

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

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

Thursday, 6 August 2015

(Extract from book 10)

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The Honourable LINDA DESSAU, AM

The Lieutenant-Governor

The Honourable Justice MARILYN WARREN, AC, QC

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Attorney-General and Minister for Racing	The Hon. M. P. Pakula, MP
Minister for Agriculture and Minister for Regional Development	The Hon. J. L. Pulford, MLC
Minister for Women and Minister for the Prevention of Family Violence	The Hon. F. Richardson, MP
Minister for Finance and Minister for Multicultural Affairs	The Hon. R. D. Scott, MP
Minister for Planning	The Hon. R. W. Wynne, MP
Cabinet Secretary	Ms M. Kairouz, MP

**OFFICE-HOLDERS OF THE LEGISLATIVE ASSEMBLY
FIFTY-EIGHTH PARLIAMENT — FIRST SESSION**

Speaker:

The Hon. TELMO LANGUILLER

Deputy Speaker:

Mr D. A. NARDELLA

Acting Speakers:

Mr Angus, Mr Blackwood, Ms Blandthorn, Mr Carbines, Mr Crisp, Mr Dixon, Ms Edwards, Ms Halfpenny,
Ms Kilkenny, Mr McCurdy, Mr McGuire, Ms McLeish, Mr Pearson, Ms Ryall, Ms Thomas,
Mr Thompson, Ms Thomson, Ms Ward and Mr Watt.

Leader of the Parliamentary Labor Party and Premier:

The Hon. D. M. ANDREWS

Deputy Leader of the Parliamentary Labor Party and Deputy Premier:

The Hon. J. A. MERLINO

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

The Hon. M. J. GUY

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

The Hon. D. J. HODGETT

Leader of The Nationals:

The Hon. P. L. WALSH

Deputy Leader of The Nationals:

Ms S. RYAN

Heads of parliamentary departments

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

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

Parliamentary Services — Secretary: Mr P. Lochert

MEMBERS OF THE LEGISLATIVE ASSEMBLY
FIFTY-EIGHTH PARLIAMENT — FIRST SESSION

Member	District	Party	Member	District	Party
Allan, Ms Jacinta Marie	Bendigo East	ALP	McLeish, Ms Lucinda Gaye	Eildon	LP
Andrews, Mr Daniel Michael	Mulgrave	ALP	Merlino, Mr James Anthony	Monbulk	ALP
Angus, Mr Neil Andrew Warwick	Forest Hill	LP	Morris, Mr David Charles	Mornington	LP
Asher, Ms Louise	Brighton	LP	Mulder, Mr Terence Wynn	Polwarth	LP
Batin, Mr Bradley William	Gembrook	LP	Naphthine, Dr Denis Vincent	South-West Coast	LP
Blackwood, Mr Gary John	Narracan	LP	Nardella, Mr Donato Antonio	Melton	ALP
Blandthorn, Ms Elizabeth Anne	Pascoe Vale	ALP	Neville, Ms Lisa Mary	Bellarine	ALP
Brooks, Mr Colin William	Bundoora	ALP	Noonan, Mr Wade Matthew	Williamstown	ALP
Bull, Mr Joshua Michael	Sunbury	ALP	Northe, Mr Russell John	Morwell	Nats
Bull, Mr Timothy Owen	Gippsland East	Nats	O'Brien, Mr Daniel David ²	Gippsland South	Nats
Burgess, Mr Neale Ronald	Hastings	LP	O'Brien, Mr Michael Anthony	Malvern	LP
Carbines, Mr Anthony Richard	Ivanhoe	ALP	Pakula, Mr Martin Philip	Keysborough	ALP
Carroll, Mr Benjamin Alan	Niddrie	ALP	Pallas, Mr Timothy Hugh	Werribee	ALP
Clark, Mr Robert William	Box Hill	LP	Paynter, Mr Brian Francis	Bass	LP
Couzens, Ms Christine Anne	Geelong	ALP	Pearson, Mr Daniel James	Essendon	ALP
Crisp, Mr Peter Laurence	Mildura	Nats	Perera, Mr Jude	Cranbourne	ALP
D'Ambrosio, Ms Liliana	Mill Park	ALP	Pesutto, Mr John	Hawthorn	LP
Dimopoulos, Mr Stephen	Oakleigh	ALP	Richardson, Mr Timothy Noel	Mordialloc	ALP
Dixon, Mr Martin Francis	Nepean	LP	Richardson, Ms Fiona Catherine Alison	Northcote	ALP
Donnellan, Mr Luke Anthony	Narre Warren North	ALP	Ryall, Ms Deanne Sharon	Ringwood	LP
Edbrooke, Mr Paul Andrew	Frankston	ALP	Ryan, Mr Peter Julian ¹	Gippsland South	Nats
Edwards, Ms Janice Maree	Bendigo West	ALP	Ryan, Ms Stephanie Maureen	Euroa	Nats
Eren, Mr John Hamdi	Lara	ALP	Sandell, Ms Ellen	Melbourne	Greens
Foley, Mr Martin Peter	Albert Park	ALP	Scott, Mr Robin David	Preston	ALP
Fyffe, Mrs Christine Anne	Evelyn	LP	Sheed, Ms Suzanna	Shepparton	Ind
Garrett, Ms Jane Furneaux	Brunswick	ALP	Smith, Mr Ryan	Warrandyte	LP
Gidley, Mr Michael Xavier Charles	Mount Waverley	LP	Smith, Mr Timothy Colin	Kew	LP
Graley, Ms Judith Ann	Narre Warren South	ALP	Southwick, Mr David James	Caulfield	LP
Green, Ms Danielle Louise	Yan Yean	ALP	Spence, Ms Rosalind Louise	Yuroke	ALP
Guy, Mr Matthew Jason	Bulleen	LP	Staikos, Mr Nicholas	Bentleigh	ALP
Halfpenny, Ms Bronwyn	Thomastown	ALP	Staley, Ms Louise Eileen	Ripon	LP
Hennessy, Ms Jill	Altona	ALP	Suleyman, Ms Natalie	St Albans	ALP
Hibbins, Mr Samuel Peter	Prahran	Greens	Thomas, Ms Mary-Anne	Macedon	ALP
Hodgett, Mr David John	Croydon	LP	Thompson, Mr Murray Hamilton Ross	Sandringham	LP
Howard, Mr Geoffrey Kemp	Buninyong	ALP	Thomson, Ms Marsha Rose	Footscray	ALP
Hutchins, Ms Natalie Maree Sykes	Sydenham	ALP	Tilley, Mr William John	Benambra	LP
Kairouz, Ms Marlene	Koroit	ALP	Victoria, Ms Heidi	Bayswater	LP
Katos, Mr Andrew	South Barwon	LP	Wakeling, Mr Nicholas	Ferntree Gully	LP
Kealy, Ms Emma Jayne	Lowan	Nats	Walsh, Mr Peter Lindsay	Murray Plains	Nats
Kilkenny, Ms Sonya	Carrum	ALP	Ward, Ms Vicki	Eltham	ALP
Knight, Ms Sharon Patricia	Wendouree	ALP	Watt, Mr Graham Travis	Burwood	LP
Languiller, Mr Telmo Ramon	Tarneit	ALP	Wells, Mr Kimberley Arthur	Rowville	LP
Lim, Mr Muy Hong	Clarinda	ALP	Williams, Ms Gabrielle	Dandenong	ALP
McCurdy, Mr Timothy Logan	Ovens Valley	Nats	Wynne, Mr Richard William	Richmond	ALP
McGuire, Mr Frank	Broadmeadows	ALP			

¹ Resigned 2 February 2015

² Elected 14 March 2015

PARTY ABBREVIATIONS

ALP — Labor Party; Greens — The Greens;
Ind — Independent; LP — Liberal Party; Nats — The Nationals.

Legislative Assembly committees

Privileges Committee — Ms Allan, Ms D’Ambrosio, Mr Morris, Mr Mulder, Ms Neville, Ms Ryan, Ms Sandell, Mr Scott and Mr Wells.

Standing Orders Committee— The Speaker, Ms Allan, Ms Asher, Mr Brooks, Mr Clark, Mr Hibbins, Mr Hodgett, Ms Kairouz, Mr Nardella, Ms Ryan and Ms Sheed.

Joint committees

Accountability and Oversight Committee — (*Assembly*): Mr Angus, Mr Gidley, Mr Staikos and Ms Thomson.
(*Council*): Ms Bath, Mr Purcell and Ms Symes.

Dispute Resolution Committee — (*Assembly*): Ms Allan, Mr Clark, Mr Merlino, Mr M. O’Brien, Mr Pakula, Ms Richardson and Mr Walsh. (*Council*): Mr Bourman, Mr Dalidakis, Ms Dunn, Mr Jennings and Ms Wooldridge.

Economic, Education, Jobs and Skills Committee — (*Assembly*): Mr Crisp, Mrs Fyffe, Mr Nardella and Ms Ryall.
(*Council*): Mr Elasmr, Mr Melhem and Mr Purcell.

Electoral Matters Committee — (*Assembly*): Ms Asher, Ms Blandthorn, Mr Dixon, Mr Northe and Ms Spence.
(*Council*): Ms Patten, Mr Somyurek.

Environment, Natural Resources and Regional Development Committee — (*Assembly*): Ms Halfpenny, Mr McCurdy, Mr Richardson, Mr Tilley and Ms Ward. (*Council*): Mr Ramsay and Mr Young.

Family and Community Development Committee — (*Assembly*): Ms Couzens, Mr Edbrooke, Ms Edwards, Ms Kealy, Ms McLeish and Ms Sheed. (*Council*): Mr Finn.

House Committee — (*Assembly*): The Speaker (*ex officio*), Mr J. Bull, Mr Crisp, Mrs Fyffe, Mr Staikos, Ms Suleyman and Mr Thompson. (*Council*): The President (*ex officio*), Mr Eideh, Ms Hartland, Ms Lovell, Mr Mulino and Mr Young.

Independent Broad-based Anti-corruption Commission Committee — (*Assembly*): Mr Hibbins, Mr D. O’Brien, Mr Richardson, Ms Thomson, and Mr Wells. (*Council*): Mr Ramsay and Ms Symes.

Law Reform, Road and Community Safety Committee — (*Assembly*): Mr Dixon, Mr Howard, Ms Suleyman, Mr Thompson and Mr Tilley. (*Council*): Mr Eideh and Ms Patten.

Public Accounts and Estimates Committee — (*Assembly*): Mr Dimopoulos, Mr Morris, Mr D. O’Brien, Mr Pearson, Mr T. Smith and Ms Ward. (*Council*): Dr Carling-Jenkins, Ms Pennicuik and Ms Shing.

Scrutiny of Acts and Regulations Committee — (*Assembly*): Mr J. Bull, Ms Blandthorn, Mr Dimopoulos, Ms Kealy, Ms Kilkenny and Mr Pesutto. (*Council*): Mr Dalla-Riva.

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Thursday, 6 August 2015

The SPEAKER (Hon. Telmo Languiller) took the chair at 9.32 a.m. and read the prayer.

PETITIONS

Following petitions presented to house:

Horsham bypass

To the Legislative Assembly of Victoria:

This is a signed petition from residents of the district of Lowan which are against the proposed Western Highway bypass route B2 and would prefer the option 2 route.

The petitioners therefore call on the Andrews Labor government to include option 2 in the VicRoads Western Highway (Horsham) bypass planning study.

By Ms KEALY (Lowan) (40 signatures).

Jetty Road, Rosebud

To the Legislative Assembly of Victoria:

The petition of the residents of the electorate of Nepean points out to the house the extremely dangerous traffic conditions at the intersection of Jetty Road, Rosebud, and the terminus of the Mornington Peninsula Freeway.

The petitioners therefore request that the Legislative Assembly of Victoria, in accordance with the VicRoads Point Nepean Road Study, urgently approve funding for the Jetty Road overpass in order to relieve the congestion on local roads at the current terminus of the Mornington Peninsula Freeway.

By Mr DIXON (Nepean) (446 signatures).

Port Phillip planning scheme

To the Legislative Assembly of Victoria:

The petition of people who own or reside in apartments or work in buildings located within the block bounded by St Kilda Road, Beatrice Street, Queens Lane and Lorne Street, Melbourne, draws to the attention of the house that amendment C107 to the Port Phillip planning scheme proposes the introduction of new provisions into the planning scheme that enable taller buildings with no height limits. The proposed provisions will exacerbate the already severe traffic congestion within the block and will have a negative impact on the quality of life of residents and workers and is contrary to securing a pleasant, efficient and safe living and working environment.

The petitioners therefore request that the Legislative Assembly of Victoria support a change to amendment C107 to the Port Phillip planning scheme to replace the proposed discretionary controls with mandatory height controls that set a maximum height limit of 30 metres for buildings fronting Queens Road, and 45 metres for buildings fronting St Kilda Road within the block bounded to the north by Beatrice Street and to the south by Lorne Street. These height limits maintain

the existing height controls within the Port Phillip planning scheme for this block and convert them from discretionary to mandatory controls.

By Mr HIBBINS (Pahran) (325 signatures).

Tabled.

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

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

FAMILY AND COMMUNITY DEVELOPMENT COMMITTEE

Abuse in disability services

Ms EDWARDS (Bendigo West) presented interim report, together with appendices and transcripts of evidence.

Tabled.

Ordered that interim report and appendices be published.

BUSINESS OF THE HOUSE

Adjournment

Ms ALLAN (Minister for Public Transport) — I move:

That the house, at its rising, adjourns until Tuesday, 18 August 2015.

Motion agreed to.

MEMBERS STATEMENTS

Kokoda trek

Mr SOUTHWICK (Caulfield) — I recently had the opportunity to walk the Kokoda Track, along with the members for Gippsland East and Narracan. This is something I have always wanted to do. The walk was a deeply moving experience, in addition to being physically and mentally tough. More importantly, remembering those young soldiers who walked before me, of whom 625 lost their lives, made my challenge as much emotional as it was physical. The Kokoda Trail experience will stay with me forever, and I strongly encourage those who have not walked it before to take part in this very important part of Australia's history.

I would like to thank Bernie Rowell, our Adventure Kokoda leader, along with Charlie Lynn, who has done a great job in giving back to the Papua New Guineans in the work he has done over the years and ensuring that the lives of Papua New Guineans are made the fullest they can be.

HammondCare Caulfield

Mr SOUTHWICK — I recently had the pleasure of meeting with the Victorian manager of HammondCare, David Martin, and the Glen Eira Historical Society regarding the plans for the new HammondCare Caulfield dementia-specific village. It will be a great new addition to aged care and health care in our area.

I understand that HammondCare is committed to recognising the rich history of Montgomery House. The new facility's design will pay tribute to the site's history of caring for soldiers who fought in World War I and the work of the local community and the Red Cross in supporting those who returned, particularly the nurses and the great work they did over the years in assisting our soldiers. I thank HammondCare for its work in making sure they are recognised.

Portarlington pier

Ms NEVILLE (Minister for Environment, Climate Change and Water) — On Friday, 24 July, I had the pleasure of opening the new \$3 million Portarlington pier, which is the start of the \$15 million Portarlington safe harbour development. Over the next 18 months the harbour will be upgraded with more facilities to grow the aquaculture industry in the region, including mussels, oysters and scallops. The potential is enormous. This has been a G21 Geelong Regional Alliance priority, so its potential is not just for the local community of Portarlington or the Bellarine Peninsula but for the whole region.

The harbour will also be upgraded to provide the infrastructure for a future potential commuter ferry to Melbourne. This has been a long-held desire of the local community. I thank those community members I have worked with over the last eight years to get this project up and running. In particular I want to acknowledge Lindsay Ellis, the local councillor, Geoff Henderson and John Rae.

Anthony Mangelsdorf

Ms NEVILLE — I also take this opportunity to congratulate Barwon Heads resident Anthony Mangelsdorf, who was recently awarded the Environmental and Sustainability Educator of the Year

Award. He was recognised for his skill of teaching in a way that makes learning about the environment fun for people of any age and also for his work within the community. I am well aware of the environmental work and leadership Anthony provides in Barwon Heads and the local community. It is certainly fortunate that we have him as one of our local residents who is making such a difference to local community members, schoolchildren and the environment. Well done, Anthony.

Level crossings

Mr CLARK (Box Hill) — The Andrews Labor government looks set to mess up yet another Liberal government project. This time it is the Blackburn Road level crossing removal, a project that Labor opposed when last in office. First Labor delayed the tender process that was due to be completed in April — and it still has not signed a contract with the preferred contractor — and now Labor is showing all the signs that its so-called community consultation will be a sham. There are key issues for the project that still need to be sorted out, such as the design for the underpass, the bike path route and the traffic light arrangements at Blackburn Road, yet Labor has refused to engage.

It is not good enough to tell the community in a few weeks time what has already been decided. Instead the government needs to listen and respond to what locals have to say before it finalises a design. Getting these details right will make all the difference between a great outcome and an outcome that leaves the community with nagging problems for years to come.

Box Hill transport interchange

Mr CLARK — The Box Hill transport interchange is a project on which the Andrews government is all talk and no action. Prior to the election Labor tried to piggyback on my initiatives by promising to form a ministerial advisory group. After the election, despite the Minister for Public Transport's claim three months ago that an announcement would be made shortly about this group, still nothing has happened. It is clear that the Andrews Labor government is continuing to treat eastern suburbs residents as second-class citizens, just as it did with the east-west link.

Gerard FitzGerald

Ms KNIGHT (Wendouree) — I had a great time on Sunday with the lovely Mark O'Brien at the North Ballarat Football Club, where the Ballarat Roosters defeated the Northern Blues 137-25. Members in this chamber have heard me talk before about the

redevelopment of the Eureka precinct — an exciting project that will bring AFL to Ballarat and support local footy, netball, cricket, athletics and basketball. But today I want to talk about a great man and a friend and a great supporter of that project — Gerard ‘Fitzy’ FitzGerald.

Fitzy is currently the head coach of the Roosters, and his contract finishes at the end of this season. Here are just a few of his achievements in his coaching career, which spans 34 years: he was a VFL coach for 17 years, 15 of them for North Ballarat; he holds the record for coaching the most senior games in Victorian Football Association and Victorian Football League (VFL) history; he took the Roosters to their first-ever VFL premiership; and he has been VFL coach of the year four times. But to me his greatest achievement is his relationship with the players and their families. He sincerely and truly cares about all his players and looks out for their total wellbeing, not just their physical wellbeing.

Fitzy, I wish you well in whatever the future holds, and I would like to thank you for everything that you have done, not just for Ballarat North and the Roosters, but for the community of Ballarat. You love Ballarat and are one of our fiercest advocates. You have helped countless young men and have been an exceptional role model to them. There are many men who are doing great things as a result of the care that you took and the example that you set. Thank you, Fitzy, for everything you have done. I wish you, your wife Loretta and your family all the best for the future.

Small Business Festival Victoria

Mr BURGESS (Hastings) — I would like to commend sponsors and small businesses across the state for participating in this month’s Small Business Festival Victoria. The festival provides information to people who are starting or growing a business and gives business operators the opportunity to learn practical new skills and access new ideas to help boost their productivity and competitiveness. Festival events are being held across metropolitan and rural and regional areas of Victoria from 1 to 31 August.

Small business is the engine room of our economy and so important to jobs, families and the prosperity of our community. However, for the hardworking small business people of Victoria the election of the Andrews government last November has been a great disappointment. For example, in just one area, the Andrews Labor government has scored a very regrettable double. Not only did it commit to a very bad antibusiness policy of introducing two new public

holidays — Easter Sunday and Bad Friday — but it made the situation even worse by introducing it without consultation or notice. This policy not only hurts businesses but also does serious damage to employees, consumers and the economy at a time of rising unemployment.

Then there was the former Minister for Small Business, Innovation and Trade, who was unfortunately out of his depth, and who had no business experience or plan for Victoria’s businesses. His first act as minister was to impose two huge new costs on Victoria’s small business community. We have to feel sympathy for him though, as his job was made all the harder by being forced by his Premier to implement a policy that was payback to the Premier’s union masters at the same time as it blatantly attacked the businesses the minister was supposed to be looking after. Then after leading a breakaway from the Deputy Premier’s faction, the minister became the victim of Labor payback.

Federal health funding

Mr RICHARDSON (Mordialloc) — Recently I raised in Parliament a matter for the Minister for Health regarding the federal government’s decision to cut funding for those suffering from inborn errors of metabolism, which provides vital assistance by supporting individuals suffering from rare genetic disorders and their families to access specialised foods. Thankfully the federal government came to its senses and yesterday announced that it will maintain that funding. It reversed the decision after 900 families banded together and campaigned to have that vital funding maintained.

I want to thank Cathy Ticknas, who first brought this to my attention and shared these issues with me. It is clear that the federal government did not expect the overwhelming backlash from these some 900 families. They banded together and showed the community, and more importantly the federal government, just how vital this funding is, and it will continue.

Federal emergency relief funding

Mr RICHARDSON — We have another campaign on our doorstep now. It is about the federal government’s decision to cut vital emergency relief funding to some community services not only in my electorate but across Victoria. Emergency relief funding is vital for vulnerable families — people doing it tough. It might be that an organisation can provide a food voucher, which makes all the difference in the month. The federal Assistant Minister for Social Services, Senator Mitch Fifield, who is based in Mentone, has

heard from these community organisations, the Mentone Community Assistance & Information Bureau and the Chelsea Benevolent Society, which will have to consider closing their doors because of the funding cut. I call on the federal government to reconsider this decision. We are not going anywhere.

Western Victoria rail services

Ms KEALY (Lowan) — I recently attended public transport review forums in Horsham and Hamilton. The review was a commitment by the previous coalition government in recognition of the need to improve public transport connections across western Victoria. I thank all community members for their valuable and considered contributions to the review, and I look forward to seeing the recommendations arising from it. It is essential that Labor listen to the local people and deliver the required funding to improve public transport access and services across western Victoria.

Edenhope & District Memorial Hospital

Ms KEALY — I recently met Kevin Mills, the newly appointed CEO of the Edenhope hospital. This hospital provides excellent health care to the local community, achieved through its highly skilled and professional staff and local supporters. The Edenhope hospital is in need of redevelopment, with particular focus on building a new aged-care facility. I urge the Labor government to deliver much-needed funding for this important project.

Dunmunkle Health Services

Ms KEALY — I raise concerns expressed to me by the Minyip, Murtoa and Rupanyup communities, Dunmunkle Health Services and other health services within the Wimmera Southern Mallee Health Alliance regarding the future governance and service delivery model of Dunmunkle Health Services. The process adopted to review the model must ensure the best outcome for the community. I urge the Labor government to assist to resolve this matter as soon as possible.

Steph Meyer

Ms KEALY — Congratulations to Steph Meyer of D'Coco Hair Studio in Horsham on her outstanding achievement in winning first place in the beautiful brides section of the 2015 Hair & Beauty Industry Association's Australian hairdressing championships. It is great to see a local woman representing our region at a national level and achieving such great success. Well done, Steph.

Level crossings

Mr STAIKOS (Bentleigh) — The Andrews Labor government is getting on with the job of removing level crossings in the Bentleigh electorate. In just eight months we have established the Level Crossing Removal Authority, allocated the funds in the budget, signed the contracts and completed early works. Full construction begins later this year.

Consultation is key to the successful delivery of these projects, and I was pleased that last week 500 local residents packed the McKinnon Secondary College hall to hear from the Level Crossing Removal Authority and give their feedback. After four long, dark, wasted years under the previous government, the Andrews government is removing level crossings at Centre Road, McKinnon Road and North Road. Local residents are delighted by this and very much appreciated the opportunity to participate in the consultation last week.

The only people unhappy about this consultation are those opposite. Several members of the opposition got a bit hot under the collar about this meeting and are highly critical of community consultation. The member for Caulfield, who is in the chamber, has been one of the most vocal opponents of consultation on level crossing removal works. I am not surprised by this, given the strange place the member finds himself in.

The member for Caulfield recently held a meeting in protest against the Matthew Guy residential zones. The flyer for the meeting opened with, 'Do you have concerns about local overdevelopment, such as apartments or multistorey buildings, in Glen Eira and Port Phillip or questions about planning laws?'. It might as well have read: 'Come and tell us how bad we were in government'. We know how bad they were — that's why they are on that side of the house.

Point Nepean development

Ms ASHER (Brighton) — I would like to raise the issue of the Labor government's cancellation of a very important tourism contract, and that is the contract at Point Nepean, which was meant to have been a \$100 million investment. We now see another broken contract by the Labor government. This will have a significant impact on investor confidence overall in Victoria and a significant impact on tourism. I refer to a press release issued by the Victorian Tourism Industry Council on 2 July this year, headed 'Tourism disappointed by shelving of Point Nepean project'. The press release reads:

The state government has turned its back on this Point Nepean development, which has the potential to diminish

private sector confidence in investing in Victorian tourism projects.

Our industry saw this as a litmus test for future developments and there is now concern regarding investment in innovative, job creating new tourism projects in Victoria.

The irony of this cancellation is that the previous federal Labor government put enormous pressure on the states through tourism ministers councils to allow long-term investment in national parks. What we have seen by this cancellation is state Labor being ideological, pandering to the Greens, and flying in the face of what the previous federal Labor government wanted, which was some sensible tourism investments in national parks.

Albert and Maree Rizk

Mr J. BULL (Sunbury) — On Saturday, 24 July, I attended a touching day at the Sunbury Lions Football Netball Club for the first annual memorial match for Albert and Maree Rizk. Well-known and loved Sunbury locals, Albert and Maree tragically lost their lives in the MH17 plane disaster on 17 July last year, along with 38 other Australians and 298 people from all across the world. Their children, James and Vanessa Rizk, showed a great deal of bravery and heart in speaking on the day, and should be immensely proud of the courage they have shown. As a former Sunbury Lions player for many years, I know how much the club supports its players and the local community, and this day was no exception.

I would especially like to acknowledge the club president, Jack Ogilvie, who organised the day but was unfortunately unable to attend, due to poor health. Jack is a former mayor and current councillor and well-known Sunbury local, and I wish him all the best as he recovers from his stroke. I would also like to acknowledge the club vice-president, Hedley Duhau, and committee members from both the junior and senior sides. The entire day was well organised with a great deal of thought, care and respect, and I thank Sunbury Lions Football Netball Club for having Jas and I along.

Ettore Luciano

Mr WAKELING (Ferntree Gully) — I wish to acknowledge the recent passing of Ferntree Gully resident Ettore Luciano. Mr Luciano moved from Italy to Australia as a 16-year-old to make a better life after World War II. Ettore and his wife, Speranza, established their brussels sprout farm on Napoleon Road in Ferntree Gully. He played a pivotal role at the Footscray fruit and vegetable market. He was also a

proud supporter of the Knox Italian Community Club. Vale, Ettore Luciano.

Cheryl Sampson

Mr WAKELING — On behalf of the Ferntree Gully community, I would like to take this opportunity to congratulate Cheryl Sampson on her appointment as principal of Mountain Gate Primary School. Cheryl is well known to the school community, having served as assistant principal, and I know that she will be able to build on the great work of former principal Leigh Baker.

Knox Park Primary School

Mr WAKELING — At the last state election the coalition committed \$457 000 to upgrade Knox Park Primary School. This important upgrade was not matched by the state Labor government, and I have raised this issue in Parliament. The minister and his response provided no comfort to the community by his not being willing to fund the project. The campaign to reverse this government's inaction will continue.

High Street Road, Wantirna South

Mr WAKELING — It was pleasing to see progress on the \$16 million duplication of High Street Road between Stud Road and the Burwood Highway. This project was funded by the former coalition government and has been welcomed by the Knox community. By contrast, the current Labor government has not committed to delivering any significant road funding to my community.

Eastern suburbs school leaders

Mr WAKELING — Finally, I would like to congratulate student leaders from Rowville Secondary College; Wantirna College; Fairhills High School; St Joseph's College, Waverley Christian College and Scoresby Secondary College for attending the latest youth council meeting. A great discussion was held with the member for Rowville, and the member for Croydon, who is also the shadow Minister for Public Transport, on a range of issues within his portfolio.

Thornbury Primary School

Ms RICHARDSON (Minister for Women) — On Sunday, 2 August, I joined past and present students, parents, teachers and staff of Thornbury Primary School to celebrate the 100th anniversary of the school. Grandchildren of founding principal James Owen Hughes also attended to take part in the celebrations and view the historical material on display at the

school. The large turnout of friends and supporters of the school and this very important anniversary bodes well for the future of Thornbury primary. The school is unique in many ways. For example, it is one of only a handful of schools in Victoria that provides a Steiner program in a publicly-funded school. But on Sunday the celebrations centred on the school's connection with its large Aboriginal student population and its continual celebration and recognition of the values of the Aboriginal culture. Thornbury Primary School is the only school in Melbourne teaching an Aboriginal language in the primary school setting. Students learn Woiwurrung, the language of the Wurundjeri people, and it embeds language in the entire learning experience.

Thornbury Primary School has faced many challenges in the last 100 years. Its population grew to over 1200 students after World War I, and after World War II, 80 per cent of students were from migrant families. It has faced teacher shortages and the inevitable strain on facilities, particularly when state Labor governments failed to prioritise state education, unlike our state Labor government, which will continue to work with Thornbury Primary School to ensure that it delivers the best educational opportunities for its students.

Kew electorate constituent disability funding

Mr T. SMITH (Kew) — I rise to address an issue affecting Lara Sticca of North Balwyn in my electorate. Lara has significant vision and hearing impairments as a result of bilateral retinoblastoma. Lara requires additional assistance to account for her disability. Lara's mother Rose believes her daughter is currently entitled to only \$1200 per annum for a visiting teacher to assist her daughter to learn. In addition, parents like Rose encounter significant difficulties in not only applying for additional funding but also receiving information about what options they have to choose from, all of which are presently far below the demanding educational needs for her daughter.

I have encountered significant delay from the office of the Minister for Education throughout my efforts in helping the Sticca family elucidate exactly what funding students can access. I wrote to the minister's office on 19 June, but I received no reply. I have pursued this matter with his office on numerous occasions, including on 22 July and 30 July. Obviously the Minister for Education has been somewhat preoccupied in trying to save his own job over recent weeks. We understand that, but at the same time we also want him to do his day job, which he is currently not doing particularly well.

I noticed this morning's *Herald Sun* reports that when the right faction of the Labor Party met on Friday, the poor old education minister was not invited. Poor fellow, I felt a little bit sorry for him.

An honourable member interjected.

Mr T. SMITH — You are right, I did not. It is heart warming to see that the right has reunited. As I have said in this place many times, the left is running Labor, and you cannot let these crazy lefties run the place for ever.

China study tour

Mr CARBINES (Ivanhoe) — In July I took part in a study tour delegation hosted by the Australia China Business Council (ACBC) and Huawei Australia. We visited Shenzhen, Guangzhou, Shanghai and Hong Kong led by ACBC president and former Premier John Brumby. Colleagues on our delegation included Dr Jim Chalmers, the federal member for Rankin and parliamentary secretary to the federal Leader of the Opposition; Stephen Jones, federal member for Throsby and federal shadow assistant Minister for Health; Anthony Chisholm, federal Labor Senate candidate for Queensland; and Madeleine Ogilvie, Tasmanian state member for Denison and shadow minister for Information Technology and Innovation.

China is Australia's largest trading partner. Last year trade between our two countries was in excess of \$150 billion. The recently signed China-Australia free trade agreement will see our economic and cultural bonds grow and strengthen in the years ahead. Huawei is a global leader in providing next generation telecommunications network solutions. Its Australian base opened in 2004 and has expanded to over 600 employees. Huawei's products and solutions are deployed by 45 of the world's top 50 telecommunications operators and it serves one-third of the world's communications requirements. Indeed, 50 per cent of Victorians use a Huawei product.

The Andrews Labor government recognises the significant opportunities to secure trade and jobs investment with China. We are recasting our China strategy, and Premier Andrews will visit the country later this year to open an additional Victorian government business office in western China. Our delegation was pleased to meet with Treasurer Pallas in Shanghai as part of our visit to Huawei's research and development centre. The Treasurer also understands the significant opportunities for Victoria in China and the technological benefits to Victorians of having Huawei's products and know-how in Melbourne.

I also thank ACBC chief executive Martine Letts and Huawei Australia's Brent Hooley and Riana Chen for accompanying the delegation and ensuring that we expanded our knowledge and appreciation of the Australia-China trade relationship.

Mount Eliza land rezoning

Mr MORRIS (Mornington) — I rise this morning to call on the Minister for Environment, Climate Change and Water to investigate the actions of South East Water in seeking to rezone and sell company land on the corner of Kanya Road and Barmah Street in Mount Eliza. Originally subdivided as part of the initial planning for it, the land was never developed for housing and was acquired by the then State Rivers and Water Supply Commission from Sir Reginald Ansett more than 50 years ago. I have referred previously in this chamber to the circumstances of this acquisition and the role played by the late Alan Hunt.

The 2.8-hectare piece of land was the site of a supply reservoir until 1999, when it was decommissioned. Largely untouched by humans in the intervening 16 years, the land has become a haven for wildlife in the midst of this urban area. Local residents have advised me that the site is now home to at least 61 separate species, including the endangered grey-headed flying fox.

South East Water last year lodged a planning application seeking to rezone the land as a residential area in order to dispose of the property for housing development. The shire advertised the application at Christmas and a planning panel has recently recommended that the rezoning proceed. While the neighbourhood concerned is close to Port Phillip Bay and the green wedge, it is very poorly served in terms of open space. If the land is lost to housing, this circumstance will be severely exacerbated. Minister Neville, as the minister responsible for the environment and water, will surely appreciate the importance of this parcel and the role it plays in supporting local wildlife, particularly endangered species. I call on the minister to use her authority to require South East Water to withdraw the planning application and transfer the land to the Shire of Mornington Peninsula for a nominal amount.

Family violence

Ms GRALEY (Narre Warren South) — I recently had the great honour of launching a Say No to Family Violence awareness campaign at Kambrya College with the Minister for the Prevention of Family Violence. The minister joined with me, principal

Michael Muscat, students and local community organisations to make a stand against these appalling acts of violence that are sadly all too common.

The City of Casey has the highest reported incidence of family violence in Victoria, with 3759 incidents in the past 12 months alone. Our campaign will seek to not only raise awareness of the devastating impact family violence has on our community, but also help put an end to the harm caused by these terrible acts of violence. Kambrya College was the first of many to unveil its very own Say No to Family Violence campaign banner. The college did an exceptional job, and I was so pleased to hear that during the design, students and their arts teacher, Debbie Russo, spoke openly and honestly about this important issue. The school's wonderful principal, Michael Muscat, also spoke at the launch and said:

Family violence in our community casts a very long shadow, especially on women and youth. We must stand united and reject it in all its forms.

Thank you, Michael, and student leaders Brooke Smith, Callum Sweet and Alex Clarke, who were our fantastic hosts. We were all so very touched by the beautiful musical tribute to victims of family violence performed by students. Well done to Eden Fernandes, Lauren Murrant, Sara Heitmann and Adrian Viol for their spine-tingling performances — and a few tears too. I am so very proud and honoured to be able to work with such a wonderful local school. Their passion, care and dedication to our campaign has been inspiring, and I know that together we can, and will, make a difference within our community. It is only the beginning, but as I speak many more are joining our campaign, putting their hands up and saying no to family violence.

Nichols Point school buildings

Mr CRISP (Mildura) — For a number of months now the community of Nichols Point has been fighting to save the old Nichols Point Primary School building and rotunda from demolition by the Department of Education and Training. Despite a letter-writing campaign, multiple phone calls and a community meeting with department representatives, they have been unable to save the buildings as yet. Their passion and commitment to this cause is to be commended. I am humbled by their resilience as they take knock after knock but continue to fight for buildings that are of great significance to our region and its community.

Mallee Almond Blossom Festival

Mr CRISP — It is that time of the year again, and I will be travelling to Robinvale, which will be hosting

the Mallee Almond Blossom Festival. This will be the eighth year of the festival, and it is being held on the greens of the Robinvale Golf Club, with buses shuttling enthusiasts to the orchards. This is a wonderful event that brings thousands of people to Robinvale. It is a unique event, and I congratulate all those involved.

Merbein Great Australian Vanilla Slice Triumph

Mr CRISP — On the day before Merbein will host the Great Australian Vanilla Slice Triumph. The cooks are baking at Merbein, which is set to host the competition for the fourth year. It is a magnificent event, with people travelling from all over Victoria to compete. This year's ambassador is Fast Ed of *Better Homes and Gardens* fame, and I am sure he will be overwhelmed by the quality of the offerings that he will be judging. I will be judging again this year. I pay tribute to all those involved, and I am sure the weather will be a little brighter than last year.

Mallee Machinery Field Days

Mr CRISP — On the matter of weather, yesterday I spent the day at the Mallee Machinery Field Days. I congratulate all those involved and also — —

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

TAFE funding

Mr DIMOPOULOS (Oakleigh) — I rise to speak about this government's sincere commitment to the TAFE sector and the benefits that will flow from increased funding to higher education in my community. In late June it was fantastic to welcome the Premier and the Minister for Training and Skills to Holmesglen TAFE's Chadstone campus to announce a \$1.4 million commitment to get 300 people skilled up for jobs in Melbourne's south-east. This is part of the \$50 million TAFE Back to Work Fund to help create 100 000 jobs across Victoria. The May budget also provided a much-needed \$350 million boost to the TAFE system.

A week earlier I was also pleased to join the minister and the member for Bentleigh at Holmesglen's Moorabbin campus for the announcement of \$4.17 million to assist retrenched electrical workers and support the construction industry. As I said at the time, our economy has strong opportunities ahead, and we are making sure the kids of our region have the skills they need to take advantage of them. I congratulate the Premier and the Minister for Training and Skills for

their hard work and dedication in restoring funding to grow the TAFE sector again, following the terrible cuts of the previous government.

Member for Bentleigh

Mr SOUTHWICK (Caulfield) — I call on the Premier to discipline the member for Bentleigh for his disgraceful behaviour in advertising a level crossing removal information session using government funds to promote himself and his cause. I particularly question where the email addresses of constituents in Bentleigh will end up. Will they receive Labor Party information? These level crossing removal information sessions are meant to be run by the Level Crossing Removal Authority, which is supposedly independent.

