nothing to do with carers whatsoever. Her contribution has well and truly extended beyond the bill. I ask that you, Acting Speaker, bring her back to the bill.

The ACTING SPEAKER (Mrs Victoria) — Order! I believe the member has concluded her contribution.

Ms McLEISH (Seymour) — I rise tonight in support of the Carers Recognition Bill 2012. This bill fulfils an important election commitment by the coalition government around recognising, promoting and really valuing the role of carers and people in care relationships, including young carers, kinship and foster carers and those providing support and assistance to people with a whole bunch of different needs. The need can be around illness where somebody has been struck down unexpectedly. It could be related to something that someone has been born with, it could be a mental

illness, it could be as simple as supporting ageing parents. For many of us, and we are an ageing population, our parents are also getting older. When I look at my situation, I am lucky at the moment in that my father is 87 and still works sort of full time and I have an extremely fit and healthy 93-year-old mother-in-law. I see us as being extremely fortunate.

I will stop and reflect for a moment on how things have changed historically and what this means for us now. In the dark days gone by anybody with a disability tended to be institutionalised, but with a move away from wanting to put people, particularly children, in institutions and instead caring for them at home, we have seen this ageing demographic of people with disabilities living at home and being cared for by parents who are also getting a lot older. The parents might be quite healthy, but as they get old it becomes more and more difficult for them to look after their children. For many people I know quite well who are in these care relationships the issue of who will be caring for their children when they are unable to do it or they pass on is a source of extreme anxiety.

There are many people we would know who care for a son or daughter, a younger child, but there are also a lot of people who are caring for adult children and are getting older. A number of people care for foster children, and they are recognised in this bill. I can think of constituents of mine in Broadford who have done a remarkable job over a very long time caring for 80 to 100 different foster children. They have done this out of the goodness of their hearts; they have not done it for any other reason. These are people who need to be applauded for taking on what are often very difficult situations because, as we know, a lot of children placed in foster care are already behind the eight ball, and as they become teenagers it is a much more difficult situation for them and their foster carers. For people to enter that type of caring relationship is extremely admirable, and it is fantastic that this bill recognises the role of the foster carer and values that relationship.

I look also at people I know who expected that as they hit their 60s they would retire happily. In one situation I know of, one of a couple has had a stroke and requires 24-hour care. All of a sudden, instead of sharing their older years together, they have found themselves in a caring situation, with the husband having to care for his wife. But there are equally as many occasions where the wife might be the fitter one and is caring for her partner. Caring is extremely difficult, and the time and effort that it takes can be very trying and quite testing. People have said to me that there are situations where at the end of the day they are ready to throttle each other. The need for respite is extremely high at the minute,

and I am pleased to see that the coalition is doing some work in the area of providing it.

I want to draw the attention of the house to the additional difficulties of providing support for carers in country areas. It is a lot easier in the city to access services and to send somebody off to a program for a day or for a week, but in the country it is much more difficult to do that sort of thing. For example, there may be no taxis to take people between centres. There is no taxi service that can take people from the town of Yea, where I live, to the special school in Seymour or to Goulburn Options in Seymour. When children become adults and move on from a special school, it can be extremely difficult for them to travel between towns. If parents are working, it absolutely puts strain on the families.

I look at the services we have in a couple of towns, which are terrific, but the case loads of people in support roles at those services are quite high compared to some of their counterparts in the city. I applaud many of the people who are working in those areas. We have Goulburn Options in Seymour, with Elly Fisher as the CEO. Goulburn Options runs great day services and outreach and respite programs. It is terrific. Once a week people from Goulburn Options come into my office with their carers and change the flowers.

We have Mitchell Community Health Services, which does a fantastic job. Wendy Kelly, who is herself disabled, is really a quite remarkable role model at that organisation. Recently she has been working with another family on an all-access debutante ball, which has brought together a lot of people with disabilities with people with full abilities. Nothing has been more inspiring. There are parents who send their children — adult children in some cases — off every day to dancing lessons, and there are those in wheelchairs and those with Down syndrome who attend dancing lessons. It is absolutely the most heart-warming thing to see. The parents speak so warmly of the people — the Pace and the Leggo families, particularly — who put a lot of effort into supporting, for nothing, others in the community to give them something different. It is just terrific. At that function we had people who came from the Dame Pattie Menzies Centre in Alexandra, which is close to an hour away. We brought those people over to participate in that ball.

We have the Dream Theatre, run by Jenna Carole, which offers classes for people with disabilities. People who have disabilities themselves have produced some wonderful DVDs about people living in residential care and their rights.

Alexandra, where the services are perhaps not as strong yet, is really keen to have an advocacy group for parents so that they can work together and help and support each other. At the forum I attended recently, I spoke to Judy Flarherty, who talked about her relationship with her 35-year-old daughter. Her daughter needs around the clock care, but Judy needs to work. It is difficult for her to do this, and she is an absolute inspiration in how she does it. Mark Lewis is working with her to look at getting up a disability advocacy group, which is absolutely commendable, as is this bill. I am proud that we have brought this bill to the house, and I commend it.

Mr BROOKS (Bundoora) — It is a pleasure to rise in support of the Carers Recognition Bill 2012 and to reiterate the comments that have been made by many members on both sides of the house in acknowledging the exceptional contribution that carers make to our community. Carers Victoria points out that there are over 2.6 million people in Australia who care for another person. Many speakers this afternoon and tonight have mentioned that a carer can be a family member — a mother, a daughter, a father, a son — or a friend. Sometimes people care for those they know only because they live in their neighbourhood, and sometimes they take on an onerous role in caring for that person.

Most of us in this chamber will know a carer. We have had particularly powerful contributions in this house from the members for Bendigo West, Ballarat West and Gippsland East, who talked about their personal experiences. I think we all agree that they were valuable contributions, and we are grateful to have heard them.

Any one of us could find ourselves in a situation where we are called on to care for a loved one or friend. I will briefly describe a situation in my family circumstance when my father, a fit and relatively healthy man in his 60s, was struck by a fairly rare condition and became a quadriplegic quite literally overnight, throwing my mother into the position where she was required to become a carer. She had to sell the family business and the family home to find a place that was more suitable to accommodate somebody in a wheelchair, and so their lives turned upside down in a moment. My mother has taken on the role for a number of years now of being a primary carer.

It gives one as a family member an insight into the stresses and strains placed on someone who takes on that role. It can be a very lonely and exhausting role, and many members have spoken tonight about how isolating it can be to care for another person. Carers often make significant sacrifices and are more likely to

suffer from chronic illness because of the stresses placed on them. They often care more about the person they are caring for than for their own health.

