

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

LEGISLATIVE ASSEMBLY

FIFTY-SEVENTH PARLIAMENT

FIRST SESSION

Tuesday, 2 September 2014

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By authority of the Victorian Government Printer

The Governor

The Honourable ALEX CHERNOV, AC, QC

The Lieutenant-Governor

The Honourable Justice MARILYN WARREN, AC

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(from 17 March 2014)

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Deputy Premier, Minister for State Development, and Minister for Regional and Rural Development	The Hon. P. J. Ryan, MP
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Cabinet Secretary	Mrs I. Peulich, MLC

Legislative Assembly committees

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Standing Orders Committee — The Speaker, Ms Allan, Ms Asher, Ms Barker, Mr Hodgett, Ms Kairouz, Mr O'Brien and Mrs Powell.

Joint committees

Accountability and Oversight Committee — (*Assembly*): Ms Kanis, Mr McIntosh and Ms Neville.
(*Council*): Mr D. R. J. O'Brien and Mr Ronalds.

Dispute Resolution Committee — (*Assembly*): Ms Allan, Ms Asher, Mr Clark, Ms Hennessy, Mr Merlino, Mr O'Brien and Mr Walsh. (*Council*): Mr D. Davis, Mr Drum, Mr Lenders, Ms Lovell and Ms Pennicuik.

Economic Development, Infrastructure and Outer Suburban/Interface Services Committee — (*Assembly*): Mr Burgess and Mr McGuire. (*Council*): Mrs Millar and Mr Ronalds.

Education and Training Committee — (*Assembly*): Mr Brooks and Mr Crisp. (*Council*): Mr Elasmarr and Mrs Kronberg.

Electoral Matters Committee — (*Assembly*): Mr Delahunty. (*Council*): Mr Finn, Mrs Peulich, Mr Somyurek and Mr Tarlamis.

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

Family and Community Development Committee — (*Assembly*): Ms Halfpenny, Mr Madden, Mrs Powell and Ms Ryall. (*Council*): Mrs Coote.

House Committee — (*Assembly*): The Speaker (*ex officio*), Ms Beattie, Mr Blackwood, Mr Burgess, Ms Campbell, Ms Thomson and Mr Weller. (*Council*): The President (*ex officio*), Mr Eideh, Mr Finn, Ms Hartland, Mr D. R. J. O'Brien and Mrs Peulich.

Independent Broad-based Anti-corruption Commission Committee — (*Assembly*): Ms Kanis, Mr Kotsiras, Mr McIntosh and Mr Weller. (*Council*): Mr Viney.

Law Reform, Drugs and Crime Prevention Committee — (*Assembly*): Mr Carroll, Mr McCurdy and Mr Southwick. (*Council*): Mr Ramsay and Mr Scheffer.

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

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 D. R. J. O'Brien.

Scrutiny of Acts and Regulations Committee — (*Assembly*): Ms Barker, Ms Campbell, Mr Gidley, Mr Nardella, Dr Sykes and Mr Watt. (*Council*): Mr Dalla-Riva.

Heads of parliamentary departments

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

Council — Acting Clerk of the Legislative Council: Mr A. Young

Parliamentary Services — Secretary: Mr P. Lochert

**MEMBERS OF THE LEGISLATIVE ASSEMBLY
FIFTY-SEVENTH PARLIAMENT — FIRST SESSION**

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The Hon. K. M. SMITH (to 4 February 2014)

Deputy Speaker:

Mr P. WELLER (from 4 February 2014)

Mrs C. A. FYFFE (to 4 February 2014)

Acting Speakers:

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Mr Morris, Mr Nardella, Mr Northe, Mr Pandazopoulos, Ms Ryall, Dr Sykes and Mr Thompson. (to 2 April 2014)

Mr Angus, Mr Blackwood, Mr Burgess, Mr Crisp, Mr McCurdy, Mr McIntosh, Ms McLeish, Mr Morris, Ms Ryall, Dr Sykes and
Mr Thompson. (from 3 April 2014)

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

The Hon. J. A. MERLINO

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Brumby, Mr John Mansfield ¹	Broadmeadows	ALP	Naphtine, Dr Denis Vincent	South-West Coast	LP
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Holding, Mr Timothy James ³	Lyndhurst	ALP	Victoria, Ms Heidi	Bayswater	LP
Howard, Mr Geoffrey Kemp	Ballarat East	ALP	Wakeling, Mr Nicholas	Ferntree Gully	LP
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Kairouz, Ms Marlene	Kororoit	ALP	Weller, Mr Paul	Rodney	Nats
Kanis, Ms Jennifer ⁵	Melbourne	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

¹ Resigned 21 December 2010

² Elected 24 March 2012

³ Resigned 18 February 2013

⁴ Resigned 27 January 2012

⁵ Elected 21 July 2012

⁶ Elected 19 February 2011

⁷ Elected 27 April 2013

⁸ Resigned 7 May 2012

⁹ LP until 6 March 2013

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Tuesday, 2 September 2014

The SPEAKER (Hon. Christine Fyffe) took the chair at 2.04 p.m. and read the prayer.

CONDOLENCES

Hon. Owen Glyndwr 'Glyn' Jenkins

Dr NAPHTHINE (Premier) — I move:

That this house expresses its sincere sorrow at the death of the Honourable Owen Glyndwr 'Glyn' Jenkins and places on record its acknowledgement of the valuable services rendered by him to the Parliament and the people of Victoria as a member of the Legislative Council for South Western Province from 1970 to 1976 and for Geelong Province from 1976 to 1982, and as Minister of Water Supply and Minister assisting the Treasurer from 1981 to 1982.

Glyn Jenkins, as he was known, was born in Mildura on 8 April 1927 to father Frederick, a World War I veteran and grazier, and mother Doris. His father Fred had taken a soldier settlement block near Red Cliffs in north-western Victoria, where Glyn started school at Red Cliffs East State School. After his family moved to Queensland he completed his secondary education at Toowoomba high school. After school he studied by correspondence to become an accountant and gained his qualifications. In 1945, upon turning 18, Glyn enlisted and served in the Australian Imperial Force. He left in 1946 after attaining the rank of sergeant. Upon leaving the army Glyn took the position of manager-secretary of the Geelong Cooperative Butter Factory & Flour Milling Company. In June 1951 he married Marie Hering. The two would be married for 63 years and would have four children: Lynne, Jillian, Rowan and Wendy.

He made an outstanding contribution to the accounting profession. In 1954 Glyn started his own chartered accountancy practice in Geelong, which was later merged to become Day Nielson Jenkins & Johns, one of the biggest accounting firms not only in Geelong but in regional Australia. This firm is now known as Crowe Horwath and is still one of the largest accounting firms in regional and rural Victoria. His list of achievements in his chosen field is long, including becoming a fellow of the Institute of Chartered Accountants and an associate of the Australian Society of Accountants.

Glyn had an enormous sense of community service and community duty. He was honorary secretary of the Geelong Good Neighbour Council from 1953 to 1963. He was national secretary-treasurer of the community organisation Apex from 1958 to 1965, and he was a director of the Geelong Citizens Co-operative Housing Societies.

Prior to entering Parliament Glyn served as a Geelong city councillor from 1966 to 1971, and he had a really positive impact on the Geelong community at that time. He was greatly valued by the people of Geelong and Victoria. He served in Parliament for 12 years, having been elected as a member of the Legislative Council for the South Western Province in 1970 and, after a redistribution of the electoral boundaries, elected in 1976 to represent the Geelong Province, doing so until 1982 with passion, energy and great intellect. He had a great understanding and interest in the Geelong region and the needs of its community.

Throughout his parliamentary career Glyn was involved in numerous committees, including holding important roles in the Printing Committee from 1970 to 1972, Company Takeovers Committee in 1972, and the Public Works Committee from 1972 to 1976. He was also a longstanding whip in the Legislative Council, holding the role from 1973 to 1979. He was promoted to Cabinet Secretary from 1979 to 1981, and he then served with esteem as Minister of Water Supply and Minister assisting Treasurer from June 1981 to April 1982. Glyn served the community very well in his role as Minister of Water Supply. He had a great passion and understanding of water issues, which may have stemmed from his humble origins on a farm in north-west Victoria, where water was certainly very precious.

Throughout his life Glyn continued to take a great interest in water issues, particularly in the Geelong and Barwon regions. Indeed in recent times he had been in regular contact with me — I was a shadow Minister for Water about a decade ago — and passionately put the case for better water management and better water supply to the Geelong region. He understood the water industry as not many others do, and he certainly understood the need for proper management of our water system.

After leaving Parliament Glyn recommenced his accountancy practice and maintained a strong interest in accountancy, water policy and his community of Geelong. He was appointed a commissioner for the now City of Greater Geelong in 1993 and served there until 1995. That was a very important period in the establishment of the City of Greater Geelong, when a number of smaller municipalities in the Geelong region were amalgamated. As a commissioner Glyn played a very important role in breaking down the barriers between the individuals and communities in the suburbs of the region to bring a sense of unity and purpose to the City of Greater Geelong. While there are people who still have some misgivings or make commentary about council amalgamations, I think most

people believe that the amalgamations that took place in our regional cities in particular, whether it be Bendigo, Ballarat, Geelong or Shepparton, were a positive force for the good. Glyn Jenkins certainly did a great job in his role as a commissioner for the City of Greater Geelong.

In his maiden speech on 7 October 1970, Glyn mentioned a number of things that I think are typical of the man. He mentioned Apex. Glyn was actively involved in Apex, and that was a passion throughout his life. One of the things he highlighted about Apex was that it is a good way to develop young leaders and make sure young people in the community are aware of the need to give back to and make a positive contribution to their community. In his own speech he quoted one of the ideals of Apex. It is 'to develop by precept and example a more intelligent, aggressive and serviceable citizenship'. He also referred to the three founders of Apex — John Buchan, Ewen Laird and Langhan Proud — all of whom were Geelong people who established Apex in Geelong; and at that time it was a major force in inspiring young people and training them in leadership roles, and also in providing front-line service to the community. Many a leader in our community has a background in Apex.

Glyn also highlighted decentralisation as one of the key themes of his service to the community. In his speech he said:

I consider that some steps should be taken to undertake a cost-benefit study of the financial advantages, not to the industry concerned but to the state and the commonwealth, of establishing in the country.

He highlighted the benefits of decentralisation to a growing Melbourne but also to the greater economy and greater community. I spoke with Glyn Jenkins in more recent times, and he was very proud of this government's contribution with the Regional Growth Fund and the regional living expo, and the fact that we are growing jobs in regional and rural Victoria. Decentralisation was a key theme that he was involved in and passionate about all his life. He also spoke in his inaugural speech about South Western Province and the great tourism opportunities in that area. He talked about the Bellarine Peninsula, the coast between Geelong and Portarlington through to Apollo Bay and the Otways, and referred to Steiglitz. All of those areas are areas of great positive natural attraction for tourists and are of benefit to tourism in our region in terms of employment. He also said:

The best result can be obtained by the government working in close cooperation with municipalities, the business people, and those who will benefit most from tourism.

Even in 1970 we see Glyn Jenkins talking about the need for partnerships between the government, the local community, local businesses and local government, all working together to promote and develop tourism, promote and develop decentralisation, and promote and develop job opportunities.

I also refer to an article in the *Geelong Advertiser* of 26 August 2014, which refers to 'long-time friend and Liberal Party colleague John Robb', and reports that he said of Mr Jenkins:

He was a quiet achiever and he had a tremendous respect for Geelong and district ... He was very, very highly respected by his colleagues in government.

He was also a great family man with children and grandchildren. They were a beautiful family.

His marriage of 63 years is a demonstration of that.

Former Labor MP Gordon Scholes praised his adversary's dedication and demeanour.

'He was associated with the chamber of commerce and I was with Trades Hall, so at no stage of our careers were we on the same side of the fence, but we never had any bad relationships', Mr Scholes said.

'He was a person who I think contributed to Geelong in a fairly significant way'.

What can be said of Glyn Jenkins is that he was a person who was passionate about his community and who strongly represented his community. He was also very professional in his accountancy career. He was a great family man and a great contributor. He made friends inside and outside his accountancy business and the Parliament. He was a warm and sincere family man, and he will be missed by many. Our sympathies go to his wife, Marie, his four children and his grandchildren. On behalf of the government I would like to acknowledge Glyn's contribution to Geelong, to the Parliament and to Victoria.

Mr ANDREWS (Leader of the Opposition) — In his inaugural speech, Glyn Jenkins said that 'all parties made much of the theme of the new decade, the 1970s, and indicated it was a time of change and challenge'. As a member of the other place for the next 12 years, he had a ringside seat to some of the most momentous changes in the history of Victoria, when our state was transformed from one of the British Empire's more reserved and traditional jurisdictions to a place where culture and diversity would bloom and where our environment, our heritage and our unique character could be celebrated.

Mr Jenkins, who served for the life of the Hamer government, saw it coming. Again, I will quote from his inaugural speech:

Within the South Western Province lie a number of areas which have particular interest for tourists although they are not fully developed or in fact being promoted. There is the Bellarine Peninsula, the coast around Geelong from Portarlington to Apollo Bay, the Otways, with their delightful hills, valleys and ferns, and the historical areas in and around Geelong ...

I ask members to think of Victoria's tourism campaigns over the last few decades, which have promoted the pristine Victorian landscapes, wineries, vistas and ranges as equals alongside our traditional institutions — mines, museums and galleries. There was a time when this was not the case. Glyn Jenkins, and his passion for tourism — what he described as the 'best decentralised industry' in the state — helped to put an end to that, and Victoria and Victorians are the better because of it.

I also want to comment on Glyn Jenkins's passion for his home city, as the Premier has so eloquently mentioned, to which he gave decades of his life in public service as a councillor, a civic leader, a member of Parliament and a commissioner. Upon his promotion to the cabinet in 1981, as Minister of Water Supply and Minister assisting the Treasurer, many column inches were devoted to his status as Geelong's first minister in over two decades. To be a minister of the Crown, responsible for our water — responsible ultimately for the one thing that makes a family home liveable and a crop viable — is a great honour in itself and for which I am sure Glyn and his family to this day are very proud.

But had this promotion not eventuated, we must still affirm today that Geelong would have been well served by a fantastic local member, someone who understood the role of a local member of Parliament in an acute way. To be effective a local member requires a quiet devotion and a willingness to work with those from many different backgrounds, industries and points of view. It was the *Geelong Advertiser* that described Glyn Jenkins as a man who 'does not talk in a loud voice and thump the table', 'a man who would carry a brief for any person who had a reasonable case' and 'a man who put the community first'.

Glyn Jenkins was a quiet man. Upon his defeat in Geelong Province in 1982, according to an extraordinary anecdote published in the *Geelong Advertiser* — and apologies to other members who were readying themselves to read this into the record:

... Mr Jenkins marched into that holy of holies of the union movement —

the Victorian Trades Hall —

to seek out the architect of his demise ...

... with his hand outstretched and wearing a smile that must have cost a fortune, he strode straight to Mr Henshaw.

'I want you to know that you have my congratulations' ...
'You ran a good campaign and the people have made their choice ... that's politics'.

I am sad to say that I never met Glyn Jenkins, but I feel like I have met many people like him: people who put the state and the local community first; quiet achievers about whom a book may never be written but who work hard every single day with diligence and care to write Victoria's story. On behalf of the Victorian Labor Party, I thank Glyn Jenkins for his decades of service, for a life that in so many ways was lived in the service of others. All of us in the parliamentary Labor Party congratulate him on his service and offer our sincere condolences to his family. May he rest in peace.

Mr WALSH (Minister for Agriculture and Food Security) — I rise to support the condolence motion for Glyn Jenkins. As has already been said, Glyn Jenkins was born in Mildura on 8 April 1927. His parents, Frederick and Doris, operated a soldier settlement block — block 53 — at Red Cliffs East. He attended Red Cliffs East state school until the age of 10 when his family moved to Condamine in south-east Queensland where he attended Toowoomba State High School. In April 1945, at the age of 18, Glen enlisted in the Australian Imperial Force. His leadership skills and the respect others had for him showed through very quickly because after only 20 months in the service he obtained the rank of sergeant.

Glen studied accountancy by correspondence, which at that time or at any time would be a very difficult subject to study by correspondence. He obtained his degree and went on to become a chartered accountant. He moved to Geelong where he took on the job of manager and accountant at the Geelong Co-operative Butter Factory & Flour Milling Company. In 1951 he married Marie Gwynne Hering, and they had four children: Lynne, Jillian, Rowan and Wendy. In 1954 Glyn established his own accountancy business and later on it merged to become Day Neilson Jenkins & Johns, which is now known as Crowe Howarth. As the Premier said, it is one of the larger accountancy firms in Geelong.

One of the interesting things in Glyn's life was his community service. He was an Apex member for 19 years. Those who have been Apex members would understand that there is an age limit; you have to retire when you are 40, and Glyn was an Apex member for a

substantial part of his life before he reached that age. In 1967 he was awarded a life membership of the Geelong Apex club, which is a rare feat because Apex clubs do not readily give out life memberships. From 1958 to 1965 he served as the Apex national secretary and treasurer. At a time when he would have had a busy life setting up his accountancy business and raising his family he made a significant contribution to the community and to Apex.

In his contribution to the address-in-reply, his inaugural speech, he spoke about his involvement with Apex and its influence on his personal life, particularly the way it influenced his involvement in community affairs. If there was one thing in his life which led him to enter politics, it was probably his involvement in Apex and the community issues that came up through that organisation. In his inaugural speech he spoke about the fact that at the time of his election to the Legislative Council, Apex was celebrating its 40th birthday as an organisation.

As has already been noted by the Premier, Apex was founded in Geelong and it grew to become a national organisation for young men aged between 18 and 40. For anyone who has ever been to an Apex meeting — and I was an Apex member for quite a few years — the ideals of this great organisation that does a lot of good work for communities around Australia are instilled in the names of its founders: John Buchan, Ewan Laird and Langham Proud.

As has already been said, Glyn's involvement in his community led him to become a Geelong city councillor for five years, from 1966 to 1971. In May 1970 he was elected as a member of the Legislative Council for the South Western Province. An electoral redistribution changed the name of that seat to the Geelong Province, which he served from 1976 until his defeat in 1982.

I was going to use the quote that the Leader of the Opposition has already used as it is a testament to the man that he went into the Trades Hall Council in Geelong and congratulated David Henshaw on his victory. Another name mentioned in the article as being part of the process was Neil Trezise, the father of the current member for Geelong. It was a testament to the person that when the result was known he was man enough to go and shake hands and say, 'Well, that's life'. I congratulate him for doing that.

In his time in Parliament he was on the Printing Committee from 1970 to 1972, the Company Takeovers Committee in 1972 and the Public Works Committee between 1972 and 1976, and he was

Cabinet Secretary from 1979 to 1981. If you read the press articles about Glyn's life, you will see that leading up to when he was appointed a minister there was speculation for a number of years about whether or not he would get a ministry and what it might be. He was rewarded with portfolios in 1981 as the Minister of Water Supply and the Minister assisting the Treasurer. He served in those positions until 1982, when the election was lost.

As has already been said, it is significant that in his address-in-reply speech Glyn spoke about decentralisation. One of the quotes in that speech was from a report by the Distribution of Population Committee, which must have been a committee of the Parliament at the time. It would have been an interesting read, and having read this, it is something I may go and have a look at. He spoke about the opportunities for decentralisation and the fact that Melbourne was growing bigger and that the smaller communities outside Melbourne were not necessarily growing at the same rate. I think that is a debate we continue to have, and various governments have done things to put in place incentives for people to move further out. As the Premier has said, the Regional Growth Fund is something that this particular government has put in place to enable those sorts of things to happen.

Glyn also spoke in his address-in-reply speech about the opportunities for tourism to be an industry that could help with decentralisation. At that time there was a lot of discussion about setting up regional tourism boards and authorities. At the time there had been one set up in Geelong, and his address-in-reply speech talked about opportunities for regional tourism authorities to be set up in other parts of Victoria. As has already been said, he was deputy chair of commissioners for the amalgamated councils, and he served in that role for the City of Greater Geelong from 1992 to 1995.

My personal involvement with Glyn probably started, like the Premier's, as a shadow minister when I met with him and others who were interested in water issues in Geelong. David Koch, the member for Western Victoria Region in the other place, and the current member for South Barwon facilitated a number of those meetings. Glyn's very keen involvement in water issues goes right back to when he was minister, particularly around the water issues for the greater Geelong region and the potential opportunities for additional water to be taken from the Otways. He had a commitment, as does the member for South Barwon, to harvest more water from what is one of the highest rainfall areas in

Victoria. He maintained that interest throughout his career.

My sympathies go to Marie, his wife of 63 years; his children, Lynne, Jillian, Rowan and Wendy, and their partners; and his grandchildren and great-grandchildren. May he rest in peace.

Debate interrupted.

DISTINGUISHED VISITORS

The SPEAKER — Order! I welcome to the gallery the Honourable Robert Maclellan, a former minister and former member for Pakenham.

CONDOLENCES

Hon. Owen Glyndwr ‘Glyn’ Jenkins

Debate resumed.

Mr TREZISE (Geelong) — I am pleased to rise to contribute to the condolence motion today for the Honourable Glyn Jenkins. I was also pleased to have attended his funeral service last Tuesday at St David’s Uniting Church in Newtown. At the service we learnt of Glyn Jenkins the politician, Glyn Jenkins the businessman and of course Glyn the much-loved family man.

As other speakers before me have noted, Glyn Jenkins served this Parliament for 12 years, firstly as the MLC for South Western Province and then for Geelong Province. He also served as Minister of Water Supply from June 1981 to May 1982. I can assure this house that outside politics Glyn Jenkins was a very much respected Geelong businessman, a much respected community leader and above all a very much beloved husband, father, grandfather and great-grandfather. At Glyn’s funeral we heard from his lifelong friend and business partner, Russell Peake. Russell described Glyn as an outstanding mentor, boss, business partner and friend. As Russell pointed out, Glyn Jenkins was a well-renowned accountant in Geelong and the wider Geelong region, being a founding partner of the pre-eminent firm Day Neilson Jenkins & John.

Glyn was also well entrenched in and a leader of Geelong community life. His name was synonymous with organisations such as Apex, the Geelong Good Neighbourhood Council, the Geelong Club and the Geelong citizens housing cooperative. As other speakers have mentioned, Glyn was also a Geelong city councillor and a deputy chair of the commissioners of the City of Greater Geelong in 1992.

At Glyn’s service on Tuesday, both Glyn’s son, Rowan, and grandson Mark Buckingham spoke eloquently and with pride of their father and grandfather. Amongst other things, Rowan recounted fondly his memories of the family holidays at Lorne after Glyn’s wife, Marie, persuaded Glyn to buy a holiday house down there in 1970. He spoke of how much Glyn loved Lorne and teaching the kids and subsequently the grandkids how to fish off the Lorne pier. Mark also spoke in loving and glowing terms of a man who was very proud of his grandchildren and great-grandchildren. No doubt Glyn would have been extremely proud of his great-granddaughter Madison, who sang beautifully at his service.

From my personal perspective, as a member of the former government I would once in a while get a phone call from Glyn or I would bump into him on the street. When talking to Glyn, you were always treated diplomatically and with courtesy, but at the same time at the end of the conversation you always knew very clearly Glyn’s views on a particular matter, generally around water.

Glyn Jenkins was also, of course, a parliamentary contemporary of my father, both of them having served during the 1970s and 1980s. From my conversations with my father, I gleaned the fact that the opinion was that Glyn was seen as a very effective member of Parliament. The respect for Glyn from people on both sides of politics was shown at Glyn’s funeral. Former local Labor members such as a former federal member for Corio, Gordon Scholes, a former upper house President, Rod Mackenzie, and long-time Labor councillor and former mayor Kevin Kirby attended Glyn’s funeral.

Glyn Jenkins was a much-respected member of the Geelong community and of this Parliament. He will be sadly missed. I pass on my condolences to his wife, Marie, his children, grandchildren and great-grandchildren. Vale Glyn Jenkins.

Ms ASHER (Minister for Innovation) — I wish to participate very briefly in the debate on this condolence motion for Glyn Jenkins. As has been mentioned by other speakers, Glyn was the MLC for South Western Province from 1970 to 1976 and Geelong Province from 1976 to 1982. As other people have also mentioned, before Parliament he was in the Australian Imperial Force, he was an accountant and he was a member of the Geelong City Council from 1966 to 1971, and post-Parliament he was a commissioner of the City of Greater Geelong from 1992 to 1995.

Glyn Jenkins held a range of parliamentary and government positions, foremost of which were Government Whip in the Legislative Council from 1973 to 1979, Parliamentary Secretary to Cabinet from 1979 to 1981 and Minister of Water Supply and Minister assisting the Treasurer from 1981 to 1982. Following his term in Parliament, he went back to practising in his accountancy practice and maintained involvement in the community. As has also been mentioned, he was a member of Apex for 19 years.

On a personal level, I first met Glyn Jenkins in 1976, when, as a very young woman, I joined the Liberal Party. He was very encouraging of all of us in the Young Libs. He took a lot of time out to encourage and support young people's involvement in Parliament. He was a really terrific guy and a great minister. For many years — and I think all speakers have touched on it — he remained engaged in politics, particularly on the issue of water supply.

As he did with others in this chamber, when I was the shadow minister for water, Glyn would regularly ring me and email me, offering very sensible suggestions. A number of newspaper articles have indicated that Glyn's father having been an irrigation farmer in Mildura gave him a base of knowledge from when he was a young man, but he was particularly interested in water supply for the Geelong region and clearly made sure that anyone, on both sides of politics, understood what he thought were some of the solutions for water supply for Geelong. Above all Glyn was a real gentleman. He was one of those old-style men who were unfailingly polite, always courteous and always respectful, which was one of the terrific reasons why it was such a pleasure to deal with him.

When one speaks this late in a condolence motion debate all the best quotes have been mentioned, but I want to make reference to the *Geelong Advertiser* commenting on Glynn's funeral in an article in which he was the subject of praise from Liberal and Labor attendees alike. Likewise everyone's attention has been focused on an article in the *Geelong Advertiser* dated 5 April 1982, written by Geoff Easdown, which described that moment when, on losing his seat, he walked into Geelong Trades Hall to shake David Henshaw's hand. I note also that this article states:

He was not prepared to carry out the act in a back room, which Labor frontbencher Mr Neal Trezise had politely reserved for the occasion.

One can only imagine what it was like walking into Trades Hall, but all bad things must have a good ending, because this article goes on to say:

But it —

meaning walking into Trades Hall —

was an act which did not end there. The defeated politician and the new man who will enter the upper house in Spring Street in June buried their differences over a celebratory beer.

I do not know whether this type of concession exists in modern politics, but I think we would all take our hat off to him for that type of concession.

As I was reading the documentation — as a city-based member of Parliament I think some of us do not really understand the pressures on members of Parliament in country areas and in regional centres — I found an article, again in the *Geelong Advertiser*, this time of 13 June, with the headline 'End to a 20-year Geelong drought'. I read on, thinking that this was obviously about the vexed issue of water, but it was not at all. The first line states:

Geelong has its first voice in state cabinet for more than 20 years.

One can see in these numerous articles the respect for Glyn Jenkins but also the genuine excitement about finally getting a cabinet minister from Geelong after all those years. Indeed the *Geelong News* of 16 December 1980 speculated:

Will Geelong finally get a voice in the inner sanctum of the Victorian government?

That article goes on to note:

Two of the local Labor members are in the opposition's shadow cabinet. Mr Neil Trezise, MLA for Geelong North, is his party's spokesman for youth, sport and recreation, and Mr Rod Mackenzie, MLC ...

Again I would have thought that, with that type of publicity, the burden on members of Parliament and indeed ministers would have been significant, but Glyn handled everything in his stride.

He was very modest, very focused on outcomes and a real gentleman. I offer my deepest sympathy to his wife, Marie, and his children, Jill, Lynne, Rowan and Wendy, and their families. May he rest in peace.

Mr O'BRIEN (Treasurer) — I rise to join the condolence motion debate to pay tribute to the life and parliamentary service of Glyn Jenkins. I will not repeat the basic biographical data that other members have so eloquently described in relation to Mr Jenkins's service, but I note that his was a life of service.

Suitably for a trained accountant, Mr Jenkins was also appointed at one time as Minister assisting the

Treasurer. Back in the 1981–82 period the Treasurer was also the Premier, the Honourable Lindsay Thompson, a predecessor of mine in the electorate of Malvern and also the father of the member for Sandringham. I can only imagine today what it would be like to try to combine the roles of Premier and Treasurer. I do not recommend it to either the Premier or myself. It is an extraordinary thing to imagine that those two very onerous positions were combined. I think it is fair to say that Glyn Jenkins, as Minister assisting the Treasurer, would have played an extremely pivotal role in putting together budgets during his period of service.

I went back to *Hansard* of 16 September 1981, when the appropriation bills — the budget bills for the 1981–82 year — were introduced. The budget speeches were delivered by the Premier and Treasurer, but obviously Glyn Jenkins had quite a bit to do with them as Minister assisting the Treasurer. I note that one of the budget initiatives introduced in that year was to increase considerably the refund of stamp duty for first home buyers. Can I say that that was a great initiative from the government benches then, and I note in passing that it is something this government has also done as recently as Monday. It is very important to try to stimulate the first home buyer market. I also note that the government of the day announced that there was an 11.4 per cent increase in funding for police in that budget. That was an increase of \$23.1 million, for a total police budget of \$226.6 million. By contrast, the police budget this year is \$2.43 billion, so things have certainly moved on since that time.

Glyn Jenkins made an extraordinary contribution, not just to the Parliament and the ministry but also to his community, as the Premier mentioned. In his maiden speech, Mr Jenkins emphasised the importance of decentralisation, acknowledging that Victoria is much more than just Melbourne and saying that we need to have strong regional cities in order for the whole state to prosper. Glyn Jenkins continued his service to the community well after his exit from Parliament. He did an extraordinary job in serving as a commissioner for the City of Greater Geelong, he continued his interest in policies that affected his community and he is somebody who had a life very well lived.