This is a disgrace to the Labor Party, and it is absolutely disgraceful behaviour by the member for Bentleigh. He has utilised this opportunity for his own political gain. What will happen with the information that was collected? I think all constituents of Bentleigh would be very concerned. They provided their information with the singular intention of ensuring the wellbeing of their area. They want to receive the right information. This is an absolute disgrace to the member for Bentleigh. It is overreaching at very best. One would have to question what this information is going to be used for, and I ask the Premier to investigate this absolutely absurd and ridiculous action of the member for Bentleigh.

Aboriginal Justice Forum

Mr CARROLL (Niddrie) — The *Age* newspaper editorial yesterday said:

Over the past week through the treatment of Adam Goodes, Australia has once again had to look into the mirror. It is not a soft-edged sepia-toned portrait. There are flaws in the glass, which only honesty and a commitment to integrity can repair.

On 23 July I had the honour of representing the Victorian government at the 42nd Aboriginal Justice Forum (AJF) — possibly my most important meeting since becoming the Parliamentary Secretary for Justice last December. This was a very important meeting. Reconciliation between Aboriginal and non-Aboriginal Victorians is a critical and ongoing process that requires deep commitment and respect.

I wanted to give the AJF the respect it deserved, so I arrived a day early for meetings with Koori leaders. A highlight was meeting with Rudy Kirby, CEO of Mallee District Aboriginal Services, and hearing about the great work the organisation is doing in investing upstream, with the biggest priorities being children

from conception to four years of age and then up to eight years of age. Mr Kirby has said:

We know that, if we can invest there, we can change the next generation.

The night before the forum I attended the Koori Caucus for dinner, and the following day the official AJF commenced in Mildura on the land of the Latje Latje and their nearest neighbours, the Barkindji people, with a welcome to country from Auntie Janine Wilson.

It was apparent to me that a significant amount of work goes into preparing for the quarterly AJF. I acknowledge the commitment of the Koori Caucus members, who work with the Department of Justice and Regulation's Koori justice unit to coordinate these critical partnership events. I thank the Loddon Mallee Regional Aboriginal Justice Advisory Committee for hosting the forum. In particular I thank the committee chair, Auntie Jemmes Handy, and the deputy chair, Mr John Mitchell. I would also like to thank —

The ACTING SPEAKER (Mr Angus) — Order! The time for members to make statements has ended.

BUSINESS OF THE HOUSE

Sessional orders

Ms ALLAN (Minister for Public Transport) — I move:

That the following changes to sessional orders be adopted, to come into operation from the beginning of the next sitting week:

- (1) Sessional order 17(3) be omitted and the following new sessional order 17(3) and (4) be inserted in its place —

'(3) So much of standing orders 36, 38, 39 and 41 be suspended so as to enable the following order of business on:

Wednesdays

Formal business

Disallowance motions

Statements by members

Statements on parliamentary committee reports

Government business

Question time (11.00 am)

Government business continued

Matter of public importance or grievance debate (2.00 pm)

Government business continued

General business

Thursdays (and Fridays)

Formal business

Statements by members

Government business

Question time (11.00 am)

Government business continued

General business.

- (4) So much of standing orders 38 and 39 be suspended so as to enable:
- (a) at 2.00 pm on Wednesday, unless a division is taking place, the Chair interrupts the business before the house and the bells are then rung for one minute;
- (b) if a division is taking place at 2.00 pm:
- (i) it will be completed without interruption and result announced;
- (ii) if the division is on a closure motion, and the motion is agreed to, the question or questions then required to be put to close the issue before the house will also be dealt with;
- (iii) business is then interrupted following the procedure in sub-paragraph (a);
- (c) the Chair announces the grievance debate or matter of public of importance, whichever the case may be.
- (d) any business under discussion and not completed at the interruption will be resumed immediately at the end of the grievance debate or matter of public importance, whichever the case may be, and any member speaking at the time of the interruption may then continue his or her speech.'

- (2) In sessional order 17(4), omit '4' and insert '5'.

I am sure the house will appreciate it if I do not go through and re-read that notice of motion. It is there in the hands of all members in the form of today's notice paper. I will move straight to making a short contribution as to what sits behind this motion.

As members will recall, earlier this year, in the first full sitting week of this Parliament, the Andrews Labor government introduced a range of changes to the sessional orders. Some of the changes were about fulfilling election commitments we made in relation to modernising the Parliament, improving the practice of

the Parliament, abolishing Dorothy Dixers and making the Parliament more accountable and a place that once again Victorians can be proud of.

I was very pleased to move those sessional orders. It was a little disappointing that those opposite did not support those sessional order changes at the time, but I note from having had the chance to re-read some of the contributions of those opposite that they were a little less opposed to some parts than others, which brings me to the issue of changes to the sitting hours of this place.

One of the significant changes we made through those changes to sessional orders was to bring in what can be colloquially described as more family-friendly sitting hours for this chamber. It is something that has been talked about for a long time. It is something that the member for Brighton and I spent a fair bit of time on in the previous Parliament, and I know it is something that she has worked on very hard for a number of years. It was certainly an aspiration that was shared by many people on all sides of Parliament. We love our job and we love being in Parliament, but we love our families, I hope, a little bit more. And we want to spend more time with our families than we do with each other, as much as I love all of my colleagues.

Mr Walsh — All of them?

Ms ALLAN — All of them! Even some of you guys, Walshy.

By making some significant changes to sessional orders, the Andrews Labor government took the opportunity to also modernise the sitting hours of the Parliament. I refer again to the work done previously by the member for Brighton, and I think the member for Murray Plains was also involved in those discussions. Other parliaments around the country have done this. Other parliaments have been able to change their sitting hours to have a more civilised conclusion to the day to make sure that we are back the next day fresh and ready to go the next round. As part of those changes we are now adjourning at 7 o'clock on a Tuesday and a Wednesday night, at 5 o'clock on a Thursday night and starting a bit earlier on a Tuesday at 12.00 p.m.

When we put the new sitting hours together a decision was taken to not have a lunchbreak. I note at this point that breaking for lunch is not something that is written into the standing orders or the sessional orders. It is a convention of the house that by the agreement of the house the house breaks for lunch. As part of those changes, we did not make allowance for the provision of a lunchbreak. This was a bit of a feature of the debate

when we discussed this in the Parliament last time. I know the member for Caulfield was exercised on this point and made some contributions on the matter. I also note that when we discussed lunchbreaks the manager of opposition business was quite generous in his contribution when he talked about giving these sitting hours a go and seeing how they turned out.

The house has given it a good six months or so to see how these sitting hours have worked, and a number of members of Parliament have raised with me, with the Premier, with the Presiding Officers and with each other some of the challenges of not having that provision for a lunchbreak. I know that has been a particular issue for the Presiding Officers because they are the ones who sign off on requests for events to be held in Queen's Hall. The practice is that events are not held in Queen's Hall while either chamber is in session, so our being pretty much in continuous session during the course of the day has meant that a number of events that have traditionally been held in Queen's Hall during the lunchbreaks have not been able to be accommodated.

If we want to be a Parliament that reaches out to the community and welcomes it into this place — because indeed the Parliament is their place — this is an issue and it has been a restriction on those activities. Certainly I think we all agree — I am not going to say the Andrews Labor government believes this because I think we all believe this — that Parliament is here to serve the people and its sitting hours should allow for either formal events or for individual members of Parliament to host community groups and visitors. I know that over the years many regional MPs have had a bit of a shindig in Queen's Hall where we have brought down our local councils and local producers and dazzled our colleagues with just how wonderful our region is. They have been great experiences.

We listened carefully to the views of colleagues on all sides, the views of the Presiding Officers and the views of community groups and also looked at the effect of not having a formal lunchbreak on parliamentary staff; I think particularly for Hansard it provides a few extra challenges. Having listened very carefully to those views we are coming today to the house with a motion to amend the sessional orders to make provision for that lunchbreak to occur again on a Wednesday and a Thursday.

It is a very long notice of motion that I have moved today, but really it boils down to making changes to allow for the bells to be rung on a Wednesday. There are provisions in the motion that allow for a situation where there is a division or a closure motion going on

at the time for the lunchbreak and it provides for those matters to be concluded. The other key change to accommodate the lunchbreak is the shifting of the matter of public importance or grievance debate, whichever is due in the particular week, to commence at 2 o'clock of a Wednesday.

As I said, the provision of a lunchbreak is a convention in this place. It is not formally provided for in the standing or sessional orders or that there should be a lunchbreak between 1 o'clock and 2 o'clock of a Wednesday and Thursday. The proposed sessional orders changes make provision for the bells to be rung, and I understand from the clerks that their intent is to ring the bells at 2 o'clock on both Wednesdays and Thursdays, in a similar way to the way we now have the bells ring at 11 o'clock of a Wednesday and Thursday to remind us to not miss the fun of question time, which occurs at that time every day. The bells will ring at 2 o'clock to have members gather back together for the recommencement of debate.

This proposal is a good example of where we have made some changes, we have given them a go for a period of time, we have listened to people on all sides, and then based on that feedback we have responded accordingly. I am very pleased to demonstrate to the house that we are a government that is interested in continuous improvement. I am very pleased to say that I am personally interested in continuously improving the practices of the house.

Mr Walsh interjected.

Ms ALLAN — I appreciate that advice from the member for Murray Plains. I appreciate that he has a few years on me and can give that wise counsel across the chamber. I hope that members opposite support these changes, as they have been brought about, as I said, because we have listened to the views of people on all sides of the house about the sitting hours in particular.

I also wish to make a brief comment on how this affects the number of hours available for debate. When the sessional orders were introduced at the start of the year we actually increased by two the number of hours available for debate compared what was available to the last Parliament, the Parliament before that and the Parliament before that. These changes take the number of hours available for debate back to what was the practice in the previous Parliament and the one before that, so there is still going to be significant time for debate.

The other changes we made to the sessional orders do not go to the issues we are considering today, but they have made the government more accountable to this chamber. They have opened up more opportunities for the opposition, whether by way of the introduction of supplementary questions or otherwise. These are big changes for this place. Our friends in the upper house will say that they are not so big changes — they have been doing it like that for a while — but the changes have provided more opportunities to members in this place.

As I said, this is part of wanting to continuously improve the practices of this house and is the result of our listening carefully to the views of people and the views of the community. Particularly given that there have been some challenges for the Presiding Officers and community groups in holding events in Queen's Hall while Parliament has been sitting, I really hope that the opposition supports these changes, because as much as they provide for a lunchbreak for us and for some of the parliamentary staff — they may or may not get a lunchbreak, depending on how busy they are — it will mean that we can gather together in Queen's Hall with people from the community, whether they be representatives of Koori groups, multicultural groups or regional areas, as I mentioned before.

Queen's Hall is a great space for community groups to come together to demonstrate to members of Parliament what they are doing, and that has been a key driver for the making of these changes — to once again see that activity happen in Queen's Hall. I hope that those opposite, members of other political parties and Independents support these changes to the sessional orders.

There is another motion standing in my name to refer some broader issues around standing orders to the Standing Orders Committee. I will make a brief contribution on that in a moment, but they are linked. We are committed to having a broader look at this issue and a number of other things through the formal practices of the Standing Orders Committee, which I think is very appropriate. Again we have all colours represented on that Standing Orders Committee. It will provide its report to this house on how we can work together to continuously improve what we do in this place to make sure that we have family-friendly sitting hours, that we can reach out and involve community groups in what we do in here and that we are always improving how we perform in this chamber.

Mr CLARK (Box Hill) — There has been one key word missing from the contribution of the Leader of the House today, and that word is 'sorry'. There has been

no apology from the Leader of the House to those coalition MPs who raised concerns about exactly what the Leader of the House is seeking to address today but who were abused and denigrated for doing so. It is clear that humble pie needs to be the first item on the lunch menu for the Leader of the House when the house next sits. She has had to eat her words today, but a good meal of humble pie is needed to finish the process.

Today we have arrived at the outcome of how the Leader of the House and the government go about doing things. They have refused to heed warnings, they have refused to consult, they have refused to work through the consequences of their actions — and the staff of our Parliament have paid the price, as has the ability of the community to engage with the Parliament. Yet those opposite had the nerve to abuse, denigrate and ridicule those on this side of the house who raised warnings about the very matters that the government has belatedly had to respond to. The government has had to say, ‘Okay, we accept it, we admit it, we got it wrong’ — —

Mr Donnellan interjected.

The ACTING SPEAKER (Mr Angus) — Order! The Minister for Roads and Road Safety!

Mr CLARK — ‘Those concerns were justified’.

Mr Donnellan interjected.

The ACTING SPEAKER (Mr Angus) — Order! The Minister for Roads and Road Safety will cease interjecting.

Mr CLARK — The members on this side who raised concerns were pointing specifically to those threats and those problems that have been shown to be justified, in particular for the staff who serve this house and this Parliament so well.

The Minister for Roads and Road Safety interjects. He is one of the biggest culprits. I hope he is going to get up and apologise because he is the one who told the house that lunch and dinner were for wimps. ‘Lunch and dinner were for wimps’ is what he said, so I will be very interested to see what he has to say today.

Mr Donnellan — Lunch! Lunch! Lunch!

The ACTING SPEAKER (Mr Angus) — Order! Remarks will be addressed through the Chair, and the Minister for Roads and Road Safety will cease interjecting.

Mr CLARK — Of course, this is just one of a long list of failures in the new sessional orders the government has introduced. It talked big in opposition and failed to deliver in government. It promised to end Dorothy Dixers, but instead we have Dorothy Dixers without the questions. It promised that ministers would be forced to answer questions, and we have seen how few questions they actually answer. It promised to make consideration in detail a standard feature of bills in the Assembly, and yet week after week the government refuses to let bills be considered in detail. It promised more rigorous budget hearings at the Public Accounts and Estimates Committee (PAEC), and instead we had the most disgraceful filibustering by government members at PAEC that I have seen in 27 years in this Parliament.

But it is not just failure on these big-picture promises that is striking, it is the repeated failures and disorganisation in the day-to-day running of the house that have been also striking. The government cannot even get its flow of bills into the house correct. It struggles to work out how long it wants to adjourn debate on bills. Its members often need reminding about when they need to stand up, even to move procedural motions or to give notices of motion. Yet the government has the nerve to criticise members on this side of the house when they make sensible points trying to contribute to the better operation of this Parliament on behalf of the community.

You can put up with arrogance if it is accompanied by ability. You can put up with incompetence if it is accompanied by humility. But what is hard for anyone to stomach is arrogant incompetence, and that is what we are having to suffer from the government that is in power today. If Labor cannot even run itself, if it cannot run the Parliament, how can it run the state? If the Leader of the House cannot even get sessional orders right, how can she as the Minister for Public Transport be expected to write a train timetable? If she cannot get the sessional orders right, no wonder the regional rail link timetable is in such disarray. Even with the changes that are being made today, there has been no consultation.

Mr Pearson interjected.

The ACTING SPEAKER (Mr Angus) — Order! The member for Essendon will cease interjecting!

Mr CLARK — You would have thought the Leader of the House and the government would have learnt their lesson, approached the opposition and other non-government members about what the options were and tried to reach an agreed solution. But again there

has been no consultation: there has been a unilateral decision to solve the problem by cutting the sitting hours.

That is certainly one way of solving the problem, but it also has the consequence of reducing scrutiny of the government by the Parliament. Perhaps, given the exposure the government has suffered in this house for its actions and its inactions, reducing the time that the government is exposed to scrutiny in the Parliament is something the government is very pleased and happy to be able to achieve.

We in the opposition are not going to oppose these changes to sessional orders.

Honourable members interjecting.

The ACTING SPEAKER (Mr Angus) — Order! Government members will come to order!

Mr CLARK — We are not prepared to allow Labor's incompetence to continue to take its toll on the hardworking and dedicated staff who support this Parliament and this chamber. But anyone with an interest in how the government and the Parliament of Victoria operate should take note of the arrogant incompetence with which this matter has been handled by the government and should realise what Victoria is exposed to in having the same arrogant incompetence permeating all aspects of government in Victoria.

Mr BROOKS (Bundoora) — It is great to see the interest with which this debate is being followed by those opposite. In this sitting week I do not think I have seen as many of those opposite run into the chamber for a debate on any other issue as I have seen run in for the great lunch debate. There is nothing more important than lunch for those opposite.

Honourable members interjecting.

The ACTING SPEAKER (Mr Angus) — Order! Opposition members will come to order!

Mr BROOKS — They must be hungry, Acting Speaker.

The ACTING SPEAKER (Mr Angus) — Order! Perhaps it might help if you did not goad them.

Mr BROOKS — The manager of opposition business said he is prepared to put up with arrogance and incompetence, and I think after the last four years of government this side of the house already knows that.

When we look back at the debate on the changes to the sessional orders that the Andrews government brought in after the last election, we see there have been a range of changes to the operation of Parliament. We have dragged the operation of the house into the modern era, with family-friendly hours which allow members to get home to their families at a reasonable hour to at least see their kids. To be fair, for regional members who stay in Melbourne and who might not go home on a sitting night to see their families, or for those who live in the inner city and who can get home quickly anyway, it might not be a big issue. But for those of us who live in the outer suburbs it is quite an important point, because we are able to get home to see the kids before they go to bed. That has been a sensible change. Those people who sometimes, for work reasons, cannot go home to their families are able to go out to a community function or to engage with their local electorate, so I think that is a good part of the changes to sessional orders.

The question time changes have been ridiculed by those opposite. Effectively they get an extra five questions through supplementary questions. Their political failure to utilise that opportunity properly somehow seems to be the fault of this side of the house, even though we have given them the opportunity to raise so many more questions. The fact that opposition members have been so impotent in question time is for some reason our fault.

I think the changes to the sessional orders have worked really well. The Leader of the House has indicated that there is a motion on the notice paper to be debated after this one for the Standing Orders Committee to have a look at the sessional orders and the operation of the house, and I think that is sensible. Many members from both sides of the house have spoken to me about the need for a break during the day, and — —

Mr Watt — Name them!

Mr BROOKS — I will not name them all, but let us just say it is bipartisan in nature.

On a serious note, in the previous Parliament one of the values of having an hour's break during the day was the ability to have meetings and briefings. From time to time I attended briefings by the Auditor-General in the Federation Room. It was a very valuable opportunity to be briefed on important matters concerning Victorian taxpayers over a glass of orange juice and some sandwiches. Not all members attended those briefings, but from time to time members would. There are other important meetings and briefings during the sitting week as well. The other reason that there is value in

having a break during the day is the opportunity it provides to engage with community groups. The Leader of the House mentioned that there is an opportunity for groups to come into Queen's Hall to expose members of Parliament here to some of the great things that are happening around our community.

As the previous speaker said, there will be no reduction in sitting hours compared to what happened in the previous Parliament, so this is a very sensible move, particularly given there will be a more fulsome look at the sessional orders, the standing orders and the operation of this house by the Standing Orders Committee. I commend the motion to the house.

Mr WALSH (Murray Plains) — I rise to make a contribution to the debate on this motion. I start by suggesting to the Leader of the House, after the appalling contribution from the member for Bundoora, that the government might like to go out into the vestibule of the Parliament and read what is written in the circle on the floor. It says:

Where no counsel is the people fall; but in the multitude of counsellors there is safety.

This Parliament is supposed to work together, look at things and make value judgements about what should happen. What has been lost in this debate is the fact that previously a lot of work has gone into trying to modernise sessional orders over a number of parliaments. If we go back to Speaker Madigan's time, there was a working group that the member for Brighton and I were part of. I think the member for Bendigo East was on it as well. The government of the day chose not to do anything. There was a working group in the last Parliament, and again those three people were on it, and the opposition chose not to support the government in making some changes at that time.

We are now making changes again. They have been done out of the blue without any discussion with the other people in the house and particularly without any discussion or thought for the staff who run this place.

An honourable member — Arrogant.

Mr WALSH — Yes, arrogant. The two speakers on the other side displayed arrogance, particularly the member for Bundoora, who talked only about his lunchtime and his meetings and what he wants to do. He did not spare a thought for or even mention the staff who run this place. This place functions because of the people behind the scenes and those who sit at the clerks table who have missed out badly because of the changes brought in in haste at the start of this

Parliament. They are the ones who have suffered. It is not about the member for Bundoora's lunch or whether he has caviar, chicken sandwiches or whatever; it is actually about the people in here who do the work and make this place function.

I point out to the member for Bundoora that he could show a bit of humility, as the manager of opposition business said. A bit of humility for the people who work in here would be good. The government purports to represent the workers of this state, and yet it has done nothing but slag them off and make disparaging comments. That is the way the member for Bundoora treated this debate, and it is a bloody disgrace.

I suggest to the Leader of the House that in talking about continuous improvement it is very easy to improve when you are starting from a very low base. As the Leader of the House, I think she has a lot to learn. If we think back to other leaders of the house, we recognise that they had a greater ability to work with both sides of the house to get the house to function better. The house functions best on behalf of the people who sent us here if everyone works together rather than arbitrary decisions being made, and that is the important thing here. I note we are going to debate the next motion in relation to a reference to the Standing Orders Committee for further examination of the issues. Why was that not done right at the start, before the changes were made?

There is a lot of room for continuous improvement. There has been a lot of rewriting of history from the other side — even though the history is only six months old — and talk about how these changes will supposedly improve things in the future. If those on the other side of the house actually believe that Dorothy Dixers have been removed, they are absolutely delusional, because they have not been removed. If you ask anyone in the press gallery, you will learn that they do not think Dorothy Dixers have been removed.

Ministers statements are just a chance for a minister to get up for a 2-minute rant in between each question. It is just a rant; it is boring. As we have seen in some rulings from the Chair, it is no longer about new government initiatives; it is just about whatever they on that side of the house want to rant about. They are delusional if they think Dorothy Dixers have been removed. Ministers statements are not doing what they were intended to do; they have drifted into being rants.

The Leader of the House made comments about Queen's Hall being available for functions and so on. We pointed out those concerns in the debate about this issue earlier this year. Queen's Hall is something we

should be using as much as we can. The more people who come to Parliament House and see how we work and what goes on, the better for the democracy of the state. As the Leader of the House said, many MPs have used Queen's Hall for community and industry groups to have functions in. I remember having representatives of the timber industry come in for a fantastic event. They brought their furniture — all the things they make and that sort of stuff. I know members on the other side of the house do not like the timber industry — they would like to shut it down — but it was an opportunity for the industry to show both sides of the house the fantastic industry it is in this state.

While we are in the process of continuous improvement, there is an opportunity for the Leader of the House to look at sitting days. The other major problem we have this year, because things were done in haste at the start of this term of the Parliament, is that this house will be sitting on Remembrance Day. It is an absolute disgrace.

An honourable member interjected.

Mr WALSH — No, we did not.

I suggest that if the Leader of the House wants to not just talk about continuous improvement but actually do something about it, she might like to re-examine the sitting days for this year so that we are not sitting on Remembrance Day. I remember that in a previous Parliament when the Labor Party was in government it made some changes to start Parliament a little bit later so members could go to Remembrance Day services in their electorates. That was fine for city MPs, but when you live 4 hours away from Parliament House it is pretty hard to go to home for a local Remembrance Day service and get back here for a slightly later start. While we are talking about continuous improvement, one of the first jobs for the Standing Orders Committee might be to look at how we can change those sitting days so that we can all have an opportunity to attend Remembrance Day services in our electorates.

As the manager of opposition business said, we will not be opposing these changes, but reinforce the point that the things that are now being said are what we said would happen. It would be good to have an apology from the Leader of the House. It would be good to have an acknowledgement that what people on this side said was right, rather than the comments of abuse that have come from the other side of the house about lunchtimes and so on. As I said, the lunchbreak is very much about the people who work here. It is not about us. We can go out and have lunch if we want to; they cannot. They are

stuck in here running the place. With that, I finish my contribution.

Ms THOMAS (Macedon) — At last we have seen some fire in the belly of those opposite. Here is a debate they want to enter into with gusto. They are hungry to enter this debate. Where are they when we talk of issues of real substance, when we talk about education, infrastructure and jobs? Look at all of them here today. Where are they when we are talking about the real issues of substance? We are lucky to have a handful of them in here — they are not interested — but if we are talking about something that impacts themselves and their own bellies, they are all here.

Honourable members interjecting.

The ACTING SPEAKER (Mr Angus) — Order! Members on my left!

Ms THOMAS — Not only that, the way they are behaving during this debate is reminiscent of the way we saw debates conducted in this house under the previous, failed Baillieu-Napthine regime. I was not here for that period of so-called government, and I count myself lucky for that, but I saw enough reported in the media to know that under the previous Napthine-Baillieu regime we had a completely dysfunctional Parliament.

I commend the Leader of the House for bringing this motion to the house today and for the efforts she has been making in her position as Leader of the House to bring this institution into modern times and to recognise that there are people within this house who work very long hours as it is and make enormous personal sacrifices.

Honourable members interjecting.

Ms THOMAS — I extend that sentiment to those on the other side of the house. I know that some of them do work hard and many of them have family responsibilities. I commend the Leader of the House for attempting to institute some reasonable sitting hours in this place so that people can manage not only their parliamentary responsibilities and their electorate responsibilities but their family responsibilities as well.

In reflecting on the impact that not having a lunchbreak has had, I must say that I am glad to see that some changes are being made. This is important for me because it will give me an opportunity to meet with my colleagues in the other place, specifically Steve Herbert, the Minister for Training and Skills, and Jaclyn Symes, who are very fine members for Northern Victoria Region. I will be able to discuss with them further

concerns about my electorate and those of my constituents.

Ms Ward interjected.

The ACTING SPEAKER (Mr Angus) — Order! The member for Eltham will cease interjecting.

Mr Watt interjected.

The ACTING SPEAKER (Mr Angus) — Order! As will the member for Burwood.

Ms THOMAS — It is terrific that we have a Leader of the House who is prepared to reflect on where changes might need to be made and look to reintroducing the lunchbreak. I think that is fantastic and I commend it to the house.

I might say also that I believe that the opportunity for this house to adjourn on Tuesdays and Wednesdays at 7.00 p.m. and indeed on Thursdays at 5.00 p.m. has been welcomed by all of us in this house.

Ms Ward interjected.

Ms THOMAS — As the member for Eltham points out, it makes it a more modern workplace. While, as I have said, I did not work under the previous regime because I was not a member of the house, I agree with something that the Premier has noted in the past — that is, that the degree to which any work done in this place past 8.00 p.m. is of any use to the people of Victoria is highly dubious. As we have discussed, having the house adjourn at a reasonable time gives MPs an opportunity to either attend events in their electorate or indeed spend valuable time with their families in the evening, which is very important. Modernising the work practices of this place is a work in progress.

Mr Watt interjected.

The ACTING SPEAKER (Mr Angus) — Order! The member for Burwood is warned.

Ms THOMAS — Continuing to seek to modernise the work practices of this house is a work in progress. For the benefit of not just the people who work in this house but for all those people members represent, it is important that this be a well-functioning Parliament.

I turn to the changes that have been made with the abolition of Dorothy Dixers and the introduction of constituency questions. I have found constituency questions to be a very valuable way of accessing from ministers information of immediate value to my constituents. I have used constituency questions to bring to the attention of ministers particular issues in

my electorate. I can take the responses directly to my constituents. I have found the introduction of constituency questions to be terrific. I might say that I have also found that ministers statements are a very valuable way to stay on top of new government initiatives. I am sure many members look forward, as I do, to hearing ministers statements. I certainly know that members on this side do. I know that the ministers put a great deal of effort into preparing those statements. It is important that ministers be able to present to this house new and interesting developments in their portfolios, so I consider the introduction of ministers statements a significant and very welcome reform.

In the first six months or so of the Andrews Labor government we have seen a Parliament that is more efficient and more transparent and one that has been more focused on delivering for the people of Victoria. That is in complete contrast to what happened in the four years of the previous Parliament under the absolutely dysfunctional, Shaw-led coalition government, which we had cause to reflect on yesterday. The member for Melton asked us to reflect on what was built in the previous four years by — —

The ACTING SPEAKER (Mr Angus) — Order! I call the member back to the motion.

Ms THOMAS — I just wanted to make the point that reform of the Parliament is ongoing business and that over the past four years under the previous government we saw no changes made to the operation of this house that were in the interests of the Victorian people. Again, I commend the Leader of the House on the way she is focused on trying to improve the conduct of business in this house. On that note, I commend this motion to the house.

Mr CARBINES (Ivanhoe) — I am pleased to make a contribution to the debate on the sessional orders. I note in particular some of the comments on these matters made by the Leader of The Nationals. In my electorate of Ivanhoe, Viewbank College in particular welcomes the changes to the sessional orders proposed by the government. People at the college welcome that because in many years past members of the Viewbank College orchestra have been able to come here and bring family, friends and supporters into Queen's Hall, where they have displayed their skills as great musicians and have promoted the college. That college has received from the Andrews Labor government some \$11.5 million for redevelopment, including a new performing arts centre. I know that people at the college will welcome the opportunity to return to Queen's Hall

and to see a functioning and operating Parliament after the hours are pushed out.

We should encourage people from the community to come here to see the Parliament at work and at its best. It is important that it does not look like the place has finished up for the day when people come here. That is something we have lost through the operation of the sessional orders during the past six months.

The Victorian School of Languages, which was my employer before I came to Parliament in 2010, was here just last night celebrating its 80th anniversary. When the Parliament is active and there is a dinner break, there is an opportunity for community groups to come in. People want to meet their elected representatives. They want to meet members of the government and members of the opposition, and they want have an opportunity to collaborate, discuss issues and learn more about the operation of the Parliament and the people who work here.

The Victorian School of Languages and Viewbank College are a couple of organisations in my community that have made use of the Parliament, taking the opportunity to celebrate what they do, display their wares and skills, and educate many legislators about the great work they do in the community. If we make changes that do not allow for the full benefit of what those community groups have to offer, those opportunities can be lost. The new changes that are proposed provide a great opportunity for members of Parliament to again encourage local groups to be part of and engage with the Parliament.

I also want to comment on a point made by the Leader of The Nationals with regard to Parliament sitting on Remembrance Day. I take these matters very seriously, and they should be cause for reflection by this house. The Simpson Barracks in Yallambie, which is a very significant operation for defence force personnel, is located in my electorate of Ivanhoe. Prior to the changes in electoral boundaries it was in the electorate of the member for Bundoora, who advocated for it well. An older hospital in my electorate that continues to provide great care is the Heidelberg Repatriation Hospital. Along with the member for Eltham, the member for Bundoora and the federal member for Jagajaga, I go there to support the community and reflect on the sacrifices people made in the past and the sacrifices that have been made in the ongoing support of veterans in our community.

Those remembrance services are very significant. They attract many hundreds of people to the Heidelberg Repatriation Hospital every year. If members are

unable to participate in those services because of sitting arrangements, that is something that this house should reflect on. I take that on board, and I acknowledge the seriousness with which the Leader of The Nationals has raised it. That is something this house needs to reflect on.

The Andrews Labor government has demonstrated on all occasions a willingness to listen to the community and to listen to colleagues in this Parliament. That is why we were successful in the 2014 election. We took a package of measures, policies and commitments to the election that reflected the aspirations of the Victorian community and its needs and desires, and its expectations of elected government. It is only by listening and making sure you are operating in the best interests of the community you serve that you will provide good government. There is nothing wrong with a government being prepared to test boundaries, challenge the community, lead and take the opportunities that arise; nor is there anything wrong with that government reflecting on and working out how it can recast, retune and make sure it continues to push those boundaries and achieve.

As the previous government would well know, if you do not do anything, you certainly do not make any mistakes. The Victorian community decided that they expect something better. They expect something more. They expect leadership. They expect a government that has vision and a government that seeks to deliver, and they do not want to be stuck in a morass of nothing. That is what we had for four years. The Victorian community rejected that, and I do not see any reason why the government should shy away from having a debate and discussion about the way in which we have sought to test and pursue the way this house operates.

There have been many examples that have worked extremely well. We will continue to tweak and change the way in which democracy can best serve the people of Victoria through this house with the support of members of this place. I note that former Premier Ted Baillieu said:

I believe the standing orders should be changed ... there should be widespread reform of Parliament in order to engage the community and in order for our democracy to work effectively.

Nothing was done in that time. Mr Baillieu went on to say:

I think any visitor to Parliament now would know that Dorothy Dixers are really a waste of time and they will know that ministers never answer [questions].

Again, nothing was done in relation to reform or change in this place. If that is the way governments are to be judged, then the previous government — the current opposition — stands condemned for its lack of action in dealing with the way democracy operates in this house and the way this place and its legislators go about conducting their business.

As I said, I will welcome the opportunity to invite the many community organisations and local schools in my electorate to participate, to show their wares and the work they do, to demonstrate their talents and to engage not only with legislators but also with many other people in the community in this house of democracy. They should have the opportunity in Queen's Hall, Strangers Corridor and the many other places in the Parliament to meet and collaborate with legislators in this place. There are many opportunities across this house and across the Legislative Council to welcome organisations and groups to the Parliament in a bipartisan way. We do that all the time, not just on sitting days.

When the Parliament is not in operation and we miss those opportunities to collaborate with community organisations in our electorates and to show them the workings of the Parliament, we have lost something. People work during the day, and the Parliament has different hours to them. There should be opportunities for the Premier, the Leader of the Opposition and other members of the legislature to welcome groups and to speak at functions and events in Queen's Hall and other places in the Parliament. When members can do that while Parliament is in operation, the atmosphere here is much different.

These changes to the sessional orders allow more opportunities for that to happen, and I think all members will welcome that. The changes are also useful in trying to coordinate with the Legislative Council. I, for one, think it is important that there are more opportunities for members in this place to be able to collaborate and discuss matters with members of the Council through a better coordination of the way the sitting hours operate. I think that is fair and reasonable.

I finish my remarks by noting the comments the Leader of The Nationals made about Remembrance Day. I think they were salient points. I take them seriously, as I am sure the government will when it comes to reflecting upon the operation of this place on Remembrance Day and how we might seek to acknowledge those matters should the Parliament sit on that day, as it has agreed to do. I regret in advance not having the opportunity to spend time on that day reflecting with members of my community at either the

Simpson Army Barracks in Yallambie or the Heidelberg Repatriation Hospital in my electorate. I will certainly be making that point here in the Parliament when we sit on 11 November. I commend the changes proposed by the Leader of the House to the Parliament, and I acknowledge the support they have from the opposition.

Ms GRALEY (Narre Warren South) — I am very pleased to speak on the motion before the house, because I have been a long-time supporter of the reform of some of the procedures and operations of the Parliament. After the shambolic experience of the previous four years under the dysfunctional Baillieu and Napthine governments, it was apparent to the community and to parliamentarians that we needed some modernisation and reform in this house. I think that the government made it known to everybody during the election campaign that Labor was about reforming and modernising this Parliament. I agree that the community is looking for higher standards from us as parliamentarians and for the Parliament to be more reflective of the way a modern government should operate in a thriving society.

I have often wondered why the Leader of the Opposition comes into this house so angrily at question time. I have been trying to work out what makes him so angry. Maybe it is because he has not had breakfast, so I think he should have the opportunity to have lunch.

Business interrupted under sessional orders.

DISTINGUISHED VISITORS

The SPEAKER — Order! I wish to welcome to the house Mr Nick Kotsiras, the former Minister for Multicultural Affairs and Citizenship, former Minister for Energy and Resources and former member for Bulleen. Mr Kotsiras, you are welcome.

RULINGS BY THE CHAIR

Refusal to answer question

The SPEAKER — Order! Yesterday the member for Box Hill raised a point of order concerning a ruling I had given in the house last Tuesday during question time and requested that I review my ruling and the circumstances that occurred in the house that day. I have now had the opportunity to review the *Hansard* record and to consider the issues raised by the member for Box Hill in his point of order.

Last Tuesday the member for South Barwon asked the following supplementary question:

Can the minister confirm that the only way the Armstrong Creek west community can get the school it was promised will be to go through the minister's boss, the Shop, Distributive and Allied Employees Association chief, Michael Donovan?

The Minister for Education responded:

That supplementary question is a poor reflection of the representation by the local member. It is a completely irrelevant, pathetic question that does not deserve an answer.

On reflecting on the substance of the supplementary question it appears the first part relates to government business, but the second part is frivolous and in hindsight should have been ruled out of order by the Chair at the time. In hindsight I believe the inappropriateness of the question attracted the answer given by the minister, and as a consequence I am comfortable with my original ruling given to the house. The member for Box Hill points out that it has been the existing practice of this house for ministers to refuse to answer a question. The matter the member for Box Hill raises for consideration is whether the new sessional orders now prevent a minister from refusing to answer a question.

Let me first turn to the wording of the sessional orders. Sessional order 11(2) provides the Speaker with the power to determine whether an answer to a substantive or supplementary question is not responsive. The wording is interesting. The Speaker is empowered to determine the responsiveness of an answer, but not whether the question has actually been answered.

I am required to provide a deal of judgement in determining responsiveness. I am not of the view that the new sessional orders actually prevent a minister from directly refusing to provide an answer. As is stated in *Parliamentary Practice in New Zealand*:

A minister's response to a question that he or she does not intend to answer it is in fact a reply ...

Based on this notion it is my view that a direct refusal to provide an answer can be seen as being responsive.

Checking the practices of other Westminster jurisdictions, there are many reasons why a minister may to refuse to provide an answer, such as the frivolous nature of the question or that the public interest would be imperilled by the giving of the information sought. Refusing to answer a question is a fairly rare action and I would expect that to remain so. I am sure the house would find it completely unsatisfactory if a minister tried to avoid their scrutiny obligations to the house by continually refusing to answer questions. No doubt in those circumstances a minister's credibility would be questioned.

ABSENCE OF MINISTERS

Mr ANDREWS (Premier) — I rise to inform the house that the Minister for Health will be absent from question time today. The Minister for Housing, Disability and Ageing will answer in her place. Further, the Minister for Local Government, Minister for Aboriginal Affairs and Minister for Industrial Relations will also be absent from question time. The Minister for Environment, Climate Change and Water will answer questions in her place.

QUESTIONS WITHOUT NOTICE and MINISTERS STATEMENTS

Agriculture Infrastructure and Jobs Fund

Mr WALSH (Murray Plains) — My question is to the Minister for Roads and Road Safety. Noting that the minister's press release dated 3 August states that the \$200 million Agriculture Infrastructure and Jobs Fund is only for projects that 'wholly benefit' the agriculture sector, I ask: how does investment in the Avalon Road overpass on the Geelong Road wholly benefit the agriculture sector?

Mr DONNELLAN (Minister for Roads and Road Safety) — I thank the Leader of The Nationals for his question. I guess we go back to that idea talked about yesterday, that somehow or other the agricultural sector is going to use helicopters to get its produce to the port, that it does not use bridges to actually get to the port.