I remember during the last Parliament holding a carers morning tea as a simple gesture of thanks to the carers in my electorate. A modest number of people attended at a local hall for a cup of tea and a chat. One gentleman who was the father of a young girl approached me in a visibly upset state to tell me about his dilemma. Because of the demand for respite services in the area, he did not feel he was receiving enough respite care for himself and his wife, and their marriage was suffering. He was in a very distressed state. He indicated to me that he was considering leaving his daughter at respite the next time they were able to organise respite. I am sure all members who understand the love a parent can have for a son or daughter would find it mind boggling that a father or mother could come to the position where they were so worn down that they would consider leaving their child in a respite facility.

The point I make is that while this bill is important, it is supported and recognition is due — and all members have spoken tonight about how important that is — more important are the services provided to people who care. The respite services provided directly to people who are being cared for are important so that the strain can be taken off the carers themselves. I am very sure that that would be more important to that father I have spoken about than the bill before us tonight and the gesture that Parliament is making through this bill.

The national disability insurance scheme (NDIS) will be an important step in ensuring that packages of care are able to be best tailored to particular people and that carers will benefit from that, but again that requires more than good intentions from all levels of government and both sides of politics. It requires resources and funds to be committed. It is important that those members who are currently locking in behind the NDIS and supporting it — and it seems that is just about all members — should then follow through and support it when the time comes to fund the particular programs that are needed.

In closing, I cannot think of a more noble or generous gift than that of giving selflessly to another person, and for that reason I support the bill.

Mr WATT (Burwood) — I take great pleasure in rising to speak on the Carers Recognition Bill 2012. While this debate has been quite good and bipartisan, and I thank most members in this house for the comments they have made, I appreciate some of the

difficulties that some members have had in talking on this bill given their personal experiences. I will make a few comments about some of the comments that have been made, including those about the national disability insurance scheme (NDIS).

Some members have talked about there being a danger to the NDIS if Tony Abbott, the federal Leader of the Opposition, is elected as Prime Minister, but we all know the Productivity Commission has recommended that the federal government fund the NDIS. Last time I checked, Julia Gillard was the Prime Minister, and at every opportunity she has failed to commit to funding the NDIS, so I would say to my colleagues opposite that the real danger to the NDIS is the current Prime Minister. I am sure most members of this house, especially those on this side, would appreciate those opposite going to their party's leader in the federal government and convincing her to fund the NDIS, which she has failed to do so far.

The member for Kororoit mentioned money and talked about how the Baillieu government would be viewed by history. The reality is we are taking the initiative on this bill. We have introduced it. The previous government did not, although every other mainland state has already introduced a version of this bill. I think we will be viewed quite well by history. This bill marks an important first step in the government's carer action agenda and supports measures the government has already undertaken to improve services, such as support for the NDIS and reform of respite services, which includes a funding commitment of \$21 million in the 2011–12 budget for the development and implementation of new and innovative respite options.

As I said earlier, I appreciate some of the comments made by members in this house, and I specifically want to thank the members for Gippsland East, Ballarat West and Bendigo West for their stories. It is not easy for members in this house to get up and talk about their personal experiences, especially when talking about loved ones. Lots of times being a carer is about loved ones, and it is difficult to get up and talk about them and about the time involved and the strain that can be put on family members and relationships. It was mentioned earlier that carers have a very high divorce rate.

Caring is strenuous, even if it is having to take the time to take your kid to hospital or medical appointments. Many other people in the community have to do these things, and I know members of this Parliament do similar things with their kids. It is not a choice we make: you do not choose to be a carer. Often people are thrust into these roles, whether it is being a parent

caring for their own child with special needs or somebody caring for a partner after a stroke. It is never easy being a carer, and carers do not generally think of themselves.

In relation to this bill, it is fantastic that we as a government have taken the initiative to recognise carers in a way that I know many carers will appreciate. I make the point again that it is an important first step. Once again I would like to thank those members who have been able to get up here and talk about their personal experiences. Many people in the community do not get that opportunity.

As far as carers go, even if some members of this Parliament may not know somebody who is a carer or may not be a carer themselves — and I am sure most members would know a carer personally or would have cared for somebody in their time — I am sure every member would have had carers who wanted to talk about their experiences come to their electorate offices. I would like to pay tribute to a couple who have come in. One is Tran, who told me the story of her autistic daughter being found at Flinders Street station at 10 o'clock at night. Her daughter had decided to leave the house, unaccompanied, to walk down to the Alamein train station and catch a train to Flinders Street.

Business interrupted pursuant to sessional orders.

ADJOURNMENT

The ACTING SPEAKER (Mr Nardella) — Order! The question is:

That the house now adjourns.

Electricity: smart meters

Ms CAMPBELL (Pascoe Vale) — I raise a matter for the attention of the Minister for Energy and Resources, and the action I seek is that he inform the Pascoe Vale electorate tonight whether smart meters are safe and provide all briefing notes that he has received regarding fires or incidents with smart meters in the Pascoe Vale electorate.

Claims made today and last week on a Melbourne talkback radio show questioned smart meter safety, and if valid, they need to be acknowledged. If the claims are alarmist and fearmongering, then those fears of my constituents and people in the wider Victorian community need to be put to rest. My constituents have been ringing the electorate office, and the number of calls coming from single older women who are gravely

concerned about safety as a result of this particular media talkback program indicates that it is causing a great deal of concern to single older women in particular.

Last week some alarmist claims were made that around Pascoe Vale there were six fires in houses fitted with smart meters and that the cause of the fires was the smart meters. Victoria has over 1 million people who are aged 60-plus, and a significant proportion of them regularly listen to a certain Melbourne radio talkback program. We all know as politicians that media lesson 102 provides a proven formula to retain an audience, and that is to instil fear and to either play on it or allay it. Judging by the fear experienced by callers to my office — and I took a significant number of the calls last week, and my electorate office reports a great deal of concern today following one station's media campaign — I think it is important that the minister either stop Jemena contractors installing more smart meters or put on the public record today's Energy Safe Victoria media release that says these meters are indeed safe.

I have followed up this matter with the fire brigade, and I have followed it up with Energy Safe Victoria and with the minister himself, and from the information I have received — and I want it put in *Hansard* tonight — these fires and smoke in smart meters in Pascoe Vale have been the direct result of storms and lightning strikes. We all know that when there are lightning strikes two things can happen.

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

Century Club: afternoon tea

Mrs BAUER (Carrum) — I wish to raise an issue with the Minister for Ageing. The action I seek is for the minister and his department to organise the 2012 Century Club event at Parliament House and to seek an update on the 2011 event's attempt to enter the *Guinness Book of Records* for having the largest number of centenarians in one place at the same time.