I place on the record my condolences to his wife, Marie, and to his children and his grandchildren, and I acknowledge his service to Victoria.

Mr MULDER (Minister for Public Transport) — Glyn Jenkins's passing comes after 63 years of marriage to Marie, and this marriage produced four children. I note that Glyn's father was a Mildura soldier

settler, and the significance of that did not really occur to me until later in life. I came from a housing commission estate, and I think there were more than 30 people living in three houses, one of which was ours. I started to travel around the district, into Simpson, out to Irrewarra, Camperdown and Cobden, and I had a look at those soldier settlement farms. Basically they were housing commission houses with a paddock wrapped around them. They produced people who are the salt of the earth. Those people who lived and were brought up in those communities had to make their own fun; they had to create their own sense of community. They built their own football clubs, and they produced some fantastic people. They produced people who have gone on in life to do great things, as indeed Glyn Jenkins did in his role as a member of Parliament.

I often used to look at him and think that if you lined up a dozen people and said, 'Pick the person amongst those people who used to be a member of Parliament', then you would point your finger straight at him, because he had a great presence about him. It was the way he dressed, the way he presented himself and the way he spoke to people. You could tell he was very much engaged with the broader community. In fact, when we were having that great debate about farm dams, I can recall that both Glyn and Dick de Fegely rounded up David Koch, Simon Ramsay, I think it was, and me, and put us on an aeroplane. He flew us around the Otway Ranges, looking at potential dam sites. He also put us in a four-wheel drive and drove us everywhere. I said to David Koch, 'How old are these guys?'. He replied, 'About 80!'.

Glyn Jenkins never, ever lost that passion for the community or having an active role in terms of making a contribution. Indeed Glyn was always at the alumni meetings that the member for Doncaster so faithfully organised for all of us. In fact, you would look at him and say, 'Is that guy a member of the upper house still?'. He would have fitted in okay, because he still had that sense about him — that presence — that said, 'This guy is actively involved in politics'.

In his maiden speech in 1970 he predicted that — and I think the Leader of the Opposition will understand this — 'the problems of the [Melbourne] metropolitan area will grow'. He was right; the issues surrounding Melbourne and its growth are an issue going forward. I often used to have a discussion with Glyn about my plans for public transport and roads, and of course he would always have a lot to say not just about Melbourne but also about how Geelong would fit into that greater picture. In fact, when he made that speech in Parliament, I would have been an 18-year-old driving

around in an Holden FE with a blonde alongside me, so it just goes to show you how times have progressed, and how things have moved on.

In his maiden speech Glyn referred to the 1970 formation of the Colac and Otway Tourist Council. He had a strong interest in and a great sense of the potential of the Otway Ranges and district.

I will not go into a number of issues that other members have raised, but the Leader of the Opposition spoke about Glyn visiting Trades Hall in Geelong to shake the hand of the opponent who cleaned up. For anyone, particularly a conservative politician, to stay in there for half an hour without the roof caving in was one hell of an effort, I might say. It just goes to show the strength of the person — the fact that not only did he go in and congratulate his opponent but he was then prepared to engage in conversation for about half an hour about how the campaign ran. He probably had a drink, and I imagine he did some sort of handover to the successful candidate at that election.

Many politicians of years gone by are still very actively engaged in their communities. Glyn was like that. He stayed active in his community right to the end, and he will be sadly missed throughout the Geelong region. It is a measure of the man. Vale, Glyn.

Mr KATOS (South Barwon) — I am pleased to rise to speak about the life of Owen Glyndwr ‘Glyn’ Jenkins. Glyn was born in Mildura on 8 April 1927. He was the first son of Frederick John Jenkins and Doris Holliwell Lewis. He had two brothers and a sister. They originally lived at Red Cliffs and then moved to Condamine to a property called Coolibah, which was 3000 acres. Glyn finished his schooling at Condamine and later went on to Toowoomba technical college, where he studied in the field of accounting. At that time the Second World War was raging, which was very serious for the people of Queensland, particularly in northern Queensland.

In December 1943 Glyn and one of his brothers travelled to Geelong from Toowoomba. His mother and sister were living in Portarlington at the time, so he went to live with them. That is how Glyn came to be in Geelong. In December 1943 Glyn commenced work as an accountant with Andrew J. Craig, a chartered accountant working on the first floor of the Bank of New South Wales building on the corner of Moorabool and Ryrie streets. He undertook his chartered accountancy course by correspondence. Glyn began serving in the army in April 1945 and was discharged on 16 December 1946.

In February 1947 Glyn went to a dance at the Palais Royal in Moorabool Street, as many young men and women would have done at the time, and he met Marie Gwynne Hering for the first time. They hit it off right at the start, and their relationship continued to grow. Marie worked as a dental nurse opposite where Glyn was working, so they could see each other from their first-floor windows. Their relationship continued to blossom, and they became engaged in April 1950. They were later married, on 23 June 1951, at the Church of Christ in Latrobe Terrace. Glyn’s brother Morg was his best man.

As other speakers have said, Glyn was very involved in the Geelong community. He joined the Apex club in May 1948 and served on the board of the club, on several occasions as president. He was made a life member, which was an outstanding achievement.

As far as his accountancy practice goes, Glyn took over a small office at 94 Ryrie Street, where he practised, not surprisingly, under the name ‘Glyn Jenkins, Chartered Accountant’. The accountancy and secretarial business increased, and he later became secretary of the Geelong Chamber of Commerce and Manufacturers, the Geelong Master Builders Association and the Geelong Retail Traders Association. At that time Glyn took the opportunity to be registered as a trustee in bankruptcy and a company liquidator. As a former business owner in Geelong, I can tell members that you always dreaded getting a letter from Glyn Jenkins and associates, because it usually meant someone you were dealing with had gone broke and you had done your money. They were letters that as a business owner you did not want to get in the mailbox, because Glyn specialised in insolvency.

In the early 1960s Sir Roy Fidge, the then mayor of Geelong, encouraged Glyn to stand for the Geelong City Council. He was elected as a councillor for Kardinia ward in August 1966. He was appointed chairman of the council’s finance committee and continued to serve as a councillor until he was elected to the Victorian Legislative Council.

Glyn joined the Manifold Heights branch of the Liberal Party and was appointed president at his very first meeting. He stood for preselection for the seat of Corio following the retirement of Sir Hubert Opperman but was unsuccessful. In 1970 the Honourable Geoffrey Thom, a member for South Western Province in the Legislative Council, became ill and did not seek re-election. Glyn won preselection for the seat from a field of 10 candidates at the convention in Winchelsea. He was elected to the seat in April 1970 and was sworn in as a member of the Legislative Council in June 1970.

During his time in Parliament Glyn served as chairman of the parliamentary Public Works Committee for one term before being appointed the Liberal Party whip for the upper house.

Following a redistribution of electoral boundaries in 1976 Glyn was elected to the new seat of Geelong Province. Glyn became Parliamentary Secretary to the Cabinet in 1979. Following the election of Lindsay Thompson as Premier in 1981 Glyn became Minister of Water Supply and Minister assisting the Treasurer. As other speakers have noted, Glyn was passionate about water supply. That may have stemmed from growing up in Red Cliffs and Condamine and seeing how those communities dealt with water issues. Glyn often came into my office even before I was elected to Parliament, and I noted his deep passion for water policy. I hate to tell those on the other side but Glyn was not a supporter of desalination. As other speakers have said, Glyn was a great supporter of looking for more opportunities in the Otway Ranges.

As I said earlier, Glyn's accounting practice was very well known in Geelong. In May 1993 the then Minister for Local Government asked Glyn to become a commissioner for the newly created City of Greater Geelong, and he subsequently took up that post. One of my electorate officers, Yogi Stefanovski, worked for Glyn at the time, assisting him in his role as a commissioner, and she always spoke very highly of Glyn and his abilities. Even after I was elected Glyn would often pass by my office to offer his ideas, his wisdom and his experience. I certainly respected his views and opinions. He was a very wise person to seek counsel from.

He will always be respected by all in the Geelong community regardless of their politics or background. He was a great man and will be sadly missed by all the people of Geelong. I wish to extend my sympathy to his wife, Marie, his children, grandchildren and great-grandchildren. Vale Owen Glyndwr Jenkins.

Mr THOMPSON (Sandringham) — In the 1980s Martin Flanagan was a sports writer for the *Age*. After an heroic innings by Allan Border, the Australian test captain at the time, Flanagan referred to the accountancy in Border's batting style. It was practical, focused and enabled him to be resilient against the near overwhelming odds at the time. Glyn Jenkins had the bearing and the perspective of a fresh-faced accountant — not dissimilar from my early recollections of the fresh-faced enthusiasm of the members for Forest Hill and Glen Waverley, fellow bean counters. There might be a bean counter on the

frontbench as well, the member for Scoresby, who was previously the member for Wantirna.

In the mid-1990s there were controversial circumstances in this house where the cost of an increase in kindergartens was compared to the cost of a hamburger per week. One day, when this was raging in the house, a question was put to the then planning minister, who may be in the chamber today. The opposition, which had seized upon the idea of McDonald's, was chanting, 'Big Mac, Big Mac, Big Mac'. As the minister took his place at the table, he said, as I recall, 'I don't really mind being called Big Mac by way of a soft serve from the thickshakes and small fries on the other side of the house'. While the remark is recorded in *Hansard*, the point should be noted that the person regarded as having the finest wit in the chamber over several decades, as a minister in successive governments, was Rob Maclellan. That is just one example of his wit.

I had the chance to speak to Rob in the library just before my contribution today, and I sought his insight on a fellow cabinet colleague. His remarks were that Glyn Jenkins was a very thoughtful member who always sought in a constructive way the views of colleagues and also opponents, that he was a great local district member, that he listened and, most importantly, that he stood up for Geelong.

I would also like to draw on the insight of a former member in the other place, Ian Cover — a great raconteur, a person who sometimes wore the label of Coodabeen champion and a person who did indeed serve as a champion for Geelong Province in the other place. In the years 1973, 1974 and 1975, when Glyn Jenkins represented the Geelong area, Ian Cover was a trainer for the Geelong Football Club. In his own words, Mr Cover carried the water bottle and the magic towel — the magic towel being a device that was used before painkillers to treat all manner of injuries. Perhaps it was those skills that led Glyn Jenkins to recruit him as an electorate officer in 1982.

On one occasion, before the advent of the mobile phone, Jenkins gave him instructions for a press release from Melbourne during a sitting week. He rang up the next day to find out how it had gone and whether it had got a run. Ian Cover was pleased to report two things: one, that it had made the front page of the *Geelong Advertiser* and, two, that there was a photo of the member to accompany the story. For a mild-mannered accountant, that outcome was an achievement.

In terms of Glyn's wider interests after politics, he was a very keen supporter of the Geelong Football Club.

The remark was made at his funeral, according to Ian, that in going to the football it was not always the fortunes of the club that captured Glyn's imagination, understanding and interest; it was also watching the reactions of the people around him to the quality of the umpiring decisions and the demeanour of the players on the ground. There was also commentary that while he served in this place for 12 years, it was his contribution beyond the Parliament that marked his wider achievement — as a long-term accountant, liquidator and insolvency expert, a 19-year volunteer veteran with Apex and, after he left this place, a commissioner with Frank Wilkes for the City of Greater Geelong. That is important to note.

At the 1996 election, which followed a successful grand prix, there was uncertainty about the fate of the Kennett government. There was a dispute about CityLink, which was being built at that stage, in Melbourne. In Geelong, Glyn Jenkins was the numbers person who on quick reflection and analysis of the figures in the seats of Bellarine, Geelong and South Barwon was able to determine that Ian Cover would be successful in his quest for an upper house seat representing Geelong Province.

In terms of Glyn's personal history, an interesting narrative is available which defines his early residency in Red Cliffs on a soldier settlement block, block no. 63, near the then Mildura east primary school, and a later move up to the Condamine River. There was a very interesting and memorable story he told of travelling in a Chevrolet ute from Condamine down to Bendigo and Melbourne and back again along unmade roads, in part. That formed an impression on his memory and gave him a wide overview. He championed the cause of decentralisation, and he championed the cause of local tourism in Geelong, on the west coast and in the wider Geelong district. I convey the condolences of our family to his wife, Marie, and his children, Jill, Lynne, Wendy and Rowan.

Motion agreed to in silence, honourable members showing unanimous agreement by standing in their places.

ADJOURNMENT

Dr NAPHTHINE (Premier) — I move:

That, as a further mark of respect to the memory of the late Honourable Owen Glyndwr 'Glyn' Jenkins, the house now adjourns until 4.00 p.m. today.

Motion agreed to.

House adjourned 3.01 p.m.

The SPEAKER took the chair at 4.03 p.m.

MEMBER FOR FRANKSTON

The SPEAKER — Order! I wish to advise the house that I have received a letter from the Clerk of the Legislative Assembly:

I advise that an amount of \$6838.44 was paid into the Parliament's bank account by the member for Frankston in August. This figure equates to the amount required to be paid by the member for Frankston under parts (3) and (4) of the resolution passed by the house on 11 June 2014.

I wish to advise the house on the status of the motion passed on 11 June 2014 in response to the Privileges Committee report of May 2014. As advised, the member has paid the Parliament the amounts required by items (3) and (4) of the motion. Item (6), which referred to naming the member for Frankston, was complied with on 11 June.

Item (7), which referred to the member for Frankston not being permitted any overseas or interstate travel funded by his electorate budget while he is suspended, has been complied with — the Parliament has not provided funds to the member for travel during the period of the suspension. Item (9) referred the report of the Privileges Committee to Victoria Police for investigation. This has been complied with, and the house was advised on 19 August that Victoria Police has assessed the matter and any additional police investigation would be unlikely to advance the case.

Item (10) requested the Speaker write to the Premier to request the government to consider legislative changes. This has been complied with. Item (11) referred recommendation 3 of the Privileges Committee report of May 2014 to the Standing Orders Committee. This has been complied with.

Item (5) instructs the member for Frankston to apologise to the house and the people of Victoria. Item (8) refers to the apology being made on 2 September 2014. The member for Frankston has requested that he be given the call to make a personal explanation to the house. I have agreed to the request and have approved the member's personal explanation.

Before calling the member, I advise all members of the following: no points of order will be heard during the personal explanation, no debate will be entered into and the personal explanation will be heard in silence. Standing order 124 will be applied if this is not adhered to. I draw the attention of members to page 140 of *Rulings from the Chair 1920–2014*, which clearly outlines what is and is not permitted when making a personal explanation.

Contrary to comments and speculation by members and others on the role and authority of the Speaker in this matter, there is no provision, standing order or precedent that allows a Speaker to direct what a member may or may not say in a personal explanation. The Speaker's role is to ensure that a personal explanation is in accordance with standing orders and *Rulings from the Chair 1920–2014*. The Speaker's role is not to decide the veracity of a personal explanation or whether, as in this case, a directed apology is appropriate; that is a matter for the house. The Speaker must ensure that a personal explanation does not impugn or impinge on another member. The Speaker must ensure that the personal explanation does not enter into debate or simply engage an argument on differences of opinion.

I now move to the timing of when a personal explanation can be made. A personal explanation can only be made when there is no question before the Chair. It has been the practice in the past that a personal explanation is normally given after question time or at a change of business. However, there have been exceptions made by previous speakers to this practice. The timing of when a personal explanation can be made is entirely a decision for the Speaker to make. It is not a decision for the government, opposition, the leader of government business or any individual member of the house. Because of the importance of this personal explanation to the house and member concerned, I will call the member for Frankston to give his personal explanation immediately.

PERSONAL EXPLANATION

Member for Frankston

Mr SHAW (Frankston) — Due to the importance of this matter and in order to fully comply with this motion, I will be reading from this prepared script.

In June 2014 the member for South-West Coast brought a motion to the house which was voted on and passed by this Assembly. This tight, prescriptive motion contained 11 points, some referring to a police investigation into the Privileges Committee and an Ombudsman's investigation into myself. Points (3) and (4) of the this motion require me to pay a total of \$6838.44 to the Parliament by 1.00 p.m. on 2 September, which I have complied with.

To avoid being in contempt of the Legislative Assembly, now I would like to address points (5) and (8) of the motion. In this context, and in fulfilment of this motion's requirement at point (5), I humbly and sincerely apologise to the house and to the people of

Victoria for my breach of the code of conduct for members as set out in section 3 of the Members of Parliament (Register of Interests) Act 1978.

I also apologise for breaching what the Privileges Committee says specifically is section 3(1)(a), which states:

Members shall —

- (i) accept that their prime responsibility is to the performance of their public duty and therefore ensure that this aim is not endangered or subordinated by involvement in conflicting private interests;
- (ii) ensure that their conduct as members must not be such as to bring discredit upon the Parliament ...

I accept — and I have always stated throughout the various investigations, including a thorough and rigorous investigation by the department of public prosecution, which found no wrongful action — that the buck stops with me, and I have taken full responsibility. I have always sought a conclusion to this matter, and I genuinely apologise if my actions to date did not demonstrate such a commitment.

We are all elected to represent the best interests of our communities, and that has always been my sincere intention in Frankston. I understand that this matter has been a distraction, for which I am sincerely sorry.

QUESTIONS WITHOUT NOTICE

Education and Early Childhood Development deputy secretary

Mr MERLINO (Monbulk) — My question is to the Minister for Education. I refer to the findings of the independent inquiry into child sexual exploitation in Rotherham, northern England. That inquiry found that at least 1400 children, some as young as 11 years old, had been raped, trafficked and abused by gangs of men in Rotherham Metropolitan Borough Council, where Dr Sonia Sharp worked as the director of children's services. I ask: does the minister take full responsibility for Dr Sharp's appointment and ongoing work as a deputy secretary in his department — yes or no?

Mr DIXON (Minister for Education) — I thank the member for his question and also note that it is 1 year, 3 months and 24 days since he last asked me a question regarding education. Obviously education has slipped as a priority as far as the opposition is concerned — it should be no. 1.

The recruitment and management of senior positions within the department is part of the responsibility of the

secretary of the department. That secretary has assured me that the process of recruitment was carried out with full integrity and according to all the processes that would be expected of the position of secretary.

Employment

Mr WATT (Burwood) — My question is to the Premier. How is the coalition government providing confidence to major employers to invest in Victoria, create new jobs and build a better Victoria, and are there any threats to this?

Honourable members interjecting.

The SPEAKER — Order! The member for Williamstown! I understand the member has lost a bet, but he knows it is against standing orders to wear a football scarf in the house. I ask him to remove it immediately. The member was foolish to make the bet.

Dr NAPHTHINE (Premier) — I thank the member for Burwood for his question and his interest in jobs and opportunities in the state of Victoria. This morning I was at Chadstone shopping centre with the Treasurer; John Gandel, AO, chairman of Gandel Group; and Angus McNaughton, CEO and managing director, CFS Retail Property Trust Group, to announce a massive expansion of the centre. It is a \$580 million investment with 7000 jobs in the construction phase and 3400 ongoing permanent retail jobs with this expansion at Chadstone shopping town. This is a massive vote of confidence in this government, in Melbourne and in Victoria.

Melbourne is well known as the retail and fashion capital of Australia. Chadstone is one of the top 10 shopping precincts anywhere in the world. It is a major shopping, fashion and retail precinct. It attracts shoppers from throughout Melbourne, Victoria, Australia and indeed the world. This \$580 million investment will provide for 40 new retail stores, 5 new international flagship stores, a massive new cinema complex, 2 new food courts, an 10-level office complex, a centralised bus interchange and 800 additional car parking spaces.

Chadstone and the Gandel Group know that Victoria has a growing population, with 2 per cent population growth, well ahead of the national average of 1.8 per cent and well ahead of the New South Wales average of 1.5 per cent. They also know that retail sales in Victoria are growing at 6.2 per cent, which is well ahead of the national average of 5.5 per cent. They also are well aware of our tourism growth of about 10 per cent per year, which is driven by our major events and major

sporting events calendar, by our natural attractions, by our food and wine industries and also by our fashion and shopping industries.

Indeed many tourists come to Melbourne and Chadstone for the fashion and the shopping. That is why in recent times we have seen 1000 new jobs being created at Emporium Melbourne, 1700 new jobs at Eastland and 1000 new jobs at McDonald's. In February Coles announced the creation of 3500 new jobs with 14 new stores. There are 1800 new jobs at Woolworth's, and 500 new jobs at Cotton On. We have seen major flagship department stores from around the world coming to Melbourne and Victoria — UNIQLO, MUJI and H & M — because they know this is the fashion, shopping and retail capital of Australia and certainly a major retail centre compared with anywhere in the world.

While the opposition may deride this massive investment in new jobs and new opportunities, we on this side of the house are very pleased that we have provided the economic strength and the economic environment that has won a \$580 million investment, with 7000 new jobs in construction and 3500 permanent new jobs. I congratulate the Gandel Group's CFS Retail Property Trust Group. This investment reaffirms that Chadstone in Melbourne will be a fashion capital, a retail capital and a shoppers paradise for years to come.

Education and Early Childhood Development deputy secretary

Mr MERLINO (Monbulk) — My question is again to the Minister for Education. I refer to the findings of the independent inquiry into child sexual exploitation in Rotherham in northern England, which found that council officials at the Rotherham Metropolitan Borough Council suppressed evidence of the rape, trafficking and abuse of 1400 children, some as young as 11, by gangs of men, and I ask: does Dr Sonia Sharp's current role in the minister's department have any responsibility for policy or practices relating to the protection and welfare of children?

Mr DIXON (Minister for Education) — I thank the member for his question. The issues of child exploitation in Rotherham, England, are absolutely abhorrent. When one reads the report and reads of the issues regarding that report, it is clear there has been shocking abuse of children carried out over a number of years. I have been advised by my secretary that he has read right through the report and has reviewed the findings of the report. The secretary is satisfied that no direct finding has been made against Dr Sharp and nor

has there been any general criticism within that report of any collective failure of any of the programs associated with Dr Sharp.

Federation Square east

Ms RYALL (Mitcham) — My question is to the Minister for State Development. How is the coalition government's unlocking of underutilised land in Melbourne's rail corridors driving economic opportunities, creating new jobs and building a better Victoria, and are there any threats to this?

Honourable members interjecting.

The SPEAKER — Order! The house will come to order!

Mr RYAN (Minister for State Development) — I thank the member for her question. I hear the interjections, which I know are disorderly and that I should not respond to them, but the Leader of the Opposition was heard to say in a stage whisper, 'That's in the bottom drawer. We have been there'. That is the big difference between us and them, because we are going to do this. We are going to enable this to happen. The Labor government could not do it, and that is what drives the commentary we are hearing from opposition members today.

Honourable members interjecting.

The SPEAKER — Order! Members will cease interjecting. I ask the minister not to invite interjections.

Mr RYAN — Indeed, Speaker. I just could not resist. In fact we have gone about this whole process in a very proper and appropriate manner, something that is completely foreign to the Labor government. As the house would know, this is one of the four major projects in the rail corridors, they being the Richmond station redevelopment, the development of Federation Square east, the redevelopment in relation to Flinders Street — —

Ms Duncan interjected.

Questions interrupted.

SUSPENSION OF MEMBER

Member for Macedon

The SPEAKER — Order! Under standing order 124, the member for Macedon will leave the house for an hour.

Honourable member for Macedon withdrew from chamber.

QUESTIONS WITHOUT NOTICE

Federation Square east

Questions resumed.

Mr RYAN (Minister for State Development) — E-gate is the fourth project. The difference with this side of the house is not only is the proper process being applied to this but also we allocated \$8 million in our budget in May, which has been dedicated to all planning and all matters relating to procurement with regard to these projects.

Insofar as the Federation Square east development is concerned, there was a request for industry interest elicited in April last year. In July we had a number of applications made to us from industry, which is very interested in seeing this development occur. As a result of that process, the necessary work has been undertaken from the funds we allocated in the budget to make sure that we prepare the appropriate expression of interest. This will be issued on 15 September with a view to it being responded to in December this year.

We know that what is now a black hole in the landscape of Melbourne is located in a magnificent position for future development. It is very close to the MCG and the sporting precinct, close to the parklands, close to the centre of the city and has all the attributes which are of enormous interest to the commercial sector. Indeed many from that sector have come to us over the course of the past months to enable them to be involved in the development of this site. and so it is that there is this expression of interest. It could have been that we were able to use the unsolicited bids process to further the development of this site, but we have chosen rather to go through the expression-of-interest process and that, as I said, will be issued to the commercial sector on 15 September.

We are very confident that this is going to be able to be developed in a manner which will not require a contribution on behalf of Victorian taxpayers, because, apart from anything else, through projects such as the regional rail project we have learnt about issues with the management of the rail system where you have major developments of this sort involved. This is all news to a Labor opposition now, but the former government had absolutely no clue as to how to go about these proposals. It talked it up and never, ever did it. It is going to be done.

I was asked if there were threats to unlocking under-utilised land. I refer to the front page of the *Age*, which talks about the latest exercise of the

Sydney-based Construction, Forestry, Mining and Energy Union and the activities it has been involved in that are a threat to this project and the many others that Melbourne otherwise would lay claim to.

Education and Early Childhood Development deputy secretary

Mr MERLINO (Monbulk) — My question is again to the Minister for Education. Can the minister explain why the career profile for Dr Sonia Sharp on the minister’s departmental website makes no reference to her four years as the director of children’s services at the Rotherham Metropolitan Borough Council in the UK? Why has this particular period of Dr Sharp’s career been omitted from the departmental website?

Mr DIXON (Minister for Education) — I thank the member for his question. As I said in my previous answer, the secretary of the department has reviewed the issues and a review of that report on those incidents shows very clearly that there is no direct finding against Dr Sharp, not in a specific or a general sense in terms of her work as the director of children’s services at Rotherham. All the processes to do with the appointment of —

Mr Merlino — On a point of order, Speaker, on relevance, the question was not about the recruitment processes, and it was not a question about the report. There was no preamble to this question. The question was about why Dr Sharp’s period at Rotherham has been airbrushed from the public record.

The SPEAKER — Order! The member for Monbulk knows very well that raising a point of order is not an opportunity to repeat the question.

Mr DIXON — Again, as I said, the integrity remains in all aspects of the appointment process, including the past work record of Dr Sharp, as part of her appointment to my department.

Building industry

Mr THOMPSON (Sandringham) — My question is to the Minister for Industrial Relations. What measures is the Victorian coalition government taking to tackle criminal involvement in the building and construction industry in the light of recent evidence, and are there any threats to these actions?

Mr CLARK (Minister for Industrial Relations) — I thank the honourable member for Sandringham for his question. As was referred to by the honourable member, this morning’s newspapers around Australia carried stories of extraordinary evidence given

yesterday in Sydney to the Royal Commission into Trade Union Governance and Corruption. The headlines included, from the *Australian* ‘CFMEU officials took weekly kickbacks’, from the *Daily Telegraph*, ‘Prison inmate and cage fighter Jimmy Kendrovski scared into silence on CFMEU by jail bashing’, and from the *Age*, ‘CFMEU took weekly kickbacks from George Alex companies, royal commission hears’.

Those reports were backed up by detailed media reports this morning of allegations, including that the Construction, Forestry, Mining and Energy Union (CFMEU) allegedly received a weekly kickback of \$2500 from labour hire companies linked to Sydney crime figure George Alex; that Mr Kendrovski was assaulted in Parklea jail on Friday after being summonsed to give evidence at the commission and refused to answer questions because he feared for the safety of his wife and children; that a convicted terrorist allegedly helped his mother-in-law to get a job as a bookkeeper for Elite Access Scaffolding, one of the companies that allegedly paid kickbacks to the CFMEU; and that criminal identities, including an ex-Comanchero bikie, were seen as guests at Mr Alex’s house, as were New South Wales CFMEU officials.

These allegations are very serious indeed. They reinforce longstanding concerns held by the government about criminal involvement in the building and construction industry here in Victoria — concerns that have previously been raised about projects such as the desalination plant and the West Gate Bridge. I am sure many honourable members will recall the stories of balaclava-clad thugs and bikie gang members on picket lines. Criminal conduct in the building and construction industry not only threatens the rule of law, it also massively increases building and construction costs. Victorians just cannot afford to risk having hundreds of millions of dollars added to construction costs for projects across the state, such as grade separations or new or upgraded rail lines, as a result of standover tactics and extortion.

The coalition government has been determined since being elected to do everything within its power to ensure that the building and construction industry in Victoria is law abiding, safe and productive, and to change the culture of tolerance of law-breaking that has unfortunately corroded our building and construction industry. There should be no field of business or activity in this state where people think that the law does not apply. That is why we have introduced reforms such as clear and strong rules for anyone contracting to do Victorian government construction work. They must obey the law and ensure that

everybody else who works on the site obeys the law and does not give in to unlawful demands — no coercion, no undercover payments, no intimidation.

That is a key reason why we have recently extended our rules to require mandatory drug-and-alcohol-screening and site-entry requirements. We have backed up those rules with a construction code compliance unit that supplies the inspectorate on the ground to visit building sites, not only where problems have been identified but to make sure they are not occurring at other sites. We have also backed that up by giving police strong powers to act against criminal bikie gangs.

There have been threats made by those who are opposed to what we are doing, those whose ability to coerce and intimidate is undermined and whose power and influence are thereby weakened and whose political affiliates are only too willing to commit to scrapping the coalition's compliance unit. We are not talking about stolen tape recorders here. You cannot just turn a blind eye to organised crime and bikie gangs. Victoria cannot afford political leaders, let alone a Premier of this state, who is beholden to the support, the dollars and the influence of the CFMEU.