What the agricultural sector and the freight sector have asked us to do is look at policies which focus on productivity — not pork, not barrel but productivity. So it is looking at delivering produce to the market. That includes putting that produce in trucks and getting it in, the first and the last mile, and that is very much what the Victorian Farmers Federation (VFF) asked us to look at: to look at the first and the last mile and to look at bridges which deliver that produce to the port. I would have thought that the Leader of The Nationals would be very supportive of this proposition, like his former colleagues in the VFF.

Mr Walsh interjected.

The SPEAKER — Order! The Leader of The Nationals.

Mr DONNELLAN — Unfortunately we have the typical juvenile games going on by The Nationals, who do very little for their own constituency. Whether it be the Tyers Road bridge in Traralgon or whether it be the dredge at Lakes Entrance, this is a government that gets

on with delivering productivity-enhancing infrastructure for the sector, and we make no apologies about it.

Supplementary question

Mr WALSH (Murray Plains) — Given that the Avalon Road overpass is not the main access to Avalon Airport, it does not go to the port of Geelong, the township of Lara is to the north and the main use to the south is an inoperative saltworks, can the minister explain exactly what agricultural industries could use B-triple trucks that weigh 85 tonnes on this bridge?

Mr DONNELLAN (Minister for Roads and Road Safety) — As the Leader of The Nationals would be aware, there is a range of projects that we are putting forward in relation to strengthening bridges, and we make no apologies. I understand that there may be potential uses, like fertiliser, which might go over that bridge. Obviously in the member's previous practices, in the work he did, there was no fertiliser, maybe, required for growing tomatoes. But I would have thought the community would consider fertiliser necessary for the agricultural sector.

Ministers statements: AFL multicultural round

Mr ANDREWS (Premier) — I am very pleased to say that all of us in this state are very proud of our diversity and our community harmony, and I do not think there is any other sport that brings us together as a state and as individual communities together as one more than AFL football. That is why I am very proud that our government is a partner in the AFL's multicultural round this week, with the theme of Many Cultures, One Game.

I am very glad that it is multicultural round this week because it is about time that we reaffirmed some things about our culture and our values in this state. The booing of Adam Goodes is wrong, plain and simple. Many of those who boo Adam Goodes do so because they have no respect for him as an Aboriginal man, and that is shameful — absolutely shameful. My message to all of those who will attend the great Simonds Stadium this weekend is that if the person next to you or near you is booing Adam Goodes, tell them it is wrong. Tell them it is not in the spirit of our game and tell them it is not in the spirit of our state and our nation. Do that, because to do that would be showing real leadership.

This week marks the multicultural round, and as a government and as a community we are proud to be a partner in that round for the celebration of diversity. Diversity is our richest asset and our most precious of

things — the fact that we come from so many different parts of the world and are united as one; the fact that we are respectful and inclusive; the fact that we are the multicultural capital of our nation, the sports capital of our nation and the progressive capital of our nation. All of those things should be a source of great pride.

I am sure that we will see at that great stadium — the best in regional Australia — the best of our state and the best of our game. That will be a great support not only to Adam Goodes but to Aboriginal men and women across this great nation.

Agriculture Infrastructure and Jobs Fund

Mr WALSH (Murray Plains) — My question is again to the Minister for Roads and Road Safety. In his 3 August press release he stated that the Agriculture Infrastructure and Jobs Fund will:

... go towards projects such as road improvements to improve access ... between the port of Geelong and the port of Melbourne.

I ask: given the minister has made this claim, what agricultural freight is moved by road between the port of Geelong and the port of Melbourne?

Mr DONNELLAN (Minister for Roads and Road Safety) — I thank the Leader of The Nationals for his question. As I have previously indicated in the house, I have had VicRoads doing extensive work in relation to our major freight routes across the whole of the state. At the end of the day the various bridges across this network, whether it be the Goulburn Valley Highway, whether it be the Princes Highway or whether it be the M1 or many others — —

Mr Walsh — On a point of order, Speaker, on relevance, the question was very specific around what agricultural freight is moved from the port of Geelong to the port of Melbourne, and I ask you to bring the minister back to answering that question.

The SPEAKER — Order! I do not uphold the point of order at this point. The minister has provided some context. The minister has 2 minutes and 24 seconds until time.

Mr DONNELLAN — It is rather strange that I would be providing a lesson in what type of agricultural produce comes down to the port of Melbourne to the former leader of the Victorian Farmers Federation (VFF), but two-thirds of our agricultural products come from the north and the west of Victoria. How do they get here? They certainly do not come by chopper. They do not fly in like the federal member for Mackellar, Bronwyn Bishop; they actually have to come in a truck.

Let us be very honest. This ridiculous proposition that somehow or other the agricultural freight is going to miss the Princes Highway, miss the Western Highway, or some other suggestion, is absolutely juvenile.

Mr Walsh — On a point of order, Speaker, I raise the same point on relevance. The minister is not addressing the question that was asked, and I ask you to bring him back to answering the question.

The SPEAKER — Order! The minister will come back to answering the question. The minister has now concluded.

Supplementary question

Mr WALSH (Murray Plains) — My supplementary question is to the Minister for Roads and Road Safety. Why does the minister not just admit that the Agriculture Infrastructure and Jobs Fund is simply Labor government spin and that there is in fact zero money for farmers?

Mr DONNELLAN (Minister for Roads and Road Safety) — I thank the Leader of The Nationals for his question. He is wrong. There is a bit of sooky la-la going on here.

Honourable members interjecting.

The SPEAKER — Order! The minister will continue and respond to the supplementary question.

Mr DONNELLAN — I have got a funny feeling that the two people in front of me are a little bit upset with the VFF for supporting the proposition. I have got a funny feeling that there is a little bit of sooky la-la going on and they just do not like this fund because the VFF has come out and fully supported it. The VFF thinks it is a great idea.

Obviously it is a bit hard to reach back into an institution that for many years you thought you might have owned, but what the VFF has said is that it wants us to focus on infrastructure which drives productivity. That is what this fund does. Whether it be the VFF, whether it be the Victorian Transport Association or the Victorian Employers Chamber of Commerce and Industry, they all support the proposition.

Ministers statements: major events

Mr EREN (Minister for Tourism and Major Events) — I rise to update the house on new initiatives that will create jobs and boost Victoria's economy. Major events are a key part of Victoria's economy, and

the Andrews Labor government will make them even stronger.

Mr Hodgett — On a point of order, Speaker, the minister appears to be angry and agitated, and so as to not create a scene, can we assure the minister that he is on table 1?

The SPEAKER — Order! The Chair is disappointed with the Deputy Leader of the Opposition for raising a very frivolous point of order.

Mr EREN — Under the previous Liberal government Melbourne lost its title as the sporting capital of the world, and our government is working hard to put us back on track. Major events employ Victorians, stimulate our regions and keep our cafes, bars, restaurants and hotels full. The recently completed Victorian visitor economy review will set a path for even greater success, and we will be making some very significant announcements on this in coming days.

It was my pleasure to announce recently that the Andrews Labor government has secured the successful International Champions Cup (ICC) football event for another three years. This event saw a record attendance for soccer at the MCG and joined other record audiences for the ICC Cricket World Cup and National Rugby League State of Origin matches this year. The ICC Cricket World Cup 2015 was an outstanding success for Victoria, with PricewaterhouseCoopers reporting direct expenditure of \$410 million and 2790 full-time equivalent jobs. The ICC soccer tournament contributed tens of millions to Victoria's economy and created hundreds of jobs.

This year an additional \$80 million was allocated to attracting major events — this is further evidence of our government's commitment to this vital sector — and \$210 million was allocated for the expansion of the Melbourne Convention and Exhibition Centre. Regional Victoria also benefits from events. We are working right now on securing some more exceptional exhibitions for venues like the Bendigo Art Gallery, again boosting our regional Victorian economy.

I conclude by saying that this government recognises the importance of events to Victoria — to all of Victoria. That is why I was very pleased to announce \$275 000 in new funding to support Tourism Greater Geelong and the Bellarine to attract those vital dollars for regional Victoria.

Port of Melbourne lease

Mr M. O'BRIEN (Malvern) — My question is to the Treasurer. In 2007 as Minister for Ports he stated:

An upgraded port of Hastings will boost the Westport region, providing thousands of jobs, millions of dollars in household income, more than \$1 billion worth of economic spin-offs, and would create 4200 new jobs in the Mornington Peninsula alone.

Then in 2014 he supported a new port at Bay West, and the Premier promised it would bring ‘jobs, jobs and more jobs’. I ask the Treasurer: why has he abandoned his own job-generating, billion dollar economic port plan in order to lock up the port of Melbourne in a private monopoly for the next 70 years?

Mr PALLAS (Treasurer) — I thank the member for Malvern for his question. I have to tell you, Speaker, I genuinely want to thank him for his question. Old Whack-A-Mole is back at it again. Batter up! Let us be very clear about this. In 2007 there was a port strategy released that effectively outlined what the future use of the port of Hastings would be. I was ports minister back then. It was a good plan, but of course you have to listen and amend your plans.

Honourable members interjecting.

The SPEAKER — Order! I warn the member for Rowville and the member for Malvern.

Mr PALLAS — Here we go. The font of all wisdom! The only plans chiselled in granite are on their tombstones — their political tombstones. Let us be clear: in 2010 the people of Victoria put us into opposition and we listened to the people of Victoria. We reviewed our policies.

We had a conversation, and the outcome of which was to be very clear that we needed to have an independent planning process underpinning the long-term needs of the port. Why is that? It is because industry has told us that two-thirds of their sunk investment is effectively on the western side of the city and that the cost of developing Hastings would be disproportionately large. So we listened. We said an independent planning process would be put in place, and it will. Legislation is already in this place. Benjamin Franklin once said, ‘We are all born ignorant, but some people work hard at stupid’. He was talking about them.

Supplementary question

Mr M. O'BRIEN (Malvern) — The Treasurer has backflipped on the port of Hastings, he has backflipped on a Bay West port, he has a \$7 billion funding gap for Metro rail and he has cut the infrastructure budget by 24 per cent. How can Victorians believe a single word he says about building new infrastructure?

Honourable members interjecting.

The SPEAKER — Order! I warn the member for Malvern. Government members will allow the Treasurer to respond to a supplementary question as put by the member for Malvern.

Mr PALLAS (Treasurer) — When his mouth moves, Speaker, he clearly is not listening to the words that are coming out because he would die of embarrassment if he heard himself speaking. The outrage in his voice! The man who signed the side letter, but who did not tell the Victorian people, has the audacity to come into this place and talk about credibility. The man who is threadbare of credibility. The man who put the state’s reputation at risk. The man who tried to undermine the democratic vote of this state.

The SPEAKER — Order! The Treasurer is to continue, the Treasurer is to be heard in silence, and the Treasurer is to come back to the question.

Mr PALLAS — The member for Malvern made it his cause in life to make the member for Rowville look good.

Ministers statements: Masterpieces from the Hermitage

Mr FOLEY (Minister for Creative Industries) — I rise to share with the house some exciting new information regarding the success of the current Melbourne Winter Masterpieces series at the National Gallery of Victoria, in particular Catherine the Great’s Masterpieces from the Hermitage collection, which commenced last week and was opened by the Premier. It is the latest in a series of the winter masterpieces collections, which was of course initiated under the Bracks government in 2004 and has seen 4.7 million visitors since that time, delivering \$380 million in net economic benefit to the state of Victoria.

It is interesting to note that since last week’s launch, just last weekend, some 5200 people attended the National Gallery of Victoria to look at this brilliant exhibition on that one weekend alone. And why would they not? This is the first time that some of these priceless works of the Russian Hermitage collection have left that country since they were acquired by Catherine the Great.

Catherine the Great established the Hermitage museum in 1764, and since then its collection has grown to be one of the largest and most prestigious collections in the world. It would seem odd that some Victorians would take exception to the success of this exhibition. I

would just point out that one Victorian, who carps from the sidelines, mentioned that:

Given the history associated with Catherine the Great, I wouldn't have thought it was the most appropriate exhibit to be spruiking at this time.

Of course many Victorians take a contrary view, and I would ask that the Leader of the Opposition reflect on those ill-advised comments.

Political donations

Mr HIBBINS (Pahran) — My question is to the Premier. During the winter recess there were a number of serious allegations and very serious issues arising relating to political donations. The federal Labor leader said:

The current system just isn't good enough ... the most immediate and best way to restore confidence in our political system is to enhance transparency and improve disclosure arrangements.

Does the Premier agree with his federal counterpart, and will the Premier now commit to working with this Parliament to reform Victoria's weak political donations laws?

Mr ANDREWS (Premier) — I thank the member for Pahran for his question in relation to transparency. Whilst the issue he raises, I am sure, is raised in an earnest way and in a serious way, I must say to the member for Pahran that it is very difficult to be lectured on transparency and integrity from people who come from a political party who have a state conference that no-one can go to, have a rulebook that no-one can read and received the biggest ever donation in Australian political history and did not properly declare it. This government has made commitments in relation to integrity and transparency, and all will be honoured in full.

Honourable members interjecting.

Supplementary question

Mr HIBBINS (Pahran) — I have a supplementary question to the Premier. I appreciate that the government has plans and made election commitments towards transparency and integrity, but given this new information — these new allegations regarding organised crime, conflicts of interests and influence buying — does that not require a new approach from the government?

Mr ANDREWS (Premier) — I am not entirely certain that there was a question there, but in any event, we thank the member for his members statement. I will

make the point very clearly that I am grateful that he says he appreciates the commitments the government has made, and he asked for a different approach. I would say to the member for Pahran and to all honourable members that the government getting on with and delivering on each and every one of the commitments we made is a different approach.

There is yet again another different approach, and that would be to sit on the sidelines as a commentator. That is not something I am interested in. Instead we are very proud and honoured to have formed government in this state, and we will deliver each and every day on the commitments we made at the election. Nothing is more important than delivering — not just talking about it but actually delivering — on those commitments in terms of transparency, openness and the raft of other commitments we made. The new approach is getting on and delivering.

Ministers statements: country racing

Mr PAKULA (Minister for Racing) — I am pleased to inform the house of Country Racing Victoria's new campaign, with the support of the Andrews Labor government through a \$1.5 million contribution from the Victorian Racing Industry Fund (VRIF). The country racing 'It's got it all' campaign is about highlighting and demonstrating the best of Victorian country food and wine, with a trip to the races at the very heart of it.

Country racing is the backbone of our racing industry. Seventy-five per cent of all our racing takes place in regional Victoria, and it has a major economic impact on our regions. A number of the country's top trainers, whether they be Darren Weir at Ballarat or David Hayes at Euroa, train out of our country racecourse stables. The regional racing industry contributes \$940 million to our economy and sustains almost 10 000 full-time jobs, and it has a massive tourism impact. During the 2013–14 season almost 500 000 people attended country meetings, and we want to back the campaign by Country Racing Victoria to get people back to country racing, to enjoy all the very best that our regions have to offer and to enjoy a day out at the races.

We are absolutely committed to a strong racing industry. That is why we have reacted so strongly to the greyhound industry reports and implemented major change there, why we have audited Harness Racing Victoria and are implementing major change there and why we have Paul Bittar devising a new integrity system for our three racing codes.

We want to work to ensure that our racing industry remains the best in Australia and that people from all over our state, our nation and the world come and enjoy Victorian racing, and this great campaign by Country Racing Victoria, with support from the VRIF, will help to do just that.

Ministerial office capability review

Mr GUY (Leader of the Opposition) — My question is to the Premier. In the interests of proper process, I ask when the Premier will now publicly release the government's final formal response to the recommendations and findings made to him by Chris Eccles and Peter Allen.

Mr ANDREWS (Premier) — I thank the Leader of the Opposition for his question. A formal response has not yet been formulated. When it is, it will be made public. In fact I will be more than pleased to announce it.

Supplementary question

Mr GUY (Leader of the Opposition) — Noting that the Premier told the house that Mr Eccles would conduct an independent investigation held against the highest standards and that he has recommended according to those standards that all ministerial offices be subject to a capability review, I ask: will the Premier now commit to a capability review both for his and the Deputy Premier's office in the same way he examined the capability and capacity of the office of the former minister Adem Somyurek?

Mr ANDREWS (Premier) — I thank the Leader of the Opposition for his question. As I made clear in the answer to the substantive question, when a response has been determined then we will be happy to — —

An honourable member interjected.

Mr ANDREWS — I was asked about a formal response, so when a formal response has been formulated I will be happy to make that public. I would just again, for the benefit of the Leader of the Opposition, make it very clear that nobody on this side of the house is taking lectures on capability from those who were rejected by the people of this state because they could not keep their promises or deliver for Victoria.

Mr Guy — On a point of order, Speaker, in relation to relevance, the Premier has previously said in answers on this topic that they will be conducted against the highest of standards. I ask you to bring him back to the question, which was straightforward and related to the

highest of standards about when he will bring a capability review into his —

Mr Merlino interjected.

Mr Guy — and the very vocal Deputy Premier's office, because he is the man with something to hide.

The SPEAKER — Order! The Leader of the Opposition will resume his seat. I do not uphold the point of order. The Premier was being responsive. The Premier, to continue.

Mr ANDREWS — I again make it very clear that we will not take lectures from the Leader of the Opposition on capability or competence or, as he has just invited me to do, take advice from this fellow on transparency. How is Miley Cyrus going? How is Ventnor going? How are your deals done around kitchen tables going?

Mr Guy interjected.

The SPEAKER — Order! The Leader of the Opposition will allow the Premier to continue. The Premier has concluded.

Ministers statements: Homesafe

Ms ALLAN (Minister for Public Transport) — I am very pleased to make a new announcement regarding public transport and delivering on one of the government's key public transport commitments, Homesafe. We have heard a number of examples today of why Melbourne is consistently rated as one of the world's most livable cities. Whether you are interested in racing or sport or coming here to visit the galleries in Melbourne or in regional Victoria, we have a great city and a great state.

Just as those opposite walked out on public transport when they were in government, they are walking out on hearing about how the Andrews Labor government is going to expand public transport by delivering on our commitment to Homesafe — bringing 24-hour public transport to our city and our state on weekends from 1 January 2016. Whether they are coming into the city for a night out or whether they work in our hospitality industry or at one of our major hospitals, where they work around the clock supporting our community, this will mean that people can get home more safely around the clock on weekends.

I am pleased to announce today that, as of 1 January 2016, when the trial begins, trains will be departing from Flinders Street Station every 60 minutes across all lines. Trams will also be departing every 30 minutes on

six key routes — trams 19, 67, 75, 86, 96 and 109. This means that important areas such as St Kilda, Sydney Road and Port Melbourne will be serviced as well. For regional communities there will be coach services to Bendigo, Ballarat, Geelong and Traralgon, departing Southern Cross station at 2.00 a.m. A world-class city deserves a world-class public transport system, and that is what we are focused on delivering.

CONSTITUENCY QUESTIONS

Caulfield electorate

Mr SOUTHWICK (Caulfield) — (Question 394) My question is to the Minister for Roads and Road Safety. The North Road, Ormond, level crossing removal is a vital project for my electorate of Caulfield which was announced and fully funded by the former coalition government in 2014. Local residents are concerned about the future of the Dorothy Avenue rail underpass, which may be removed as part of the North Road level grade separation, as it enables commuters to travel east–west through their neighbourhood and to two nearby schools.

I note the sham consultation process run by the member for Bentleigh, which did not allow many to attend the Dorothy Avenue meeting to talk about their concerns. We have certainly had a lack of consultation and transparency, with the only consultation run by the member for Bentleigh, which was an absolute sham. I ask: could the minister provide advice on whether the Dorothy Avenue rail underpass will remain or be removed as part of the North Road, Ormond, level crossing removal?

Yuroke electorate

Ms SPENCE (Yuroke) — (Question 395) My constituency question is to the Minister for Local Government. Can the minister inform me about measures the government is taking to help increase female participation in local government? Women comprise over 50 per cent of the Victorian population, yet they are significantly under-represented in the Victorian local government sector, with less than 35 per cent of councillors and only 16 per cent of chief executive officers being female.

When I was elected to Hume City Council in 2008, three of the nine councillors were female. In 2012 that became three women out of 11 positions, dropping from 33 per cent to 27 per cent. It is important that this council and many others encourage increased female participation. I know this issue is very important to the minister, and I look forward to hearing about measures

being taken to assist in increasing female participation in this important sector.

Mildura electorate

Mr CRISP (Mildura) — (Question 396) My question is to the Minister for Education on behalf of Mrs Amanda Gowty, Mr Jim Gowty and Mr Jason Modica. In mid-June it came to the attention of residents at Nichols Point that the old Nichols Point Primary School and rotunda were to be demolished. These buildings are of significance to the community and have a local heritage listing. No consultation was undertaken with either the Mildura Rural City Council or residents to establish whether an alternative purpose could be found for the site prior to demolition being commissioned. I ask: will the minister intervene and place a stay on demolition until such time as residents and council can identify another use for the site, leaving the buildings intact?

Frankston electorate

Mr EDBROOKE (Frankston) — (Question 397) I would like to ask the Minister for Equality to join me for a visit to the Peninsula Pride group, which does so much valuable work in our community in Frankston. Peninsula Pride is a Queer Straight Alliance community group led by headspace Frankston. Peninsula Pride exists so that same-sex attracted and gender-diverse young people can feel safer and more included in our society. It is sad to think that there are young people in this day and age who do not feel they can be supported in who they are. What we see when there are no support services are tragic circumstances that could have been avoided. Peninsula Pride provides much-needed and used counselling and mental health services in Frankston.

It was great to meet Seb and his staff and the volunteers who worked so hard on the peninsula during the International Day against homophobia and transphobia. I had the honour of raising the rainbow flag outside the Frankston Civic Centre, and I continue to support these services. I know the staff of Peninsula Pride would be happy to meet with the minister to discuss their fantastic work.

Brighton electorate

Ms ASHER (Brighton) — (Question 398) My question is to the Minister for Public Transport. The background to my question is that tragically there have been two reported deaths at the Middle Brighton railway station in June and July. In both cases pedestrians were struck by a train. The crossing is

located where Church Street, Brighton crosses the Sandringham railway line. For the minister's information — I do not expect her to be familiar with it — there is a lot of pedestrian traffic in that area.

My question is: will the minister examine the safety of the Middle Brighton railway crossing to see if a safety upgrade is needed? As a proviso I indicate that under no circumstances am I asking for a grade separation, which is not appropriate due to the amount of retail there. But my question is: will the minister have her department examine the level of safety at Middle Brighton crossing to see if upgrades are required?

Macedon electorate

Ms THOMAS (Macedon) — (Question 399) My constituency question is to the Minister for Roads and Road Safety, and it concerns the commitments of the state and federal governments to upgrade Station Road, Gisborne, and specifically to better manage traffic entering and exiting the Calder Freeway through the installation of roundabouts. I ask the minister to provide me with an update on this important project and to consider how the available funds can be best utilised to extend the upgrade to the Saunders Road intersection. I am advised by the Macedon Ranges Shire Council that its costings indicate there is an opportunity to also install a much-needed roundabout at the Station Road and Saunders Roads intersection. This addition, if it is possible, would be extremely well received by residents of New Gisborne and Riddells Creek.

Croydon electorate

Mr HODGETT (Croydon) — (Question 400) My constituency question is to the Minister for Education. I note the minister's recent comments reported in the *Maroondah Leader* on 21 July that the school oval at the former Yarra Hills-Pembroke Secondary College in Cambridge Road will be gifted to the community. We welcome this commitment. It is a great win for the community and an issue that we have worked hard towards for some time. I draw the attention of the minister to the disused former Croydon South Primary School site on Belmont Road and the community's longstanding request for this land to be gifted to the community for community use. Will the minister consider this request and provide an update to the local community action group on the future plans for the former Croydon South Primary School site?

Dandenong electorate

Ms WILLIAMS (Dandenong) — (Question 401) My constituency question is to the Minister for

Industry. I ask the minister for a progress update on the Andrews government's commitment to drive economic growth and create high-skill, high-wage jobs in Victoria. Many in my community were delighted when, prior to the election, the Premier announced Labor's *Back to Work* plan to create 100 000 jobs. I was particularly heartened to see the inclusion of measures that will assist with innovation and diversification in the manufacturing sector.

The south-east is the manufacturing engine room of Victoria, and the loss of the auto industry is biting hard. In saying that, we have a range of manufacturers locally, and many are working hard to diversify and grow and are experiencing great success. On this side of the house we understand that manufacturing is not dead, but it is changing. We do not push for its demise like those opposite and their federal overlords did with the car industry. I am very keen to see that we are assisting businesses in harnessing new opportunities that will provide high-skill, well-paid jobs for generations to come.

Box Hill electorate

Mr CLARK (Box Hill) — (Question 402) My constituency question is to the Minister for Public Transport. I raise with her the issue of the Box Hill transport interchange and the ministerial working group that the then opposition promised to establish prior to the last election. This was of course a ministerial working group that the then opposition only promised following my initiatives that persuaded the then Minister for Public Transport to re-engage with the Federation Centres with the view to looking at options for the redevelopment of the Box Hill transport interchange.

However, this is something that the current government has failed to act upon despite the time it has now been in office. I have raised this matter with the Minister for Public Transport, and she responded that this is a matter that would be attended to soon. More than three months have now passed, yet the minister has still not acted to deliver on this election promise that the then opposition made to the community. I ask the minister to inform the Box Hill community when this ministerial working group will be established.

Kororoit electorate

Ms KAIROUZ (Kororoit) — (Question 403) My constituency question is to the Minister for Public Transport. I note the minister has asked Public Transport Victoria and V/Line to review the timetable for the Ballarat line after the opening of the regional rail

link. As part of this I ask the minister to investigate what options are available to address traffic congestion at the Deer Park railway crossing in Station Road, Deer Park, caused by the railway gates being down for long periods of time. Since the completion and opening of the regional rail link, the boom gates at the Deer Park railway crossing are down for lengthy periods, causing a backlog of traffic and driver frustration and other safety issues. I have had a number of emails from constituents regarding the long waits they are experiencing since the opening of the regional rail link.

BUSINESS OF THE HOUSE

Sessional orders

Debate resumed.

Ms GRALEY (Narre Warren South) — As I was saying before question time, I fully support the motion put by the Leader of the House for the continued reform of this Parliament. I was making some observations about the behaviour of the Leader of the Opposition and the angry way in which he presents himself in Parliament, and this was reaffirmed in question time. I was making the observation that maybe the Leader of the Opposition does not have breakfast and that he was very much in need of lunch, as indeed we all are. I must admit I could extend those observations to the former Treasurer, the member for Malvern, whose performance today was very much reminiscent of a man who had not had a good breakfast, in contrast to our Treasurer who I suspect is a four Weet-Bix man. He gave a really wacko performance for us all.

I suggest that it is in all our interests for us to get our lunchbreaks back. As I said, the government brought the reforms to the house — and I know there are people on the other side who have tried to reform parliamentary procedures, and I appreciate their endeavours. As I said, the government came to office with a reform agenda, and I think we should proceed with that process. I am very appreciative of going home early. I know there are lots of people on our side of the chamber who have young children. When we get up and lecture other people about the quality of life and having a work-like balance, we should start with ourselves and being able to go home. Having a meal and reading a book to a young child is a good thing for every member of Parliament to do.

It also good for the collegiate atmosphere that should be part of this Parliament. We should all be able to enjoy functions in Queen's Hall and share the hopes and inspirations that are often displayed there by constituent groups, and community organisations. It is a good

opportunity for us all to gather after hours or during lunch times to see the work of other people, praise them and be able to support them in their endeavours.

I know that some people are a little bit reluctant about this. To quote the Minister for Roads and Road Safety, who is sitting in front of me, they can get a little bit sooky la-la about changes and do not like them. I put on the record — and I say this without being too prudish about it, I suppose — that I think on reflection we can do better than some of the behaviour that was going on in Parliament before, when we were not performing at our best after dinnertime. In the last six months of good government — a government with a reform agenda and a strong government business program — the Parliament has been able to contribute in such a way, and parliamentarians have been able to perform in such a way, that the level of parliamentary performance has improved. I will give everybody a pat on the back for that. I think the changes to the sessional orders contributed significantly to that.

Without further ado, because I know we have important business to process going forward today, I commend the Leader of the House for showing a great deal of common sense about this and responding to members' concerns, which we will all benefit from. I hope members of the committee that will look at further reforms will take their jobs seriously and further enhance the quality of the workings of Parliament going forward. I support the motion wholeheartedly.

Motion agreed to.

STANDING ORDERS COMMITTEE

Reference

Ms ALLAN (Minister for Public Transport) — I move:

- (1) A matter be referred to the Standing Orders Committee for consideration, inquiry and report including but not limited to:
 - (a) sitting hours and the operation of the house; and
 - (b) revising the standing orders to reflect the most recent changes to sessional orders including the removal of Dorothy Dixier questions, insertion of constituency questions and time limits.
- (2) The Standing Orders Committee provide an interim report by 8 December 2015 and a final report by 30 June 2016.

I will make only a brief contribution on this motion, which follows on from the debate we have just had. I acknowledge and thank those opposite for supporting

the sensible, common-sense changes that we have made to the sessional orders today. They will be enacted from the next sitting week.

This motion flows from the issue that we have been debating but goes to a range of other changes that were made in the sessional orders earlier this year, which went beyond the change to sitting hours — although that was a substantial part of those changes — and went to other issues around the performance of the chamber and opening up opportunities for members to scrutinise government but also to raise matters on behalf of their local communities. That goes to the opportunities around examining how the practice of removing Dorothy Dixers has been going, looking at the introduction of constituency questions and also things like time limits.

If the committee is of a mind to have a look at other matters, that will be entertained. The time lines that are outlined in the motion indicate that an interim report is to be provided by December and a final report by June 2016, because we need to take the time to do this work with some careful consideration. There is a lot of advice that can be drawn on from other jurisdictions, both in this country and around the commonwealth more broadly. It is something that those of us on the Standing Orders Committee have a bit of a thing for. We like to get down and talk in detail about these issues. I look forward to the discussions that will occur and the deliberations the Standing Orders Committee will make as we all work together to modernise and improve the performance of the Parliament.

Mr CLARK (Box Hill) — The opposition certainly agrees that the sessional orders introduced by the new government and the operation of the house more generally are matters that ought to be considered by the Standing Orders Committee. I do not want to repeat at length the points I made in the debate on the previous motion, but it is clear that many aspects of the new sessional orders have failed to deliver on the commitments the now government made to the people of Victoria prior to the last election.

We have seen that its failure to end Dorothy Dixers — it simply replaced them with Dorothy Dixers without the questions — and in the failure of ministers to answer questions. We have seen that in the failure of the government to make consideration in detail a standard feature of the passage of bills through the Assembly. We have seen it in the failure of the government to make budget hearings more rigorous. We saw it reinforced, Speaker, with the ruling that you gave immediately prior to question time on the

interpretation of the new sessional order 11 in relation to responsiveness to questions.

I am not here now to question the merits of your ruling, Speaker — that is not a matter for this motion — but what it demonstrates beyond doubt is that in the drafting of the new sessional orders the government has failed to deliver on its election commitment that it would give the Speaker and the President the power to declare that a minister has not answered a question. Your earlier ruling, Speaker, was that a minister could be responsive to a question by not answering it and therefore that you did not have the power in those circumstances to declare the minister had not answered a question.

The way the government has implemented its election commitments has clearly been defective in many respects, and that is one reason amongst many others as to why it is appropriate that the operation of the new sessional orders and the operation of the house more generally be referred to the Standing Orders Committee.

With respect to whoever drafted the motion, it is not particularly clearly worded when it makes a reference to the committee including but not limited to various matters. My reading is that it refers to the committee at large the question of the operation of the house and that appropriately empowers the committee to look at all aspects of how the house operates including, but certainly not limited to, the operation of the particular sessional orders referred to in the motion, but to look at large at that question. Certainly that is what the opposition believes is appropriate because there are many ways in which the operation of the house could be reviewed and potentially improved.

If that is the way this reference to the committee operates it will build on the very good work that has been done by others in the past. I refer in particular to the work done when the coalition was in government by the member for Brighton and the then member for Swan Hill, now the member for Murray Plains, to examine potential ways in which the standing and sessional orders could be improved. Regrettably their efforts came to naught because the then Labor opposition was not prepared to agree to them. Hopefully this reference will give a fresh opportunity for an examination of the operation of the house that is committed to by all sides and that all sides are prepared to engage in a constructive and positive dialogue in order to improve how this house operates for the benefit of the community.

I make just one further observation, and it is in relation to the time lines provided in this motion — that is, that the Standing Orders Committee provide an interim report by 8 December and a final report by 30 June next year. I make the point that the time that the government wishes this committee to devote to considering the operation of the house is a longer time than the government was prepared to agree to for the other house to examine a piece of legislation for one of the largest privatisations in this state's history — with the long-term lease of the port of Melbourne. By comparison, the time lines provided in this motion in contrast with the times provided for the inquiry for the upper house demonstrate the sensibleness of the time lines proposed by the other place and the folly of the government in opposing and criticising the length of time that was to be devoted to that inquiry.

With those words, I indicate that the opposition does not oppose the motion before the house. We certainly support the sentiment of a full and wideranging review of the operation of the house, and we trust that that is what the motion before the house will lead to and allow to occur.

The ACTING SPEAKER (Ms Edwards) — I call the member for Bundoora.

Mr BROOKS (Bundoora) — At the outset I congratulate you, Acting Speaker, on the great job you do as Acting Speaker in this chamber.

A lot of the points that have been raised in his contribution by the manager of opposition business that relate to particular aspects of the operation of the house are worthy of consideration and debate. They will quite properly be considered by the Standing Orders Committee. I think the member said that it was appropriate that these matters be referred to the Standing Orders Committee for further consideration, so on this particular point I think we are all in furious agreement.

It is a shame that when those on the other side of the house had the opportunity to reform the standing orders and the sessional orders during their four years in power in the last term of government, they failed to do so, even given the commitments made by former Premier Baillieu prior to his winning office. There was a failure to deliver reforms to the way the house operates.

The Standing Orders Committee will, I am sure, carefully consider the issues that have been raised. It is true to say that the motion before the house gives the Standing Orders Committee a fairly broad area to look

at. It gives the members of the committee a very broad reference to look at the way the house operates. There is a great opportunity for members of the house to have input into consideration of the way this place could work in a much better way. It is hoped that the spirit of the review undertaken by the Standing Orders Committee will be one of cooperation and that it will be done in a positive way, as opposed to what was done by those who wanted to keep things the way they were in the past and who hid behind the political protection of the previous standing orders in this place.

It is my view that the key factors of many of the changes made to the sessional orders have been working well. This morning members debated the proposition of having a lunchbreak on two days of the sitting week. Notwithstanding that issue, my view is that the broad thrust of the changes to the sessional orders introduced by us as the new government are working relatively well. This morning I spoke about the value of the house rising earlier than it had in the past. I would be happy to have the sitting hours spread over more days, with fewer hours each day, but of course I am not the only member in this house and I acknowledge that that would create problems for other members, including those who come from regional Victoria, and that there would be issues around costs. The Standing Orders Committee can debate fully all the issues. Committee members can look at how houses in other jurisdictions operate. Hopefully they will consult with all members of the house and make sure that everyone's views are taken into consideration.

Something that is sure is that members of the Andrews Labor government will definitely want to ensure that we continue to modernise the way this chamber works, to retain the important aspects of the traditions of this place and the way it protects our democracy and our community but at the same time make it more relevant to people. One of the things I have spoken about before is that we must ensure that the issues we are debating in this chamber are those that are most relevant to the Victorian people, that we must spend more time on the issues of greatest concern to the Victorian people and that we must debate the things that people want to hear us debating about. We must be accountable to people for what we say and actually deliver.

It is my great pleasure to support the motion put forward by the Leader of the House. The motion provides for a reference to the Standing Orders Committee to look at the operation of the house and the sitting hours and to revise the standing orders to reflect the changes made to sessional orders including the removal of Dorothy Dixier questions, which I think has been very successful. The fact is that now the

opposition can ask 10 questions in question time — double the number of questions — yet those opposite still fail to land a blow. That might be so until the member for Hawthorn makes his move, finds his way to the front table and assumes his place as the next Leader of the Opposition.

Ms Thomas — What about the member for Kew?

Mr BROOKS — Yes. The member for Kew is at the back at the moment, but I think it is no secret that at some point in time there will be a change on that side of the house. Maybe then opposition members will make better use of the 10 questions that have been provided to them under the new sessional orders, instead of flailing about during question time as they are now.

I think the ministers statements work well. They provide ministers with an opportunity to give the house new information. The sorts of statements we hear from ministers are quite relevant to the interests of the Victorian people. Today we heard the Premier speak about the support that is needed to be shown for Adam Goodes given the problem we have had with his being booed. That is a topical issue, one that is important and one on which we want to see real leadership. I thought it was important that the Premier made a statement about that today, and it was a good statement. We heard other statements around improvements to public transport on Friday and Saturday nights and so on. Without going into detail on those, those sorts of opportunities are good.

Regardless of how we think the media and the public should focus on Parliament, there is no doubt that question time is when the media is intensely focused and the public are more interested. Interspersed with the lame questions from those opposite, it is good for ministers to have the opportunity during that time to talk about some really important initiatives without our being, lost in the sort of petty politicking that we get in question time from those opposite. We have the opportunity to hear about some really important initiatives, some things that are happening around the state that people are interested in. People want us to get on with the job of providing jobs and restoring services that were cut under the previous government.

The sessional orders give us the ability as a government to talk to people about those things during the focus of question time. We have removed Dorothy Dixers, as we said we would. We kept our promise, unlike those opposite, who promised to remove Dorothy Dixers and then kept them. The time lines for the report of the Standing Orders Committee are quite adequate. Having until 8 December to complete the interim report will

give the committee time to focus quickly on these issues, and a deadline of 30 June next year for the final report gives the committee ample opportunity to consult, cast around for the best models from other jurisdictions and come back to this house with recommendations around how we can reform the operation of the house.

One of the other key areas I hope the committee will take into consideration is the use of technology to communicate more effectively between the Parliament and the Victorian people. The committee is looking at the wording of the reference, and this is certainly within its scope. I think it was the Standing Orders Committee that had a reference a few years ago around the use of social media, particularly the issue of privilege and whether privilege is attached to the medium of Twitter. This might be an opportunity for us to consider those sorts of issues as well.