In the lead-up to the 2010 election I was delighted to announce a commitment of \$10 000 to expand the Kingston Seniors Festival over four years so that more seniors could enjoy an expanded range of activities and festivities throughout the Carrum electorate. During Seniors Week last October I was pleased to instigate the inaugural Century Club afternoon tea, which proved to be a great success with 47 men and women aged 100 years and over and their carers attending the event in Queen's Hall.

As Victoria's population continues to age, more people will join this very exclusive club of over-100s. In recognition of this I decided to form the Century Club to recognise those people who have lived 100 years or more and contributed so much to their families, friends and communities over the years. To gauge support for a special function to honour the inductees, a notice was sent to my colleagues inviting them to contact centenarians in their electorates to invite them to the afternoon tea, which was held, appropriately, during Seniors Week. About 50 accepted invitations to the event, and 47 of those were able to attend on the day. Also in attendance were the Premier, a number of coalition MPs and the Minister for Ageing. The cutting of the celebratory cake with the group's two oldest representatives, 105-year-olds Marjorie Cook and Frances Rush, was a highlight of the day. Mrs Cook, who was born on 5 January 1906, took the honours as the oldest participant by just 18 days from Mrs Rush, who was born on 23 January in the same year.

The feedback I have received about the day since then has been overwhelming. We have been told that to have marked their longevity with such a special event meant a great deal to not only the participants but also their carers, families and friends. All involved had a wonderful time, and it would be a great shame if we did not continue the initiative. To ensure that we reach all eligible Victorians it would be appropriate to make this an all-parliamentary event. No-one expected the great response we received, and it is clear that this would be a popular outing for many more if they were given the opportunity to attend. As a larger event would require more planning and my office could not handle a bigger event on its own, I request that the minister take over running the Century Club afternoon tea, and I would be very pleased to assist in any way I can.

Public safety: exit signs

Mr NARDELLA (Melton) — My adjournment matter is for the Assistant Treasurer, and the request I have for him is that he investigate the signs that are on exit doors to ascertain whether a different type of diagram could be used. Rather than showing a person running out those doors, we could have one that shows a person walking.

This matter has been raised with me by Vince Theuma in my electorate. He has told me that there have been many instances where, because of a fire or some stampede or riot or something else that has occurred, people have tried to run out and save themselves by rushing out the doors rather than walking in an orderly manner away from the area of danger. There have been some awful cases both here and overseas with fires at

nightclubs where people have tried to rush out the doors because that is what the sign above the door shows: someone running out the exit.

There may need to be some thought put into changing the sign to make it show walking so you do not get a situation where people get trampled. People mainly get trampled upon when they are trying to get out of a dangerous situation. A change to the sign may not necessarily save a lot of people, but at the moment the sign says to people — and it is a universal sign — that if there is some danger, you run out, and that is very disconcerting.

There have been a number of nightclubs where this has occurred. There have been instances of sporting fields where this has occurred. There was one highly publicised instance in the UK where people died or were critically injured as a result of trying to run out of the area of danger. I ask the Assistant Treasurer to investigate this matter and see whether there needs to be further discussion Australia wide to come up with a better diagram for these emergency situations.

Benalla electorate: government assistance

Dr SYKES (Benalla) — My issue is for the Minister for Regional and Rural Development, and I request that he take the necessary action to stimulate economic growth in the small communities of the electorate of Benalla.

By way of background, we have been through 12 tough years. They have been very dry years with three mega bushfires and three mega floods, and there have been 11 years of an uncaring, incompetent Labor government. We have a widening social disadvantage gap between country and city. We have a rural-urban drift of our young people, causing us to lose our next generation, and a widening gap between the educational attainments of country young people and city young people.

To reverse this trend we need a government that supports rural communities, both large and small, through increasing their wealth-generating capacity, encouraging the aspirations of young people and fostering a sense of community. Some representative communities in my electorate include Mansfield, Mairdample and Moyhu. For example, it would be helpful if there were a strategic plan to shape the growth of the thriving, can-do community of Mansfield. To put a strategic plan in place we need strategic planners. There is a dearth of people with planning capabilities in country Victoria. It is also a challenge for small rural shires to fund planners. If they

had strategic planners and support for the development of strategic plans, communities such as Mansfield would thrive on their natural assets of agriculture and environmentally based tourism.

Smaller towns such as Maindample, which has only 100 houses, have a sense of community. If we provided such a community with something like a community park to provide a focus for community activities, that sense of community would grow. Another community that would benefit from investment in community infrastructure is Moyhu in the King Valley. It has a memorial hall that, if it were ramped up, could provide a home for the King Valley learning centre and the Ovens and King community health centre, where we are striving to restore the GP service that had been there previously.

If the Minister for Regional and Rural Development were able to assist communities such as those I have nominated, we would see a reversal of the trend of deteriorating conditions in rural Victoria, a slowing or reversal of the widening of socioeconomic disadvantage and a growth in regional Victoria which would be to the benefit of not only country Victorians but also Victoria as a whole.

WorkSafe Victoria: funeral staff reclassification

Mr SCOTT (Preston) — My adjournment matter is for the attention of the Assistant Treasurer. The action I seek is that he meet with representatives of the National Funeral Directors Association of Australia regarding WorkCover's industry reclassification of funeral professional staff.

The National Funeral Directors Association of Australia represents many directors of family-owned funeral businesses, especially those operating in small country towns and suburban Melbourne. The organisation only represents funeral businesses that are 100 per cent Australian owned. Funeral directors are distressed at the recent WorkCover industry reclassification whereby funeral professional staff have been included in a broader classification that includes cemetery and crematorium staff. This has resulted in a 64 per cent increase in WorkCover premiums for funeral staff. The association has made efforts to contact both WorkSafe Victoria and the minister, but it is yet to receive a substantive response to its concerns.

It would be appropriate for the minister to meet with representatives of the association, as I was lucky enough to do. I found them reasonable persons who are interested in exploring the issues that face them.

Although people are reticent to discuss this matter, it is important to understand that funeral directors, particularly in smaller communities, can play a vital role in ensuring that the most difficult of times for families is managed in a way that minimises the grief and suffering around the loss of a loved one. The association has raised this matter in a considered and reasonable manner, and it deserves the opportunity to have it brought before the minister and dealt with directly.

As I said, the association has written to both WorkSafe Victoria and the minister, and it awaits a response. It would be productive and honourable for the minister to meet representatives of the association so that they can raise their concerns directly with him.

Cranbourne Racecourse: lighting

Mr BURGESS (Hastings) — This evening I wish to raise a matter with the Minister for Racing. I ask the minister to take action to assist the Cranbourne Turf Club to celebrate its inaugural night race meeting on Friday, 9 March. The Cranbourne Turf Club, Country Racing Victoria, Racing Victoria and the Victorian coalition government have together invested \$6.7 million to bring night racing to Cranbourne.