Frankston & District Basketball Association

Mr SHAW (Frankston) — My question is to the Treasurer. Can the Treasurer confirm whether the previously agreed \$2.5 million funding for the Frankston & District Basketball Association's building expansion will be available to the club this month or next?

Mr O'BRIEN (Treasurer) — I thank the member for Frankston for his question. In the 2014–15 budget this government was very pleased to announce that it was establishing the Strategic Sporting Infrastructure Fund with \$35 million of funding over the next two years. This is a government that not only can manage the state's budget but can invest in important community sporting facilities to get more Victorians more active more often. This is going to be a terrific program. It will certainly be available for the development of very important and useful community sporting facilities.

I note the member for Frankston's interest in the Frankston basketball centre, although it is not located in his electorate. It is located in the Carrum electorate, and the member for Carrum has been a very strong advocate for this project, as has the member for Frankston. This particular program is being managed by Sport and Recreation Victoria under the responsibility of the Minister for Sport and Recreation,

the Honourable Damian Drum. My understanding is that there has been considerable work done by the advocates of this facility at the local level, by the Frankston City Council and by the department. I understand that matters are progressing well, and it is exactly the sort of investment that this government is able to make because of its solid management of the economy and its commitment to improve sporting facilities in local communities.

Dairy industry

Mr BLACKWOOD (Narracan) — My question is to the Minister for Agriculture and Food Security. How is the Victorian coalition government's support for the dairy industry to grow jobs, exports and investments helping to build a better Victoria?

Mr WALSH (Minister for Agriculture and Food Security) — I thank the member for Narracan for his question about the dairy industry. As everybody in this house would know, there are quite a few members of Parliament on the government benches who are very supportive of the dairy industry in Victoria. We have seen the annual financial reports of a number of the dairy companies recently, and Bega Cheese, Warrnambool Cheese & Butter and Murray Goulburn have all reported very strong financial results for the last financial year.

I draw the attention of the house to the announcement last week by Fonterra CEO Judith Swales, which she announced as a 'game changer' for Fonterra and the dairy industry, particularly in Gippsland and the member for Narracan's area. Fonterra has announced a joint venture with Beingmate, one of the large infant formula manufacturers in China. This \$615 million New Zealand joint venture will see the Darnum plant, which is owned by that joint venture, gain access to 80 000 retail outlets in China for the infant formula it will be manufacturing. That is a great outcome for the dairy industry. It will secure jobs at Darnum and lead to more jobs there as well.

The infant formula market in China at the moment is worth about \$18 billion per year. By 2017 it is estimated that the infant formula market in China will be worth \$33 billion per year. With discussions that are happening with other companies and with a number of Chinese delegations that have been out here or are out here at the moment, I would expect more positive announcements about the dairy industry and investment by the Chinese, making sure that we get better market access for our products into China. I think it is a great outcome.

The member asked about the support for the dairy industry by the Victorian government. If you look at what the Regional Growth Fund has done for the dairy industry in Victoria, you see there is the investment the Deputy Premier has spoken about at Shepparton — the \$42 million investment in the Pactum Dairy Group to open a UHT milk plant, which will lead to more jobs and more exports from that plant. There is also a \$22 million investment in an upgrade at Burra Foods, and money from the Regional Growth Fund has enabled that to happen. It is a great outcome for Burra Foods. There is also the money that went into Murray Goulburn at Leongatha for an energy upgrade. Again, that will lead to more exports in the future, so these are some really good outcomes.

As the Australian Bureau of Agricultural and Resource Economics and Sciences recently reported, 16 000 jobs have been created in the dairy-growing part of the industry — the farming part of the sector — and another 11 000 jobs created in the processing side. This is a major part of the Victorian economy, particularly the regional Victoria economy. If you look at the export figures for 2012–13, you see there has been \$1.8 billion worth of exports out of this state, particularly into Asia and the Middle East. That means that 86 per cent of Australia's total dairy exports come out of Victoria.

Tomorrow the Deputy Premier will be releasing the Victorian dairy farm monitor report, which is undertaken each year to look at how the dairy farming side of the sector is progressing. What that will show tomorrow is that it has been a profitable year for dairy farmers in 2013–14, recovering from some of the challenges they had in previous years. That return to profitability is led by their ability as dairy farmers but also by the work that the government is doing in assisting with access to new markets and particularly higher value markets. There have been returns going back to the farmers over that time. There is a lot of support for the dairy industry from this side of the house.

Education and Early Childhood Development deputy secretary

Mr MERLINO (Monbulk) — My question is to the Minister for Education. I refer to comments from the minister's deputy secretary for the early childhood and school education group, Dr Sonia Sharp:

You can't be a director of children's services and not take responsibility for what happens to children.

I ask: how on earth did Dr Sharp's role in a systematic cover-up which allowed at least 1400 children to be raped, trafficked and abused by gangs of men in the UK

not disqualify her from a senior job in his department earning up to \$300 000 a year?

Mr DIXON (Minister for Education) — I thank the member for his question. As I said earlier, the recruitment and management of senior officials of the department are certainly the responsibility of the secretary. My secretary is satisfied, having read the report into the incidents, that there is no particular finding against Dr Sharp in a specific or general sense. I am satisfied and the secretary has satisfied me that the recruitment process was conducted with all the integrity that is required of the secretary of the department.

Mr Merlino — On a point of order, Speaker, on the question of relevance, we have heard the same answer from the minister. There have been four questions, and we have heard the same answer each time. Did Dr Sharp write this possible parliamentary question?

The SPEAKER — Order! The member for Monbulk! The minister has finished his answer.

Honourable members interjecting.

The SPEAKER — Order! The house will come to order.

Economic management

Ms MILLER (Bentleigh) — My question is to the Treasurer. How is the coalition government's strong economic management helping to secure private investment and jobs in Victoria, and are there any threats to this?

Mr O'BRIEN (Treasurer) — I thank the member for Bentleigh for her question and for her great interest in growing the Victorian economy and in growing jobs. It was terrific to welcome the Premier to my electorate this morning with John Gandel from the Gandel Group and Angus McNaughton of the CFS Retail Property Trust to start commencement of the \$580 million investment in expanding the Chadstone shopping centre. As the Premier mentioned, there will be 7000 new jobs created through the construction, and not just in construction but in manufacturing as well — all the people manufacturing for the fit-outs of the new cinemas, new shops and new offices. There will be new jobs for Victoria, with 3400 permanent, ongoing jobs. This is a significant investment and a significant vote of confidence in Victoria and in the coalition government's management of the economy.

This was reinforced today by the Australian Bureau of Statistics data on building approvals for July, with Victoria's figure being \$2.1 billion, up 4.1 per cent. The

national figure declined by 10.4 per cent but Victoria's figure was up by 4.1 per cent. That is why this government is making policy decisions to make it a better place to invest in this state. That is why we have cut payroll tax, it is why we have cut WorkCover premiums, it is why we have cut fire services property levies across the board and it is why we are cutting red tape to reduce the cost of doing business.

These things actually take hard work. They take financial discipline. It was only last Tuesday that the West Australian government had its AAA credit rating by Moody's taken from it. In fact, in the past three years there have been 10 downgrades of credit ratings across the country. Every single state in Australia has suffered a ratings downgrade over the last three years — with one exception.

Honourable members — Which one?

Mr O'BRIEN — That would be Victoria, because this government is managing the state's finances, managing the economy and growing the economy. Strong state finances give us the capacity to invest in tax relief and in the infrastructure and the services that attract new jobs, new businesses and new growth.

I was asked about threats to private investment and jobs. I can tell members a number of things which threaten these jobs and these investments. Poor management of the state's finances is one. If you run a structural budget deficit, as Labor continually did, that puts at risk our jobs and our investment. When you make the wrong choices over infrastructure, when your priorities — —

Honourable members interjecting.

Mr O'BRIEN — When you make the wrong choices on infrastructure, when the north-south pipeline, the desalination plant and myki are your monuments, you are not fit to run this state. When you are a party that is beholden to dodgy trade unions, when you have people associated with outlaw motorcycle gangs being associated with your mates in dodgy trade unions like the Construction, Forestry, Mining and Energy Union, when they are taking kickbacks and when they are convicted by the Supreme Court of this state of criminal offences, you are not fit to run this state.

This government will always stand up for the rule of law, will always stand up for good financial management and will always stand up for growing investment in this state. The Labor Party represents the real threat to Victorian jobs.

CEMETERIES AND CREMATORIA AMENDMENT BILL 2014

Introduction and first reading

Ms WOOLDRIDGE (Minister for Mental Health) introduced a bill for an act to amend the Cemeteries and Crematoria Act 2003 in relation to rights of interment and for other purposes.

Read first time.

HEALTHCARE QUALITY COMMISSIONER BILL 2014

Introduction and first reading

Ms WOOLDRIDGE (Minister for Mental Health) — I move:

That I have leave to bring in a bill for an act to provide for a complaints process and other processes about healthcare provision and related matters, to establish the healthcare quality commissioner and the Healthcare Quality Council, to repeal the Health Services (Conciliation and Review) Act 1987, to make minor and consequential amendments to other acts and for other purposes.

Mr WYNNE (Richmond) — I ask the minister to provide a brief explanation of the bill.

Ms WOOLDRIDGE (Minister for Mental Health) — This bill updates the role of the health services commissioner and replaces that with the new healthcare quality commissioner and some other purposes.

Motion agreed to.

Read first time.

PARKS AND CROWN LAND LEGISLATION AMENDMENT BILL 2014

Introduction and first reading

Mr R. SMITH (Minister for Environment and Climate Change) — I move:

That I have leave to bring in a bill for an act to amend the Coastal Management Act 1995, the Conservation, Forests and Lands Act 1987, the Crown Land (Reserves) Act 1978, the Land Act 1958, the Land Conservation (Vehicle Control) Act 1972, the Mineral Resources (Sustainable Development) Act 1990, the National Parks Act 1975 and the Owner Drivers and Forestry Contractors Act 2005, to make consequential and other amendments to other acts and for other purposes.

Ms NEVILLE (Bellarine) — I ask the minister to provide a brief explanation of the bill.

Mr R. SMITH (Minister for Environment and Climate Change) — This bill will create a regional park, it will create a state game reserve, it will revoke a selection of Crown land reservations, it will reform the licensing of bee sites on Crown land and it will make other minor and technical amendments.

Motion agreed to.

Read first time.

BUSINESS OF THE HOUSE

Notices of motion

The SPEAKER — Order! Notices of motion 5 to 14 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:

School funding

To the Legislative Assembly of Victoria:

It's time to build better schools.

The petition of certain citizens of the state of Victoria draws to the attention of the house the Napthine government's cuts to school capital funding.

In particular, we note that capital funding for Victorian government schools has fallen to its lowest level in almost a decade.

The petitioners therefore request that the Legislative Assembly urges the Napthine government to increase capital funding to Victorian schools.

By Ms KNIGHT (Ballarat West) (9 signatures).

Food standards

To the Legislative Assembly of Victoria:

The petition of residents of Victoria points out to the house that workers, manufacturers and growers of food are being subjected to unfair competition by imported food products that have not been grown or manufactured in accordance with Australian standards of hygiene, food safety, use of chemicals, pesticides, occupational health and safety and human rights.

The petitioners therefore request that the Legislative Assembly of Victoria establish an inquiry to investigate appropriate legislation to protect the health and wellbeing of consumers in Victoria by ensuring that food sold in Victoria meets the standards required of local growers and manufacturers.

By Ms KNIGHT (Ballarat West) (15 signatures).

Motor vehicle registration

To the Legislative Assembly of Victoria:

Don't put up car rego again, Premier Napthine.

The petition of certain citizens of the state of Victoria draws to the attention of the Legislative Assembly the Napthine government's plan to further increase car registration fees and stamp duty.

This is despite the state government cutting costs by abolishing registration stickers and a previous increase in car registration fees in 2012.

Petitioners therefore request that the Legislative Assembly condemns the Napthine government for its decision to further increase car registration fees.

By Ms KNIGHT (Ballarat West) (69 signatures).

Ballarat ambulance services

To the Legislative Assembly of Victoria:

The petition of certain citizens of the state of Victoria draws to the attention of the Legislative Assembly that more patients are waiting longer for an ambulance.

We note that the performance of the ambulance service has fallen since the election of the Liberal government.

We particularly note:

1. ambulance response times have increased;
2. Ballarat has been left exposed with paramedic shifts left unfilled.

The petitioners therefore request that the Legislative Assembly urges the Napthine government to immediately address the failure to provide Ballarat with the continuous coverage of professional paramedic services it needs.

By Ms KNIGHT (Ballarat West) (22 signatures).

Eureka Stadium

To the Legislative Assembly of Victoria:

This petition of certain citizens of the state of Victoria draws to the attention of the Legislative Assembly the recent commitment by the opposition to rebuild Eureka Stadium in Ballarat. In particular, we note that:

1. under the Napthine government, funding has been cut for regional sporting clubs and facilities;
2. the proposed redevelopment of Eureka Stadium will include AFL-standard lighting and scoreboard;
3. facilities at Wendouree Sports and Events Centre and Ballarat showgrounds will also be upgraded to help support local sports clubs.

Petitioners therefore request that the Legislative Assembly calls on Denis Napthine to support bringing the AFL to Ballarat by funding the redevelopment of Eureka Stadium.

By Ms KNIGHT (Ballarat West) (48 signatures).

Delacombe Primary School

To the Legislative Assembly of Victoria:

This petition of certain citizens of the state of Victoria draws to the attention of the Legislative Assembly the Napthine government's cuts to education funding and the schools which have been overlooked in this year's state budget.

This includes Delacombe Primary School, which needs to replace old portable classrooms and build a gazebo for its kitchen garden program.

Petitioners therefore request that the Legislative Assembly calls on Denis Napthine to immediately commit to funding the facilities that our school needs.

By Ms KNIGHT (Ballarat West) (46 signatures).

Northern Melbourne Institute of TAFE

To the Legislative Assembly of Victoria:

The petition of certain citizens of the state of Victoria draws to the attention of the house the impending sale of the Northern Melbourne Institute of TAFE's (NMIT) Greensborough campus.

In particular we note:

1. the Napthine government's \$1.2 billion in cuts to TAFE funding has had a devastating effect on NMIT which has reported a loss of \$31.7 million in 2013;
2. as a result of these funding cuts, the Napthine government has caused the sell-off of NMIT's Greensborough campus;
3. the closure of the Greensborough NMIT campus will drastically reduce educational and training opportunities for young people in Melbourne's northern suburbs.

The petitioners therefore request that the Legislative Assembly of Victoria urge the Napthine government to halt its cuts to TAFE and to ensure that the Greensborough NMIT campus is not sold off but rather is reopened and kept for training and educating future generations.

By Mr BROOKS (Bundoora) (1956 signatures).

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The petition of certain citizens of the state of Victoria draws to the attention of the house the impending sale of the Northern Melbourne Institute of TAFE's (NMIT) Greensborough campus.

In particular we note:

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3. the closure of the Greensborough NMIT campus will drastically reduce educational and training opportunities for young people in Melbourne's northern suburbs.

The petitioners therefore request that the Legislative Assembly of Victoria urge the Napthine government to ensure that the Greensborough NMIT campus is not sold off, but rather is reopened and kept for training and educating future generations.

By Mr BROOKS (Bundoora) (1356 signatures).

Local government rates

To the Legislative Assembly of Victoria:

This petition of certain citizens of the state of Victoria draws to the attention of the Legislative Assembly the Napthine and Abbott governments' planned tax increases.

We note that many local councils have continued to increase their rates well in excess of CPI in recent years.

Petitioners therefore request that the Legislative Assembly request the Napthine government to immediately legislate to cap council rates at CPI and force councils to justify any further increases.

By Mr PAKULA (Lyndhurst) (36 signatures).

Tabled.

Ordered that petitions presented by honourable member for Ballarat West be considered next day on motion of Ms KNIGHT (Ballarat West).

Ordered that petitions presented by honourable member for Bundoora be considered next day on motion of Mr BROOKS (Bundoora).

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE

Alert Digest No. 11

Ms CAMPBELL (Pascoe Vale) presented *Alert Digest No. 11* of 2014 on:

- Consumer Affairs Legislation Further Amendment Bill 2014**
- Crimes Amendment (Sexual Offences and Other Matters) Bill 2014**
- Drugs, Poisons and Controlled Substances Further Amendment Bill 2014**
- Education and Training Reform Amendment (Miscellaneous) Bill 2014**
- Family Violence Protection Amendment Bill 2014**
- Guardianship and Administration Bill 2014**
- Improving Cancer Outcomes Bill 2014**
- Inquiries Bill 2014**
- Invasive Species Control Bill 2014**

Justice Legislation Amendment (Confiscation and Other Matters) Bill 2014
Justice Legislation Amendment (Succession and Surrogacy) Bill 2014
Planning and Environment Amendment (Infrastructure Contributions and Other Matters) Bill 2014
Primary Industries Legislation Amendment Bill 2014
Sentencing Amendment (Coward's Punch Manslaughter and Other Matters) Bill 2014
Sex Offenders Registration Amendment Bill 2014
Water Bill 2014

together with appendices.

Tabled.

Ordered to be printed.

HAZELWOOD MINE FIRE INQUIRY

Report 2014

Mr RYAN (Minister for State Development)
presented report by command of the Governor.

Tabled.

DOCUMENTS

Tabled by Clerk:

Crown Land (Reserves) Act 1978 — Order under ss 17B and 17D granting a licence and a lease over Birregurra Public Park and Recreation Reserves

Disability Services Commissioner — Report 2013–14

Drugs, Poisons and Controlled Substances Act 1981 — Documents under s 12H:

Poisons Code

Notice regarding amendment, commencement and availability of the Poisons Code

Parts of the Commonwealth standard that the Poisons Code incorporates by reference

Parliamentary Contributory Superannuation Fund — Actuarial Investigation as at 31 March 2014

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Bayside — C136

Boroondara — C193

Brimbank — GC18

Cardinia — C196

Melton — C158, C159, GC18

Mitchell — C95

Moreland — C156

South Gippsland — C95

Victoria Planning Provisions — VC117, VC118

Wangaratta — C51

Wyndham — C181, GC18

Professional Standards Act 2003 — Institute of Chartered Accountants in Australia Professional Standards Scheme (Victoria) under s 14 (*Gazette S264, 5 August 2014*)

Statutory Rules under the following Acts:

Building Act 1993 — SR 109

Workplace Injury Rehabilitation and Compensation Act 2013 — SR 108

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rule 109.

The following proclamations fixing operative dates were tabled by the Clerk in accordance with an order of the house dated 8 February 2011:

Parks and Crown Land Legislation Amendment Act 2013 — Sections 25, 27 and 28 — 1 September 2014 (*Gazette S282, 26 August 2014*)

Sale of Land Amendment Act 2014 — Remaining provisions — 1 October 2014 (*Gazette S282, 26 August 2014*).

LOCAL GOVERNMENT LEGISLATION AMENDMENT (ENVIRONMENTAL UPGRADE AGREEMENTS) BILL 2014

Introduction and first reading

Received from Council.

**Read first time on motion of Mr NORTHE
 (Minister for Energy and Resources).**

ROYAL ASSENT

Messages read advising royal assent to:

26 August

Crime Statistics Bill 2014

**Criminal Organisations Control and Other Acts
 Amendment Bill 2014**

**Gambling and Liquor Legislation Amendment
 (Modernisation) Bill 2014**

Powers of Attorney Bill 2014

2 September

Assisted Reproductive Treatment Further Amendment Bill 2013

Freedom of Information and Victorian Inspectorate Acts Amendment Bill 2014
Privacy and Data Protection Bill 2014.

APPROPRIATION MESSAGES**Messages read recommending appropriations for:**

Education and Training Reform Amendment (Miscellaneous) Bill 2014

Guardianship and Administration Bill 2014

Improving Cancer Outcomes Bill 2014

Inquiries Bill 2014

Invasive Species Control Bill 2014

Justice Legislation Amendment (Confiscation and Other Matters) Bill 2014

Planning and Environment Amendment (Infrastructure Contributions and Other Matters) Bill 2014

Primary Industries Legislation Amendment Bill 2014.

BUSINESS OF THE HOUSE**Standing orders**

Ms ASHER (Minister for Innovation) — By leave, I move:

That so much of standing orders be suspended so as to allow ministers' second-reading speeches, in relation to the bills listed on the notice paper for this sitting week, to be incorporated into *Hansard*.

Motion agreed to.**MEMBERS STATEMENTS**

The SPEAKER — Order! I call the Minister for Innovation.

Ms Allan — On a point of order, Speaker, it is great when the house moves rapidly, but can we have confirmation that the government does not intend to move a government business program this week?

The SPEAKER — Order! We finished motions by leave, and I called on the government business program. No-one stood to speak, so I called on members statements.

Honourable members interjecting.

The SPEAKER — Order! Members know they are not to question the Speaker. I called on members statements. For clarification, no-one sought the call when I called on the government business program.

Mr Wynne — On a point of order, Speaker, when you call on the government business program the protocol is normally that the Leader of the House stands and moves a motion for the government business program. That was not the case today, so are we to assume that in this circumstance this will be the normal state of play?

The SPEAKER — Order! Of course not.

Mr Wynne — I am seeking clarification, Speaker.

Ms Asher — On the point of order, Speaker, under the standing orders it is a matter for the government whether or not the government wishes to ask for a government business program. I refer the honourable members who have raised points of order to May 2002, when the Labor government did not ask for a government business program. Members of the house know this is not the first time it has happened this year. It is well within the government's rights not to ask for a government business program.

The SPEAKER — Order! The Speaker cannot offer an opinion as to whether something will or will not happen; all the Speaker can do is call on members. If they do not stand, I will move to the next item of business.

Trade missions

Ms ASHER (Minister for Employment and Trade) — The government's \$62.6 million Victorian international engagement strategy, including its trade mission program, has an aim of helping Victorian businesses to connect with the fast-growing markets of China, South-East Asia, India and the Middle East. Last week I was joined by the member for Benambra and the member for Murray Valley in Rutherglen, and I announced that in 2015 the government will host the first ever Victorian super inbound wine mission. The wine mission will target more than 100 senior wine buyers from emerging export markets, particularly China and South-East Asia, to significantly boost the state's wine exports. The program will include visits to Victoria's wine regions to showcase the depth and diversity of Victoria's wine sector, business matching and wine master classes.

The Victorian government recognises the important contribution our wine industry makes to our economy, generating more than \$1 billion a year, employing over

11 500 people and, more importantly, driving exports. Since December 2010 more than 60 companies from Victoria's wine industry have participated in 10 super trade missions delivered by the coalition government and collectively reported projected export sales of over \$23 million. This inbound wine mission will further assist Victorian wine exports. The trade mission program has so far been outstandingly successful, but this mission is about bringing buyers into Victoria so that they get further exposure to our wine industry.

Government performance

Ms ALLAN (Bendigo East) — We have just seen an astonishing demonstration of how this chaotic, dysfunctional government cannot manage its own show. Those opposite may laugh, but we need to underscore the seriousness of what has just happened. The government has squibbed it. The government has decided not to put forward a government business program. It is too afraid to stand behind its own agenda, and it is clearly very afraid of the member for Frankston and what he might do. It is clear once again that this is a government that has no idea.

There are 32 bills on the notice paper — 28 in this house and 4 in the other house — and another 3 have been introduced today. That brings the total to 35 bills that are languishing on the notice paper that the government is clearly too scared to bring on, because it does not have confidence in its own ability to carry the day on the floor of this house. It is too scared that it does not have the numbers on the floor of the Parliament to implement its own agenda. This underscores once again the dysfunction and chaos of this minority government, which is led by a Premier who was installed in the dead of the night. He just cannot manage this state of Victoria.

Country Fire Authority recruits

Mr WELLS (Minister for Police and Emergency Services) — It was great to be at Fiskville last Friday with the Country Fire Authority (CFA) chief fire officer, Euan Ferguson, for the CFA's graduation ceremony. With summer just around the corner, the addition of 25 recruits is a welcome boost to our emergency services capability to prevent and respond to fire emergencies.

Members of the graduating class have mastered a range of skills in firefighting and prevention over an intensive 16-week training course. The latest recruits represent a broad section of the community. Aged between 23 and 42 years, they come from a range of backgrounds including trades, administration, sales and transport

industries. These recruits will be posted to 13 different stations across Victoria: Warrnambool, Hoppers Crossing, Greenvale, Point Cook, Bendigo, Boronia, Wodonga, Morwell, Belmont, Mildura, Sunbury, Mornington and Ballarat city. The recruits will provide crucial support to more than 55 000 CFA volunteers and more than 750 career firefighters throughout the state.

An additional 181 firefighter positions have been created in the CFA, and this number could increase by a further 50 by December 2014. To accommodate these additional firefighters, new stations have been built at Rowville and Mildura, and planning is underway at Warrnambool, Warrandyte South, Portland, Eltham and Springvale. Modifications to existing stations at Ocean Grove, Pakenham and Wodonga have been completed.

Multiculturalism

Mr PANDAZOPOULOS (Dandenong) — It was a pleasure and honour to attend two recent great events. One was the 40th anniversary dinner of the Ethnic Communities Council of Victoria, the peak multicultural body in the state. Over many years it has worked across Victoria in a bipartisan way with all political parties as we build a great multicultural state. It was good to see the Premier, the Minister for Multicultural Affairs and Citizenship, the Deputy Leader of the Opposition and a number of other members of Parliament.

It was also great to see many of the people who helped put together the Ethnic Communities Council of Victoria, which has worked on policy areas with all sides of politics. Many of those people have gone on to other great works in the Victorian public sector and have helped us form policy that has built this great state of Victoria, the most multicultural part of Australia. It is pleasing that we have a bipartisan approach to multiculturalism, and it is to their credit and leadership over many years that this has occurred. Multiculturalism is now part of mainstream life in Victoria.

It was also a great pleasure to participate with the Minister for Multicultural Affairs and Citizenship in the opening of Museum India in Dandenong. It is the newest museum in Victoria and the newest museum of one of our fastest growing multicultural groups. The Indian community has one of the longest histories in the world, from ancient times to modern times. This museum is a great epicentre, showcasing Indian culture and history.

Melbourne Gun Club

Dr SYKES (Benalla) — On Friday 22 August members and staff joined shooters at the annual politicians clay target shoot at the Melbourne Gun Club in Lilydale. We all had a very enjoyable day. There was good shooting, good game, good food and good company. Incidentally, The Nationals fielded three teams, including the winning team.

Euroa Secondary College

Dr SYKES — That night I attended the Euroa Secondary College debutante ball along with 400 proud family members and friends of the 21 debutantes and their partners. Well done to all concerned, including the members of the Euroa Junior Football and Netball Club, who helped with catering.

Kangaroo Hoppet

Dr SYKES — On Saturday 23 August the Minister for Sport and Recreation and I joined over 2000 competitors and supporters in the Kangaroo Hoppet, Australia's international ski marathon, which our government proudly supports. Whilst I competed in the 7-kilometre cross-country event, the minister experienced the thrill of a couple of downhill rides in a chair ski normally used by people with a disability.

Howmans Gap Alpine Centre

Dr SYKES — On the same day we visited Howmans Gap Alpine Centre, where the minister and I were shown a proposed accommodation project to house up to 35 people with disability, their carers and their guides. If funded, this project will enable people with a disability to ski at the same cost as able-bodied skiers. It is a very worthy project which I fully endorse.

Racehorse stud farms

Dr SYKES — On Sunday, 31 August, I attended the stallion parades at Swettenham Stud and Darley Stud. The stallions on parade included Melbourne Cup winner Americain. They looked magnificent, as did their progeny. Well done to Adam Sangster, Henry Plumtre and their teams. They do a magnificent job.

Crime prevention

Ms HENNESSY (Altona) — I rise to make a brief comment on the issue of crime in my electorate. Members of the Napthine government like to claim that they were elected on the basis of their commitment to get tough on crime. If this is in fact the case, then the people of Victoria have been short-changed. Crime

statistics that were released last week indicate yet another growth in the crime rate in the electorate I represent. Crimes against the person have increased by almost 5 per cent in Wyndham, while other crimes have increased by 28.8 per cent.

What has the Napthine government done to support Victoria Police? It has cut more than \$100 million in funding and more than 400 staff from Victoria Police. The growth in the Wyndham area and the challenges to policing mean that Victorian police require the appropriate resources and support to do their job properly, and this government has failed them. It has failed them by filling the cells with prisoners, which diverts police from doing proactive policing work, it has failed them through brutal funding cuts and it has failed them through its refusal to accept the crisis that police resourcing has reached in this state.

The government has also failed the people of Victoria by failing to invest in the prevention of crime. If you want to be tough on crime, the toughest thing you can do is invest in the prevention of crime. Cutting things like the YMCA Bridge Project, Whitelion youth diversion, the Victorian certificate of applied learning and TAFE — all of these issues demonstrate —

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

World War I centenary

Mr MORRIS (Mornington) — Four weeks and 100 years ago World War I began. At a distance of a century it is difficult to imagine the impact of those momentous events on ordinary citizens. I am indebted to the Mornington Historical Society for its 2011 publication *Our Boys at the Front*, which opens a window on events which occurred 100 years ago on the Mornington Peninsula. The pages record the first troops to be sighted arriving at Mornington by train, the A squadron of the 29th Light Horse, on its way to protect the southern peninsula.

The federal government had committed 20 000 troops, and shire presidents and mayors were asked to encourage volunteers. The *Peninsula Post* noted that Mornington men were to the fore, stating, 'We feel sure that the young men of the town and district will heed the Empire's call'. Not only were men required but money was needed to support the war effort. Mornington shire president Cr Grover called a public meeting on 21 August and told the gathering, 'As we are at war, it behoves us as Britishers to give all assistance in our power'.