The Parliament, and the Assembly in particular, utilises the forum of Twitter to advise the public about bills that have been passed and the sorts of things that are happening. This might be an opportunity for us to expand upon that work. These are not used in a political way but to promote the interests of the Parliament and better inform Victorian people about the work of the Parliament, so that there is an understanding of the sorts of things we are debating and putting through the Parliament after people have elected us to do just that. With those comments, I urge the house to support the motion that has been put forward by the Leader of the House.

Ms ASHER (Brighton) — As the manager of opposition business has already indicated, the opposition will not be opposing this motion, but I do feel obliged to make a couple of comments in relation to it. If the Leader of the House is eating humble pie for lunch, she sure as hell missed out on her entree, because the egg ingredient is all over her face. I wish to place on the record the history of this matter, because it is very clear to me that the member for Bundoora and the member for Ivanhoe have not even been kept informed by the leadership of their party about what attempts have been made over the years to try to reform this Parliament and the standing and sessional orders.

We on this side of the house believe the Leader of the House should probably have put this motion up at the beginning of the government's term, because it is very difficult to get meaningful reform of an institution like this without some cross-party support. We also believe that if you do not actually think through the detail of your reform, there are likely to be a lot of unintended consequences. That is what has happened. The Leader

of the House came to this Parliament earlier this year and introduced some changes, which were meritorious in themselves. To want to reform Parliament is meritorious, and to want to not have everyone sitting here till 11.00 p.m. is meritorious, but it is the detail that needs to be worked through.

Unfortunately the Leader of the House condemned herself in her own presentation on her first motion, where she said the Presiding Officers had gone to her saying there were problems with the use of Queen's Hall. It struck me as completely absurd that you would not consult with the Presiding Officers when you are reforming standing orders. The Leader of the House informed the house this morning that she did not even consult with the Presiding Officers. She also indicated during that presentation that the staff had come to her saying there were some problems. I understand there are minimal staff in the chamber and that the clerks are stuck in here the whole time. Members can come and go as they please. Again, the question arises: why would the Leader of the House bring a motion to the house without consulting with the clerks — the people who work here? That is the fundamental problem from our side of the house. When you bring a reform package, it is more likely to have success if there is cross-party support, and it is more likely the reform package will have success if the staff who are affected by this far more heavily than we are as members are actually spoken to.

I want to go through a little bit of history on the attempts to reform the processes of this house, just so that those who are relatively new to this place understand the background to this. First of all, Parliament sitting continuously, with no lunchbreak, was experimented with under the Labor government in 1999. Indeed there was a rule that there would be no divisions during the so-called lunchbreak. It did not work, and it was withdrawn on that occasion. The Leader of the House was a member then.

An honourable member — Yes.

Ms ASHER — Yes, she had won her seat by then. I would have thought she could draw from that experience, but obviously she did not. More importantly there were two other very serious and genuine attempts at reform of this place. The first one was under Labor Speaker Maddigan, who was Speaker from 2002 to 2006. She set up a group, of which she was chair. The clerks were on the group, as was the Labor Whip. The Nationals representative on the group is now the Leader of The Nationals, and the Liberal representative was me.

I was not on that group in my capacity as deputy leader of the Liberal Party. It was between my two stints as deputy leader, but the then Leader of the Liberal Party, Robert Doyle, asked me to go to that table with goodwill to try to negotiate a proposal, and that group of Presiding Officers, staff and party representatives did come to an agreement. There was a proposal that was sensible. There are some elements of the current sessional orders that had their genesis in that report.

The concept was the same number of sitting hours in a different configuration. I went to my own party and secured its agreement for this reform package. The now Leader of The Nationals went to his party and secured its agreement. The document then went to the Premier, who was John Brumby at that time, and the government decided not to reform the Parliament. That is the government's prerogative. It was not ideal, but this was a decent package.

I have been speaking about sitting hours for years in this place, so when I became Leader of the House in the previous Parliament I was very keen to resurrect this proposal. I set up a group that included the Speaker, the Clerk, a representative of The Nationals and the member for Bendigo East, who represented the Labor Party, and came to the table with a lot of goodwill. We went through the process and came up with a reform package. The opposition — and I am not querying its right to do so — came back to the government and said, 'No, we do not want this reform package'. I wanted to achieve reform by consensus, in part because of the finely balanced Parliament, I concede, but also because I know that if you do not have consensus on rule changes like these and you do not have the goodwill of the house, generally they will not work. Therefore while the members for Bundoora and Ivanhoe are partially correct to say that the previous government failed, the truth is that it failed because the Labor Party said no.

I also take up the point raised by the member for Bundoora in relation to rules regarding Twitter, for which the Standing Orders Committee came up with some recommendations. I put those recommendations to the Labor Party, but it said it did not wish to proceed with them. Out of respect for that view, I decided I would not waste the Parliament's time having a debate when no progress would be made, so I left it. The member for Bundoora needs to inform himself about what actually happened rather than slagging off the now opposition in his presentation.

My point is that if there is a genuine attempt by the Standing Orders Committee — I have looked at the personnel, and I think there is potential for there to be a

genuine attempt — this house could become a better place. Bear in mind, however, that the Speaker has the casting vote on the Standing Orders Committee, so if the government is not enamoured with the proposals put forward by the Liberal Party, The Nationals, the Independent member and the Greens, the government will be able to veto them.

Referring to the motion before the house, the terms of reference are asking the Standing Orders Committee to assess which parts of the current sessional orders should be enshrined in the standing orders, which are incredibly difficult to change. I think the reference to the removal of Dorothy Dixier questions is a bit disingenuous. In my experience ministers statements, while they may include significant and worthwhile content, are simply an opportunity for ministers to read the press releases they have issued in the preceding weeks. I think there are significant opportunities for us to make question time the part of the program during which governments are truly held to account by opposition parties. I think it is disingenuous to say that this government has removed Dorothy Dixier questions when it has simply reformatted them.

What the Leader of the House is asking for, albeit presumably with an understanding of the invidiousness of her position, is that the Standing Orders Committee do what she should have asked it to do at the beginning of the term — that is, fix her mess. She is asking it to fix some of the hastily conceived ideas that she brought to this place and foisted upon us. I will go to the table with goodwill, and I hope we end up with a better Parliament as a consequence of these deliberations.

Motion agreed to.

ROAD SAFETY AMENDMENT BILL 2015

Second reading

Debate resumed from 5 August; motion of Mr NOONAN (Minister for Police).

Mr DONNELLAN (Minister for Roads and Road Safety) — I want to provide further clarification to the house about the questions posed by the member for Box Hill, the manager of opposition business, specifically those relating to heroin and similar matters. The bill does not proscribe heroin as an illicit drug because to do so could potentially criminalise any driver taking morphine or codeine tablets, as I indicated yesterday. Victoria Police advised the government that adding heroin to the definition of illicit drugs would have significant unintended consequences that could undermine the drug-testing program.

The problem with heroin is that it metabolises into morphine after about an hour, so unless the test is taken within an hour of ingestion, it would show the same markers as codeine or morphine. To ensure that heroin use is still identified, Victoria Police will have the capacity under this legislation to test for the chemical marker 6-monoacetylmorphine (6-MAM), which is found in heroin. Our approach is to give Victoria Police the powers it needs to request a full drug test, which can assess drivers for around 110 different chemical markers, including 6-MAM and morphine, which may indicate heroin use. Further expert analysis would then provide advice as to whether the result indicates therapeutic or illegal use, and prosecution may then follow.

In relation to the compulsory test, the bill does not require a mandatory test of an uninjured driver. This decision was made on the advice of Victoria Police and VicRoads, which recommended that Victoria Police be given discretion as to when to apply such a test. For example, police may make the assessment that an elderly driver involved in an accident may not require a further blood test. The Andrews government respects the advice of Victoria Police, which is best placed to determine when such a test should be applied, so we have given the police the power to compel such a test.

The member for Box Hill also made a request for more detail on the drug impairment assessment undertaken by Victoria Police. I am advised by both the minister's office and Victoria Police that where a driver appears to be impaired, a preliminary breath test is undertaken. A positive reading or further concern may require an evidentiary breath test. A drug impairment test can then be undertaken to evaluate whether the driver appears to be impaired for reasons other than alcohol alone.

An impairment assessment consists of a structured interview and a physical impairment test, including testing the ability to divide attention, coordination and balance. All impairment assessments must be undertaken by a police officer who is an authorised drug impairment assessor. After the impairment assessment, if the assessor forms a view that the person is impaired, then the driver may be required to provide a blood sample. I am advised by Victoria Police that it conducts approximately 150 to 200 impairment tests annually.

On the subject of urine tests, the member for Box Hill noted that, unlike the legislation of the last government, this legislation does not include the option of a urine test. I can advise the house that the advice the government receives is that a blood sample is the most useful sample in preparing evidentiary briefs owing to

its ability to demonstrate a level of impairment and to show a level of concentration consistent with illegal uses versus therapeutic uses.

In relation to penalties, the member for Box Hill further asked the government to outline the penalties that would attach to this bill. I can confirm that the penalties in this bill remain exactly the same as in the bill of the previous government. Indeed the penalties are consistent with other drug and alcohol penalties contained in the Road Safety Act.

Mr T. BULL (Gippsland East) — It is a pleasure to rise to make a contribution to the debate on the Road Safety Amendment Bill 2015. As we have heard, this bill will allow police to request a blood sample for analysis from a person in charge of a vehicle that has been involved in an accident where either a very serious injury or a fatality has occurred, and if that person in the event of that accident has not been injured or admitted to a medical facility for treatment.

Currently there is a loophole in the testing regime whereby if a person has been involved in a collision and has not been injured to the extent that they have had to be hospitalised, then they can legally refuse to provide a sample. This loophole existed up until the time this bill was presented to the Parliament last year, initially in a very similar form that I was unaware of, and it is very pleasing to see that, although the bill never made it through the house in the last Parliament, it is back here again, because it is very important that this loophole be closed.

This legislation came about following a commitment made by the Minister for Police at the time when this situation was brought to his attention following several incidents that could only be described as tragic. Those accidents were caused by drivers while they were under the influence of drugs, particularly ice and heroin. There has been some discussion around the testing for heroin, and I note the comments made by the Minister for Roads and Road Safety in his earlier contribution.

The coalition's original bill provided for the existing range of drugs to be tested by blood sample of a driver, and that was to be extended to include heroin. Currently prescribed illicit drugs that are tested for include ecstasy, cannabis and methamphetamine. While the testing of heroin was in the bill last year and has been removed from the current bill, the minister did provide a level of explanation as to why that provision has been made, and I certainly accept that.

We on this side of the house are very keen on and remain steadfast in our point of view on ensuring that

the provision for testing for heroin is well and truly covered to the maximum capacity that it can be in this legislation. It is this aspect of what is generally a very good bill that we want to see covered off on. That is the reason the opposition has reserved its right to amend the bill in the upper house. We want to make sure that the ability to test for drivers under the influence of heroin is covered off on, and there is very good reason for that.

In his contribution the lead speaker for the opposition, the member for Box Hill, recounted the story of a double pedestrian fatality that occurred where a driver who ran a red light was later identified as being a heroin addict. In that case that fact obviously had not been brought to the attention of police and the driver had not been appropriately tested for heroin at the time. We can only try to put ourselves in the position of the family or friends of the people who have been impacted by that accident. We can only try to imagine what they would have gone through only to find out that the driver of the car had question marks hanging over his head but was literally not put to the test. I indicate that the opposition reserving the right to amend the bill in the upper house shows that that is a great area of interest and concern for us.

The bill also amends the Road Safety Act 1986 so that all offences detected by a road safety camera can be included as offences where Victoria Police can request the surrender of a motor vehicle under the hoon driving regime. This closes another loophole — an unforeseen loophole — whereby some offences evidenced by road safety cameras could not be used to enforce the surrender of a motor vehicle. While this was immediately fixed at the time by regulation, the amendment that has been put forward in this bill clarifies and reinforces the intention and the purpose of the regulation that went through. As far as I am concerned — and I know that most members of the house would agree with me — holding our hoon drivers to account and making them responsible for their actions is something I am sure we would all strongly support, even if it means raising standards to a higher level than the guidelines that are already in place.

The bill further amends the definition in the Road Safety Act 1986 of what are designated costs. This will allow the recouping of a greater range of costs, including administrative costs and corporate support costs, under the impoundment and immobilisation scheme. This is another common-sense change, because people who flout the law should not incur costs that the taxpayers of wider Victoria are required to cover. People who flout the law should cover the full costs of the impoundment or the taking away of their

vehicles that have been incurred. Again, opposition members strongly support this. Once again, it was one of the initiatives that was in the bill originally presented during the last term, and it is good to see that it is back before the house again.

I want to recap on a couple of figures that really hit home in relation to road safety. Last year 26 per cent — think about that figure; or more than a quarter — of all fatalities on our roads involved drivers who tested positively for drugs. That is an amazing statistic and, at the same time, a surprising and shocking one. Over 25 per cent of fatalities had drivers involved who tested positive to drugs. Twenty-four people were killed, and 121 people injured by drivers who tested positive to cannabis, ecstasy and methamphetamine. We know that people who drive under the influence of drugs cause far too many road traumas, and for a long time — for many years — the publicity and the push has been around drink-driving, and quite rightly so.

However, we have seen the emergence in society of more people driving under the influence of drugs — and I am sure in some cases to avoid detection from alcohol — so it is great that in recent years there has been a far greater emphasis on drug driving as well. Now we have drug and booze buses patrolling our roads, so the issue is fairly and squarely etched in the minds of all Victorians. Like the drink-driving messages that were going out for a long time, people should know that if they want to play with drugs and get behind the wheel, then they will have a high chance of detection and will be held accountable for their actions.

In finishing up, this bill closes two important loopholes. It is good to see the bill back before the house. I think the issue raised by the member for Box Hill is best summarised by saying that we on this side of the house — and I am sure we all do — want to make sure that the testing of drivers under the influence of heroin, which has caused problems in the past, is covered off to the maximum degree that it possibly can be. The closing of these loopholes will be very much welcomed by the Victorian community.

Ms GREEN (Yan Yean) — I take great pleasure in joining the debate on the Road Safety Amendment Bill 2015. Victoria has a great history of being at the forefront of taking action to improve road safety. In the early 1970s we saw the introduction of compulsory seatbelts — a first in the world — and we have also seen the introduction of random breath testing and random drug testing, which this bill deals with. I have been pleased to speak on many occasions about the improvements we have made in the road safety area.

Evidence is clearly on the side of safer driving. In the 1970s, when I was a little girl, more than 1000 people per annum were killed on Victoria's roads. It is great to see that current figures are nowhere near that, but of course every death and every catastrophic injury is still a tragedy. We have seen improvements in car safety and road surfacing and also in legislation.

When I was a little girl it was quite common to be at barbecues or family events where it was the done thing, particularly for blokes, to have quite a bit to drink and then to drive home without a seatbelt and without regard to the safety of passengers or other road users. There has been a massive change. During the recent parliamentary break I did some travel in the US and Asia, and I saw that there are still many jurisdictions where even seatbelts are not compulsory.

I was involved in the hiring of a motor scooter whilst I was in Asia. When questioning the hirers about the rules in relation to the carriage of passengers, the use of helmets, the use of mobile phones and the drinking of alcohol, the advice was that one should simply pull over to drink alcohol and then resume riding the motor scooter. Of course I did not take up that suggestion from the hirer, but I think that shows that Victoria is a leader in road safety.

In relation to comments made yesterday afternoon by the lead speaker for the Liberal Party and the contribution by the member for Gippsland East, I can say that the government would be happy to organise an additional briefing between the bill's passing in this house and its moving to the upper house so that members can get clarification and feel some comfort in relation to the questions they have proposed.

In response to the raising of concerns about what the bill might not cover in relation to testing for the drug heroin, I draw the attention of all opposition speakers to an interview with Inspector Martin Boorman, the head of road policing command at Victoria Police, by Neil Mitchell on 3AW at 11.30 a.m. last Friday. I understand that Mr O'Donohue, a member for Eastern Victoria Region in the other place, raised these concerns in the media. I can reassure members of the opposition that in that interview, in response to questions from Neil Mitchell, Inspector Martin Boorman said:

No, it's not a problem. When we have a blood sample from a person in these circumstances of the new legislation, we will be able to analyse it for all psychoactive drugs.

He went on to say:

The actual amending bill doesn't specify that, but if you read the Road Safety Act in part 5 in its entire context, we are able

to analyse those blood samples taken under these provisions for a broad range of substances in addition to alcohol.

There are concerns in the community about illicit drugs and also prescription drugs. I believe opposition members in their comments somewhat trivialised the role of prescription drugs. They are something we should be equally concerned about; we should not just be concerned about illicit drugs.

In April my own community suffered the loss of a much-loved young person. He was a 17-year-old in the prime of his life, a student at St Helena Secondary College and a resident of Diamond Creek. Sadly he lost his life only a few hundred metres north of my office in Yan Yean Road. Although no conclusions have been reached about the incident, the media has reported that the driver was under the influence of ice. It was a tragedy to see another young life lost. I think the community is getting extremely tired of the use and abuse of illicit drugs. Other speakers have talked about the proportion of deaths and injuries on our roads involving drivers who are found to have illicit substances in their bloodstream. The community frowns on this in an extremely harsh way. We need to ensure that the legislation we bring before this house gives police the powers they need to ensure that drivers can be tested for such substances.

This legislation is not only a response to what I would see as the crime of driving while under the influence but also a form of deterrence so that young people in particular understand the risk they take in getting into a car with someone who is under the influence of alcohol or drugs and so that drivers understand that they may face huge penalties, including loss of licence and incarceration, if they risk the lives of themselves, their passengers and others in the community. This bill is another iteration of improvement in road safety and in our attempt to reduce death and serious injuries on our roads.

The principal difference between the bill introduced by the previous government in 2014 and this bill is that the 2014 bill included a provision to amend the Road Safety Act 1986 definition of a prescribed illicit drug, in section 3(1), to include the chemical marker for heroin known as 6-monoacetylmorphine (6-MAM) and morphine. The effect of this amendment would prohibit the presence of 6-MAM and morphine when driving a motor vehicle. The offence of driving with a prescribed illicit drug present becomes applicable under sections 49(1)(bb) and 49(1)(i) of the principal act.

The broader application of the offence to 6-MAM is appropriate as it is the marker of heroin. However, the pharmacokinetics of heroin are such that the detection

of 6-MAM is difficult. 6-MAM is metabolised rapidly into morphine — typically in less than 1 hour from ingestion. The time frame is influenced by the route of administration and individual metabolic rates. In addition, roadside oral fluid drug-testing devices are not able to distinguish 6-MAM from other opioid drugs, morphine and codeine.

The application of the offence to morphine introduces some inconsistencies as morphine is not an illicit drug. Although the 2014 bill outlined a statutory defence to a charge by the accused proving that the presence of morphine was a result of medical or therapeutic use, a prima facie case would exist for a charge of driving with an illicit drug present when the use of heroin is not involved. A person could be exposed to a charge for the legitimate use of medication. A consequence of including morphine as a prescribed illicit drug is that police would need to investigate the circumstances of the presence of morphine in every case, when in the majority — —

The ACTING SPEAKER (Ms Edwards) — Order! The member's time has expired.

Mr HIBBINS (Pahran) — I rise today to speak in the debate on the Road Safety Amendment Bill 2015. This bill contains important amendments to the Road Safety Act 1986 by providing that, where a driver or person in charge of a motor vehicle is involved in an accident resulting in serious injury or death, a police officer may require the person to provide a blood sample for analysis. This will ensure that police can obtain evidence of drug impairment or influence and, importantly, correctly identify when the driver may have only had prescription medication in their system. The bill also makes minor amendments to the dangerous driving regime to clarify and simplify the law in relation to this area.

This amendment is to close an existing loophole in the legislation to give courts and police the necessary powers to deal with drivers with drugs in their system when they are involved in a serious accident. This loophole was tragically highlighted when a passenger was killed and her partner seriously injured after they were hit by the driver of a ute who ran a red light in 2014. Because of the loophole in the legislation, police were not able to obtain a blood sample from the driver to test for the influence of drugs, even though the swab sample came up positive for evidence of drugs in his system. This led to the driver being convicted of a lesser charge of dangerous driving causing death instead of culpable driving causing death.

The Greens support this legislation to improve public safety on our roads. We do have some reservations in regard to constraining a court's discretion, but we certainly support the need for strong and effective road safety laws to keep our roads safe and to prevent the tragedies that we too often hear about. Research has shown that impoundment, immobilisation and the forfeiture of vehicles has been effective in stopping and preventing dangerous driving. However, it should be noted that dangerous driving is a much deeper problem, requiring more than just punishing offenders and having tough laws to act as a deterrent. We must look at and do something about this culture where mainly young men drive so dangerously, risking the lives of others as well as their own. The numbers are reducing, but these accidents and deaths cut across communities, as I am sure they have cut across all communities of members in this place.

I remember growing up on the Mornington Peninsula where the culture of speeding, dangerous driving and driving under the influence was rife. I can think of at least two players who I played with at my junior football club who have died in serious car accidents because of dangerous driving — one who I played with died at the time and another died many years later. This culture continues, and people are being lost in accidents. I can think of times when people at my own school decided after a night of drinking to take a car out with tragic consequences. I remember having to make the decision of whether to go with them when everyone had decided to take the parents' car out at the end of a party. I remember so vividly that everyone got excited about this great idea and I just looked across to my best mate at the time — he is still my best mate, he was best man at my wedding — and we just shook our heads. Thankfully, that time there was no accident but, as I said before, I can think of at least one incident at my school and another incident at a second local school when that happened with tragic consequences.

I can remember the very vivid ads that tried to prevent such occurrences happening. Again I remember being in a car with a bunch of mates coming home along Cranbourne Road. The driver at the time decided he would show off and swerved into the gravel and everyone was carrying on. He swerved into the gravel again, and I remember speaking up and saying, 'This feels exactly like what is happening in one of those ads'. Fortunately the driver pulled his head in and stopped driving dangerously. The culture of dangerous driving is just rampant. We support these strong laws, but we also need to do something to stop this culture of dangerous driving.

Ms WILLIAMS (Dandenong) — I am pleased to rise today to speak in the debate on the Road Safety Amendment Bill 2015, which amends the Road Safety Act 1986. As we have heard, this bill proposes a number of important common-sense amendments that are in the interest of all road users and will enhance the safety of our state's roads. A key element of this bill creates a regime whereby the driver of a motor vehicle that is involved in an accident resulting in serious injury or death must undergo a drug test upon request. By doing so it enables Victoria Police to gather the evidence necessary to hold offending drivers accountable for their decisions. This bill holds particular significance for me. In 2007 I lost a friend to a hit-and-run accident. There was some speculation at the time as to whether substances were involved. I am not sure how that was resolved at the trial, but to be honest, for friends and family it did not really matter — Damo was gone.

It is widely understood that blood samples provide the most direct and accurate measure of a person's likelihood of intoxication or impairment. I think most of us would agree that it is not fair that a driver involved in a serious accident is able to refuse to have a blood sample taken. In serious instances it is in the community's interest to ensure that the best quality evidence is available. It is important for insuring community safety and for holding people accountable for their actions and bad judgement. I know that in the wake of Damian's death there was a strong sense amongst friends and family that somebody should have been held accountable for what happened to him and for the trauma suffered by all those who witnessed the accident. There are many examples in the accidents we hear about where somebody is lost and lives are torn apart forever.

This amendment will help to better deal with circumstances such as those that occurred in an accident that took place in Docklands last year — one of those examples I just referred to. In that particular accident a passenger was killed and her partner seriously injured when their car was hit by the driver of a ute that ran a red light. The swab sample from the driver tested positive for ice and amphetamines. In addition to that, ice was found in the vehicle at the time of the accident. However, the driver refused to give a blood sample, and police were not able to compel him to do so. Following that incident, the driver was convicted of dangerous driving causing death. However, despite the circumstances, he was not able to be charged with the more serious offence of culpable driving causing death, which has a maximum penalty of 20-years imprisonment.

This bill allows police to compel the giving of a blood sample. By compelling drivers to give a blood sample when involved in a serious incident we provide a check and balance to ensure that all information is available to the police, the courts and the parties involved. Having a clearer picture of what contributes to such tragedies will ensure that we have fairer and more equitable outcomes in our justice system. The amendments will also provide for evidence to establish that a driver was not drug affected when involved in a collision by proving that they had some prescription medication in their system or recommended amounts of over-the-counter pharmaceuticals. This provision will assist the police and the courts to make the best decision about which charges are appropriate to be laid against the offender.

The impacts of deaths on our roads are felt widely across our state. Few people have not been impacted personally by serious injury or loss of life on our roads, and I know that some members have talked about how this has touched them personally, just as I have. The community will overwhelmingly benefit from these amendments, and the amendments are in line with community expectations on this issue. Unfortunately we are uncovering a growing problem of drug driving on our roads. Indeed drugs are a growing problem in our community. This is why this government has committed to an *Ice Action Plan*, a \$45.5 million effort to reduce the supply, demand and harm of a drug that is ruining lives. Many of us will see this on a day-to-day basis in our electorates. Community safety is a priority for this government, which is why it has also committed to invest \$15 million for new drug and booze buses and provided \$500 000 to help community groups tackle ice use in their local area.

The amendments in this bill complement these other great initiatives I have just referred to that tackle the problem of drugs in our community, that improve road safety and that deal with and rehabilitate drug offenders. I would like to mention something that has been happening for a while in my electorate and which I think is a valuable program in the area of rehabilitating drug offenders. It is the example of the Dandenong Drug Court, which does great work with drug addicts to help them stay clean. The court and program aim to cut drug use and crime through an alternative to jailing people. Of the roughly 500 people who have completed the program, around 19 per cent have overcome addiction, and a further 19 per cent see greatly reduced drug use and criminal offending. That is about 200 people who would otherwise probably be in jail. This is a great outcome for the community and the program's participants more generally. Obviously this has cost savings to the government as well in terms of the costs incurred for having people in jail. There are

many ways of dealing with drug offenders and the accompanying impacts of drug use within our community. The amendments in this bill will go some way to improving the powers of law enforcement agencies to deliver justice in cases of serious injury or death on our roads.

I will address some of the concerns about this part of the bill that were put forward by the shadow Attorney-General yesterday, and I know that others have touched on this too. The shadow Attorney-General raised the issue of heroin not being tested for. The bill does not present heroin as an illicit drug because to do so could potentially criminalise any driver taking morphine or codeine tablets, as we have previously heard. Victoria Police has advised us that adding heroin into the schedule of illicit drugs could have significant unintended consequences. Heroin metabolises into morphine in around an hour; therefore unless it is tested within an hour of ingestion it would show the same markers that morphine and codeine would, which would obviously present problems. To ensure that heroin users are still identified Victoria Police has the capacity under the legislation to test for the chemical marker 6-monoacetylmorphine, which is found in heroin.

Another point to note is that the bill does not require a mandatory test for any uninjured driver. That was on the advice of Victoria Police and VicRoads, which recommended that police simply be given the discretion as to when to apply such a test. We respect the advice of Victoria Police. These are the people who are charged with implementing these changes; therefore we should assume that they know best and know what works best on the ground.

Another aspect of the bill relates to hoon driving, and this bill will make some important amendments on this front. The bill will assist Victoria Police by ensuring that the impoundment regime is able to work as intended where an offence is detected by a road safety camera. Importantly, it will also allow Victoria Police to recoup the costs from immobilisation and impoundment by amending the definition of 'designated costs' in accordance with Treasury guidelines. Currently a person convicted of a second hoon offence may have their vehicle impounded and immobilised for up to three months. A third offence may result in forfeiture of the vehicle. This bill provides clear direction as to when courts should not consider exceptional hardship as grounds for declining to make an impoundment, immobilisation or forfeiture order.

Hoon driving is an issue that presents itself in the electorates of many of the members in this place. I

believe the Greater Dandenong area ranks in the top 10 locations for hooning offences. I know some of those happen in very close proximity to my house. That can be quite annoying and dangerous. Hoon driving is a matter that has been raised with my office and with me on a number of occasions, and constituents in my electorate will be pleased to see that these amendments to hoon laws will give police and law enforcement agencies the tools to appropriately deal with offenders.

In short, this bill puts forward a number of common-sense amendments. The community is onboard with these changes. They have expectations as to the way people should behave and also as to how they should be held accountable for their bad judgement and the decisions they make. We have all been touched by this, and speaking about the issues of road accidents and deaths is always a struggle for me. Eight years on, I know there are still a hell of a lot of people hurting from the death of my friend, and there are a lot of people in our community — friends, family and loved ones — who hurt after tragedies like this. As policymakers we can implement laws which can better the outcomes. We cannot bring people back, but we can hold community members to account when they have behaved badly. That is our job, and it is our obligation to do just that. On that basis I commend the bill to the house.

Mrs FYFFE (Evelyn) — I am pleased to rise to speak in the debate on the Road Safety Amendment Bill 2015. As has been mentioned before, this Parliament can feel very proud of all the changes that have been made to improve road safety. I remember the seatbelt law coming in and people being quite concerned about it, but what a difference that has made to the saving of lives and the reduction of terrible injury.

Much to my sadness, this house has developed into a place where personalised comments seem to have become normal. Every question time I hear comments across the table reflecting on people's dress and people's speech, comments that are directed particularly at this side of the house. I despair at the lack of standards, the lack of manners and the lack of civility that is increasing all the time. But when we come to something like this I think, 'I can be proud of being here when we all work together to reduce the deaths and the trauma caused by road injuries'. I cannot remember the exact number, but I think about 1300 people were being killed on the roads when the seatbelt laws came in. We have had legislation covering every aspect of driving: increases in the safety of vehicles, front airbags and side airbags, increases in

visibility and reduction of blind spots in cars, although they have not been eliminated completely.

Sometimes we have to reinforce a message over and over again. The previous speaker just mentioned hoon drivers. Sometimes I think the term 'hoon driving' can conjure up an image of young people just acting foolishly, but we know it is much more than that. Perhaps we had better think of other terminology instead of 'hoon driving', which can be thought of by some as young people just being loud and obnoxious in the street, at a party or at a pub.

There has been a reduction in the number of deaths and in the number of serious injuries but as the population has grown and the number of accidents has increased, so have the instances of people suffering disabilities. The effect of the trauma of accidents has been to destroy people's lives. Too many young people are living in aged-care nursing homes because they have suffered serious injury as a result of road accidents. There are families whose whole lifestyle has been turned upside down because they have to care for someone who has been seriously injured. There is still a long way to go. I think this bill will help.

It is no secret that we have seen an increase in the availability and the use of ice. Data suggests that around 90 000 Victorians are taking the drug. It is extremely serious — it is capable of affecting every corner of all of our electorates. Because of their geographic placing some electorates will have more evidence of ice use, but I know in mine, even in the lovely little villages and quiet areas, the use of ice is growing because of the access to it, the price of it, the marketing of it — which is so slick it is almost like one of those tier systems that was outlawed — and the selling of the drug. Ice is a man-made methamphetamine that was first synthesised in 1918 and used during World War II. It is not new to us but it has gained a market now and is a trend. I do not know whether or not it is taken because young people think it is trendy, but the scary part is that we are not just talking about young people consuming this drug. Has it become a deep-seated problem because of pessimism about an individual's economic and social future or is it simply because of the pleasure people derive from its use? Is it much more superficial than that? Did addiction result accidentally from a one-off casual use of the drug? I think the evidence shows that you need to take it more than once to become addicted to it. Is it a drug of choice among professionals trying to climb the corporate ladder, needing to stay awake longer and to work harder? I do not know. I find it very hard to understand why you would put your whole life and your family's lifestyle at risk by taking a drug whose

side effects and addictive nature have been so highly publicised.

Some people advocate that we should legalise what are now illegal drugs. It is annoying, because people say, 'It's my body and I should be able to do what I like with it'. In principle I suppose I agree that we have a right to do what we wish, but in practice we know that all freedoms come with corresponding responsibilities. If you do something with your body that could affect another person's freedom, another person's body or another person's lifestyle, then of course we have to make laws against it and declare such things illegal. Laws against drug taking are the same as having laws regarding which side of the road to drive on: they make it safer for all people.

People on ice seem to drive carelessly, erratically and aggressively. They are more prone to texting while driving at high speeds. Of course we all read reports of their aggression when there is a road incident and road rage comes on. They seem to lose control, and that in turn affects the rest of us. They put greater pressure on our ambulances to attend to people who have overdosed. This takes those ambulances away from normal people who need them urgently, whether it be a child suffering a serious illness, an elderly person having a heart attack or a worker suddenly injured at work. There are increased healthcare costs with the treatment of addicts who take up beds in our system that could be used in treating those who are ill through no fault of their own. There are increased mental health costs resulting from brain damage caused by drug use, and, as I have said, there is road trauma and the endangering of innocent people.

Manufacturers now make cars that tend to crumple to absorb the shock of an accident. We get into our cars, which are safe by ever-improving world standards, put our seatbelts on and feel comparatively safe. However, now we also have to be watching for the unexpected all the time. We are following the road rules, driving down the road at the right speed and in the right manner, but we have to look out of the corner of our eye and be alert to someone who is not doing that. We are working on these things with this bill.

With all that is happening there is decreasing access for hardworking, loyal Victorians to the services, because police are being called away to deal with ice-related violence and accidents. Fire brigades are also called out. My area is manned by CFA volunteers, and what a marvellous lot of people they are. They go to a lot of callouts. They leave their jobs, they leave their farms, and they leave their businesses to respond instantly. I live on a hill above my CFA station, and I hear the siren

frequently. The volunteers attend many accidents caused by drugs — not just ice but other drugs. That should not be happening, and we need to give police powers to do this drug testing.

I am not sure the government's *Ice Action Plan* is aimed in the right direction. Time will tell, but I do not think there is enough on prevention and education; it is more about handling people who are addicted. I am a little worried that the government is almost throwing up its hands and we are resigning ourselves to the fact that ice addiction is increasing and we are going to have to deal with the aftermath. We have to do more to support Life Education Victoria to visit more schools and to talk to more students about their bodies and what happens when they take a substance, whether it is legal or illegal, so these young kids grow up knowing what a drug will do to their bodies if they take it. They will know which ones are beneficial and which ones are bad for them. We need to work on our young people to stop this downward spiral, no matter what the drug is or what age group it affects.

This sort of road safety legislation makes me proud to be a politician. I wish that the debate we are having on the bill and the tone in which it is being conducted would spread to other parts of the Parliament, particularly after today's question time, when I saw and heard all the personalised insults and remarks. That was very disappointing. I support the bill.

Ms KILKENNY (Carrum) — I rise to contribute to the debate on the Road Safety Amendment Bill 2015. I, too, am proud that it is receiving bipartisan support. It touches issues that are very important to our communities.

As we have heard, there are two aspects to the bill. The first addresses the blood testing of drivers who are involved in a motor vehicle accident, where a serious injury or fatality occurs. The second addresses hoon driving, with amendments to improve the current regulatory scheme for the impounding, immobilising and forfeiture of motor vehicles. I will focus on the second aspect, which is hoon driving, because it has particular relevance to my community. Sadly, a very common complaint put to me is that hoon driving is having a serious impact on community members, particularly young male members.

Before I get onto hoon driving I want to pick up on a few of the comments made by the member for Box Hill in his contribution yesterday. I take exception to the member's comments that the Andrews government's *Ice Action Plan* will be ineffectual. The plan is a tremendous initiative to tackle a terrible epidemic in our

communities. Police, welfare groups and the Australian Medical Association Victoria, to name just a few, have come out overwhelmingly in support of this plan and our government's funding commitment to tackle the epidemic.

I would also like to clarify a point raised by the opposition about a so-called omission to include heroin in the definition of a prescribed illicit drug. As we have heard, this is a technical matter and will not impact the ability of police to test for heroin. On the contrary, under these amendments police will most certainly be able to conduct a full test for all psychoactive drugs, including heroin. The member for Yan Yean indicated that a briefing from Victoria Police will be available for members, and I encourage members to attend that briefing once the bill passes this house. I applaud both sides of the house for their bipartisan support of the bill, in particular in relation to hoon driving, which leads to road trauma. Any steps we can take to reduce road trauma should be applauded.

Hoon driving is a significant issue in my electorate, and in fact local residents have been taking matters into their own hands. They have been letterboxing leaflets to residents explaining how to dob in hoons, including what kind of evidence they need to present to police so that prosecutions can take place. My community has seen its fair share of fatalities. There is a very sad history in my electorate of crashes involving multiple deaths, predominantly amongst young men. While a number of people might think that the amendments before us are relatively meaningless in the scheme of things, if they reduce road trauma they should be applauded and implemented.

I would like to tell the house a couple of stories about how we have been impacted by hoon driving. My sister and her family purchased a house several years ago in a suburb quite close to mine. After they had been there for about eight months they noticed a number of people laying flowers at a tree at the front of the driveway. It is a big, beautiful ghost gum tree. She asked the neighbours about it, and apparently back in 1998, getting close to 20 years ago, eight boys from the local high school crammed into a car and drove down this quiet, residential street at excessive speed. The driver lost control of the car and three boys were killed that night. One was 16 years old and two were aged 17 years. Nearly 20 years later that community is still carrying the scars of the accident. Every time I visit my sister I look at the scars on the tree and I am reminded of the far-reaching impact the trauma has had and is still having on the community.

I was personally involved in another incident when a young man decided to lay down in the road while his mate drove a car at him at excessive speed. The idea was for the car to avoid the young man in the road, but it did not. The driver misjudged it and he ran over the young man. That young man is now a paraplegic, which is another terrible waste of life. For members of my community, indeed for communities everywhere, laws which save lives and seek to reduce dangerous driving, nuisance driving or antisocial driving are very welcome, and the bill does that.

In relation to hoon driving the bill makes amendments to the regulatory regime around vehicle sanctions for hoon driving behaviour and offences. Laws giving police the power to sanction vehicles came in in 2006, and under those laws police can impound, immobilise or even permanently confiscate vehicles in certain situations, regardless of who owns the vehicle or whether the driver is its registered owner. These sanctions have become an important part of the regime against hoon driving. They act as a deterrent to other drivers. They also remove the ability for drivers to engage in this behaviour by impounding or permanently confiscating a vehicle.