This wonderful project will make Cranbourne only the second night racing venue in Victoria, after Moonee Valley. The first night of racing will be on Friday, 9 March. The project involved the installation of 38 lighting masts, plus shading protection for local residents and for traffic travelling along the South Gippsland Highway. The new state-of-the-art lighting system utilises the best lamp control and dimming technology to achieve the highest standards required for television broadcasts.

This well-targeted and important financial investment by the Minister for Racing stands in stark contrast to the hit-and-miss effort of the Victorian Labor Party. Victorian Labor in government left a \$2 million black hole in the upgrading of the Cranbourne Racecourse. In late 2010, on the eve of the election, the former Minister for Racing suddenly and belatedly announced that Labor would fund the installation of lighting for night racing at Cranbourne. While this is a very worthy project, in its haste the previous Labor government tried to shore up the now very marginal seat of Cranbourne, and in its usual close-enough-is-good enough style failed to properly scope or cost the project. Labor said the project would cost \$4.7 million, well short of the \$6.7 million actually required. The coalition provided an extra \$1.4 million, taking to \$4.69 million the government's contribution towards a total project cost

of \$6.7 million. The industry, through Racing Victoria and Country Racing Victoria, provided the remaining \$600 000 of the \$2 million shortfall.

This night racing project will provide huge benefits for the local racing industry and will further promote Cranbourne as a premier regional racing and training hub. Cranbourne is home to more than 130 thoroughbred trainers and up to 750 horses. A great many more owners and trainers operate out of facilities across the greater south-eastern Melbourne region, including throughout my electorate of Hastings. There are also many pre-training and breeding facilities across the Mornington Peninsula and Western Port region.

I also congratulate the member for Gembrook, and a councillor of Balla Balla ward in the city of Casey, Geoff Ablett, for the enormous support they provide to the Cranbourne Turf Club and the racing industry in general. Together with harness and greyhound racing, the industry supports thousands of local jobs and makes a significant contribution to the region's economy. Therefore I am hopeful the minister will find a way of assisting the Cranbourne Turf Club to celebrate its first great night of racing on Friday, 9 March.

Public transport: action plan

Ms RICHARDSON (Northcote) — Today the Auditor-General released his report on public transport performance, and the action that I seek is for the Minister for Public Transport — I am very pleased to have him in the chamber tonight — to develop an action plan to ensure the implementation of the recommendations that have been highlighted in this report. Of course we all remember that 11 months ago the minister came into this place and declared that all of the problems in public transport had in fact been fixed.

Mr Mulder — No. Wrong!

Ms RICHARDSON — It is there in *Hansard*, and I would urge the minister to pin it up on his wall to remind him the next time he seeks to move away from that particular statement. The minister said a couple of times that the public transport woes were all over thanks to the leadership that he had provided in public transport. Of course today there he was, releasing customer satisfaction surveys and spruiking their results.

Mr Mulder — It's all on the website now. Go jump on the website!

Ms RICHARDSON — If it were the case that the minister fixed all of the problems — —

Mr Burgess interjected.

Ms RICHARDSON — I urge members to have a look at *Hansard*, because it is there and it has been reported many times in there. In fact many of the minister's colleagues have made comments to me about how stupid that statement was; nonetheless he came into this place and that is what he said. If it were the case that the minister had fixed all of the problems in public transport, then this would be a glowing report from the Auditor-General, would it not? It would be a glowing report, full of praise for the minister. In fact it is a damning report when one looks at what the minister has done while he has had responsibility for public transport.

In particular I refer to capital expenditure. I want to talk about this because on our watch capital expenditure increased to \$1.8 billion in Labor's last budget. Surprise, surprise — although not to this side of the house — it is still at \$1.8 billion. In fact it stalled in the last budget; it sat at \$1.8 billion. The Auditor-General makes that point: he says there is absolutely no improvement in capital expenditure on the minister's watch. This is why the Auditor-General has come out and said that we now need to triple investment, because you have lagged behind considerably when it comes to investment.

The ACTING SPEAKER (Mr Nardella) — Order! The member will address her remarks through the Chair.

Ms RICHARDSON — It is the case that the capital infrastructure spend has basically ground to a halt thanks to the minister and his watch. The last budget that was delivered by the government for public transport does nothing to address these concerns, and that is why the Auditor-General has made these recommendations.

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

Rochester family: pensioner rate concession

Mr WELLER (Rodney) — Tonight I wish to request an action by the Minister for Community Services. The action I seek is that the minister intervene so an elderly couple who have a flood-affected house can retain their pensioner municipal rate concession. Les and Betty Wills, aged 91 and 85 years respectively, were unable to return to their house of residence in Rochester following the extreme flood event of 14 January 2011. The flood event was the worst in Rochester's history, and it saw 80 per cent of the homes

in Rochester inundated with water, with many residents evacuated to Echuca. Mr and Mrs Wills were displaced from their home due to the severe flood event, and they have been forced to rent another premises in Rochester ever since. As pensioners they have struggled to find the money to restore their house, and they have not been able to do so at this stage. They have even looked at knocking the home down, which would cost \$7000 to \$10 000. They do not have that money.

In the meantime it has been brought to my attention that Mr and Mrs Wills are no longer able to claim the pensioner rate concession through the Department of Human Services. As pensioners Mr and Mrs Wills were obliged to inform Centrelink of any change of address. Upon doing this they were informed that they were no longer able to claim the pensioner concession for the rates at their original address because it is no longer their principal place of residence.

As an elderly couple living on a pension, paying their rates is only affordable with the assistance of the pensioner rates concession. The daily cost of living can be a struggle for the couple, and this has been compounded by the added financial pressures resulting from the floods. With the assistance of a flood recovery officer through the Rochester and Elmore District Health Service, Mr and Mrs Wills wrote to the Shire of Campaspe to seek an extension on paying their rates. The Campaspe Shire Council agreed to reduce the rates and charges that apply to the couple's home. It is understood this will remain the case until they are able to return to live at or, alternatively, dispose of the property.

However, despite these substantial efforts the Shire of Campaspe is unable to apply the pensioner concession, as this would be outside the Department of Human Services's guidelines. I believe Mr and Mrs Wills should be supported and assisted in every way possible through their flood recovery process. I therefore ask the minister to intervene in this matter with a view to having the Department of Human Services grant an exemption to Mr and Mrs Wills to enable the Shire of Campaspe to apply the pensioner concession to the council rates for their original principal place of residence.