A ladies committee was formed to ‘manufacture comforts for men at the front’. The committee was supported by the girls of Mornington State School, and by 4 September a large consignment of goods had been sent to the Red Cross. Sporting clubs and schools also took up the task. Mornington Tennis Club contributed 10 guineas, Moorooduc Primary School sent 10 shillings and Mornington Primary School sent one pound, 13 shillings and threepence to the State School Patriotic Fund. It did not end there. Mornington State School produced face washers and scarves, Moorooduc boys collected rabbit skins for soldiers’ coats, and girls’ knitted woollen mufflers. In a matter of weeks the Mornington community was on a war footing and ready to support its boys at the front.

Fishermans Bend development

Mr FOLEY (Albert Park) — Last night a meeting of residents from the area targeted for the Shanghaiesque urban densities planned for Fishermans Bend were pleased to learn of Victorian Labor’s pledge to review the botched planning processes mishandled by this government. I was pleased to inform the meeting that Labor will work to protect this community and surrounding communities from rampant overdevelopment, congestion, the risk of extreme weather events and the lack of social services, particularly in the area of schools.

The government’s botched planning processes endanger this community’s future as a sustainable and appealing community for families and workers alike. That it condemns surrounding communities to a congested and chaotic repeat of all the mistakes of Docklands is a planning tragedy.

At the public meeting members of the Montague Community Alliance were disappointed to learn that Denis Napthine’s candidate was a last-minute scratching, having been pulled by the Liberal heavies in the area, but they were pleased to learn of Labor’s call for the Napthine government to halt the 13 planning applications currently groaning on the Minister for Planning’s desk.

The Napthine government’s botched Fishermans Bend process does not plan for community facilities, parks, diverse housing or funding for the proposed primary school. It does not outline appropriate height limits and design controls and allows developers free rein. It does not address the serious risks of flooding and contamination of the reclaimed swamp which has been used by heavy industries for over a century.

It is time the Premier and the Minister for Planning pulled this dud project — —

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

Box Hill Hospital redevelopment

Ms RYALL (Mitcham) — On 12 August I attended Box Hill Hospital with Premier Napthine, who cut the ribbon on the most outstanding hospital facility I have ever seen. All inpatients will now be housed in the new building. The state-of-the-art technology enhances treatment and productivity and helps to reduce the often inherent risks associated with health care. The design of the facility facilitates treatment flows.

As a former nurse at Box Hill Hospital I was thrilled to be asked back to address the staff at their opening celebration in the afternoon. It was 24 years since I had worked there, and I was able to recall the limitations of the old wards and hospital layout, at which many of those present nodded their heads. It is clear this new development has been designed with input from many clinicians and staff within the hospital, and it is a reflection of what they know from their experience of what works and what does not. They have helped to build an outstanding health facility for our local community.

I congratulate the board of Eastern Health, CEO Alan Lilly and the project team for the way they have engaged and communicated with the community through each stage of the process and for the way they have engaged and communicated with Box Hill Hospital staff. I congratulate the staff of Box Hill Hospital for their input and their patience throughout the design and build of the most amazing new hospital facility. They are all looking forward to being able to provide treatment and care in their new building, and our community is looking forward to being able to receive the best care by fabulous health professionals and hospital staff.

Child sexual abuse

Mr McGUIRE (Broadmeadows) — After three decades of silence, a mother of three has revealed that at the age of nine she was repeatedly sexually abused by Father Peter Searson in the privacy of the confessional box while he was supposedly administering the sacrament of reconciliation. Searson was one of a cluster of paedophile priests who preyed on children at the Holy Family Catholic School in Doveton. George Pell wrote to the victim on 26 August 1998 as the Archbishop of Melbourne, offering

compensation of \$25 000 in place of her taking legal action. He wrote:

On behalf of the Catholic Church and personally, I apologise to you and to those around you for the wrongs and hurt you have suffered at the hands of Fr Searson.

He restated his regret and apology for sexual abuse within the Catholic Church, which he described as a 'betrayal of trust' — the phrase independently adopted 15 years later as the title of the Victorian parliamentary report on child sexual abuse. Cardinal Pell denied to the parliamentary inquiry that he in any way covered up offending or was guilty of wilful blindness.

I have received further allegations against Searson from his time as a Marist Brother under a different name in South Australia. The new evidence concerning Searson and paedophile clusters warrants further investigation. I call on Cardinal Pell and the Catholic Church to end the narrow, legalistic responses to child sexual abuse and to end private confessions for minors as a practical policy to protect children. I renew my call for the government to introduce all recommendations from the *Betrayal of Trust* report, as promised, before the 57th Parliament expires.

Lowan electorate higher education

Mr DELAHUNTY (Lowan) — Last week I hosted a visit from the Minister for Higher Education and Skills. We visited Longerenong College and Federation University Australia at Horsham, then went to Hamilton to visit the Hamilton District Skills Centre and meet with representatives of RMIT and South West TAFE. While in Hamilton, the minister announced a \$103 000 Victorian coalition government grant to Southern Grampians Adult Education to improve access to training programs in Victoria's south-west, which can be replicated by other Learn Local organisations.

Country Fire Authority Lowan electorate brigades

Mr DELAHUNTY — During the past couple of weeks, along with The Nationals candidate for Lowan, Emma Kealy, I have had the privilege of opening new fire stations and handing over new equipment to Country Fire Authority volunteers. In the southern part of my electorate I opened two new \$240 000 fire stations, at Warrayure and Yulecart, which will boost emergency response capabilities in the south-west. At the opening of the new Vectis fire substation I handed over the keys to a new ultralight tanker and a new four-wheel drive medium tanker. Jeparit's newly renovated \$583 000 fire station will provide facilities

for the 101-year-old brigade's members, and the Kellalac fire brigade's members are also settling into their new \$286 000 station. All these fire stations will provide improved services to meet the future needs of the community.

Member for Hawthorn

Mr DELAHUNTY — I congratulate and thank the member for Hawthorn for his magnificent and tireless contribution to the people of Victoria. We walked into this place together in 1999, and he led the coalition to victory in 2010. I was honoured to be appointed a minister, and under his leadership we brought the budget back to a sustainable footing, which is the reason our great state is in a strong position today. While I was Minister for Veterans' Affairs, the current Premier appointed the member for Hawthorn chairman of the bipartisan Victorian Anzac Centenary Committee.

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

Casey crime rates

Mr PERERA (Cranbourne) — Unfortunately under this government more people are turning to a life of crime. Our prisons are overflowing, and our hardworking police are not getting the resources they need. This government has cut more than \$100 million in funding from Victoria Police and sacked more than 400 staff. With these cuts, this government cannot keep our communities safe, and the latest Victoria Police crime statistics are further evidence of that. In the local government area of Casey, front-line police numbers have been cut from 195 staff as at November 2010 to 160 staff as at January 2014. That is 35 fewer police members in the Casey area. The most recent Victoria Police crime statistics show that crime in the area increased 3.8 per cent in the year 2013–14, with theft from motor vehicles up 26.3 per cent, theft of motor vehicles up 15.8 per cent and robbery up 6.1 per cent. Crime rates have increased every year since the coalition government was elected. Domestic and family violence has worsened, as has the drugs crisis.

1st Cranbourne Scout Group

Mr PERERA — It was with great pleasure that I attended the 1st Cranbourne Scout Group annual report and presentation night last Friday. I take this opportunity to congratulate Mick Adams, the district commissioner; Stuart George, acting president of the 1st Cranbourne Scout Group; all the district and group

scout leaders; and of course all the youth members of the 1st Cranbourne Scout Group.

Ashburton Bowls Club

Mr WATT (Burwood) — On 30 August I attended Ashburton Bowls Club for the opening of the greens. It is always a pleasure to see such a vibrant club that offers a chance for people of all ages to participate in sport and social activity. I look forward to the club's participation later this year in the Burwood electorate parliamentary bowls tournament.

Bennettswood Bowling Club

Mr WATT — On 30 August I attended the Bennettswood Bowling Club for the opening of the greens. It is the best bowls club in Whitehorse, nestled right along Gardiners Creek. The event was well attended by members, who are keen to commence the season. Bennettswood was the inaugural winner of the Burwood electorate parliamentary bowls tournament. I look forward to the opportunity to compete against Bennettswood later this year.

Burwood District Bowls Club

Mr WATT — On 30 August I attended the opening of the greens at the Burwood District Bowls Club to roll the first jack. I congratulate Barrie Jackett on receiving an award at the club's annual general meeting. I thank Michael Wilson and Mike Hendry for their advice during the game, in which I skipped to a narrow loss. I look forward to the Burwood electorate parliamentary bowls tournament later this year, in which the Burwood District Bowls Club will participate as the reigning champion.

Ashburton United Soccer Club

Mr WATT — I thank Archie Thompson, Leigh Broxham and Matthieu Delpierre from Melbourne Victory Football Club for their attendance at the Ashburton United Soccer Club in my electorate. Their question and answer session was enjoyable and informative. I know both parents and players were grateful for their time and wisdom — especially when Archie informed the crowd that the secret to his success was the consumption of broccoli, brussels sprouts and other vegies.

Condare Court aged-care facility

Mr WATT (Burwood) — I thank Condare Court for the invitation to open a new garden at the front of the aged-care facility. It is a beautiful garden; a lot of time and effort has gone into it. I congratulate the

facility on all the work it does for its residents, especially being such a new facility.

State Emergency Service Craigieburn unit

Ms BEATTIE (Yuroke) — I recently had the pleasure of joining the Craigieburn State Emergency Service (SES) unit at its annual awards dinner. The controllers award this year went to Steve Peter. The leadership award went to Nicole Ashworth. The members award, presented to the individual whose all-round dedication and commitment is recognised across the unit, this year went to a very deserving Michael Casha. The 2014 encouragement award was presented to a very worthy winner in Michael Burke. The community award went to Emily Gornalle, who as an award winner epitomises the community spirit and commitment that is needed. Finally, Robyn Jones was awarded her 10-year service medal, and is to be applauded and thanked for long years of service and dedication to the SES and our local community.

I thank the SES for the opportunity to share in this night and see and hear firsthand of the remarkable and often unacknowledged work that the local unit undertakes on behalf of the community. Members would be aware that the unit is often the first responder to road accidents on the Hume Highway and is a great and integral part of the Craigieburn community. Often one of the criticisms of outer suburbs is that they do not have a heart. Organisations like the SES, the Country Fire Authority and Victoria Police certainly give their community a heart — and Craigieburn has a big, beating heart.

Family violence

Mr SOUTHWICK (Caulfield) — On Monday, 1 September, I hosted an important community forum with my colleagues the member for Prahran and the member for Bentleigh titled Pathways to Respectful Relationships. The community discussion was to raise awareness and communicate the importance of respect in the community and the prevention of family violence. More than 1 in 3 Australian women have been subjected to violence from an intimate partner in their lifetime, and approximately 1 in 4 children and young people have witnessed family violence. In Victoria alone, family violence costs around \$2 billion annually and is the leading contributor to illness, disability and death in Victorian women aged 15 to 44 years. This forum was driven by the community, and I applaud the absolute commitment of the organisations involved in creating a dialogue about the important issue of respect.

I congratulate and recognise the National Council of Jewish Women of Australia (Victoria) and in particular Annette Sweet for her work in assisting to organise this forum; the Salvation Army Family Violence Services and outreach program manager, Alice Coakes; Debbie Weiner, Lorraine Gold and Sheiny New of the Jewish Taskforce Against Family Violence; Impact for Women and its founder and president, Kathy Kaplan; the National Council of Women Victoria and Malvina Malinek and Jennie Russell; and the Jewish Community Council of Victoria led by its president, Nina Bassat, and executive director, David Marlow. All contributed tirelessly to making this a success. I also thank Glen Eira College principal Sheereen Kindler and business manager Debbie Panakos, who kindly hosted this event at their school in the evening.

Family violence is a very important issue. We must not stand silent; we must stand together. We need to look at strategies that we can do as a community. We are all involved in this. We are all partnered in this — the government, all the community, councils, police — in dealing with this — —

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

Crime rates

Mr NOONAN (Williamstown) — Crime across Victoria is up again — that is an irrefutable fact. The steep rises in drug, theft, weapons and family violence offences are damning for a government that promised to make Victoria safe back in 2010. Disturbingly, crimes such as rape and sex attacks have also grown at an alarming rate in recent years, as too have street crimes and assaults on public transport.

Last week the Minister for Police and Emergency Services absurdly suggested that crime was up because there were more police. Does that mean cutting police will reduce crime? It does not add up. The government needs to understand that its broader policy agenda is failing. Building more prison beds than hospital beds, gutting our public TAFE system as youth unemployment climbs to record levels and cutting support for award-winning crime prevention programs will not reduce crime rates. So-called 'tough on crime' talk will not help either.

What is needed is a logical, evidence-based and community-supported approach to crime prevention. That is why Labor in government will establish a task force to tackle the drug ice. We will bring together our community and crime prevention leaders to target the dual problems of rising supply and demand for this

insidious drug. Labor has also outlined its clear intention to conduct Australia's first ever royal commission into family violence. This is a community problem requiring a systemic response. A royal commission will make clear the steps necessary to halt its devastating penetration into the lives of so many. Reducing crime simply requires a fresh approach.

Murray Basin rail project

Mr CRISP (Mildura) — The Murray Basin rail project is underway, with sleeper replacement occurring as we speak on the Hopetoun line. This line is vital for grain exports and for transporting mineral sands. The coalition gave an undertaking as part of the Murray Basin rail project to do maintenance on the Hopetoun line, and it is delivering. Labor continues to avoid making a commitment to the Murray Basin rail project, and it is ignoring pleas from its candidate and the voters of the Mallee. Could this be because Labor plans to swap nearly 1000 kilometres of upgraded railway line for a level crossing in Melbourne?

Birchip agricultural careers expo

Mr CRISP — I recently attended the agricultural careers expo in Birchip, which was attended by students from schools in the southern Mallee and Wimmera. A feature of the program was younger farmers, scientists and entrepreneurs talking about how they came to be involved in the farm sector. Well done to the organisers, in particular principal John Richmond from the Birchip P-12 School, for building and promoting the future of farming.

Mildura West Primary School

Mr CRISP — Last Friday I had the pleasure of attending the Mildura West Primary School to present funding for new bike racks to be installed in the school bike shed. The school is working hard with volunteers to encourage active ways to get to school — they are walking to school with the walking school bus, riding or scooting. I congratulate the school for its continuing work in developing healthier lifestyles for students.

Robinvale grape growers

Mr CRISP — Last week the Minister for Agriculture and Food Security and I conducted a shed meeting with Robinvale growers. Thanks to Don Albanese and Don Falvo for hosting and assisting with this meeting.

Ballarat employment

Mr HOWARD (Ballarat East) — The institution historically known as the Ballarat railway workshops is again at risk. After employing more than 300 workers back in the former state-owned VicRail days, the Kennett government privatised our rail services and Ballarat's rail workshops. This led to a very uncertain time for its workforce.

Fortunately, under the Bracks and Brumby governments, significant investment was made in rail transport, and the privatised Alstom gained contracts to construct the new X'trapolis trains now in service in the Melbourne rail system. This work ensured the survival of Alstom in Ballarat and saw the employment of up to 100 workers along with many other Victorian workers who produced components for the trains.

Sadly under this government the future of Alstom's Ballarat workforce is at risk again. While Alstom at Ballarat has been able to demonstrate that it can complete the X'trapolis contracts to a high standard and on time or ahead of time, this government, while acknowledging that another 25 new trains are required, has appointed a so-called 'independent' assessment team to handle the contract process, and it is understood that Alstom has not been short-listed in favour of Chinese and Korean companies.

This is not good enough for our Ballarat workers, and we need members of this government to stop burying their heads in the sand as their 'independent' contract process proceeds and demonstrate their support for local Victorian and Ballarat workers by requiring local construction of our trains and ensuring that Alstom is not dealt out of the tender process in favour of companies which have not been able to demonstrate their support for local construction and local jobs. We clearly need a government with real jobs —

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

Torquay Commerce and Tourism

Mr KATOS (South Barwon) — Last Tuesday morning I was pleased to join members of Torquay Commerce and Tourism at its business breakfast meeting. Torquay is home to some of the world's top surfing industries, such as Rip Curl, and it was fantastic to have the opportunity to hear Neil Ridgway, Rip Curl's international advertising and marketing chairman, speak about the company's trademark brand at the breakfast. I am extremely proud of Rip Curl's

success, which can partly be attributed to Torquay being known as the surfing capital of the world.

University Hospital Geelong

Mr KATOS — I was delighted to join the Minister for Health, along with Professor David Ashbridge, CEO of Barwon Health, and Dr John Stekelenburg, board chair, to officially launch the new branding of 'University Hospital Geelong', which replaces the name 'Geelong Hospital'. The new name reflects the strong partnership and collaboration between Barwon Health and Deakin University. The rebranding formally recognises Barwon Health as an educator and clinical training provider that reinforces Geelong as a centre of medical and health science excellence.

Highton and Torquay bowls clubs

Mr KATOS — Last Friday I attended the opening of the Highton Bowls Club season. I wish club director Ray McCorkell and all of the club's 315 bowlers and 115 social members a successful season.

That evening I also attended the opening night of the Torquay Bowls Club season, the first in its new pavilion. I am delighted that the coalition government put \$1.5 million towards the \$1.75 million redevelopment of the old pavilion. I hope that the new premises bring the Torquay Bowls Club much luck for the new season.

Geelong truck ban

Mr TREZISE (Geelong) — In March this year the City of Greater Geelong, with minimum resident consultation, implemented a so-called trial ban on trucks travelling on Malop Street. The ban was initially for six months, but with absolutely no consultation it has turned into a 12-month trial. As a result trucks have been forced into Ryrie, Myers and McKillop streets, with no thought for local residents and their families. Now the council, by stealth, has moved to ban trucks from not only Malop Street but also Ryrie Street. This will make the heavy haulage truck traffic and pollution on the residential Myers and McKillop streets even worse.

This Liberal state government can intervene in this deplorable situation by directing VicRoads not to allow the ban on Ryrie Street — that is, this Liberal government can stop all those trucks from being forced down Myers and McKillop streets. Today I am calling on the Minister for Roads to support residents of Myers and McKillop streets by taking steps to ensure that all east-west roads in Geelong can be used by trucks, not

just McKillop Street and Myers Street. If the minister is not prepared to intervene in this important transport matter, I assure him I will ensure that every resident affected will know, in the lead-up to the state election, that the Liberal government and its candidate in Geelong, Paula Kontelj, did nothing to save their streets from an influx of heavy haulage truck traffic.

Education and Early Childhood Development deputy secretary

Ms CAMPBELL (Pascoe Vale) — What would have been the Premier's verdict if Dr Sonia Sharp had been appointed deputy secretary of the Catholic Education Office or Independent Schools Victoria? The Premier is answerable — —

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

WORKING WITH CHILDREN AMENDMENT (MINISTERS OF RELIGION AND OTHER MATTERS) BILL 2014

Second reading

**Debate resumed from 7 August; motion of
Mr CLARK (Attorney-General).**

Mr PAKULA (Lyndhurst) — It gives me pleasure to rise to speak on the Working with Children Amendment (Ministers of Religion and Other Matters) Bill 2014. In some respects it is ironic that this bill is before the house today, the day Dr Sonia Sharp's appointment as a deputy secretary in the Department of Education and Early Childhood Development has become such a prominent matter. I think it is particularly timely, given that revelation, that we go back and look at the recommendations that came from the Family and Community Development Committee report entitled *Betrayal of Trust — Inquiry into the Handling of Child Abuse by Religious and Other Non-government Organisations*, known by the short title *Betrayal of Trust*.

This bill from the Attorney-General seeks to amend the Working with Children Act 2005 to do a number of things: to introduce the protection of children as a paramount consideration and to make clear the fact that a working with children check is a minimum requirement rather than a replacement for appropriate assessment and monitoring. The bill is about simplifying the definition of child-related work and is supposedly about requiring all ministers of religion to have a working with children check unless they have no or only incidental contact with children — and I know

some of the matters surrounding that were ventilated in the Legislative Council during debate on the bill. The bill also seeks to revise the category application process relating to individuals with a criminal history who may present a risk to the safety of children. The bill has some work to do in terms of clarifying the Victorian Civil and Administrative Tribunal's jurisdiction where a working with children check applicant has a criminal history and in terms of making some other general improvements. I am happy to indicate that the opposition does not oppose the bill.

Many members of this Parliament spent so much time on the *Betrayal of Trust* report. I think credit cannot be given often enough to not only the members of that committee, including the member for Broadmeadows, who is in the chamber at the moment, but also the many witnesses who appeared before that committee and told their harrowing stories. That committee made a number of recommendations: to amend the Crimes Act 1958 to remove the requirement to prove that a person who fails to report a serious indictable offence involving the abuse of a child has received a benefit, to introduce a new child endangerment offence to cover behaviour in situations in which a person of authority is aware of and consciously disregards a substantial and unjustifiable risk that an act or a failure to act places a child in a situation that might cause harm, to introduce a new criminal offence of grooming, to consider requiring non-government organisations to be incorporated if they receive government funding or tax exemptions, to work with the commonwealth to require religious and other non-government organisations that engage with children to be incorporated, to remove some time limits in regard to crime compensation and to review the Wrongs Act 1958.

I note that the Wrongs Act inquiry final report by the Victorian Competition and Efficiency Commission has now been with the government for more than six months. The final report was given to the government on 26 February, and it is now 2 September. The government was meant to have handed down that final report and its response by now, but that has not occurred.

Further recommendations of the committee were that the Wrongs Act be reviewed to see if organisations can be held accountable and have a legal duty of care to prevent child abuse, that there ought to be a specific scheme for victims of criminal child abuse who are not in a position to pursue civil claims in court, to authorise an independent statutory body with relevant powers to oversee and monitor the handling of allegations and inquire into processes and systems, and to review department of education procedures for responding to

allegations of child abuse within schools. That would seem to be exceedingly difficult to do in an environment where you have a deputy secretary in that department with a cloud hanging over her head as a consequence of the incidents in Rotherham.

One of the recommendations is to ensure that allegations of misconduct are reported to the Department of Justice, to raise awareness of checking the card status of personnel and to amend the working with children's scheme to clarify the application of that scheme to ministers of religion. It is that part of the *Betrayal of Trust* recommendations that we are dealing with today.

We are now in the third-last sitting week, so any bill not introduced during this sitting week will not be able to be passed by both houses of Parliament in the normal way, where it is dealt with in one chamber one week and in another chamber the next. It is clear from the list I have just gone through that many of the recommendations have not yet been dealt with by the government, and it seems unless bills are introduced into the house tomorrow or Thursday they will not be dealt with before the Parliament is prorogued. However, the working with children check changes are being dealt with to some extent by the bill before the house.

It is important to note that the working with children check scheme was a product of the former Labor government. It was introduced by the Bracks government in 2006 to be a statewide minimum standard. It was not supported by everyone. A number of members of this place made some extraordinarily derisory comments about the working with children check when it was introduced, but it was designed to protect children from physical and sexual harm. Its very clear mandate is to prevent those who pose a risk to children from working with children or volunteering in such a way that would put children at risk. Under the scheme those who engage in child-related work, whether that be paid or volunteer work, and have direct and regular unsupervised contact with children require a card. The bill before the house is designed to implement a recommendation of the *Betrayal of Trust* report by requiring that all of those who work as ministers of religion be treated as engaging in child-related work and requiring a check unless their contact is only occasional or incidental.

There has been some concern expressed by a number of people, and some of these concerns were ventilated in the other place, that this concept of only incidental or occasional contact is a little difficult to define. I think it is fair to say that in the past some of the instances of

abuse were actually perpetrated by those who indeed only had incidental or occasional contact with children. It would be of benefit to the house if government speakers could clarify what is meant by occasional or incidental contact and why it is considered appropriate to include that exception to the working with children check process.

It is also important for government speakers to demonstrate what is meant by religious institutions where there are no children. I scratched my head trying to imagine what kinds of institutions or parishes we might be talking about that contain solely adults. I do not use the term 'parish' to connote any particular religious organisation, but it seems the easiest or most apt phrase to use in the circumstances because it is the case that the law applies to any religion and any congregation, whether it be a church, synagogue, mosque or any other kind of temple, and that is as it ought to be. Some of the exceptions that have been incorporated into the bill are a little difficult to get a handle on. They are a little unclear, and it is incumbent on the government to indicate exactly what is meant by only incidental contact and who is in and who is out of that definition.

The other thing that is unclear when the government talks about ordained ministers of religion is whether those who are not yet fully ordained are covered. Again I am sure that those who have been involved in the parliamentary *Betrayal of Trust* committee hearings would know that there were a number of cases involving seminarians — those not yet finally ordained. It is unclear whether in the circumstances contemplated by the bill individuals of that rank are intended to be covered. There has been some questioning of the government on that matter in briefings, and I have to say the responses have been opaque at best. Whether seminarians and individuals with that kind of status are included in the requirement to have a working with children check is a matter that the government ought to clarify without delay.

The bill also makes some changes in regard to the question of paramount consideration and makes it clear that the protection of children from sexual and physical harm must be the paramount consideration when the secretary of the department is considering whether to grant a working with children card — that is, it simply makes it clear that the protection of children takes precedence over, for instance, the right of someone to work. Again, that is as it ought to be.

The bill makes it clear that the granting of a working with children check does not relieve whoever the employer may be of the obligation to undertake his or

her own due diligence to ensure that the people they employ are appropriate. It does not mean that the granting of a working with children card is any kind of an ultimate screening process. It is not a comprehensive suitability check; it is merely an analysis of whether or not an individual has any kind of record that would deny them a card in the circumstances contemplated by the act. It does not compensate for an employer not exercising his or her due diligence.

The bill also splits the terms 'child-related' and 'work' in order to simplify the definition of 'child-related work'. It defines what work is in terms of the contemplation of the act, and I do not think I need to go through the definition. It goes through what the term 'child-related' refers to in the context of that work by saying that it is child-related work if it usually involves direct contact with a child and that contact is not directly supervised by another person. Again, it goes to the matter of whether or not work is child related if there is only occasional direct contact with children that is incidental to the work. I have already canvassed what the bill means for ministers of religion, but I think some clarity in that respect would be of use.

As a consequence of this bill the category application process has been amended. Currently there are categories 1, 2 and 3 in recognition of the varying severity of offences that may impact on whether or not an applicant is considered suitable for a working with children card. The bill introduces a new system of categorisation, being categories A, B and C rather than 1, 2 and 3. I suggest to the house that the substantive changes as a consequence of those category realignments are only minor. Category 1 and 2 offences will become category A, category 3 offences will become category B, and category C is being created to cover disciplinary findings and other charges, convictions or findings of guilt for any other offence that the secretary may deem relevant to the granting of a working with children card. There are some that I would describe as minor changes and, to be charitable, minor improvements in the category application process.

The bill also clarifies to some extent the jurisdiction of the Victorian Civil and Administrative Tribunal in regard to assessment notices, having regard to the unjustifiable risk and reasonable person tests, and makes some other general improvements to the working with children application process. The government has indicated that one of the things contemplated by the act more generally is that there are some organisations that are extraordinarily diligent, perhaps over-diligent, in terms of who they require working with children cards from. For example, there

are some volunteer organisations where individuals are not employed and just join as members. Surf Life Saving Victoria is one example. I remember when my children decided to do Nippers. In those circumstances Surf Life Saving Victoria requires the parent to join the club as well, and all the parents of the Nippers had to undergo working with children checks even though they were neither volunteers nor employees.

I think all members of the house would concur that the sexual abuse of children is the most abhorrent crime that we contemplate. It has a lifelong effect on its victims — and not just a lifelong effect but a devastating lifelong effect. It is a crime which does not just victimise the child but in many cases victimises members of their families, who have to live with the fact that the position of trust in which people have been placed has been abused. We on this side of the house are of the party which first introduced the working with children check back in 2006. We are always supportive of measures that are designed to better protect vulnerable children and measures that punish those who prey on them. In regard to the working with children check process, there are a number of individuals who are not able to carry out the employment that they would like to, and that is as it should be.

We are happy to support this bill in a bipartisan way. Having said that, we are keen to hear from the government about the queries that have been raised, whether they be about seminarians or what the government means by incidental contact with children. The bipartisan committee's inquiry that led to the *Betrayal of Trust* report was a process which vindicated victims. It allowed them to have a voice. Committee members listened to them and responded to their experiences. To the extent that this bill is a response to that report, we welcome it. We support the system that this bill relates to — the working with children check system. We are proud that we introduced it. We are equally proud to support ongoing improvements to it. On the basis that, as a party, Labor has always done everything it can to keep children safe and to punish those who would do wrong by our children, I am happy to commend the bill to the house.

Ms RYALL (Mitcham) — I am pleased to rise to speak in the debate on the Working with Children Amendment (Ministers of Religion and Other Matters) Bill 2014. I was pleased to hear the lead speaker for the opposition say that the Labor Party will be supporting this bill. Protecting children from sexual or physical harm is at the heart of this bill. As legislators we have a responsibility to act to improve the protection of children and make sure that the people who work with them are vetted accordingly. Any offence against a

child, be it physical or sexual, by its very nature is abhorrent. It can have lifelong consequences. Our children are incredibly vulnerable. They do not necessarily know to question behaviours, and they do not necessarily know right from wrong. They trust adults, and they certainly trust adults in situations where their parents trust and respect those same people. At all times we need to act to ensure that all those who care for children have the capability and integrity to hold the positions they do.

This bill goes to the heart of ensuring that we have a rigorous scheme for people who work with children or seek to work with children, checking to make sure they do not have prior records or anything in their past that should prevent them from working with children. The bill provides further clarification to parts of the Working with Children Act 2005 to make sure those protections are enhanced. I again commend the members of Parliament who were on the Family and Community Development Committee and the *Betrayal of Trust* report that was produced as a result of their inquiry. I commend the extraordinary courage and strength of those people who came before the committee and provided evidence so that the report could be produced. This bill addresses one of the committee recommendations and is also a result of a comprehensive internal review of the working with children check.