At the moment hoon driving is categorised into two tiers. Tier 1 offences deal with the more serious offences, where speeds are in excess of 70 kilometres an hour over the speed limit or where there are repeat offences such as drink-driving, drug driving or unlicensed driving. Tier 2 offences deal with speeding at a lesser speed and include things like street racing, speed trials and the improper use of a vehicle. A magistrate can make orders to impound or immobilise a vehicle or to have a vehicle confiscated. Under the current law where this occurs hoon drivers are required to repay the costs of those actions. The bill makes it clear that those costs will include all costs, including indirect costs, so there is full recovery. This is an added disincentive to hoon driving, because it will make it significantly more expensive when a car is subject to these sanctions.

The second aspect of the bill — and this is also important in relation to hoon driving — concerns road safety cameras. Police will be able to use road safety cameras to detect certain offences, which will then trigger the hoon driving regime. That is a significant step along the path to reducing road trauma on our roads.

The final amendment I will speak on concerns hardship cases. Presently magistrates can choose whether or not to make an order against a vehicle, and in cases of exceptional hardship the magistrate may choose not to

make that order. What this bill does — and I think it is in line with community expectations — is provide magistrates with a clear direction on when not to consider exceptional hardship as a ground for declining to make an order to impound or immobilise a vehicle.

In summary, people may think that only illegal street racing or speed trials pose a road safety risk, but hooning covers all aspects of antisocial and reckless driving and puts the lives of many people at risk. Time and again we have seen how hoon driving and reckless driving have significant and far-reaching impacts on members of our communities. Unfortunately, statistically it seems that young people — and it is typically young men — are most at risk of hoon driving, and as I said, the consequences can be devastating.

We have a culture of hoon driving that needs to be addressed, and that will require complementary strategies of education, community engagement, good role models and perhaps even an understanding that driving is not a right but a privilege. It is also imperative that we have in place laws to deter people from hoon driving. I commend the bill for its attempt to reduce road trauma and make our roads safer for all road users in our communities.

Mr BATTIN (Gembrook) — Driving is definitely not a right but a privilege, and a privilege that we should be very cautious with, because when you hop into a vehicle you hop into something that is a lethal weapon, and if you do the wrong things in that car, the consequences can be detrimental to yourself, your community and your family.

I will take a bit of leeway by making comments that are not directly on the bill. Many people would have heard of a recent vehicle accident in Avonsleigh, near Emerald, in my electorate. Three young people from our community, Sharn Walker, Felisha Allen and Jason Breakwell — aged 17, 17 and 18-years-old respectively — went for a night out and will never get to see another Christmas. There are families up there who are devastated. We were proud of the way the whole community came together after the accident. I do not know why the accident happened. There are lots of rumours out there, as there always are when these sorts of things happen. I put on the record my thanks to the first responders to this accident, particularly those from the Emerald Country Fire Authority (CFA). Paul Yandle, the captain of the brigade, has done a fantastic job.

We have to learn from what has happened in these incidents. There is a group in Emerald has gone out of

its way to say exactly what everybody in this house has said: too often the statistics show that young people are the ones who are dying on our roads. Between the ages of 18 and 25 is when male drivers tend to have the highest rate of accidents, and we have seen that periodically. There is a recent advertisement talking about how there is a 30 per cent increase in the accident rate when you get onto your P-plates from your L-plates and you do not have someone beside you as you drive.

Up in the Dandenong Ranges there is a group called ECHO, a youth organisation led by Wayne Collins. Anyone who has been through our area knows Wayne Collins. Emerald Secondary College is active in promoting initiatives around safe driving. Emerald State Emergency Service does an absolutely fantastic job, and it obviously responds to accidents up there. Victoria Police is outstanding in its responses up there and in what it does.

Two years ago Victoria Police got together with Jody Yandle — the wife of CFA captain Paul Yandle, who is also an active CFA member herself — and started a local Teenage Road Information Program (TRIP). TRIP has been run in different parts of the state. They were not trying to reinvent the wheel; they were looking for something that would have a positive outcome for locals in their community. TRIP is based around teaching young people what can happen when you hop behind the wheel. One of the big things is that young people have the courage to put up their hands and say, 'I do not want to be in this car at this time'. That could be because they have noticed that the driver is speeding, hoon driving, drink-driving or drug driving. It is really important that we get that message out there, particularly in my community, which is going through a difficult time after losing three of its young footballers and netballers from the Emerald Football Netball Club — who were also, more importantly, young students from Emerald Secondary College.

We on this side of the house do not oppose the bill before us today, because we support anything to do with road safety. It is important that as a community within the Parliament — and I know we all have different views — road safety is at the forefront of all of our minds and that we ensure that legislation, education programs and everything around the issue is based on reducing the road toll. I heard the Minister for Roads and Road Safety refer to the government's target of getting the road toll below 200, and I hope we achieve that. I do not really care who is in government; I just hope the road toll goes well and truly below 200. We would love to see a target of zero; that is obviously something we would love to see achieved in the future.

Cars are safer et cetera, but there are all the different things we can do along the way — and this bill is one of them — to ensure that we can improve road safety.

One of the issues that I know has been raised by those on this side — and I know the member for Box Hill raised this issue — is the change from the original legislation last year to the bill that is before us now, particularly around heroin. Heroin has a devastating effect on our road toll. We are talking about ice at the moment as one of the big drugs — we have programs to deal with it, and I know all governments want to find a way to get ice off our streets — but heroin has been there for a while, and it is still around. It is still quite predominant, particularly in the areas I have been in.

When I was in Victoria Police I was working a night shift in Dandenong. Just before we finished the shift, we got a phone call to say there had been an accident down the road from where we were. We were just pulling in to the station, so we jumped back into the car and drove back down the road. The accident involved a sergeant who had worked at the Frankston police station. He was riding down Frankston-Dandenong Road on his pushbike when he was hit by a vehicle. It was a hit and run; the car had taken off. He survived, but he was in a critical condition at the time and it did not look very good. We went through the normal investigative process of finding out what had happened in that accident. We got some identifying information about the car that was involved. We went through the process and found out that the car belonged to a female in Dandenong and that she had lent it to her brother.

After about 16 hours of overtime, we were still sitting at the station at nearly midnight, ready to come back for our next shift. We had just about tied up our investigation, and we thought we had everything in place. We were going to go off, have a rest and come back again when we got another call. The call was about the same vehicle. It had damage to its front headlight, and it was parked in a shopping centre car park in Dandenong. We went down, found the driver and apprehended him. The only way to describe him at the time — and I think my statement had exactly these words in it — was to say that he was off his head. He had been on heroin and had had a heroin kick just before we got to him. Later he admitted he had had one, and he said that he had absolutely no recollection of what had happened on Frankston-Dandenong Road. He went through the court process. Drug testing was just coming in, and it was a very difficult process.

When we have accidents involving death or serious injury, the applicable legislation, such as this before the house, must include the requirement that drivers have a

blood test and be tested for heroin. Heroin is still used a lot and it is still a major drug of choice, particularly in some of the communities in which I have worked. When people are on heroin they have no concept of what they are doing, but they cannot use that as an excuse for what they do. It is very important that the legislation requires that they be tested for heroin.

That is probably the biggest issue that opposition members have with this bill. Members on both sides of the house have supported much road safety legislation, particularly around hoon driving. We have seen a reduction in the road toll. Under Premier Baillieu and Premier Napthine we had the Talk the Toll Down program, which was supported all round. Most weeks the *Berwick Gazette* and the local Pakenham paper have something in them about the Talk the Toll Down campaign, which actually starts conversations. On occasion they move the ad around, and sometimes they put it into the sports section of the paper. Last week they had it in the sports section, which was particularly relevant to the people in the Emerald community because of what has happened there.

We need to create the conversation around what people's responsibilities are when they get into a vehicle. I agree with the member for Carrum that it is a privilege to drive in Victoria and it is 100 per cent not a right to do so. As we have that privilege, we need to get that message out to our young people. Legislation such as this will get the message across to make sure that young people understand exactly what is going on when they hop behind the wheel of a vehicle. They have to do 120 hours of driver training, but there is still a big concern after that when they are on their P plates.

To the people at VicRoads and others out there who provide education programs, I say that the education programs are well run and that overall they are very well accepted. It is difficult to get that message out to young people. I know that you, Acting Speaker, know that sometimes it is not easy to get a message across to a young person. If you put it in a school environment, it is a quite difficult process to get certain messages across. It is important to put the road safety message out in different formats.

We should be proud of the way it is done in this state. Victoria is a leader in road safety not just in Australia but in the world, as I have seen when I have travelled to look at road safety measures in other jurisdictions. That comes down to successive governments making decisions to keep road safety at the forefront of the minds of their members and the people in the departments who are working to make sure that the road safety programs are delivered and that the message

is getting out there so that young people are aware of and take on board the responsibilities they have.

We on this side hope that this year we see the road toll stop where it was last year. Every person who dies on our roads is someone who will not be around at Christmas time. I ask all our first responders — the members of the Country Fire Authority brigades, the Metropolitan Fire Brigade, the State Emergency Service, ambulance services, Victoria Police and all those in all the other community support programs — to keep up their work and to keep that message out there. Our young people are too important to not do that.

In closing, I indicate that opposition members do not oppose the bill. We would like to see testing for heroin become compulsory, but other than that we would like to see a speedy passage of the bill.

Mr LIM (Clarinda) — I am very happy to rise to contribute to the debate on the Road Safety Amendment Bill 2015. With your indulgence, Acting Speaker, I will speak from a different perspective. I recall that when I came to this country some 40 years ago there was commentary on the road toll at that time, which was being compared to the total number of deaths from our engagement in Vietnam, which was 504. It was noted that in Victoria alone we were killing each other on the roads to the tune of more than 1000 people a year. We have come a long way from that, and we should be very proud of our record because last year we lost 148 lives. That reduction in the road toll is a tremendous achievement.

We are now leading the world. We were the first jurisdiction on the planet to introduce the compulsory wearing of seatbelts in cars. We have built better roads and safer cars and had public education campaigns. All our infrastructure is aimed at supporting the prevention of anything going amiss on our roads. The previous speaker mentioned the tremendous efforts of our emergency services workers, including the police, in reducing the impact of the trauma of deaths on our roads.

Having said all that, it would be remiss of me not to make a comparison with the statistics from my home country of Cambodia. The road carnage there breaks my heart. The road toll is just out of control. Every day five or six people are killed on the roads there and road accidents result in 20 to 30 people suffering serious injuries — they lose a limb or are paralysed. The population of Cambodia is about 15 million people, which is about three times Victoria's population. If we multiply Victoria's road toll of 148 people by three, the

total is 444. In Cambodia every year nearly 2000 people die on the roads. Looking at the figures in that context, 400 per cent more people die in that country than in Victoria.

I am lucky and privileged to live in this state that is at the forefront of many areas. We have a very high standard of living and quality of life. I just wish we could transplant everything we have here so that we could reduce those figures of the terrible carnage on the roads in Cambodia. I just hope that somehow we can help that country as we helped East Timor during the Bracks and Brumby governments. I will never forget the commitment made during the first term of the Bracks government — that the government would reduce the road toll by 10 per cent. At that time I asked myself, 'How are we going to do it? How can we do it?'. We did it, and the road toll figure keeps reducing because of our public education programs.

Our community is conscious of the fact that we cannot continue to allow our young people to kill each other on our roads as they have done in the past. It is a tremendous responsibility, and we take on the challenge to be much better educated and much more aware. The drink-driving education campaign is having a huge effect on the road toll. I am concerned to discover how we can get people in other parts of the world to copy us, to make it happen so that they can share in the joy of this great way of life and the way we care about each other on the road.

Having said all that, I can only say that on both sides of the chamber, all members are passionate about this issue, and despite our political differences, when it comes to road trauma we have only one purpose, and that is to make sure that our quality of life is translated into legislation and developed in its implementation so that road safety continues to improve and we can still lead, walk tall and walk proud in the civilised world, the Western world and the whole world. I have nothing but praise for the minister for making this amendment by introducing this bill.

I am conscious of the opposition bringing to the minister's attention many points of concern, particularly the member for Box Hill, and I understand that all those concerns have been taken into consideration and have been addressed. I heard the remarks of the police officer involved in the radio interview, and all that combines to point to the fact that we are on the right track. We are united as a community, and we will continue to fight the scourge on the roads to improve road safety. I have not much more to say because I do not want to go through all the technicalities that many other members have already

covered. I wish the bill a speedy passage with the blessing of the house.

Ms VICTORIA (Bayswater) — I too find it a great honour to rise to speak in the debate on the Road Safety Amendment Bill 2015. As has been said by others on this side of the house, we will not be opposing the bill. We think the bill is a logical step forward, and anything to do with road safety that is going to protect lives, especially innocent lives, has our full support. The reasons we are not opposing the bill, rather than coming out and wholeheartedly supporting it, is because we believe there are small improvements that could be made, and certainly the member for Box Hill mentioned some of those. I will get to them in a little while, but to begin with I will talk about the proposed legislation.

The bill makes a number of amendments to the Road Safety Act 1986. The most predominant amendment will be in relation to section 55BA, which addresses a legal loophole that has attracted, we can only say, a lot of criticism from the community over the years. The new section will allow police to request a blood sample from persons in charge of a motor vehicle that has been involved in a car accident where there has been serious injury — and the word ‘serious’ is important in that regard — or a fatality, especially if they themselves were not injured in the accident. The request is necessary to allow police to obtain evidence of a drug impairment or the influence of drugs in a driver’s system so that people are held accountable for their actions on our roads.

Until these amendments take effect, drivers can refuse to provide a blood sample being taken at the scene of an accident unless they have been injured and taken to hospital. The amendment has been constructed to address some of the tragedies which have been all too prevalent and have been reported in our newspapers. I speak of one such accident in particular. It involved Tien Le, who lost her life. She was just 34 years old and a passenger in a car being driven by her partner in Docklands in February last year which was hit when a male driver went through a red light. The male driver refused to provide a blood sample, and that was his legal right at the time. Police took an oral swab analysis that detected the drug ice in his system. They discovered nearly 50 grams of ice in the car. There was also a set of small scales and a smoking pipe.

What the controversy was about and what so many in the community spoke about at the time was the fact that the driver was charged with dangerous driving causing death, whereas if a blood test had supported the fact that he had those drugs in his system and was under the

influence of those drugs while he was driving, he could have been charged with culpable driving causing death, which carries a maximum penalty of 20 years. However, given the sentence he received, should he receive an early release he could be out on parole in just 20 months. There is a big difference between 20 years and 20 months. That case demonstrates the need for the police and our courts to be able to assess very carefully what the influences were in the circumstances leading to an accident. They need to be able to do that in order to charge the person with the most appropriate offence and then, obviously, give the offending driver the most appropriate penalty. When the coalition was in government it recognised that loophole. We acted to amend the law before the election, but the full force of that did not come through, and so we are not opposing what is happening now.

There are also amendments to the hoon driving provisions relating to the impounding regime, but I will not go into detail on that aspect at the moment. What I want to talk about relates to what was raised by the member for Box Hill in his contribution, which many others on our side have also raised. When we proposed this sort of legislation, we talked about the need for testing for heroin. Heroin is one of those drugs that has been around pretty well forever. The drug ice is one that is new to us, and we can detect it much more easily. In drafting the legislation before us today, the government would prefer to take heroin out of the equation because it is difficult to differentiate between heroin and some other products that manifest in chemical markers. I am not a chemistry major, and I say that outright, so I will try to explain this the best way as I understand it.

I wanted to know more about this and to find out why it was so difficult to accurately detect a drug that we have known about for so long. Of course drug testing is not new and the drug is not new, so why is it that we cannot detect heroin with any great certainty? I was listening to the minister before, and he was talking about the chemical marker 6-monoacetylmorphine, which is found in heroin. I did a bit of an investigation into this. From what I have read — again, if anybody is listening to this or reading this who is a chemistry major, I am sorry if I botch this up — heroin has a half-life of between 3 and 8 minutes. At that stage it starts manifesting itself in various markers that can also be found in substances like codeine. When it metabolises into morphine — that generally happens within an hour — it is my understanding that it can be detected, and there are various ways of detecting it.

My question is: if an initial drug test is taken, say, for example, a swab test, and it indicates that these markers

are present, then at least that gives us an idea that there is a prima facie case for further testing. If the test comes back negative, then we probably do not need to go any further. But if it comes back saying there are definitely markers, then let us eliminate some of the other potential reasons for coming up with those markers as positive. A blood test is a logical next step.

I am not quite sure why there is an objection to doing this. Certainly, if someone had, for example, taken a prescription medicine with codeine in it, they would be able to very quickly produce a prescription or the medication and say, 'I have taken this, and that is why these markers are coming up positive in my blood tests'. If they have nothing to hide, I am guessing that they are probably not going to have any problem clearing their name. So I am not understanding this, and I look forward to the minister perhaps explaining this further. If we assume everybody is innocent, we should give them a chance to clear their name using the resources available.

I understand that one of the ways of detecting the difference between the components is through gas chromatography. There are studies in America that I have looked up, and if people want to have a good sleepy read then the *Separation Techniques in Clinical Chemistry* at pages 227 to 229 has some very fascinating facts about how you can differentiate between 6-monoacetylmorphine and the diamorphine markers. It is an interesting read, and for me it posed more questions than it answered.

This is a drug that can so obviously change somebody's behaviour and lead them to undertake various activities that they may not have done had they not been on heroin. Why is it that we are excluding rather than including it, and saying, 'If we test further, we can extrapolate from that whether or not it was heroin or some other drug that has manifested itself in the system'? Why we are excluding it? I am not quite sure. I would like to see that amendment made, and I think it is logical. I think it would provide a greater protection for everybody on the roads to have that included rather than excluded.

I want to finish up by thanking our first responders — our policemen and women, our fireys, our state emergency services personnel — who, on a daily basis, turn up to accidents where people have been irresponsible. Sometimes these were accidents, and sometimes they were just accidents waiting to happen. I commend the bill to the house. I hope the bill has a speedy passage, but I hope that it can be amended.

Mr PEARSON (Essendon) — I am delighted to join the debate on the Road Safety Amendment Bill 2015. I think this is an important piece of legislation, because it continues the leadership role that Victoria has played in relation to innovative road safety initiatives. Victoria has played a leading role in the world of road safety, going back to the 1970s with the 1060 campaign — I think that is what it was called — —

Mr Nardella — 1066.

Mr PEARSON — 1066. I thank the member for Melton.

At that time 1066 people had lost their lives on Victorian roads. That was coming off a much lower population base than we have now. Obviously a lot of that was related to people drink-driving rather than ingesting other substances. I think the Chifley government banned heroin in about 1947, and at that point in time I believe Australia had the highest per capita consumption of heroin in the world.

The 1066 campaign was focused more in those days, the 1970s, on drink-driving. We had the .05 campaigns, which started to change and influence people's behaviour. In preparing for this debate I reflected on my inaugural speech from last year. I said then, and I affirm now, that empowering people to make better decisions is the most effective tool in public policy. That is certainly the case in road safety. If you look at the strength and success of the Transport Accident Commission (TAC) campaigns, you see that it is basically about providing information to people so that they can make informed choices. There is also an element of enforcement that goes along with that.

Interestingly, when the original TAC campaign was devised and developed in the late 1980s, one of the reasons behind it was to try to make the police feel better about nabbing drink-drivers. One of the key pieces of research evidence that came out according to Steve Crabb, who was the Minister for Police and Emergency Services at the time, was that sworn officers did not think that arresting people for being over the limit was a worthy pursuit. People might recall those very first ads. A bloke gets pulled over, and he blows a positive reading. His girlfriend is sitting in the passenger seat, and she screeches at the officer, 'Why aren't you catching burglars?'. If you saw an ad like that today you would think it was just laughable, but we have progressed, we have moved on. At that stage it was about making police officers feel better about tackling drink-driving. What we are seeing now is the next evolution of the campaign.

Part of this is in relation to trying to look at the broad spectrum of the community to make sure that the bulk of people do the right thing and make better and informed choices. If they are out for dinner, they do not go around and have a third glass of wine. If they are going to drive, they behave. It is also about making sure appropriate enforcement mechanisms are in place to marginalise recidivist offenders, target that cohort effectively and make sure appropriate penalties are in place so that people behave appropriately.

In relation to the bill before the house today, it is about empowering police to request a blood sample from those people who have been involved in an accident while driving that has caused a serious injury or fatality but who have not been hospitalised. Clearly this legislation reflects the wishes of Victoria Police in terms of being an appropriate instrument that they can utilise to engage in more effective law enforcement activities. The member for Box Hill, who is in the chamber now, has raised some concerns about aspects of this bill, and I understand that the minister has offered the member for Box Hill a briefing to allay some of his fears and concerns. I am assuming that briefing would be offered to other members of the house who might also wish to seek some further advice on this matter. That is an important opportunity for the member for Box Hill to seek further clarification and advice and allay his concerns and fears.

The legislation is also important, because we are seeing an ageing demographic in our community. People are getting older, and the reality is that my great-grandmother lived to be 101. She lost her husband in 1974 and spent the following 20 years popping six valium a day and watching the *Mike Walsh Show*, which seemed to work for her at the time.

Mr Nardella — If I'd been watching the *Mike Walsh Show*, I'd be popping six too.

Mr PEARSON — If I were watching the *Mike Walsh Show* with the member for Melton, I think we both would be popping copious amounts of valium.

Let us be honest, if you are the child of a baby boomer, you look at your parents and kind of know what sort of pathway they will pursue as they get older. They will stay out of a home for as long as they can; they will want to live independently. They will want to be able to hold onto their licence for as long as they can, and they will want that freedom. That is an entirely appropriate thing to do, but with the ageing demographic there will be a greater uptake of prescription medication — as you would expect — and there is a need to make sure that in instances where people are in an accident the police are

able to verify fairly quickly whether it is prescription medication in someone's system that may be a factor in a collision or alternatively whether the individual concerned may have taken illicit substances. It is not likely that you are going to have an octogenarian ice addict, but you just never know.

This bill is important to make sure that we continue to reflect the changes in our society and continue to keep pace with these changes. The legislation of the day needs to reflect common practice and continue to reflect those changes. If you go back to the 1970s and the 1066 fatalities that were common then, you realise that on a per capita basis that would be well over 2000 fatalities on Victorian roads today. Bills like this play an important role in enforcement and making sure appropriate checks and balances are in place.

The bill also makes some amendments to the hoon driving regime. Again this is trying to clamp down on bad behaviour. I grew up out in the suburbs and remember that was just the sort of thing you would do. You would get your souped up Torana or HQ Holden.

Ms Ward — The old Torana.

Mr PEARSON — Yes, you would be at school and people would be doing — —

Mr J. Bull interjected.

Mr PEARSON — The member for Sunbury says that his first car was a Sunbird. I would like the house to note that my first vehicle was a UC Torana. It was badged as a Sunbird, but it had a rebuilt red engine, so it was a four-on-the-floor 202. It was a Torana. It was badged as a Sunbird, but it was a Torana. Back in the '80s out in the suburbs that is what you would do. You would aspire to have a Torana or a HQ Holden, and hoon behaviour was rampant and endemic, certainly out in Wantirna. There was not much else to do out in Wantirna in the 1980s.

Mr Wakeling interjected.

Mr PEARSON — I can say to the member for Ferntree Gully that I know many of his constituents very well indeed, but the reality is that you cannot behave like that these days. That is appropriate, and it is important. If you look at the trending down of the road toll over the course of time, maybe it is to do with the fact that you have fewer Sunbirds and Toranas on the road now than in the 1980s. Maybe we are just getting better with age.

The bill does make some amendments to the hoon driving regime. That is an important initiative in trying

to make sure provisions are more effective to ensure that people do not behave badly. Also, where you have repeat offenders out there who routinely break the law for a bit of fun because they are bored or live in places like Wantirna, it will help to ensure they do not do that. That is important. This is an important piece of legislation. We are moving forward. We are getting on with it and delivering. I commend the bill to the house.

The ACTING SPEAKER (Mr Dixon) — Order! I remind the member for Essendon that a Sunbird is not a Torana.

Mr THOMPSON (Sandringham) — As chair of the Victorian Parliament's former Road Safety Committee, I had occasion to note in the chair's foreword to reports that in 2013 Victoria recorded its lowest ever road death toll with some 242 deaths, as compared to over 1000 people in the late 1960s and early 1970s. Our success in reducing the road toll has been achieved through a collaborative approach. The community, Parliament, dedicated road safety experts, academics from various policy areas, the media and industry have collectively been crucial in achieving that success.

In specific terms, in 1969 the great Harry Gordon, the editor of the *Herald Sun*, commenced a campaign under the heading, 'Declare war on 1034'. The member for Essendon is a student of history and his figure of 1066, which I note was the year of the Battle of Hastings, is not too far short of a 1970 figure for the road toll, which according to one report was close to 1070. Sometimes road toll data is reviewed as experts consider the causation of crashes. For example, if it was an act of self-harm, it might be removed from the road toll figures; the final figures are settled some time later.

It is perhaps appropriate in a debate on road safety to mark the contribution of the late Professor Peter Joubert, for whom a memorial service is to be held later this month at St Paul's Cathedral. Professor Joubert appeared before a parliamentary committee which was looking into road safety checks on motor vehicles. He was asked a question about whether he thought it would improve road safety outcomes, and he replied that the committee was wasting its time. Professor Joubert gave robust, forthright commentary. He trained as a fitter and turner, but after the war he became an academic and his students have led engineering research around the world.

Professor Joubert was signed up to a political party by his wife when someone doorknocked his home — there is a lesson for those who are interested in modern methods of campaigning! As we know, he had a lot of opinions on a lot of matters and he thought he should

sign up with the local party branch. When he turned up, they asked him for some policy motions and he said one way to improve community safety outcomes was to mandate the wearing of seatbelts. As a consequence of his comments to a Victorian parliamentary committee in the late-1960s, an inquiry was convened into the mandatory wearing of seatbelts. This occurred against a backdrop of civil libertarians in the other place and robust community commentary, including the views of specialist trauma surgeons such as Dr John Birrell, who was a police surgeon. Dr Birrell had the experience of arriving at motor vehicle crashes where alcohol was a strong causative factor, and that was independently adjudged. Good work was done by the Victorian Parliament to take on board the views of Professor Joubert and mandate the wearing of seatbelts. Through that measure multiple lives have been saved, not just in Victoria and not just around Australia, which followed the Victorian example, but around the world.

In speaking to the Road Safety Amendment Bill 2015, it is instructive to note the consequences of good ideas that have been implemented through the legislative process. Achievements of the Road Safety Committee include the mandatory wearing of seatbelts, which was a consequence of its 1969 report entitled *Investigation into the Desirability of the Compulsory Fitting and the Compulsory Wearing of Seat Belts*. Other innovations resulting from the work of the committee include a 1969 inquiry into the introduction of a points demerit scheme. The demerits point system was legislated in Victoria in late 1969 and, as a consequence, road safety behaviours improved.

In 1970 the committee held an inquiry into an aspect of the drug and alcohol factor, and the achievement was the mandating of hospital patient blood alcohol content. This report addressed the issue of mandatory blood sampling from persons involved in motor accidents to test for alcohol content. The main purpose of the Road Safety Amendment Bill 2015, is outlined by clause 1(a):

to establish a regime where a police officer may require a driver or person in charge of a motor vehicle involved in an accident resulting in serious injury or death to allow a blood sample to be taken for analysis —

and a range of other measures, including the impounding of motor vehicles. It is interesting to contrast the 1970 report with the legislation before the house some 45 years later, which touches on a similar area.

In 1975 there was an inquiry into alcohol and road safety, and the achievement was random breath testing. Victoria was the first state in Australia to introduce

random breath testing in legislation. This was introduced following the tabling of the 1975 report entitled *Inquiry into Alcohol and Road Safety*. In 1976 there was an inquiry into involvement of motorcyclists in road accidents, and the achievement of this report was a motorcycle power capacity limit. Following this inquiry, in 1979 the 260 cc power capacity limit for learner motorcyclists was introduced in Victoria. I am not sure to what extent a report like this might touch upon the driving experiences of the members for Nepean or Essendon in relation to their Torana Sunbird or Sunbeam motoring experiences.

In 1977 there was an inquiry into the education, training and assessment of motorcycle learner drivers, and the achievement of this report was the establishment of training centres. In 1981 there was an inquiry into alcohol prohibition for first year drivers, and the achievement was alcohol prohibition for probationary drivers. In 1981 there was an inquiry into fatalities and injuries involving children under eight who are unrestrained in motor cars, and the achievement of this report was the introduction of child restraints. In 1987 there was an interesting reform, the safe roads for children inquiry into child pedestrian and bicycle safety, and this led to the mandatory wearing of helmets for cyclists, a matter which, I might add, remains controversial in some quarters. There is the need to balance the rights of cyclists to make a judgement themselves about what might be safe circumstances, the promotion of cycling as a recreational pastime that may enable people to easily commute and gain beneficial outcomes for their health and the reduction of vehicles on the road.

In 1991 there was an inquiry into speed limits in Victoria, and this report led to the implementation of a speed limit revision program throughout Victoria, which highlighted the need for uniform speed limits. In 2005 there was an inquiry into the country road toll, and the achievement of this report was works to improve the infrastructure of country roads. These are a sample of the reports considered by the Victorian parliamentary Road Safety Committee. That committee has been conflated into another committee in the current Parliament, but the achievements of the committee should not be understated.

During evidence taken at a Road Safety Committee hearing in the last Parliament, committee members heard some tragic stories from people who had been injured in road accidents. In one case a couple of young motorcyclists collided on the crest of a hill head-on. One of those persons is now endeavouring to rebuild his life, and it has been a long and arduous journey. Another articulate young school teacher in his late 20s

had been the victim of a U-turning vehicle. He was travelling on his motorbike, which went straight into the side window of the van, and he ended up with an acquired brain injury. He had struggled with that, but he had done good work post-injury advocating on behalf of other victims of road trauma so that roads might be safer.

The bill before the house introduces a regime where a police officer may require a driver or a person charged with a motor vehicle involved in an accident resulting in serious injury or death to allow a blood sample to be taken. This will facilitate evidence-based research, as well as provide better regulation to make our roads safer in the future.

Ms WARD (Eltham) — I am happy to join in this sober debate on the Road Safety Amendment Bill 2015. The Andrews government is to be commended for yet again being proactive with this legislation. We have not mimicked the lax and lazy behaviour of some members in this place. Instead the hardworking Minister for Police has ensured that the legislation gets it right: it not only closes a loophole but it is well thought out and considered legislation.

In my research for this speech I came across the *Australia's Behaviour Concerns* report, which found that in 2013 road safety was one of the most common issues keeping us awake at night. The survey was undertaken by the Shannon Company and Sweeney Research. Collation of responses from over 2000 Australians found that drink-driving and driving after taking illicit drugs were among the first top five social concerns. Other issues of concern were child abuse, sexual assault, rape and antisocial behaviour in public places.

As every speaker in this debate so far has said, this is a big concern for people. It keeps us awake at night and fills us with dread when we are waiting for someone to come home and the clock is ticking. If they are not home when we are expecting them, we wonder what has happened. We do not worry about the driving skills of our loved ones; we know, we hope or we believe that they are not driving under the influence. But we are not sure who else is on the roads. People worry about their own safety and the safety of their passengers. They worry deeply about the safety of their children who are out on the road, especially those who have recently gained their licence.

It is good that the opposition is seeking clarity on some points of this legislation. I am glad that it has made such a constructive contribution to the debate. I am also glad that the government has been able to offer some

clarity and certainty around this legislation. I applaud the Minister for Roads and Road Safety for striving to get our road toll down to under 200. That effort is laudable, and we in this place are all united in our desire to achieve that goal. We want people to be safe on our roads. We want people arriving home to their families safely.

We have heard discussion around 6-monoacetylmorphine (6-MAM) and criticism that it is not being tested for. The drug 6-MAM, as I have learnt, is an active metabolic of heroin and can be a challenge to detect in blood. If a test is not taken within an hour of ingesting the drug, other opioids, such as morphine and codeine, can also give a positive result. Therefore, anyone with a rotten cold who had sucked down some Codral to help them soldier on and alleviate the effects of their illness would test positive. This is not helpful. As the member for Essendon has indicated, many people in our community are prescribed codeine and morphine, for a variety of reasons. When we conduct testing we need to be sure that we know what we are doing and what we are testing for and that we are going to get the results we need and can understand.

Victoria Police has said that it is satisfied with the extent of testing. In an interview with Neil Mitchell on 3AW, Inspector Martin Boorman said:

When we have a blood sample from a person in these circumstances of the new legislation, we will be able to analyse it for all psychoactive drugs.

He added:

In my view, the legislation closes that gap that we were very keen to close.

It is great news that we have closed that gap and are working towards making our roads much safer.

During 2014, like many on this side of the house, I got to know a lot of good people who are paramedics. They are people who stand up for their community and for their rights in the workplace. They are dedicated, hardworking and compassionate, and they take their jobs incredibly seriously. One of the things they spoke to me about were the incidents of road trauma they experienced in their job day to day. They told me that drugs, alcohol, fatigue and speed were the core causes of serious road accidents.

I can only imagine what it is like arriving at the scene of an accident and knowing that it could have been prevented if someone had not taken an illicit drug or drunk too much. It must be devastating for these hardworking professionals to see an accident in front of them that could have been prevented, which they have to try to repair as best they can. If we can reduce that

kind of trauma through legislation like this, it will be a good thing not just for us and for our community but for people like our hardworking paramedics. It will cut down on the trauma they experience individually.

I am sure members would not be surprised to hear that alcohol is the drug most widely used by Victorians. We know that two out of five Australians have smoked tobacco, drunk alcohol at risky levels or used an illicit drug. We also know that nationally methamphetamine use is highest among people in rural and remote areas, where people are twice as likely to abuse those drugs as those in non-remote areas. We know that there is a big imbalance between the number of driver deaths in country Victoria and in metropolitan areas. According to Transport Accident Commission statistics, the deaths are almost double in country Victoria. That is terrible. If we can enact legislation like this to help reduce that number, it will be a very good thing. The last thing we want — and I know the whole house shares this view — is trauma on our roads, especially on those long rural roads that are not well lit, are bumpy and can be corrugated or have potholes.

Ms Kealy interjected.

Ms WARD — Yes, over the last four years in Gippsland when I have been visiting my mum and dad and my brother I have seen those potholes — you can believe me.

Hooning is another concern, especially in the outer suburbs, where there are longer and wider roads. Unlike the member for Essendon, I did not have a Torana — I had a Mazda B1600. My little white Mazda was not a very flash car and it did not go very fast. The dirt roads of Research were good enough for it. But I did find myself, through my own inexperience, in a position where I crashed my car. I whacked into a massive gum tree that did not get out of the way; it moved in front of me. I was not under the influence of any substances; I was just young and inexperienced and on a wet road. But it really brought home to me the importance of having all your faculties operating when you drive, of concentration and of looking after yourself and making sure you are able to be responsible when you drive.

It has been quite sobering to hear the stories members have told about their own experiences with road trauma. Pretty much everybody in this place has been affected by a road trauma. We all know somebody who has been in an accident or has been affected by an accident. As the member for Yan Yean mentioned, this year we had our own terrible accident on Yan Yean Road involving a young man who attended one of my local schools. It does not just affect family; it affects

school friends, teachers, sporting clubs. These accidents affect everyone.

I am sure that we all experience a bit of an intake of breath when we drive past those flowers and those crosses that are dotted along the sides of our roads that show where someone has passed away as a result of road trauma. These are terrible things to come across, and the more we can do to reduce the frequency we see these things — the frequency of these accidents — the better off we all will be. Like many in this place, I have children. I have a daughter who in a few years will be getting her learners permit, and I want her to be safe when she is out on the road. I do not want concerns around road safety to be keeping me up late at night. I do not want to be worrying about how she is on the road, how she is driving and importantly who is driving around her. There are so many things to worry about with young people, and if we can reduce our worries about them on the road, we will all be the better for it.

It is important to note that this bill does not require a mandatory test of any uninjured driver and that the Andrews government respects the advice of Victoria Police, who are best placed to determine when such a test should be applied. This government has given Victoria Police the right to compel the taking of such a test. It government is able to act in this way because it has given police the relevant powers after it listened to them. This is one of the great skills of the Andrews government. We are a government that listens and that creates legislation that responds.

An honourable member interjected.

Ms WARD — I am glad the member mentioned road funding, because one of the things we will be doing is fixing up Bolton Street, which causes a never-ending number of accidents in my community, although thankfully not many of them are fatalities. We are responding, and we will be spending \$1 billion on rural and regional roads over the next four years, so we are making a fantastic effort. I am glad we are spending that money. I commend the minister on this good legislation and on trying to keep our community safe.

Ms SHEED (Shepparton) — I rise to support the Road Safety Amendment Bill 2015. This legislation was introduced on 23 June and is designed to provide the legislative provisions whereby a driver of a motor vehicle involved in an accident resulting in serious injury or death must undergo a drug test. The bill also makes changes to the hoon driving legislation we have in Victoria to allow police to recover costs associated with impounding or immobilising motor vehicles and further to clarify in what circumstances exceptional

hardship can be considered by a court. There are other incidental changes to the legislation.

In his second-reading speech the Minister for Police pointed out that the bill fixes a loophole that exists in the law currently by giving the courts and police greater powers in dealing with drivers with drugs in their systems when they are involved in serious motor vehicle accidents. On 23 December 2014 the *Herald Sun* reported that ice had been a factor in 18 road deaths in the previous year, which is up by 30 per cent on the year before. The newspaper further reported that Victoria Police statistics had revealed that 7340 drivers had been caught drug driving over the previous five years and that of those 813 had been repeat offenders. The figures were indicating that for every 15 drivers tested, 1 was driving drug affected. What a huge impact ice has had on our community. I think we are all aware that driving and ice use has now become a major issue in our community.

As parents we all dread the nights when our children are out on the roads, when our young adult children who have drivers licences are out there driving around. You have that fear of the phone call coming, of something happening. We have all been affected and know families where a young member of the family has been killed in a motor vehicle accident. In country communities that is particularly prevalent. In 2015 there have been 148 road deaths, 81 of which have been in rural Victoria, and so many of the people who die are young men.

Not only do deaths result from these sorts of serious accidents, there are also very serious injuries. Something like 24 000 people a year — this is based on statistics I remember from several years ago — are injured. The cost of seriously injured people to our community is well known. By comparison the fatalities are few. The cost of the serious injuries that result and the huge impacts they have on families over time is immense.