Port of Melbourne: capacity

Mr PALLAS (Tarneit) — The matter I wish to raise is for the Minister for Ports. The action I seek is for the minister to announce the government's long overdue plans to deal with the short to medium-term container handling capacity constraints at the port of Melbourne. The port of Melbourne's container handling facilities

are expected to reach full capacity by 2015. In June 2010 the former Labor government announced a market-sounding approach to provide advice to government on how that additional capacity should be met. Submissions from industry closed in September 2010. Over 16 months later the Baillieu government's dithering is putting the port of Melbourne's pre-eminence as Australia's largest container handling port at risk.

ANL has described the growing capacity constraint as nothing short of a crisis. Its website says:

... ANL sees a crisis in port capacity right now. Unlike the ports of Sydney and Brisbane, which have new facilities under construction, Melbourne has yet to even announce any new short-term capacity increase or development.

ANL managing director John Lines is quoted as having said:

I know the PoMC has been looking at it, I know the government has been considering it, but we need a decision.

The Baillieu government and Minister Napthine need to bring the navel gazing to an end and explain to the people of Victoria how they intend to act to deal with this crisis in port capacity. With the port of Hastings now up to 15 years and \$10 billion away from container handling capacity, Victorians need a short to medium-term solution. The Minister for Ports himself has conceded this. In September 2011 at the Victorian Transport Association's Freight Week he said:

In the short to medium term, however, we cannot escape the fact that we must find capacity for another 1 million in TEU prior to getting Hastings up and running as a container port.

... we're examining all the options before making a public announcement, but I expect to be able to give you an indication of the government's direction later in the year.

Here we are at the end of the second month of 2012 following the Baillieu government's gap year of fecklessness, and there is still no decision two months after the promised indication of a government direction. In its annual report dated 26 August 2011 the port itself states on page 6:

To enable the port of Melbourne to meet future freight demand, PoMC recently provided the government with a major study that outlined in detail the need for increased container capacity ...

It has provided that material to the government. The report continues:

Government consideration of this proposal is expected in early 2011-12.

Here we are with three-quarters of the financial year gone, and still the Baillieu government dithers. The Australian Competition and Consumer Commission's annual report warned in November that the port of Melbourne may reach maximum capacity by 2015, at a time when Brisbane and Sydney will be commencing new port operations. As time passes and nothing happens, the Baillieu government is squandering Victoria's port and logistical advantages. Decisions need to be made, communities consulted and infrastructure built to ensure our economic wellbeing. Melbourne's inner city communities need to be assured that the Baillieu government has a plan that will enable the port to continue to manage the growing freight task while at the same time providing the infrastructure necessary to ensure inner urban amenity. That means the truck action plan and WestLink are integral requirements for any plan to expand the port of Melbourne's capacity.

Rail: protective services officers

Mr SHAW (Frankston) — I seek to raise an important matter with the Minister for Police and Emergency Services. I ask for an update from the minister as to the progress of the coalition government's rollout of the protective services officers (PSOs) program, particularly in relation to my electorate of Frankston.

When I became a candidate for election to this house I had a vision of what the community I came from could look like. It was a vision in which Frankston was a safer and more attractive place to live, work and do business and in which Frankston got a fair go from government instead of being ignored and overlooked as it was by Labor. Following the coalition taking office, Frankston received Victoria's largest allocation of new police officers as part of its election commitment to embark on Victoria's largest ever police recruitment drive — 75 in total.

The results of coalition leadership in this area have been great for Frankston. Crime statistics show the positive effect that an increased police presence is having in our community. The most recently released statistics show total crime in Frankston dropped by 4.9 per cent over the reporting period, with assaults down 8.5 per cent and property damage down by more than 20 per cent. Local residents are feeling these positive results, as reflected by a survey published by Frankston City Council in December last year. The mayor of Frankston, Cr Brian Cunial, who is also a police officer, said:

These are outstanding results, and it is particularly pleasing that residents are experiencing such a high level of safety in their homes and local areas.

The increased presence and capacity of law enforcement resources in Frankston have also led to the heightened detection of drug-related crime. Inspector Jeff Millar pointed this out in a statement accompanying the recently released statistics, saying:

We have maintained a strong focus on reducing the harms of illicit drug use by using a variety of enforcement and investigative techniques to detect drug offences. This focus is paying off; almost 35 per cent more drug offences have been detected and dealt with ...

I would like to thank the members of Victoria Police for all the work they do, particularly those serving in Frankston. My community and I value their service and commitment. To see such a positive vision for Frankston being realised is amazing and due in no small part to their efforts.

A further initiative of the coalition government's commitment to increasing safety in Frankston and around the state is the appointment of protective services officers. Many people in my community make very regular use of public transport and are eager to see the placement of PSOs in Frankston, which will help enhance safety on our public transport network. I ask the minister for an update on the progress of the coalition government's rollout of the protective services officers program, and I thank the minister for his hard work for all Victorians and particularly for the way his responsible management of his portfolio has directly benefited my community in Frankston.

Responses

Mr RYAN (Minister for Police and Emergency Services) — I listened with much interest to the comments made by the member for Frankston. I must say I share his sentiments about the great work being undertaken by Victoria Police. I think right across this chamber there is great respect for those who wear the blue — the men and women who perform the important role of Victoria Police. From the perspective of our government, we have undertaken a number of initiatives which are going to ensure that the capacity for better policing in Victoria and better protection of our communities is enhanced.

Amongst those measures is the recruitment and deployment of 1700 front-line operational police, in addition to those who were there when we came to government. We have started in that task with much gusto. By mid-June this year 850 police, in addition to those who were there when we started, will be out on

the beat and doing their important work on behalf of all Victorians. By the time the next election comes around in November 2014, we will have recruited the balance of the 1700 to make sure we keep faith with Victorians in the maintenance of that promise. The outcomes of that are being seen in the very manner the member has outlined tonight in the lovely electorate that he so ably represents in this Parliament.

In addition he has raised with me the issue of protective services officers and the capacity for their deployment to Frankston. Not everybody in this chamber shares the vision of this government in relation to protective services officers. The member for Monbulk, for one, has been heard on more than one occasion referring to protective services officers as 'plastic police'. That term is a complete affront to those who undertake the important role of protective services officers. Recently we saw the graduation of the first group of 18 of these officers from the academy. As I speak, there are another 21 in the next group who are presently undergoing training. Now that the system is in train, we will see many, many more of these officers continue to graduate from the academy. It is the ultimate aim of the government to recruit, train and deploy 940 of these very important personnel by the time the next election takes place.