The amendments will ensure that children are safe and protected, and that is of the highest priority and should be front and centre when a decision is made under the terms of the Working with Children Act. The bill ensures that the working with children test is simpler and more easily applied, and that the risk posed to children by a person with a criminal record can be more easily identified so that the check can be performed in a more straightforward manner. It creates a minimum check rather than a check of suitability. If we consider the term 'suitability', subjectivity comes into it, whereas if we move to a minimum working with children check standard, which is what this bill creates, we can always go above that standard but not below it. In that sense the bill takes out the subjectivity factor.

The bill creates a three-category classification system to replace the existing system. It simplifies the current category and exceptional circumstances provisions. The bill makes clearer the definition of child-related work so that the scope of the working with children checks scheme is applied as intended, and it removes exemptions that relate to accredited drivers. The bill provides that the Secretary to the Department of Justice has the power to inquire or obtain further information about a person after they have been issued a negative

notice and have appealed to the Victorian Civil and Administrative Tribunal.

One of the key amendments in the bill relates to religious organisations and the need for them to ensure that ministers have a current working with children check, as their work is often broad ranging and not always specific in relation to their work with or exposure to children.

When I thought about this amendment it reminded me of some work I did in my former life as a management systems auditor. We would look at organisations and businesses from their strategy through to operations, outcomes and improvements. One aspect was to make sure they had a compliance management system to ensure that they complied with the law. In this instance I was working in another state with some surgeons in their surgical practices. The working with children check had just been introduced in this state, so it was some time ago. I vividly recall asking a surgeon, who was also chairman of the board, about how they ensured that they complied in making sure that surgeons who undertook paediatric surgery had working with children checks. I remember his astonishment that I dared ask such a question because surgeons are held in such high esteem and have a respected and important role in society.

From my perspective it did not matter that the person was a surgeon, and with this bill it does not matter whether the person is a minister. Regardless of the position they hold in society, the law applies. For those people who at one point in time many called the pillars of society — ministers of religion, doctors and the like — we now apply the same manner of checks and balances in regard to working with children as we would to anybody else in the community. That discussion with the surgeon and also the *Betrayal of Trust* report produced by the Family and Community Development Committee made me think about the importance of this issue.

In terms of pillars of society, ministers of religion are certainly people who their communities and congregations respect and trust in relation to activities relating to children. It generally goes unquestioned, but the bill makes sure it does not go unquestioned. The working with children check is monitored and reviewed. That check is put in place so that anything that might cause concern in relation to the minister performing their job, whether they come into contact with children at varied times or to a lesser extent than some, is flagged to make sure that up-front and centre the child is protected. That is of paramount importance.

It is not about protecting the feelings of someone who may have had a past in relation to this issue; it is about making sure that our children are safe and that they are protected in our society regardless of the role of the person or of the circumstances. A number of the recommendations of the report so far have been passed through both houses of this Parliament and enacted. I wish this bill a speedy passage through this Parliament. I commend the Attorney-General on the excellent work that he has done in a range of areas in relation to this bill and also the Minister for Community Services on hers. I commend the bill to the house.

Mr McGUIRE (Broadmeadows) — Middle-aged men wept with joy. Women who had been silenced by unspeakable crimes when they were girls gave three cheers on the steps of the Victorian Parliament on the day the *Betrayal of Trust* report was tabled. This was because there was in-principle bipartisan support across the aisle and in both chambers of this Parliament for all of the report's recommendations to be implemented. I heard the Premier say his government would not even wait the six months that governments have to address the issues. While I stand here today and welcome the further changes made to address this issue, I still have deep concerns about what the government is not going to introduce and what is actually occurring as far as this matter is concerned.

Let us be clear. We need a better regime of scrutiny, accountability and compliance. This bill provides greater restrictions on clergy, which is required. We need to understand that paedophilia is a sexual identity, that the perpetrators want access to children and that they prey on the vulnerable. I am still getting further evidence about what has been going on. On an institutional level, the evidence before the inquiry was that the Anglican and Catholic churches and the Salvation Army frequently took steps to conceal wrongdoing based on the concessions they made and a substantial body of credible evidence. Victorian governments failed in their duty to orphanages and children's homes. Children suffered the betrayal of trust and neglect or abandonment as infants, and then once taken into the community's care they were grievously abused physically, emotionally and sexually.

The fortitude of the innocents who testified before this Parliament was inspiring. Their courage remains humbling. I am still getting information being sent to me. One woman who has been silent for three decades — she is now a mother of three — has told me about what happened to her in her parish at the Holy Family Catholic School in Doveton. She was repeatedly sexually abused at the age of nine by Father Peter Searson in the privacy of the confessional box

when he was supposedly administering the sacrament of reconciliation. To this day the woman is haunted by what happened to her as a girl.

As the opposition's lead speaker has said, we have to be clear about who is and who is not covered by the definitions within this bill. What does 'incidental contact' actually mean? I raise this issue in the context of what has occurred to this woman and the evidence in her case that I have verified with her. We need to be able to ask what precisely the government means when it says 'incidental contact'. Her explanation to me of what happened to her as a little girl was that there were regular confessions in the confessional box, and that is where this abuse occurred. She was only nine years old.

We have to remember that the children are innocent. They do not know how to voice what has happened to them. There is this appalling transferral of guilt and shame from the perpetrators to the innocents. The impact on the children is that some can compartmentalise it while others wear it like a shadow for the rest of their lives, and as we have seen, too many have not been able to survive. That is the ultimate tragedy, which Cardinal George Pell himself admitted under questioning to the inquiry.

We have to put in place the most rigorous approach possible, and we have to make sure that there is compliance. I am also concerned that the federal government is still considering axing the Australian Charities and Not-for-profits Commission, which is a compliance organisation. It beggars belief that that action should be taken simultaneously as we are still looking at the propositions and recommendations of the Family and Community Development Committee's *Betrayal of Trust* report to this Parliament.

Not all of the recommendations are being implemented. There is a simple proposition for one of the issues that can be easily changed in the law here — that any entity that receives taxation exemptions or financial contributions to its activities by government must be incorporated and insured. This could provide flexibility. There could be a statutory exemption, with the requirement that the minister report back to Parliament. It is a simple thing that could be done, and it would place an onus on entities that is clearly justified by the evidence.

We do not need to wait until the royal commission hands down its report. That could still take years. This is actually a scrutiny, accountability and compliance issue. Governments and parliaments should take action. I emphasise again that in the Family and Community Development Committee inquiry members of the

Liberal Party, The Nationals and the Labor Party were determined to remain bipartisan on this issue to get a bipartisan result, which we did. That is why, after all these years, the victims were finally saying that they had been heard, that the Parliament was going to act in good faith and that they were going to be able to get the remedies that are required.

I emphasise that we are running out of time for the 57th Parliament. This report was commissioned by the 57th Parliament and I believe it is the duty of the 57th Parliament to resolve this matter. I have suggested what I consider to be a simple amendment that could cover off on these issues. Something that members should consider in the next couple of days is that the lead speaker for the opposition has said that that is effectively the length of time we have to deal with this matter if we want to implement all the recommendations of the *Betrayal of Trust* report. There is no credible argument against doing this; the argument is the other way. We need to have compliance. We need to have reports to Parliament on a regular basis that are then open to be discussed so that we have transparency on this issue.

Members must remember that what we have to address here are cultures of institutional wilful blindness, codes of silence and noble cause corruption — that there is a higher proposition whereby people put institutions ahead of individuals and what has happened. The Family and Community Development Committee inquiry was always an investigation into crime, not faith. That is the way it should always be seen. We need to look at what is happening institutionally and implement the remedies. The bill implements one of the recommendations, providing that all those who work as ministers of religion will be treated as working in child-related work requiring a check unless their contact is only occasional and incidental.

In conclusion, I want to draw those points together. We need to define what ‘occasional’ and ‘incidental’ mean. I have given the house the example of what has happened to one woman. Unfortunately, with Searson it looked as though it was his *modus operandi*. We need to know and understand that we actually have to have in place the systems that will ensure that is not repeated. The reason is that we now know, we are now better informed, we have the evidence and we have seen how it has happened. The people who have been predatory paedophiles have been incredibly manipulative. That is what we need to guard against. I call on the Parliament to address these issues in a bipartisan way. Let us not let this debate get into the rancour of an election campaign. This is a duty. The 57th Parliament must act.

Mr WELLER (Rodney) — I rise this afternoon to speak on the Working with Children Amendment (Ministers of Religion and Other Matters) Bill 2014. I concur with what was said by the members for Broadmeadows and Lyndhurst, that this bill should have bipartisan support and should be one on which members of this Parliament work well together to actually achieve outcomes. I acknowledge that the member for Lyndhurst said that the opposition will be supporting this bill because it genuinely does improve the Working with Children Act 2005.

The changes to strengthen the Working with Children Act 2005 add to steps already taken by the government to increase protections for children following the *Betrayal of Trust* report. Speaker, you would be well aware that the inquiry which resulted in the report was conducted under the chairmanship of Ms Crozier, a member for Southern Metropolitan Region in the other place. The member for Broadmeadows was also a hardworking member of that committee, as was a member for Western Victoria Region in the other place, Mr David O’Brien. He was a very diligent and energetic supporter of and worker on the inquiry. We should commend those members who worked to produce the *Betrayal of Trust* report which, as the member for Broadmeadows has said, had bipartisan support. The report reflects the good outcomes of that.

Some reforms already introduced into the Parliament include new antigrooming laws, making it an offence for persons in authority to fail to take action to protect children in their organisations against known child abusers, requiring the reporting of child abuse to police, and requirements for organisations working with children to meet new child-safe standards.

In addition to these reforms, the act is being amended to implement the recommendation of the *Betrayal of Trust* report to increase the requirements of ministers of religion in respect of the working with children check. The changes to the working with children check will improve the rigour and operation of the scheme and further enhance the protection of children and their families. That is what we in Parliament should do. We should protect vulnerable young children because, as we know and as a lot of evidence that was given to the Family and Community Development Committee in its inquiry showed, it is a fact that abused children are mentally scarred for life. We should do as much as we can to protect children.

Protecting children from abuse is a community-wide concern, and the working with children check is one tool for organisations to use in assessing the suitability of a person for working with or caring for children.

These amendments will strengthen the existing mechanisms under the act to ensure that the safety and wellbeing of children is paramount, with which we all agree. The amendments set out in legislation that the protection of children is to be the paramount consideration when administering the act. They make it clear that a working with children check provides a minimum check rather than a suitability check.

The bill makes it clear that the working with children check requirement does not mean that an employer or other organisation has no further responsibility to assess or monitor the suitability of their staff or volunteers. The bill quite clearly states that this is one tool that can be used, and it has to be a check, but it does not mean that the employers or leaders of other organisations can walk away from their responsibility to keep an eye on what is going on as well. This is one tool — a very important tool — but the organisation leaders and people responsible cannot walk away from their responsibility to keep an eye on what is actually happening.

The bill clarifies the definition of child-related work. It requires all ministers of religion who have contact with children in their congregations to obtain a working with children check. Across all religions, as the member for Lyndhurst has said, whether it be in a church, a temple or other religious place, it will be a requirement. It revises the working with children check assessment procedures. It replaces the secretary's powers to suspend a working with children check with a power to revoke a working with children check when an applicant fails to provide requested information. It makes a range of other improvements to the operation of the act.

As I have said, the working with children check is only a minimum standard; it is not the whole and soul of things to be considered. People still have to maintain a child-safe environment and ensure that even though they have done the working with children checks they still ensure that it is safe for children to be there.

The working with children check examines the relevant information from a person's national and Victorian criminal history as well as certain disciplinary findings of prescribed professional bodies. There is also ongoing monitoring of a card holder's Victorian criminal history. That includes charges brought in Victoria for relevant offences. The working with children check does not determine a person's suitability to work with children, rather it legally permits individuals to engage in child-related work if they do not have a relevant criminal history. The working with children check is only one factor that an organisation must consider when

deciding whether a person should be working with children. Each organisation should have additional robust screening and supervision practices.

The bill makes it clear what the obligations are for ordained ministers, but what bearing do these new provisions have on trainee ministers? A trainee minister of religion — and this was raised earlier by a member of the opposition — such as a seminarian, will continue to be required to obtain a working with children check if they are engaged in child-related work. I think it was the member for Lyndhurst who asked what happens when they are training. If they are training and they are working with children, they will have to have the check.

The definition of work at section 30(1) in the principal act includes work as part of the duties of a religious vocation. Therefore a trainee minister will be required to obtain a working with children check if they work at or for a service, body or place, or perform work that involves an activity specified in section 9(3) of the act and work that usually involves direct contact with a child where that contact is not directly supervised by another person. The bill makes it clear that the new ministers of religion provisions are targeted towards individuals who are in leadership roles within their religious institution or amongst their congregation.

I was president of the Victorian Farmers Federation from 2002 to 2005, and the bill for the principal act was introduced during that time. When the regulations for working with children were being debated, a great deal of consideration was given to how it would be applied to family farms. At the time the then Attorney-General rang me and said, 'We can have a fight over this or we could work it out'. We ended by having a fight over it because he did not like to compromise. It could be said that I was taking a strong stand for the farming community. On farms we have more than just mum, dad and the kids, and quite often there are grandparents, aunts, uncles and so on as well. In the end we got to the stage where it was decided that you would not need to have a working with children check if you were parents or grandparents, but if you were uncles or aunts, you would need one. While we were not 100 per cent happy with that because in some cases it created red tape, that has been worked through and now it is in the best interests of the children.

Protecting children is what we are talking about in Parliament now. We want to make working with children on farms safe and we do not want children on farms to be mentally scarred for the rest of their lives, which can happen if they are involved in some of these unfortunate events. It is important that we improve the

act, as we are doing through this bill. It was acknowledged by the lead speaker for the opposition, the member for Lyndhurst, that the amendments made through this bill will improve the act.

Finally, I commend the members of the Family and Community Development Committee who conducted the inquiry that resulted in the *Betrayal of Trust* report — the members for Broadmeadows, Thomastown and Ferntree Gully in this house; and in the Legislative Council, Georgie Crozier, a member for Southern Metropolitan Region, Andrea Coote, a member for Southern Metropolitan Region, and David O'Brien, a member for Western Victoria Region — for the workload they undertook. I commend the bipartisan way in which committee members worked to achieve outcomes. It is an example for all members in here that when we face a significant issue, such as this one which affects children, we can work together to produce legislation that protects our most vulnerable people. It has been acknowledged that these amendments will work towards protecting those vulnerable people. I commend the bill to the house.

Ms GREEN (Yan Yean) — I take pleasure in rising to join the debate on the Working with Children Amendment (Ministers of Religion and Other Matters) Bill 2014. Since the working with children check regime was introduced during the Bracks government, I have spoken on many occasions about this terrible problem and what the state needs to do to make sure that we protect children. I support entirely the very good presentation on the detail of the bill by the member for Lyndhurst and also the deeply emotional tribute by the member for Broadmeadows. I can only begin to understand what it must have been like for the members for Broadmeadows and Thomastown and the other members of the Family and Community Development Committee to have had to listen to the harrowing stories of abuse from victims. I, like many other members in this place, have received personal letters from victims of abuse.

It is really important that we move to further improve this regime. I am a bit sad: I note that the Deputy Speaker cannot speak out while he is in the chair, but I am a bit sad that there was again a reference made to red tape and the problems with that. I understand that the Deputy Speaker was the president of the Victorian Farmers Federation at that time, and I recall other members of this place — though not the Deputy Speaker — being incredibly shrill and critical of the idea that we would even go down this path. I was really hoping that we would not return to that, though I am glad it has not been a particularly vitriolic return. I am glad we now have bipartisan support on this issue. I

always felt that it was really important to put children first.

I was particularly moved on Friday last week, listening to Rafael Epstein's program on 774 ABC Melbourne. He has a segment on a Friday afternoon called 'Changing Tracks'. He was quite spooked by this particular 'Changing Tracks' program because he had made the decision to run this particular story on the Tuesday, which was the day before Cardinal George Pell gave evidence to the royal commission into institutional child abuse via video link from Rome. I will read a little excerpt from the segment where a man named Bernie said:

G'day Raff,

As a boy, I was a very reluctant student at a Christian Brothers college. My protests to my mother, of wanting to go to the local tech fell on deaf ears.

Mum was a very judgemental, religious harridan, whose pious scorn and derision of other people was most unchristian. At my school, I always had a feeling of not belonging, of being different or not as good as my peers. Living in a housing commission home, while many students were from affluent homes, didn't help.

His story went on, and it was about how much he loved Lou Reed and how his music moved him. He said that the priests had delivered a fire-and-brimstone sermon on the decadence of 'Walk on the Wild Side', and Lou Reed in general was painted as the devil incarnate. As Bernie's story went on, he said:

Eventually, I became estranged from my parents, and remained so until their recent deaths. The last time I spoke to my mother, I said either denounce the priest who had abused me as an altar boy, or lose your son. Mum chose the church.

Bernie said:

I am now 55 years old and have been happily married for 34 years. I have three kids in their 20s and enjoy an incredibly close and loving relationship with them. I drove big trucks up and down the highways of every mainland state for 30 years, and now own six of them, after building a thriving business from scratch.

Ironic, isn't it, I ended up better than I ever thought I would, or what my mother ever gave me credit for.

Raff then read an email that came from Bernie in response to the evidence that had been made given the previous day by Cardinal Pell. As I know many people in this place heard, Cardinal Pell in his evidence compared the responsibility of the Catholic Church for sexually abusing children to that of a trucking company. He said that if the company's driver picked up a passenger and then sexually assaulted that person, he did not think it appropriate for the leadership of that company to be held responsible.

It is not surprising that Bernie, after telling his story and having worked in the trucking industry himself — and a number of others in the media have spoken along the same lines — said something like, ‘Well, imagine if the headquarters of that company was in New York and it was refusing, after its employees had committed sexual abuse, to release records of its employees who have broken the law and sexually abused other human beings’. I think any reasonable person and the church would look on that company as pretty poor. I am pretty devastated to say that the religion and the church I grew up in and the schools my parents spent a lot of money sending me and my three sisters to are guilty of that. They will not release this information, and having been brought up in that system, I find it really hard to understand how they could not have the adherence to Christ that we were asked to have.

I knew Father Gerald Ridsdale well. He was in the Ballarat diocese when then Father George Pell was in that diocese. Gerald Ridsdale abused a number of boys at that time, and he is in jail for that. Those boys were the same age as me and would be the age that I am now, but some of those boys are not alive now because of what they suffered. Yet Gerald Ridsdale is still alive. To my knowledge he has still not even been defrocked. George Pell accompanied him to court and supported him. George Pell was part of making the decision to move him from Warrnambool, where I grew up.

I remember being at a family reunion picnic beside Lake Wendouree in Ballarat, and all the children in our family were there. I said, ‘Mum, I’ve just seen Father Ridsdale walking along, and he does not have his collar on. He’s got an open-neck shirt, but he has two crosses on it’. Mum said, ‘That can’t be possible. Father Ridsdale isn’t very well at the moment, and the church has moved him to Lakeside Hospital’, which was a psychiatric institution. The church’s response to the sin he committed against those children was to move him there for three months. Yet while he was supposed to be in that mental institution he was in a children’s playground. Who knows whether he was looking at me and all the other little children who were there, but that is where he was.

A few short months later he was moved about 300 kilometres from my family home of Warrnambool to where my grandparents lived, in the parish of Inglewood, where he continued to offend. I was in grade 2 or 3 at that time. I cannot believe that George Pell can make those comparisons to what happened — what happened to children, what happened with Father Gerald Ridsdale and what happened with all the institutional abuse that continued — while he has

continued to be promoted in the church that I was raised in.

The bill before the house takes very seriously that ministers of religion should be subject to working with children checks, and I hope the government will pay a lot more attention than the George Pells of the world have to what ‘incidental contact’ means and to what the member for Broadmeadows said about the abuse that occurred in confessionals, as the parliamentary committee heard. We need to make sure that the regime we are voting on, as implemented by this bill, is absolutely watertight, because we are not able to trust senior people in the church like Cardinal Pell. We have not been able to trust him all my life, and young men who I grew up with who should now be raising their kids and having grandchildren on their knees are not here because supposed good men like George Pell did not act.

Good on Bernie, who wrote in to Raf Epstein last week, for speaking out, and good on every young man and woman who has spoken out and every adult who has stood up for them. Good on them for their courage, as opposed to the George Pells of the world. I commend the bill to the house.

Sitting suspended 6.31 p.m. until 8.01 p.m.

Mr SOUTHWICK (Caulfield) — It is a pleasure to rise to speak on the Working with Children Amendment (Ministers of Religion and Other Matters) Bill 2014. This bill continues the important work the government is doing to further ensure that children are kept safe in all areas, and in particular it strengthens the working with children check which was instigated in 2005. The bill furthers the recommendations of the Family and Community Development Committee *Betrayal of Trust* report and ensures that the protection of children is put first and foremost when it comes to some of the changes to the principal act.

The bill builds on reforms that have already been introduced such as antigrooming laws, making it an offence for persons of authority to fail to take action to protect children in their organisation against known child abusers, requiring the reporting of child abuse to police and the requirement for organisations that work with children to meet the new children’s safeguards. The bill amends the principal act to require all ministers of religion who have contact with children to obtain a working with children check. There have been some 1.492 million working with children checks issued, there are some 946 000 working with children card holders and 1861 negative notices have been issued to people who have applied for a working with children

card. Those who have received negative notices are the sorts of individuals we need to focus on. When it comes to the part of the bill which deals with strengthening the working with children check, there are some 83 000 ministers of religion or people working in religious organisations who will be encompassed as part of this amendment.

The legislation makes it clear that a working with children check is a minimum requirement for working with children and is not a suitability check. We need to make sure that the working with children check is only the first stage for staff and volunteers in organisations that have a direct contact with children.

In the time I have remaining I will talk about a number of organisations that go beyond that minimum. The bill provides those organisations with flexibility to go that one step further and encourages them to do so. The Australian Childhood Foundation Safeguarding Children program was developed by the Australian Council for Children and Youth Organisations (ACCYO) in July 2009. ACCYO merged with the Australian Childhood Foundation to expand the reach of the program. The program is now managed by the foundation, a not-for-profit organisation which ensures there are a range of principles and practices which build on the working with children check. This is important because we need to make sure that our children are protected in whatever way is possible. We consider the working with children check to be a base, and we need to ensure that organisations build on that base and look at whatever strategies they can to ensure that our children are safe and protected.

Some of the organisations that have received accreditation through ACCYO and the Safeguarding Children program include the Somerville Family Support group, Camp Quality, Chabad Youth and the YMCA organisations in Ballarat, Bendigo and Manningham. Organisations that are currently seeking accreditation to build on that working with children check include the Australian Zionist Youth Council, Jewish Aid, Jewish Care Victoria, Jewish Labour Bund, Rabbinical Council of Victoria, Tzedek, Ronald McDonald House charities, Yeshiva College and the Ararat, Eastern Goldfields, Geelong, Portland, Whittlesea and Victoria YMCAs. All YMCAs have gone above and beyond the working with children checks and are building these safeguarding policies.

I want to touch on one of the organisations that I had involvement with over the years. Ardoch Youth Foundation has spent over 20 years working with young people in schools ensuring that those young people are protected and encouraged to remain in

school through education programs, after-school programs breakfast programs and mentoring programs. This organisation, as do many charities, works with hundreds of volunteers. We know of the importance of volunteers to our community organisations, to charities and to the emergency services. Right across the board volunteers are integral to this work. We also know that among those volunteers there are rare individuals who deliberately target these organisations. They put their hand up to volunteer to try to gain access to young people. They do it for a whole range of different reasons but mainly to exploit and take advantage of young people. These are the individuals that we need to be mindful of. These are the individuals that we need to be targeting. These are the individuals that we need to ensure children are protected from through the right legislation.

Ardoch Youth Foundation has a youth safe guard policy, and it covers a whole range of different things that go beyond working with children check including a code of conduct, a staff recruitment support supervision and training program and a volunteer support supervision program. All the way through, from staff to volunteers to training, everything is covered in its safeguarding policy. It does not just rely on the working with children check and say, 'We've done everything we can'; it makes sure that there are safeguards all the way through the organisation. I commend the CEO, Mandy Burns, the board and the whole organisation for their discipline. This is a costly exercise but an important one to ensure that the safeguards to protect children are in place.

I want to give an example of the information included in its policy. Things to do include:

treat all young people with respect and take notice of their reactions to your tone of voice and manner;

maintain contact with children/young people in a supervised area;

raise all concerns, issues and/or problems about a child/young person's wellbeing and safety with your supervisor as soon as possible; and

make sure all allegations or suspicions of abuse are reported, recorded and acted upon in a confidential manner.

Things not to do include:

engage in rough physical games;

hold, kiss, cuddle or touch a child/young person in an inappropriate and/or culturally insensitive way;

make sexually suggestive comments or use inappropriate language to a child/young person, even as a joke;

do things of a personal nature that a child/young person can do for themselves, such as going to the toilet or changing clothes;

disclose any personal information of a controversial nature; and

exchange personal contact details with, initiate or maintain unauthorised contact with children/young people.

This is really important. Certainly I have heard of cases in the past where an individual who wanted to target very young people would go for a working with children check, have access to these young people straightaway and do what they could to take advantage of them. We need to ensure that there is a minimum, which is the working with children check; that that minimum is strengthened; that there are a lot of elements in place to clarify the definition of child-related work; and that the secretary has power to suspend or revoke a working with children check if the appropriate information is not presented. We need to tighten up all these issues to ensure that there are proper screening and supervision practices in place.

As I said earlier, this will ensure that our religious organisations, ministries and associated bodies take part in checks and that ministers of religion who have contact with children in congregations have a working with children check to further enhance the protection of children and their families. This was paramount in the parliamentary inquiry, which revealed flaws within many of the religious organisations that we know. This is a key element to ensure that these people are incorporated in this important area.

I commend the Attorney-General and the Minister for Community Services for their great work in ensuring that we strengthen these laws, provide the appropriate protection for our young people and, most importantly, put children front and centre in all of our policies. That is symbolic of everything we do here as a government. We are making sure that our young people are protected. I commend the bill to the house.

Mr SCOTT (Preston) — I cannot say it gives me pleasure to rise to speak on the Working with Children Amendment (Ministers of Religion and Other Matters) Bill 2014 — not because I am speaking in opposition to the bill, but because of the gravity of the issues which arise in relation to it. Let me place on the record, as I understand has been done by a number of speakers from the opposition, that the Labor Party strongly supports the working with children check system, which dates from 2005. We view the protection of children from sexual abuse as a major priority, well beyond party politics. I would hope that in discussing these matters every member of this place comes to this

issue with a view that children should be protected. The Labor Party believes that the Parliament should make sure children are kept safe wherever they are, that people working in contact with children should be subject to appropriate checks and that this should apply in religious institutions as it applies elsewhere.

Debate on this piece of legislation takes place in the shadow of the work that was done by the Family and Community Development Committee. I pay tribute to both the members and the staff of that committee for the work that was done in developing the report *Betrayal of Trust — Inquiry into the Handling of Child Abuse by Religious and Other Non-government Organisations*. In doing so I will relate two personal notes to this house. I had the honour, in many ways, of being in a lift with persons who were going to attend that inquiry. Being in their presence, you did not have to know their personal circumstances to know that they were victims of abuse. It was written into their very souls. We should understand as a Parliament, collectively, the devastating impact of child abuse. We should not mince our words here; we are talking about the sexual abuse, and in many cases the rape, of children, often by those in positions of trust or authority. This is the most serious issue possible. The failure of those in authority to protect children over many years — and I am certainly not seeking to ascribe any political blame — has left far too many members of our community devastated by those terrible experiences. These are matters which I hope all members of this place would approach with the gravity that they deserve.

Turning to the bill itself, the bill introduces the protection of children as a paramount consideration, and it amends the Working with Children Act 2005 to that effect; it makes clear the fact that the working with children check is a minimum requirement, not a replacement, for appropriate assessment and monitoring; it simplifies the definition of ‘child-related work’; and it requires all ministers of religion to have working with children checks unless they have no contact or only incidental contact with children. I noted the contribution of the member for Broadmeadows, and the member for Thomastown, who was also on the inquiry, is currently present. In his contribution the member for Broadmeadows touched upon the definitional issues around ‘incidental’ contact. His contribution was a thoughtful one and added to the debate by focusing on this important question. It would be worthwhile for that issue to be more greatly illuminated for the house.

Further, the bill revises the category application process relating to individuals with a criminal history who may

present a risk to the safety of children; it clarifies the jurisdiction of the Victorian Civil and Administrative Tribunal (VCAT) where a working with children check applicant has a criminal history; and it makes general improvements to the operation of the Working with Children Act 2005.

As I said previously, this is a most serious matter. I will deal with one aspect of the bill, which is the requirement for all ministers of religion to have working with children checks unless they have no contact with children or only incidental contact. I speak for myself, but I would be surprised if there were a member of this house who did not know people who were in contact with those who have been abused through religious institutions. I note that the previous speaker talked about a small minority of people. In the context in which it was raised by the member, that is a true statement. However, the breadth of this problem is very broad, and it affects a large number of people. I am not criticising the member — I think his point was well made — but there is a breadth to the impact of this issue. As I said, I would be surprised if there were any member of this house who did not know individuals who had been involved with religious institutions where there was abuse, and where the lives of themselves, their friends or their families were not deeply and horrendously impacted by this.

The Labor Party is not opposed to this particular clause. As a party it supports the application to religious institutions of working with children checks, because this is a very serious issue that has a broad impact on the community. It has been touched on by previous speakers, but the sort of world view where the desire to protect the names of religious or other institutions — whether they be institutions that do welfare work, and there are many worthy institutions that have public purposes that are commendable — at the cost of individuals who have been sexually abused, or children who have been sexually abused, is a great stain on our community as a whole.