I recall driving home from Melbourne to Shepparton on the Hume Highway just last year and experiencing instant fear when a motor vehicle passed me as I drove at 110 kilometres an hour. This vehicle must have been travelling at at least 160 to 180 kilometres an hour. It had a bit of vehicle broken off it and it was rattling along the road as it disappeared past me. I instantly called 000 to warn the police, and within about 5 minutes as I drove along the road I observed two or three police cars out there. I did not observe whether they had apprehended the offender or not. The fear you have when you see someone go past you that fast is that you are going to come upon a serious accident any

minute, because the level of control a person has over a motor vehicle in that circumstance is minimal, and of course they are likely to be drug affected to be acting in that way.

From the point of view of a rural representative, a parent and a member of the community who has seen the effects of all of these things, I cannot help but support this piece of legislation. We need to see support given to the courts to be able to deal with people in these circumstances.

I have a few comments to make on the hoon legislation. I think there was a time when we thought of young men driving around the countryside in a hoonish way as being foolish but not really so bad. However, times have changed, and over a long period we have reached a point where we can no longer accept such behaviour. Certainly since about 2006, when this hoon legislation was introduced, we have taken a very hard line on it.

Again referring to some local knowledge, I note that it used to be that down by the Shepparton lake on a Friday and Saturday night there would be numerous cars parked there, and the activities later in the evening were all about hoon driving. At times there would be oil tipped over the road to make the skids and the turns even better. Nowadays things are pretty quiet down by Shepparton lake. It is fair to say that the hoon legislation has had quite an impact on people's behaviour. I would like to think that as a result of that there are fewer deaths and fewer serious injuries. These sorts of activities are high risk, they are intentional and they really do need to be punished. We have created a level of criminality around that now rather than regarding it simply as high spirits.

I note that South Australia, Queensland and Western Australia all have legislation dealing with hoon driving. It is widely regarded as acceptable to deal with these sorts of situations through punishment. In addition to the usual penalties, for both tier 1 and tier 2 offences the court may make an order to impound or immobilise a vehicle for between 30 days and three months. It can also make an order for a vehicle to be forfeited and sold if a person is found guilty of more than one tier 1 offence and for various other offences.

The amendments that provide for the payment of designated costs by an offender should not be underestimated. It is my understanding that they can be very substantial and will result in substantial hardship in many cases. It is an impact that the legislation certainly intends to impose, and I wonder how many people out there understand that impact. I have heard of people simply not being able to afford to pick up their

second-hand car because the cost of impounding and holding the vehicle is more than that old car is worth.

There are issues around that, and it is important that as this legislation passes through the Parliament that information gets out to young people. For many young people their first car is a second-hand one and it is not worth a lot of money. We know that the costs of clamping or immobilising a vehicle and the costs of taking a vehicle away and holding it for a period of time are high. As well as the penalties that apply through the courts, it would be very useful for people to understand the substantial other penalty of the costs of immobilisation. It may well provide some deterrent effect as well.

For these reasons I support the Road Safety Amendment Bill 2015, which is designed to deter dangerous behaviour and deal with those who commit serious offences of this nature.

Ms COUZENS (Geelong) — I rise to speak on the Road Safety Amendment Bill 2015. The purpose of the bill is to introduce provisions allowing Victoria Police to request a blood sample for analysis from persons in charge of a vehicle who have been involved in an accident where serious injury or a fatality has occurred and the person has not been admitted for medical treatment. It also amends part 6A of the Road Safety Act 1986 to improve the effectiveness of the hoon driving regime by ensuring that all road safety camera offences of extreme speeding are captured; to allow Victoria Police to recoup costs for the impoundment and immobilisation scheme; and to clarify under what circumstances exceptional hardship can be considered by the court when hearing an impoundment, immobilisation or forfeiture order.

Over the years we have been reasonably successful in getting the message across to the community that drink-driving and, probably more recently, driving under the influence of drugs constitute unacceptable and dangerous behaviour. This cultural change over the years has been making our road network a safer place to be, and it is an important part of educating our young people in particular. Statistically young males in particular are the ones out there using drugs.

We need to look at how we have used cultural change over the last 20 years. The seatbelt campaign is an excellent example of that. When I look at kids getting into cars, the first thing they do is put their seatbelt on. When I was a child we did not even have seatbelts. Over the years we have seen that cultural change emerge. We have heard about the laws requiring people to wear helmets when riding bikes. That is the sort of

cultural change that is really important when it comes to drink-driving and now drug driving.

Unfortunately there remains a percentage of our community that has not got that message, and they continue to drink and drive and use drugs and drive. We need to start addressing that, which is exactly what this legislation will do. We often hear tragic stories of people killed in car accidents because drivers were under the influence of drugs. Over the years in Geelong we have experienced many serious and fatal accidents, and the impact on families is just unimaginable.

A lot of families come to me who have lost a child or another family member in a car accident that involved drugs or alcohol, and that kind of loss has a major impact on the lives of those people. The other side of that is that I have also had constituents come in to see me whose children have been involved in an accident and were the ones who were under the influence of drugs or alcohol and killed somebody, usually a group of friends in a car. That is pretty horrific for them, as it is for the families who have lost their loved ones. These people tell me we need to tighten up our laws, we need to do something about this and we need to change the culture. This bill goes a long way towards doing that.

Anyone driving under the influence must be taken off our roads and, importantly, must face the penalties. We must have these deterrents in place to ensure that cultural change starts to emerge, particularly in relation to drugs. If someone is involved in a serious accident and is not hurt, they should be required to have a blood test. Our police officers must have the power to request a blood sample in these circumstances so that they can hold people accountable for their actions on the roads. Whenever these issues become prominent in our media we have an influx of people wanting to have their say and wanting to support any change that is going to increase penalties as a deterrent but also to make the community feel safer.

We need these tighter measures in place. If a person's child is killed or one of their children kills somebody else, they want to be confident that there is legislation in place to help deter drivers such as those in the future. Data from the TAC shows that 25 per cent of all drivers and motorcyclists killed on Victorian roads over the last year had blood alcohol readings of 0.05 or over. The majority of those drivers were heavily intoxicated, with readings more than three times the legal limit. That is pretty frightening. Given those statistics, it is likely that there are drug-affected drivers on our roads as well.

I would like to think that when I go out on the roads I am safe. When I first got my licence, my father often

said to me, 'I know you are all right, but worry about the bugger on the road with you because they are the ones you have to watch out for'. He was referring to people drinking and driving, using drugs and driving, and hoon driving — all those sorts of things that have an impact on our community and our safety.

Unfortunately to date this year there have been five fatalities on Geelong roads. They were not necessarily all drug related, but we have heard in the house today that people are genuinely concerned about the number of road fatalities that we have. If we look at the statistics, we see that 25 per cent of road fatalities are caused by drink-driving, so obviously we still have a very big problem to deal with. We need to put these penalties in place, and we need to change that culture over the coming years to ensure that our next generation of kids will automatically know not to drink and drive and not to take drugs if they are getting into their car.

In relation to hoon driving, I would say it is an issue in most communities. I receive regular complaints from constituents about hoon drivers tearing up the streets in suburban areas or using car parks or gardens — all sorts of things — to have their excitement. Young people do silly things. We all know that. We have all been young. We have probably done stupid things before as well. However, I think most of us in this house have experienced constituents complaining about hoon driving in their areas, so it is an important issue. It is also a safety issue. Although those drivers may or may not be under the influence of drugs, their behaviour is generally threatening to our community. We have hoon drivers going up and down suburban streets. My street is a 40-kilometres-per-hour zone, but I have hoons tearing along that street doing up to 80 kilometres per hour, even when there are children on the street. It is those sorts of things that we need to be very mindful of.

This bill allows Victoria Police to recoup the cost of immobilisation and impoundment of vehicles by amending the definition of designated costs in accordance with Treasury guidelines. It is important to get the message across to hoon drivers that their second offence could result in them losing their vehicle for up to three months and a third offence could result in forfeiture of their vehicle. As the mother of three boys I was continually reminding them about their behaviour on the road. I am not saying that they did anything wrong, but as a family it was always being raised because, as I said, I know how silly young males can be and that one silly decision can affect their life forever. They could up in jail for doing something that was just the result of a split-second, stupid decision.

The bill also provides clear direction on when the courts should not consider exceptional hardship as grounds for declining to make an empowerment, immobilisation or forfeiture order. It is also interesting to note that the shadow Minister for Police gave an interview on the Neil Mitchell show on Friday. His claim was that the way the Road Safety Amendment Bill 2015 had been drafted under our government meant that Victoria Police would be unable to test for opiates under the legislation. I can inform the house that Victoria Police has advised that this is incorrect. The Andrews Labor government is committed to reducing the economic and social impact of road trauma, and I congratulate the minister on his work in bringing this bill to the house. I commend the bill to the house.

Ms KEALY (Lowan) — It is a great privilege to be able to stand in the chamber today to speak on behalf of The Nationals on the Road Safety Amendment Bill 2015. As has been mentioned by previous speakers on this side of the house, we largely support this bill because we need to do whatever we possibly can to improve road safety in our regions and in our cities.

There are two main elements to this bill. Firstly, it amends the Road Safety Act 1986 in regard to drug testing so that we can improve the regime we have and give the police authority to request a blood test from all drivers or those in charge of a motor vehicle involved in a fatality or a serious-injury collision. This blood sample can then be analysed for the presence of drugs. That is an important gap to address. Issues have been raised, and I know there will be further discussion. The member for Box Hill has raised this issue, and he comprehensively covered it when talking about some of the gaps we see in this bill in comparison to the bill put forward in October 2014 by the previous government.

The second element of the bill deals with the hoon laws and vehicle impoundment, which are also very important. However, I really want to focus today on the drug testing side of the bill, particularly around the impact on road safety for local people. We all have a role to play and a responsibility to do what we can to improve road safety. As somebody who has had experience in the health sector and the hospital system I have seen firsthand the damage that vehicle accidents can do, not just to individuals involved but to witnesses, family or friends of those involved in the accident and to emergency services personnel, whether they be volunteers or paid personnel, who go to the scene of accidents and often see quite horrific injuries. In rural areas it might be somebody they know, perhaps a neighbour.

When they are dealing with those terrible situations the victim could be somebody who reminds them of their child. With that in mind I would like to express my appreciation for the hard work of paramedics, hospital staff, State Emergency Service and Country Fire Authority personnel, and the police, as well as everybody who is involved in the first response to accidents, which are often very traumatic and difficult to deal with.

Another element which is a source of great discussion in our local communities is drug and alcohol use, particularly illicit drug use. At the moment we seem to talk about ice more than we talk about anything else, although I believe that alcohol consumption is still the biggest issue we have in our communities. We need to do whatever we can to lead people towards better managing their intake of alcohol. We also need to make sure that our sporting clubs in particular have support so that they do not have to rely so heavily on their financial intake over the bar and we can have family-friendly sporting environments. There are many clubs, particularly in western Victoria, that are taking good steps forward in achieving that.

The use of ice is discussed quite often at the moment, but it was really surprising to hear that the Northern Grampians police reported that over the summer period this year of all of the drivers they drug tested in Western Victoria around half returned positive results. Obviously this testing is somewhat targeted in that the police will have a reason to believe there are drugs in the driver's system. They may show certain signs so there will be a level of bias, but to think that about 50 per cent of the drivers who were drug tested returned positive tests in the summer just gone is quite a shocking statistic and it shows that we really need to be doing something about it.

We often hear about the impact of drugs on people. There is a story I heard through one of the ice forums in our region held in Horsham last year and run by the Wimmera Drug Action Task Force. I want to acknowledge this task force, which has done a brilliant job in developing these ice forums. It was the first body across the state and nationally to run such forums. They are really about educating the community so that together we can show some leadership on this serious problem.

I learnt a lot from the Wimmera Drug Action Taskforce. In one instance a local police sergeant spoke about somebody from the Edenhope-Minimay area who was ice-affected and running around naked in a paddock. It took a number of police officers to restrain

the man and then take him to Horsham hospital, where he got treatment.

Drug use has a huge impact on all the systems in communities. It is not just about road safety; it is also about our health system and the way we can best manage that. We need to make sure that our regional hospitals are given support to better manage people who are drug-affected. The infrastructure is not there at the moment. Staff are being assaulted. We do not have the capacity to handle people who are experiencing acute psychosis that is drug-related; it is putting other patients at risk as well, and tying up valuable resources. We certainly need to do more than we currently are.

We heard about the Ice Action Plan that Labor is delivering, but we have yet to see \$1 of that spent in western Victoria. It is in the rural and regional communities, where we do not have access to the same level of support, where we do not have access to the rehab beds — it is very difficult to enter that system — and we do not have social workers and counsellors at the same level as city areas do, that we really need to see an investment around that.

During the debate we have heard about the risk of heroin not being included in the range of drugs being tested for. I note the member for Eltham spoke about false-positive readings relating to codeine and morphine. That got me thinking about those who have detectable and perhaps high levels of morphine or codeine in their system. Even though they are legal drugs it does not make them any safer for our road users. I do not think we should consider this issue so narrowly that we must test for only illicit drugs. Prescription drugs can be just as dangerous. We hear about the current hidden problem of prescription drug addiction and we have no way of managing that. Again, the Wimmera Drug Action Taskforce has done an enormous amount of work with the previous coalition government and the current Labor government around making an investment in a real-time prescription drug monitoring system.

The previous coalition government — I was very supportive and proud of this — put forward a \$7 million plan to implement a software system. Labor has put forward \$300 000 to do a study. I believe that is progressing well. I have spoken to the Millingtons from Nhill, who are very strong advocates of this program and who, through the ScriptWise group, have advocated for a real-time drug monitoring system. Certainly steps are being taken and it looks like we will get a good structure, but what I really want to see, once we get that recommendation through, is funding from the Labor government to make sure that we start saving

lives as soon as possible by addressing prescription drug abuse through real-time drug monitoring.

We do have people affected by these sorts of drugs driving on the roads. I note that in 2012 more people died from prescription drug overdoses than died on the roads. We do not know how many of those people who died on the roads were also under the influence of prescription drugs, but we need to do more about it as a community, and the government certainly has a role to play as well.

In her contribution the member for Eltham said, when speaking about road safety as a whole, that we need to do more about the condition of our roads. I have seen a cut by this Labor government of 10 per cent in our road asset management. We have also seen \$160 million pulled out of our country roads and bridges program, which was an enormously successful program lauded by every single council that I have spoken to. It would be great to see Labor reconsider how we invest in our country roads in particular.

I went to Hamilton Sheepvention on Monday, where I asked that people nominate their worst road. The Casterton–Coleraine section of the Glenelg Highway was nominated as the worst, and it is terrible. I would love to see more funding for the repair of that section of road as soon as possible. We have heavy vehicles moving through there carrying logs. We have families, obviously, making the commute between Casterton and Hamilton. It is a quite dangerous section of road so I would love to see more funding for its repair.

In summary, we largely support the bill. It is good to see that we have bipartisan support for most of it. I know there are issues that will be taken up, and I hope they will be addressed so that we can have a broader scope of testing. I emphasise that we will not oppose the bill.

Ms THOMAS (Macedon) — It is my pleasure to rise to speak in the debate on the Road Safety Amendment Bill 2015. As of midnight last night, 148 Victorians have died on our roads this year. I am sure we would all agree that is 148 people too many.

We have much to be proud of here in Victoria in the way that as a state we have comprehensively worked over many years to reduce our road toll. Victoria has often been at the leading edge of strategies to ensure that our roads and cars are safe, that our roads are adequately policed, and that drivers are well trained, licensed and so on. Indeed, road safety in Victoria requires a comprehensive response of policing, community education, attention to motor vehicle design

and safety improvements, road design, and of course a legislative framework.

However, it is very important to remember — this point has been made in the house in this debate — the absolute responsibility of each and every one of us who gets behind the wheel of a car to recognise that driving is inherently dangerous. We need to take responsibility for our own actions and ensure that we are able to manage and handle a car, and that we do not drive while under the influence of either drugs or alcohol. This is an important individual responsibility and one which I am sure all members of this house take very seriously.

I have used the opportunity to have a look at Victoria's road safety strategy, which is a comprehensive strategy that has been developed across agencies such as VicRoads, Victoria Police, the Transport Accident Commission and the former Department of Justice. That strategy has been in place for some time. It was last updated in late 2014. The vision of the strategy is one which I believe we should aspire to. It is a vision of zero deaths and zero serious injuries on our roads. That is a big ask, there is no doubt about it, but it is certainly something that we should all aim for.

I know it is unlikely that there is anyone in this house who has not been touched by road trauma in some personal way. It is not just about the deaths, but the impact of some of the terrible injuries acquired as a result of road trauma on people's quality of life and on that of their families, their carers and so on is untold in our community. It is very important that we have an ambitious target of zero deaths and zero serious injuries on our roads. To achieve this vision, the combined agencies are working to reduce the number of people who die on our roads by more than 30 per cent in the next 10 years. Meeting these targets will bring our annual road toll to fewer than 200 people and save more than 90 lives every year on year — 90 precious lives. This means reducing deaths from 5 per 100 000 Victorians in 2012 to 3.3 per 100 000.

As I said, it is very important to have these ambitious targets. I talked about the legislative framework being very important to our road safety strategy. It is also important to note that drug driving is indeed a focus of the strategy. In fact, what we have found is that approximately 15 per cent of drivers and motorcyclists who were killed in 2009 tested positive for illicit drugs. Cannabis and stimulants are the most commonly detected illegal drugs among drivers killed on Victoria's roads. As the member for Lowan has just told us, there are also road safety risks associated with taking prescription drugs.

I am informed — and I need to correct a point the member for Lowan made in her contribution — that we already have the capacity in Victoria to test and potentially prosecute drivers who are found to have a high level of legal drugs in their bloodstream. We already have that safety net in place, which is a good thing. When we talk about drug driving it is not just illegal drugs that people need to be mindful of. They also need to be attuned to the impact of prescription drugs on their ability to operate a motor vehicle. As we know, many drugs come with warnings, and people would be well advised to pay attention to those warnings.

Since the introduction of drug testing in 2004, 1 in 60 drug-driving tests conducted by Victoria Police have detected a driver with illicit drugs in their system. Preliminary results from research show that drivers with three or more drugs in their system are found to be at fault in more than 95 per cent of car crashes in which they are involved. We have already heard at some length about the detail in the bill, and I would like to use this occasion to make a plea to drivers in my own electorate of Macedon. We are talking here about road safety, and it is vitally important to understand that people in regional and rural Victoria are three times more likely to die and 40 per cent more likely to be seriously injured in road crashes and that nearly 70 per cent of the fatalities on Victoria's country roads are of local residents. Drink-driving fatalities are nearly three times higher in rural and regional Victoria, and around a third of all fatalities on country roads are attributable to a single vehicle leaving the road and hitting a tree. Furthermore, 30 per cent of the fatalities and 60 per cent of the serious injuries on country roads occurred in large and small provincial cities, such as Bendigo, Ballarat, Shepparton and Warrnambool.

It is vitally important that country people be able to access these important messages about road safety and act on them. The member for Lowan talked about the state of our roads. My message to the people of my electorate is that it is vitally important that as drivers in regional Victoria we are cognisant of the state of our roads and adjust our driving accordingly. What concerns me is that people will drive to the speed limit regardless of the condition of the road on that day. It is quite frustrating. On a road where the limit might be 100 kilometres per hour, we should remember that it is just the limit; it is not a direction to drive at that speed. I extend this plea to people in country Victoria: just because it says 100 kilometres per hour, it does not mean you need to drive at 100 kilometres per hour. Please drive according to the conditions of the roads.

Again I remind people in my electorate to be careful of wildlife on the road. We have lots of kangaroos and wombats. I love them dearly, but you do not want to hit one while you are driving as they can cause enormous damage to vehicles and injury to drivers, not to mention what can happen to them. It is very important that country people take better care of themselves on our roads and that they drive according to the conditions of the roads. When country people drive for long distances, it is vitally important that they take the opportunity to rest every 2 hours or so. They need to make sure they have a break because, as we know, you need to be alert and focused when you are driving.

As my time has nearly expired, I am conscious that I have scarcely spoken about the bill. However, many of my colleagues have had ample opportunity to talk in some detail about the provisions in this bill, all of which I wholeheartedly support. In conclusion, I agree with the member for Lowan that our State Emergency Service members, our Country Fire Authority members, our ambos — our frontline responders — do a fantastic job. I commend the bill to the house.

Mr DIMOPOULOS (Oakleigh) — It gives me pleasure to speak on the Road Safety Amendment Bill 2015. We have already heard but I will repeat for the record as part of my contribution that the bill inserts a new section 55BA, which amends relevant sections of part 5 of the Road Safety Act 1986 to allow police to request a blood sample from a driver who has been involved in a motor vehicle accident where serious injury or fatality has occurred, if the driver is not admitted to hospital in any case. The bill amends section 84H of the principal act so that all prescribed offences detected by a prescribed road safety camera may be included as offences under which Victoria Police can request surrender of the motor vehicle under the hoon driving regime.

Currently, as we have heard, there is no requirement for drivers who are not admitted to hospital to allow a doctor or an approved health professional to take a blood sample. This is an identifiable loophole that will be closed. I am surprised that it has taken so long to be debated in the Parliament because in hindsight it seems so obvious a loophole. As I said, the bill also does a number of other things, particularly in relation to hoon driving. Under the hoon driving regime, police officers can issue a notice to the registered operator of a motor vehicle if the vehicle has been detected by a road safety camera, as mentioned, in the commission of a relevant offence without the need to identify the driver of the vehicle. Such offences are considered operator onus offences.

This bill does a number of important things as far as I am concerned in the name of road safety, something which is vital and a key area of state government responsibility. We have heard stories from different colleagues about how their community has been impacted by road trauma, and I am no different. To cite just one example of many over the years, in my own community in the Oakleigh electorate we suffered the effects of the actions of a drug driver who ploughed through the intersection of Dandenong and Warrigal roads in January last year killing three people and injuring three others.

I read from the ABC news report at the time, which says:

Nei Lima Da Costa, 29, pleaded guilty to three counts of culpable driving causing death and several other charges, including negligently causing injury and recklessly causing injury.

That man ran a red light. The report goes on:

Police said Lima Da Costa was on ice, also known as methamphetamine, and was driving 120 kilometres per hour when he went through a red light at Warrigal and Dandenong roads in Oakleigh, in Melbourne's south-eastern suburbs.

...

Traffic camera recordings showed Lima Da Costa's car entering the intersection more than 18 seconds after the traffic light turned red.

Anthony Parsons, 45, was crossing the road and was killed instantly when he was hit by the car, his body thrown more than 50 metres by the impact.

Mr Parsons died in front of his wife, who had been walking several metres behind him. She was not injured.

The couple had been celebrating their 10th wedding anniversary.

Two other people, Savvas and Ismini Menelaou, were also killed when Lima Da Costa's car crashed into their sedan.

Three other family members, including their son Menelaos, were critically injured.

The court heard Lima Da Costa's car was travelling at 122 kilometres an hour before the crash and more than 45 kilometres over the speed limit at the time of impact.

Those are all too tragic stories. What makes them tragic is a combination of things where the consequences are so devastating and, as we have heard not just in this case but also from other colleagues, it is all too common, despite the road toll reducing over the years, and mostly it is entirely avoidable. Those factors make the situation very tragic.

The bill is excellent. I am proud of the fact that there is bipartisan support for it, despite some small incursions

into politics by the member for Lowan and others. It is good for us to be united. I fully acknowledge that this was a bill mostly designed by the previous government, which did not have the chance to follow it through. It is important to take a bipartisan approach on these sorts of issues. The road toll, specifically in relation to drug and drink-driving, is something that can be impacted on by policymakers and the community and is completely avoidable. Where we are now, as we have heard, from where we used to be in this space, is a direct result of media campaigns, legislative leadership and a whole community approach.

I was looking at road tolls in other countries and, not that this is a reason to relax on this issue, noted that we are far ahead in terms of best practice and are doing better work to reduce the road toll than many other countries. That satisfies me in many respects because it is an area in which we can have a measurable impact. The bill is another example of that leadership. The amendment is about saving lives and reducing serious injury. Those who choose to take drugs and get behind the wheel of a car need to know that the consequences of their actions are significant. They should not be able to hide behind legal loopholes, as many have done to date. This bill is about the consistency and integrity of the system and how two people who are equally culpable are treated differently.

I also mention briefly something about the issue of hoon drivers. I have heard some things from colleagues, including the member for Geelong, who spoke about hoon driving in her community. That is an issue I have been involved with since my days on the Monash City Council but also as the member for Oakleigh. There is a stretch of road, along Dandenong Road and Princes Highway, where, particularly during summer months, hoon drivers are a real nuisance and cause danger in the community. There have been large public meetings, and essentially we have come up with as many local operational differences as we can make. They include no U-turn signs, no parking after 11.00 p.m. and those sorts of restrictions. However, we are always stymied by the fact that it is relatively easy for a hoon driver to get their vehicle back once it has been impounded. I am really pleased that I can now go to the community, subject to the successful passing of this bill, and say that both sides of politics supported legislative measures which will make it more difficult for hoon drivers to get back their vehicles. It will take time, but as word gets out when one hoon driver finds it difficult to recover his or her vehicle, it will lead to behavioural changes, along with the other provisions encompassed by the bill.

I am proud to speak on this bill and proud that it is bipartisan. Following the very fine example set by the member for Macedon, I also want to reach out to younger people, because on this issue younger people are over-represented. I want to tell the younger people in the electorate of Oakleigh that alcohol, drugs and driving do not match. This is an issue that is far beyond the licence registration system; it is a bigger social policy issue. As we have heard, this government is addressing other aspects of this issue through the Ice Action Plan task force and a whole range of other things such as youth employment initiatives and other initiatives to teach young people to drive in year 10, from memory. Those are all important contributions to a more effective outcome.

I send a message to the community of Oakleigh, particularly the younger members of the community, that the cost of such behaviour, driving while under the influence of either alcohol or drugs, is devastating. As Justice Lasry said in the Supreme Court, a few seconds of behaviour impacted heavily on dozens of people associated with those two families. If people really understand the impact of these incidents through victim impact statements, through direct conversations with victims and through initiatives such as legislative leadership, we can address the existing gap to get the road toll to zero particularly in relation to drugs and alcohol.

It is my pleasure to support this bill. I know it has bipartisan support, and I look forward to its speedy passage through the Victorian Parliament.

Mr NARDELLA (Melton) — I rise to support the Road Safety Amendment Bill 2015. There has been some discussion about people owning cars and which cars they owned first. Our first family car, which I managed to drive — I will not tell you what age I was when I started to drive a car because it would have been seen to be illegal back then and probably is now but we will not go into that — was an XP Falcon with a 186 6-cylinder motor. It was a beautiful car. The XP Falcons now go for \$10 000 or \$15 000; I think we got it for \$2000 back then. I think it was from Kevin Dennis. I will not sing Kevin Dennis's *Do You Want to Buy a Car from Me?*. It had three on the tree. Remember the three on the tree? Everybody is nodding their heads — like those dogs on the back shelves of cars. It was a really good car, though not the safest of cars.

Road safety is about a number of partnerships to do with both the vehicles and the drivers. We need to make sure people are alert and not drug affected when they are behind the wheel. I have a Yamaha XJ650

motorcycle. There has not been much discussion today about the motorcycle community, but this legislation before the house is extremely important for the motorcycling fraternity. Motorcyclists have very little protection. When they ride their motorcycles, they have to make sure they are riding for everybody else. They have to make sure they are aware of everything that is going on around them so that they are not placed in a very dangerous situation or involved in an accident.

This legislation is extremely important for safety reasons for motorcyclists. If somebody is hit on a motorcycle, it can be disastrous. One of my mates, Bruce Rowan, who was the mayor of Melton, did come off his bike. There is very little protection, so we need to protect motorcycle riders in Victoria from people who are alcohol or drug affected. This legislation is extremely important.

Deaths are unacceptable. The 1066 campaign, as my honourable friend the member for Essendon mentioned, came after 1066 deaths on our roads. That was way too many deaths back then and the 200 people today is 200 too many. We have to keep reducing the road toll. We have to have an aim or a key performance indicator — a target of zero deaths on the road — because the impacts come not only from the deaths that occur but also from the injuries, the maiming and the subsequent problems that individuals and families have after there are accidents.

This Parliament has been bipartisan on this issue over a very long period of time. My honourable friend the member for Sandringham talked about that. Both of us have been here only a short time in the Parliament! Despite that, we both remember the discussions and the debates we have had to try to reduce the road toll. It is important. It has been a bipartisan position. The parliamentary committee on roads is an important aspect of this Parliament.

I want to pick up a couple of points that members have talked about during this debate. I want to pick up a point made by the member for Lowan. Firstly, I want to remind the chamber of the slogan that the National Party-cum-Country Party-cum-Vic Nats — whatever they want to call themselves, the very poor representatives of country and rural Victorians — had before 2010. It was 'Fix country roads. Save country lives'. That was their mantra. Then at the end of 2010 they forgot it. The Nationals forgot their mantra because they had people around the cabinet table who, year after year, saw the roads maintenance money fall away from what was allocated to country Victorians. Every year of the four lazy years of the Geoff Shaw

government, country people and communities were duded by the National Party.

The member for Lowan talked about road maintenance for a road in her electorate that needs upgrading. The previous member for Lowan was there around the cabinet table. We have had the member for South-West Coast do the same thing. He was the Premier sitting around with the cabinet, and he has had the temerity since we have come back after the last election to complain about the worst road in Victoria. What did his government do for four years? What did the previous member for Lowan do for four years sitting around the cabinet table? Those members were waiting for the sangers. That is all they were there for. They were waiting for the sangers and to be taken home in the white car with a driver because that is all they were there for.

We have had increases to roads and maintenance funding for country Victoria. We are serious about this issue. It is not just the potholes; it is about making sure that country communities — the individuals and families who are driving on our roads — are safe on those country roads. It is awful when we get members on the other side of the house coming in here and just reading the talking points they have been given by a shadow minister who is too lazy to do any work. Why is the shadow minister in this portfolio too lazy?

Mr Clark — On a point of order, Speaker, to date this bill has been debated on a bipartisan basis. I draw your attention to standing order 118 about imputations of improper motives and personal reflections on members, and I ask you to ask the member to come back to the bill rather than casting personal aspersions against other members of this or the other house.

Mr NARDELLA — On the point of order, Speaker, there have been a number of points made by other members about whether heroin and other opiates can be tested, and that is what I am talking about. That is one of the aspects of the bill, and I am raising it because other members have raised it in the debate.

The SPEAKER — Order! I do not uphold the point of order advanced by the manager of opposition business. However, I do believe that the member for Melton, as a very senior member of this house, can come back to the bill before the house, the Road Safety Amendment Bill 2015.

Mr NARDELLA — We have had the situation where on the Neil Mitchell program we had to have Inspector Boorman come out to say that the falsity that was put on this bill by the shadow minister, who has

been briefed on it, is not true — that is, that opiates and other drugs can be tested for once the blood sample is taken if there is a serious injury or accident. It is really important not to scare communities. It is really important if you are a responsible person within this Parliament on either side but especially on the opposition side that you get your facts straight, that when you go to a briefing you ask questions, and that you do not just go to a briefing and not ask questions.

The last thing I want to talk about is that the honourable member for Lowan gave an incorrect statement to the house in that she said no money from the ice task force has been put into south-western Victoria. That is patently incorrect. Unfortunately, she should start reading the newspaper because the Minister for Mental Health was in Ballarat and announced funding of \$24.6 million, including \$2 million in addition to alcohol and drug services for the south coast contract. Members should bear in mind that she said no money had gone to her electorate in western Victoria, yet funding of \$200 000 for the South West Health Centre was allocated from the ice task force.

This is important legislation. I urge honourable members to read the bill and understand it.

Debate adjourned on motion of Ms SPENCE (Yuroke).

Debate adjourned until later this day.

CORRECTIONS LEGISLATION AMENDMENT BILL 2015

Second reading

Debate resumed from 24 June; motion of Mr NOONAN (Minister for Corrections).

Mr CLARK (Box Hill) — This is a bill about parole and corrections, and the part they should play in helping to keep the community safe. However, what is most noteworthy about the bill and the minister's second-reading speech is not what they say, but what they do not say. The bill makes a range of worthwhile administrative changes, but it does nothing that shows any commitment by the government to continue and take forward the fight to rebuild community safety that the Liberal-Nationals coalition government undertook throughout its four years in office and was committed to continuing had it been re-elected.

In short, the Labor Party continues to sit on a barbed wire fence when it comes to whether or not it backs the law and order reforms that were made by the coalition. Labor does not want to say that it does, but it does not

want to say that it does not. To make matters worse, the current Labor government shows no signs that it has any understanding or realisation that a lot more still needs to be done in many different areas to build on the reforms that the coalition was able to put in place in just four years in office. At best, Labor is saying that it backs the coalition reforms and will sit pat on them, but at worst the current Labor government is degrading or scrapping our reforms. The government seems to have no heart for continuing on any sustained or systematic basis the work needed to strengthen the law and the rest of the justice system in the fight against crime.

Regrettably, those now in government still seem to be in the thrall of former Attorney-General Rob Hulls and his soft-on-crime approach, which contributed to spiralling violent crime, widespread contempt for the law, despair in many quarters at the sentences handed down in our courts, and the tragic deaths or serious injuries of many who may well still have been alive and unharmed were it not for the chronic failures of the justice system over which the previous Labor government presided. Under the Liberal-Nationals coalition, justice ministers were committed to rebuilding respect for the law, giving police the powers they needed, introducing longer sentences to better deter offending and protect the community, ensuring that jail means jail, and making clear that parole is a privilege to be earned rather than an entitlement to be taken for granted.

With law and order, as with so many other areas across government, coalition reforms and initiatives are either being torn down or run down by the Labor government. We have seen the repeal of the move-on laws, giving open season to thugs and bullies of the union movement, and to the violent antidemocratic bigots of the extreme left. We have seen the scrapping of the building and construction industry code, seeking to pay off the Construction, Forestry, Mining and Energy Union (CFMEU) and return to the law of the jungle on building sites, thus opening the way for stand-over merchants and crime gangs to flourish.

We have seen the Attorney-General stand by and allow the Court of Appeal's open-ended judgement in the Boulton case to create havoc with lower court sentencing and bail without lifting a finger to fix it. This was confirmed just recently by the government's dismissive response to the concerns raised by my Legislative Council colleague Edward O'Donohue, a member for Eastern Victoria Region. In corrections, we have even seen Labor manage to bungle the implementation of prison smoking bans, despite having seven months to implement a reform that Labor commended when it was in opposition, and that

jurisdictions such as New Zealand and the Northern Territory were able to introduce without missing a beat.

Now we have the bill before the house. The bill accepts the far-reaching reforms in the parole laws made by the previous coalition government, yet the government still cannot bring itself to endorse them unequivocally. It still has not made clear whether it intends and commits to keep and build on those reforms or whether it plans to water them down one drop at a time whenever it can see an opportunity to do so.

The coalition's reforms overhauled the parole system to make them the toughest in Australia. I will remind the house of some of the key elements of those reforms. We legislated to make community safety the paramount consideration in parole-making decisions; legislated to make breach of parole a criminal offence; implemented the 23 recommendations of the review undertaken by former High Court judge Mr Ian Callinan, AC; and delivered a \$84 million parole reform package in 2014, including \$35 million for the overhaul of community corrections.

We ensured that serious violent sex offenders were dealt with differently so that they have to complete required treatment and be of good behaviour in prison before they will be considered for parole. We required serious violent sex offenders to go through a two-tiered process to be eligible for parole. We required all offenders with sentences of more than three years to apply for parole. We required all offenders who reoffend while on parole to serve at least half their remaining parole period in prison before being reconsidered for parole.

We more than doubled the budget for the Adult Parole Board of Victoria, increasing the number of full-time members from one to four, including the appointment of the first full-time chair. We delivered a new IT and case management system for the adult parole board. We increased the transparency of the adult parole board by requiring it to report in its annual report on the number of people convicted of a serious violent offence while on parole. We required registered victims to be given at least 14 days notice before a prisoner is released on parole. We introduced a range of programs to enable prisoners to address the causes of their offending behaviour, and we introduced GPS monitoring. That is a pretty solid set of reforms introduced under a coalition government in just four years.

Labor in general, and the current minister in particular, were highly equivocal when in opposition about the coalition's law and order reforms. There was a matter of public importance debate on 11 June last year, for

example, where the now Minister for Police, then in opposition, described the coalition government's law and order policies as 'failing'. He described spending on public order and safety as being 'out of control', and he said the then government was 'delusional and dysfunctional' over law and order. He even had the nerve to criticise the coalition government for not turning around Labor's violent crime explosion quickly enough.

Now of course the latest crime figures are showing encouraging signs that the coalition's reforms are paying their first dividends, with a fall of 4000 offences over the past year in non-family event-related crime and a substantial slowing in the rate of increase in family event-related crimes against the person. There is a lot more to be done, but the early evidence is encouraging that the coalition's law reform initiatives are making a positive difference in enhancing community safety.

Since the minister came to office he has been on both sides of the argument. In at least one major interview he said that the previous government did essentially launch a major reform program of the parole system and that there is no doubt our parole system is no longer a right; it is a privilege. However, the minister has also criticised the coalition government's tough-on-crime approach for producing what the minister claimed were overcrowded jails. In this house the minister said:

Over the past year the adult parole board and the parole system more broadly have moved through substantial reform. Victoria now has the toughest parole system in the country. This means that parole is harder to get and more tightly managed in the community, and the consequences for breaches are more significant. The parole board is larger and better supported by more staff and better systems.

One would assume that those are words of grudging endorsement — and let us hope that that is the case — but one is also left with the nagging suspicion that the minister feels obliged to bite his tongue lest he receive an earful from former Attorney-General Rob Hulls and the soft-on-crime brigade. That is a big worry, because Victoria cannot afford to have a government that is not committed to continuing the reforms and the strengthening of the law and the justice system on which the previous coalition government embarked. About all we had on this from Labor prior to the last election was a handful of promises of new ice-related offences, promises that largely replicated existing offences, with maximum penalties that have little chance of resulting in higher actual sentences for serious drug pushers. In stark contrast, the coalition recognised that there is still a lot more that needs to be done if we are to return Victoria to the generally safe

and law-abiding society that many of us in this house were able to enjoy when we were growing up.

Further reforms and needs that were identified and committed to by the Liberal-Nationals coalition ahead of the last election included additional front-line police, further updating and strengthening of the law on police investigation powers and use of fingerprint DNA and other forensic evidence, requiring debt collectors to be registered and to be fit and proper persons, trialling a GPS monitoring system for high-risk family violence perpetrators that allows victims to be warned when a perpetrator becomes near, piloting data sharing between police, corrections and courts using advanced software technology to allow identification of high-risk family violence perpetrators, allowing details of serious youth offending to be made public if the offender commits a further serious offence as an adult, and giving police the power to drug test anyone arrested for an indictable offence and suspected of being under the influence of drugs.