The member is concerned, understandably, to have some of those protective services officers allocated to his electorate. Like many others, he well appreciates the great work that will be undertaken by these officers in undertaking their important role. The decision about the actual deployment of the protective services officers is one that rests entirely with police command. That deployment occurs pursuant to a formula that has been carefully crafted by Victoria Police to make certain that, in turn, the areas that are in need of assistance from these officers as a priority are dealt with, by definition, first. In relation to the rest of the 215 metropolitan railway stations and four major regional areas we will see the gradual deployment of these protective services officers across the four years of our government.

I can say to the member that I well appreciate his anxiety and concern to have these officers available in his electorate as soon as that can be done; suffice it to say that as we train them and have them deployed I am sure that command will ensure, just as it has done with police, that we will have protective services officers in Frankston. I, like him, will welcome that moment when it does come.

While I am on my feet I will deal with a matter that was raised for my attention by the member for Benalla. In his usual erudite fashion he has advised the house of a

number of issues that represent challenges for towns in his electorate. He quite rightly pointed out the challenges in their different forms that those towns are facing. The reality is that for all of us who live outside the metropolitan area, this represents something of significance. He recited a number of the contributing factors, which I do not intend to repeat now; suffice it to say that not the least of those is that a city-centric, uncaring Labor government no longer occupies the Treasury benches, and the manner in which the former government tended to ignore these small towns and their future is something that this government is in the course of remedying.

The member went on to raise a number of factors in relation to specific towns in his electorate, and I am pleased to say that there are a number of measures which our government intends to take to address the issues of concern. Very specifically he raised issues with the Maindample community park project. This is a very important project for the Mansfield Shire Council. An application has been made to the Putting Locals First program within our \$1 billion Regional Growth Fund. I am pleased to be able to tell the member that we have approved \$90 000 of funding from the Putting Locals First fund to assist the Maindample community park project.

That project is intended to create a new community park in the beautiful town of Maindample. It will be situated on 3 acres of vacant Crown land which has been recently cleaned up in order to accommodate this facility. I might say that that work was undertaken through the work of a community working bee, which in turn is a great tribute to the people of the town and testament to the great resilience of that township and the folk who live within it. At the present time Maindample does not have any maintained public parks, public reserves or gardens, and therefore this project was identified by the community as being one of its top priorities. We are delighted to be able to assist the community in this way.

The member also mentioned an important issue in relation to the Planning for Tomorrow program on behalf of the Mansfield Shire Council which is dedicated to issues around the structure plan for the Mansfield township project. Again, as the member has emphasised, this future land planning is vital to the future of the towns across our regions, not the least of those being Mansfield. I am pleased to be able to tell the member that we have approved a grant of \$95 000 to enable work on this strategic, long-term vision to be undertaken in order to better accommodate current and future growth around the magnificence of Mansfield.

The member also raised an issue with regard to strategic planning with the Moyhu community hub feasibility study. This is again an application which has been made through the Putting Locals First fund. The intention of this project is to support a feasibility study to consider the redevelopment of the run-down Moyhu Soldiers Memorial Hall. The intention is to make this the proverbial one-stop shop as a community hub for the town and the surrounding communities of King Valley, Greta Valley, Myrree and Carboor. I am thrilled to be able to tell the member that we have approved a grant of \$20 000 which will go towards this worthy project. This again is something that the government is very pleased to support.

Finally the member for Benalla raised an issue around an application made under the Local Skills Partnership program for the Mansfield Shire Council that would enable it to engage a professional with specialist strategic planning skills for the next two years with a view to undertaking a review of council planning processes and documents. I am delighted to be able to say that we will contribute \$75 000 towards this important project. We are thrilled as a government to be able to assist the member's communities in this way. The grants I have announced tonight total just a little short of \$300 000, and I am sure that they will be used beneficially, strategically, sensibly and responsibly by the respective communities.

I congratulate the member for Benalla for his very deep involvement and the constructive assistance he consistently provides to his respective communities, not only those I have nominated tonight but also those that are generally located throughout the magnificent electorate of Benalla.

Mr O'BRIEN (Minister for Energy and Resources) — I thank the member for Pascoe Vale for raising an important matter for my attention regarding the operation of electricity smart meters and the safety of the program. I understand this is an issue that is of concern to a number of people in the community, particularly as a result of recent media reports. Many people in the member for Pascoe Vale's electorate have legitimate questions about the smart meter program. I acknowledge the member for her diligence in raising this matter this evening.

While the smart meter program has certainly had its difficulties and been contentious during its history, I do not doubt for one second that electrical safety is the no. 1 priority for government, whether it be the former Labor government or the current coalition government. We in this place are all people with families, and we want all Victorian families to be as safe as possible.

I can assure members that the Baillieu government does recognise community concerns about the smart meter program; that is why we undertook a comprehensive review of the program in 2011, and it is why we continue to take very seriously any concerns regarding the operation of smart meters. Electrical safety must always come first, which is why the government respects the independence, expertise and authority of the energy safety regulator in this state, Energy Safe Victoria (ESV).

Some members of the house will have received correspondence from individuals expressing concerns about radiofrequency activity from smart meters. The first point to make is that smart meters, unlike many common household sources of radiofrequency activity, are usually located outside the home. By contrast, mobile phones, microwave ovens and baby monitors are located inside homes. Secondly, a smart meter operates by sending a short signal recording electricity usage only once every 30 minutes. It is not designed to operate for long, continuous periods of time, unlike some of the other appliances I have mentioned.

All smart meters installed in Victoria are subject to regulatory arrangements made by the Australian Radiation Protection and Nuclear Safety Agency and the Australian Communications and Media Authority. ARPANSA is the Australian government agency responsible for protecting the health and safety of people from any potentially harmful effects of radiation. ARPANSA sets standards for what are safe levels of exposure to radiofrequency emissions. In relation to smart meters, ARPANSA has made the following public statement:

The combination of the relatively low power of the transmitters, their location on the outside of buildings and the very short time spent transmitting means that the overall exposure from smart meters is very low and well below exposure limits, even when a number of devices are communicating simultaneously.

This statement can be found on the ARPANSA website.

In addition the Victorian government commissioned an independent advanced metering infrastructure meter electromagnetic field survey by EMC Technologies as part of its smart meter review last year. This independent survey found that radiofrequency electromagnetic emissions from single meters and groups of meters are a tiny fraction of the safe levels set by ARPANSA. It found that emission levels recorded inside dwellings where smart meters had been installed outside ranged from 0.000001 per cent to 0.0113 per cent of the general public limit specified by ARPANSA

radiation protection standards. The radiofrequency emissions from smart meters are considerably weaker than those from other common household devices such as mobile phones and baby monitors. The report from this survey can be found on the website of the Victorian Department of Primary Industries.