I think all members would come to this debate with an honest desire to assist in the protection of children as their main imperative, but we should all understand collectively that there is a stain on our community that will not be washed away easily. There has been a collective and longstanding failure in relation to a fundamental misunderstanding of where the primary duties within the community lie. Institutions that have served for hundreds, and in some cases thousands, of years are not as important as the welfare of children.

I hope all members can see that there has been a fundamental misunderstanding of where our

responsibilities as a whole lie. In our democratic society, the place where the emphasis must lie has been fundamentally and forever changed, because from now not only members of Parliament but the broader community will understand deeply that institutions, whatever their value, should never be placed ahead of the welfare of children who are suffering from sexual abuse. Insofar as this bill or any other piece of legislation or any report to the Parliament work towards that end, that is something we should all commend. As a member of Parliament, I take no pleasure in participating in such a debate. Because of the nature of the shame, we should all — if we have been here for more than a passing time — bear some responsibility for the failure to act earlier.

This issue in our community has not emerged recently. It has been well known, that is the truth — there have been issues; some have emerged more recently, but that is broadly as a whole. All of us should take some responsibility for not acting earlier than we have. It is not a party political issue, but it is something we should all consider. As I said, I support the view that children should always be the paramount consideration. It does not matter which institution it is, never again should the interests of a formal organisation be placed ahead of the interests of children. It was not just one formal organisation; this was a pattern across our community. It was a pattern whereby loyalty was fundamentally misplaced, not just by one individual — and I am not going to name one individual.

Mr Wynne interjected.

Mr SCOTT — I will not respond to the interjection, but I will take up the point. I know that is disorderly, but in this context, it was not just one religious organisation. It was a pattern of behaviour whereby a betrayal — and the betrayal of trust was talked about — of the most vulnerable took place to protect the interests of certain organisations. Many of them do many good things in the community, and there is often a debate between a utilitarian view or a more principled base, but wherever we lie in relation to that particular complex, moral dialectic, never again should we place the collective interests of an organisation above children who have been raped and sexually abused by persons in positions of trust.

Mr ANGUS (Forest Hill) — I am pleased to rise this evening to speak in support of and make a brief contribution on the Working with Children Amendment (Ministers of Religion and Other Matters) Bill 2014. This is another great bill introduced by the Attorney-General. I congratulate him and his team on again crafting legislation that will endeavour to address

many matters that have become apparent to the broader community in Victoria.

The main purposes of the bill are to amend the Working with Children Act 2005 in four ways: firstly, to provide that the protection of children is to be the paramount consideration when administering that act; secondly, to clarify the definition of 'child-related work'; thirdly, to improve the operation of the assessment notice process; and fourthly, to generally improve the operation of that. It also amends the provisions of the Victorian Civil and Administrative Tribunal Act 1998 relating to the Working with Children Act 2005.

We can see that the main objective of this bill is to improve the rigour and operation of the whole working with children regime. It will clarify the Working with Children Act and further enhance protections afforded to children and their families. That must continue to be at the forefront of our minds when turning our attention to these matters for the sake of the broader community, because at the end of the day the objective is not to create more hurdles and more boxes to tick, but rather to ensure there is a rigorous and comprehensive system that will protect the most vulnerable members of our community. This bill will go quite some way towards further enhancing the framework, the legislation and the necessary checks and balances surrounding this vital area for our society.

The bill addresses one of the recommendations arising from the Family and Community Development Committee report on the handling of child abuse by religious and other non-government organisations, which is of course the *Betrayal of Trust* report that a number of contributors have mentioned in relation to this bill. The bill also implements recommendations arising from a comprehensive internal review of the scheme that has raised a number of matters which have been addressed.

I go back to the main aspects of the bill. It inserts an overarching principle that ensures that the protection of children is to be the paramount consideration when making a decision under the Working with Children Act. Perhaps that is stating the obvious, but it is essential that it is unequivocally recorded in the legislation so it is a clear signpost for anybody who looks at it at any time in the future to know what the objective is.

The bill simplifies the test used to assess the risk posed by applicants with criminal records. It amends the purpose of the working with children check from a suitability check to a minimum check, which better reflects that the check does not assess an individual's

suitability but rather sets in place a minimum standard for those wishing to engage in child-related work. This is an important aspect that should not be forgotten.

The bill refines the definition of child-related work to enable a clearer understanding of the intended scope of the scheme. It replaces the current category classification system with a revised three-category classification system and removes the exceptional circumstances provision to simplify the existing scheme. It also removes exemptions relating to accredited drivers because they are superfluous; they have never been used. The bill clarifies that a person who holds a negative notice cannot rely on any of the exemptions in the Working with Children Act in order to work with children. It provides the Secretary to the Department of Justice with the power to make inquiries or obtain information about an individual following the issuance of a negative notice and an appeal to the Victorian Civil and Administrative Tribunal.

It also does a number of other things in terms of consolidating provisions concerning reassessments and addressing a whole range of matters. As I said earlier, I just wanted to use my brief contribution to emphasise the overall thrust of this particular piece of coalition legislation, which is thankfully supported by the opposition. It is going to strengthen this whole regime and further enhance the protections available for children, who are the most vulnerable people within our community. With those few comments, I commend the bill to the house.

Ms BEATTIE (Yuroke) — I rise to make a brief contribution to the debate on the Working with Children Amendment (Ministers of Religion and Other Matters) Bill 2014. It is sometimes disappointing to be a member of this Parliament. Today we saw the press gallery lined with cameramen presumably wanting to take photographs of mischievous behaviour or some sort of misdemeanour, but tonight, when a really important piece of legislation is going through the house in a bipartisan way, not a camera or a reporter is to be seen. It is a very disappointing thing that they demean the work of this Parliament so easily.

We can all look at the paper on which this bill is written, but nothing expresses the thrust of the legislation as well as the stories told to us in this house, such as that recalled by the member for Broadmeadows about the woman who had been abused and could only report the behaviour 30 years later. I understand that the average length between an offence taking place and the victim reporting the crime is 23 years. We can also all recall the wonderful contribution by the member for

Richmond, now at the table, when he spoke with love of his friend who had been severely abused.

This is good legislation presented to this Parliament in a bipartisan manner. It introduces the protection of children as a paramount consideration. That should be what we do all the time. Children should be our paramount consideration because children are vulnerable. It does not matter how old the child is: whether they are a tiny child or a young teenager, such horrific memories can be seared into their brains. If this Parliament can stop the abuse of even a handful of children, it will have done an excellent job. It is the primary purpose of the bill to protect children. Although this legislation emanated from the Attorney-General's department, we all know it is largely the work of the Family and Community Development Committee report entitled *Betrayal of Trust — Inquiry into the Handling of Child Abuse by Religious and Other Non-government Organisations* that is the real genesis of this bill.

The bill introduces the new criminal offence of grooming. It also requires non-government organisations to be incorporated if they receive government funding or tax exemptions — but we should not want this bill to be about the money. We have often seen the response to child abuse being about the money and trying to pay people for their silence. This cannot go on any longer. The bill requires all ministers of religion to have a working with children certificate unless they have no contact, or only incidental contact, with children. The definition of 'incidental contact' is one of the things I have concerns about as it seems to be a grey area at the moment. Members on this side of the house would like that definition to be tightened a bit. The new law applies to all religions and faiths, and this bill should not be seen as just highlighting one faith. Certainly there are many institutions which have had the same problems, and in some institutions the problems have been almost systemic. Let us hope that our society is now aware of what can happen in an institution in which people of authority who should be able to be trusted to work with vulnerable children abuse that trust.

This is good legislation. I particularly commend the Family and Community Development Committee, its chair, Ms Georgie Crozier, a member for Southern Metropolitan Region in the other place, its deputy chair, the member for Broadmeadows, and the other members of that committee. It must have been heartbreaking, but it also must have been terribly hard for them to do their work, to sit there day after day and hear about the shocking abuse that occurred in institutions.

As a society we should say, 'Never again should this happen'. The bill is a good bill. The protection of children should always be beyond politics, and the approaches to deal with it should always receive bipartisan support. There are a lot of other speakers who want to speak on this bill, so I will confine my remarks. But in conclusion let me say how disappointed I am once again that members of the press choose to highlight some mischievous matters in this house and yet not one of them is here tonight to report on the fine work that the committee has done and the fine work that each side of the house is going through at the moment in presenting this bill. I commend the bill to the house.

Mrs POWELL (Shepparton) — I rise to support the Working with Children Amendment (Ministers of Religion and Other Matters) Bill 2014, and in doing so I congratulate the Attorney-General for again bringing a bill before this house which is so important, improves our justice system and protects our most vulnerable. I also acknowledge the support by the opposition. There truly is bipartisan support of this important bill. I acknowledge the comments by the member for Yuroke, who spoke about the lack of media interest. It is disappointing. This is Parliament at its best, where we work together. There has been a lot of emotional debate and there have been many emotional contributions in this house, so let us hope that the media is listening somewhere and will perhaps read *Hansard* and report on the importance of this bill and some of those wonderful contributions from people who have spoken about experiences they have had, some of which were quite traumatic. Let us hope that is happening.

The bill amends two acts — that is, the Working with Children Act 2005 and the Victorian Civil and Administrative Tribunal Act 1998 — and has a number of other provisions. The bill provides that the protection of children is to be the paramount consideration when administering the Working with Children Act 2005. The High Court has stated that when legislation has the intention of prioritising one right over another, it must be explicit in that legislation. This legislation does that — it makes it explicit that we are making that a priority. It has bipartisan support in this house, and so it should have.

The bill makes it clear also that a working with children check provides a minimum check rather than a suitability check. That ensures continued monitoring of the working with children checks, so that for those whose circumstances change the secretary can revoke the working with children check, can in some way stop that person from working with children or can perhaps just keep a check on them. Those convicted of or

charged with certain offences will not be granted an assessment notice. The most important part of this legislation is that it requires all ministers of religion who have contact with children to obtain a working with children check.

I also acknowledge the work of the Victorian parliamentary Family and Community Development Committee inquiry, whose members included the chair, Georgie Crozier, a member for Southern Metropolitan Region in the other place; the deputy chair, the member for Broadmeadows, who spoke in this house very eloquently about his experiences during that inquiry, how he felt when those witnesses were giving evidence and how members of the committee felt; and David O'Brien, a member for Western Victoria Region in the other place. We had members of the Liberal Party, the Labor Party and The Nationals on that committee; it was an all-party committee.

An honourable member interjected.

Mrs POWELL — And the member for Thomastown. I know there were others on that committee. I did not have the book, so I apologise to those members I did not mention. The report is named very appropriately *Betrayal of Trust*. There can be no greater betrayal of trust than by a minister of religion. This is a position held in the highest regard and it has the highest responsibility. These people are seen as men of God. I say 'men of God'; I am not being sexist, but I do not think there have been many reports of women being involved in allegations of child sexual abuse. These people preyed on the vulnerable. They preyed on the people in their care, and a number of speakers have spoken about the importance of this. When a child or a family goes to church and there have been generations of people being in the choir, being altar boys or being in those sorts of positions, then that is seen as something they aspire to. They like to go there, and when their children are betrayed and sexually abused, that is the most heinous of crimes.

The member for Broadmeadows spoke about the parents being haunted for many years, but the member for — —

An honourable member interjected.

Mrs POWELL — The member for Yan Yean spoke about knowing some of those people and said that some of them are no longer with us. It is important to understand that some of those stories are just so dreadful, but the families have to live with them.

I was watching *Australian Story* on Saturday. It was a story about a very brave female journalist who

disclosed child sexual abuse from people of the Catholic faith. She was a person of the Catholic faith herself, and her family was very much of the Catholic faith. She had to expose those priests who had sexually molested children over many years, and as she wrote those stories in the paper in New South Wales other people disclosed to her their experiences with certain priests. She disclosed those as well. It was very difficult for her to write the stories, because obviously it was very difficult for her family, which was a very devout Catholic family. But as she said, the church protected those priests. It moved them on. It covered up their crimes. Those in power knew about the issue and covered it up. That is what this bill hopefully will help to bring an end to. One of the priests talked about how difficult it is to defrock a priest. We need to make sure we do not say that all priests are like that. I know many ministers of the church who are lovely, caring people; and it is very sad that there are some who have tainted the church.

With those few words, I wish the bill a speedy passage. Hopefully this will become law very soon.

Mr LIM (Clayton) — I am pleased to rise to contribute to the debate on the Working with Children Amendment (Ministers of Religion and Other Matters) Bill 2014. The bill amends the Working with Children Act 2005 (WWCA) to make improvements to the operation of the act and provide a mandatory base for the further protection of children. There are a few key points in the bill that should be highlighted.

Firstly, the bill states that the overarching principle is that the protection of children is a paramount consideration. It also simplifies the definition of child-related work. The amendments to the act are being made to prioritise the protection of children above any other consideration, such as the working rights of an individual. For example, under the act if a chief executive is making a decision about a child where there is a conflict between the safety of the child and the interests of an adult caring for the child, the conflict must be resolved in favour of the protection of the child. According to the High Court of Australia, when one right is to be prioritised above another, explicit legislation is required. The bill states:

When the Secretary or VCAT makes a decision or takes an action under this Act, the protection of children from sexual and physical harm must be the paramount consideration.

This brings the act into line with other child protection legislation, such as the Children, Youth and Families Act 2005, which states:

For the purposes of this Act the best interests of the child must always be paramount.

The amendment enshrines in the bill a fundamental belief that has been embraced by the Victorian community.

The bill also amends the definition of the term 'child-related work'. By splitting the term into 'child-related' and 'work', the bill provides a simplified definition of the two distinct concepts in the existing definition. The term 'work' includes contract work, religious or vocational duties, official appointments, practical training and volunteer work but excludes unpaid work for private or domestic purposes. 'Child-related' is defined as 'direct contact with a child and that contact is not directly supervised by another person'. The definition excludes occasional direct contact with children that is incidental to the work. Redundant provisions in the existing act are removed to make way for the introduction and implementation of the scheme. Other changes include simplifying the concept of direct contact and refining the definition of the term 'supervision'. The term 'regular' is removed.

Secondly, the bill clarifies that a working with children check (WWCC) is a minimum requirement and does not replace appropriate assessment and necessary monitoring. The bill provides that the WWCC is the initial screening process of an individual's criminal history in order to filter out persons who have been convicted of or charged with certain offences and are not allowed to work with children. The bill makes it clear that the WWCC is the minimum requirement rather than a comprehensive suitability check. This is to avoid any suggestion that employers or organisations requiring WWCCs have no further responsibility to assess or monitor staff or volunteers in terms of managing the risk and ensuring the safety of children.

Labor supports any measure that will help to advance Victoria's capacity to protect its children, such as requiring persons working with children to be appropriately checked for suitability. It is critically important for the state to ensure that children are protected by preventing persons who may pose a threat to children from working in a position of responsibility over children. Some of the places we once thought were the safest environments — homes, schools, kindergartens and churches — have been revealed in many instances to be places where children are maltreated. That is the case, for example, in situations of domestic violence, street brawling, and even war between countries. The amendments in the bill are small in scope yet they are moving in the right direction and should be encouraged.

Thirdly, under the bill all ministers of religion are required to hold a WWCC. This means all persons who are ordained as religious leaders or have a general authority over an organised religious institution or religious congregation, such as a church, mosque, synagogue or temple, will be required to undergo a WWCC. In situations where ministers of religion have no contact or only incidental contact with children, the WWCC is not required.

Fourthly, the bill amends the category application process for individuals with a criminal history who may present a risk to the safety of children. The existing act provides that previous offences perpetrated by an individual that may represent a risk to the safety of children be categorised either as category 1, 2 or 3 or exceptional circumstances application. A key change to the system, as stated in the amendment, is that pending charges for sexual or violent crimes are included in the assessments. The categories are now described as category A, B and C, with each being assessed against current unjustifiable risk and reasonable person tests. The existing categories 1 and 2 become category A and category 3, category B. Category C covers disciplinary findings and other charges, convictions or findings of guilt for any other offence that the secretary deems relevant to the WWCC.

Fifthly, the bill clarifies the jurisdiction of the Victorian Civil and Administrative Tribunal (VCAT) in situations where the WWCC applicant has a criminal history. Under the new categories A, B and C in the bill, a person who has been given a negative notice or reassessment is allowed to apply to VCAT for the giving of an assessment notice. VCAT may direct the secretary to give the assessment notice if it does not pose an unjustifiable risk to the safety of children and that it is satisfied in all circumstances that it is in the public interest to give the notice.

Lastly, general improvements are made to upgrade the operation of the WWCA. The changes include combining all the reassessment provisions in order to increase the readability of the legislation. This is an important bill that makes positive changes to the current legislation. I commend the bill to the house.

Ms McLEISH (Seymour) — I rise to make a contribution to the debate in support of the Working with Children Amendment (Ministers of Religion and Other Matters) Bill 2014. This bill puts the focus fairly and squarely on the protection of children. Both sides of the house are in agreement that this is an extremely important concept, and this legislation is one avenue by which this commitment is being demonstrated.

Two years ago the government put forward an amendment to review the working with children check. At that time it was about focusing on the protection of the children and not on the person who was applying for the check. The priority was to make it clear that the interests and welfare of children come first. We strengthened the test before a working with children check was given or maintained and made a number of other changes with regard to two assessment categories. Where the rights of different parties are in conflict before the courts, the High Court of Australia has ruled that the prioritisation of one right above another must clearly be set out in legislation.

The amendments made by the bill work towards providing that clarity, and the overarching principle is that the child is the person who needs to be protected. Following the tabling of the *Betrayal of Trust* report a number of legislative areas needed to be strengthened, and recommendations made by the Family and Community Development Committee continue to be implemented. The work undertaken by the committee members was tough: they had to speak with people, understand them and read submissions. At the heart of the committee's findings was that the trust put by families in ministers of religion was breached — hence the betrayal of trust. We know that betrayal had a devastating effect not only on the children but also on the families.

The change to the working with children check means ministers of religion who have contact with children must undergo a working with children check if they are ordained or an appointed or recognised leader in any congregation, whether it is a church, mosque, temple or something else. In the past families have put much trust in ministers of religion. Several people from my electorate visited me to talk about some of their experiences with ministers of religion. They absolutely trusted ministers with the care of their child and found that trust wholly breached; they harbour so much guilt about the fact that they did that.

The legislation also introduces the concept of a minimum check or requirement. If an organisation makes its members undertake a working with children check, that is not the only thing it should do. The provision of a minimum check does not replace any other assessment or monitoring that should be undertaken or any other rigorous reference checks or work that should be undertaken. It does not provide an out for an organisation to say, 'No, we had everybody undertake a working with children check. That is our due diligence and we are done'. That is certainly not the case. The working with children check is one requirement. We have minimum checks, but

organisations still need to do the work because they have a degree of accountability to make sure that the protection of children is absolutely front and centre of what they do.

From working in the area of sport I know that there are a lot of occasions when children are under the protection of team managers or coaches. Overnight stays can be par for the course; however, they are risky situations. We know perpetrators of child abuse will often use a whole bunch of different means to gain access to children. With the minimum checks we are strengthening the working with children checks. The requirement for ministers of religion to undergo checks as well will certainly help to protect children.

The legislation clarifies the definition of 'child-related work'. As often happens with legislation, it ends up being a lot more wordy and complicated than it needs to be. The amendment simplifies the meaning of the term 'child-related work' by separating the concepts of 'child-related' and 'work'. I am pleased to see that both sides of the house support this important legislation. I congratulate the Attorney-General for bringing it forward, and again I put on the record my thanks to the members of the Family and Community Development Committee who put out the *Betrayal of Trust* report, because that report has enabled the Parliament to pass some powerful legislation. I commend the bill to the house, and I wish it a speedy passage.

Mr WYNNE (Richmond) — I rise to make a contribution to debate on the Working with Children Amendment (Ministers of Religion and Other Matters) Bill 2014. I follow the appropriate and measured contributions of members of the house who have contributed to the debate tonight. I echo the comments made by the member for Yuroke. It is a pity that people do not often see this Parliament when it operates truly at its best, where the voice of the community is articulated in a way that looks for common ground and seeks to legislate in a way that is in the interests of our community more generally, because frankly that is the reason we are here.

The bill provides for a number of amendments to the Working with Children Act 2005, a core element of which arose from the *Betrayal of Trust* report put out by the Family and Community Development Committee. It was a bipartisan report which came before this Parliament for consideration and debate. I acknowledge the work done by both sides of the house in relation to a range of amending bills that have already been debated, and this is the next tranche of reforms. In that context, I note that from my side of politics contributors to debate on this bill have included

the members for Broadmeadows and Thomastown, who were members of the Family and Community Development Committee. Ms Crozier, a member for Southern Metropolitan Region in the other house, and other members of that committee also worked in an assiduous way to try to ventilate and bring to light some of the most harrowing experiences undergone by people at the hands of a range of religious organisations, and they were ably articulated in the *Betrayal of Trust* report.

The bill introduces the protection of children as a paramount consideration, and we absolutely support that. It makes clear that a working with children check is a minimum requirement and not a replacement for appropriate assessment and monitoring. That is a very important principle. It simplifies the definition of child-related work and requires all ministers of religion to have a working with children check — I will come back to that matter — unless there is no contact with children or incidental contact only. It revises the category application process relating to individuals with a criminal history who may present a risk to the safety of children, and clarifies the Victorian Civil and Administrative Tribunal's jurisdiction where a working with children check applicant has a criminal history. These are all good and sensible amendments.

I come back to the matter of the requirement that all ministers of religion need to have a working with children check unless they have no contact or only incidental contact with children. I speak of that in the context — as I have in the past in the Parliament — of the experiences of a dear friend of mine. He is a friend and political colleague who unburdened himself to me about his circumstances and the appalling abuse he suffered systemically for many years, in this case at the hands of the Catholic Church. The reason I specifically want to concentrate on this matter is that the bill as I had initially read it in relation to ministers of religion requires that persons ordained or appointed as religious leaders in any religious institution or congregation will be required to undergo a working with children check unless there is only occasional or incidental contact with children in their role. The circumstances of my friend and the abuse that he suffered were in fact at the hands of a trainee priest — a seminarian.

The concern I had had with this bill was the question of whether it would cover his particular circumstance, because as I had initially read the bill I was concerned that this was not the case. I have sought clarification that it does cover seminarians, and I invite the Attorney-General, who is the sponsor of this bill, to offer assurance that the purview of the bill does cover these people. I say that from understanding the very

bitter experiences of my friend, who was preyed upon by this seminarian for a number of years, ironically while he was studying and on placement to become a priest. He subsequently became a priest and went on to continue his abusive behaviours, not only with my friend but with many other victims as well. I am aware that he has spent time incarcerated and he may well spend further time incarcerated in the future.

The particular issue of seminarians was most horrifying to me when my friend spoke of the most appalling abuse that occurred to him when he was taken away on camp. He came from a poor family. I came from a poor family. The idea that you would go on a camp or on a holiday and this could happen was unimaginable. On two occasions when he went away on a camp he was used and abused by these seminarians. He was treated like a plaything for these evil seminarians. It did not happen to him once; it happened on a couple of occasions. When I think about that and when I think of how as he told me this his face twisted in anguish and a torrent of tears, it is almost unimaginable that this could happen to a young boy of 11 or 12 years of age. But it did happen and it has scarred his life.

This seminarian also had a power relationship, because my friend's family, poor as they were, were linked spiritually, emotionally and financially to the church. What could this boy do? This 11 or 12-year-old boy was too scared to come home from his paper round for fear that the seminarian would be at his house to abuse him yet again. Of course, he took to alcohol early. He had problems with school, including truancy — all of the things you would expect to happen to an abused young boy. This went on for years. People ask, 'Why didn't he do something? Why didn't his parents do something about that?'. In this circumstance, it was a power relationship with the Catholic Church and the seminarian, who almost destroyed this boy's life.

It is in that context that I come to this debate tonight, because we have shone a light on some of the worst excesses of not just the Catholic Church but of a whole range of religious organisations who use their power, who use their relationships, who use the intimacy of the family home — if you can imagine that — and who took young kids away and abused them systemically. A boy who should have had a decent life had it taken from him in that ultimate betrayal of trust. He has gone on and somehow put his life together. He is under intense psychiatric and psychological care. He has a caring and loving family, but I know the terrible tragedy that befell him, which ultimately robbed him of his innocence. That is why I hope that this working with children check covers seminarians as well.

Ms GRALEY (Narre Warren South) — I rise this evening to speak on the Working with Children Amendment (Ministers of Religion and Other Matters) Bill 2014. It is my very strong opinion, which I have heard expressed over and over again by others in this house today, that governments must do everything they can to check that our most vulnerable, our children, are protected. As the member for Yuroke and other speakers have mentioned, it is pleasing to see members on both sides of Parliament working well together on a subject on which we should be united — that is, the protection of our children. It always comes as a shock to people who love their children and invite into their homes people who also love their children that there are people out there — respected people, people in positions of authority — who emotionally, sexually and physically abuse our beautiful children.

I note that in the first instance the bill is introduced for the protection of children as the paramount consideration. As other members have said, putting children front and centre of our legislative agenda is very important — that is, shining the spotlight on children and making sure that in every part of all legislation their rights and lives are protected by the people who make the laws in this state. The bill also makes clear that a working with children check is a minimum requirement and not a replacement for appropriate assessment and monitoring.

The bill simplifies the definition of the term ‘child-related work’ and requires all ministers of religion to have a working with children check unless there is no contact with children or incidental contact only. We want to make sure that in all religious places — whether it be a temple, a church, a synagogue or a mosque — all children who attend those important centres for community gatherings, not just for prayers but often for celebration, are protected.

The bill also revises the category of application process relating to individuals with a criminal history and who may present a risk to the safety of children. It clarifies the jurisdiction of the Victorian Civil and Administrative Tribunal where a working with children check applicant has a criminal history, which is very important. The bill makes some other general improvements to the operation of the working with children check.

As members know, the working with children assessment dates back to the previous government. I am glad that since then we have received bipartisan support for the check, because I have no doubt that it has saved many children from suffering the abuse that other people have so dreadfully experienced. I have not had

much of a chance recently to speak on the landmark *Betrayal of Trust* report. I take this opportunity to commend the members of the Family and Community Development Committee on their hard work. It is an extraordinary report.

I acknowledge also the contribution of the Attorney-General in listening to my fellow MPs, especially the member for Oakleigh, who for a long time advocated for an investigation into what she was hearing from her constituents about abuse at her local church. It is really heartwarming to know that at the Family and Community Development Committee inquiry the people for whom she strongly advocated had their chance to tell us about their experiences. What harrowing experiences we heard about from them. I commend those people and thank them for finding the courage to come before that committee. I attended a couple of the hearings. It was not a comfortable experience. The people were talking about very, very difficult experiences, and I commend them for doing so. Everyone in this house and every person in Victoria is the beneficiary of their honesty in the stories that they had to tell about the harrowing experiences they had as children.

I must say that last week I was a little disturbed when I turned on the TV — I may have been watching *ABC News 24* — and the ABC crossed directly to the royal commission hearing in Melbourne. Cardinal George Pell was talking about trucks and churches and goodness knows what. I have to say how disappointed if not disgusted I was to hear him making that crass and unbelievably unsophisticated and uncaring analogy of running a trucking company and the church’s response to the abuse of children under its care. I certainly hope that while Cardinal Pell is busy managing the Vatican’s finances in Rome he takes some time to reflect on that, because he still needs to take very good care of the Catholic flock here in Australia.

I have met people who have suffered abuse. Those people have been victims of others who have abused their power, who have abused their office, who have abused their religion in order to satisfy some weird sexual fantasy or gain some sort of sadistic pleasure. Sometimes you ask yourself, ‘What is wrong with that person? What’s stopping them from living a confident, happy life?’. You only have to scratch the surface to hear stories about the abuse they experienced in institutional care, at their church or at their school.

The other night I was watching *Compass*, which had a fantastic story about Manny Waks, who appeared at the royal commission as well as at the Family and Community Development Committee hearings. In one

respect it was heartwarming to see how he is going about rebuilding his life and to learn that he has set up an agency to support other people who had similar experiences. It was also very sad to see how that family, not just Manny, had been shunned by the ultraorthodox Jewish community.

At the end of the *Compass* program you learnt that they had lost friends and that his own family members had questioned his version of his experiences. Then you saw his parents catching a plane to Israel. Thank God for Israel, because they had somewhere to go. Hopefully they are rebuilding their lives in Israel and are able to practise their religion and enjoy their family and their lives in safety. It seemed very sad to me that they had to pack their bags and leave the home they had lived in and where they had raised their family and had to leave the synagogue that they had loved attending. The impact is felt by not only the people who are abused, the victims, but also by their families and the communities they live in.

I want to put on the record that, as the member for Lyndhurst said, we want to make sure who is covered by this bill. We cannot afford to be ambivalent about it. We cannot afford to be just a little bit this way and a little bit that way. We have to be quite certain, including being really certain about what the terms 'occasional contact' and 'incidental contact' mean. We could all benefit from some clarification of those terms.

I must put on the record also my concern about what I understand is the defunding of the Australian Charities and Not-for-profits Commission, because if we know anything it is that if you are going to make laws, you have to make sure that the people who are ensuring that the laws are complied with are accountable. It strikes me as very strange that the federal Liberal government is defunding a watchdog that would provide a lot of common-sense guidance on and compliance in relation to the bill that members are considering tonight. This is a good bill. It deserves the bipartisan support of the house, and I commend it to the house.

Mr LANGUILLER (Derrimut) — Speaking at mass in the chapel of his Vatican residence, the Pope said:

There is no place in the church's ministry for those who commit these abuses, and I commit myself not to tolerate harm done to a minor by any individual, whether a cleric or not. All bishops must carry out their pastoral ministry with the utmost care in order to help foster the protection of minors, and they will be held accountable.