We committed to compulsory ongoing drug testing for those sentenced to a community corrections order for ice-related offences. We committed to halving the quantities of ice for which traffickers are liable to longer jail terms, to unexplained wealth laws and to asset forfeiture. We committed to strengthening the power of the Director of Public Prosecutions to appeal against inadequate sentences. We committed to four-year statutory minimum jail terms for those who attack and cause serious injury to their victims in breach of a family violence order. We committed to indefinite jail terms for repeat killers or serious sex offenders who go on to offend again after having been released from jail for their previous offence, and we committed to expanding the use of GPS monitoring to allow monitoring of persons on bail and criminal gang members subject to control orders. Even in what we set out prior to the last election we committed to a substantial body of further reforms to enhance community safety in this state. While the incoming Labor government has continued with a handful of these measures, the vast majority have been shelved.

However, just because Labor has turned its back on the need for ongoing reforms does not mean the problems have gone away. Almost nightly on the evening news, and in our morning newspapers, we hear and read about continued horrific crimes and continued contempt for the law by offenders. There is much that still needs to be done, but no sign that the current government has any intention of doing what is needed. Certainly the bill before us does not make big picture reforms. Its measures are administrative and mechanical.

The bill makes a range of amendments to the Corrections Act 1986, such as making clear that parole is automatically cancelled when a prisoner is imprisoned, whether in or out of Victoria, for an offence committed either before or during the parole period. The bill extends the time limit to file a charge for breach of a parole condition from 12 months to 2 years from the date of the alleged offence. The bill introduces new provisions in setting out the powers and procedures for the adult parole board in relation to taking evidence at parole hearings. These provisions that are put in the Corrections Act 1986 are in place of provisions that were formerly in the Evidence (Miscellaneous Provisions) Act 1958.

The bill permits the Secretary of the Department of Justice and Regulation to authorise departmental officers to fulfil the position of secretary and acting secretary of the board. The bill permits the Secretary of the Department of Justice and Regulation to authorise departmental officers to exercise the statutory powers and functions of a community corrections officer or regional manager. The bill makes statutory provisions for the recently created new positions of parole officers. It clarifies the minimum quorum for meetings of the board when deciding questions. It provides an explicit power for a prison governor to require a prisoner to be electronically monitored. It clarifies provisions authorising information, use or disclosure, including for crime investigation purposes.

The bill updates the list of bodies and persons whose correspondence may not be read or censored by prison staff. The bill also makes a range of housekeeping amendments, including obsolete references to the repealed Serious Sex Offenders Monitoring Act 2005. It also, in part 3, amends the Parole Orders (Transfer) Act 1983 to validate certain past parole order transfers made under the national scheme. These are modest and limited technical and housekeeping measures. With one qualification, which I will come to, they make improvements to the parole regime and operational practices, Adult Parole Board of Victoria procedures and departmental corrections procedures. They are, as I say, worthwhile changes that seek to improve legislation and administration.

There is, however, one matter that I wish to raise in debate. It is a matter that was flagged by the Scrutiny of Acts and Regulations Committee (SARC). I think it is a worthwhile query that I hope the government will address during the course of debate. SARC in its recent *Alert Digest* No. 8 of 2015 at pages 4 and 5 refers to clause 3 of the bill, which relates to the cancellation of parole when a person is sentenced to a period of imprisonment, whether in Victoria or elsewhere. SARC

is concerned that the word 'elsewhere' may cover other, non-Australian jurisdictions, whether or not that is intended or appropriate. SARC in its report refers to the fact that the explanatory memorandum of the bill remarks in relation to clause 3:

Clause 3 makes clear that any prison term imposed by an Australian court at sentencing requiring a Victorian offender ... to be returned to prison automatically cancels their Victorian parole.

The explanatory memorandum is referring to prison terms imposed by an Australian court, but SARC, on its reading of the bill, believes that the provision could apply to any court anywhere around the world. I have to say that on my reading of the bill SARC would seem to be correct, because new section 77(7A) says:

If the prisoner is sentenced, whether in Victoria or elsewhere, to another term of imprisonment while on parole, the prisoner's parole is taken to have been cancelled on the sentence being imposed.

There is at least an issue to be clarified as to the intention of the legislation and whether it refers to sentences imposed in other Australian jurisdictions or anywhere else in the world.

SARC goes further than that. It refers to the judgement of Court of Appeal Justice Weinberg in the decision that this bill seeks to overturn. I quote the SARC report quoting Justice Weinberg as follows:

Assume, hypothetically, that a person on parole in Victoria is sentenced, in absentia, to a term of imprisonment by an overseas regime, for offences committed years earlier. Can it be that this would have the automatic effect of cancelling that person's parole, possibly rendering him or her liable to years of additional incarceration? Would a sentence of imprisonment of perhaps several days, in a foreign jurisdiction, lead automatically to cancellation of Victorian parole?

I think that point, made by Justice Weinberg and reiterated by SARC, is well worth making. On the one hand you can say that if a Victorian offender on parole goes overseas, commits a serious crime and is justifiably jailed by that overseas jurisdiction, they ought to have their parole cancelled here in Victoria. But one could also see what I think is probably the subtext of Justice Weinberg's remarks: that not every jurisdiction around the world has the high standards of justice that we are generally fortunate to enjoy here in Australia. A charge that may have little merit may result in someone being sentenced to a term of imprisonment, even in absentia, by an overseas court, in a jurisdiction with far lower standards than we have. It is fair to ask whether that is intended to automatically result in the cancellation of parole in Victoria, and if so, whether that should in fact occur. I do hope the

government will respond to that point in the course of debate.

SARC goes on to raise a further point. There may well be an appropriate answer to it, but I think it is worth placing on the record that SARC asks what exactly is intended to be covered by the word 'imprisonment'. It states that:

... under New South Wales legislation, the term 'sentence of imprisonment' includes sentences served at drug treatment centres, at home or (under intensive correction) in the community.

It may well be appropriate to say that one of those sentences in New South Wales should result in cancellation of parole in Victoria. But again, this is an issue that needs to be clarified so that at the very least everybody knows where they stand. If the government concludes that inadvertently the legislation does not say exactly what it intends to say, that should be corrected.

As I said earlier, overall, and subject to that qualification, the amendments made by this bill — albeit that they are limited, technical and of a housekeeping nature — do make improvements. We certainly hope that they have been drafted effectively and that their implementation has been well planned and will be well carried out. We do not oppose the bill. However, there is much more that needs to be done to make Victoria a safer place to live, and regrettably the government is showing no signs that it is prepared to do what is needed.

Mr CARROLL (Niddrie) — It is my pleasure to rise to speak on the Corrections Legislation Amendment Bill 2015 and to come out of the sort of sleep I have just been in. I thank the member for Box Hill. While he was speaking, though, I had a quick look at his website, and I know he has been doing a bit of night-time reading lately. Members will not believe what he has been reading: Joel Deane's book *Catch and Kill — The Politics of Power*. The member for Box Hill himself has a review going on the Bracks and Brumby years, and I congratulate him.

We have seen what opposition members have done this week. They have come back from the winter break and been hit around the head by the Treasurer. The shadow Treasurer has had one of the worst weeks you could imagine. So the member for Box Hill is doing a review on effective, sustainable, great government, and I urge him to continue and to teach his colleagues how to run not only an opposition but a government as well. I want to tell him first and foremost, though — and this may surprise him — that if there was something the previous

government did right, it was parole reform. That government did do parole reform.

Members need to remember, however, what we had during the last four years. It was a Baillieu-Napthine-Shaw minority government. The parole reforms would not have got through without the support of the Daniel Andrews Labor opposition. We supported all of those reviews, including the Callinan review, which was done in the wake of a tragedy, and we supported all the reforms all the way through.

I have read the Callinan review. It is a good document. The member for Box Hill will probably like this: on page 13 there is a quote from Sir Winston Churchill, who as the Home Secretary in a speech in the House of Commons on 20 July 1910 said:

The mood and temper of the public in regard to the treatment of crime and criminals is one of the most unfailing tests of civilisation of a country. A calm and dispassionate recognition of the rights of the accused against the state, and even of convicted criminals against the state, a constant heart-searching by all charged with the duty of punishment, a desire and eagerness to rehabilitate in the world of industry all those who have paid their dues in the hard coinage of punishment, tireless effort towards the discovery of curative and regenerative processes, and an unflinching faith that there is a treasure, if you can only find it, in the heart of every man — these are the symbols which in the treatment of crime and criminals mark and measure the stored-up strength of a nation, and are the sign and proof of the living virtue in it.

These are the sorts of values the Andrews Labor government, led by the Minister for Corrections, who is also the Minister for Police, and the Attorney-General are trying to bring back to our law and order system. We inherited a complete mess. I will get onto the legacy we have inherited. Let us just go through it. There has been an unprecedented growth in Victoria's prison system. Our prison population skyrocketed by over 1500 prisoners, with the previous government failing to manage this rapid change. It is unbelievable. I was doing a bit of research. Can members believe that the waste treatment plant for Barwon Prison and Marngoneet Correctional Centre was unable to cope — a working sewerage system, a basic requirement, and it could not even cope with the demand.

I represented the Minister for Corrections at the corrective services ministers' conference in Darwin recently. Everyone there wanted to know about the previous government and the skyrocketing prison population and what we were doing to address it — and we have been addressing it. Finally there has been a stable prison population level, and the new Minister for Corrections ought to be congratulated.

I also want to refer to the shameless effort of the Leader of the Opposition during the prison riots when he went on 3AW radio and called that minister a 9-to-5 minister, even though the minister is one of the hardest working ministers we have ever seen and could teach the lot opposite much. It was terrible, it was shameless and it was uncalled for. A serious situation required a serious response from both sides of politics, and the minister should have been supported.

In his contribution the member for Box Hill also spoke about ice and said we had\ve not done enough. The Premier led the response to ice. He has taken a leaf out of the book of the New Zealand government and set up a whole-of-government approach and an Ice Action Plan, and he should be congratulated as well.

As I said, however, the Callinan review was something we supported. We were very keen to see the two panels for the granting of parole introduced. The previous government's commitment to boosting the staff of the adult parole board was welcome. A systematic, streamlined vigilant approach to parole is very important.

The nature of the legislation before us today, though, is very much to do with procedure. It is not dealing specifically with the laws of parole. It goes through a whole raft of changes that are very important. It deals with automatic cancellation of parole due to reimprisonment, increased time limits for the prosecution of breaches of parole, and amendments on other matters, including powers and procedures of the board in relation to taking evidence, particularly those in relation to evidentiary tools, which will enable the board to require production of documents and other things and which relate also to attendance of witnesses and to obtaining evidence. The board may also require evidence to be provided on oath or affirmation and may also use a video link.

One thing that came out of the Callinan review was the attempt — this was something former Justice Callinan attempted — to ensure that the Victorian community knew that parole was not automatically granted; it was something that had to be earned. I have recently been to Barwon Prison, and I have also been to the Marngoneet Correctional Centre, and I have seen the programs that have been put in place. I have been to the Beechworth Correctional Centre and I have seen Dhurringile Prison, and I have to say our corrections services and the work they are doing are first class.

If we are to be fair dinkum about what our justice system is encountering, however, we need to look at the overcrowding of our jails. The *Age* editorial of 9 May

was headed 'Why our crowded jails have revolving doors', and it said:

When politicians are banished from the government benches to opposition, they tend to spend some time sulking and bemoaning their fate. Letting go of the reins can be hard. The most effective opposition teams, though, take the time to pause and reconsider their suite of policies. They recast their strategies, they learn to embrace the important role that oppositions should play in probing and challenging government policies, while taking time to develop coherent policies that one day might win them the support of the electorate.

...

... At the state level, it appears there is still a long way to go before the deep thinking begins inside the coalition. That much is apparent from the half-witted comment uttered this week by the coalition's spokesman on corrections matters, Edward O'Donohue, in relation to prisoner recidivism rates.

That was referring not to a comment of the member for Box Hill but a comment of a member in the upper house. The editorial went on to say:

What did Mr O'Donohue have to say about the recidivism rates? He suggested the real issue was 'whether [Premier] Daniel Andrews wants to go soft on crime and wants to back the welfare of criminals instead of safety in our community'.

I mean, really? The editorial continues:

Welfare? So that's what Mr O'Donohue thinks of rehabilitation strategies: that they amount to welfare for criminals.

What an extraordinarily doltish response by someone whose primary task until November was oversight of the state's prisons and crime prevention strategies.

Let us be very clear about this. As the editorial continues:

Victoria is not in the grip of a crime spree —

as the previous government would want us to think.

It is not riddled with gangsters, thieves, thugs and fraudsters. It has been, until last year, in the grip of a clutch of conservative politicians who, like Mr O'Donohue, prefer to play populist politics rather than understand and implement the most effective strategies to improve our community and make it safer.

Interestingly Jesuit Social Services recently released a report called *Dropping Off the Edge*. One thing that came out of that report is that for 40 years in disadvantaged areas there has been no change. If we are to make change, we need to look at working with communities, working with rehabilitation providers, looking at economic development and focusing on young people. I visit a lot of courts, and the officers often tell me, 'Ben, the issue that needs to be addressed

is with our school system. If you can, work with schools as soon as there is a truancy matter. Have that child, that student, dealt with. Give them all the wraparound services they need'. One thing that also always comes up is support for rehabilitation. Once upon a time, back in the 18th century, it was just about locking up prisoners and throwing away the key. The 21st century is about giving people a second chance by rehabilitating them, providing that they need it and deserve it and that they want to become contributing members of our community.

Under the previous government we did not see the Drug Court extended; we did not see any investment in restorative justice. I give the previous government credit in that it did not shut the court down. It had a good look at the human rights charter, and it kept it, but it was on the edge there. It looked 50-50 there for a while but the previous government kept it. Let us work together to make sure our justice system is not just a revolving door. I commend the bill to the house.

Mr NORTHE (Morwell) — It gives me pleasure to rise this afternoon to speak on the Corrections Legislation Amendment Bill 2015. As the member for Box Hill said, this bill does a number of different things to contemporise the issues around corrections and parole. There are 9 or 10 key areas to this bill, which I will go into shortly. The issues of law, justice and corrections can be quite contentious, and over preceding years there has certainly been plenty of discussion around these issues. We as legislators absolutely have a role in making sure that community safety is paramount in considering any introduction or amendment of laws around justice. Community safety must be paramount, and we are certainly supportive of any legislation debated in this Parliament that does that.

The matter of parole in particular has been the subject of much scrutiny in recent years. Unfortunately we have had some horrific and tragic cases over these past few years, and the articles and public outcry with respect to cases such as that of Sarah Cafferkey and Jill Meagher exposed at that time the inefficiencies that we had to contend with in our parole system.

I will take up some comments the member for Niddrie made in his contribution. We welcome the adulation! The member for Niddrie said that he welcomed the reforms the coalition government put in place when in government, but — there is always a 'but' — at the same time he seemed to be taking credit for these reforms by saying that they were really Labor's or that without Labor's support those laws would not have passed. The reality and the fact of the matter is that Labor had 11 years preceding the coalition's time in

government to do something about reforms in parole, and that certainly did not happen.

There are 10 or 11 key aspects to this bill. There are reforms around the automatic cancellation of parole due to reimprisonment in or outside of Victoria. What we have in the current situation is the provision that if a prisoner is sentenced to another prison sentence while on parole, their parole will be taken to have been cancelled on the sentence that was imposed. As we know, in February this year there was a Supreme Court judgement that held this provision did not encompass prison sentences imposed outside of Victoria, and we query whether it would apply to offences committed before the parole period. We basically have amendments now to make the automatic cancellation of parole due to reimprisonment in other states categorically clear. What comes with that is confirmation that a person cannot be imprisoned under another sentence and be on parole at the same time, and therefore they will have to comply to particular conditions of parole, because of course that person would be in prison.

There are changes to procedures for prosecuting breach of parole and extension of the time limits for response. The current situation is that a charge must be filed within 12 months of the date of the alleged offence. What this bill seeks to do is extend that time period up to two years, which seems sensible given that there can be complex cases. This time may be required to do the kind of thorough investigation that our police and detectives do, so that is a common-sense provision.

There are changes to the powers and procedures of the Adult Parole Board of Victoria in relation to taking evidence, and there are changes in relation to the secretary and acting secretary of the board. As was mentioned earlier, significant changes have been made to the structure of the parole board in recent times. This bill provides that the Secretary of the Department of Justice and Regulation may authorise a Department of Justice and Regulation employee to perform the functions of the secretary of the board. There are also some changes around departmental employees exercising functions of a community corrections officer or a regional manager, and again they go to the heart of some of those recent reforms of the parole board.

The bill introduces a new position of parole officer. There is also some clarification relating to the electronic monitoring of prisoners and prisons. There are elements of change concerning disclosure of information, protected correspondence to and from prisoners and parole order transfer amendments, and there are some housekeeping amendments in addition

to that. Whilst these changes are not substantial, they contemporise what we have. As the member for Box Hill has said on many occasions, some of these changes are sensible provisions, and they are common-sense changes.

I will digress for a moment. I would like to thank two people who have worked in my office recently. I have had two students doing work experience with me for a period of time, and they looked at some of the legislation that has been debated this week. I thank both Josh Monaghan and Brodie Logue for producing a bill report on this piece of legislation, which can be quite complex. They did a great job. Well done to Josh and Brodie.

As the member for Box Hill said in his contribution, when in government the coalition made some substantial reforms to parole, not the least of which was what was known as the Callinan review. In May 2013 we had former High Court judge Ian Callinan undertake a comprehensive review of parole in Victoria. As I articulated earlier in my contribution, some absolutely horrific and tragic cases occurred in the years preceding that review. From memory the Callinan report delivered 23 recommendations, and the coalition got on with the job of implementing those recommendations quite quickly.

A media release of 30 October 2013 by upper house member Edward O'Donohue, the then Minister for Crime Prevention, outlines a range of measures we introduced to make sure that the parole board had a full-time chairperson and to allow a retired judge to fill that position. We introduced time lines on appointments, with parole board members to serve for no longer than nine years. We mandated that registered victims be given at least 14 days notice of the release of prisoners on parole. We required that the parole board report on the number of people who were convicted of serious violent offences whilst on parole and that that would be included in the board's annual report.

At the time Mr O'Donohue went on to say that in the very near future we would implement further recommendations, such as approval of a further 10-year exemption for the Adult Parole Board of Victoria from the Charter of Human Rights and Responsibilities, increasing the board's full-time membership from two to four and increasing its employees from 22 under Labor to 31 — an increase of more than 40 per cent. The coalition worked on the implementation of a new IT system for the parole board, which the member for Box Hill referred to, and we provided a police presence at the parole board on its sitting days.

In March of last year some further changes were introduced. Under those changes, serious violent offenders and sex offenders are categorised and dealt with differently. There is a risk assessment and an identification of treatment programs to occur from the start of the sentence. Serious violent offenders and sex offenders must complete the required treatment and demonstrate good behaviour in prison before they will be considered for parole. Serious violent offenders and sex offenders will face a two-tier process to gain parole. All offenders with sentences of more than three years must apply for parole.

There is a whole range of other measures that were put in place by the coalition government at that time not just around corrections and parole but also around law and order more generally across the community. The member for Box Hill raised a point in his contribution about the introduction of additional police and protective services officers on our train stations as being among those measures. A whole raft of new community correction orders were put in place as well, so law and order was really the key focus of the coalition government while it was in power.

One would hope that this is a starting point and that the Labor government will continuously improve law and order in this state, because that is what the community wants and that is what the community expects.

Ms THOMSON (Footscray) — I rise to speak on this bill, amazed at the contribution by the member for Box Hill, which was both outrageous and incredibly arrogant. To suggest that the former government was the purveyor of all that can be done to reduce crime rates and that the responsibility for ensuring that we are a safe community rests on one side of the house and not the other is outrageous and totally untrue. In fact this side of the house fully supported the amendments that were brought to the house as a result of the Callinan report on parole. We made it very clear that our support was bipartisan, and the member himself referred to the fact that credit was given to the coalition when it was in government for bringing in those legislative changes — so why the vitriol when he got to his feet? Why was there a need for that vitriol at all? The reason is that members of the opposition think there is only one solution to crime — that is, to lock them up. That is not true.

What we need to be looking at is the range of fundamentals that cause crime to occur in the first place. Do members of the opposition care about that? No. Did they care about it when they were in government? No. In fact we saw the greatest cuts to TAFE under their watch — the very thing that would

give people a chance to have a job rather than commit a crime. TAFE would have given them a sense of wellbeing, self-awareness and pride that would prevent them from committing a crime. But no, the then government was prepared to slash and burn TAFE. During that time it spent over \$450 million on the prison system. Why did it do that? Because crime rates were increasing. It was not dealing with the underlying problems that cause crime in the first place.

I remember getting up in a debate — I think it might have even been about the TAFE cuts — and quoting Victor Hugo. Let me quote him again for members opposite, just in case they were not there. Victor Hugo wrote a very long time ago:

He who opens a school door, closes a prison.

That is so true today. It is as true today as it was when Victor Hugo wrote it. That needs to be taken into account. Do we need to be hard on hardened criminals? Yes, of course we do. Do we need to ensure that we are protecting citizens from those who would commit a crime against the person? Yes, of course we do. Did we support the bill on parole when it came to the house? Yes, we did. We certainly did, and we did it in a bipartisan way.

However, in the time the opposition was in government there was a 45 per cent increase in recidivism. I would have thought we had a responsibility to the community to work to ensure that people do not reoffend. We should not be making this a simple case of 'lock them up and throw away the key' and in doing so putting extraordinary pressure on the prison system so it cannot cope. That is an outrageous course of action to take.

If opposition members want to be sincere about the parole legislation that they introduced, they should be sincere about the fact that it was bipartisan. They need to understand that there are issues across the divide of this Parliament on which we stand as one. That is an important message to send out to the community. There are big issues that we can agree on, and this was one of them. We supported the changes that were made to the parole legislation by the opposition when it was in government. Shame on the member for Box Hill, who thought that being vitriolic in his address to this chamber was going to be beneficial to the debate. It is not. The community needs to know we will act as one on these issues. That is a very important signal we should be sending.

This bill clarifies issues that were in contention. They will now be clear in the legislation. They include the automatic cancellation of parole due to re-imprisonment, the increased time limits for

prosecuting a breach of parole and the powers and procedures of the board in relation to taking evidence. There are other parole-related amendments, such as the electronic monitoring of prisoners, the protected correspondence of prisoners and the validation of past decisions under the parole order transfer scheme.

All of the provisions in the bill clarify those issues and make them clear. This makes the legislation easier for the parole board to administer and takes care of other legislative requirements relating to the increase in the time limit for Victoria Police to lay a charge for a breach of parole from 1 year to 2 years from the date of the alleged offence. These are all necessary and important provisions to enable us to ensure that those who should be locked away are properly locked away and that there is a law to ensure that that actually occurs.

There is no contention about the legislation. There is no opposition to it. Everyone agrees this is the right thing to do. We need to be making these changes to the legislation to ensure that we are protecting the parole system, that it is working well, and that we are doing what the Victorian people expect us to do. They expect us to have a raft of responses to crime, not one single response, not just to lock them away and throw away the key. The Victorian people understand this is a far more sophisticated debate than that. It is about providing an opportunity for our young people and ensuring that they are not put in a position of choosing crime over constant unemployment and feeling worthless. It is about making sure that our school system is there to look after our most disadvantaged and about properly funding that system to ensure that those kids have bright futures, not ones of going to prison. We need to ensure that, if someone does offend, we are putting pathways in place so that they will not reoffend, and that we get them before they get to serious crimes, before they commit crimes against the person.

We need to make sure that we are providing opportunities and alternatives for those people. We need to have severe sentencing for those who commit the ultimate and the worst of crimes, whether they be sexual assaults, harsh and dangerous physical assaults, domestic violence that is repeated or going, or murder. Whatever it is, where there is a real danger of physical harm to a person, the perpetrators should have to face serious charges, but there is not one model for everything, and there is not one solution to crime in this state. We need to be more sophisticated than that. I believe we are more sophisticated than that. We need to have sophisticated debates about how we bring crime rates down. We need to be sophisticated about how we

make communities feel the need to look after one another. We have a responsibility to keep every member of the community safe, to look after one another and to give a sense of pride to the community. All of that is crucially important, and it all has to be included as part of how we bring down crime rates.

Being simplistic with this issue and saying that we have to come out with the heavy guns every single time does not do anyone any favours. Let us be more sophisticated in this place. Let us show there are some bills that come before the Parliament that we all support, of which the parole legislation is one; then let us look at the very serious underlying factors that lead people into crime; and let us work together to ensure that we cut that crime rate down. I commend the bill to the house.

Mr HIBBINS (Pahran) — I rise to speak for the Greens on the Corrections Legislation Amendment Bill 2015, which makes several amendments to the Corrections Act 1986 in relation to the parole and prison system. The Greens do have concerns about certain provisions in the bill, but will reserve our right to address those concerns when the bill is in the Legislative Council. We will not be opposing it in this place, but in my contribution I will reflect on some of the clauses with which the Greens have concerns.

We must acknowledge that there have been systemic failures in our parole system that have led to some horrific crimes being committed, and we must be vigilant in ensuring that our parole system protects our community. But we also must be vigilant in ensuring that the parole system does not jeopardise the rehabilitation of prisoners, because that is not in the public interest.

In relation to some of the key provisions in this bill, I will just flag some of the concerns the Greens have, which as I said we will reserve the right to address in the other place. In regard to clause 6, which updates the powers and procedures of the Adult Parole Board of Victoria, we raise the need for the government to explicitly provide for prisoners to have the right to legal representation before the board and to seriously consider funding this through legal aid, with a prisoners legal service like the model used in New South Wales. Given the seriousness of the parole process and issues around parole and the introduction of penalties for not answering questions or not providing documents without reasonable excuse, it is important that prisoners have legal representation so that they fully understand the proceedings, their rights and the consequences of their actions. It is important because many prisoners are not well educated, and a high percentage of them have

intellectual disabilities and mental illnesses and disorders.

I also refer the house to clause 21 and particularly the fact that there is no distinction between serious and more complex breaches of parole and minor breaches of parole. This is in contrast to the distinction that exists in relation to charging for summary offences. There is a distinction in the law between serious and less serious offences, so if the government wants to increase the time to deal with more serious and complex breaches of parole, it should do so only for those that are more serious and not for all breaches.

The third issue that I raise is in regard to electronic monitoring. Although we are concerned that this explicit power for electronic monitoring could lead to its overuse, if it is to be used there is a need to establish an independent prison inspectorate to ensure that prisoners' rights are not abused. There are already problems with electronic monitoring in Victorian prisons not being reliable and being used as a stopgap measure to deal with prison overcrowding. We urge the government to fully resource prisons and implement justice policies to ensure that there are no problems with prison overcrowding, which we know was of serious concern under the previous government. We believe there is no need for electronic monitoring in prisons.

We believe a much better use of the technology is in home detention. We urge the government to bring back home detention as a sentencing option. Furthermore, to assist in prisoners' rehabilitation and to ensure the safety of our community, the government needs to ensure there is access to education and training programs, programs to prepare prisoners for release, rehabilitation programs and offending behaviour programs from the start of their detention.

As I said, the Greens will not oppose this bill in the Assembly. However, I have flagged some concerns that we have with the bill and we will be reserving our right to amend or oppose the relevant clauses in the other place.

Mr PEARSON (Essendon) — Yet again we have a 5 minute contribution from only one member of the Greens, with the Greens again failing to use their allotted time to talk about issues which they purport to have some concern about. That was another lame, lazy performance from one of the worst parliamentary groups this Parliament has ever seen. It is just sheer and utter self-indulgence and lazy behaviour from a couple of dilettantes who have no place here, no interest in public policy and no interest in doing the hard yards

that you would expect someone in a major political party to do.

The thing that I would say about The Nationals and Liberal parties is that although Labor members often disagree quite vehemently and engage in robust debate with them on certain issues, but I will hand it to the member for Box Hill, he certainly does his work. I will not agree with him on many issues, but I will give credit where it is due. He is a hardworking member of this place and has been since 1988, unlike some blow-in from Latte Central, who just sits on the sidelines and makes pathetic little comments of no standing and no relevance. then he says, 'We'll follow these matters up in the Legislative Council'.

That blow-in is just a lazy dilettante who passes the buck up the line to the Council. He is not prepared to go into battle. He is not prepared to do the research and do the fighting. No, he just wants to defer it to his colleagues in the upper house. What a lazy, pathetic example of a representative. Honestly, you have to be joking! Despite the member's tawdry and poor contribution of 5 minutes, this is a serious piece of legislation. It represents a significant change in the parole system.

Importantly the bill focuses and turns on harmonisation in relation to the legislation and the regulation of the parole system, as you would expect. We need to make sure that a degree of harmonisation exists across the jurisdictions, and this bill picks up on those weaknesses and changes them. The reality is that legislation must change and reflect the times in which we live. That is what you would expect in any Parliament. All members of this place and the other place will have been appalled and sickened by the instances of violence committed by people on parole. It is important that legislation which is put before the Parliament reflects that broad community outrage and white-hot anger that occurs when ordinary law-abiding, innocent citizens have either been a victim of a serious violent crime or have lost their lives to persons who are on parole. It is important that this bill addresses those concerns.

The member for Prahran seemed to have a degree of outrage about the electronic tagging of prisoners. In relation to that particular issue this bill empowers the prison governor to require any prisoner to be electronically monitored. That is a good thing in this day and age, where technology is affordable and cheap. Maybe if there had been a set of circumstances where Carl Williams had been electronically monitored and they noticed that he appeared to be lying down in a room where they could not see him and he did not appear to be moving, something could have been done.

We have to embrace technology. We have to understand the need — the requirement — to embrace new technology for the security and good order of prisons and the safety and welfare of prisoners. That is only fair and reasonable. We need to be able to know that if someone is not moving, we can act accordingly and respond, as you would expect. That is a fair and sensible move.

To make clear the use of this technology in prisons, division 4 of part 2 of the bill inserts an explicit power for a prison governor to require any prisoner to be electronically monitored for the security or good order of the prison or the safety or welfare of the prisoner or other persons. That is in line with similar provisions for electronic monitoring of parolees and those on community correction orders. We should embrace this form of technology to ensure that we have good governance and best practice in our prisons.

The bill also seeks to update the list of persons and bodies whose correspondence may not be read or censored by prison staff. Again, this will be subject to inspection or disposal on safety grounds by a prison governor, by amendments and by a regulation-making power. We need to make sure that the legislation that comes into this place and enters the statute book reflects that degree of safety. We need to make sure that prisons are properly administered and properly run for the good of the broader community.

This is a very serious piece of legislation. It is quite detailed, and it is quite substantive. The fact that you are now looking at automatic cancellation of parole due to reimprisonment in or outside of Victoria is a welcome initiative. One of our great weaknesses as a federation is the fact that the states do not talk with each other as well as they could, and we do not have the level of crossover of information we would have if we were a country, like the UK, instead of being a federation.

Section 77(6A) of the Corrections Act currently provides that if a prisoner is sentenced to another prison sentence while on parole, the prisoner's parole is taken to have been cancelled on the sentence being imposed. The reason for this legislation before us is that a Supreme Court judgement earlier this year held that this provision did not encompass prison sentences imposed outside Victoria and queried whether it applied to offences committed before the parole period. We are making sure that we have picked up on these concerns and issues and corrected them.

I note what the member for Footscray said in an earlier contribution. Part of what we need to do as a society in

a broader community is to look at finding appropriate pathways for people so they can avoid prison. The reality is that the statistics show that in terms of the broader Victorian community, 80 per cent of the community finish year 12, whereas in our prison population it is only 6 per cent. That is obviously telling us something. We need to find ways to ensure that people stay at school longer and get a decent education so that they reduce the risk of being incarcerated.

Similarly there is a statistic that notes that something like 50 per cent of our prison population has an acquired brain injury. I have lived with someone who has an acquired brain injury, and it is hard. It is extremely difficult to deal with somebody when they are not the person they were. You can have difficulty reasoning with them at times. You can have difficulty engaging with them or speaking with them, and sometimes their behaviour can be quite at odds with the person they were. This is tough. It is very difficult to deal with, and it is particularly pronounced if you are looking at — it is not your mum, as in my case — say a guy in his late teens or early 20s, who is a big guy who has problems because of having an acquired brain injury.

It is important that we look at having a multilayered approach to some of these issues and make sure that we respond appropriately to people who clearly engage in recidivist behaviour and should not be let loose on the community, but we must also try to find a way of tackling the problem upstream as well to address those concerns and issues so that people do not end up in prison. I met with representatives of Melbourne CityMission recently. They indicated that if a person has five or six instances of engagement with the justice system, it almost guarantees that person has a mental illness. There are some problems there.

I note that the member for Box Hill raised some concerns about clause 3. You cannot be imprisoned and paroled at the same time. In order for clause 3 to apply you need to be in prison, and in relation to whether the clause 3 provisions for automatic cancellation of parole apply for a sentence by a non-Australian court, the answer is yes, it does apply.

This is a serious piece of work that is before the house and I come back to my earlier points. The major parties will agree on some things and disagree on others, but broadly the work ethic for both major parties on major pieces of legislation on public policy is sincere and serious, and that is reflected by the member for Box Hill's contribution today and in previous contributions, unlike the lazy dilettantes from Melbourne and Prahran who do not do the hard work and are not worthy of

being members of this place. I commend the bill to the house.

Ms McLEISH (Eildon) — I rise to make a contribution to the debate on the Corrections Legislation Amendment Bill 2015. As we have heard, this bill has a range of purposes and objectives. Largely the changes are administrative and aimed at modernising and improving the legislation. These types of changes are required from time to time because things happen in society, technology changes and there are a whole raft of things that happen, which require us to review legislation and look at strengthening it and continually making it better. The changes in the bill make general improvements to the parole regime and operational principles. There has been quite a bit of discussion about the parole regime, and I will also speak to that. There will be improvements to the procedures of the Adult Parole Board of Victoria, departmental corrections procedures and a whole bunch of other housekeeping amendments, which are typically commonsense and non-controversial.

As I have said, there are a number of objectives and I will focus on several of them. Prior to being the member for Eildon, I was the member for Seymour and located an hour or so north of Seymour is the minimum security prison Dhurringile. I had the experience of visiting that correctional centre and although it was a minimum security prison, it was interesting to see the range of people who were there. There were people who were on the back end of a 25-year or a 30-year sentence, along with people who had perhaps committed white-collar crime, and they were all ready to exit the correctional system.

I want to comment, firstly, on the contribution by the member for Footscray who said that the coalition of the Liberal Party and The Nationals has a philosophy that adopts an attitude of 'lock 'em up and throw away the key' and she went on to talk about the importance of education. It was disappointing that, as an experienced member of Parliament, the member for Footscray failed to recall that in the last term of Parliament under the coalition government the then member for Doncaster, as Minister for Community Services, did considerable work with Parkville College, which is a school at the youth detention centre, and made quite a number of changes to give those younger people in that correctional detention centre an opportunity for education to help to break the cycle of crime and give them opportunities to move beyond a life of crime. We did some very good work in that area that certainly has been forgotten.

One of the objectives in the bill is to clarify prosecution procedures for breach of parole. I spoke on provisions contained in this bill in August 2013 and I remember it quite clearly. That bill took effect in July 2014. Prior to that it had not been an offence to breach parole, but we changed the legislation to make it clear that breaching parole is an offence — it is against the law. That gave police new powers to arrest and detain people suspected of breaching parole without a warrant — and obviously there were details around that. The bill before us now clarifies the prosecution proceedings because previously there was a one-year limit in which the Victoria Police could make a charge. That has now, through this bill, been extended from one year to two years, and that is from the date of the alleged offence. It is not expected that these provisions will delay prosecutions. I know that Victoria Police were involved in the consultation, and it needs to be understood that there are some matters that are extremely complex. They take time and they are difficult to work through. It was seen that police did not want to run short of time and so it was important to extend that one-year limit to two years.

We have heard many comments about parole, particularly from the member for Niddrie, who I thought may have remembered some of the things that happened in his first term in Parliament. I understand that there are many people now in the chamber who were not here during that time, and I worry that the biased view they have been given and the failure to recall history correctly will be to their detriment. The coalition in the previous government moved to make changes to the parole system. There were some dreadful events where murders were committed by people on parole.

John Leslie Coombs is quoted as saying, 'One of my defences is going to be the fact that you' — the prison system — 'let me out', and there are all the reports that go with that. He told his partner that in 2009, after his third murder. Every time David Patrick Clifford, a violent drug offender, was given a second chance he reoffended and again committed heinous crimes while on parole. Leigh Robinson was another who committed murder. But I want to talk about William John Watkins, and this example sticks out for me particularly. The former member for Shepparton raised it because she knew the parents of the two girls in Altona who were murdered by this beast. The girls' parents were constituents of hers. The member for Shepparton carried around the photo of the murdered girls for years, and at the time she pleaded with the then Attorney-General, a former member for Niddrie, Rob Hulls, to make changes in the law. The current member for Niddrie should remember this, because the then

Attorney-General was his predecessor in the seat of Niddrie.

The then member for Shepparton pleaded with the then Attorney-General to make changes to the parole system, but he refused point blank. It took the incoming coalition government to make changes, which at the time the then Labor opposition absolutely jumped on board with. But it needs to be remembered that the Labor Party had the opportunity to make changes earlier, when the then member for Shepparton was continually raising the issue with the then Attorney-General, but he refused to act. I think the newer members of Parliament need to understand what has happened in the past.

The second element I want to focus on is the electronic monitoring of prisoners. This happens now for a variety of reasons, such as keeping order in prisons at times when there is concern for the safety and welfare of a particular prisoner or other prisoners. There is the potential to extend this beyond the current use, and this is something I support because it helps to monitor the movements of selected prisoners in certain areas and where prisoners need to remain separated. I can quite easily put this in context, based on the prison I have visited. In addition to that, there is monitoring of the health of prisoners. We need to understand that not everyone who is in prison is a picture of health; some prisoners may be asthmatic or have a heart condition. If they have monitoring and they are not moving, for example, this could perhaps be picked up as a way of preventing them from lapsing into a coma or having a heart attack and not being able to be revived.