I would now like to address the safety of the installation of the meters. The electricity distribution businesses that own the poles, wires and meters are required to ensure that all workers involved in meter installation activities are appropriately qualified and supervised. In April 2011 Energy Safe Victoria, the independent energy safety regulator, conducted a review of smart meter installation practices and installer qualifications and concluded that the meters are being installed safely by qualified and trained individuals.

Prescribed safety tests must be undertaken to confirm that a smart meter has been correctly installed, and sites are inspected at random to further support safe outcomes. ESV audits the electricity distributors and may prosecute individuals or businesses for failing to comply with safety requirements. As a result of the safety protocols and tests performed when installing a smart meter, installers have identified more than 7000 pre-existing wiring defects in Victorian homes, potentially saving property and lives — that is, more than 7000 Victorian homes have had dangerous wiring identified and made safe because of the changeover of their meters.

All smart meters installed in Victoria are subject to Australian standards. It is irrelevant from a safety perspective where meters are manufactured, because compliance with Australian standards is non-negotiable if they are to be installed in this country and indeed in this state. Victoria's independent energy safety regulator, Energy Safe Victoria, is reviewing recent operational issues associated with a number of smart meters in the Pascoe Vale area that have been the subject of considerable media interest. This review will include consultation with the local electricity distribution business, Jemena, and other stakeholders, including the Electrical Trades Union. The results of these inquiries will be made public at their conclusion.

As Minister for Energy and Resources, I respect absolutely the independence, expertise and authority of Energy Safe Victoria as a safety regulator. The operation and enforcement of energy safety regulations should be the domain of expert regulators, not politicians, so I believe it is important for members here and the wider community to consider a statement that the director of Energy Safe Victoria, Mr Paul Fearon, released this afternoon. To ensure that the statement is

recorded in full, I seek the leave of the house to have the ESV director's statement incorporated into *Hansard*.

Leave granted; see statement page 114.

Mr O'BRIEN — I will briefly refer to some parts of the statement, which is titled — and I think the heading is instructive — 'Smart meters are safe'. It says without qualification:

... I want to assure Victorians that smart meters are not exploding, as has been reported by some sections of the media.

Approximately 60–70 high-voltage incidents across the state's electricity network are reported to ESV each year. These can be caused by a lightning strike or high-voltage lines coming into contact with low-voltage lines as a result of storms or car accidents.

All meters whether 'smart', older electronic or electromechanical models are susceptible to damage if exposed to a high-voltage injection. No appliance can withstand a surge of 22 000 volts.

The statement goes on, but it is important that the clear conclusion of Energy Safe Victoria is now recorded in *Hansard*.

To wrap up, in response to community concern the fire investigation and analysis unit of the Metropolitan Fire Brigade recently undertook an investigation to determine if a nexus exists between electrical switchboard fires and smart meters. The MFB had access to considerable current and historical data in examining this issue.

The report's conclusions include the following:

1. Given the available data (2010–11), we have not recorded any increase in the number of switchboard/meter box related fires and, in fact, the data would appear to be trending down to that which would normally be expected.
2. No evidence has been found, at this stage, to indicate that fires can be directly attributed to an electrical malfunction of a smart meter.

As we would expect, the MFB will continue to investigate any concerns but the conclusions to date should give the community real confidence that the facts, as found by the MFB, do not support some of the more speculative, even alarmist claims that have been reported in the media. I reiterate: electrical safety is the no. 1 priority of not just the government but all members of this house. It will always come first in relation to smart meters.

Dr NAPTHINE (Minister for Ports) — Firstly, I wish to respond to the member of Tarneit with respect to container-handling capacity at the port of Melbourne. I noticed that the member for Tarneit put out a press release on Wednesday, 29 February — today — in which he described himself as the ‘Minister for Ports’. Perhaps he is very much out of date. The press release, which is on the Labor Party website, states ‘the Minister for Ports, Tim Pallas, said today’. It is fortunate for the people of Victoria and for importers and exporters that the member is no longer the minister for ports, because he failed to take any action to deal with the growth of trade through the port of Melbourne during his term of office and during the term of the previous government.

The port of Melbourne is undergoing a significant increase in trade: some 2.4 million TEUs (20-foot equivalent units) will grow to 8 million TEUs by 2035. When members look at quarter 2, 2011–12 — that is, this year, under our government — compared to quarter 2, 2010–11, they will see that there has been a 10.7 per cent increase in imports of containers and a 10.3 per cent increase in exports. There are record levels of trade through the port of Geelong and the port of Portland, and this government has already take decisive action.

We are developing the port of Hastings as a container port — a project that was shelved under the previous Labor government, which did nothing and was not going to do anything until 2035. We are addressing that, and we will address the issue of the need for short to medium-term additional container capacity in Melbourne at the appropriate time. We will not procrastinate; we will not do nothing, like the previous minister for ports. We will not introduce a freight infrastructure charge that will stifle exports, stifle imports and hurt trade through the port of Melbourne.

The previous government had 11 years to address port capacity at the port of Melbourne, and its members did nothing — absolutely nothing. We have been in government for 14 months, and we are under way with Hastings and will address port capacity. The member for Tarneit, who still describes himself, delusionally, as the Minister for Ports — and he can have his press release — needs to go back to the drawing board. If only he had done some work when he was minister, we would not be facing the crisis we are facing now with regard to port capacity.

The member for Hastings raised an issue with regard to the first night race meeting to be held at Cranbourne on Friday, 9 March. This is a great initiative for Cranbourne and for the Victorian racing industry. This

will make Cranbourne the second night racing venue in this state, and it will be a terrific night of racing. I look forward to being there with the member for Hastings and the member for Gembrook. As the member said, this was a project announced prematurely by the disgraced former Minister for Racing, who announced \$4.7 million for the project on the eve of the election. What did we find as soon as we came to government? A \$2 million black hole. One-third of the lights would not have been there. The lights were out under the former Minister for Racing, but fortunately we understood what an important project it was and put in the extra \$2 million — \$1.4 million from the Baillieu government and \$600 000 from the racing industry — and we will now have night racing at Cranbourne.

Cranbourne is a great racing centre. There are 130 trainers, and over 750 horses are trained there. It is a major employer in the area. The member for Hastings asked what assistance could be given to make sure that this night meeting is a great success, and I am pleased to announce that under the Baillieu government’s Raceday Attraction program we are going to provide \$36 500, which will be matched by another \$76 250 from Country Racing Victoria and the Cranbourne Turf Club to ensure that we have a fantastic event for families and people of all ages. There will be great racing, there will be a daredevil motorcycle stunt show, there will be live music, there will be a souvenir race book and there will be free entry tickets for subsequent night race meetings at Cranbourne. It will be a great night’s entertainment and a great night’s racing. I am pleased to be able to assist, and I look forward to a great night’s racing on Friday, 9 March, at Cranbourne.