The Pope compared child abuse by priests and bishops to 'a sacrilegious cult' and said that such crimes had 'a toxic effect' on faith and hope in God. He said:

Some of you have held fast to faith, while for others the experience of betrayal and abandonment has led to a weakening of faith in God. Your presence here speaks of the miracle of hope, which prevails against the deepest darkness. Surely it is a sign of God's mercy that today we have this opportunity to encounter one another, to adore God, to look in one another's eyes and seek the grace of reconciliation.

It could not have been said better by the Pope.

I stand together with my colleagues on this side of the house as we join to support those members on the other side of the house. I take this opportunity to commend the work of the amazing parliamentary committee, the Family and Community Development Committee, which was chaired by the honourable Georgie Crozier, a member for Southern Metropolitan Region in the other place, and the deputy chair, the member for Broadmeadows. They did an amazing job. Their work has had an extraordinary impact, and not only in this country. I read media and newspapers from other parts of the world, and I quote the Pope, who said that the work done by this committee in this, may I say, humble place and country has had a positive effect in so many other places. As members know, I have the good fortune to be able to read about the Pope and other leaders of the church and other churches in my mother tongue of Spanish, and it is with pride that I say that the work done by this committee is taken into account in a number of other countries and is reported in a number of other languages.

I am very honoured to be able to make a few remarks on the Working with Children Amendment (Ministers of Religion and Other Matters) Bill 2014. I commend that work and I commend its bipartisanship because in matters of this kind it is important that the public understands — the people whom we represent on both sides in all constituencies — that on these matters we stand together. When it comes to protecting the wellbeing of children there is no division between us, and today in 2014 we stand together to protect their wellbeing and safety, and nothing should get in the way of that. I commend the work of the committee, and I commend this important legislation.

In some ways it is incumbent on me, as parliamentary secretary to the Leader of the Opposition, who is the shadow minister for multicultural affairs, to say very clearly and directly — respectfully but very directly — that there is no room in any culture or in any multifaith group in our community to tolerate, condone or accept any form of meddling with the safety of children. It is not condoned, to my knowledge, by any faith or by any culture; the opposite is the case. I think it is important to place on the record that in my travels representing the Leader of the Opposition and my colleagues I, like

everyone in this chamber, talk to people around Victoria and Australia and the matters that concern those people also concern the members of multicultural communities. They wholeheartedly — and I have not seen one submission to the contrary — support the good changes that are being made and advanced in this chamber in order to protect the wellbeing of children. I commend the work of the committee, which has led to this important legislation, which is a further good step in the right direction.

In the *Betrayal of Trust* report, an important work which I know was written with passion, care, love and commitment, the member for Broadmeadows said:

Admissions secured during this inquiry will surely end the era of blind faith and cover-ups ...

Adviser to the Pope Cardinal George Pell conceded that the Catholic Church placed paedophile priests above the law and destroyed documents in Victoria. When I asked Australia's highest profile Catholic leader if he agreed that this systemic cover allowed paedophile priests who prey on innocent children, Cardinal Pell replied:

Yes, you would have to say there is significant truth in that.

It was very courageous to have put that on the record and very honest, but it was very important.

In passing, I grew up among Jesuits and Salesians in another life. I did a bit of work with theology. It is a little bit different to the theology that is practised today in some places, but it is a theology I feel very strongly about and one which remains very strongly committed to social justice, inclusion and fairness in society. Nevertheless, I am proud of the fact that this committee managed to get some very good work done, which is a historic achievement. I am particularly proud of the fact that it is bipartisan, because I do not believe that what is required can be achieved and the protection and safety of children improved unless both major political parties agree to work together. This is good for the government, but it is also good for the opposition.

Time will prove that this is what I regard to be political leadership on the part of both the government and the opposition. I commend the work done by all members, but in particular I refer to the work done by the member for Broadmeadows. I know he committed an enormous amount of energy and time, and importantly a lot of passion to the work. It requires a lot of passion, courage and conviction to prosecute this case, which is not an easy or simple one.

The sexual abuse of children is one of the most abhorrent crimes, and it has a devastating and lifelong impact on survivors. We have heard many submissions

made by members on both sides. We know that is an important way of dealing with it and that people's representations and submissions have been heard. Labor supports the measures that are designed to better protect vulnerable children and punish those who prey on them. It could not have been said better or in a more unequivocal way, certainly in so far as the Catholic Church is concerned, than it was by that good Pope Francis of the Catholic Church. I commend him and the Church for their leadership.

Ms THOMSON (Footscray) — I rise to speak on the Working with Children Amendment (Ministers of Religion and Other Matters) Bill 2014. In so doing, I indicate that the Labor Party is not opposing this legislation. We have a lot of important matters that we have to take responsibility for as members of Parliament, and there is nothing more important than the responsibilities we have to those who are least able to stand up for themselves. This is very much the work that we as MPs, across the divide, probably reach the most agreement on — that is, our responsibility to the young and the vulnerable; our responsibility to make sure that we protect them at all times, particularly from those who they may, or should, feel safe with.

I want to talk a little bit about the work of the Family and Community Development Committee on the report entitled *Betrayal of Trust*. This was incredible work done by MPs who had to deal with a lot of emotional distress just listening to the victims and their stories and then in working out how best to address the issues that they raised in a way that we can actually legislate for. It is often easy to say that we can see a solution in something; it is another thing to actually turn it into law. They spent a lot of time not only hearing those submissions and going back through them but also in working out how best to address the issues that were raised to ensure that we do not see that kind of occurrence again in the numbers we have seen in the past.

I do not think this legislation will mean that we will not see instances where this still continues to occur; I think we will. And I do not think that as many times as we come back to legislate around paedophilia and the abuse of children we will be able to eradicate it entirely, but we need to make sure that the institutions that people go to with trust, and entrust their children too, are actually safe. We should make sure that our religious institutions, no matter what they are — whether they are churches, temples, synagogues, mosques or whatever else — are places where children can go in safety. Parents should feel reassured that they can send their children in safety and know that they will come home, returning safely and hopefully enriched.

However, the experience for many has not been that, and it has been horrific. What has been more horrific has been the cover-up — the fact that we have not disclosed what has been going on in these institutions and the fact that these individuals were made to feel that they were the guilty party and that they were at fault. This is what is so terrible about the stories that people have had to listen to and read about.

To see legislation before this house that deals with the issue of the religious organisations and ensuring that the proper checks and balances are put in place is very important. It is very important that religious organisations take responsibility for what the people within them do. They should not run away, try to bury it, move people on so that they can do it somewhere else or simply hide them away somewhere else and pretend it did not happen. What we want them to do is admit to it, confront it and deal with it. They need to make sure that they do everything in their power to have it never happen again and to ensure that not one more child in their care is put at risk. This legislation goes some way to doing some of the things that I think we are expecting out of the report that we all read, and I think felt quite personally.

The bill makes clear that the working with children check is a minimum requirement and does not replace appropriate assessment and monitoring. The bill simplifies the definition of ‘child-related work’. It requires all ministers of religion to have such a check unless they have absolutely no contact with children or only incidental contact. It revises the category application process relating to individuals with a criminal history who may present a risk to the safety of children, and it clarifies the Victorian Civil and Administrative Tribunal’s jurisdiction where someone applying for a working with children check has a criminal record. It also makes general improvements to the operation of the act.

We are seeing that we are coming to terms with the fact that in many ways our religious institutions have failed many children and that we as lawmakers have a responsibility to go some way to filling that gap. I do not necessarily think this is far enough, but it is a start. I am sure we will be back here again, no matter who is the government of the day, to do more in this space to protect our most vulnerable.

In saying that, I emphasise that this has been a long process. We are seeing a raft of legislation come before us, and hopefully that legislation is considered, is thoughtful and covers all the issues that were raised by the report. We hope the legislation protects our young people and we pay respect to the work done by the

committee in the legislation we pass. We do not just superficially pass a law and hope it does the job, but after passing the legislation we review the success of it and make sure that religious institutions abide not just by the letter of the law but by the intent of the law. Hopefully we are interested in ensuring that never again are religious leaders able to cover up what should never be covered up, what should always be exposed and what should always be dealt with at the time and dealt with properly.

Whilst it is good to see this legislation before the house — and I commend the government for moving on this issue — we always need to be vigilant and make sure that obligations are being met by all institutions that have a duty of care to young people so that parents and families can feel that when their children venture out they will come home safe, secure and protected. I commend the bill to the house.

Ms HALFPENNY (Thomastown) — I rise to speak on the Working with Children Amendment (Ministers of Religion and Other Matters) Bill 2014. As previous speakers on this side of the chamber have indicated, Labor is not opposing this legislation.

As has been said, these amendments to the Working with Children Act 2005 have in part arisen from the *Betrayal of Trust* report. I was a member of the Family and Community Development Committee, which conducted the inquiry that resulted in that report. As has been said by others, we heard time and again terrible stories — the shocking, awful, horrendous stories — of abuse, exploitation, intimidation and humiliation from many people who as innocent children were treated in this way. In most cases the evidence we received was that it was at the hands of ministers of religion — those people in our society who are supposed to be trusted and be part of organisations that care for children, not treat them so badly as to criminally abuse them and ruin their lives. In talking about this it is important to remember that it ruined the lives of many people who as adults are still suffering the terrible consequences of the abuse inflicted on them when they were young.

This bill is good in that it tightens up various definitions and tries to take away a few of the loopholes. It expands the requirement of having a working with children check to ministers of religion, who in the past have in some cases been excluded from being subjected to any scrutiny. The committee inquiry showed that ministers of religion should perhaps have been subjected to more scrutiny than others.

In the second-reading speech the Attorney-General said:

The government accepts that ministers of religion occupy a unique place within the community that places them in a role of trust and authority and accordingly is amending the act to provide for a specific requirement relating to ministers of religion.

The amendments will apply to persons who are ordained or appointed as a recognised religious leader in an organised religious institution or who are the appointed leader of, and have general authority over, a local religious congregation, such as a church, mosque, synagogue or temple. The bill requires all ministers of religion to apply for and obtain a working with children check unless any direct contact with children is incidental, and if the minister is an appointed leader of a local congregation, that congregation does not contain any children.

I want to go to the issue of requiring a minister of religion to have a working with children check unless any direct contact with children is incidental. The question is: why do there need to be loopholes that allow a minister of religion to not be required to have a working with children check? After this legislation was released for public comment I received numbers of emails and letters, or was copied into emails and letters that were sent to the Premier, from people who were concerned and complaining about there being a get-out clause in this legislation and asking why, if the government is genuine, it is not ensuring that all ministers of religion have a working with children check, rather than basing the requirement to have one on a test of whether the contact they have with children is incidental to their work.

What is most upsetting is that there is no need to exclude ministers of religion where contact with children is incidental to their work, because there is no great burden in getting a working with children check. Why could it not be that all ministers of religion are required to have a working with children check? Why do we allow even this small area where some ministers of religion are not required to have a working with children check? Where will that lead?

This is yet again a case of victims — those who suffered abuse at the hands of ministers of religion — not being listened to. The emails and letters I have received show that people feel that again they are not being listened to in full. We have received suggestions from them that there should be working with children checks for all ministers of religion, yet here we have more legislation that has ‘but, or, if, oh, maybe’. Nothing is straightforward, nothing is clear cut and people are not showing that they are on the side of victims. There is always a way out for a minister of religion with these sorts of legislative loopholes that leave a gap in requirements, rather than saying there should be a coverall.

Ministers of religion are being treated in a more favourable way than other people in our community, even though we have received overwhelming evidence and heard terrible stories, which we are still hearing through the royal commission, of ministers of religion perpetrating these horrible crimes against children. Yet again we have a situation of victims not being fully listened to, even though they have written and appealed to various members of the government to reconsider this provision and ensure that all ministers of religion have a working with children check. This has again fallen on deaf ears, just as the reports they made of their terrible experiences fell on deaf ears in the past.

The legislation being introduced is obviously better than nothing, and of course we are not opposing it other than to raise our concerns that it does not go far enough. This piece of legislation carries out one of a number of recommendations in the *Betrayal of Trust* report. In addition to the working with children check provisions there are other provisions that are vital to the prevention of the abuse of children, such as the requirement for religious organisations to not be able to use property trusts to protect assets in order to avoid being sued in cases of abuse of children.

There were recommendations in the *Betrayal of Trust* report around organisations being incorporated. Again, you would not think that would be too hard. In the seat of Thomastown every volunteer seniors organisation — whether it be a Macedonian, Greek or Turkish seniors club — has to become incorporated. They all go through the incorporation process even though English is not their first language and even though they are not in any way trained in governance matters. They are still able to incorporate, and the world has not frozen over nor has the sky fallen down. These are recommendations that also require action and legislation to further protect children from organisations that have been clearly proven to be the worst perpetrators of abuse of children.

Certainly the incorporation of organisations protects children and provides a way for people to achieve further justice by suing organisations that fail to protect children that are in their care and allow the perpetrators of such terrible crimes to continue to work in those organisations. This is another recommendation that ought to be quickly assessed and put into action. Similarly there is an issue with looking at some of the property trusts, although that is not one of the recommendations because there were seen to be difficulties with that.

The working with children check legislation is good in that it further increases and strengthens the legislation

that was brought in under the Labor government. It does not go far enough in that it allows some ministers of religion to be excluded by the definition that the work they do with children is incidental or does not occur. Again, it would only take a tiny step to make sure that all ministers of religion require a working with children check under the legislation. This is fundamental to protecting children.

Ms RICHARDSON (Northcote) — I am very pleased to rise to speak on the Working with Children Amendment (Ministers of Religion and Other Matters) Bill 2014. The bill makes it clear that the working with children check is a minimum requirement and not a replacement for appropriate assessment and monitoring. It requires all ministers of religion to have working with children checks unless they have no contact with children or only incidental contact occurs. The bill clarifies the jurisdiction of the Victorian Civil and Administrative Tribunal where a working with children check applicant has a criminal history. It also revises the category application process relating to individuals with a criminal history that may present a risk to the safety of children.

There are other changes that the bill before the house makes, and these are all very important measures. They are long-awaited measures that enjoy bipartisan support. I want to take this opportunity to commend the work of the parliamentary Family and Community Development Committee and its report entitled *Betrayal of Trust*. It was a very difficult inquiry for all involved but particularly for those who were traumatised in the past. Having to relive these events took tremendous courage, and each and every one of those victims deserves our heartfelt thanks.

I take this opportunity to thank our Labor members on the committee — the members for Broadmeadows and Thomastown — in particular for their efforts in keeping party members informed of their important work. They were diligent and considerate in all that they did. They dealt with my questions and the questions from the wider community in a studious and careful way.

Mr Delahunty — As they all did.

Ms RICHARDSON — As they all did — but I had direct involvement with those members on the committee.

The bill enjoys cross-party support and reminds us of the need to remain forever vigilant with respect to these kinds of reforms. In the past our trust was misplaced, and hence we have the need for this kind of legislation. In the past those in positions of power misused that

power and in fact compounded the hurt they inflicted by trying to cover up these terrible events. That these terrible events occurred in the past surely informs us that this bill, while commendable, needs to be considered as just the beginning of our responses. The working with children check was introduced by Labor in 2006. Its extension to ministers of religion is entirely appropriate, although I do support the view of the member for Thomastown that no exemption should apply to any minister of religion. There should be no exemptions. It should apply to all. This would go some way to assuring the community that ministers of religion are persons to be trusted in the future. I commend the bill to the house.

Mr CLARK (Attorney-General) — I thank all honourable members for their contributions to the debate on this bill, the bipartisan support that has been given to the legislation and the spirit that has generally prevailed in this house and elsewhere in relation to response to the *Betrayal of Trust* report and the excellent work that members of the Family and Community Development Committee from both sides of politics did in relation to that report.

I have been asked during the course of the debate to provide some assurances in relation to the references to only occasional direct contact that is incidental to the work of a minister of religion and whether that creates any issues. I am pleased to provide assurances to the house that this is simply intended to deal with limited situations, such as where ministers of religion might be in closed religious communities of adults that do not have engagement with children or ministers of religion potentially working in a church bureaucracy purely as bureaucrats with no particular occasion for contact with children. It certainly does not apply, for example, to bishops or others who might go out to confirm children or engage with them from time to time. It was simply to avoid the situation where ministers of religion who were in a category where they had no engagement, or virtually no engagement, with children, and no reason to have anything other than the most occasional engagement with children, would be required to go through the process of applying for a working with children check. The intention throughout has been to ensure that those who do have contact with children are required to have a working with children check, and that is achieved through the direct specifications of the provisions relating to the obligations imposed on ministers of religion under section 9, as well as through the definition of ‘minister of religion’ itself.

In relation to the specific matter raised by the member for Richmond about seminarians, again, by virtue of the changes that have been made to the act to remove the

existing requirement about regular direct contact with a child and replace that with work that usually involves direct contact with a child, a seminarian in the situation described by the member for Richmond, who was sent along, as I understand his example, as a camp leader and who abused children in horrific circumstances in that context, would, even if that person were not a minister of religion, be required to have a working with children check. Being a leader or a supervisor at a camp would be work that usually involves direct contact with a child that is not usually supervised by another person. On top of that, it may well be that a seminarian designated to such a role would be regarded as having been appointed as a recognised religious leader. However, it is not necessary to go to that because, as I say, the broader reforms made by this legislation will ensure that in the sort of situation I have referred to a seminarian would be covered.

I hope that provides assurances to those honourable members who were seeking them. This bill gives effect to the objective of ensuring that any minister of religion who is in charge of a congregation with children in it, or who has contact with children as any part of their religious duties, is required to have a working with children check. As I said, it is really only in those unusual situations of people in closed communities of adults only, working in church bureaucracies or similar, to which the requirement does not apply.

Motion agreed to.

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

Third reading

Motion agreed to.

Read third time.

ELECTORAL AMENDMENT BILL 2014

Second reading

Debate resumed from 6 August; motion of Mr CLARK (Attorney-General).

Mr PAKULA (Lyndhurst) — It gives me pleasure to rise to speak on the Electoral Amendment Bill 2014. This is a difficult bill for the house to be considering at this juncture, given that we were at last count something like 88 days from the election. It is a difficult bill for the house to consider at this juncture because it makes changes to the application of the Electoral Act 2002, which the Victorian Electoral Commission (VEC) will be expected to implement not 88 days from

now but in fact in a much shorter period than that. Obviously the nominations and the rolls close sooner than 88 days from now. There are political parties and candidates who are already in the field, having material prepared and printed, and the changes proposed by this bill will at least potentially impinge upon some of those activities that are currently underway.

It is true that there are a number of matters contained in this bill that were considered by the Electoral Matters Committee of the Parliament, but it is equally true that there are a number of clauses in this bill that go beyond the matters that were considered by the Electoral Matters Committee and —

Mr Delahunty — The VEC matters.

Mr PAKULA — The member for Lowan, in what are always erudite interjections, indicates that the VEC has made some recommendations about it, and that is true — the VEC has made some recommendations. But these are changes that are being recommended that will have an impact on an election that is going to be held less than three months from now. The question all members are going to need to grapple with today and tomorrow, when this bill is finally considered at the end of the second-reading debate, is whether the Parliament and the members of this house have had sufficient opportunity to consider the changes that have been proposed and whether they ought to be implemented this close to an election.

I would suggest to the member for Lowan that it is unusual with an election this close for changes to the way that election is to —

Honourable members interjecting.

The ACTING SPEAKER (Dr Sykes) — Order! The member for Lyndhurst to continue, without the assistance of the well-meaning member for Lowan, ably assisted by the well-meaning member for Bellarine.

Mr PAKULA — Acting Speaker, I am always gratified when I am able to obtain that degree of protection from the Chair. It is late and I am feeling fragile, so thank you. As I said, it is at the very least a challenge for this Parliament to consider these matters for the first time as a consequence of the introduction of this bill, when a number of those matters have not previously been considered by the Electoral Matters Committee (EMC) of the Parliament.

A number of the provisions contained in the bill were considered by the Electoral Matters Committee. The clause that relates to the closing of the roll within three

days of the writ for election rather than within seven days is a matter that was considered by the Electoral Matters Committee. Some of the provisions of the bill that relate to early voting centres are also matters that were considered by the Electoral Matters Committee. Some of the changes with regard to postal voting and some of the matters with regard to the transfer value of votes on the Legislative Council ballot are, I am advised, matters that were also considered by the Electoral Matters Committee. Notwithstanding the fact that they were given consideration by the committee, I would suggest that even with a couple of those matters we are running very close to the wind time wise to make those kinds of changes this close to an election.

With regard to the changes to postal voting, for example, and certainly to the way a written postal vote application form might look as to signatories and witnessing, it is not beyond the realms of possibility that, this close to an election, one or more political parties may have already sent their postal vote application forms off to the printer. I am not sure whether it is the case, but it would not surprise me if those postal vote forms may already be in production or may already have been produced, and it would be a shame if an action of this Parliament caused a whole raft of those items to be pulped. That is a matter we need to give serious consideration to.

I understand that the shortening of the roll closure period from seven days to three was a matter that was given some consideration by the Electoral Matters Committee. I am also mindful of the fact that that would seem a challenging concept for a number of those constituents who would be seeking to be enrolled to vote. There may well need to be a substantial educative process undertaken so that people understand that how long they have to get on the roll after the closing of nominations will be cut in half. Whether or not there is sufficient time for that educative process this late in the day is a matter of some contention.

A number of provisions in the bill have never been canvassed by the Electoral Matters Committee. The items I have just referred to are matters that were canvassed by the Electoral Matters Committee, an important committee of the Parliament whose work needs to be respected, but there are a number of other matters that have never been canvassed by that committee. First of all there is the question of changing the definition of 'authorised witness'. That may be a fairly benign change, it may be a matter of form only and, as the member for Lowan so helpfully indicated a few moments ago, it may be something that was recommended by the VEC, but it is not a matter that was considered by the Electoral Matters Committee.

I come to the matter of electoral advertising authorisation. The question of electoral advertising authorisation is perhaps the most contentious element of the bill. Again, it is not a matter that has been given any consideration by the Electoral Matters Committee, and it is one that may have the effect of changing the form of ads that are allowed without authorisation prior to this election.

Business interrupted under sessional orders.

ADJOURNMENT

The DEPUTY SPEAKER — Order! The question is:

That the house now adjourns.

Sandhurst Centre

Ms ALLAN (Bendigo East) — The matter I am raising this evening is a matter for the Minister for Community Services, and it relates to the ongoing tender process for the Sandhurst Centre, which is in my electorate of Bendigo East. The action I am seeking from the minister is for her to explain why the Napthine government has decided to accelerate the tender process for the privatisation of the Sandhurst Centre.

To give some background to the situation, in the week before the 2013 state budget the Napthine government, through the Melbourne media, made the announcement that it was going to close the Sandhurst Centre in Bendigo. This was not necessarily a surprise decision. It is an ageing facility, it certainly needs a capital investment and the residents deserve to be provided with more modern facilities that suit their needs. But it was a bit of a shock that this announcement was made through the media. Such an important decision — —

An honourable member interjected.

Ms ALLAN — It is not something you should be making light of; this is a serious issue around intellectually disabled men in the community.

Honourable members interjecting.

The DEPUTY SPEAKER — Order! The member for Bendigo East knows that it is disorderly to respond to interjections, and the member for Lowan should know better than to interject.

Ms ALLAN — Many people would appreciate that this is a facility that provides services to intellectually disabled men who have been there for a very long period of time. These men think of this facility as their home and they think of the staff in the facility as family. Members would appreciate that the

announcement came as a shock and that staff and residents had many questions.

There has been a campaign for certainty about how these services will be provided when the centre closes in 2016. Labor agrees with the 80 staff and 29 residents that they need certainty, and that is why it has committed to the Department of Human Services operating the five community residential units being built to accommodate the Sandhurst residents when it closes. This will provide certainty to the staff and certainty to the residents.

However, we are now seeing that the privatisation agenda of the Napthine government is being accelerated. The minister announced that she wanted to provide certainty by bringing forward the tender process for non-government organisations to operate the five residential facilities. You can imagine the dismay this has been met with by the staff and residents. The only certainty this announcement provides the staff is that they will be sacked sooner rather than later. Rushing the tender is a cheap political stunt from a minister who is under pressure. She wants to have this situation wrapped up prior to the forthcoming election. There is no need for this to be rushed in such a way, as the centre will not be closed until 2016. The only reason to do this is so the Napthine government can avoid scrutiny about this decision and avoid people having the opportunity to have a say about Labor's alternative proposal prior to the election. Our community expects more, the residents deserve more and the staff deserve more. That is why we want to hear explanations from the minister about this process.

A. Lewis & Co.

Ms MILLER (Bentleigh) — I direct my request to the Minister for Small Business. The action I seek is for the minister to visit the Bentleigh electorate to meet with the owners of local small business and timber mill A. Lewis & Co. As a timber merchant and primary producer based in Bentleigh that has been serving Australia for over 100 years, this local family business supplies the public and wholesale markets with the finest selection of timber and mouldings. Established in 1905 and founded by Abe Lewis, the business continues to operate within the confines of the same family through third, fourth and fifth generation descendants.

A. Lewis & Co. is also focused on the business's environmental sustainability and aims to be 100 per cent plantation product suppliers by 2015. To achieve this target the business is working on chain of custody certification for all products, which is an essential

certification in place to ensure that our forests will be there for future generations. Its timber products are sourced from sustainable yield and plantation forests in Australia, New Zealand, Europe, the USA and Canada, and the business is also enrolled in the Wood. Naturally Better. campaign, which encourages the increased use of responsibly sourced wood as a building material.

Since the business was established in 1905, timber machining techniques have developed and evolved to meet customers' needs. The business is committed to obtaining the best quality products from renewable plantations as opposed to rainforest and non-renewable resources. All staff members at A. Lewis & Co. are trained to have an in-depth working knowledge of all timber building products in terms of their suitability to each project and application, and they are able to advise local customers on what might be the ideal product to suit their personal needs. All products in the extensive range are also stored correctly to ensure that the product leaves the business in optimal quality. In my role as the member for Bentleigh, I am proud to have a family-run, environmentally conscious, friendly and thriving small business operating in the community, and I am pleased to invite the minister to tour the site and meet the wonderful owners, Laurie Lewis and his family. The action I seek is for the minister to visit the Bentleigh electorate to meet the local small business and timber mill A. Lewis & Co.

Bellarine Peninsula police resources

Ms NEVILLE (Bellarine) — The matter I raise is for the Minister for Police and Emergency Services. The action I seek is that he reverse the decision to downgrade police services in Bellarine until the recently announced six-month review is completed and the community has had a say on what sort of policing it wants.

The minister and the Chief Commissioner of Police recently made a secret visit to Bellarine police stations in Drysdale, Portarlington, Queenscliff and Ocean Grove. Despite formal requests from representatives of a range of community groups for a meeting with the police minister and the police commissioner, they both decided to visit with no formal meetings or discussions with the community. In a community like Bellarine the networks work very effectively, so the community became aware of this visit and that only the media had been invited.

On the day I received a call from the mayor of Queenscliffe, who said, 'I have just heard a little rumour that the police minister and the police commissioner are up at the police station in

Queenscliff. I said that apparently they were and that they had not invited the mayor or notified the Borough of Queenscliffe, which is a pretty unusual thing to do. Luckily, thanks to those networks, a number of residents had the opportunity to ask some questions and discuss the issue of policing changes with the minister and the commissioner, and both admitted that there had not been any consultation before the decision had been made and that there would be a six-month review of the changes to police services. The question remains as to whether the intention is to explain the model that has been introduced or whether it is just a general consultation.

It is absolutely vital that this review receives input from community leaders from the very beginning — with the development of the terms of reference — to ensure that the concerns of the community form part of the review. The community has said clearly through petitions, rallies and letters to the minister that it does not want to lose local community-based police from Bellarine and that this needs to be a focal point of the review announced by the minister and the police commissioner. There also needs to be recognition that the population of Bellarine more than doubles during the summer period and that during this year, while the review is taking place, we need the doubling of police we have had in previous years. I, as the local member, along with the local councillor, Lindsay Ellis, and the mayor of Queenscliffe, have called on the minister to reverse the changes until the review is finished, to listen to the community and allow them to have input into the terms of reference, and to ensure that the review is a public process. If the minister is serious about listening to the community, he must reverse these decisions.

Hazelwood mine fire

Mr BLACKWOOD (Narracan) — The matter I raise is for the Deputy Premier, Minister for State Development and Minister for Regional and Rural Development. The action I seek is that he outline how the government intends to respond to the *Hazelwood Mine Fire Inquiry Report 2014*, which was tabled in the house this afternoon.

This fire began on 9 February 2014, entering the Hazelwood open cut coalmine that afternoon. The ensuing mine fire was complex and required significant resources during the 45 days it took to bring it under control. Due to the duration of the fire, the community in the Latrobe Valley and particularly the community of Morwell suffered significant concern for and distress from the smoke's impact. Government departments and agencies undertook a range of activities to support and alleviate the impact on the community, including

providing information, opening respite centres for breaks away from the smoke, establishing a community health assessment centre, relocating schools and childcare centres and providing free travel. The government also provided access to hardship and other grants to support individuals, families and businesses who were impacted as the fire continued.

On 11 March 2014, following the fire, the government established an independent inquiry into the circumstances of the Hazelwood mine fire, including the emergency response and the support provided to Morwell residents and other affected communities. The government appointed the Honourable Bernard Teague, AO, to chair the board of inquiry, along with board members Professor John Catford and Ms Sonia Petering. The board held community consultation sessions, received public submissions and undertook 14 days of public hearings. It has produced a report containing a number of recommendations, which was tabled today. The action I seek is that the Deputy Premier outline how the government intends to respond to the *Hazelwood Mine Fire Inquiry Report*.