The power rests with the prison governors, and they are able to set the duration of the monitoring, whether that is 24 hours a day, daytime or another part of the day. They will consider each case as necessary. I think that is a way of moving forward with the changes to technology, keeping in mind that it will be an offence to tamper with the device. This is in line with the same conditions that apply to people on parole or community correction orders who tamper with a monitoring device.

The third area I wish to look at is the protected correspondence to and from prisoners. There have been a number of things that have happened in relation to the range of different authorities that have been created. We need to have the legislation updated to reflect this. Prisoners have certain rights to privacy already, and what this is doing is updating the list of bodies or persons whose correspondence may not be read or censored by prison staff. Obviously this correspondence is subject to inspection or disposal on safety grounds by prison governors, but there have been a whole lot of

different oversight bodies that have come into being in the last little while.

The Independent Broad-based Anti-corruption Commission (IBAC), which was put in place by the coalition government, was claimed to be a toothless tiger, but I think it is in fact showing its teeth quite well. In addition there is the Office of the Victorian Inspectorate along with a whole range of commissioners, including the Freedom of Information Commissioner, the Victorian legal services commissioner, the mental health complaints commissioner, and the commissioner for privacy and data protection. We also have the Victorian Equal Opportunity and Human Rights Commission and its staff. The proposed regulations will include other persons or bodies, such as royal commissions, which may be set up from time to time, along with interstate bodies that are equivalent to IBAC. They are some of the important objectives that are included in this legislation.

Mr NARDELLA (Melton) — I support the Corrections Legislation Amendment Bill 2015, certainly in terms of parole. Parole is extremely important for a number of reasons. Some of these reasons include rehabilitation, reconnecting people with the community, prison management and safety within the community. Parole is used for a number of those things.

Members of the Parliament may not know this, but Mr Stinky — who in the words of the member for Eildon was an absolute germ, and people may remember Mr Stinky — would not go on parole. This man, who abused children, would not go on parole because then he would be supervised. He wanted to do his full term in jail so that he would not be supervised. That is where parole is extremely important. When prisoners leave jail and are supervised, they can hopefully be rehabilitated through that process.

One of the really sad parts about the four wasted years of the Geoff Shaw government was that we had an awful situation in which the Attorney-General at the time, the member for Box Hill, oversaw not only an increase in the prison population, which was bad in itself, but also an increase in the recidivism rate from 35 per cent to 45 per cent. He put more people in prison and did not make the community safer. The Liberal-Nationals coalition made the community less safe because people were going through the prison system and then getting out and committing more crimes.

You can be tough on crime, but the problem for the Liberals and The Nationals is that their toughness on crime did not mean they actually were tough on crime, because they were creating more crime. They were creating more people who reoffended more often.

The problem we have in this state at the moment is that although we have a Minister for Police who is also the Minister for Corrections and who is working full time through these really difficult and some would say sophisticated issues, lazy opposition members cannot even get their act together and cannot understand briefings. That is a problem with opposition members — that is, they do not understand how to work through difficult issues. They understand slogans and mantras, but to work through the evidence, statistics and research takes too much brainpower. If you put them all together, the IQ level drops. Opposition members have no solutions to crime and no idea of how to deal with criminals in Victoria. They demonstrated that time and again, year after year over their four years in government.

We need an intelligent response, and that is what this legislation will provide. It means that we are assisting the parole system to deal with the situations it finds itself facing now with the increase in the number of people who are applying for parole. We are working through the department, through other agencies, and through agencies in other states and their institutions to make Victoria safer. It is not much use talking about things that do not make Victorians safer; it has to be done in an intelligent way.

The honourable member for Prahran in his 4-minute, 53-second contribution said prisoners who go for parole should have legal representation. He obviously has not talked to the parole board. He obviously has not talked to the experts, because he talks out of his hat. He might go and have a look at the policy that the Greens have prepared in secret, which says that there should be legal representation, but he has not actually done any research. He has not done the work, and he has not talked to the parole board that has said to this Parliament through parliamentary committees that it would involve an inordinate amount of duplication and red tape to put that in place. They are dealing with so many prisoners that to have legal representation, to have those types of situations come to them on a minute-by-minute basis, would be extremely difficult. They would not be able to get through the work that they need to get through.

The honourable member for Prahran, who knows nothing whatsoever about parole or the justice system was giving his expert view — with the emphasis on

‘spert’ — to this house. I just say to the honourable member for Prahran and the Greens political party that they should do some research, do some reading and talk to people outside the cafe latte sets of Carlton and St Kilda. These are serious issues. When this legislation comes to the house, the Greens should not just parrot the slogans and spout off about their minuscule thinking, they should do some real research.

We really need to have an understanding of what the honourable member for Prahran said in his 4-minute, 53-second contribution to the house. He put to the house that there should be less electronic monitoring, because it is not working properly. That is basically what he said. He went on to say there should be fewer prisoners. However, if you have less electronic monitoring, the only option that you really have for a lot of those people is to put them in prison. What is the member saying? His muffled brain cannot think rationally or logically. He cannot put a succinct argument to this house because he is just spouting off rhetoric that he does not understand and is not about a real life situation.

I have real difficulties with this, because as I said just before, these are real issues. These are real people. Some of them have committed really serious crimes, some of them have families and others need to be dealt with in a different way, but you cannot just come into this house, say whatever comes off the top of your head and consider it to be a worthwhile and serious contribution to public debate in this house or in the community. Like my friend the honourable member for Essendon, I say it is really important, given that the Greens have three and a half years to go, that they listen to some sage advice — and you cannot get too much sager or older advice than from me — and do some research in relation to their speeches. They should get some real advice. When they are given a briefing, they should ask questions. If they have not got any questions to ask, then they should get somebody else with some brains to go with them to ask the questions. These issues and this legislation about protecting our community and families in Victoria are extremely important, and the issue of the parole system and how we make that better is extremely important. I sincerely say to the honourable members for Melbourne and Prahran that they should do some research, do some reading and learn about the things they need to know in preparing for debates in this house. They should do it properly before they stand up again.

Ms STALEY (Ripon) — I also rise to speak in the debate on the Corrections Legislation Amendment Bill 2015. Like the member for Eildon, I too have prisons in my electorate of Ripon — namely, the Hopkins

Correctional Centre and Langi Kal Kal Prison. The Ripon electorate also hosts Corella Place. I have visited both prisons on multiple occasions, and I will have more to say about these facilities later in my contribution. I agree with the member for Eildon that visiting prisons does give you an insight into what goes on in that aspect of the justice system beyond what you can get from reports or statistics.

Labor is pretty confused on some of its messaging. The member for Footscray took exception to the fact that the coalition thinks the government might not be so tough on crime. There is a reason for that perception. The Liberal-Nationals coalition is tough on crime and we act on expert advice. What members from the other side do is pretend to be tough on crime and pretend to care about community safety, but you cannot do that if you do not have a functioning prison and parole system. In the last government we inherited a situation where we did not have a functioning prison or parole system, and we set about fixing that. Admittedly the Labor Party does appear to have more of a clue about this bill than the Greens do; they did not even recognise that the bill extends some rights to prisoners, particularly in relation to who can or cannot read their mail.

I want to talk about only a couple of the bill's provisions. The first is the provision that provides an explicit power for a prison governor to require a prisoner to be electronically monitored. The Hopkins Correctional Centre in my electorate is a medium security prison and it houses many of Victoria's sex offenders. It also houses people who need protective custody, and they are often people who were themselves prison officers or police officers. They have ended up in prison and cannot be put into the general prison system because it is not safe for them. For those prisoners, having electronic monitoring is important for their safety, and it is very important within the Hopkins Correctional Centre in the electorate of Ripon. I strongly support this provision because it is about keeping our prisoners safe. It is not about looking at their every movement or restricting them; it is actually for the prisoner's safety.

The second provision I want to talk a bit about is the update to the list of bodies whose correspondence may not be read or censored by prison staff. There is quite a long list of bodies that have come into existence over the past few years, and this is a welcome extension of prisoners' rights. If prisoners complain about the prison system, if they make complaints to the Independent Broad-based Anti-corruption Commission about corruption or if they believe they need to go to the Victorian Equal Opportunity and Human Rights Commission, they can now have confidence that their

correspondence to and from those bodies cannot be read by the people they are probably complaining about. This is an extension of their human rights, and I would have thought the Greens, above anyone else, would have noticed this provision and commented on it, but they did not.

Overall the bill seeks to make some small but useful, commonsense changes to the parole system, and that led me to think about what changes we have made to the parole system and why we made those changes over the last few years. In the last Parliament, as the member for Eildon noted, there was a significant overhaul of the parole system when the then government implemented the 23 recommendations of the review undertaken by former High Court judge, Mr Ian Callinan. Members will remember that at the time there was enormous community upset because we had people being murdered and terrible crimes being committed by people on parole who in some cases should not have been on parole. There were two issues: people doing things while they on parole, but there was also the matter of how they were getting parole. The coalition reforms changed the percentages of prisoners who could get parole, and that increased the number of people in prison. It meant prisoners had to serve their full prison terms.

That issue brings me to a fundamental flaw of logic that Labor keeps repeating, about why the coalition expanded prison capacity. The Auditor-General in his November 2012 report entitled *Prison Capacity Planning* found that as part of three separate budget cycles — this is under the Bracks and Brumby governments — Labor was told to commit to a new prison but failed to do so. One of the things we talk about in this place is our population growth. Even if you have a strong view that you should not incarcerate a greater percentage of people, if our population is growing it follows that you will need more prison beds because you will have more people committing crimes even if the crime rate stays the same. That fundamental fact did not seem to get through to the Bracks and Brumby governments, so they did not sufficiently expand their prison capacity. When they finally did decide to build what was then called the Ararat jail, they so comprehensively messed up that public-private partnership that the coalition spent months going in and fixing up the terrible economic consequences in order to save it.

In my final 2 minutes and 43 seconds I want to talk about the positive impact of the Hopkins Correctional Centre and Langi Kal Kal Prison in my electorate. The coalition's initiative to increase bed numbers in those facilities has created 750 jobs. Many people who live in

Ararat, Beaufort and Stawell now work within the prison system and have secure jobs with good pay and conditions. The prisons have created a whole new way to get a job that was not there before. As we know, in the country some of the options for employment are limited, so these facilities have been great for many people.

The final thing I would like to say about both these prisons is to pay tribute to the communities of Trewalla and Ararat. Not every community welcomes a 750-bed prison for medium security prisoners who are predominately sex offenders, and understands that there is an economic trade-off. These communities were prepared to make that trade-off and work with these prisons because they recognised that they would benefit. People from these communities are doing a great job. Labor members get to their feet in this chamber and say that Victoria does not need additional prison beds, that the coalition is not taking the right path. But the government's position seems to be one of continuing to let people out onto the streets when they have committed serious sexual assault offences, including rape and other offences, when they should be locked up. In Ararat those offenders are locked up in a prison.

Once again I bring to the attention of the house that there are regional and rural communities who are prepared to take on the jobs of keeping our broader community safe by having prisons in their communities. It is only through their doing that that we get to have a comprehensive tough-on-crime and community safety initiative. Members opposite are totally mistaken if they think you can have a failed parole system, not lock people up and then the community will be safe. Today's bill is a great addition to this body of legislation.

Mr McGUIRE (Broadmeadows) — I rise to support the Corrections Legislation Amendment Bill 2015. Parole is important and vexed. There are some prisoners who should never be released; that is the reality. But how do we set up the best system to take care of those who have to make the transition back into our community?

I want to acknowledge the minister for bringing this bill to the house. It is an attempt at a balanced proposition for managing the transition of people who have served their sentences and need to reconnect with the community. It attempts to make improvements by better using technology and the intelligence it can provide. It also looks at how we can move in the way of reform to deliver better public safety.

I want to go to a comment that was made by the member for Ripon when she referred to the government as 'the other mob'. It is the government; that is the point. Let us go to the issue, because — —

Mr Walsh — The big issues of the day!

Mr McGUIRE — It goes to a critical point, which is this: you cannot just have the rhetoric of being tough on crime without being tough on the causes of crime. This is the point I am coming to: it is about the causes of crime. Where was a crime prevention strategy in the last government? You have to address those issues as well. What are you going to do when people have served their time and need to transition back into the community? Where was the plan for jobs? Where was the plan for investing in attitude, education and opportunity — the attributes that largely determine where someone ends up in life? It is not just about bigger police stations, grander courthouses and, inevitably, more prisons. Insanity, according to Einstein, is repeating the same thing over and over and expecting a different result. He was not only smart, he was right.

This issue needs to be called out and addressed. We have before us a bill that looks at how we can make the public safer. While there are people who should not be paroled — people like Stanley Taylor, Peter Dupas and Paul Denyer — we have a range of sentences that need to be nuanced to protect the community, to try to reduce crime and to recognise the seriousness of the conduct from the point of view of the community and the individual. We need techniques to reduce the damage that occurs because of crime. We need to punish people who have hurt people through their criminal actions. Sometimes maximum sentences are appropriate to send the message that: 'this will not be tolerated'. There will always be disagreements about that. You cannot deal with them in one-line clichés like 'the other mob'; you have to deal with the facts and the propositions.

One of the objectives of any criminal justice system must be social rehabilitation. Crime damages individuals and society. We are talking about how to rehabilitate people back into society — an individual is under a framework of justice. The particular behaviour has to be addressed. That is the issue we must look at here. This is about how we get a parole system that works and one that errs on the side of caution in the public interest. That is the correct balance. We have to make rehabilitation possible and do it in a system that produces results. That is the frame of reference for how to address this as a community and as a government.

We then come to the question of what this bill actually does. It amends the Corrections Act 1986 to clarify the circumstances under which parole is taken to be cancelled to include where the prisoner on parole is sentenced to a term of imprisonment in Victoria or elsewhere and where the offending occurred before or during the parole period. The bill updates the powers of the Adult Parole Board of Victoria that may be used at parole hearings. It clarifies the circumstances under which a relevant person, such as an officer of Corrections Victoria, may use or disclose personal or confidential information, such as disclosures to Victoria Police for law enforcement purposes. It provides the governor of a prison with an express power to require a prisoner to be electronically monitored, which is an example of a modern tool and better use of technology. It provides for the employment of parole officers.

The bill will permit the Secretary of the Department of Justice and Regulation to authorise an employee of the department to exercise the powers and functions of a community corrections officer or regional manager. It adds to the list of persons and bodies whose correspondence with prisoners must not be opened and inspected by prison staff unless contraband is suspected. If contraband is suspected, the letter may be opened and inspected but must not be read or censored. Those additional persons or bodies include the Independent Broad-based Anti-corruption Commission, the Victorian Inspectorate and the Victorian Equal Opportunity and Human Rights Commission. Other bodies may be prescribed by regulation.

The bill also permits the Secretary of the Department of Justice and Regulation to authorise an employee to perform the functions of the secretary of the adult parole board, including to cover an absence of the secretary or a vacancy. It clarifies the quorum for a meeting of the adult parole board held to decide questions. It increases the time limit within which to charge a person with a breach of parole from 12 months to 2 years from the date of the offence in order to clarify procedures for prosecution. It removes references to the repealed Serious Sex Offenders Monitoring Act 2005. It amends the Parole Orders (Transfer) Act 1983 to validate certain past parole order transfers made under the national scheme.

The bill confirms that a person cannot be imprisoned under any sentence and be on parole at the same time. This is because a prisoner cannot comply with parole conditions such as a residence curfew or community treatment conditions while in prison. Clause 3 provides that parole is automatically cancelled when a prisoner on parole is sentenced by a court to another term of imprisonment in Victoria or elsewhere and when the

offending occurred before or during the parole period. The prisoner's parole is taken to have been cancelled on the sentence being imposed.

The legislative provisions of the Evidence (Miscellaneous Provisions) Act 1958 relating to the power and procedures of the board were repealed on 15 October 2014 as a consequence of the Inquiries Act 2014. The bill updates the current evidentiary tools under the Inquiries Act 2014 that may be used by the parole board at parole hearings. The powers also complement the existing powers that the board has for supervision — —

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

Motion agreed to.

Read second time.

Third reading

Motion agreed to.

Read third time.

LOCAL GOVERNMENT LEGISLATION AMENDMENT (ENVIRONMENTAL UPGRADE AGREEMENTS) BILL 2015

Second reading

Debate resumed from 5 August; motion of Ms D'AMBROSIO (Minister for Energy and Resources).

Motion agreed to.

Read second time.

Third reading

Motion agreed to.

Read third time.

**CLASSIFICATION (PUBLICATIONS,
FILMS AND COMPUTER GAMES)
(ENFORCEMENT) AMENDMENT BILL
2015**

Second reading

**Debate resumed from 5 August; motion of
Mr PAKULA (Attorney-General).**

Motion agreed to.

Read second time.

Third reading

Motion agreed to.

Read third time.

INFRASTRUCTURE VICTORIA BILL 2015

Second reading

**Debate resumed from 5 August; motion of
Ms ALLAN (Minister for Public Transport).**

Motion agreed to.

Read second time.

Third reading

Motion agreed to.

Read third time.

ROAD SAFETY AMENDMENT BILL 2015

Second reading

**Debate resumed from earlier this day; motion of
Mr NOONAN (Minister for Police).**

Motion agreed to.

Read second time.

Third reading

Motion agreed to.

Read third time.

Business interrupted under sessional orders.

ADJOURNMENT

The DEPUTY SPEAKER — Order! The question is:

That the house now adjourns.

Hawthorn West Primary School

Mr PESUTTO (Hawthorn) — I raise a matter for the attention of the Minister for Education. The action I seek is that the minister visit Hawthorn West Primary School to meet with principal Glenys Williamson, school council president Richard Bryant and parent representative Lloyd Elliott to inspect the school and that he advise on whether the Andrews government will provide funding for the Honour Avenue landscape concept plan, which would provide the school with much-needed space and facilities for students and staff.

The school shares a site with an Anglican church at the corner of Burwood Road and Church Street in Hawthorn. The Department of Education and Training does not own the land, nor does it have any right to make improvements to the land. This land is a public roadway owned by VicRoads and gazetted as Honour Avenue to which the school is required to permit access at all times.

Like many schools in my electorate, Hawthorn West Primary School is facing enrolment pressures with little or no ability to broaden its footprint without government assistance — and even with that, space is so limited that every bit helps. This year the school has an enrolment of 387 students and it has access to around 11 000 square metres of land. Around 30 per cent of this land forms Honour Avenue. The school is seeking funding to acquire the existing VicRoads thoroughfare and relocate Honour Avenue to the northern boundary of the existing site while consolidating the balance of the land into a single property owned and managed by the department. The land that would be developed for the relocated Honour Avenue is approximately 750 square metres, and the balance of approximately 2500 square metres would form part of the expanded school grounds.

The school makes the good point that the existing grounds are around a quarter of the size that the department recommends for a student population of the school's size. Accordingly the additional 2500 square metres of land will help students enormously. For 18 months the school has been working closely with the City of Boroondara to develop the concept plan to the extent that both the school and the council have agreed in principle to the design and scope of works required and, subject to funding being approved, they are ready

to commence a public consultation process. The school is seeking funding approval from the department and the state government. The cost is estimated at around \$1.2 million, consisting of \$420 000 for the Honour Avenue works and \$780 000 for the rectification works.

Prior to this year's state budget I wrote to the minister to ask that his government allocate at least initial funding to start the process. Sadly, nothing was forthcoming in the budget. As a candidate before the last state election I was very proud to be able to make education commitments representing about \$18 million for Hawthorn, and I have been saddened that not one new dollar has been invested in Hawthorn's fantastic schools. I hope the minister will agree to meet urgently with Glenys Williamson, Richard Bryant and Lloyd Elliott, because I know how hard they have been working on this.

East Keilor Leisure Centre

Mr CARROLL (Niddrie) — I raise a matter for the attention of the Minister for Sport. The action I seek is that the minister visit the East Keilor Leisure Centre and meet with locals and representatives of the Moonee Valley City Council. On 20 July this year I wrote to the Moonee Valley council following its release of preliminary plans for the redevelopment of the East Keilor Leisure Centre. The draft plans do not include the 50-metre pool. I have personal experience of and appreciate what an asset the 50-metre pool is to our community, having grown up as a regular user of the East Keilor Leisure Centre. I have many fond memories of spending a large amount of my youth at the centre, using especially the outdoor Olympic-size 50-metre pool as well as the diving boards during the summer months. I really do appreciate what an asset this pool is to the community, and it is an asset I believe should be protected.

The council has identified the East Keilor Leisure Centre as a priority project in the recently released Moonee Valley City Council *Draft Aquatic Leisure Centre Plan*. The leisure centre was built in the 1960s and is in urgent need of investment to meet the growing needs of our community, from local school use to hydrotherapy for some of our older residents. Members may be aware that recently a report entitled *Future Property Hotspots for Aged Care and Retirement Living Developers* showed East Keilor to have the most residents aged between 65 and 84. This recent population data, combined with growing enrolments at our local schools, presents a unique opportunity for the East Keilor Leisure Centre to be redeveloped to meet the growing needs of our community. An investment in the order of \$27 million to \$30 million demands that

the redevelopment of the East Keilor Leisure Centre be a legacy for the next generation in our community.

On 3 August I received a letter from the mayor of the City of Moonee Valley, and she has assured me that no decision has been made yet in relation to the future of the 50-metre pool and nor has the council progressed to undertaking a more detailed feasibility study. I believe that the 50-metre pool is worth fighting for. It is a pool that I know and regard fondly. I believe it is an asset we should save. I also believe that keeping the 50-metre pool will be a cost saver for locals, and with school groups otherwise having to travel via road to the Melbourne Sports and Aquatic Centre, a local facility is an extremely worthwhile investment for the future.

Whilst I appreciate that 50-metre pools are often run for only four months of the year, partially enclosing the pool, building a roof, having open side access and providing economical heating will allow for all-round use of the pool by lap swimmers, students from local schools and participants in regional carnivals. If the 50-metre pool goes now, it will be gone forever. I believe it is an asset worth protecting. I hope Moonee Valley City Council reconsiders its decision to exclude it from the draft plan. I understand that the council is going to seek further community feedback, and I welcome the opportunity for the minister to meet with locals to discuss his Better Pools program, which he runs through the Department of Health and Human Services.

Kew Primary School

Mr T. SMITH (Kew) — I raise a matter for the Minister for Education. The action I seek from the minister is that the government consider purchasing land on behalf of Kew Primary School. Kew Primary School is situated within a busy shopping and business district off High Street, Kew. A parcel of land adjacent to the school, on 16 Peel Street, is to be auctioned on 22 August. The land is owned by the Holy Trinity Anglican Church in Kew, and it is currently being leased by the Boroondara City Council for use as a car park. Kew Primary School is very busy. It has 500 students, and it is at capacity. Obviously there are many parents who want to collect their children from the school, which is in a residential area abutting busy High Street.

The matter I raise for the minister's interest is that parking is at an absolute premium for traders, shoppers and particularly parents of children who attend the school. With that car park potentially being sold off for private development and the like, parents will find it very difficult to collect their children from the school

with any ease. Equally traders will have difficulty parking their vehicles and so will potential patrons of High Street. This issue has been raised with me by the principal of Kew Primary School on a number of occasions. It has been raised with me by local community members and indeed by parents, and it has been raised further afield with Boroondara council and other interested persons.

I simply ask the minister to have a look at this. It is an important issue for my electorate. Over the long term it would certainly help the school community to grow. For example, the development of the Amcor site will bring a lot more people into the local area. We will look at this in a cooperative fashion. We want the minister to assess this on its merits, and I commend the potential purchase of the car park to the minister in the strongest possible terms.

Country Fire Authority Research brigade

Ms WARD (Eltham) — My adjournment matter is for the Minister for Emergency Services. The action I seek is that the minister provide an update to me regarding the progress of the delivery of a new tanker for the Research Country Fire Authority (CFA) brigade. Labor made a commitment at the last election to provide a new tanker for the Research CFA, and I am sure the minister is very aware of this CFA brigade, which has served Research and the surrounding community well since 1950. I am very pleased that for some time the brigade has had a slightly expanded premises instead of the old tin shed it had when I was a child.

The dedicated volunteers are a very important part of the community of Research. They spend Sunday mornings at the facility. They attend for training, when they put on their uniforms and do so much work for our community. They get called out on a regular basis. Their work is of real benefit to our community and needs to be appreciated, as I am sure it is. Research is a small community on the outskirts of Eltham, and its residents connect through the CFA, the football club and the cricket club.

The services of this community need to be improved, which is why the government has committed funds to the Research football club, but it also needs to deliver on this tanker for the CFA. I know the minister and the Andrews government will honour Labor's election commitment to the Research CFA. As is the case with many CFA brigades, there are young members, but there are also those who have volunteered for decades, and in the case of the Research CFA that includes the Brinkkotter family. Bearing in mind the variety of

emergency situations to which the Research CFA responds, such as car accidents, brushfires, bushfires, house fires and so on, can the minister update me on when a new truck will be delivered to the brigade, the type of tanker the CFA will receive and why that tanker is the best choice for the Research CFA?

Methamphetamine user rehabilitation services

Mr WALSH (Murray Plains) — My adjournment matter is for the Minister for Mental Health, and it relates to an inquiry of the former Parliament's Law Reform, Drugs and Crime Prevention Committee into the supply and use of methamphetamines, particularly ice, in Victoria. The action I seek is that the minister put in place the recommendations from the parliamentary inquiry that relate specifically to rural and regional Victoria.

Volumes 1 and 2 of the report were tabled on 3 September 2014 and included 54 recommendations. The report discusses a number of issues and examines the specific problems faced by rural and regional communities and the responses needed for those problems. In particular I refer to recommendation 39, which goes to the lack of attention given to drug use and misuse in rural and regional Victoria. The recommendation addresses a number of matters, including the access and availability of alcohol and other drug services for people in regional Victoria, staffing issues, the tyranny of distance, issues pertaining to anonymity and confidentiality in small rural communities, and rural input into decision-making.

Recommendation 47 states:

Given that significant barriers exist in regional areas, the committee recommends that the Victorian government:

- (a) ensure local withdrawal beds are available for dependent methamphetamine users;
- (b) ensure better access to residential rehabilitation beds in the regional areas and develop protocols for transfer of clients from regional areas to metropolitan and larger centres;
- (c) ensure that outpatient services in rural areas are well resourced to respond to methamphetamine users.

The committee issued an addendum to volume 1, which was a statement of principles underlying the recommendations. Point 11 of that addendum states:

An effective response to methamphetamine use in rural and regional communities requires tailored interventions that take into account the specific, evidence-based needs of the community.

On 27 August 2014 the Premier, as the then Leader of the Opposition, announced an *Ice Action Plan* to be delivered within the first 100 days of government should Labor be elected. The Victorian government announced the *Ice Action Plan* on 5 March 2015. The government's response to the committee's inquiry was tabled on 17 March 2015, but it did not respond specifically to the issues relating to rural and regional Victoria. It was essentially the delivery of a plan supported by \$45.5 million in new funding, which the government described as the first step in addressing the challenges associated with ice. A range of programs were funded out of that particular money.

It is the government's obligation to ensure that young and vulnerable people in rural and regional areas receive mental health care equal to that of their city peers. However, in country communities our experience is that sadly this is not the case. When people need help, they need it now and in their own communities, not weeks or months later in a city setting. I urge the minister to properly resource the regions so that the recommendations made specifically for rural and regional Victoria can be put in place at the earliest possible opportunity.

Sunbury rail services

Mr J. BULL (Sunbury) — My adjournment matter tonight is for the Minister for Public Transport. The action I seek is that the minister meet with representatives of the Sunbury Train Association to discuss further improvements to trains servicing Sunbury and Diggers Rest. Members will recall that prior to the winter break I raised with the Minister for Public Transport the matter of the reduction of V/Line services in Sunbury. Since that time I have done considerable work with a newly formed group, the Sunbury Train Association. I suggested to a number of local residents that they form this group and advocate for additional services in and out of Sunbury and Diggers Rest.

On Tuesday, 21 July, I met with representatives of the Sunbury Train Association in my office. It was a very productive meeting, and I thank all members of the association for attending and being so constructive. Unlike the shadow Minister for Public Transport, the member for Croydon, and Bernie Finn, a member for Western Metropolitan Region in the other place, the government's response was not to simply rock up to the station, take a photo, talk to no-one and then leave.

I have committed to working closely with the Sunbury Train Association to ensure its views are heard, and I am confident that through this advocacy we can have a

successful outcome on this matter. I want to thank the members of the Sunbury Train Association, and the action I seek tonight is that the minister meet with them to ensure their needs are being met.

Middle Brighton railway station

Ms ASHER (Brighton) — I wish to raise an issue with the Minister for Public Transport. It is a follow-on from the constituency question I raised earlier today, and it is about the very sad fact that there have been two tragic deaths of pedestrians at the Middle Brighton station. The action I seek from the minister is that a safety audit of the Middle Brighton station be conducted with a view to a possible safety upgrade.

I do not expect members on my side or the other side to be completely familiar with the Brighton electorate, but the Sandringham line intersects with Church Street, which is the major retail street in Brighton. It is a very busy pedestrian precinct — there is a lot of pedestrian movement — and obviously as the Sandringham line runs through it, there is a fair amount of train movement as well. As I said, tragically this year there have been two deaths, in June and July, where pedestrians have been hit by trains, causing considerable angst to one of the locals.

The retail and commercial area around the station is very busy, and I suspect it would not be suitable for a grade separation, nor am I asking for one because the Labor Party has made clear what its priorities are. In fact I suspect the owners of the Half Moon hotel, located very close to that railway crossing, would not want it to be demolished in the process. As I said, this is a heavily congested commercial and retail area, and unfortunately two pedestrians have been hit by trains in recent times.

What I am suggesting — and clearly the police are investigating the latest accident and will prepare reports for the relevant authorities — is that the minister have her experts look at this crossing to do a safety audit. The last death involved a gentleman who could not reach the other side of the crossing in time before the train hit him — he was an elderly gentleman. I ask for a safety audit to look at what, if anything, could be done to upgrade safety at the very important Middle Brighton railway station crossing in the Brighton electorate.

Frankston Basketball Stadium

Ms KILKENNY (Carrum) — My adjournment matter tonight is for the Minister for Sport. The action I seek is for the minister to join me in calling on the federal Liberal government to contribute its fair share

of funding for the upgrade and expansion of the Frankston Basketball Stadium. Frankston Basketball Stadium is located in Seaford in my electorate of Carrum and attracts players from right across Melbourne. Recently I attended a sold-out Olympic qualifying game between the Australian women's basketball team the Opals and Japan. The Opals were fantastic and had a convincing win, much to the delight of the sold-out crowd.

However, due to the increasing popularity of basketball our local stadium is bursting at the seams. Overcrowding means teams are having to play their games late into the evening because there are just not enough courts. The Andrews Labor government understands the need to upgrade these facilities and is getting on with this important expansion, committing \$2.5 million towards the project. Frankston City Council also knows this is a much-needed, long overdue development and is contributing \$4 million, but the federal Liberal government is putting this vital project in limbo because it refuses to commit a cent and contribute its fair share.

I urge the federal Liberal member for Dunkley, Bruce Billson, to convince Tony Abbott to contribute to the stadium upgrade, otherwise the Frankston & District Basketball Association will not get the stadium it or the community deserves. I welcome the opportunity to have the minister visit our much-loved basketball stadium in Seaford to meet with the Frankston & District Basketball Association players and staff and join me, as well as the member for Frankston, in calling on the federal Liberal government to put the community first and contribute its fair share of funding for the upgrade.

Sandringham railway station

Mr THOMPSON (Sandringham) — The Sandringham electorate is served by four direct railway stations and one immediately-abutting railway station. The stations include Highett, Cheltenham, Mentone, Sandringham and Hampton. The matter I raise tonight concerns parking opportunities around the Sandringham railway station. The action I seek in more specific terms is for the minister or her delegate, together with representatives as appropriate from Metro Trains Melbourne, Public Transport Victoria and VicTrack to meet with members of the Sandringham community, the local Neighbourhood Watch group and the local Sandringham traders group to discuss visionary planning for the Sandringham station precinct.

In more recent days, with the advent of zone 1 travel in zones 1 and 2 and Sandringham station being included in the zone 1 travel zone, there have been an increasing number of rail commuters travelling to Sandringham and that has benefited local businesses. At the same time there have been numbers of city commuters and Sandringham line commuters who have travelled from further afield to park within the Sandringham precinct. That has placed increasing pressure on parking spaces for local shops. The search for parking has also moved out into residential precincts in the immediate surrounding area.

It is important that as Melbourne plans for population growth in line with Melbourne at 8 million people there be visionary planning undertaken. At one level there can potentially be some short-term measures implemented that might use land in the immediate precinct that is under-utilised, and I have recently written to the minister seeking guidance as to whether land in Station Street north of Abbott Street or in Beaumont Street might be available for the creation of some additional parking spaces. That is a matter for careful review. Every car parking space that can be added to the parking mix will be of benefit to local traders and the local community.

At the same time there has been some discussion about the development of multilevel parking. That is a sensitive issue proximate to the coast, but looking at Melbourne at 8 million people it is a debate that needs to be held. There is also the prospect of an expansion of the Parkiteer program and the additional provision of — —

The DEPUTY SPEAKER — Order! I am assuming, because the member has not said it, that he is referring this matter to the Minister for Public Transport.

Mr THOMPSON — Yes, Deputy Speaker.

The DEPUTY SPEAKER — Order! The member needs to be clear at the outset who he is referring his matter to.

Mr THOMPSON — Thank you, Deputy Speaker. I seek action from the minister or her delegate, as I noted earlier in my contribution.

Notting Hill industrial precinct

Mr DIMOPOULOS (Oakleigh) — I wish to raise a matter for the attention of the Minister for Small Business, Innovation and Trade. The action I seek is a commitment from the minister to visit the Notting Hill precinct in the electorate of Oakleigh. I also want to

take this opportunity to congratulate the minister on his recent elevation to the cabinet. I know that with his experience, enthusiasm and goodwill he will make an excellent contribution.

A medical technology start-up, 4Dx, that has developed four-dimensional X-ray imaging technology, providing a state-of-the-art, non-invasive way of understanding regional lung motion and airflow in real time. This enables highly detailed maps of both the patterns of lung motion and pulmonary function, a world-first innovation in respiratory diagnosis. Founder and chairman, Andreas Fouras, said to me when I met him, 'This will be a billion-dollar company in a few years time', and I absolutely believe that.

GP Graders is a company that produces machines that can, among other things, process 7 tonnes of fruit per hour while separating different colours and providing exact grading. GP Graders is Australia's leading supplier of fresh produce-grading machinery and the world's leading manufacturer of cherry-sorting and packing machinery. It is also involved in packaging for the shellfish industry. It is no wonder that managing director, Stuart Payne, and his team won the Governor's award for manufacturing last year, to add to the growing list of awards they already have.

Amaero Engineering manufactures complex metallic components by laser-based additive manufacturing — also known as 3D printing — from computer-aided design files. Earlier this year, Amaero produced the world's first printed jet engine. Professor Xinhua Wu and her team were so passionate, intelligent and committed when they showed me around their premises a few months ago that I walked away also believing this will be an incredible company.

I could go on. There are many of these sorts of companies in the Oakleigh electorate, some of which I have visited and some I have not. What do these companies have in common? They are all within the Notting Hill precinct. There is something about this precinct — something in the water, perhaps — probably to do with the incredible institutions surrounding the precinct: Monash University, the synchrotron, Monash hospital, and the soon to be Andrews Labor government heart hospital.

This precinct incorporates all of the government's six high-growth industry areas where the jobs of the future will come from, and I am very excited about that. But the jobs of the future will not just happen. I believe in an engaged industry policy. I am proud that the Victorian government established a \$200 million Future

Industries Fund, which is just one example of our engaged industry policy.

I would be delighted to show the minister this gem of a precinct, the biomedical and high-tech manufacturing hub of Australia — our answer to Silicon Valley. I want the minister to roll up his sleeves, along with me, get together with the innovators and businesspeople in that precinct and really create opportunities for export dollars to come back to Australia and Victoria and for employment growth. I look forward to welcoming the minister to this fantastic precinct.

Responses

Ms ALLAN (Minister for Public Transport) — A few public transport matters were raised tonight, and I will respond to them accordingly.

The member for Sunbury raised an issue regarding train services for Sunbury. I continue to thank the member for Sunbury for the work he does on behalf of his local community, such as advocating strongly for improved public transport services in that area. In response to some changes that were made to the timetable back in June, concerns have been raised by the Sunbury community and then directly with me by the member. As a result of listening to those concerns I can respond by indicating that this month an additional morning and afternoon peak service has been provided for the Sunbury community, with investigation of how other additional services may be added later in the year.

The action that the member for Sunbury requested was for me to meet with him and a delegation from the Sunbury Train Association. I am pleased to advise the member that I would be very happy and willing to meet with the association to continue the dialogue and listen to its issues. I think it demonstrates how important community consultation and talking to community members about improving public transport are. Whether you are considering train, tram or bus services, it is important to talk with the community. I look forward to the member for Sunbury and me having that meeting in the very near future.

The member for Brighton raised a matter regarding safety issues around the Middle Brighton station and, as she described them, the tragic deaths of two people at that location. Certainly the recent death of the elderly gentleman received quite a bit of media attention, and our thoughts and sympathies go to both families at the loss of their loved ones. The member for Brighton asked for a safety audit to be undertaken at this location. I am happy to advise the member that we will undertake that work. I will probably ask VicTrack to

look at this, as it is the custodian of the facility, and suggest that it talk with the member for Brighton on how to have this done expeditiously and with a view to ascertaining what improvements can be made in that station precinct.

The member for Sandringham raised a matter regarding parking at the Sandringham station and wanted me or a representative to meet with members of the local community to discuss how parking can be improved. Certainly parking at train stations is an issue that is raised consistently and constantly. It is one thing to provide more public transport services, but another thing altogether to make sure that people can use them by getting on the train and having the parking facilities available. The Andrews Labor government has certainly recognised this. It has set aside \$20 million to do works for new car parking facilities across the metropolitan system. Public Transport Victoria and VicTrack are also undertaking an audit of all metropolitan and regional car parking facilities.

I will ask Public Transport Victoria to get in touch with the member for Sandringham to see how the audit of the Sandringham station went and to meet with those representatives that he asked be met with to discuss car parking issues in that area.

The remaining matters raised by the remaining members will be referred to the relevant ministers for their attention and consideration.

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

**House adjourned 5.30 p.m. until Tuesday,
18 August.**