Ms WOOLDRIDGE (Minister for Community Services) — It gives me great pleasure to respond to the member for Rodney, who has been an incredible advocate through difficult times for his community, especially in response to the flood event at the beginning of 2011. I recall very fondly the opportunity the Premier and I had to visit him in Cohuna during the floods. I recall the knowledge he had of his local area, the relationship he had with his community and the advocacy he did then and subsequently in relation to the needs of his electorate to help it recover from those flood events.

In terms of Les and Betty Wills, their inability to return to their accommodation is obviously a difficult situation for them. I have examined the situation they are in, and I am pleased to be able to inform the member for Rodney tonight that my department has discretion to extend the municipal rates concession in certain circumstances. Certainly for Les and Betty Wills it would seem appropriate to extend the municipal rates

concession. That concession will apply in the 2011–12 and 2012–13 financial years. I point out that in the unfortunate circumstance that they were then still renting and unable to return to their home, we would have the capacity to have another look at the applicability of the concessions at that point in time.

I am pleased that in these difficult circumstances we are able to provide this flexibility in the concession scheme to allow obviously deserving and important members of the community who are highly valued to have the benefit of these concessions. Once again I commend the member for Rodney for his strong advocacy for Les and Betty Wills but also on behalf of his whole community through what has been a very difficult time.

Mr MULDER (Minister for Public Transport) — It is great to see six ministers in the house tonight to respond to the adjournment debate, which is very different to what we used to see under the former Labor government when one minister took the adjournment debate and handed all the issues on to those who were celebrating back in their offices and would not come into the chamber to address very important adjournment debate issues.

The member for Northcote raised an issue with me in relation to recommendations following the Auditor-General's report on public transport performance and how we are going to deal with that report. The member for Northcote also raised issues in relation to what I have said previously about what we have done in relation to public transport. I recall those points very well. I think I said at that particular time, 'Eleven years to make a mess of it and 11 months to start to turn it around'.

If you have a look at the article published today in the *Age* headed 'Public transport winning support', it says:

Satisfaction with Melbourne's public transport network is at its highest level in five years ...

We said we would start to turn it around; we have started to turn it around. There is a long way to go; we recognise that. The money that we spend will go into real services. The money that we spend will go into the nuts and bolts, and the money we spend will get real outcomes for people who use the public transport network.

Quite clearly there were two reports tabled today that I focused on in question time. One spoke about that disastrous period of a Labor government making an absolute and total mess of the public transport network, and the second report referred to advertising money

spent by the former Labor government to try to dig itself out of a hole.

I will cover one issue off. The Auditor-General's report into advertising and communications referred to a photograph of the then Minister for Public Transport which was mailed to residents in a particular suburb. The report states:

It is considered a reasonable person would regard this as gratuitous and indicative of the intent to serve party political interests.

Not inform the public about services but party political interests.

I actually sought that particular letter, and I have a copy of it. You would think that the minister at the time could have at least smiled because the minister at the time, Martin Pakula, the former Minister for Public Transport and a member for Western Metropolitan Region in the Council, is the one who was referred to in the Auditor-General's report as having used taxpayers money for party political purposes. This was not about a timetable; this was not about fare structures; this was not about giving absolute information about the network — this was about party political advertising. That is what the Auditor-General was referring to.

In relation to the plans that we have going forward, no doubt the member for Northcote would be aware that regional rail link will be delivered with all of the associated projects, including the Anderson Road grade separations that were ripped out of that project by the former Labor government. We are putting those projects back in for the people of the western suburbs. Doncaster rail, Rowville rail, the airport rail link, Avalon — we have the plans in place to build a sustainable public transport system going forward. Not only that but we will provide the information that the public requires. I note that the member made reference to the customer satisfaction monitor. She should have a look on the website. The information that in the past we had to request using FOI, we are making available.

Mr KOTSIRAS (Minister for Multicultural Affairs and Citizenship) — I will refer all other matters to the relevant ministers for their attention and direct response.

The ACTING SPEAKER (Mr Nardella) — The house is now adjourned.

House adjourned 10.59 p.m.

Smart meters are safe**A statement by the Director of Energy Safety, Paul Fearon**

In recent days there has been media coverage about smart meters allegedly “exploding” following a high-voltage injection (HV), or power surge, in Pascoe Vale in January.

These news reports have caused undue concern in the community and I want to assure Victorians that smart meters are not exploding, as has been reported by some sections of the media.

Approximately 60-70 HV incidents across the state’s electricity network are reported to ESV each year. These can be caused by a lightning strikes or high-voltage lines coming into contact with low voltage lines as a result of storms or car accidents.

All meters whether “smart”, older electronic or electro-mechanical models are susceptible to damage if exposed to a high-voltage injection. No appliance can withstand a surge of 22 000 volts.

When meters fail they are designed to fail safely. There may be a flash, some noise and smoke but they do not explode. Distribution business have well established procedures to deal with the immediate and possible consequential damage caused by high-voltage injections and if customers have any concerns they should immediately contact their distribution company.

Smart meters have also been blamed in numerous media reports for recent switchboard fires when, in the majority of cases, the investigation has shown that the meter had nothing to do with the fire.

Fire brigades respond to hundreds of electrical fires each year and on average 40 are related to switchboards. These switchboard fires are caused either by old degraded wiring or loose contacts and increased loads such as the installation of air conditioners. It may however take some time for problems to become apparent.

ESV is aware of only two fires caused by smart meters since the rollout began and one of these was the result of a manufacturing fault within the meter. The cause of the second is still under investigation.

Almost 1 million smart meters have been installed across the state and it is important to note that fire brigades have reported no increase in the number of switchboard fires since smart meters have been installed. The number of fires is in fact trending down.

During the rollout, electricians installing smart meters have identified and corrected more than 7000 problems with wiring, many of which had the potential to start a fire or cause harm to the occupants of that household.

While there is currently no evidence that smart meters are unsafe, Energy Safe Victoria will be fully investigating all the recent reports of meter failure relating to HV injection and will continue to monitor the roll out so that the community can continue to have complete faith in the integrity of the smart meter program. ESV will be completing a public report on the investigation into the recent meter failures and this will be made available on our website at www.esv.vic.gov.au

In the meantime, if you have any questions or concerns about the smart meter program I would encourage you to phone the Department of Primary Industry’s smart meter information line on 136 186.

ESV is the state’s independent safety regulator and we are committed to achieving the best safety outcomes for Victorians.

Paul Fearon
Director of Energy Safety

<http://www.esv.vic.gov.au/About-ESV/ESVs-reviews-into-smart-meters>