Fishermans Bend development

Mr FOLEY (Albert Park) — I wish to raise a matter for the attention of the Minister for Planning. The action I seek is that the minister drop his dud Fishermans Bend precinct plan and place a moratorium on development applications in the area, and instead sit down with the community, developers, owners and other local stakeholders in the cities of Melbourne and Port Phillip to develop a proper plan that will build sustainable communities and ensure enduring, quality planning outcomes that mean we will not miss this once-in-a-lifetime opportunity to get Fishermans Bend and its 250 hectares right. I do so because it is clear that this minister has mishandled the Fishermans Bend project from its inception. What is more, he does not care. He knows that win, lose or draw at the election, he will not be the Minister for Planning and the problems he is bequeathing to the community will not be his responsibility. Let it be clear that this intergenerational mess that this minister or his hand-picked instrument, the Metropolitan Planning Authority, is about to unleash through the botched Fishermans Bend project will be the planning millstone that he and this incompetent Liberal government will wear as an undying reminder of their planning incompetence.

Faced with the chance to build something special, to have a well-planned community designed and built as a beacon of what Melbourne is capable of doing and of genuine world's best practice, what we have instead is the Minister for Planning clearly taking inspiration

from several of the characters of the current ABC television program *Utopia* for his own antiplanning agenda and obsession for height and density — presumably reflecting some trauma of his own. He came to this position with his ‘let the market decide’, deregulatory approach and allowed it to shape the project from the start. He had no intention of ever coming up with proper plans.

No doubt fired up by his round of early Club 2000, Club 5000, or any number of other secret Liberal Party developer-fed slush funds, he knocked over the former City of Port Phillip structure plan in the Montague precinct in one fell swoop in 2012. In its place he rezoned 250 hectares, an area greater than the Hoddle grid, into the capital city zone, making himself the planning tsar for the area. He promised 120 000 people living and working in this area, making it potentially the most densely populated part of Australia and speaking more of Kowloon-like densities, but without the infrastructure or services.

The same day he called for developer applications to be forwarded to him, and he certainly got them. Since that time there was a 5-minute ray of sunshine when, through the work of the City of Melbourne and City of Port Phillip, he released a vision document. Since then his structure plan has simply confirmed that this area is a planning disaster. The minister has one last chance to get it right. He needs to stop.

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

Country Fire Authority Killawarra station

Mr McCURDY (Murray Valley) — I am delighted to raise a matter for the Minister for Regional and Rural Development, and the action I seek is that the minister consider funding a meeting place for the small community of Killawarra. Killawarra is a wonderful little community 16 kilometres north of Wangaratta on the Yarrawonga Road. It is a classic community at the foothills of the Warby Ranges, and many of the locals are farming people. Some of them also work in the town of Wangaratta.

They are a very tight-knit group, and just recently the coalition government has built a new Country Fire Authority (CFA) fire shed for them, which they are very excited about. Although it is not open yet — that will happen in the next couple of weeks or months — that is certainly a very exciting prospect for them.

Recently I sat down to talk about the options for a meeting room with Clayton Henderson and a few of the

other volunteers at the CFA there. The current option is a second-hand portable office that could be brought in to the Killawarra fire shed, and that would suffice as a meeting room, but I think there is a better way. There is \$20 000 available — the community has \$5000 and the CFA is prepared to put in \$15 000 — but instead of using that \$20 000 to bring in the second-hand office complex, we could use that as seed funding with the Regional Growth Fund. It would be a great opportunity to achieve more. With a new fire shed, this would be a great opportunity to finish this project off in a fantastic way. The minister knows the Regional Growth Fund has been very kind to our communities, and our communities have been able to access tremendous leverage out of this program.

Our smaller communities really work well together and are able to lend a hand to each other. In fact Killawarra recently loaned its CFA truck to the Tarrawingee brigade, which then took it to the Broadford fires and a tree fell on it. They did not moan and groan. They just got on and got it fixed, and in the good spirit of community groups they did what they needed to do.

This is an opportunity to secure some funding to build a meeting room. These smaller communities are very tight-knit groups. The Rural City of Wangaratta has been very supportive, as has the CFA — they are happy to assist in getting a better outcome. They will always get a meeting room, but this would be a much better outcome in the end. I respectfully ask that the minister consider funding this project and dig deep into the Regional Growth Fund for any opportunities that might lie there for the community of Killawarra.

Glasscocks Road, Narre Warren South

Ms GRALEY (Narre Warren South) — My adjournment matter is for the attention of the Minister for Roads and concerns Glasscocks Road in Narre Warren South. The action I seek is the upgrade and extension of Glasscocks Road.

Glasscocks Road is currently broken up into sections between Frankston-Dandenong Road, Western Port Highway, South Gippsland Highway, Narre Warren-Cranbourne Road and Clyde Road. Unfortunately these roads do not all connect with Glasscocks Road. They end abruptly on either side of the South Gippsland Highway and Narre Warren-Cranbourne Road. This inevitably leads to motorists using surrounding residential streets to access both Narre Warren-Cranbourne Road and the South Gippsland Highway.

To say local residents are sick and tired of this difficult situation would be an understatement. I am constantly contacted by local residents who are increasingly frustrated by the ever-worsening congestion they must now confront just outside their own homes. This is not to mention the regular speeding and hooning they now witness every day. This is particularly troublesome for residents within the Hillsmeade estate. Instead of continuing onto Narre Warren-Cranbourne Road, Glasscocks Road connects to The Promenade, which runs through the heart of the estate. It is also home to Hillsmeade Primary School, a fantastic school that many local residents, including Bronwyn Smart, send their children to.

Bronwyn tells me that school pick-up and drop-off times have now become particularly congested, chaotic and unsafe. She also told me that the recent installation of speed humps by the City of Casey has done nothing to reduce congestion, speeding or hoon behaviour. In fact many parents have now told me they feel unsafe walking with their children through the estate. Some are unwilling to let their children play in their own front yards. This is a completely unacceptable situation that must be remedied as soon as possible. Some residents are also concerned that in the case of a natural disaster or emergency, they might not be able to exit the estate briskly enough because of the restricted access.

The farming taking place in the area is a reminder that all this area was once productive but is now dominated by dense housing. Delicate negotiations need to be undertaken to make sure that the owner is aware of the pressing need for this road. Local residents should not have to feel unsafe when walking their kids to or from school each day. They should not find themselves stuck in traffic on what should be quiet, safe and reliable residential streets, and they should not fear for their lives at times of risk.

No more excuses, no more delays — Glasscocks Road must finally be finished. Speak to the farmer, speak to the council and let us get this road fixed. We all need to listen to the very real concerns of these Narre Warren South residents. I ask the minister to take the required action for the extension of Glasscocks Road.

Queen Victoria Women's Centre

Ms McLEISH (Seymour) — My adjournment request is directed to the Minister for Women's Affairs, and the action I seek is for the minister to visit the Queen Victoria Women's Centre and meet with the CEO and staff regarding the centre's current and future needs, ensuring its longevity for the future of all

Victorian women. As a woman, I certainly think that is important.

The Queen Victoria Women's Centre is an iconic building in Lonsdale Street located on the site of the former Queen Victoria Women's Hospital, which administered to the needs of Victoria's women in the 1890s.

I might add that it was the Kennett government which was instrumental in ensuring that the building was secured for generations of women, driven most enthusiastically by the former Liberal MLC, Gracia Baylor. She was determined that the central tower of the former Queen Victoria Hospital would be preserved as a women's centre to be managed by women in the form of the Women's Centre Trust. That is what we have today, and it is fair to say that after all these years the centre is thriving.

Numerous women's organisations are now tenants, including the Council of Single Mothers and Their Children Victoria and Fitted for Work, which has assisted over 10 000 women with intensive interview training, personal grooming advice and clothing. Fitted for Work also offers a unique range of transition-to-work and mentoring programs. I might add that it is an organisation which many in this house know quite well. Until a year and a half ago, the centre was also home to WIRE, the Women's Information and Referral Exchange, an organisation I had the pleasure of addressing at its 30th birthday celebrations just last week. It was a terrific night, and I was pleased to meet with the CEO, Samiro Douglas, with the chair, Anne Smyth, and with the founding mothers, volunteers and friends of all ages. I was particularly pleased to see so many younger women taking up the challenge of being involved either as volunteers or at board level — and we all enjoyed the comic talents of Monica Dullard.

Other organisations use the centre for conferences, seminars, meetings and special events. It seems the centre's door is always open. As the Minister for Women's Affairs also holds the arts portfolio, I know she takes a keen interest in seeing just how versatile the centre can be. On 22 February the centre was one of dozens of locations that featured in the successful 2014 White Night program across Melbourne's CBD, which was a highlight of our arts calendar last year and this year. The centre hosted special screenings of the segment *Cockleshell* from the Tim Winton film *The Turning* throughout the night, and 1100 Victorians passed through its doors for the first time.

The Queen Victoria Women's Centre is not only symbolic but is also a highly functional and

much-loved focal point for all Victorian women. Again I ask the minister to visit the centre and meet with the CEO and staff regarding the centre's current and future needs. I am very pleased to see she is in the chamber to hear me.

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

Emergency services trench rescue

Mr NOONAN (Williamstown) — I wish to raise a matter for the Minister for Police and Emergency Services. The action I seek from the minister is for him to address the issues raised by the United Firefighters Union (UFU) in its open letter to the Premier, dated 22 August 2014, regarding trench or tunnel rescues. The matters arise from concerns raised at the Ballarat City Country Fire Authority (CFA) brigade, where two provisional improvement notices have been in place and, according to the UFU, a Victorian WorkCover investigation has been conducted into trench rescue capabilities, spanning a region from Ballarat to the South Australian and New South Wales borders.

As a result of these actions, I understand that a decision was made to remove the rescue role from the Ballarat City CFA brigade and for the role to be undertaken by the Metropolitan Fire Brigade (MFB) specialist trench rescue resources to cover a broad geographical region in the west and north-west of the state. This is an interesting decision, particularly given that MFB trench rescue specialists may be located many hours away from where members of the public may require a rescue response. As we all know, when it comes to any matter involving rescues, every minute counts and can be the difference between life and death. The UFU highlighted this fact in its letter to the Premier, saying:

Any attempt to suggest that the MFB could simply step in and cover the CFA deficiency is highly problematic.

While demand for trench or tunnel rescues may not be on the same scale as the demand to attend fires, the consequences of an inadequate response can be the same. Tragically lives can be lost, including those of emergency services workers, if the right training and equipment are not in place to respond efficiently to these call-outs. In this new era of interoperability, it is also concerning to learn that the MFB was seemingly not aware of this development to reallocate rescue responsibilities to it, and according to the firefighters this communication breakdown involved a period of some weeks during July and August. As the UFU states in its letter:

Astoundingly, the UFU has become aware that the MFB was not even aware of CFA's actions and therefore no arrangements have been made by the MFB to provide for a trench rescue response into Ballarat City's area of responsibility.

As the minister is responsible for both the CFA and MFB, it is important that he undertake a thorough review of the issues raised by the UFU and its members.

Whilst I understand that the minister is not responsible for the day-to-day operational decisions of CFA and MFB, it is clear he has a responsibility to protect the Victorian community in emergencies. Flying MFB trench rescue operators in to cover vast regions of the state because of a lack of trained specialists and equipment appears to be an inadequate arrangement. Therefore I am calling on the minister to have a closer look at the matters raised by the UFU and its members.

Half Moon Bay boat ramp

Mr THOMPSON (Sandringham) — Port Phillip is an iconic bay. It can be marked by cormorants streaking across the water in early light. It can be marked by the variable winds and the infrastructure supporting a range of boating activities. The biodiversity in the bay is also more diverse than that which exists on the Great Barrier Reef, and the Sandringham electorate coastline represents some spectacular aspects of Port Phillip. I raise a matter for the attention of the Minister for Ports. The action that I seek from him is an insight into the progress of works previously announced to the value of approximately \$276 000 for the upgrade of the boat launching ramp at Half Moon Bay.

Recently severe storms added to the works that need to be undertaken, with damage occurring to the pier and the place where boats might be moored alongside. Regular visitors to that precinct would understand that the impact of tidal movements and of sand bars can inhibit access to and egress from the boat launching ramp. Some of the works were to be undertaken to improve that situation.

What I seek from the minister is an insight into what the timetable will be for undertaking future works, noting that the fishing season is pending. There are not many boat launching ramps in my electorate that are accessible to the public. There are private forms of access at Beaumaris and Sandringham, but the boat launching ramp at Half Moon Bay represents an access point for recreational anglers from across metropolitan Melbourne. Sometimes there are vast queues in that precinct and timing is very important. Hence the works to be undertaken, once completed, will provide

important access opportunities for recreational anglers, and there is a very keen enthusiasm to ensure that those opportunities are not inhibited as a result of a delay in already announced government works or through the recent storm damage.

The boating industry is an important Victorian industry. Its value is measured in many millions of dollars, and there is also an export industry for Victorian watercraft. As far as recreational angling is concerned, there are many angling clubs across the state. In the Sandringham electorate there are many keen recreational anglers who catch fish both on the bay and also on Victorian inland waterways and inlets outside the immediate metropolitan area.

Responses

Mr NORTHE (Minister for Small Business) — I respond to a matter raised with me by the member for Bentleigh, who asked me to visit some members of her business community, in particular one of her local timber businesses which has been there for a long time. I commend the member for Bentleigh on her interest in the small business sector. I have been to her electorate in the past and have visited a number of businesses in the east of the electorate. However, I know that over a period of time the member has articulated to a number of businesses in the central area of Bentleigh, where this business is situated, the benefits of many of the events and programs the state government runs through Business Victoria.

The Small Business Festival Victoria was held in August. Around 33 000 businesses participated in 340 events across the state. I know the member for Bentleigh has been promoting some upcoming initiatives as part of that. One initiative is the Support Small Business Day, which is to be held for the second time on 4 October. We are certain we will get a very strong uptake from the business sector and indeed shoppers in local communities who want to get right behind and support their local businesses through that initiative.

A number of businesses in the Bentleigh electorate have taken up programs offered by Business Victoria. Recently the small business bus was out in the electorate and 27 businesses took up that great initiative. We are seeing more businesses take up more opportunities through the mobile bus and the mentoring services offered — yes, more services, more businesses more often. Again, that is a great opportunity for our mentoring service to go to businesses rather than businesses having to seek expert advice outside their location.

I am pleased to take up the offer that the member for Bentleigh proposed this evening, and I look forward to visiting her electorate again, particularly the central part of Bentleigh.

Mr Noonan interjected.

Mr NORTHE — I advise the member for Williamstown that I will have more to say about Morwell in the next couple of days.

In closing, I thank the member for Bentleigh for raising with me the opportunity to visit her electorate again and meet with some of her small businesses, in particular A. Lewis & Co.

Ms VICTORIA (Minister for Women's Affairs) — I thank the member for Seymour, who has been doing a great job in the women's affairs portfolio. On several occasions she has helped me out because I cannot attend every function. I want to put on the record that she has been doing a terrific job, and of course it is an area she is incredibly passionate about. The member for Seymour asked me to go along to the Queen Victoria Women's Centre, and she gave a good history of the centre. The coalition government is incredibly proud of the centre. Of course this was something that was set up under the Kennett government. It was going to be demolished, and it was saved by the Kennett government, thanks to the work of Gracia Baylor and Lorraine Elliott. With their help the centre was set up for the benefit of all Victorian women, and I am very proud that happened.

There are some fabulous organisations housed within the building. The member for Seymour mentioned Fitted for Work, which is an organisation I endorse. I send a lot of my old clothes to it — very good ones — so that women who have not been working and are unable to afford good clothes are suitably attired when they attend job interviews.

Honourable members interjecting.

Ms VICTORIA — I am sorry that members opposite find that funny.

Honourable members interjecting.

The DEPUTY SPEAKER — Order! The Minister for Women's Affairs, without assistance.

Ms VICTORIA — I am sorry they find it patronising, because there is nothing patronising about giving women a hand up when they need it most. I am proud of the work done by Fitted for Work. I am proud

I am a patron of the organisation and that I can assist it in a practical way.

Domestic Violence Victoria is housed at the centre, and so is the Foundation to Prevent Violence against Women and their Children. This foundation was jointly set up with the federal government, with Victoria taking the lead. I want to officially put on the record my congratulations to the Minister for Community Services. She was instrumental in setting up that foundation in Victoria, which is headed by former Senator Natasha Stott Despoja, who is doing a fantastic job, and it will be officially launched later this week. I congratulate everybody who has been involved with that foundation over the last 12 or so months. Ovarian Cancer Australia is also housed at the centre. It promotes awareness of an issue that all women need to be worried and cautious about. Ovarian cancer is one of those diseases that we hope will be eradicated in the future.

The centre itself was set up with lots of different ideals in mind but predominantly to be a meeting place for functions and education sessions and for women to be able to come and use it as they see fit. It certainly has a great history, but we need to make sure that it is relevant in the future. I would be very pleased to meet with the chair of the Women's Centre Trust, Jane Fenton, and also with the CEO, Vivia Hickman, who is doing a great job, to talk with them about the future needs of the centre. As I said, the coalition is proud of the fact that it saved the centre. We are very happy to make sure it is there for all Victorian women for many generations to come.

Mr WELLS (Minister for Police and Emergency Services) — I have two issues to address. The member for Williamstown raised an issue about trench or tunnel rescues. He referred to an open letter that was sent to the Premier by the United Firefighters Union (UFU). When I deal with the UFU the first thing I normally think is I never believe anything it puts forward.

Mr Nardella interjected.

The DEPUTY SPEAKER — Order! The member for Melton is warned.

Mr WELLS — When we have gone to check what the UFU has put forward we find that in most cases it is never right. However, the member for Williamstown raised this issue in good faith, so on behalf of the member we will firstly find the letter and then go and have a talk to the Metropolitan Fire Brigade in regard to the trench or tunnel rescues.

The member for Bellarine wants the government to reverse the situation of policing down on the Bellarine Peninsula to the way it was before the coalition came to government. I do not think the opposition really wants that to take place, because before we came to government and made the commitment of 1700 extra police, of whom 60 are going down to Greater Geelong and the Surf Coast on the Bellarine Peninsula, when it came to the entire Bellarine Peninsula there were irregular patrol arrangements between the stations and there was no night-shift vehicle.

Let me tell the house what the situation is at the moment. The area is covered by two dedicated divisional vans from 6.00 a.m. until 10.00 p.m., and on the night shift there is a permanent night-shift vehicle. I do not think anyone on the Bellarine Peninsula would want us to reverse the situation to the old system under the previous government, where there were irregular patrols and no night-shift vehicle. That is the first issue.

Under Labor, the Bellarine police station was open from 8.00 a.m. to 4.00 p.m. five days a week. Under the system now, it is open from 6.00 a.m. to 10.00 p.m. seven days a week. That is a significant improvement in policing for the Bellarine police station. I would have thought that people, especially the local member, would be saying they want more policing. Let us have a look at the Queenscliff — —

Ms Neville interjected.

The DEPUTY SPEAKER — Order! The member for Bellarine is warned.

Mr WELLS — Under the previous government, Queenscliff police station was open two to three days a week on an unreliable basis only when staff were available. So if there was someone on leave or on a court date, staff would not be there to open the station. Under the situation now, Queenscliff police station is open every Tuesday and Thursday 52 weeks a year from 8.00 a.m. to 4.00 p.m. Under Labor, the Portarlington police station was open two or three days a week on an irregular basis only when staff was available. Under this situation, the police station will be open Tuesday and Thursday 52 weeks a year from 8.00 a.m. to 4.00 p.m. Again under Labor, Drysdale police station was open two or three days a week on an unreliable basis when staff was available. Now it is open Monday and Wednesday 52 weeks a year from 8.00 a.m. to 4.00 p.m.

The community was saying to the police in the area, 'We need certainty'. I believe the local police have done an outstanding job in regard to giving certainty

and a significant improvement in policing on the Bellarine Peninsula. We now have a situation where you have two full-time dedicated patrol vans on the Bellarine Peninsula every day of the week from 6.00 a.m. to 10.00 p.m. and then a divisional van. In addition to that, the Chief Commissioner of Police and I visited Bellarine police station recently and we were very well received.

Honourable members interjecting.

The DEPUTY SPEAKER — Order! The minister, without assistance.

Mr WELLS — When we went for that walk at Portarlington — —

Mr Nardella interjected.

Debate interrupted.

SUSPENSION OF MEMBER

Member for Melton

The DEPUTY SPEAKER — Order! Under standing order 124, I ask the member for Melton to vacate the chamber for an hour and a half.

Honourable member for Melton withdrew from chamber.

ADJOURNMENT

Responses

Debate resumed.

Mr WELLS (Minister for Police and Emergency Services) — When we went to Portarlington to talk to residents, what they wanted was certainty and more policing. Under the current program the police have put in place they have more police stations open for longer than under the previous system. In addition to that, the chief commissioner has agreed to review it in six months. The reason for it being six months is to ensure that the summer months are part of that review. I thank the chief commissioner for making the commitment to do that review with the local police and the local community to make sure that the policing of the Bellarine Peninsula continues to improve.

Mr RYAN (Minister for Regional and Rural Development) — The member for Murray Valley has raised with me a matter regarding the support of the establishment of a new community meeting place at Killawarra under the Regional Growth Fund. As the

member has outlined, the local Country Fire Authority (CFA) brigade station does not have any meeting facilities, which are essential in enabling the CFA to provide broad emergency management in the area. The brigades carry out a range of activities, including those centred around prevention, preparation, response and recovery, and a new meeting space will provide a facility where the local brigade can run such activities from.

This facility is designed to be multipurpose, and other local community groups will be able to hold meetings and functions there. Not surprisingly, the project is one that has strong backing from the community, with both the local CFA brigade and the broader community committing funds towards it. It is exactly the style of proposal that our \$1 billion Regional Growth Fund is intended to support, particularly through the Putting Locals First program.

I can advise the member that the submission which has been made seeking financial support for what looks to me to be a very worthy project will be carefully considered by my department. It will go through the usual rigour that applies to these applications, and I look forward to being able to make more encouraging comments in support of this application when that process is concluded. I thank the member for raising it with me.

The member for Narracan raised with me the issue of the government's response to the report of the board of inquiry regarding the Hazelwood mine fire. That report was tabled in Parliament earlier today. I wish to make some general comments with regard to the report, and I do so in the context of it being an initial response on behalf of the government. These matters will be the subject of more consideration by the Parliament in due course, but as the issue has been raised by the member there are some initial comments to be made. The report is comprehensive in its terms — it is about 440 pages long — and it reflects an enormous amount of work undertaken by the board of inquiry.

The inquiry follows on from what has been described in the report as a complex of fires that commenced on 9 February in the mine at Hazelwood. The probability is that the fire commenced as a result of embers that blew into the mine. The thing about this fire is that it was like no other. The usual experience with fire, and indeed with flood and disasters of this ilk, is that the event occurs and then it is gone and we move to response and recovery. Such was not the case with this fire. In fact this monster came on 9 February and it stayed for the subsequent 45 days.

It seems to me that further compounding a very difficult situation is the fact that the fire was located primarily, but not entirely, within the northern batters of the Hazelwood mine. It meant that it was located under the crest of the hill, as it were, and therefore, unlike the situation which normally prevails with fires, this was not evident when one drove past the mine. So for the people who had to suffer the consequences of this event over the course of this protracted period of time it seems to me that it was made all the worse for the fact that the evil represented by the fire was located largely out of sight.

What in fact then happened, of course, was that on a daily basis the fire spewed ash and smoke, and it depended on the fickle nature of the wind as to how the people of Morwell and beyond were affected by the consequences of the product from the fire. Needless to say, for the people of Morwell in particular this was a terribly traumatic time. As a result of the community concerns that were expressed, the government undertook that it would have a completely independent inquiry conducted into the circumstances surrounding the fire — that is, the circumstances in their totality.

Accordingly, the board of inquiry was constituted. That board was comprised of Mr Justice Bernie Teague, Professor John Catford and Ms Sonia Petering. I take this opportunity on behalf of the government — and indeed the Parliament, if I may be so bold — and the people of Victoria, and those of Morwell in particular, to thank the board members for the extraordinary application of their professional care which they contributed to the hearings themselves, to listening to the communities of Morwell and beyond and to all the witnesses who participated in the inquiry, and then to the onerous task of preparing the report which has been tabled today. It is work for which we are all most grateful.

In the report there are 18 recommendations, 12 of which are directed toward the government. The government accepts all the recommendations. It does so absolutely in terms of 11 of them, and it provides its in-principle support to one of them, no. 5. The reason it is supported in principle is that the terms of the recommendation do not reflect the actual commentary within the report itself. Therefore some more technical work will need to be undertaken to give effect to that recommendation. Apart from anything else, the recommendation proposes that within 24 hours of an incident occurring the Environment Protection Authority undertake a course of conduct which will:

... ensure this data is used to inform decision-making within 24 hours of the incident occurring.

With the greatest respect to all concerned, that simply cannot occur in any one of a number of circumstances which one can envisage. If a fire were to break out in the Little Desert, for example, or in the far east of East Gippsland — and that has happened recently — it is simply impossible to think that that aspect of this recommendation could be met. Nevertheless, the government understands the tenor of it and will work to ensure that the general tenor of that recommendation is given effect.

As to the six recommendations directed towards GDF Suez, they are matters for the company. The government will work with the company to see the implementation of those recommendations where appropriate.

Four further matters were raised for the additional consideration of the government. We will give due consideration to those additional matters. Broadly, they relate to planning and health-related issues.

There are a further 40 what are termed affirmations listed in the report. They are reflective of initiatives about which the board might otherwise, on my reading of the report, have made specific recommendations but which have been accommodated as a result of initiatives that have either been undertaken or are being undertaken by the government. Indeed of the 40, some 36 either have been implemented or are in the process of being implemented, with the remaining 4 or thereabouts being in the planning stages.

The 17 affirmations referable to GDF Suez are of a similar nature to those that I have just described in the sense of their status, and therefore the 17 initiatives that have been undertaken by GDF Suez to accommodate those affirmations in turn reflect what the board might otherwise have said by way of recommendations. In strict terms, they are the initial response by the government to the recommendations by the board.

I want to tell the house, though, of additional matters which the government has at this juncture decided to implement. We have announced that Neil Comrie will be appointed as the monitor for the implementation of the recommendations that have been made. Mr Comrie will monitor not only the recommendations directed to the government but also those directed to GDF Suez. Should it be that we need to amend legislation to give effect to his capacity to do the latter task, we will do so. That is a matter we will examine further.

Further, we will create the Latrobe Valley Country Fire Authority district. This will be a new Country Fire Authority district which will be focused on the Latrobe

Valley. It will encompass the work of some 35-plus brigades, and it will ensure therefore that a very prompt response is available in the event of there being a future fire threat to not only the three coalmines in the valley but also many of the other public and private assets in the region.

In addition, we will establish a task force led by the emergency management commissioner. That task force will work with the four brown coal operators, namely the three in the Latrobe Valley and the one at Anglesea. They will examine preparedness for the coming fire season and 2015–16. As a fourth initiative, a senior working group of regulators will be established to develop an accountability framework to monitor risks and to hold the four brown coalmine operators to account. With those four additional items in addition to the responses, as I have outlined in relation to the recommendations and our acceptance of them, those matters will form the essence of our response to the recommendations contained within the report.

By way of some general observations, may I also say that the work of the 2009 Victorian Bushfires Royal Commission was pivotal in the history of the state of Victoria and indeed the Australian nation. One of the guiding principles that came out of the work of the bushfires royal commission was the fundamental point as to the primacy of life — that all endeavours in the first instance, which were to be directed towards fighting fires, should be focused on that particular primary point, namely the primacy of life. In this case those lessons were well learnt and well applied because in the case of the Hazelwood mine fire no lives were lost. I have no doubt that that circumstance is directly referable to the magnificent efforts of the 7000-plus firefighters who contested this fire over the course of the 45 days or thereabouts that it burnt. To the volunteers, to the career firefighters and to all the members of the different agencies, an enormous debt is due. They were constituted of not only Victorians but those who came from interstate as well. It was not only the firefighters in the mine undertaking that terribly arduous and dangerous task, it was also those who flew the aircraft and did such a wonderful job in being able to water-bomb the threat and therefore suppress the fire ultimately, or the substantial fire mechanisms whereby the fire was suppressed. As a result, no lives were lost.

The second element of importance coming out of the bushfires royal commission was, as best as possible, to reduce injuries. In this case, there was a very nasty injury to one of the career firefighters who suffered a severe injury to the palm of his hand, which became very badly infected. Fortunately, with appropriate treatment he recovered from it. There were also a

number of firefighters who were required to attend the emergency department of the hospital with regard to problems associated with inhalation of some of the materials that they were exposed to in the course of the fire — carbon monoxide among others — but fortunately, as it transpired, they suffered no lasting problems. There were other injuries suffered, as the report reflects, on the floor of the mine, but in the main the injuries, in a relative term, were kept to a relatively small number.

In terms of loss of property, fortunately there were no houses actually destroyed during the course of this fire, and indeed a lot of the attendant assets to do with power generation in all its forms were able to be saved. This was all able to be done in a circumstance where, as the report observes, the flow of power to Victoria was able to be maintained. It was an extraordinary effort on the part of all involved. There were a significant number of additional elements that went into all of this, which will form the basis of further commentary in due course, but suffice it to say it was an extraordinary effort on behalf of an enormous number of people looking to protect the town of Morwell and its people in circumstances where they suffered terribly as a result of the events of the Hazelwood mine fire.

Mr WAKELING (Minister for Higher Education and Skills) — The members for Bendigo East, Albert Park, Narre Warren South and Sandringham have raised matters for various ministers, and I will ensure that they are referred to the appropriate ministers.

The DEPUTY SPEAKER — Order! The house stands adjourned until tomorrow.

House adjourned 10.58 p.m.